

Notice of Meeting

ASSEMBLY

Wednesday, 21 January 2015 - 7:00 pm
Council Chamber, Town Hall, Barking

To: Members of the Council of the London Borough of Barking and Dagenham

Chair: Cllr Tony Ramsay
Deputy Chair: Cllr Syed Ghani

Date of publication: 13 January 2015

Graham Farrant
Chief Executive

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AGENDA

1. **Apologies for Absence**
2. **Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.
3. **Minutes - To confirm as correct the minutes of the Extraordinary meeting held on 25 November 2014 (Pages 3 - 4)**
4. **Minutes - To confirm as correct the minutes of the meeting held on 25 November 2014 (Pages 5 - 20)**
5. **Sub-Committees - To note the minutes of the JNC Appointments Panel Meeting of 25 November 2014 (Page 21)**
6. **Leader's Statement**
7. **Death of Former Councillor Val Rush (Page 23)**
8. **Appointments**
9. **Proposed Changes to the Council Tax Support Scheme 2015/16 (Pages 25 - 67)**

10. **Questions With Notice**
11. **Any other public items which the Chair decides are urgent**
12. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend Council meetings such as the Assembly, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

13. **Any confidential or exempt items which the Chair decides are urgent**



Our Vision for Barking and Dagenham

One borough; one community; London's growth opportunity

Encouraging civic pride

- Build pride, respect and cohesion across our borough
- Promote a welcoming, safe, and resilient community
- Build civic responsibility and help residents shape their quality of life
- Promote and protect our green and public open spaces
- Narrow the gap in attainment and realise high aspirations for every child

Enabling social responsibility

- Support residents to take responsibility for themselves, their homes and their community
- Protect the most vulnerable, keeping adults and children healthy and safe
- Ensure everyone can access good quality healthcare when they need it
- Ensure children and young people are well-educated and realise their potential
- Fully integrate services for vulnerable children, young people and families

Growing the borough

- Build high quality homes and a sustainable community
- Develop a local, skilled workforce and improve employment opportunities
- Support investment in housing, leisure, the creative industries and public spaces to enhance our environment
- Work with London partners to deliver homes and jobs across our growth hubs
- Enhance the borough's image to attract investment and business growth

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MINUTES OF ASSEMBLY

Tuesday, 25 November 2014
(6:00 - 8:00 pm)

PRESENT

Cllr Tony Ramsay (Chair)
Cllr Syed Ghani (Deputy Chair)

Cllr Syed Ahammad	Cllr Sanchia Alasia	Cllr Jeanne Alexander
Cllr Saima Ashraf	Cllr Abdul Aziz	Cllr Melanie Bartlett
Cllr Simon Bremner	Cllr Sade Bright	Cllr Laila Butt
Cllr Evelyn Carpenter	Cllr Peter Chand	Cllr Josephine Channer
Cllr Faruk Choudhury	Cllr Edna Fergus	Cllr Irma Freeborn
Cllr Cameron Geddes	Cllr Rocky Gill	Cllr Kashif Haroon
Cllr Amardeep Singh Jamu	Cllr Jane Jones	Cllr Elizabeth Kangethe
Cllr Eileen Keller	Cllr Danielle Lawrence	Cllr Giasuddin Miah
Cllr Dave Miles	Cllr Margaret Mullane	Cllr James Ogungbose
Cllr Adegboyega Oluwole	Cllr Moin Quadri	Cllr Hardial Singh Rai
Cllr Linda Reason	Cllr Lynda Rice	Cllr Darren Rodwell
Cllr Faraaz Shaukat	Cllr Danielle Smith	Cllr Bill Turner
Cllr Dominic Twomey	Cllr Jeff Wade	Cllr Lee Waker
Cllr Phil Waker	Cllr Maureen Worby	Cllr Dan Young
Cllr Linda Zanitchkhah		

APOLOGIES FOR ABSENCE

Cllr Chris Hughes	Cllr Mick McCarthy	Cllr Chris Rice
Cllr Liam Smith	Cllr Sam Tarry	Cllr John White

20. Declaration of Members' Interests

There were no declarations of interest

21. Appointment of Chief Executive

The Leader of the Council and Chief Executive outlined the overall recruitment process which had attracted a wide selection of applicants in terms of experience, ethnicity and gender. Members questioned why there were no minority or female candidates on the final shortlist? The Assembly were reassured about the quality of the process, it proven to be both inclusive and transparent, with members, trade unions, tenants, the business community, voluntary sector, CMT, and representatives of Health and the Police all participating and providing views to the JNC Appointments Panel. This resulted in the short listing of the two candidates presented before the Assembly, both of whom, in the Panel's opinion, from the applicants that had applied, would best fulfil the role of Chief Executive for Barking and Dagenham.

The Assembly received presentations from both candidates based on the theme:
“Fast forward to three years time, what will you have delivered and planned for the Borough, its place in the city/region and for the Council”

There then followed an interview with each candidate where a number of set questions were asked together with supplementary questions as appropriate. In the light of the presentations and interviews Members debated the merits of each candidate including reflecting on the additional experiences each had gained since the last Chief Executive recruitment exercise had been conducted in 2011 when both had been interviewed.

Having taken a vote it was agreed that Chris Naylor should be offered the position of Chief Executive on terms and conditions as outlined. This included paying an additional salary premium as previously agreed by the JNC Panel to reflect his experience and current salary.

MINUTES OF ASSEMBLY

Tuesday, 25 November 2014
(8:20 - 9:55 pm)

PRESENT

Cllr Tony Ramsay (Chair)
Cllr Syed Ghani (Deputy Chair)

Cllr Syed Ahammad	Cllr Sanchia Alasia	Cllr Jeanne Alexander
Cllr Saima Ashraf	Cllr Abdul Aziz	Cllr Melanie Bartlett
Cllr Simon Bremner	Cllr Sade Bright	Cllr Laila Butt
Cllr Evelyn Carpenter	Cllr Peter Chand	Cllr Josephine Channer
Cllr Faruk Choudhury	Cllr Edna Fergus	Cllr Irma Freeborn
Cllr Cameron Geddes	Cllr Rocky Gill	Cllr Kashif Haroon
Cllr Amardeep Singh Jamu	Cllr Jane Jones	Cllr Elizabeth Kangethe
Cllr Eileen Keller	Cllr Danielle Lawrence	Cllr Giasuddin Miah
Cllr Dave Miles	Cllr Margaret Mullane	Cllr James Ogungbose
Cllr Adegboyega Oluwole	Cllr Moin Quadri	Cllr Hardial Singh Rai
Cllr Linda Reason	Cllr Lynda Rice	Cllr Darren Rodwell
Cllr Faraaz Shaukat	Cllr Danielle Smith	Cllr Bill Turner
Cllr Dominic Twomey	Cllr Jeff Wade	Cllr Lee Waker
Cllr Phil Waker	Cllr Maureen Worby	Cllr Dan Young
Cllr Linda Zanitchkhah		

APOLOGIES FOR ABSENCE

Cllr Chris Hughes	Cllr Mick McCarthy	Cllr Chris Rice
Cllr Liam Smith	Cllr Sam Tarry	Cllr John White

22. Declaration of Members' Interests

There were no declarations of interest

23. Minutes (17 September 2014)

The minutes of the meeting held on 17 September 2014 were confirmed as correct.

24. Death of Freeman Vera Reynolds

The Assembly noted with deep regret that Freeman Vera Reynolds had passed away on Monday, 29 September 2014.

Councillors spoke in tribute to Vera, noting the work that she did supporting all members of the community, from young children at the Noah's Ark Centre to the Girls Brigade and the over 50s Breakaway Club.

The Assembly stood for a minute's silence as a mark of respect.

25. Appointments

The Assembly **agreed** the following appointments:

- Councillor Freeborn to the Children's Services Select Committee;
- Councillor Ahammad to the Licensing and Regulatory Board following Councillor Butt's resignation;
- Councillor Rai to the Personnel Board following Councillor Quadri's resignation;
- Councillor Young to the Public Accounts and Audit Select Committee, following Councillor Ahammad's resignation;
- Councillors Freeborn and McCarthy to the Safer and Stronger Select Committee;

And noted the appointment by Councillor Geddes, Cabinet Member for Regeneration, of Councillor L Rice as deputy on the London Councils Transport and Environment Committee.

26. Members' Allowances - Payment to position of Chief Whip

The Assembly received this report introduced by Fiona Taylor, Monitoring Officer, which related to a request made at Annual Assembly in June 2014 for a legal view regarding the decision to cease making a payment to the position of Chief Whip as part of the Members' Allowances Scheme that had been adopted at that meeting. Clarification was also requested on why the position had changed since the local scheme had been adopted in 2010 and whether the payment made at that time had been illegal or unlawful.

The Chair invited Councillor Rodwell, the Leader of the Council, to speak, who said:

"Members, as the report states, this was requested at our Assembly meeting in June when we took the decision to stop paying an allowance to the Chief Whip. It clarifies the legal position at the same time as providing a wider background to the payment of Chief Whips.

At the time, I was given clear advice by officers that the payment of an allowance to the Chief Whip was not a legal payment. As the report clearly says, and I am pleased to clarify, this is not the case. I do accept that the advice on which I was speaking was wrong. So, I welcome the opportunity to put the record straight.

However, the report also throws new light on the regulations surrounding payments to Chief Whips where they are members of a majority group with an unassailable majority on a Council – just like here in B&D. I refer to the position of the Independent Remuneration Panel for London Councils, highlighted in the advice before you, which says local authority whips should only receive an allowance if they help get business through the Council. They should not simply

receive a payment just for helping keep party political discipline. That is the sole remit of political parties. On this basis, justifying an allowance for the Chief Whip where there is a single party only, or where that party holds the vast majority of seats on the Council, becomes very vague. It becomes very problematic and, I believe, open to question. It is for this reason that I believe we have set off in the right direction by deciding not to make a payment to the Chief Whip from May.

It is vital we heed that advice very closely. Councillor Gill in his question to me later in the meeting refers to the Nolan principles. I think this is a good example where this administration is holding dear to those principles.”

The Assembly **agreed** to note the report.

27. Council Constitution

The Assembly received this report introduced by Councillor Ogungbose, Cabinet Member for Central Services.

In presenting the report the Cabinet Member thanked the members of the Public Accounts and Audit Select Committee for the work they had carried out in their consideration of the Constitution.

- (i) The Assembly **considered** the proposed main changes to the new Constitution detailed in section 2 of the report, taking into account the views of PAASC both in relation to the main changes and other aspects put forward by that Committee as detailed;
- (ii) The Assembly **agreed** In the light of (i) above, to adopt the new Constitution as presented to the last meeting subject to the following amendments:
 - (a) That the merger of the ‘Leader’s Questions’ and ‘General Questions’ processes into a single ‘Questions With Notice’ process also make provision for supplementary questions to be asked in the following terms: “After the initial answer, the Councillor who submitted the question may ask one supplementary question arising directly out of the initial question or answer, without notice, and the person who answered the initial question shall respond to the supplementary question wherever possible. There shall be no further debate on the issue.”
 - (b) To confirm the creation of a Licensing Sub-Committee to determine applications, with a membership of three to be made up of Members of the Board, while noting the overriding provision within the Licensing and Regulatory Board’s terms of reference which enable the full Board to consider any matter delegated to the Sub-Committee or officers.
 - (c) That the appointment of non-Cabinet Councillors to the various JNC Panels should be the responsibility of the Assembly as part of its general responsibilities in respect of Member appointments, and that the appointment arrangements be amended so that a pool of four non-Cabinet Councillors are appointed for the respective Panels and

the Chief Executive, in consultation with the Leader of the Council, is authorised to appoint the two non-Cabinet Councillors from the pool to sit on each panel.

- (d) That the business at ordinary meetings of the Assembly be amended to include "Receive the minutes of the meetings of JNC committees, sub-committees and panels".
 - (e) That the terms of reference of the JNC Salaries and Conditions Panel be amended to include "... to consider and make final decisions in relation to senior management (JNC) structures / reorganisations" and that the corresponding amendments be made to the Officer Scheme of Delegation; and
- (iii) to authorise the Monitoring Officer to make any consequential amendments prior to the publication of the document, the provisions of which will come into effect at 12 noon on Wednesday, 26 November 2014.

28. Adoption of Community Infrastructure Levy

The Assembly received this report introduced by Councillor Geddes, Cabinet Member for Regeneration, providing background on the implementation of a Community Infrastructure Levy (CIL), which would largely take over from Section 106 planning agreements as the primary means of obtaining a contribution from developers towards new infrastructure requirements.

The Cabinet Member referred to the areas that would be funded by CIL contributions in the future and those that would continue to be funded via Section 106 monies. He also advised that the Planning Inspector responsible for examining the Council's proposals had recommended that the charging schedule was appropriate and should be approved in its published form.

In debating and supporting the report Members raised the following points:

- very little funding appeared to be going into infrastructure, community space and park improvements in Dagenham;
- the £70 psm for Zone 1 be reviewed;
- that the CIL be examined through the Living and Working Select Committee and PAASC.

The Assembly **agreed** to:

- (i) Adopt the LBBD Community Infrastructure Levy Charging Schedule as set out at Appendix 1 to the report;
- (ii) Approve the introduction of the Community Infrastructure Levy rates from 2 March 2015;
- (iii) Approve that how residents and businesses are consulted on the neighbourhood CIL allocation be agreed on a case by case basis, in agreement with the Cabinet Member for Regeneration;

- (iv) Agree to allow the payment in kind of CIL by land or infrastructure payments;
- (v) Approve the S106 / Planning Obligations Planning Advice Note as set out at Appendix 4 to the report; and
- (vi) Delegate authority to the Divisional Director for Regeneration, in consultation with the Cabinet Member for Regeneration, to make any final amendments permitted by the Examiner's Report.

29. Proposed Byelaw to Prohibit Spitting in Public Places

The Assembly received this report introduced by Councillor Butt, Cabinet Member for Crime and Enforcement, relating to a petition co-ordinated by the Barking Labour Party containing over 2000 valid signatures from borough residents requesting that the Council seek Secretary of State approval to the making of local byelaw(s) prohibiting spitting and urinating in public places.

In response to Members' questions, the Cabinet Member went on to say that other boroughs including Enfield have already applied for such a byelaw. The issue of enforcement was important and initially work would be undertaken in areas where this is happening, such as the Heathway and the Town Centre. She emphasised the importance of building respect and civic pride in our borough through our schools to stop this dirty habit.

Members further proposed a campaign to eradicate spitting, suggesting that our local football teams might join us, thereby setting a marker within the football environment.

The Chair thanked Councillor Alexander for the work she had done in highlighting this unacceptable behaviour.

The Assembly **agreed** to:

- (i) Seek the Secretary of State's approval to the making of a byelaw prohibiting spitting in public spaces and imposing a fine for non compliance; and
- (ii) **noted** that as urinating in a public place is currently enforced by the Police under Section 5 of the Public Order Act 1986, there was no need to impose a separate byelaw.

30. Sealing of Byelaw Order to Ban Skateboarding in Barking Town Square

The Assembly received this report introduced by Councillor Butt, Cabinet Member for Crime and Enforcement, relating to a byelaw to prohibit skateboarding in Arboretum Place and the Town Square.

Members raised concerns as to the criminalising of young people.

Councillor Alexander made the following points:

- There is a park at Castle Green that the young people do not want to use as

- they say the surface in the Town Centre is better.
- The skaters frighten residents by riding towards them and then swerving at the last minute.
- They stay in the town centre until 11/11.30 at night.

The Leader of the Council, in agreeing with Councillor Alexander's points, said this was a matter of social responsibility; that the young people had been given ample opportunity to work with the community but had chosen not to.

In responding to Members' questions, the Cabinet Member thanked Councillor Alexander and emphasised that it was the surface that attracted the skateboarders and that many were teenagers coming from outside the borough.

Officers further advised that whilst enforcement would be as a matter of course, someone would have to have seen the offence taking place, so generally it would come to the Council as the result of a complaint. Initially, though, the skateboarders would be asked to move on.

The Assembly **agreed** to approve the byelaw agreed by the Department for Communities and Local Government set out at Appendix 2 to the report, authorise its sealing and proceed with the necessary steps to complete its making as a byelaw of the Council.

31. Treasury Management Mid-Year Review

The Assembly received this report introduced by Councillor Twomey, the Cabinet Member for Finance, which provided details of the mid-year position for treasury activities and highlighted compliance with the Council's policies previously approved by the Assembly.

In response to Members' questions, the Chief Finance Officer advised that:

- LOBO (lend option/borrow option) were structured loans whereby the Council borrowed at a certain rate. The bank had an option to change that rate, following which the Council would have an option of repaying the loan without penalty;
- The Council's exposure was £40m with four commercial banks, which were considered to be good value loans at the time they had been taken out.

The Assembly **agreed** to:

- (i) Note the Treasury Management Strategy Statement Mid-Year Review 2014/15;
- (ii) Note that in the first half of the 2014/15 financial year the Council complied with all 2014/15 treasury management indicators;
- (iii) Note the borrowing of £89m through a loan facility from the European Investment Bank (EIB) to support an urban regeneration and economic growth programme agreed by the Assembly on 17 September 2014; and
- (iv) Delegate authority to the Chief Finance Officer, in consultation with the

Cabinet Member for Finance, to proportionally amend the counterparty lending limits agreed within the Treasury Management Strategy Statement for the duration of the 2014/15 financial year, subject to a review of this authority in the February 2015 Treasury Management Strategy report to take into account of any potential additional borrowing from the EIB which has been agreed previously by Cabinet.

32. Polling Districts and Polling Places Review 2014/15

(The Chair agreed that this matter could be considered at the meeting as a matter of urgency under the provisions of Section 100B (4)(b) of the Local Government Act 1972 to meet the statutory requirements of the Electoral Registration and Administrative Act 2013 in respect of the completion of a review of Borough polling districts and associated polling places by 31 January 2015.)

The Assembly received this report introduced by the Chief Executive, Graham Farrant, in his capacity as Acting Returning Officer, on the outcome of a statutory review of polling districts (areas within ward boundaries) and associated polling places (stations), which was carried out between 19 August and 19 September 2014.

In response to questions from Members, the Democratic Services' Group Manager (DSGM) stated that the location of polling stations within polling districts FD (Longbridge) and JE (Thames) were still under consideration. If it is not possible to identify permanent buildings in the lead up to the Parliamentary elections in May 2015, then portacabins would be used. Consultation as to the precise locations would be undertaken with the appropriate ward members.

The DSGM also advised that the registration system had changed with effect from 10 June this year from household to individual registration. This had resulted in comparing individuals' electoral data with that held by the Department for Work and Pensions and those that successfully matched were automatically transferred on to the new register, which will be published on 1 December 2014. A considerable amount of work was now being undertaken to ensure that going forward the electoral register captures as many qualifying names as possible in the run up to the Parliamentary election. This includes door to door canvassing, comparing existing data held by the Council as well as a borough wide mail out confirmation of registration letter.

The DSGM asked all Councillors in their dealings with the community to encourage residents to register in person or on line.

The Assembly **agreed** to:

- (i) Approve for publication the final proposals arising from the review of polling districts and associated polling places as detailed in Appendix A to the report; and
- (ii) Authorise the Chief Executive in his capacity as the ARO to agree any permanent or temporary arrangements until the commencement of the next review that are deemed appropriate in respect of alternative polling stations and/or reconfiguration of polling districts, subject to consultation with relevant ward councillors.

33. Motions

The Chair announced that no motions had been received.

34. General Question Time

GQ1 from Councillor Quadri:

“How many £millions for infrastructure works and other developments have been brought into Barking and Dagenham in the last six months?”

Response from Councillor Geddes, Cabinet Member for Regeneration:

“I cannot give an exact figure, but:

Barking Station revamp - £5m

London Overground extension £190m – presuming we get this extension

EIB on new affordable housing £89m – there is scope for £150m

Plus facility for another £61m

Schools funding at Barking Riverside £30m

Stage 2 road at Barking Riverside £10m

London East - Marstons Pub - Restaurant under construction

London East - SOG acquisition c£5m

London East - junction works

Dagenham Dock - Stolthaven expansion under construction

Dagenham Dock - Chinnook Waste to Energy Plant under construction c£100m

Dagenham Dock –Thames Gateway Park expansion

Dagenham Dock - Provision of Ocado Distribution centre

South Dagenham west - Orion Park Kuehne and Nagel new logistics premises –
plus £500,000 S106

Marks Gate Phase2 housing- £3m

Lymington Fields Phase 1B and 2 c£30m

Magistrates’ Court residential conversion and expansion c£3.5m

Additional TfL funding for public realm works

We are talking about a total in excess of £500m.

This will help next year and for some time to come. Clearly, what we are doing is working extremely hard to ensure that jobs created go to local people.

GQ2 from Councillor Channer:

“Can Councillor Rodwell, Leader of the Council and portfolio holder for Communities, explain what response there had been to this year’s White Ribbon Campaign, and why is this so important for Barking and Dagenham?”

Response from Councillor Rodwell, Leader of the Council:

“It has been a hair-raising experience!

By far the best result so far is Billy Bragg’s pledge post - 37,952 likes and more importantly 13,240 shares – a fantastic response.

I am really proud of all the officers involved. We are taking the White Ribbon Campaign very seriously. We are the first Council to have a women’s

empowerment campaign.”

9.30 pm

In order to conclude the business of the meeting the Assembly **agreed** in accordance with the Council Constitution, Article 1, paragraph 5.3 to extend the meeting to 10 pm.

GQ3 from Councillor Ahammad:

“I am delighted to be informed about, and welcome, the innovative approach of the European Investment Bank in Barking and Dagenham. However, I should like to know :

- the total amount that Barking and Dagenham Council will be receiving.
- Is this a loan or a grant?
- Is there any agreement to paying the amount back and, if so, then more details, please?
- How this investment benefit our residents and will it benefit residents in Longbridge ward, the ward that I represent?”

Response from Councillor Twomey, Cabinet Member for Finance:

“Thank you for the question Councillor Ahammad.

The European Investment Bank (EIB) is very flexible in terms of drawing down and paying off loans. An initial loan of £89m has been agreed, which will be repaid over 30 years, though there is scope to make early repayment if the opportunity arises. Following further discussions with EIB, there is potential to borrow up to £150m towards the development of green energy and further regeneration in the borough

The investment on the Gascoigne Estate will impact on the whole borough. The properties will be of mixed tenure, making the Gascoigne a good place to live. It will help our young people who we want to remain in this borough.

The wider implications are that this investment will impact on the whole of the borough.”

GQ 4 from Councillor Jones:

“Can the Cabinet Member for Finance please give an update on the Council’s position on paying staff the increased £9.15 living wage? Does the Cabinet Member agree that the increase should not be paid for by the 2.2% pay increase but instead should be implemented ASAP with the 2.2% increase paid as well on top of this? We have continually supported both our staff and the living wage and so I take it the Cabinet Member would agree the staff would look unfavourably if he were to use their hard earned pay award in order to continue a commitment made under the last administration?”

Response from Councillor Twomey, Cabinet Member for Finance:

“Thank you Councillor Jones for highlighting that, after a delay, the need to pay our hard working staff a fair living wage is now more widely accepted.

In terms of the question, of course we would like to do exactly what Councillor

Jones suggests. The issue is one of balance in the exceptionally challenging financial times all Councils find themselves operating in. Accordingly we have to balance our commitment to pay people fairly for the excellent work they do for the Council against the need to protect jobs and services to residents. I believe that our staff understand this tension as we have been very open about the challenge of saving over £50m from our budget in addition to the £93m that has already been taken. There is also the issue of pay differentials that we need to consider, ensuring that there is sufficient difference between the pay rates of staff on the lower scales and their supervisors. The implications of the increase in the London Living Wage need to be worked through.

We are a Council that wants to pay its staff fairly but we are also a Council that wants to protect as many jobs as possible and therefore it does not make sense to rush such a decision.”

GQ 5 from Councillor L Waker:

“Could the Cabinet Member for Finance please explain why the additional appointments of a political assistant, scrutiny officer and leader’s and members’ service manager are all being appointed at the top end of each pay scale? Could he also clarify why it is felt there needs to be more political assistance at a time in which we are asking all other departments to make cutbacks on their support?”

Response from Councillor Twomey, Cabinet Member for Finance:

“Thanks for your question. The short answer is no, we have not agreed to pay at the top end of the scale. They have been shown at the top end of the scale for budget purposes, to show the full budget cost of each appointment.

In 2012 we were described as “...an authority with a reputation for leading the way in shaping local policy...”

We needed political assistance then and we need it now to continue raising the profile of the borough, supporting significant change in the Council and to establish the Council’s profile on the London agenda.”

GQ 6 from Councillor Gill:

“Can the Cabinet Member for Finance please explain why the new £13m Barking Leisure Centre was not opened as scheduled in September 2014 and the reasons for the delay? What is the new projected timeframe for the completion of this project and will the Council enforce financial penalties against the build contractors?”

Response from Councillor Twomey, Cabinet Member for Finance:

“Thanks for this question; I am glad it has been raised. I too have raised issues on slippage in terms of what we do.

The original programme was amended due to extensive archaeological investigations undertaken by the Museum of London. This resulted in a revised contractual date of 28 November 2014 completion; a 61 week period.

On top of that the contractors, Wilmott Dixon Construction (WDC), are reporting a 9 week delay to the contract completion date (28th November 2014); the new completion date being 30 January 2015.

They have good reasons for this delay - build being slower than programmed for, the construction in relation to the ground works, the external walls, installation of the main pool tank and construction of the circular staircase. This has had a detrimental effect on other elements of the build such as the installation of the steel works and installation of the roof covering. Officers have had extensive discussions with WDC, including their Managing Director, in an attempt to mitigate these delays. As a result of this, the amount of labour has doubled on site and the contractor is working weekends up until Christmas and is looking at working over Christmas as well.

Within the contract we can claim damages from the contractor for the loss of revenue for the delay in completion of these works. The contract allows the Council to claim up to the value of £41,855.00 per week, providing a potential of £376,695.00 of damages, if the full 9 weeks' delay is claimed. This cost will need to be fully evidenced prior to being able to be claimed through the contract and obviously this cost is being disputed by the contractor. We will update Members as and when that happens.

We are arranging other meetings with WDC to ensure a smooth transition between handover and opening.”

GQ7 from Councillor Bartlett:

“The Interim Housing Director recently wrote to staff advising them that he is implementing a new structure that will consist of four Director posts (one Corporate and three Divisional) and that he has consulted staff about these proposals.

This would mean that we will have increased from one and a half Directors to four Directors in four years, and in terms of a permanent establishment from, one and half to four Directors in just six months, with no Member agreement.

Does the Cabinet Member for Housing agree that it would be better if JNC grade increases were not allowed without the specific agreement of this Assembly?”

Response from Councillor Ashraf, Cabinet Member for Housing:

“Thanks for your question.

Since I have been appointed as Cabinet Member for Housing, I have asked for some changes, such as bringing Capital Delivery into Housing.

The Housing service previously comprised one Corporate Director and two Divisional Directors. There has been no increase in the number of Corporate Directors. There is now just one additional Divisional Director in the structure. This post will lead on managing and delivering the Council's £100 million housing capital programme and on leading the transformation of the repairs and maintenance service.

The top level Chief Officer structure of the new Housing Directorate was approved by the JNC Salaries and Conditions Panel in September 2014, being a Panel established under the Assembly in accordance with the provisions of the Constitution.”

GQ8 from Councillor Bartlett:

“Does the Cabinet Member for Health agree that NHS PFI contracts have not provided value for money & have resulted in reduced spending on local health services with the enhanced pressure of closure of A&E units?”

Response from Councillor Worby, Cabinet Member for Adult Social Care and Health:

“I could just say yes.

I think we know here in Barking and Dagenham with the changes to BHRUT what a disaster the PFI is. I well remember Councillor Smith when he was Leader saying that he had concerns.

These challenges facing us are on our local agenda. I, along with Councillor Keller the Chair of the Health and Adult Services Select Committee, are watching this situation very closely.

Our local hospital has not get anywhere near the national target. It has failed every week at Queens.

It is not clear what the government is going to do.”

GQ9 from Councillor Mullane:

“Can the Cabinet Member for Finance please explain what actions are being taken to tackle the causes of the projected gross overspend of over £5m in the Children's Services Department, as highlighted in recent Cabinet meetings?”

Response from Councillor Twomey, Cabinet Member for Finance:

“Thank you for the question Councillor Mullane. It is slightly reassuring that we are looking at this historically.

The recent Cabinet budget monitoring report, as have those earlier in the year, includes a significant pressure in the Children's Services budget for the current financial year. The same report also includes a specific appendix which focuses solely on the financial position in Children's Services, the causes of the pressures, actual actions taken, plus potential actions identified and that the large demographic pressures and new Council responsibilities for Children's Services have been recognised in the Council's medium term financial strategy.

There is far more detail in that appendix than I can go into tonight and I would recommend that all Members take the time to read it and the last Budget Monitoring report that went to Cabinet.”

GQ10 from Councillor Reason:

“Could the Cabinet Member for Housing please provide an update on Althorne Way and whether or not the original proposals for the site are still being delivered on time or if a new plan is being drawn up for the site?”

Response from Councillor Geddes, Cabinet Member for Regeneration:

“Thank you Councillor Reason. I am answering this question rather than the Cabinet Member for Housing, as it relates to the regeneration portfolio.

The masterplan for Becontree Heath went through Cabinet in October 2013.

I understand you have been trying to get information about the project for some time.

The decanting has gone as expected. Demolition is scheduled to start in March 2015. I would like that brought forward. I am not sure of a specific timetable; it has been a project that I thought would last longer and I am quite pleased we have got as far as we have done.

I would be happy to meet with Councillor Reason and her colleagues either side of Christmas to discuss this further.”

GQ11 from Councillor Young:

“Can the Cabinet Member for Housing please advise Members if any of the EIB borrowing will be used to invest in other major housing projects in the borough or will all EIB loan money be concentrated on the Gascoigne regeneration project?”

Response from Councillor Geddes, Cabinet Member for Regeneration:

“A substantial amount will go to Abbey Road.

We need to spend £89m in the next three years and have the potential to borrow up to £150m from the European Investment Bank towards further regeneration and the development of green energy in the borough.

I am happy to meet with Councillor Young to discuss any ideas he might have.”

GQ12 from Councillor Young:

“Could the Cabinet Member for Finance please explain why the Council now requires a full time Chief Executive when the national agenda is about shared appointments and especially during a time of increased budgetary constraints?”

Response from Councillor Twomey, Cabinet Member for Finance:

“Thank you for your question. I am not sure it is national policy – it is Eric Pickles’ policy.

I have noticed very recently that the report by Lord Adonis into the leading Tory tri-borough – Hammersmith & Fulham, Royal Borough of Kensington and Chelsea, and Westminster City Council – says it is not the way forward to have a shared model. Lord Adonis said that each borough should have its own sovereignty to maintain its decision making process. The Tories will try to push this shared model forward, but it is not for us.

A full time appointment is now needed.”

GQ13 from Councillor L Waker:

“Does the Cabinet Member for Housing agree that the delays in building Phase 1 of the Leys site are both unacceptable and unnecessary and also that an independent soil contamination test after demolition should have been undertaken rather than allowing the builder that stands to gain from any work undertaken, to do this. This and other problems have resulted in delays which have led to even more costs following a Travellers occupation and the costly delays appear to be

continuing.”

Reply from Councillor Ashraf, Cabinet Member for Housing:

“Thank you for your question.

The delays are disappointing. In 2011, along with Goresbrook Village and the much larger Gascoigne Estate, it was agreed to take a Development Partner Panel approach to these three estates. In the summer of 2012 this changed and it was agreed to allocate £12.6 m from the Housing Capital Programme to complete this project. In 2013 even the lowest tender exceeded the approved budget and other options were requested by Members.

In early 2014 it was agreed to bridge the budget gap by selling 19 of the properties to be built. Subsequently asbestos was discovered and we are now viewing the level of contamination to see how best to proceed.

I am hoping to meet with ward members and other colleagues early in the New Year to see how we can accelerate progress.

These delays are regrettable.”

35. Leader's Question Time

LQ1 proposed by Councillor Mullane:

“Referring to the recent case highlighted by Jon Cruddas MP regarding the unmarked grave of Arthur Bradford, who fought in World War One and is buried in Eastbrook Cemetery, can the Leader confirm the Council will continue in its tradition of honouring our war heroes, and help the family to ensure a Gravestone can be placed on the grave, at no cost to the Council?”

Response from the Leader of the Council:

“As Members will know we have a proud tradition of supporting those who have served our country in the armed forces. The Council recognise and commemorate the sacrifice through our many war and civilian memorials placed across the borough and our remembrance tributes.

Arthur Bradford enlisted in 1915 and was sent to France and following a gas attack was discharged as unfit for military duty in 1916. He died aged 42 in 1931 and was buried in Eastbrookend Cemetery.

Arthur Bradford is buried in an un-purchased grave, otherwise known as a “common grave” which is also occupied by another fifteen unrelated people. Given this, despite the undoubted sacrifice made by Mr Bradford, I am not in a position to agree to the request being made to erect a gravestone on this grave.

There is no precedent for commemorating any individual in a common grave from the public purse, and no tradition of marking individual graves of residents who have fought for our country, but who did not die whilst on active service.

As Members will be only too well aware, in previous generations, very large numbers of local people served our country in two world wars and indeed have continued to do so both in later conflicts the 20th Century and in this century. It is

not possible therefore for us as a Council to assist this family when we would not be in a position to assist all such families.

However, I am pleased to be able to tell Members that our cemetery management regulations do allow for a stone vase to be placed on a "common grave". This would be a memorial vase of up to a 25cm square with a name, date of birth to date of passing, plus an inscription of the family's choice. Such a memorial would cost £154 and our staff would be happy to assist with the arrangements if Councillor Mullane would like to put them in touch with the Divisional Director."

LQ2 from Councillor Gill:

"Does the Leader of the Council believe that democratically elected Councillors should be able to ask questions and/or make representations on behalf of their constituents' at all public Council meetings, which would be in line with the 'Seven Nolan Principles of Public Life'?"

Response from the Leader of the Council:

"Can I thank Cllr Gill for his question. The fact that he is asking a question at tonight's Assembly is testament to this administration's desire for openness and transparency. I would also refer him to the Council's Constitution which sets out the correct procedures on asking questions and is there to help Members. The procedures in the Constitution have been refreshed at tonight's meeting to include recommendations from the Public Accounts & Audit Select Committee of which Cllr Gill is a member - something I very much welcome."

LQ3 from Councillor P Waker:

"Does the Leader of the Council believe that it is correct to cease the Green Waste collections earlier than originally agreed in this financial year, which generates a small saving in relation to the overspend, but has a major effect on the front-line staff involved, particularly around the Christmas period, while at the same time proposals are being made that will increase managerial costs at various levels across the Council that affect both the General Fund and the Housing Revenue Account?"

Response from the Leader of the Council:

"Members will all recall that on 17 September we agreed our Vision and Priorities for the borough. Since that time with Cabinet colleagues we have started to look at the organisational arrangements that will enable us to deliver that vision. We are clear that money is scarce and we need to be confident that the budget is being spent wisely. We are clear as a leadership team that we want to protect front line services, promote real growth in the borough and work differently with our community. But such an ambitious change programme does need effective and focussed managerial as well as political leadership if the benefits for residents are to be delivered. I therefore make no apology for the management changes we are making now. But I would also remind Assembly that the budget options we are currently consulting on also set out other areas in which we believe management costs can be reduced.

Again all Members will be aware of the need to manage services within our budget each year and also be aware that earlier this year it became apparent that we were forecasting a significant overspend as our spending on vulnerable children increased. Cabinet therefore took the decision on the 25 September to require all

Chief Officers and budget managers to authorise only essential expenditure relating to their service areas. Therefore across the Council many expenditure reduction initiatives have been put in place.

The Council had planned to operate a free green garden waste collection service for 10 months this year, with a closed season in January and February, when there is very limited green waste produced. Deciding to stop the collection of green garden waste at the end of November this year is just one many service changes being made to help bring the budget back in line this year. I appreciate that the decision is not an easy one for those seasonal staff who were given notice earlier than they had expected and would have preferred to have been in a position to continue to offer them work

I think it is of course important to remind Members that this is not the first time the service has been stopped early. For example in 2011 we ceased the service in October, mainly because of the early onset of a severe winter. This year officers advise that although we continue to experience a warm start to the winter, the volumes of waste now being collected are using only about a quarter of the capacity in place with the four vehicles we are running.

Given the difficult choices we need to make, I am sure Councillor Waker agrees with me that prioritising spending on children over green garden waste is the right thing to do.”

The meeting closed at 9.55 pm.

MINUTES OF JNC APPOINTMENTS PANEL

Tuesday, 25 November 2014
(9:45 am - 2:55 pm)

Present: Cllr Darren Rodwell (Chair), Cllr Dominic Twomey, Cllr Saima Ashraf, Cllr James Ogungbose and Cllr Sade Bright

Apologies: Cllr Chris Hughes

9. Declaration of Members' Interests

There were no declarations of interest.

10. Private Business

Agreed to exclude the public and press from the remainder of the meeting by reason of the nature of the business to be discussed which included information exempt from publication by virtue of paragraph 1 of Schedule 12A to the Local Government Act 1972 (as amended).

11. Short listing for the appointment of the Chief Executive

Following a series of interviews with short listed candidates for the post of Chief Executive, it was agreed to put forward two candidates for final interview and subsequent appointment to that evening's extraordinary meeting of the Assembly.

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ASSEMBLY

21 January 2015

Title: Death of Former Councillor Val Rush	
Report of the Chief Executive	
Open Report	For Information
Wards Affected: None	Key Decision: No
Report Author: John Dawe, Group Manager, Democratic Services	Contact Details: Tel: 020 8227 2135 E-mail: john.dawe@lbbd.gov.uk
Accountable Divisional Director: Fiona Taylor, Head of Legal and Democratic Services	
Accountable Director: Graham Farrant, Chief Executive	
<p>Summary:</p> <p>The Assembly is asked to note with deep regret that following a long illness, former councillor Mrs Val Rush passed away on Monday, 22 December 2014. Her funeral took place on Saturday, 10 January 2015 at Forest Park Crematorium, Forest Road in Hainault.</p> <p>Val was first elected as a councillor for the Gascoigne ward in 1994 and served until 2010. During her term of office, Val held many positions including that of Cabinet Member, where her areas of responsibility included community safety and environmental matters, and also served as Chair of the Health Scrutiny Panel, the Education of Looked After Children Scrutiny Panel and the Health & Social Care Partnership. Throughout her service to the Council, Val was a member of many other Council committees and also served as a School Governor.</p> <p>Val leaves her husband Paul, three children and four grandchildren.</p>	
<p>Recommendation</p> <p>The Assembly is asked to stand for a minute's silence as a mark of respect.</p>	

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ASSEMBLY**21 January 2015**

Title: Proposed Changes to the Council Tax Support Scheme 2015/16	
Report of the Cabinet Member for Finance	
Open Report	For Determination
Wards Affected: All	Key Decision: Yes
Report Author: Siân Peters Director of Revenues & Benefits	Contact Details: Tel: 07971 111524 E-mail: Siân.Peters@elevateeastlondon.co.uk
Accountable Director: Jonathan Bunt, Chief Finance Officer	
Summary	
<p>The Council has a statutory duty to consider annually whether to revise its Local Council Tax Support Scheme (CTSS) or replace it with another scheme. The Council then has a duty to consult with interested parties as to its proposals. The proposed changes were approved for consultation by Cabinet on the 18th November 2014. Following the Cabinet's decision a consultation exercise was carried out with all those potentially affected by the proposed changes. They were invited to participate in a survey and attend public consultation meetings between the 19th November and 20th December 2014.</p> <p>This Assembly report sets out the proposed new scheme for 2015/16 taking account of the consultation results. There is a legal duty for any changes for the 2015/16 scheme to be ratified by Assembly by 31st January 2015.</p>	
Recommendation(s)	
The Assembly is recommended to:	
(i) Take account of the response to the consultation and agree to a revised CTSS scheme for 2015 /16 for working aged residents based on:	
<ul style="list-style-type: none"> • Amending the maximum liability level for assessment from 85% to 75%. • Withdrawing the Second Adult Rebate Scheme. • Reducing the capital threshold for working age claimants to £6,000. • Removing the provision to backdate claims from the amended scheme for working age claimants. 	
(ii) Retain the following discretionary areas:	
<ul style="list-style-type: none"> • To continue to disregard War Widows and War Disablement income from income assessment for the scheme. • To continue the extended payment scheme in line with the Housing Benefit scheme. • To replicate annual uprating of social security rates for Housing benefit in the 	

2015/16 CTSS.

- (iii) Approve the creation of a discretionary exceptional hardship fund from additional income generated across all savings proposals related to Council Tax for 2015/16.

Reason

The Council is facing unprecedented financial challenges and has identified significant savings that need to be made over the next 3 years. Potential savings that could be made have been identified from the CTSS scheme and therefore a revised scheme is recommended.

1. Introduction and Background

- 1.1. As part of the 2010 Comprehensive Spending Review, central government announced that it would localise support for Council Tax from April 2013. The proposals were part of a desire to implement a wider policy of localism which aims to give local authorities increased financial autonomy and be part of the reform of the Welfare System to improve incentives to work whilst protecting the most vulnerable in society.
- 1.2. The Welfare Reform Act in 2012 abolished Council Tax Benefit (CTB) from April 2013 and, in its place, support took the form of a local Council Tax Support Scheme (CTSS). The scheme is now in its second year and helps low income households by reducing the amount of Council Tax that they have to pay.
- 1.3. CTSS has been funded by a fixed grant for the past 2 years. The funding has been based on expenditure in 2012/13 but with a factored reduction of 10%.
- 1.4. The Local Government Finance Act 2012 contains provisions for the setting up of local support schemes. The current scheme in Barking & Dagenham has been based on the Council Tax Benefit scheme that was in operation in previous years and has been ratified by Assembly. The scheme has included and replicated annual uprating of social security rates for Housing benefit. This will continue in 2015/16.
- 1.5. The current scheme in operation ensures that:
 - The scheme is means tested.
 - Pensioners are protected from any changes proposed as part of any local scheme, i.e. they must be able to receive up to a 100% reduction (a provision of the national pension age scheme).
 - Everyone of working age makes a contribution towards their Council Tax. The current scheme prescribes a “minimum payment” of 15%. All calculations are based on a maximum of 85% of the appropriate Council Tax liability.
 - All other methods of calculating eligibility and entitlement remain the same as CTB.
- 1.6. Caseloads for Council Tax Support have decreased overall over the past 2 years. Working age claims have reduced by over 9%.

Table 1 – Profile of CTSS caseload

Date	Pensioners in receipt of CTSS	Working age in receipt of CTSS	Total
1 April 2013	7,430	16,910	24,340
31 March 2014	7,277	16,340	23,617
27 October 2014	6,788	15,526	22,314
4 January 2015	6,717	15,342	22,059

2. Proposals and Issues

- 2.1. Like many local authorities, the Council is facing unprecedented financial challenges and has identified over £53m of savings that need to be made over the next three years due to reduced government funding and increased demand on services from a growing population. In order to achieve this level of savings, the Council has put forward and agreed a number of proposals. Potential savings have been identified from the current CTSS scheme to contribute towards the budget gap.
- 2.2. Working age residents already receiving CTSS and any new working age applicants would be affected by the proposed changes from April 2015. The Council's statutory responsibilities to provide a full support scheme for Pensioners remain.
- 2.3. The proposed new scheme will in many ways replicate the current scheme and will continue to;
- Be means tested.
 - Protect pensioners from any changes proposed as part of any local scheme, i.e. they must be able to receive up to a 100% reduction (a provision of the national pension age scheme).
 - Calculate eligibility and entitlement as under the previous Council Tax benefit scheme.

The full detail of the scheme to be followed can be found on the Council's website at <http://moderngov.barking-dagenham.gov.uk/ieListDocuments.aspx?CId=179&MId=8131&Ver=4> .

- 2.4. A number of proposals are being recommended to make changes to the current scheme. The amended scheme would be implemented from 1 April 2015. These will only affect working age claimants as pensioners are protected as stated above.
- 2.5. The proposed changes are;
- Support for working age recipients will be capped at 75% as opposed to 85% under the current scheme.
 - This will mean the maximum support that working age residents will receive will be 75% of their liability. As a minimum, they will need to make a contribution of 25% of their Council Tax charge.
 - Removal of the Second Adult Rebate scheme.
 - This is an alternative award of support. It is given to help applicants who do not satisfy the means test but have a non dependant adult that lives with them who is on a low income and is expected to contribute towards the Council Tax charge. The income of this second adult is

assessed (rather than the applicant's) and a reduction of up to 25% can be awarded.

- Removing backdating of claims from the amended scheme for working residents.
 - This will mean that there will be no provision for backdating of claims for working age claimants.
- To reduce the maximum capital threshold for working age residents to £6,000.
 - This will mean reducing the capital threshold to £6,000 and therefore claimants with savings above this level will not be eligible for CTSS. The expectation is that these applicants will use their savings to pay their Council Tax bill. The previous threshold was £16,000.
- To continue to disregard War Widows and War Disablement income from income assessment for the scheme.
 - This discretion will remain within the scheme and will mean that any calculation which includes income relating to War Widows and War Disablement will continue to be disregarded in any calculation of the scheme in 2015/16.
- To continue the extended payment scheme in line with the Housing Benefit scheme.

2.6. The adoption of these changes will realise overall savings of £700k per annum. The predominant risk of the proposed changes will be around the collectability of Council Tax. People in receipt of CTSS are on low incomes and there is a risk that the collection rate could drop if the new recommendations are adopted; however this has been factored into the projected savings. For comparison, the overall collection rate for Council Tax is over 94% but current collection for this group of residents is just over 70%. The same collection and enforcement process is followed for all debts.

2.7. As there are proposed changes to the CTSS, the Council is required to consult with the public. The consultation regarding the proposed amended scheme took place between the 19th November and 20th December 2014. This is a legal requirement. The consultation took the form of writing to all residents who potentially would be affected this meant the issuing of approximately 16,000 letters, an online survey and the holding of two public meetings. There were also press releases generating coverage in the local press and digital signposting at the one stop shops.

2.8. The aims of the consultation were to

- Inform residents and help them to understand the impact that the proposals would have on them.
- Clarify why the proposals are being made.
- Detail the alternative proposals that are being looked at.
- Give residents the chance to have their say.
- Inform the public that the Council is looking to take on board the opinions of residents and give purposeful consideration to realistic alternative proposals
- Identify what is important to residents and whether they supported or did not support the proposals.
- Ensure that the consultation was legally compliant.

- 2.9. The Council received 147 responses to the survey from residents out of the 16,000 who were written to during the consultation. A full report on the consultation and the results can be found at Appendix 1. 40+ residents also attended the public meetings.
- 2.10. In summary
- 62.76% of the consultees that replied agreed that working age claimants should pay something towards their Council Tax bill but 66.90% did not support the lowering of the maximum support level from 85% to 75%.
 - 63.89% did not agree that all working age claimants should have the same maximum support level.
 - 78.62% of people did think that certain groups of people would be more affected than others. 29% of those that answered felt that those with disabilities would be affected more and 21% state that lone parents would be worse off.
 - 53.1% of consultees stated that they would not want an increase to Council Tax instead of a cut to CTS.
 - With regards to second adult rebate, 38.62% did not agree with the proposal to remove this part of the scheme but 34.48% of those who replied to the consultation did not hold a strong view or did not know.
 - 45.52% supported a drop in the capital limit from £16,000 to £6,000
- 2.11. The vast majority of consultees were residents of Barking and Dagenham. 26.11% stated that there were from households with someone who was disabled and 19.75% were lone parent households. 25.37% stated that they were carers.
- 2.12. During the consultation period, either via the survey or in the public meetings there was an opportunity for comments to be made or questions to be answered. All of these representations were considered and replied to, and are summarised below:
- **The proposals are unfair and it is unrealistic to expect the poorest and/or most vulnerable to pay more Council Tax.**
Due to the unprecedented level of budget savings required the Council has had to look at all services and opportunities to make savings and increase income. Although changes will be made to the CTSS, support will still be available at up to 75%, applied fairly across all working age recipients. The Council has lobbied against the cuts to its funding by Government and will continue to do so but difficult decisions have to be made across all services and areas of expenditure. There are local organisations such as the Citizens Advice Bureau and the Disablement Association of Barking & Dagenham who are there to help by providing advice and support. Where people are deemed to be in exceptional financial hardship they may qualify for a discretionary reduction.
 - **It is unfair that pensioners are protected from these proposals**
The Council must protect pensioners, this is a policy set down by central government. The Council recognises that this may seem unfair and that a cut to all, both working age and pension age people, would have seen a lower drop in support.
 - **Why are the disabled not protected?**
The Council did not propose providing full or partial protection for persons who are deemed disabled because this would mean other groups would be asked

to pay more than currently being proposed. The Council believes it to be less of a burden and fairer overall if everyone (of working age) contributes.

- **How can disabled people, who do not have the capacity to work be expected to pay?**

Those that are unable to pay their Council Tax bill; especially those with disabilities who may find work impossible may be eligible to receive help through the Discretionary Reduction scheme which is aimed to help people in those circumstances.

- **Is this how the scheme is going to be? Set in stone?**

- The scheme will continue to be reviewed annually and residents invited to give their feedback on any further proposed changes.

- 2.13. Consultees also had the opportunity to propose other alternatives for changes to the scheme. These included charging non dependent household members separately based on their income as well as savings from other Council departments such as transport and management.
- 2.14. Prior to introducing the local scheme in 2013 a comprehensive equalities impact assessment (EIA) was undertaken. This found that some groups such as claimants with a disability and lone parents, predominantly women with young children may experience a greater impact from the changes than other groups, these groups are protected to some degree however due to higher applicable amounts and disregarded income upon which support is calculated.
- 2.15. A detailed EIA has been completed following the public consultation period that took place between 19 November and 20 December 2014. This is found at Appendix 2.
- 2.16. To mitigate the impact on other parties and stakeholders, the Council will continue to work jointly with the CAB and other voluntary groups plus the third sector, including the Credit Union. The Council will continue to signpost claimants to support that is available. It is recognised that there have been a number of Welfare Reform changes that have affected residents in the Borough including changes to Housing Benefit with regard to under occupation for Social Housing tenancies and the introduction of the Benefit Cap in August 2013. There has been a very proactive approach to help residents who have been affected which has been achieved by referral to appropriate and specialist support such as DABD, CAB and other voluntary and third sector organisations. This has been with regard to help with debt, budgeting and access to affordable credit.
- 2.17. Discretionary Housing Payment (DHP) has been used in support of residents who have been in difficulty with their housing costs. In 2013/14 over 98% of the received funding was paid to claimants to support them through the Welfare reform changes. The Council is able to “top up” from its own funds up to 2.5 times the Government funding and increase the overall DHP fund. There are proposals to look at this option as Welfare Reform continues to be a risk to households. There is also provision under S10 / 13A (1)(c) Local Government Act 2012 to reduce Council Tax liability by a discretionary hardship scheme, this further supports existing Council Tax legislation. Each case considered must be treated on its own merits, if it is assumed that there would be exceptional financial hardship.

- 2.18. The budget proposals for 2015/16 include a number of changes to Council Tax collection and it is recommended that a discretionary fund for exceptional hardship initially of £50,000 could be created from the additional income collected across all of those initiatives. Due to the nature of a discretionary fund it is difficult to be very specific on the instances in which it could be applied but examples highlighted during the consultation meetings were for disabled residents unable to work or to assist in clearing historic debts which may have previously been covered by the backdating provisions and where the resident was meeting the ongoing payments. A policy is being developed.

3. **Financial Implications**

Implications completed by Carl Tomlinson, Group Finance Manager

- 3.1. There has been a reduction in the Council's Revenue Support Grant. This has reduced the amount of government funding available to support all Council services including the Council Tax Support Scheme.
- 3.2. The proposed changes to the Council Tax Support Scheme and other proposed changes will increase the amount of collectable Council Tax. The actual increase in Council Tax income will be dependant on what can be collected. It is estimated that 60% will be collected on marginal collection based on the amended 75% maximum liability level for working age claimants.
- 3.3. After considering the collection rate it is expected the changes to the Council Tax Support Scheme will generate an additional £700k of Council Tax income.
- 3.4. The Council will also need to consider whether it wishes to create a discretionary fund for circumstances of exceptional hardship. It is anticipated, based on estimated collection rates that a discretionary fund of £50,000 can be created initially to assist those with exceptional circumstances

4. **Legal Implications**

Implications completed by Paul Feild, Senior Governance Lawyer

- 4.1. Schedule 1A of the Local Government Finance Act 1992 requires that apart from consulting a major precepting authority (e.g the GLA), Councils must consult "such other persons as it considers are likely to have an interest in the operation of the scheme".
- 4.2. The key issue is that the changes in Council Tax Support must be made in the light of being informed by consultation. Consulting about a proposal does inevitably involve inviting and considering views about possible alternatives. This very issue of adequate consultation on Council Tax Support was considered by the Supreme Court in October 2014 regarding a judicial review of Haringey London Borough Council. The Court made a restatement as to who should be consulted and on what basis.
- 4.3. In terms of who must be consulted the demands of fairness are expected to be somewhat higher when an authority contemplates depriving someone of an existing benefit or advantage than when the claimant is a bare applicant for a future benefit.

If a person is likely to lose something or be worse off, then they should be specifically identified and consulted. In Haringey all those affected were written to and the letters were hand delivered. This is considered to be sound practice.

- 4.4. In terms of when consultation should take place, firstly the position is that consultation must be at a time when proposals are still at a formative stage. Secondly, that consultation must give sufficient reasons for any proposal to permit a person to in the Court's words "give an intelligent consideration and response". Thirdly that adequate time must be given for consideration and response and, finally, fourth, that the product of consultation must be conscientiously taken into account in finalising any statutory proposals.
- 4.5. The consultation process utilised in this case has been carried out in accordance with legal advice to take account of the recent case law to further the purpose of this particular statutory duty to consult to ensure public participation in the local authority's decision-making process.

5. Other Implications

- 5.1. **Risk Management** - It is considered likely that Council Tax will be increasingly difficult to collect from affected groups. Council Tax collection rates for those working age residents who are in receipt of Council Tax Support is currently over 70% against overall baseline collection of over 94%. Further changes to the scheme could affect overall collection rates.

The synergistic effect of all the other Welfare Reform changes such as the alteration of the Housing Benefit rules on underoccupation of Social Housing, the introduction of the Benefit Cap as well as these specific changes to the Council Tax Support Scheme could affect other areas of debt collection such as rents.

- 5.2. **Corporate Policy and Customer Impact** - There has been a full public consultation with regards to the proposals outlined in this report. This took place between 19 November and 20 December 2014. This has taken the form of direct contact with all affected, an online survey, information on the Council's website and also two face to face public meetings and press releases. Following consultation the results has been collated and analysed (Appendix 1). A full equality impact assessment to determine the effects on Borough residents has also been produced (Appendix 2).

The CTSS is in line with the Council's vision and priorities, specifically to enable social responsibility by supporting residents to take responsibility for themselves while protecting the most vulnerable. We are also working to attract inward investment to create employment opportunities.

Public Background Papers Used in the Preparation of the Report:

- Proposed full policy document for CTSS 2015/16 (<http://modern.gov.barking-dagenham.gov.uk/ie/ListDocuments.aspx?CId=179&MId=8131&Ver=4>)

List of appendices:

- **Appendix 1:** Full Consultation Results Report
- **Appendix 2:** Equality Impact Assessment

Public Consultation Report



Council Tax Support Scheme Consultation Report

Introduction

The Council is facing unprecedented financial challenges and has identified over £53m of savings that potentially will be need to be made over the next 3 years. Savings have been identified from the current CTSS .In support of the proposed changes to the CTSS the Council is required to consult with the public. The consultation regarding the proposed amended scheme took place between the 19th November and the 20th December 2014. This took the form of writing to all residents who potentially would affected by the proposed changes, an online survey and the holding of two public meetings. There were also notices in the local newspaper.

Consultation aims

LBBB consulted separately on the overall savings proposals and the proposed amendments to the new CTSS scheme.

The aims of the consultation were to;

- Inform residents and to help them to understand the impact that the proposals would have on them.
- Clarify why the proposals are being made.
- Detail alternative proposals that are being looked at.
- Give residents the chance to have their say.
- To be meaningful in our approach, taking on board the opinions of residents and giving purposeful consideration to realistic alternative proposals put forward.
- Identify what was important to residents and whether they did or did not support the proposals put forward by LBBB.
- To be fully compliant with the steer given by the Supreme Court in the case “R (on the application of Moseley (in substitution of Stirling Deceased)) (AP) (Appellant) v London Borough of Haringey (Respondent)”.

What we did

Online consultation began on the 19th November via a link hosted on the home page of LBBDs website. A press release was issued in the local newspaper “The Post” with a shortened URL (link) to the online content. Letters were also sent to 15,441 working age CTS claimants on 21st November 2014 inviting them to participate in the consultation and online survey.

Online, residents opinions were recorded via the survey. Residents could also view detailed information about the CTS proposals. This included the policy draft itself, an extensive FAQ, case studies and a list of realistic alternative proposals considered with details as to why these alternatives were not put forward. Each proposal was explained in a “what and why” fashion; what the changes were and reasons as to why these proposals were selected.

As referred to the consultation was open from 19th November to 20th December 2014. Consultees were also invited to two public meetings held on 4th and 11th December 2014. These meetings were also advertised on the Council’s website and via press release. There were also digital signposts at Barking Learning Centre and Dagenham Library and front line staff also were proactive in promoting that the consultation was taking place.

Consultees were asked to give their considerations to the proposals and encouraged to put forward other realistic alternative solutions. Consultees were able to do this through the online survey and through the public meetings (where also paper surveys were provided) and two scribes and other official attendees took notes and spent time with individuals; listening to them, their concerns and ideas (if any).

Presentations were given at the public meetings. The presentation content was also made available online. Those who attended (a total of 48 residents over the two meetings) were given the opportunity to speak and ask questions during the course of the meetings.

The Council received 147 responses from residents during the consultation period.

The Council’s response to the consultation was posted online after considering the comments and proposals put forward by residents. This response directly answered queries and comments made throughout the consultation period. It also addressed realistic alternative proposals put forward by residents. Consideration has been given to these proposals.

Survey Results

(1) Should working age claimants continue to pay something towards their Council Tax Bill?

62.76% agreed that working age claimants should continue to pay something towards their bill.

			Agree or Disagree		
Strongly agree	22.07%	32			
Agree	40.69%	59	Agree	62.76%	(91)
Neither agree nor disagree	8.28%	12			
Disagree	11.72%	17	Disagree	26.21%	(38)
Strongly disagree	14.48%	21			
Don't know	2.76%	4			
[No Response]	-	2			

Total

147

(2) Do you support the lowering of the maximum support level from 85% to 75%

66.9% did not support the lowering of the maximum support level.

			Agree or Disagree		
Strongly support	8.28%	12			
Support	12.41%	18	Agree	20.69%	(30)
Neither	9.66%	14			
Do not support	18.62%	27	Disagree	66.90%	(97)

Strongly do not support	48.28%	70
Don't know	2.76%	4
[No Response]	-	2
Total	100.00%	147

(3) Should a reduction to the maximum support be applied equally to all working age claimants?

63.89% did not agree that all working age claimants should have the same maximum support level.

Strongly agree	10.42%	15	Agree or Disagree	
Agree	16.67%	24	Agree	27.08% (39)
Neither agree nor disagree	6.94%	10		
Disagree	25.69%	37	Disagree	63.89% (92)
Strongly disagree	38.19%	55		
Don't know	2.08%	3		
[No Response]	-	3		
Total	100.00%	147		

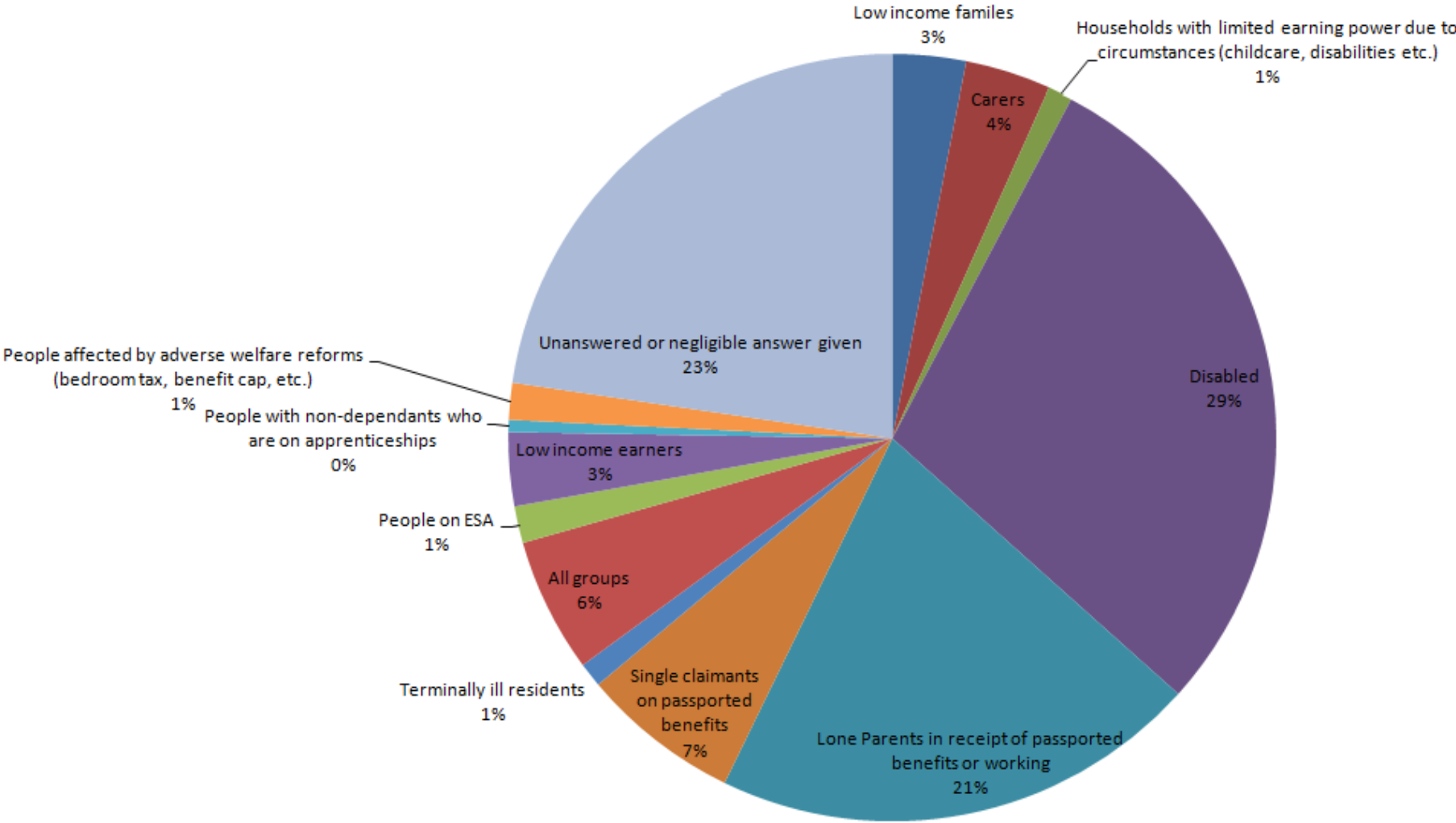
(4) Do you think certain groups will be affected more than others?

The majority of consultees answered yes 78.62%.

(4a) If yes, what groups will be affected more and why?

23% of people did not give an answer to this question however, 29% of consultees stated those with disabilities would be affected more and 21% stated lone parents would be worse off.

Who should be protected?



(5) Would you support a proposed Council Tax increase instead of a cut to Council Tax Support?

53.1% stated that they would not want an increase to Council Tax instead of a cut to CTS.

Yes, Council Tax should be increased instead	28.28%	41
No, Council Tax should not be increased	53.10%	77
I would support both	8.28%	12
Don't know	10.34%	15
[No Response]	-	2
Total	100.00%	147

(6) Would you support the removal of Second Adult Rebate?

38.62% did not agree with the removal of Second Adult Rebate.

Strongly support	14.48%	21	Agree or Disagree		
Support	15.17%	22	Agree	29.66%	(43)
Neither	15.86%	23			
Do not support	20.00%	29	Disagree	38.62%	(56)
Strongly do not support	18.62%	27			
Don't know	15.86%	23			
[No Response]	-	2			
Total	100.00%	147			

(7) Do you support a drop of the Capital Limit from £16,000 to £6,000?

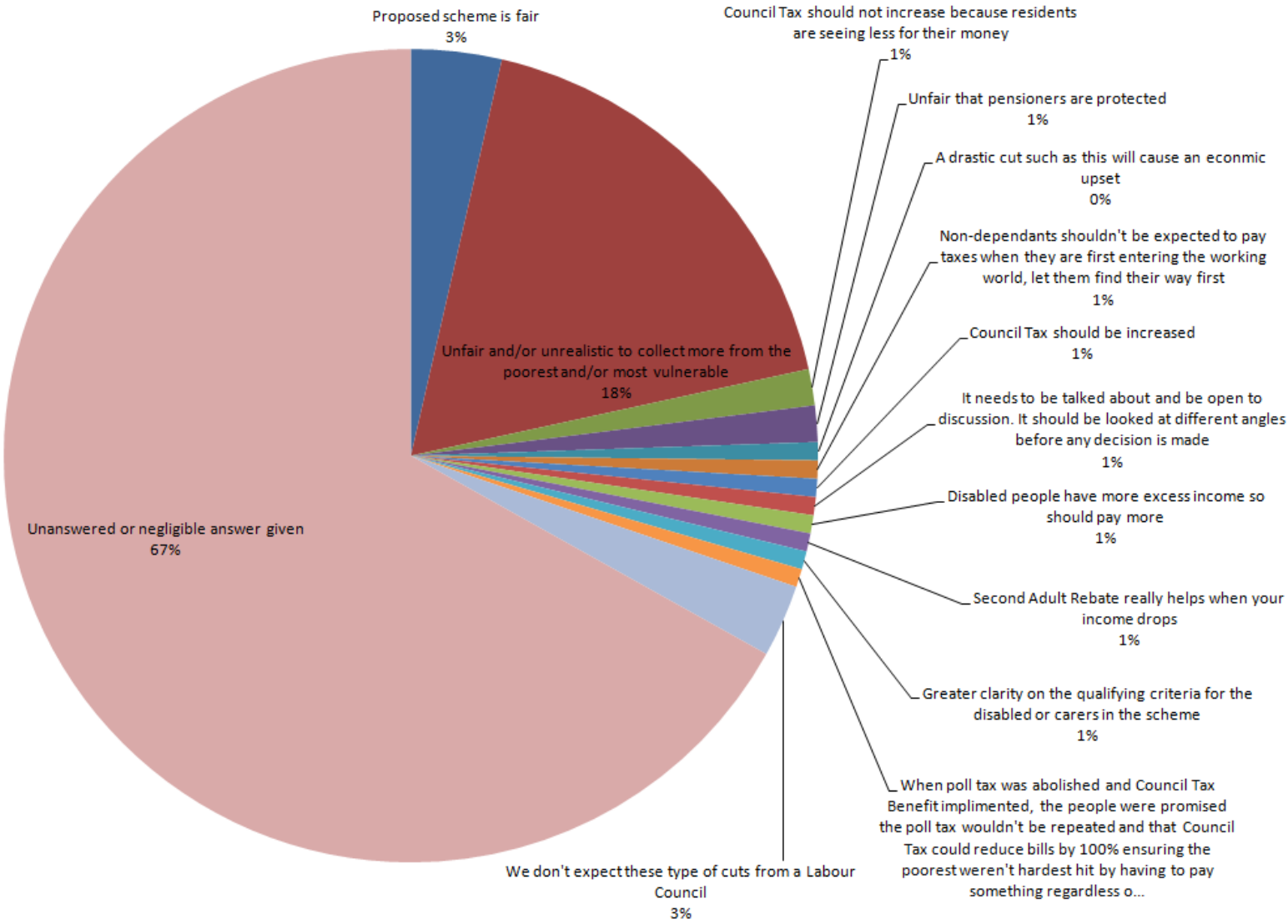
45.52% supported a drop of the capital limit.

Strongly support	22.07%	32	Agree or Disagree		
Support	23.45%	34	Agree	45.52%	(66)
Neither	8.28%	12			
Do not support	20.69%	30	Disagree	37.93%	(55)
Strongly do not support	17.24%	25			
Don't know	8.28%	12			
[No Response]	-	2			
Total	100.00%	147			

(8) Your comments about the proposed scheme... (attitude towards the proposed scheme)

67% of residents that responded to the consultation did not add any further comments. Residents that did leave a comment (18%) believed that the proposals if applied would disadvantage the poorest and the most vulnerable.

Attitude/comments about and towards the proposed scheme



Other comments were made which have been addressed in the response to consultation (see below).

Who participated?

(9) Responding as...

The vast majority of consultees were individuals living in Barking and Dagenham (95.14%):

an individual who lives in Barking and Dagenham	95.14%	137
an individual/organisation providing services that support local people	3.47%	5
someone who represents local people i.e. a Councillor, community organisation, faith group	1.39%	2
[No Response]	-	3
Total	100.00%	147

(10) How Consultees described their households:

26.11% of consultees said they were from households with someone who is disabled. Lone parents made up 19.75% of the consultees.

A family with one or two children	17.83%	28
a family with three or more children	8.28%	13
A lone parent household	19.75%	31
A household with full and/or part time workers	8.92%	14

A household that includes someone who is disabled	26.11%	41
A single person household or a couple with no children]	13.38%	21
None of these	5.73%	9
[No Response]	-	10
Total	100.00%	167

(11) Are you a carer?

74.63% of people responding were not carers:

Yes	25.37%	34
No	74.63%	100
[No Response]	-	13
Total	100.00%	147

(12) If yes, who do you care for?

Those carers who responded 33.33% cared mainly for a disabled child under 14 years (33.33%) or some other person in their household (45.45%):

A child or children under 14 years	7.48%	33.33%	11
A disabled person within your family	10.20%	45.45%	15
An older family member	2.72%	12.12%	4
Other	2.04%	9.09%	3

[No Response]	77.55%	-	114
Total	100.00%	100.00%	147

(13) Do you receive Council Tax Support?

Almost all consultees answered yes (88.24%) of those who answered the consultation stated that they are Council Tax Support.

(14) What is your age group?

91.85% of consultees stated that they were of working age

Under 20	0.00%	0
20-39	39.26%	53
40-59	52.59%	71
60-65	8.15%	11
66-75	0.00%	0
76+	0.00%	0
[No Response]	-	12
Total	100.00%	147

(15) Gender?

60% of respondees were females (60%, 81) took the survey than male (40%, 54)

(16) Transgender?

3 consultees (2.59%) said they were or that they identify themselves as transgender.

(17) Ethnic group?

The majority of consultees (67.65%) identified themselves as British:

APPENDIX 1 – Public Consultation Results

"African"	8.09%	11
"Any other Asian background"	2.94%	4
"Any other Black / African / Caribbean background"	0.74%	1
"Any other mixed / multiple ethnic background"	1.47%	2
"Any other White background"	7.35%	10
"Bangladeshi"	2.21%	3
"Caribbean"	1.47%	2
"English / Welsh / Scottish / Northern Irish / British"	67.65%	92
"Indian"	0.74%	1
"Irish"	2.21%	3
"Pakistani"	3.68%	5
"White and Black African"	1.47%	2
[No Response]	-	11
Total		147

(18) Do you consider yourself disabled?

30.08%

of the consultees who took the survey identified themselves as disabled.

(19) Type of disability:

Of those that considered themselves disabled, the vast majority to not disclose their disability (60%), of those that did, reduced mobility (37.50%) was the highest answer given:

Visual impairment	4.17%	3
Speech impairment	0.00%	0
Hearing impairment	4.17%	3
Wheelchair user	6.94%	5

APPENDIX 1 – Public Consultation Results

Mental health issues	22.22%	16
Restricted mobility	37.50%	27
Learning difficulty	6.94%	5
Other impairment	18.06%	13
[No Response]	-	108
Total	100.00%	180

(20) Religion?

Most consultees considered them to be either Christian (48.53%) or as having no religion (36.03%):

No religion	36.03%	49
Christian (including Church of England, Catholic, Protestant and all other Christian denominations)	48.53%	66
Buddhist	0.00%	0
Hindu	2.21%	3
Jewish	1.47%	2
Muslim	9.56%	13
Sikh	0.00%	0
Any other religion	2.21%	3
[No Response]	-	11
Total	100.00%	147

(21) Sexual orientation?

Most consultees identified themselves as heterosexual (93.85%):

APPENDIX 1 – Public Consultation Results

Heterosexual (straight)	82.99%	93.85%	122
Gay man	2.04%	2.31%	3
Lesbian	0.68%	0.77%	1
Bisexual	0.68%	0.77%	1
Other	2.04%	2.31%	3
[No Response]	11.56%	-	17
Total	100.00%	100.00%	147

Responding to comments rose during consultation

During consultation, either through the survey or the public meetings, consultees used the opportunity to suggest their alternative proposals and also comment on the proposals put forward. This next section shows the response given.

Comments and Questions Raised by Consultees

1. The proposals are unfair and it is unrealistic to expect the poorest and/or most vulnerable to pay more Council Tax.

The council do not disagree with this and are open to receiving alternative proposals from residents. The council have lobbied against the cuts to its funding and will continue to do so. However, in the meantime, we must make difficult decisions.

2. Council Tax should not increase because residents are seeing less for their money.

An increase in Council Tax for all would be to keep front line services and certain important but non-statutory services running for residents. The council cannot keep services running on cuts alone and so must also look at generating extra revenue.

3. It is unfair that pensioners are protected from these proposals.

The council must protect pensioners, this is a policy set down by central government. The council recognises that this may seem unfair and that a cut to all, both working age and pension age people, would have seen a lower drop in support.

4. We don't expect these cuts from a Labour Council.

It is important to recognise that these cuts are being passed down from central government. The council does not want to make these cuts but must in order to keep front line services running. The council has already made £90m savings which has been passed up to central government and now must make a further £54m over the next three years.

5. Why are the disabled not protected?

The council did not propose providing full or partial protection for persons who are deemed disabled because this would mean other groups would be asked to pay more than currently being proposed. The council believe it to be less of a burden overall if everyone (of working age) contributes.

6. How are people on already low incomes supposed to find the money to pay the extra tax?

There is no easy answer to this question however; there are bodies such as the Citizens Advice Bureau and the Disablement Association of Barking & Dagenham who are there to help by providing advice and support. Where people are deemed to be in exceptional financial hardship they may qualify for a discretionary reduction.

7. How can disabled people (who do not have the capacity to work) be expected to pay?

Those that are unable to their council tax bill, especially those with disabilities that make work impossible will receive help through the Discretionary Reduction scheme which is aimed to help people in those circumstances.

8. Is this how the scheme is going to be? Set in stone?

No. That is why we have consulted with residents, to explain the challenges the council faces and why cuts must be made. The hope from consultation is that residents can put forward their comments for consideration by Assembly. Perhaps more importantly, it is also the hope that residents can put forward alternative ideas that meet the savings needed whilst being better suited to residents needs.

9. Why hasn't central government taken into account the level of disabled people in each borough and allocated funding where it is needed most?

Simply, this is not how central government allocate funding. Central government have a "simple is best" policy when it comes to allocating funding. Unfortunately, putting simplicity over fairness has the undesired result of deprived boroughs not receiving adequate funding.

Proposal ideas put forward by consultees

- 1. Do not disregard non-dependant deductions for disabled people.**
- 2. Cuts should be made from higher cost departments such as transport.**
- 3. Exclude new migrants from the scheme unless they work.**
- 4. Make cuts from money spent on religious and social events.**
- 5. Remove the council tax exemptions for those with mental health problems.**
- 6. Charge non-dependant household members separately based on their income.**
- 7. Cut more management posts within the Council to increase efficiency.**

Alternative Proposal	Description	The Council's Response
(1) Remove the disregard that exempts disabled persons from a non-dependant deduction	<p>Currently, people who qualify for the disability premium and whom have a non-dependant living in the household; do not receive a deduction in their support for that non-dependant.</p> <p>This proposal would see disabled applicants seeing a deduction for any non-dependant that resided in their home.</p>	<p>In the proposals put forward by the Council, disabled persons are not protected from the maximum support level drop. However, assurances to protect the higher applicable amounts and rules like this one were important to protect.</p> <p>The council recognises that in a number of cases, disabled people have family members living with them to support their living. This is a result of their disability so we do not believe this would be the fairest approach to making the savings needed.</p>
(2) Make cost cuts from higher cost departments such as transport	Instead of cutting Council Tax Support, make cuts to higher cost services.	The Council has considered all possible cost saving proposals. There are difficult decisions to make,
(3) Exclude new migrants from the scheme unless they work	Exclude EEA and other foreign nationals entering the country from receiving support towards their Council Tax.	The scheme already has rules surrounding this area which do exclude some migrants from receiving support.
(4) Cut money spent on religious and social events	Reduce funding of council funded social and religious events	Any grant application is considered on its own merits
(5) Remove the Severely Mentally Impaired (SMI) Exemption	The SMI exemption reduces the council tax charge to zero for those that satisfy the qualifying conditions.	This is a statutory exemption. The Council have no power to remove this.
(6) Charge non-dependant household members separately.	Instead of non-dependants making a contribution towards the applicant's council tax charge, they should be charged separately instead.	If the non-dependant adult is living with the owner or lead tenant of a property then they cannot be charged separately because they are not a liable person. This is statutory.
(7) Cut management posts within the Council	Make efficiency cuts within the management structure of the council.	The Council has considered all possible cost saving proposals – there are many managerial jobs that will be lost through major restructures of

APPENDIX 2

Equality Impact Assessment



Doc. Name		Amended Council Tax Support Scheme		
Doc. Location:				
Author:		Owner:		Approving Officer:
Sian Peters				
Date:	Version:	Amended by:	Change / Reason for Change:	Approval status:
18/12/2014	1.0		Update following consultation	Draft

Signing off when assessment is complete

Sign off by GM Cohesion and Equalities Date

Sign off by OMT/Chair Departmental Equality Group Date

Date published on the internet

Review

<p>Review date A date for a review is required for this EIA to be refreshed and reviewed.</p> <ul style="list-style-type: none"> • This date will be captured corporately • You must ensure that this review is carried out in time to meet this date 	<p>Please indicate date below</p> <p>July 2015</p>
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Step 1 - Scope of the equality Impact Assessments about your piece of work

1. Directorate	Finance and Resources
2. Policy / Strategy / Service to be assessed:	Council Tax Support Scheme
3. Lead Officer:	Sian Peters
4. Equality Impact Assessment Person / Team:	
5. Date of Assessment:	
6. The main purpose and outcomes of policy / strategy / service to be assessed:	<p>Council Tax Benefit was abolished from 01 April 2013. Section 9 of the Local Government Finance Act 1992 required each local authority to produce its own scheme to reduce the liability of persons it considers to be in financial need. We responded by implementing the default scheme drafted by the Secretary of State with amendments. The amended scheme became the London Borough of Barking and Dagenham’s Council Tax Support scheme which implemented a cap on the maximum reduction. This meant that everyone of working age would pay some Council Tax (at least 15%). This was viewed as a necessary measure to make adequate savings following the 10 per cent drop in central government funding.</p> <p>Almost two years on from the localisation of CTS (Council Tax Support), deepening cuts across all Council service sectors continue. This has pressed us to look at the effectiveness of our scheme and to find potential savings to aid the Council in meeting its savings target. While savings have been aimed towards ineffective areas of the scheme, these savings are not enough and therefore other undesirable cuts to the scheme are unavoidable.</p> <p>We have proposed to make the following changes to the current</p>

APPENDIX 2 – Equality Impact Assessment

	<p>Council Tax Support Scheme:</p> <ul style="list-style-type: none"> • Reduce the maximum support from 85% to 75% • Remove the discretion to backdate a reduction award • Abolish Second Adult Rebate (otherwise known as the Alternative Maximum Reduction) • Decrease the capital limit from £16,000 to £6,000. <p>Barking and Dagenham Council has consulted on the principles of a draft local scheme proposed to begin from 1 April 2015. From 19th November 2014 online consultation started with a link hosted on the home page of the LBBB’s website. A press release was given in the local newspaper “The Post” with a shortened URL (link) to the online content. Further to this, letters going to 15,441 working age CTS claimants were sent on 21st November 2014 inviting them to participate in the consultation and online survey. In addition two public consultation meetings were held, on Thursday 4th and Thursday 11th December, which was attended in total by 48 residents. Attendees were asked to fill in a paper copy of the same survey, which have been collated with the online results received as of 20th December, which are analysed in this assessment. In total 147 consultation responses were received, and the results compiled and considered in the decision making process. Overall the consultation results were against LBBB’s proposed scheme of sharing the burden equally across working age. Concern was expressed about the impact on particular groups, especially the disabled and single parents. However this was roughly in line with the proportion from those groups that responded to the consultation, perhaps indicating some self-selection, and was outweighed by the overwhelming support for an even sharing of the shortfall.</p>
7. Groups who the piece of work should benefit or apply to, for	Council Tax Support claimants, their carers and families. Any

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<p>example:</p> <ul style="list-style-type: none"> • Service users • Staff • Other internal or external stakeholder <p>(Will the piece of work be delivered in partnership with another agency?)</p>	<p>residents applying for Council Tax Support.</p>
<p>8. Any associated strategies or guidelines i.e. legal / national / statutory</p>	<p>The Government has stated that local Council Tax Support schemes must include:</p> <ul style="list-style-type: none"> • Protection of current support levels for pensioners. Residents who receive state pension credit (pensioners) must be protected from any cuts so that their benefit is unchanged. • The new scheme should encourage people to work and should not act as a disincentive to working. The Coalition Government is keen to ensure that people of working age are encouraged to work rather than claim benefits. • The impact on the most vulnerable residents should be considered when designing the new scheme. This means that the council has discretion to design a scheme that protects some additional groups from cuts but this will result in unprotected groups having to suffer bigger cuts to their benefit, or else cuts would need to be made to front-line services.

Step 2 - Gathering Information

<p>1. Who should be served by the policy / strategy / piece of work?</p>
<p>The main stakeholders are the local residents currently entitled or who become entitled to CTS, groups include the disabled, young</p>

APPENDIX 2 – Equality Impact Assessment

and single mothers, children and teenagers in families receiving CTS, unemployed and low income households.

2. What relevant information do you have about the people who this piece of work is aimed at? (please complete the boxes below)		
Equality Groups	Information (research / data)	Known or potential inequalities
Ethnicity	2011 Borough Community Mapping	Community Mapping shows that residents of the borough consider themselves as; White - 65.56%; Asian - 15.26%; and Black – 17.63%.
Gender (including transgender)	2013 Population Mid Year Estimate	In 2013 there were approximately 95,000 males and 99,000 females in the borough showing that females make 51% of the population
Disability	Annual population survey (Jul 2010-Jun 2011)	27,300 residents have a stated disability representing 23.5% of the population. This is higher than the London-wide figure of 17.4% of the population.
Age	2013 Population Mid Year Estimate	The 5-19 age group represents 22.1% of the population (London average 17.2%); 20-64 year olds represent 57.7% of the population (London average 63.9%); 65+ represent 10% of the population (London average 11.4%).
Religion and Belief	2011 Borough Community Mapping	Christianity is the predominate religion of the borough covering 69% of residents. Muslims make up 4.4% and Sikhs and Hindus make up 1.1% each. 15.3% state they have no religion while 8.4% did not say.
Sexual Orientation	2011 Borough Community Mapping	It is estimated that between 5-7% of the population identifies themselves as

APPENDIX 2 – Equality Impact Assessment

Maternity and Nursing Mothers	2011 Borough Community Mapping	lesbian, gay, bisexual or transgender. The borough had 3,729 pregnant or nursing mothers in 2010 representing 2.07% of the population.
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Do you have enough information about the different groups to inform an EIA? If not, this area should be addressed in your action plan.	Yes
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3. Do you have monitoring data or consultation findings specific to your area of work? If yes, list the sources of evidence here & go to Step 3. If no, list the actions required to get more data (which should be included in the action plan).	
2011 Borough Community Mapping 2011 Population Mid Year Estimate 2013 Population Mid Year Estimate Council Tax Caseload data (22/12/14) Council Tax claimant ethnicity report (22/12/14) Public consultation on proposed Council tax Scheme (19/11/14-20/12/14)	
What consultation activity has taken place / will be taking place on this piece of work and the EIA?	See Summary

Step 3 - Assessing Impact

1.	What does your monitoring data on your service users tell you? Are any groups under or over represented compared to what you would expect to see. Please give details below.	
	Ethnicity	Consultation showed that those that indicated their ethnic origin were; White 77.21%; Asian 6.63%; Black 5.2%
	Gender (including transgender)	There are 16,113 claimants recorded as female representing 66% of the total claimant caseload. This is 14.4% higher than the population average of 51.6%
	Age	Pensioners account for 30.5% of claimants which is higher than

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		the population average of 10%. However, the Government has stated that claimants who are state pension credit age (pensioners) must be protected from any cuts so that their support is unchanged. Therefore there will be no adverse affect on this group of claimants when implementing the amended Council Tax Support scheme.	
	Disability	5,626 of current claimants state they have a disability. However, 3,515 of these are over pensionable age so are protected from any cuts. The remaining 2,111 represent 12.8% of the adjusted claimant case load which is lower than the population average of 23.5%	
	Sexual Orientation	There is no monitoring data available to distinguish claimants by sexual orientation.	
	Religion and Belief	There is no monitoring data available to distinguish claimants by religion or belief.	
	Pregnant and Nursing Mothers	There is no monitoring data available to distinguish claimants by pregnant and nursing mothers. however those with children under the age of 5 are recorded. There are 2900 lone parents of working age with children under the age of 5 representing 23% of claimants.	
	Socio Economic	As Council Tax is a means tested benefit, all qualifying claimants will be in lower socio-economic categories	
	Carers		
2.	Based on the evidence gathered have you identified any potential differential impact for any of the equality groups? Step 2. What are the potential access issues or barriers for people in each of the equality groups		
	Group	Positive	Negative
	Ethnicity	The changes to the Council Tax Support system will bring no positive changes for this group.	The negative impact of the changes to the Council Tax Support system should have no disproportionate impact on this group.
	Gender (including transgender)	The changes to the Council Tax Support system will bring no positive	The negative impact of the changes to the Council Tax Support has a greater

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		changes for this group.	impact on this group which is over represented by 9%, however consultation showed little concern for a disproportionate impact across gender, as only 0% of responses wrote that women were likely to be negatively impacted as a group.
	Disability	The changes to the Council Tax Support system will bring no positive changes for this group.	Public consultation showed disproportionate concern for the impact on disabled people. Written responses highlighted that this was because they could not work, or found it harder to do so, and so were more dependent on council support. However, the negative impact of the changes to the Council Tax Support system should have no disproportionate impact on this group over claimants that are fully dependent on benefit support.
	Age	The impact on pensionable age claimants will be neutral.	The impact on working-age claimants will see them lose out on the maximum available support they would be eligible for. In the case of working age groups that have capital above £6,000 or receiving Second Adult Rebate, they will not longer receive any support. However, these groups of working-age are deemed to be able to be able to afford the shortfall either because they have sufficient capital or income to pay their full bill.

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Religion and Belief	The changes to the Council Tax Support system will bring no positive changes for this group.	The negative impact of the changes to the Council Tax Support system should have no disproportionate impact on this group. There was no concern expressed that any religious group would be disproportionately affected during the public consultation.
Sexual Orientation	The changes to the Council Tax Support system will bring no positive changes for this group.	The negative impact of the changes to the Council Tax Support system should have no disproportionate impact on this group. There was no concern expressed during the public consultation that people of any particular sexual orientation would be disproportionately affected.
Pregnant and Nursing Mothers	The changes to the Council Tax Support system will bring no positive changes for this group.	The negative impact of the changes to the Council Tax Support system should have no disproportionate impact on this group. It may have a disproportionate impact on lone parents with children under 5 when taking into account other welfare benefit changes such as reductions in tax credits. There was no concern expressed during the public consultation that pregnant or nursing mothers would be disproportionately affected.
Socio Economic	The changes to the Council Tax Support system will bring no positive changes for this group.	As Council Tax Support is means tested, there will be a disproportionate impact across socio economic groups. This concern was expressed during

APPENDIX 2 – Equality Impact Assessment

			public consultation, with 8% of respondents naming those on low income as a group at particular risk. As changes are being forced by central government to a means tested benefit this is unavoidable, but the council is limiting the negative impact as far as serious budget constraints allow.
	Carers	The changes to the Council Tax Support system will bring no positive changes for this group.	The negative impact of the changes to the Council Tax Support system should have no disproportionate impact on this group. Only 4% expressed a concern that carers would be disproportionately affected by the proposed changes, despite 35.37% of respondents identifying themselves as carers.
<p>Is the differential impact as a result of indirect or direct discrimination? No</p> <p>Can any differential impact be justified or proportionate in meeting legitimate aims, if yes, please provide details?</p> <p>If these changes are not made the saving required will need to be found by cutting other services. It is arguable that ensuring a reduction is made from all groups is 'fairer' overall.</p>			

Step 4 - Promoting Equality

1.	<p>What has been done to promote equality in this piece of work? This includes measures you've put in place to:</p> <ul style="list-style-type: none"> • Improve the accessibility of your service • Improve the quality of outcomes for people from different groups
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APPENDIX 2 – Equality Impact Assessment

	<ul style="list-style-type: none"> • Make your service / policy / strategy more inclusive • Ensure staff are trained appropriately • Promote community cohesion or good relationships between different groups of people. <p>(Think about physical access, communications needs, staff awareness and partnership working)</p>
Ethnicity	<p>Changes have been publicised to all groups – assistance will be offered by front line offices, Children’s Centres and the Revs & Bens service.</p> <p>Examples of help are payment arrangements to help clear outstanding debt, signposting to skills training or job opportunities and debt advice.</p> <p>Disabled people were identified as a group of concern in the consultation process. Possibly directly inform organisations relevant to disabled people in the borough so that they are able to understand the changes, and help disabled people to understand the transition if they are asked. Similarly it may be helpful to send information to relevant community groups e.g. voluntary, children’s, or faith organisations, as they are used to acting as a point of contact for individuals who may not be in regular contact with the council.</p>
Gender	
Disability	
Age	
Religion and Belief	
Sexual Orientation	
Socio Economic	
Pregnant and Nursing Mothers	
Carers	
2.	<p>What further actions are required?</p> <p>None</p>
3.	<p>How have you consulted on this Equality Impact Assessment?</p> <p>No</p>
4.	<p>How will the outcomes from this EIA be managed and monitored? All of the proposed equality outcome should be managed through the service plans.</p> <p>Ongoing monitoring of claimants making and/or renewing claims</p>

Summary

Please provide a summary document / storyboard of the findings of your EIA (including best practice what we do well, our challenges, our opportunities and what we planned to do. This will be used for publication on the internet.

What is changing?

After the abolition of Council Tax Benefit from April 2013 each council was expected to put a new scheme in place for working age people to continue to offer some support to those in need. Barking and Dagenham Council lost about £2 million Government funding for than previous years. As of April 2014, no further funding from Central Government is offered. The Council has identified a £54m budget shortfall. We need to find a way to save this amount over the next 3 years by cutting services including the support provided through the Council Tax Support Scheme.

We predict that those residents currently entitled to Council Tax Support will see it taken away or reduced. This could mean an average loss of £91 over the course of a year leaving people £7-8 worse off a month but actual amounts are dependent upon a claimant's individual circumstances.

Only pensioners will be protected from these new changes. 6,800 pensioner households in the borough will continue to receive Council Tax Support at current levels.

We have prepared a draft amended scheme and this has not been easy. We recognise that these are challenging times and the reduction in support will impact on some of our most vulnerable residents.

Our draft scheme

We are proposing to use the majority of the existing Council Tax Support Scheme for working age people as the basis for our amended local Council Tax Support Scheme from 1 April 2015. This will include some changes to help make up the shortfall in the Council's budget over the next 3 years.

The current scheme is already widely understood by residents, professional and voluntary organisations and other service users.

This will hopefully make the changes easier to understand.

Our draft scheme:

Amend the existing Council Tax Support Scheme which reduces the maximum level of support available for working age people to 75% of their eligible Council Tax. Abolish the backdate discretion; this will now only be available to those that qualify for a discretionary reduction under the new policy. Second Adult Rebate to be abolished and the Capital Limit reduced to £6,000.

The changes we are proposing in our draft scheme are based on the following principles:

Principle 1: The core of the amended scheme will remain mostly the same as the current scheme

Principle 2: Every working age adult must pay an increased contribution towards their Council Tax to cover further Government cuts. These increased contributions must be applied equally with a minimum 25% contribution subject to every working age adult

Principle 3: The “Alternative Maximum Reduction” (Second Adult Rebate) helps those that have already been deemed to have sufficient means to pay their Council Tax

Principle 4: Those with capital above £6,000 should now be expected to pay their full Council Tax charge

Principle 5: Applying for support has been made so accessible and easy to do through multiple channels, backdating can be justifiably, although not desirably, removed from the scheme. The most exceptional cases will be able to obtain further support via a discretionary scheme.

Principle 6: The revised scheme needs to be more effective in only aiding those that are “in financial need”.

This amended scheme continues to share the burden of the cut across all working age people in receipt of support. The extra amount that each person would have to pay depends on the Council Tax band that their property is in and their individual circumstances affecting the amount of Council Tax Benefit they receive. Those living in higher band properties will pay more.

The amended scheme will continue to be means tested, so the amount of help someone gets depends on their family size and their weekly income. Each year the government publish standard weekly rates to show what individuals and families could reasonably be expected to live on. These figures are known as applicable amounts or a needs allowance.

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To work out how much benefit someone should get we compare their actual weekly income to the published applicable amounts. If their income is the same as (or less than) the applicable amount; that person will get the maximum help that applies to their circumstances. If their income (as calculated according to government guidelines) is higher than the applicable amount, we charge them 20% of the extra income (“excess income”) they have above the maximum amount of help that would apply to their circumstances. If 20% of their excess income is higher than their applicable amount they would not receive any Council Tax Support.

Under the proposed new support scheme we would calculate someone’s entitlement in the same way but the benefit will be based on 75% of the amount of Council Tax they are due to pay and therefore they will have to pay the first 25% themselves before we calculate any Council Tax Support.

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