

Scrutiny Panel Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ**

Tuesday, 13 December 2022 at 18:00

The Scrutiny Panel examines the policies and strategies from a City-wide perspective and ensure the actions of the Cabinet accord with the Council's policies and budget. The Panel reviews corporate strategies that form the Council's Strategic Plan, Council partnerships and the Council's budgetary

guidelines, and scrutinises Cabinet or Portfolio Holder decisions which have been called in.

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published. Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

Most meetings take place in public. This only changes when certain issues, for instance, commercially sensitive information or details concerning an individual are considered. At this point you will be told whether there are any issues to be discussed in private, if so, you will be asked to leave the meeting.

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Access

There is wheelchair access to the Town Hall from St Runwald Street. There is an induction loop in all the meeting rooms. If you need help with reading or understanding this document, please take it to the Library and Community Hub, Colchester Central Library, using the contact details below and we will try to provide a reading service, translation or other formats you may need.

Facilities

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Scrutiny Panel – Terms of Reference

1. To fulfil all the functions of an overview and scrutiny committee under section 9F of the Local Government Act 2000 (as amended by the Localism Act 2011) and in particular (but not limited to):

- (a) To review corporate strategies;
- (b) To ensure that actions of the Cabinet accord with the policies and budget of the Council;
- (c) To monitor and scrutinise the financial performance of the Council, performance reporting and to make recommendations to the Cabinet particularly in relation to annual revenue and capital guidelines, bids and submissions;
- (d) To review the Council's spending proposals to the policy priorities and review progress towards achieving those priorities against the Strategic and Implementation Plans;
- (e) To review the financial performance of the Council and to make recommendations to the Cabinet in relation to financial outturns, revenue and capital expenditure monitors;
- (f) To review or scrutinise executive decisions made by Cabinet, the North Essex Parking Partnership Joint Committee (in relation to decisions relating to off-street matters only) and the Colchester and Ipswich Joint Museums Committee which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (g) To review or scrutinise executive decisions made by Portfolio Holders and officers taking key decisions which have been made but not implemented referred to the Panel pursuant to the Call-In Procedure;
- (h) To monitor the effectiveness and application of the Call-In Procedure, to report on the number and reasons for Call-In and to make recommendations to the Council on any changes required to ensure the efficient and effective operation of the process;
- (i) To review or scrutinise decisions made, or other action taken, in connection with the discharge of functions which are not the responsibility of the Cabinet;
- (j) At the request of the Cabinet, to make decisions about the priority of referrals made in the event of the volume of reports to the Cabinet or creating difficulty for the management of Cabinet business or jeopardising the efficient running of Council business;

2. To fulfil all the functions of the Council's designated Crime and Disorder Committee ("the Committee") under the Police and Justice Act 2006 and in particular (but not limited to):

- (a) To review and scrutinise decisions made, or other action taken, in connection with the discharge of those functions by the responsible authorities of their crime and disorder functions;
- (b) To make reports and recommendations to the Council or the Cabinet with respect to the discharge of those functions.

COLCHESTER CITY COUNCIL
Scrutiny Panel
Tuesday, 13 December 2022 at 18:00

The Scrutiny Panel Members are:

Councillor Dennis Willetts
Councillor Sue Lissimore
Councillor Darius Laws
Councillor Mike Lilley
Councillor Sam McCarthy
Councillor Lee Scordis
Councillor Paul Smith

Chairman
Deputy Chairman

The Scrutiny Panel Substitute Members are:

All members of the Council who are not Cabinet members or members of this Panel.

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Please note that Agenda items 1 to 5 are normally dealt with briefly.

1 Welcome and Announcements

The Chairman will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chairman will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

2 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

3 Urgent Items

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

4 Declarations of Interest

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or

participating in any vote upon the item, or any other registerable interest or non-registerable interest.

5 Minutes of Previous Meeting

The Councillors will be invited to confirm that the minutes of the meeting held on 8 November 2022 are a correct record.

Scrutiny Panel Minutes 8 November 2022

9 - 14

6 Have Your Say!

The Chairman will invite members of the public to indicate if they wish to speak or present a petition on any item included on the agenda or any other matter relating to the terms of reference of the meeting. Please indicate your wish to speak at this point if your name has not been noted by Council staff.

7 Decisions taken under special urgency provisions

The Councillors will consider any decisions by the Cabinet or a Portfolio Holder which have been taken under Special Urgency provisions.

8 Cabinet or Portfolio Holder Decisions called in for Review

The Councillors will consider any Cabinet or Portfolio Holder decisions called in for review.

9 Items requested by members of the Panel and other Members

(a) To evaluate requests by members of the Panel for an item relevant to the Panel's functions to be considered.

(b) To evaluate requests by other members of the Council for an item relevant to the Panel's functions to be considered.

Members of the panel may use agenda item 'a' (all other members will use agenda item 'b') as the appropriate route for referring a 'local government matter' in the context of the Councillor Call for Action to the panel. Please refer to the panel's terms of reference for further procedural arrangements.

10 Portfolio Holder Briefing from Cllr Fox [Deputy Leader and Portfolio Holder for Local Economy and Transformation]]

11 Colchester's Economic Strategy 2022-25

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12 Half Year April – September 2022 Performance Report Key Performance Indicators (KPI) and Other Performance News

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13	Half Year covering April to September 2022 Performance Report - 2020-2023 Strategic Plan Action Plan	85 - 102
14	Local Council Tax Support Scheme 2023/24	103 - 266
15	Work Programme 2022-23	267 - 280
16	Exclusion of the Public (Scrutiny)	
	<p>In accordance with Section 100A(4) of the Local Government Act 1972 and in accordance with The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 (as amended) to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).</p>	

Part B **(not open to the public including the press)**

SCRUTINY PANEL

8 November 2022

Present:- Cllr Willetts (Chair), Cllr Lissimore (Vice Chair), Cllr Laws, Cllr McCarthy, Cllr Scordis

Substitute Member:- Cllr Barton for Cllr Smith
Cllr S. McLean for Cllr Lilley

Also in Attendance:- Cllr Lesley Scott-Boutell

370. Minutes

The Minutes of the meeting held on 11 October 2022 were confirmed as a true record. It was noted that a query regarding the form of the minutes was raised by Councillor Lissimore.

371. Items requested by Members of the panel and other Members

The Committee had before them two requests of items to scrutinise which were detailed in the agenda.

The Chair (Councillor Dennis Willetts) requested that the panel scrutinise the Plans for City Status be scrutinised at the point where the strategy was relatively concrete but before the delivery plans are defined.

The Chair also requested that the Scrutiny Panel reviews the One Colchester Partnership to ensure that it was operating at peak effectiveness.

The Panel discussed the two requests from Councillor Willetts where it was established that there was broad support for scrutiny of both items.

RESOLVED that the Panel receives:-

- (a) A report on the proposed plans for City Status and that this is brought before the Panel prior to the delivery plans being defined.
- (b) A report reviewing the One Colchester Partnership to ensure that the Partnership is working at peak effectiveness.

372. Update on Town Deal Projects

The Executive Director for Place presented the report to the Panel and explained that 14 projects were currently underway with 8 being led by partners but were ultimately accountable to the Council. It was noted that there was a strong Governance structure in place with a large amount of engagement on projects most notably with Jumbo. The Panel heard that business cases had been submitted in March 2022 to the Department for Levelling Up, Housing and Communities (DLUC) and permission had been given to

proceed in August 2022 with the initial funding being provided. It was noted that the RAG risk approach was currently on amber as some of projects were very complex. The Executive Director for Place confirmed that the risks linked to the projects were reviewed on a continual basis with the main concerns being around escalating costs for labour as well as unexpected delays with supplies. The Panel heard that one of the largest risks was associated with the land acquisition in the heart of Greenstead but that there was no update to give on this. The panel were informed that the aim was to contain any cost issues and that there had been a contribution from Colchester Borough Council for St Nicolas Square which had accelerated the project however it was detailed that archaeology costs had risen. The projects were also being looked at in alignment to try and create efficiencies where it was possible.

The Executive Director for Place explained to the Panel that there was significant oversight of the works from the Town Deal Board and from the Section 151 Officer which had to report into DLUC every six months with the progress of the projects. It was noted that there were no significant risks that would compromise the projects but outlined the following details on each of the projects:

Kerbless Street, Balkerne Gate Phase 2, Holy trinity Square - This project had been delayed until the start of 2023 so that it did not interfere with Christmas events in the town centre.

Essex Pedal Power – The Launch of this project in the spring of 2023 following the completion of purchase of bikes.

Digital Skills hub: - Work is due to start imminently following planning consents being secured.

Townhouse, Stanway and Highwoods Youth Centres – The work on the Townhouse could only begin in the Easter Holidays where structural surveys would be the main priority.

Essex County Hospital: Work on this site would be starting in 2023 and confirmed that the full Town Deal contribution had been released with the enhanced public space part of the wider housing scheme.

Heart of Greenstead: - work had been undertaken to ensure community engagement on the project with the alliance partnership which was progressing well. It was noted that this included the relocation of Hawthorn surgery which was on track for delivery.

Jumbo: - The project which was being delivered through North Essex Heritage had passed the first stage with the Heritage Lottery Fund and would be moving onto the full application stage. Furthermore, the bids to the Heritage Lottery Fund were being co-ordinated between Museums, Jumbo and Holy Trinity to ensure that there were no clashes.

Physical Connectivity: The Connection between Greenstead and the Town Centre through the Active Travel Fund meant that the full route completed to the highest standards which would begin on East Hill.

Matthew Brown, Economic Regeneration Manager outlined the schemes that were underway within the town centre and confirmed that the cost of goods were volatile and were being monitored. The Panel heard that further funds were being sought where possible and confirmed that an extra £2.3 million had been secured for the Heart of Greenstead project through Active Travel. The Economic Regeneration Officer concluded

by outlining that if there were funding issues these would be assessed into what could be done differently on projects and that this would not have an impact on quality.

Councillor William Sunnucks addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1) and questioned the timing of the projects and what was slowing them down and whether this meant projects would be cut. The Panel heard that there was a problem of timing with what had been promised and although the board had been formed in 2020 very little progress had been delivered and questioned whether they were still deliverable following the input from the Peer Review. Councillor Sunnucks advised that he was aware of the issues that were causing delays in the Private Sector but wanted an answer on what was causing the delays and questioned whether this effected the Councils credibility when applying for new grants.

The Executive Director for Place responded to the questions and confirmed that the setting up of the Town Deal Board had been a requirement and have been involved in every stage of the process. It was noted that the agreement from DLUC to go beyond the case stage had not been given until August 2022. It was that outlined that some programmes had been sped up, however some had been caught within inflation issues but were still on time for delivery. It was confirmed that Colchester Borough Council were directly managing the digital skills hub and that the framework and the contracts with partners were completed. It was clarified that the Town Houses would take longer to complete and that some of the bids would outlast the timeframes of the Town Deal Fund. Members were asked to note that there was a delay from DLUC which was for three months whilst waiting for the bids to be approved.

The Panel raised questions on the report and its emphasis upon deprivation and the areas that the projects were targeted and what evidence was there that they would materially effect deprivation in those areas. Questions were raised regarding the completed projects such as those at the Mercury Theatre and how these would contribute to ending deprivation as well as whether the projects that were being undertaken as they could be easily completed.

The Economic Regeneration Manager responded that the heart of Greenstead project was a £40 million investment which could make a significant difference and intervene to improve skills. It was noted that the Holy Trinity Church Scheme would be offering services to those who were most in need and the Cycling Hub helped provide transport for those who were on a lower income. The Committee heard that the proposals for the digital skills hub would help people to retrain and give them access to digital skills.

The Panel queried whether match funding was being sought on projects as this had been a key aim within the Fund and heard that additional funding was being sought wherever possible and elaborated that there had been an Active Travel fund of £5 million as well as a possible £5 million from the Heritage Lottery Fund. It was noted that Greenstead's match funding was also through Housing Revenue Account (HRA) which would provide long term regeneration of the area. Concern was raised by the Committee over the lack of key performance indicators for the projects and match funding. The Economic Regeneration Manager responded that there were no specific requirements for match funding or additional funding but commented that as it was only 2 months into the delivery of the project other opportunities may become available. The Executive Director for Place advised Members that the Council would bid for any funding that arose and that a report could be brought back to the Panel on where additional funding was being sought.

Questions were raised from the Panel on the role of the signage changes for the City

Status and it was confirmed that this was part of the City Status work plan and further information on this would be provided to the Committee.

A further question was raised regarding the Councils capital programme difficulties and whether it was linked to the Town Deal and would this cause issues for any for the projects. It was confirmed by officers that the review of the Capital Programme had started but outlined that the majority of the projects were not reliant on the programme and were funded.

The Chair ran through the projects as detailed in the report and Members and Officers contributed the following:

Balkerne gate Phase 2: The project was yet to be completed and that there were conversations being undertaken with Jumbo to ensure that there was minimal disruption.

Jumbo: The National Lottery Heritage fund bid was underway and could take up to a year to progress to the next phase.

Holy Trinity Church – Questions were raised as to whether there was a back-up plan for the use of the Church if Community 360 were unable to take on the facility. The Panel heard that two contingency plans were in place but that if there were any updates on this then this would be reported to the Panel.

Digital Connectivity: The Committee queried the number of jobs that would be created and it was confirmed that this would be 16 direct employees however there would be a much larger impact which would regenerate the area and would aid longer term aspirations in the area.

Transformed Youth Facilities: In response to questions Officers explained that issues with the lease on the Town houses had been resolved and that the funds that were used for the purposes of transforming youth facilities were ringfenced to existing facilities and could not be used in new proposals.

The Panel thanked the Officers for the report and concluded that no recommendations were required to be sent onto the Cabinet.

RESOLVED that the report be noted by the Panel.

373. Family / Local affiliation in letting and/ or sale of local affordable housing and Gateway to Homechoice Allocations Policy

Councillor Lesley Scott-Boutell addressed the Panel pursuant to the provisions of Meetings General Procedure Rule 5(1) and thanked the Panel for looking into this matter. The Panel heard that over the years they had tried to persuade Colchester Borough Homes (CBH) that Stanway was a rural community and any available housing in the area should be ringfenced for local residents. An example was given whereby a resident had been living with their parents who had been unable to stay in the area and drew attention to paragraph 4.16 of the Committee report. The Panel heard that there were immense pressures whereby 235 people were living in temporary accommodation and there had only been 38 lets in the Stanway area since April 2022. The Councillor outlined that they would like to see applicants who have links to families, situation and the local area changed in the criteria so that these are taken into account when offering people homes.

Councillor Julie Young, Cabinet Member for Housing and Communities addressed the Panel ahead of the Officer presentation and spoke of the housing crisis that there was in Colchester and drew Members attention to paragraph 4.16 and the unintended consequences if any changes were made to the prioritisation. The Portfolio holder explained that the Councils approach was consistent with other authorities that the Council was in partnership with and advised Members that there was a pilot which was looking into the issue before the Committee. The Cabinet Member requested that the Scrutiny Panel withhold any recommendations until the pilot scheme had concluded and the results analysed. The Committee did hear that there were occasions where the local lettings policy came into play but these were in very specific cases and drew Members attention to the fact that there was a focus on the 235 people in temporary accommodation and that there were currently 3000 people on the on the Housing register waiting list.

Karen Paton, Housing Strategy Co-ordinator presented the report to the Panel outlining the information that had been requested and detailed the Council's housing allocation policy which was a legal requirement and detailed the prioritisation of need. The Panel heard that any change to the policy would relegate the importance of need when prioritising any other characteristic. The Housing Strategy Co-ordinator outlined that there were two options for securing housing through local lettings plans and also through Section 106 agreements. Local lettings could be on new developments or existing homes and applied to the specified properties with the agreement of the owner and can help improve areas tackling anti-social behaviour and confirmed that this approach had been taken with new build homes. The officer advised that in Section 106 Agreements the number, type, and size of the affordable houses were agreed at the development stage and were a legally binding agreement. It was noted that the report included in appendix A details of shared ownership. Attention was drawn to paragraph 4.16 and the unintended consequences that could ensue and could lead to households with a higher need may have to wait longer if a Family/ local affiliation policy was introduced. The Officer informed Members that there were instances where there was no interest in properties with an example that a rural property was was not near employment centres and public transport links wouldn't make a commute viable.

The Panel were informed that there was a pilot scheme underway in Layer de la Haye where family and local affiliation were being taken into account however it was noted that the pilot may have had more effect in a more built up area.

The Panel questioned the officers regarding the question of need and how this was assessed if someone had moved into the area. The Officer responded that all cases of homelessness had to be assessed under the five tests of homelessness and would be considered on that basis with banding levels taken into account as well as other circumstances which meant assessment on a case by case basis.

Members of the panel praised the Councils services for housing and the work that was being undertaken but were concerned that the efficiency of the team was causing an influx of people from outside of the borough to move into the area to find housing. The Housing Strategy Co-ordinator advised Members that the Gateway to Homechoice register allowed the team to review data of people arriving from other areas and noted that the Council exported more people than importing them into the Council's housing stock.

In response to further questions from the Panel the officer responded that a housing needs survey was carried out for all applicants where they could add preferences of where they would like to live. It was noted from further questions regarding the criteria for housing need that strong and weak affiliations with an area and people could be integrated but

would also be conditional to other factors. The Panel heard that the pilot scheme currently underway had the criteria that the applicants had to live and work in the area so that transport issues could be avoided.

Members debated the content of the report noting that the final decision on this was not within the gift of the Panel and that the distortion of the system through the affiliation had some beneficial outcomes but could lead to the system becoming unmanageable and that the results of the pilot scheme should be assessed before making a recommendation.

RESOLVED that the report is noted by the panel and that when the outcome of the pilot scheme is available then the panel will consider whether it should be returned to the Panel for further consideration.

374. Work Programme 2022-2023

The Committee discussed the workplan and the requirement for additional meetings to discuss the additional items on the workplan including the additional items agreed at the meeting.

Richard Block, Chief Operating Officer advised the Panel that following the outcome of the peer review that the Panel may wish to consider scrutiny of the report.

The Panel agreed that this would be worthwhile and added it to the agenda for the December meeting.

The Panel asked that two additional dates were looked at in the new year to consider the additional items that needed to be scheduled.

RESOLVED that the work programme for 2022-2023 is noted with the additional item of the peer review being added for the December meeting and that officers in consultation with the Chair and Group Spokespersons for the Panel look at and put forward additional dates.

Report of	Assistant Director of Place and Client	Author	Karen Turnbull ☎ 282915
Title	Colchester's Economic Strategy 2022-25		
Wards affected	All		

1 Executive Summary

- 1.1 Scrutiny Panel is invited to consider Colchester's Economic Strategy 2022-25 and make recommendations to the Cabinet meeting which will take place on 25 January 2023.

2 Reason for Scrutiny

- 2.1 To review the Economic Strategy as requested by the Panel at their meeting on 7 June 2022.
- 2.2 To comment or make recommendations.

3 Reason for Cabinet Report

- 3.1 To adopt the new Colchester Economic Strategy 2022-25.
- 3.2 To recommend to full Council that the Economic Strategy be adopted as part of the Council's Policy Framework.

4 Alternative Options

- 4.1 Economic recovery is key to the future of Colchester. There are clear risks to not having a robust evidence based strategy in place such as not achieving local priorities, not being able to evidence and articulate Colchester Borough Council's wider vision for the economy and not providing a strong focus to our partners and stakeholders about their contributions and collaborations to assist with meeting our priorities.

5 Overview

- 5.1 See Cabinet Report attached.

6 Consultation and Strategy Development

- 6.1 Two consultation workshops were held with external partners and stakeholders as well as internal business facing services which both helped to shape the new Economic Strategy.
- 6.2 Insights from local business surveys and other public consultations with residents on projects like the Town Deal and on subjects like the future of the town centre have been sought and included.
- 6.3 Data and analysis from partner strategies and monitoring of official datasets and reports to understand macro-economic trends have also contributed to developing the Strategy. The accompanying Data Digest is a summary of this deeper and more comprehensive evidence base.
- 6.4 The draft Economic Strategy has been circulated to Officers for their comments.
- 6.5 The Portfolio Holder for Local Economy and Transformation and the Portfolio Holder for Strategy have been given the opportunity to review the documents.
- 6.6 The Cabinet have had several opportunities to ensure that the strategy reflects their priorities including: the commitment to supporting the Real Living Wage, the mobilisation of Anchor Institutions and developing an inclusive economy.
- 6.7 The responses to consultations have been positive. Where comments, amendments and suggestions have been made these have been incorporated where appropriate.

7 Financial implications

- 7.1 These implications are covered in the standard paragraphs in the cabinet report appended to the covering report.

8 Environmental and Climate Change Implications

- 8.1 These implications are covered in the standard paragraphs in the cabinet report appended to the covering report.

9 Equality and Diversity Implications

- 9.1 These implications are covered in the standard paragraphs in the cabinet report appended to the covering report.

10 Other Standard References

- 10.1 References to Publicity, Human Rights, Community Safety and Health and Safety implications are covered in the standard paragraphs in the cabinet report appended to the covering report.

Report of	Assistant Director of Place and Client	Author	Karen Turnbull ☎ 282275
Title	Colchester's new Economic Strategy 2022-25		
Wards affected	All wards		

1. Executive Summary

1.1 Colchester's new Economic Strategy is due for publication in 2022.

The strategy sets out the role Colchester Borough Council and our partners will play in maintain and boosting the strength of our economy. It:

- highlights the key assets and challenges of Colchester's economy
- sets out our vision and priorities, along with principal objectives
- provides case studies to illustrate the type of work we will encourage to achieve our priorities
- highlights the factors that influence the economy
- describes how we will work with partners.

2. Recommended Decision

2.1 To adopt the new Economic Strategy 2022-25 for Colchester.

2.2 To recommend to full Council that the Economic Strategy be adopted as part of the Council's Policy Framework.

3. Reason for Recommended Decision

3.1 With Colchester recently honoured with city status as part of The Queen's Platinum Jubilee celebrations, Colchester's new Economic Strategy is timely.

Colchester is a hot-spot for innovation and investment. Employment levels are high and businesses have proved their resilience. However, the combined impact of the pandemic, the UK's departure from the EU, the situation in Ukraine and climate change are presenting unprecedented challenges.

This Strategy aligns strongly with partners and their strategies to coordinate our efforts to support an inclusive economy. It charts a course to take Colchester's economy forward in partnership:

- Supporting the economy to survive and thrive
- enabling Colchester to compete for future talent, investment and influence; and
- improving people's lives and tackling inequalities through better skills, jobs, health and transport choices; and more effective digital connectivity and improved prospects.

4. Alternative Options

- 4.1 To not adopt the Economic Strategy. There are however clear risks to not having a robust evidence based strategy in place such as not achieving local priorities, not being able to evidence and articulate Colchester Borough Council's wider vision for the economy and not providing a strong focus to our partners about their contribution to meeting our priorities and helping economic recovery.

5. Background Information

5.1 Consultation and Strategy Development

- Two consultation workshops were held with external partners and stakeholders as well as internal business facing services which both helped to shape the new Economic Strategy.
- Insights from local business surveys and other public consultations with residents on projects like the Town Deal and on subjects like the future of the town centre have been sought and included.
- Data and analysis from partner strategies and monitoring of official datasets and reports to understand macro-economic trends have also contributed to developing the Strategy. The accompanying Data Digest is a summary of this deeper and more comprehensive evidence base.
- The draft Economic Strategy has been circulated to Officers for their comments.
- The Portfolio Holder for Local Economy and Transformation and the Portfolio Holder for Strategy have been given the opportunity to review the documents.
- The Cabinet have had several opportunities to ensure that the strategy reflects their priorities including: the commitment to supporting the Real Living Wage, the mobilisation of Anchor Institutions and developing an inclusive economy.
- The responses to consultations have been positive. Where comments, amendments and suggestions have been made these have been incorporated where appropriate.

5.2 Key Priorities

Colchester's Economic Strategy 2022-25 sets out our vision, four priorities for change and objectives to be achieved.

Vision: Colchester: unlocking our city's potential

Theme	Priority	Objectives
People	We support inclusive economic growth by encouraging business innovation, helping build the skills the local workforce will need to take advantage of future opportunities, and championing the Real Living Wage.	<ul style="list-style-type: none"> • Identify and facilitate opportunities to promote innovation and new businesses • Work with partners and stakeholders to address skills shortages • Tackle inequalities by enabling local people to access and develop new skills • Sustain the local economy with high quality business support, information and guidance • Encourage a higher wage economy
Place	We use our resources, knowledge, assets and connections to leverage inward investment in the City, and facilitate improved infrastructure, including digital infrastructure.	<ul style="list-style-type: none"> • Identify and secure funding to enhance Colchester and boost the economy. • Identify and pursue projects which support key sector development.

		<ul style="list-style-type: none"> • Support and encourage inward investment. Develop a new Digital Strategy as a competitive edge and to enhance skills • Capitalise on Colchester's new status as a city • Understand the future infrastructure needs of a fast-growing place.
Partnerships	We engage widely with partners and anchor institutions at the local, regional, national and international level to help Colchester capitalise on new opportunities for economic growth, jobs and infrastructure.	<ul style="list-style-type: none"> • Engage with partners to promote Colchester's economic interests. • Support the work of partners in offering business support to enable recovery and growth. • Mobilising the opportunity around our anchor institutions in community wealth building. • Help develop a more connected and influential place
Planet	We work with partners to improve the environment of our place, accelerate the decarbonisation of Colchester economy and reduce the environmental impact of business activities	<ul style="list-style-type: none"> • Support initiatives to enhance the quality of the environment. • Help local businesses reduce their carbon emissions. • Support development of local green technology businesses • Identify new economic opportunities from the emerging 'green economy'

In keeping with the Colchester Can approach, this strategy prioritises an enabler/facilitator approach. Colchester's partnership arrangements are mature and effective, and through the pandemic our partnerships have strengthened with CBC being seen as a trusted anchor.

Delivery Plan

The Delivery Plan for the new Strategy is in development and will set out the actions the Council, its partners and stakeholders will undertake to achieve the priorities. It will be accessible and meaningful so that local people can see opportunities which apply to them and how they can participate.

Workstreams and projects include:

- Developing a Shared Prosperity Funding Investment Plan
- Developing and delivering Levelling Up Fund Round 2 bid
- Developing a Rural England Prosperity Fund Investment Plan
- The Colchester Skills Programme led by The Colchester Ambassadors Group
- New Digital Strategy in partnership with Colchester Amphora Trading Ltd.
- Delivering the project programme for the Town Deal

5.3 Monitoring and Review

The strategy will be a live document that will achieve its aims and objectives through the implementation of a 3-year Delivery Plan, which will be updated by Colchester Borough Council on a regular basis.

5.4 The plan will be monitored and progress reported to the Portfolio Holder.

6. Equality, Diversity and Human Rights implications

6.1 An Equality Impact Assessment on the Economic Strategy has been completed and a link to the document can be found here [Economic Strategy 2022 2025 EQIA Nov 2022.docx](#)

6.2 There are no Human Rights implications

7. Strategic Plan References

7.1 The priorities in the new Economic Strategy will deliver against the Council's current Strategic Plan 2020-23 priorities in particular the pledge to "Growing a fair economy so everyone benefits". Specifically this means:

Priorities

Goals

Enable economic recovery from Covid-19 ensuring all residents benefit from growth

- Ensure our borough becomes stronger post Covid-19 by supporting businesses to recover, adapt and build resilience.
- Work with partners to facilitate a high skill, high wage, low carbon workforce.
- Develop opportunities to ensure the new economy is greener, sustainable and more resilient.
- Work with our partners to enable Colchester town centre to be a more vibrant, resilient and adaptable to future change.
- Transform the Northern Gateway as a hub for improved wellbeing, physical activity, jobs, housing and renewable energy.
- Address the inequality of access to Gigabit Broadband in communities.
- Tackle local skills shortages working with businesses, University of Essex, Colchester Institute and other partners.

Work with partners to deliver a shared vision for a vibrant town

- Agree a Town Deal with partners and the Government to attract significant new investment.
- Collaborate with the town centre Business Improvement District (BID).
- Continue to regenerate Colchester Town Centre using Council assets, aligned private investment, the Town Deal and Town Investment Plan.

Create an environment that attracts inward investment to Colchester and help businesses to flourish

- Ensure our strategy for inclusive economic growth supports the ambitions outlined in the North Essex Growth Strategy, the Local Industrial Strategy and our Town Deal.
- Ensure a good supply of employment land and premises to attract new businesses and allow existing firms to expand and thrive.
- Encourage green technologies and innovative solutions to the Climate Emergency.
- Maximise the Social Value benefits derived from third party contracts.

Priorities

Goals

- Ensure the Council's assets continue to contribute to economic growth and opportunity.

8. Consultation and Strategy Development

- Two consultation workshops were held with external partners and stakeholders as well as internal business facing services which both helped to shape the new Economic Strategy.
- Insights from local business surveys and other public consultations with residents on projects like the Town Deal and on subjects like the future of the town centre have been sought and included.
- Data and analysis from partner strategies and monitoring of official datasets and reports to understand macro-economic trends have also contributed to developing the Strategy. The accompanying Data Digest is a summary of this deeper and more comprehensive evidence base.
- The draft Economic Strategy has been circulated to Officers for their comments.
- The Portfolio Holder for Local Economy and Transformation and the Portfolio Holder for Strategy have been given the opportunity to review the documents.
- The Cabinet have had the opportunity to review and requested new content, which has been included.
- The responses to consultations have been positive. Where comments, amendments and suggestions have been made these have been incorporated where appropriate.

9. Publicity Considerations

- 9.1 The Economic Strategy documents will be published on the Council's website. A communications plan is being developed to publicise the Strategy and generate interest and commitment to the Delivery Plan.

10. Financial implications

- 10.1 The strategy sets out a challenging and ambitious vision for the economy which will be delivered against a backdrop of significant reduction in funding for local government. In the current financial climate of reduced resources, the Council will need to look carefully at how it will use these resources to deliver the strategy from existing budgets.

The Council will work to encourage its partners to commit their resources to meeting the priorities set out in the strategy. As many of the organisations are partners, they have already helped to shape the strategy and have shown their commitment to its delivery.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Colchester is facing significant population and housing growth, demanding more jobs, more skills and more businesses to create an expanding economy to match. A strong economy is vital for Colchester to provide residents with the jobs, income, health and purpose they need; to allow businesses to flourish; to provide the infrastructure a growing place relies on and to keep our Borough vibrant and attractive.

11.2 The Government's Levelling Up agenda places a renewed emphasis on inclusive economic growth so that existing inequalities are reduced.

12. Health and Safety Implications

12.1 There are no health and safety implications

13. Risk Management Implications

13.1 There are no risk management implications

14. Environmental and Sustainability Implications

14.1 Environmental and sustainability implications have been considered throughout the development of the new Economic Strategy. The need for cleaner growth is increasingly critical to manage and reduce our impacts on the environment as we work toward net Zero.

Appendices

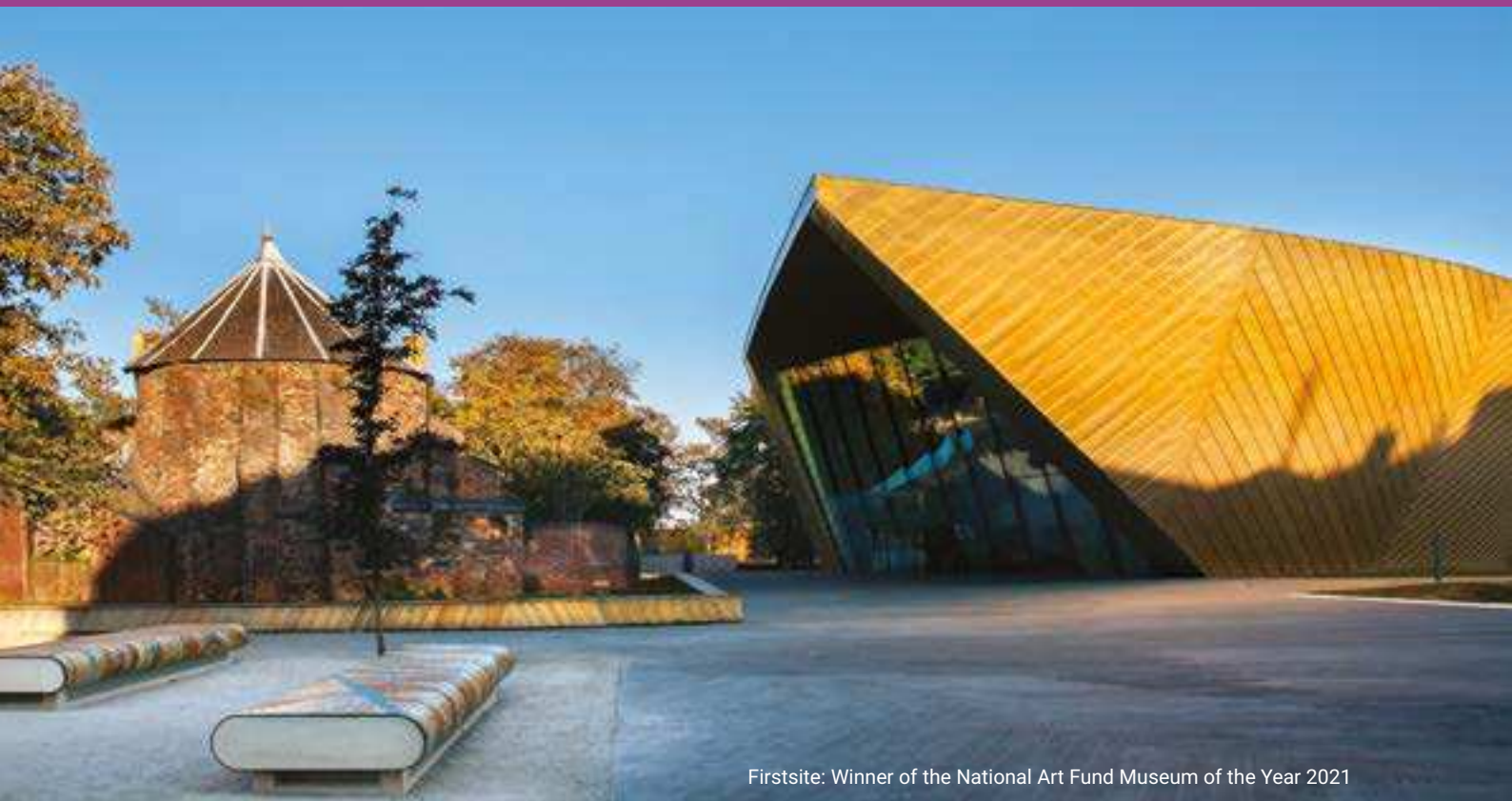
Appendix A Colchester's Economic Strategy 2022-25

Appendix B Economic Strategy Data Digest

COLCHESTER'S

ECONOMIC STRATEGY

Colchester: unlocking our city's potential



Firstsite: Winner of the National Art Fund Museum of the Year 2021

2022-25



Colchester
City Council



Colchester
Ultra Ready for Business

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Preface

Councillor David King
Leader, Colchester Borough Council

With Colchester being honoured with City Status by Her Majesty, The Queen, as part of her Platinum Jubilee celebrations, Colchester's new Economic Strategy has never been more relevant or timely. Colchester is a hot-spot for innovation and investment. Employment levels are high, and businesses have proved their resilience. However, the combined impacts of the pandemic, the UK's departure from the EU, the situation in Ukraine and climate change are presenting unprecedented challenges. For some sectors such as health and care it is a time of opportunity, albeit with severe constraints, for others in sectors like retail, tourism, leisure, and hospitality, it continues to be a time of great challenge. This strategy has been developed over a period of economic turbulence. The challenge for the Council and its partners will be to be sufficiently nimble to address fast emerging issues and to take advantage of new opportunities.

I believe that a period of rapid economic and social change drives technological innovation. Indeed, we are seeing the growing importance of artificial intelligence and the data-driven economy, and the skills needed to support and develop it. The need for 'cleaner growth' is increasingly critical to manage and reduce our impacts on the environment as we work towards Net Zero. Social and demographic change is driving demand for new goods and services delivered in revolutionary ways and in Colchester, significant population and housing growth are demanding more jobs,

more skills, and more businesses to create an expanding economy to match. While painting a picture of opportunity and potential, I also recognise that the combination of these strategic risks combines with underlying long-term economic trends which are disrupting existing jobs and business models, creating a sea-change in how our small enterprises do business, challenging their resilience and capacity.

- This Economic Strategy charts a medium-term course to take Colchester's economy forward in partnership into recovery:
- ▶ putting it in the best possible position to survive and thrive
 - ▶ enabling Colchester to compete for future talent, investment, and influence; and taking a more holistic approach to
 - ▶ improving people's lives and prospects through better skills, jobs, health and transport choices; and more effective digital connectivity so that economic growth is more inclusive.

Recovery can be realised by helping entrepreneurs to achieve their ambitions, creating more and better job opportunities, developing skills, attracting investment, and providing transport and digital infrastructure to help businesses to thrive. Our partnerships and relationships are stronger now, sharpened through the crises of the past two years. There is a mutual understanding and insight which is deeper than before, one which will provide a firmer footing as we face the challenge of recovery together. In addition, we'll be working with other major institutions (known as 'Anchors'), which are also invested in Colchester and the wellbeing of our community, to help make the economy inclusive for everyone and to champion the Real Living Wage.

Executive Summary

A **strong economy** is vital for Colchester. Vital to provide residents with the jobs, income, health, and purpose they need; to allow businesses to flourish; to provide the infrastructure a growing place relies on; and to keep our borough vibrant, and attractive.

The Government's Levelling Up agenda places a renewed emphasis on inclusive economic growth so that existing inequalities are reduced. It also includes new possibilities for devolved power which we will want to harness for Colchester's benefit.

This Strategy sets out the role Colchester City Council and our partners will play in ensuring our economy includes everyone and to championing the Real Living Wage. It:

- ▶ Highlights the key assets and challenges of Colchester's economy
- ▶ Sets out our vision and priorities, along with principal objectives.
- ▶ Explains the thinking behind some of our aspirations
- ▶ Provides case studies to illustrate the type of work we will encourage to achieve our priorities
- ▶ Highlights the factors that influence us
- ▶ Describes how we will work with partners

Colchester's economy is dominated by **small and micro businesses** representing 93% of businesses in the Borough. The core sectors creating jobs and growth in Colchester are **tourism, advanced manufacturing, financial services, and retail**. Growth sectors include **creative/digital/tech, care, green energy, and construction**.

Colchester is characterised by its:

- ▶ **Business diversity** – no one sector or employer dominates the Colchester economy.
- ▶ **Quality of place** – Colchester has a rich mix of heritage, museums, galleries, open spaces and leisure choices.
- ▶ **Growth potential** – By 2030 the Borough's population is projected to be over 214,000.
- ▶ **Business resilience** – Colchester's businesses demonstrated impressive adaptability during the crisis phase of the pandemic.
- ▶ **Connectedness** – Key partners work together in established relationships to capitalise on economic opportunities
- ▶ **Strong infrastructure investment** – Good road and public transport links are complimented by Ultrafast Broadband and 5G
- ▶ **Ambition** - Colchester is keen to realise its potential as a city to live, work, study, visit and do business.

However, the data and our engagement show our economy faces challenges we need to work together to overcome. These include:

- ▶ **Skills Gaps** – Colchester has lower levels of employees with higher level NVQs compared to the regional and national averages.
- ▶ **Polarisation of incomes** – Colchester's strengths in tourism, hospitality and care tend to be at the lower end of the pay spectrum compared to commuter salaries in The City.
- ▶ **Competition from other places** – As well as the need to capitalise on Colchester's new status as a city, there is a need to invest in Colchester to further modernise its digital and transport infrastructure, protect its appeal, and attract and retain businesses and the people who work in them.
- ▶ **Climate emergency** – Colchester's economy will be affected by the climate emergency and by the need to decarbonise. However, the shift to greener energy presents opportunities as well as challenges.

We have adopted a new vision and four priorities for Colchester:

Colchester: unlocking our city's potential

PEOPLE:

We support inclusive economic growth by encouraging business innovation, helping build the skills the local workforce will need to take advantage of future opportunities, and championing the Real Living Wage.

- ▶ Identify and facilitate opportunities to promote innovation and new businesses.
- ▶ Work with partners and stakeholders to address skills shortages.
- ▶ Tackle inequalities by enabling local people to access and develop new skills.
- ▶ Sustain the local economy with high quality business support, information and guidance.
- ▶ Aspire to develop a higher wage economy.

PLACE:

We use our resources, knowledge, assets and connections to leverage inward investment in the City, and facilitate improved infrastructure, including digital infrastructure.

- ▶ Identify and secure funding to enhance Colchester and boost the economy.
- ▶ Identify and pursue projects which support key sector development.
- ▶ Support and encourage inward investment.
- ▶ Develop a new Digital Strategy as a competitive edge and to enhance skills.
- ▶ Understand the future infrastructure needs of a fast-growing place.

PARTNERSHIPS:

We engage widely with partners and anchor institutions at the local, regional, national and international level to help Colchester capitalise on new opportunities for economic growth, jobs and infrastructure.

- ▶ Engage with partners to promote Colchester's economic interests.
- ▶ Support the work of partners in offering business support to enable recovery and growth.
- ▶ Help develop a more connected and influential place.
- ▶ Mobilise the role of Anchor Institutions in community wealth building.

PLANET:

We work with partners to improve the environment of our place, accelerate the decarbonisation of Colchester economy and reduce the environmental impact of business activities.

- ▶ Support initiatives to enhance the quality of the environment.
- ▶ Help local businesses reduce their carbon emissions.
- ▶ Support development of local green technology businesses.
- ▶ Identify new economic opportunities from the emerging 'green economy' businesses.

What is Inclusive Economic Growth?

‘Inclusive Economic Growth’ is rising prosperity that includes everyone, that reduces inequalities, and is sustainable. We will work to achieve more inclusive growth in all our work. It takes a more holistic approach to improving people's lives because a fairer economy is a stronger economy which narrows inequalities.

Following the adoption of this strategy, we will develop annual action plans to ensure our work is directed to achieve our priorities.

We have not developed this strategy in a vacuum. Instead, we are actively involved in partnerships covering a wide range of issues, both economic and social, and have developed mature relationships with partner agencies. As a result, we have developed this strategy:

- ▶ By engaging with a local business, and with local and regional stakeholders
- ▶ Based on evidence emerging from relevant statistics and reports
- ▶ To align with the priorities of our neighbours and partners

Our engagement has taken the form of surveys of local businesses, 1-to-1 conversations, and engagement workshops. This has allowed us to test current thinking, explore opportunities and challenges, and identify possible priorities. It has confirmed that a new strategy is timely, and our enabling approach is appropriate.

More than 500 businesses responded to our surveys; and consultation workshops included representatives from the BEST Growth Hub, Colbea, Colchester BID, Essex County Council, Essex University, and Let's Do Business plus other Council teams, including Amphora Trading, Business Rates, Communications, Housing, Licensing, Planning, and Climate Change.

Themes which were stressed during these engagement workshops included the positive mindsets of most businesses, the skills challenge and how it differs between sectors, the importance of inclusive economic growth, the need for translation and support with the ‘green challenge’, and the support for working together to attract new investment. Analysis of partner strategies also confirms these general themes to be reflective of current key issues and thinking.

The typical comments from the consultations below coalesce around emerging priority areas.

“Businesses are facing unprecedented pressures. They need hand-holding if they are to go greener, they can't do it by themselves.”

“There's a lot of people moving sectors right now. We are facing real difficulties recruiting and retaining staff. Skills development and keeping those skills in the business is a real priority for us now as we can't buy new people in as easily as before.”

“The pandemic has really brought home that business is about people and trust. It has brought home how vital partnerships are in delivering our own ambitions. We need to create, sustain and build on that virtuous circle.”

“The past 18 months has shown how Colchester is out-performing other places. We need to capitalise on this. Everything is here to make that happen now. We should be more confident about that.”



The oyster fisheries at Mersea supply demand from around the world.

Colchester's Economic Context

Colchester's economic assets

Our appreciation of the key assets of Colchester's economy has informed our choice of priorities. By recognising these and building on them we can amplify our impact. Colchester's key assets include:

Construction is one of Colchester's core economic sectors and one where skills are in great demand.

- ▶ **BUSINESS DIVERSITY** – no one sector or employer dominates the Colchester economy. 93% of Colchester's businesses are micro/small. This has helped Colchester to weather economic shocks such as the financial crisis of 2008/9.
- ▶ **QUALITY OF PLACE** – Colchester has a rich mix of heritage and archaeology, award-winning parks and open spaces including the Dedham Vale Area of Outstanding Natural Beauty, unique communities such as Mersea Island plus nationally recognised cultural offers at Firstsite and the Mercury Theatre. Colchester Borough is truly unique and offers a high quality of life. Colchester and the surrounding area are increasingly appreciated by visitors. Recent

years have seen an additional 6 new hotels expanding visitor choice and changing Colchester from a daytrip to a short-break destination. Visitor figures demonstrate its increasing popularity: 6.6m trips were taken in the Borough in 2019 and the visitor economy was worth some £394m and supported more than 5400 jobs.

- ▶ **GROWTH POTENTIAL** – By 2030 the Borough's population is projected to be over 214,000. That's higher than the current populations of Norwich and Aberdeen. This growth presents economic opportunities, especially for key sectors like construction. The Borough has been open to growth and attracted an estimated £336m investment between 2014-2021.

- ▶ **BUSINESS RESILIENCE** – Colchester's business community demonstrated impressive adaptability during the crisis phase of the pandemic. Businesses, joined together, supported each other, and pivoted business models to online and home deliveries, often within days.
- ▶ **CONNECTEDNESS** – The pandemic has drawn the key players in Colchester together like never before. Established relationships have been built on trust, with a willingness to work together showing results such as the £19.2m Town Deal regeneration programme. Colchester works together in partnerships which deliver meaningful connections into their respective networks. We look forward to continuing to work with We Are Colchester, the University of Essex, Colbea, the Our Colchester BID, the Chamber of Commerce and Federation of Small Businesses to maximise the economic value from these connections.
- ▶ **INFRASTRUCTURE INVESTMENT** – with good road and public transport links, a strong transport investment pipeline plus a £48m further rollout of Ultrafast Broadband and 5G Colchester will be able to compete effectively, inspiring innovation, delivering more tech jobs and enabling people to improve their IT skills and employability prospects.
- ▶ **AMBITION** – Colchester is keen to realise its potential as a city to live, work, study, visit and do business. and work with our anchor institutions to make the economy inclusive for everyone and to champion the Real Living Wage.



Artist's impression of St Nicholas Square regeneration project in Colchester town centre, encouraging dwell time and improving the experience of the town.



Colchester has significant gigabit broadband reach and this is set to expand with a further investment of £48m of private investment from Swedish fibre installation specialist, VX Fiber.



The reimagined £11m Mercury Theatre which reopened during 2021 providing a welcome boost to the town centre following multiple pandemic lockdowns.

Confidence in Colchester: Recent Investments

supporting growth and core sectors through inward investment. Bringing more businesses, more jobs and more choice to Colchester.

Colchester is an **investment hot-spot**. Between 2015 and 2021 £333.8m has been invested by the private and public sector. They brought new jobs, new opportunities for learning, added choice, improved quality of the experience of Colchester and made it even more investable. The previous

Colchester Economic Growth Strategy 2015-21 identified 8 core and growth sectors in Colchester's economy. This table identifies headline projects which have been delivered in this time period to showcase how these sectors have been supported, often with inward investment.

1 TOURISM, HOSPITALITY & LEISURE – INVESTING IN BRITAIN'S OLDEST RECORDED TOWN AND FIRST CITY
£86.4m which brought a redisplayed Castle Museum, 6 new/refurbished hotels, David Lloyd Leisure and new Sports Centre and cycle circuit at Northern Gateway and the reimagined Mercury Theatre.

2 CREATIVE, DIGITAL AND TECH
 The **£2.6m** Creative Business Centre was opened in the former old Police Station in Queen Street. It is operated by SPACE Studios and offers workspace for over 40 businesses.

3 HEALTH AND CARE
 Partnerships have been formed to explore the potential around this sector. Given the ageing population in north Essex there is potential for more technological solutions to be explored. This is a long running project with high aspiration which will continue into the next iteration of the strategy.

4 SUSTAINABLE ENERGY FOR HOMES AND BUSINESSES AT THE NORTHERN GATEWAY
 Our flagship Government funded **£3.5m** energy project sees the construction of a carbon-cutting,

District Heat Network at Colchester Northern Gateway to supply heat and hot water to the developments' homes and businesses.

Reducing our carbon emissions is an important part of meeting climate change goals and the Heat Network will significantly reduce carbon emissions caused by heating homes and offices and will generate a source of hot water to replace boilers in the new homes being built.

It also means better value for households as district heat networks offer competitive and stable energy prices over the long term.

5 SUPPORTING RETAIL

Town Centre transformation – £55.1m which delivered the new Fenwick store, the new Primark store, Ultrafast gigabit broadband, upgrade of Priory Street car park, a new public space around The Mercury Theatre and 9 'Parklet' wooden seats in the High Street and other projects in the pipeline.

New retail routes to market and skills development – working in partnership with other local authorities the Council commissioned Click it Local to work with the Our Colchester BID and local independent retailers to extend their skills to offer their products online free of charge through a universal shopping basket like Amazon. It has also helped new home-based businesses to test effective routes to market giving them the best possible start.

New Retail beyond the Town Centre offering shopping choice for a growing population **£72m** new retail centre at Stane Park, Stanway.



The £12m Innovation Centre at the University of Essex, providing work and collaboration space for 50 tech companies.

6 CONSTRUCTION

The majority of these projects support the construction sector and its lengthy supply chains, including many local businesses. In addition, there was:

- ▶ **New Office Spaces** for start-up and young businesses **£7.3m** which delivered Amphora I and II in Sheepen Road and the Creative Business Centre at 37 Queen Street.
- ▶ **Investment in the Student Experience** at the University of Essex and Colchester Institute – a strong skills pipeline for Colchester **£85.5m** which delivered a new STEM Centre at both institutions, the Essex Business School and Silberrad Student Centre at the University and a new Care Skills Centre at the Institute.
- ▶ **New Businesses Encouraged** to locate University at The Knowledge Gateway to capitalise on a global academic talent pool **£27m** which brought Parkside Office spaces and the Innovation Centre.



Replenishh is part of the Rapid Electronics group and is playing a vital role in supporting the Electronic Vehicles industry to build the UK's EV charging network.

7 FINANCIAL SERVICES

The lack of high quality office space was identified as a need in the previous strategy. This was partly addressed with the construction of two office builds constructed by the Council's sister company, Colchester Amphora Trading Ltd, which both support the financial services sector. Birkett Long LLP now operates from

the prestigious **£2.7m** Amphora Place shortly followed by insurance merger Aston Lark's neighbouring **£2m** office space.

8 ADVANCED MANUFACTURING

Very specialist and a mature sector in Colchester. The Ultrafast broadband digital infrastructure project supports the growth of this sector.

These major investments in Colchester over the past four years has come from both public and private investors. Their investment has: driven economic growth delivering significant numbers of new jobs, raised the ceiling value of commercial rents, improved the image and reputation of Colchester and has made it a better place to live, work, study, visit and do business.

The forward pipeline is positive too with 2022 promising to deliver **more multi-million pound projects** including:

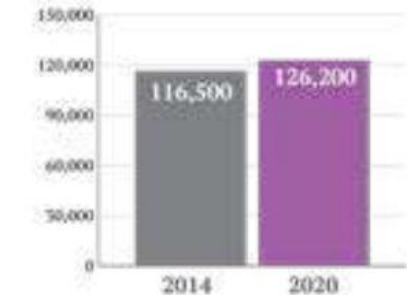
- ▶ the expansion of Ultrafast Broadband,
- ▶ a new teaching and business facility at Colchester Hospital,
- ▶ further expansion of the Parkside Office Village at the University of Essex,
- ▶ various projects commencing from the £19.2m Town Deal programme,
- ▶ and the installation of a 5G network.

Colchester's Economic Profile



WORKING AGE POPULATION

The working age population has grown by 8.3% over this time. It's also clear that considerable growth is taking place beyond the working age population, particularly in the older age groups.

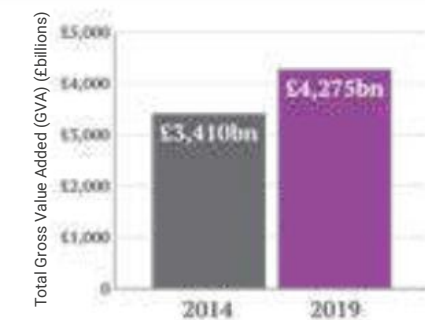


Source: Nomis ONS



GROSS VALUE ADDED (GVA)

A measure of the Borough's total productivity. From 2014 to 2019 the Borough's GVA or productivity rose by 25.4%.



Source: EEFM



INDICES OF MULTIPLE DEPRIVATION

The Indices provide a set of relative measures of deprivation for small local areas with an average of approximately 1,500 residents or 650 households across England. Colchester is characterised as having relatively low levels of deprivation.

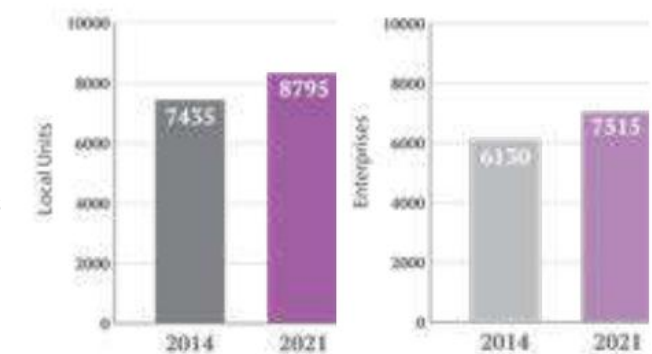


Source: Department of Housing Communities and Local Government, 2019



NUMBER OF BUSINESSES

The difference between local units and enterprises can be explained by chain businesses. Tesco for instance is one business (enterprise) but has multiple units in Colchester (local units). There was an 18.3% increase in the number of local units over this period compared with a 22.6% increase in the number of enterprises.



Source: ONS

Colchester's Economic Challenges



Our priorities will address the principal challenges the data and our engagement have highlighted. They are:

► **SKILLS GAPS** Colchester has lower levels of employees with higher level NVQs compared to the regional and national averages. Apprenticeships numbers are also falling. In addition, 17 neighbourhoods in Colchester are among the most deprived 40% in England for education, skills and training. Yet local employers have an increasing need for skilled employees who can adapt and flex as the needs of businesses change.

There is a rapidly increasing need for improved digital and tech skills, health and care skills and the need for innovation in delivering them. Colchester's strength in the creative industries combined with multi-million-pound investments in providing digital infrastructure and £1m training facilities at the former Wilson Marriage Centre provide a strong foundation to develop and retain these key skills.



The Business School at the University of Essex, providing highly skilled graduates into the workforce and helping companies through Knowledge Transfer Partnerships.



Woods Air Movement is a global player in building ventilation, fire safety and bespoke industrial projects.

► **POLARISATION OF INCOMES** The tourism, hospitality and care sectors which are strong in Colchester, tend to be lower paid compared to the higher paid work available to commuters to London. However, Colchester has an opportunity to attract more higher paid work through its investment in digital infrastructure and innovation in training opportunities. Projects such as the conversion of the old Bus Depot in St Botolph's Street into a £5.6m Digital Hub are intended to put Colchester on the leading edge of Artificial Intelligence, Augmented Reality and Virtual Reality technologies.

► **COMPETITION FROM OTHER PLACES** As well as the need to capitalise on Colchester's new status as a city, there is a need to invest in Colchester to further modernise its digital and transport infrastructure, provide more homes for a growing population, protect its appeal as a great place to live and work, and attract and retain businesses. Colchester is a strategic location for business in the region. Significantly, it also has well-located land available which adds to the inward investment

offer. However, businesses are facing difficult decisions to keep their business viable and to navigate their way through this challenging economic climate.

► **CLIMATE EMERGENCY** Businesses are facing the increasingly urgent need to meet the challenges of the climate emergency. The adaptations required to meet targets to decarbonise, as to capitalise on the opportunities these present, create a need for specialist business support. The Government's Ten Point Plan aims to support up to 250,000 jobs by 2030 for engineers, fitters, construction workers and many others engaged in supporting clean energy so there are significant skills gaps here too. The Government has announced over £5 billion to support a green recovery and enable the UK to meet the overall Government commitment to reach net zero emissions by 2050. Local consultation found businesses need help adapting to this agenda.

This Strategy acknowledges new economic realities at play. These compliment and challenge the traditional economy of companies and firms producing goods and services, employing people and needing skills, space, and land to do so:

- ▶ **Circular Economy** of recycling and upcycling
- ▶ **Sharing Economy** where purchase of new is replaced by the renting/ sharing/bartering and swapping of existing products
- ▶ **Local Economies:** economic impact of working from home, the potential for developing 'The 20 Minute Neighbourhood'
- ▶ **Online Economy** - last mile deliveries and 'Lockdown Entrepreneurialism'
- ▶ **The Gig Economy** - Traditional 9-5 jobs are declining and those that had them are leaving the labour market. Now we have the gig economy and portfolio incomes, especially for younger people. Previous strategies emphasised

core and growth sectors. However, The Pandemic has affected people; their ability to work, work productively and their future prospects across gender and age bands – so the socio-economic dimension needs to be included as does social value.

- ▶ **New forms of community power**, ownership and influence alongside the traditional private and public sector approach. Social entrepreneurship would include Community Interest Companies CICs, Social Enterprises VCSEs, Foundation Trusts – new forms of supply of products and services to meet demand from the community and beyond.



Colchester's e-cargo bikes capitalising on the rising demand for home deliveries and helping local independent businesses and the environment at the same time.

Our Strategy

AN OVERARCHING VISION FOR COLCHESTER HAS BEEN ADOPTED:

Colchester: unlocking our city's potential

FOUR PRIORITIES HAVE BEEN ADOPTED:

PEOPLE:

We support inclusive economic growth by encouraging business innovation, helping build the skills the local workforce will need to take advantage of future opportunities, and championing the Real Living Wage

Where we will

- ▶ Identify and facilitate opportunities to promote innovation and new businesses.
- ▶ Work with partners and stakeholders to address skills shortages.
- ▶ Tackle inequalities by enabling local people to access and develop new skills.
- ▶ Sustain the local economy with high quality business support, information and guidance.
- ▶ Aspire to develop a higher wage economy.

PLACE:

We use our resources, knowledge, assets and connections to leverage inward investment in the City, and facilitate improved infrastructure, including digital infrastructure.

Where we will

- ▶ Identify and secure funding to enhance Colchester and boost the economy.
- ▶ Identify and pursue projects which support key sector development.
- ▶ Support and encourage inward investment.
- ▶ Develop a new Digital Strategy as a competitive edge and to enhance skills.

- ▶ Capitalise on Colchester's new status as a city.
- ▶ Understand the future infrastructure needs of a fast-growing place.

PARTNERSHIPS:

We engage widely with partners and anchor institutions at the local, regional, national and international level to help Colchester capitalise on new opportunities for economic growth, jobs and infrastructure.

Where we will

- ▶ Engage with partners to promote Colchester's economic interests.
- ▶ Support the work of partners in offering business support to enable recovery and growth.
- ▶ Help develop a more connected and influential place.
- ▶ Mobilise the role of Anchor Institutions in community wealth building.

PLANET:

We work with partners to improve the environment of our place, accelerate the decarbonisation of Colchester economy and reduce the environmental impact of business activities.

Where we will

- ▶ Support initiatives to enhance the quality of the environment.
- ▶ Help local businesses reduce their carbon emissions.
- ▶ Support development of local green technology businesses.
- ▶ Identify new economic opportunities from the emerging 'green economy'.

PEOPLE

There's a lot of people moving sectors right now. We are facing real difficulties recruiting and retaining staff. Skills development and keeping those skills in the business is a real priority for us now as we can't buy new people in as easily as before.

PRIORITY

We support inclusive economic growth by **encouraging** business innovation, helping build the skills the local workforce will need to take advantage of future opportunities, and championing the Real Living Wage.

OBJECTIVES

- ▶ Identify and facilitate opportunities to promote innovation amongst local businesses and to attract cutting-edge businesses to the borough.
- ▶ Work with partners and stakeholders to develop a Skills Programme which will link the needs of businesses with the improved skills of local people.
- ▶ Sustain the local economy by retaining and developing existing businesses with high quality business support: information, advice and guidance.
- ▶ Tackle inequalities by enabling local people to access and develop new skills.
- ▶ Aspire to develop a higher wage economy.

CASE STUDY | THE COLCHESTER AMBASSADORS' GROUP

The Colchester Ambassadors' Group are a group of inspirational business people who run many of the borough's key organisations and share a vision and passion for the Borough. With members from industry together with representatives from education, the group is well-placed to understand the importance of acquiring and retaining skills in the workplace. This has been brought into sharp focus recently as the labour market is experiencing major supply issues as people move sectors, there are difficulties in recruitment and retention and new ways of

working are demanding rapidly changing skill sets. The Ambassadors' Group is working with Colchester Borough Council and its partners to establish strengths and existing work programmes which support the local skills pipeline. The task now is to identify a series of local actions which will meet the requirements of the imminent Skills and Post-16 Education legislation. It is hoped that this work will make it easier for local businesses to access the talent they need to recover and survive and improve local people's lives through improving their skills and prospects.

By adopting this strategy we seek to:

▶ **Address the key challenges Colchester's economy faces**

▶ **Build on the strengths and assets of Colchester's economy and its new status as a city**

▶ **Harmonise our work with partners and their strategies**

▶ **Help positively shape our Place**

▶ **Capitalise on the new opportunities for devolution contained in the Levelling Up White Paper**

▶ **Help businesses play their role**

▶ **Mobilise the opportunity around Colchester's anchor institutions**

▶ **Aspire to a higher wage economy**

▶ **Understand the future infrastructure needs of a fast growing place**

PLACE

“The past 18 months has shown how Colchester is out-performing other places. We need to capitalise on this. Everything is here to make that happen now. We should be more confident about that.”

PRIORITY

We use our resources, knowledge, assets and connections to leverage **inward investment** in the City, and facilitate **improved** infrastructure, including digital infrastructure.

OBJECTIVES

- ▶ Identify and secure funding to enhance our place and boost the economy (such as the Shared Prosperity Fund)
- ▶ Identifying and pursuing projects which support key sectors in the economy to emerge, develop and grow
- ▶ Support initiatives to encourage inward investment, especially on designated available land
- ▶ Work with partners to develop a new Digital Strategy which delivers competitive infrastructure to enable the growth of our borough and enables the development of digital skills of people within the workforce
- ▶ Capitalise on Colchester's new status as a city
- ▶ Understand the future infrastructure needs of a fast-growing place



Wivenhoe House Hotel: home to The Edge Hotel School, developing future leaders of the hospitality industry by offering valuable, practical experience of running a 4* country house hotel whilst studying for a Degree

CASE STUDY | **THE TOWN DEAL** REGENERATION PROGRAMME

March 2021 saw Colchester awarded £19.2m from the Government's Town Deal regeneration fund. The bid was led by We Are Colchester, a group of local stakeholders and partners who worked with Colchester Borough Council to identify where the need was and develop a series of projects for the funding to address those needs.

Colchester's Digital Strategy was launched in 2017 with an ambition to further its economic growth plans through improving connectivity. The Strategy set out its intention to become the best-connected place in the Eastern region making it a magnet for creative, digital, technology and IT businesses. Capable of competing with the better-known tech clusters around the UK like Edinburgh, Cambridge and Bristol.

The Town Deal funding has a project stream which will deliver:

- ▶ **Queen Street Digital Working hub** – which will provide high quality, local workspace on the site of the old Bus Depot in Queen Street. This will help to nurture local talent and put Colchester on the international map for leading tech, digital and creative businesses.

- ▶ **Wilson Marriage Centre** – will be redeveloped as a digital skills hub. This will support training, development, provide access to digital facilities and offer community activities. This will give adults across Colchester increased opportunities to re-skill and re-train so as to be better able to meet the needs of local employers.

- ▶ **5G provision** – this massive leap in technological capability delivered through mobile phones will transform our lives even further. This investment will give Colchester a competitive advantage, encouraging employers into the town, new businesses to be set up and enabling existing businesses to exploit new business opportunities.

These projects will transform places in and around Colchester by making them more accessible, more supportive of their communities and make Colchester a place known for its leadership in digital connectivity.

PARTNERSHIPS

“The pandemic has really brought home that business is about people and trust. It has brought home how vital partnerships are in delivering our own ambitions. We need to create, sustain and build on that virtuous circle.”

PRIORITY

We engage widely with **partners and anchor institutions** at the local, regional, national and international level to help Colchester capitalise on new opportunities for economic growth, jobs and infrastructure.

OBJECTIVES

- ▶ Engage with partners and anchor institutions such as ECC, NEEB, the University of Essex and the NHS to promote Colchester's economic interests in their work
- ▶ Support the work of local partners to ensure that information, advice, and guidance for the Borough's businesses is sustained to enable economic recovery and growth
- ▶ Help develop a more connected and influential place
- ▶ Mobilise the role of Anchor Institutions in community wealth building

CASE STUDY | THE OUR COLCHESTER BID LEISURE RECOVERY STRATEGY

The Our Colchester Business Improvement District (BID) is a business-led partnership that enables coordinated investment in the management and marketing of a defined area. In Colchester's case it is the town centre and the BID has a membership of around 500 businesses. Recognising that the town centre has a 24-hour economy and the impact that the Pandemic is having on tourism, leisure and hospitality businesses, the BID led on the development of a Leisure Recovery Strategy.

The Strategy is based on research with residents, visitors, students, businesses, public bodies, voluntary organisations and other valued stakeholders. The plan includes core strategies, objectives, actions and progress indicators to support the recovery of the town's leisure sector over the next 5-10 years.

Plans are taking shape as the Strategy is in the final stages of formation but it's clear that many businesses will need business support to stabilise and navigate into recovery.

Connections are being made so that duplication of effort is spotted and stopped, ensuring that the right experience and advice is given at the right time. When combined with the ability to come together and mobilise quickly to apply for funding the essence of partnership working is at its most effective.

It is hoped that these interventions will help leisure businesses to take their place in Colchester's leisure economy, offering customers a wide choice of places to go, things to see and do which are such asset to the people who live, work and visit the Borough.

PLANET

“Businesses are facing unprecedented pressures. They need hand-holding if they are to go greener, they can't do it by themselves.”

PRIORITY

We work with partners to improve the **environment** of our place and accelerate the **decarbonisation** of Colchester economy.

OBJECTIVES

- ▶ Support initiatives to enhance the quality of our environment
- ▶ Work with partners to support businesses to reduce their carbon emissions to achieve net zero goals
- ▶ Support the development of green technology businesses in the borough
- ▶ Identify new economic opportunities from the emerging 'green economy'

CASE STUDY | THE RACE TO NET ZERO BUSINESS SUPPORT PROGRAMME

November 2021 saw the UK host COP26 – The 26th Conference of Parties to the UN Framework Convention on Climate Change. World leaders met negotiate international agreements to limit greenhouse gas emissions and global warming. But what can be done at local level?

Businesses are aware of the need for change and many are willing to make changes but Covid impacts are dominant currently and for many sectors it's about survival at the moment. Chains and large companies arguably have more capacity and are actively working for change than SMEs through their **Environmental and Social Governance policies** (ESG). But the majority of Colchester's businesses are small and micro enterprises who need support if they are to make meaningful change.

Colbea, the **Colchester Business Enterprise Agency**, has 40 years' experience in providing business support to Colchester businesses.

It is a well-respected organisation which has risen to the challenge of providing high quality business support, funded by CBC, over the past year. It has made a positive difference to Colchester's economic response to the pandemic and now it has the opportunity to do the same for green growth by providing a local business support programme which will take our SME business base through a targeted programme of positive environmental impact transition. It is hoped that this programme will enable local businesses to understand the scope of action needed, identify costs and savings associated with those actions, discover opportunities for new/ adapted products and services and target those markets which need them. Ultimately, reducing their environmental impacts across the board including waste, energy, materials, supply chain contributions, contract procurement competitiveness and carbon emissions in the race to Net Zero.

A DEEPER DIVE INTO SOME ECONOMIC ASPIRATIONS FOR COLCHESTER



Aspirations for a Higher-Wage Economy

The Minimum Wage came into effect in 1988. It is a legal requirement for those aged under 23. For those aged over 23 the National Living Wage applies. However, in recent years the concept of the Real Living Wage has emerged. This is an independent calculation of the cost of living based on a basket of household goods and services.

We recognise that employers are facing unprecedented cost pressures at the moment, but our ambition for Colchester is for a higher wage economy where all employers *that can afford to do so*, pay the Real Living Wage as a minimum.

Research from [The Living Wage Foundation](#) shows that adopting the Real Living Wage:

- ▶ improves company reputation
- ▶ enhances attractiveness when recruiting, especially in a competitive market
- ▶ increases motivation and staff retention
- ▶ is a point of difference from the competition
- ▶ improves relations between management and staff



The Importance of Anchor Institutions in the Colchester Economy

Anchor Institutions are large, non-profit organisations which are the foundation of the local economy. Examples include local Councils, Universities and schools which have fixed assets, often employ local people and need substantial budgets to operate.

Anchor Institutions have a practical and leadership role in community wealth building through their procurement policies to benefit local businesses and places. They could redirect flows of wealth into locally rooted businesses which share the wealth they create with their employees, communities and consumers.

Understanding the Future Infrastructure Needs of a Fast-Growing Place

The importance of infrastructure is highlighted in national planning policy and needs to meet the requirements set out in the National Planning Policy Framework and Planning Practice Guidance. This states that there's a need to engage with infrastructure providers and that plans should make sufficient provision for infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat) and community facilities (such as health, education and cultural infrastructure) and emergency services.

Colchester City Council will be undertaking an audit of infrastructure provision and identifying gaps in provision. This will help the Council and other stakeholders to understand and prioritise the allocation of resources, deliver services in future and prepare investment plans. It will also support future bids for funding.

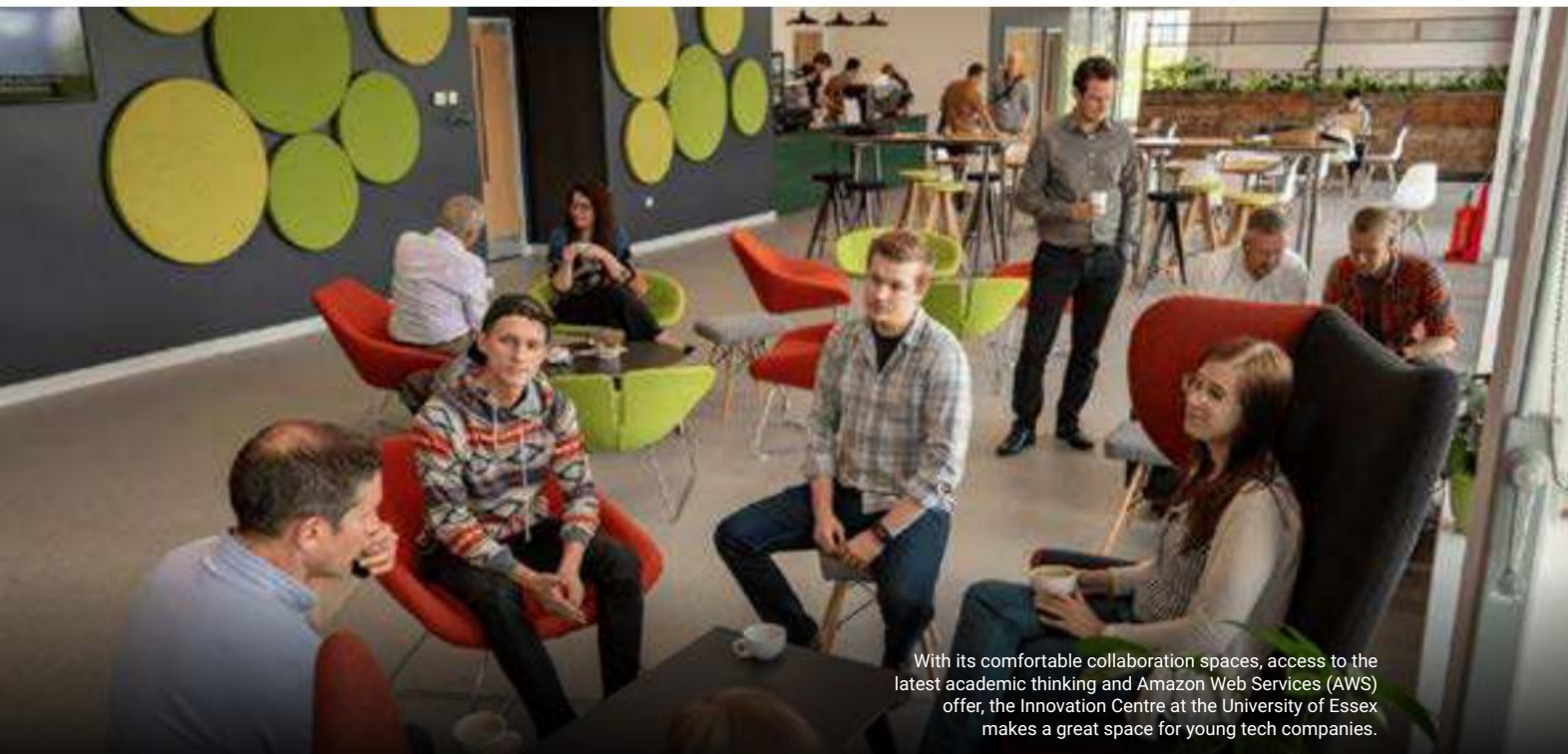


How We Work

Influences, Drivers and Partnerships

We work with partners from local to national and align with their strategies to achieve the **best for Colchester**. We use these strategies to help identify opportunities to attract investment for Colchester, often in the form of grants such as from the **Government's Towns' Fund**.

Nationally the **Government** plans to support economic growth through significant investment in infrastructure, skills and innovation and to 'level-up' ([Build Back Better](#)).



With its comfortable collaboration spaces, access to the latest academic thinking and Amazon Web Services (AWS) offer, the Innovation Centre at the University of Essex makes a great space for young tech companies.

Regionally, we work with the **South East Local Enterprise Partnership (SELEP)**. This is one of 38 LEPS, established to provide the vision to drive sustainable private sector-led growth and job creation. LEPS were set up by the Government to be the key body determining strategic economic priorities while making investments and delivering activities to drive growth and create jobs.

[Working Together for a Faster, Smarter and More Sustainable Economic Recovery](#)

We are an active member of the **North Essex Economic Board (NEEB)**. The NEEB is a partnership covering Braintree, Chelmsford, Colchester, Maldon, Tendring and Uttlesford districts, and Essex County Council. It aims to ensure the area can rise to the economic challenges and opportunities we face. Spanning 2020 to 2040, NEEB's ambitious strategy is the first bespoke economic strategy covering North Essex. Through the NEEB we have pooled resources to offer increased business support and skills training.

[North Essex Economic Strategy 2019](#)

Essex County Council (ECC) aims to stimulate growth in Essex over the next 15 years through its new Sector Strategy [ECC Sector Strategy](#)

It aims to:

- ▶ Make Essex a centre of **innovation** and **entrepreneurial** spirit where the benefits of this growth are felt within the county
- ▶ Create an **Economy for Everyone** - ensuring every resident of Essex has the opportunity to gain the skills and experience to succeed in the future economy regardless of their background and identity
- ▶ Shape an **Economy Fit for the Future** - centring green growth as intrinsic to all future growth to ensure we meet our target for a net-zero county by 2035

It identifies:

- ▶ **Enabler Sectors** - construction and digital
- ▶ **Heartbeat Sectors** - care, ageing population
- ▶ **Moonshot Stars** - predictors for growth: advanced engineering, manufacturing, space
- ▶ **Investment and market opportunities** what contributes to our district goals
- ▶ **Catalysts and caveats** - indirect benefits and supply chain impacts

[Colchester Borough Council's Strategic Plan 2020-2023](#)

The Council's key goals are:

- ▶ [Tackling the climate challenge and leading sustainability](#)
- ▶ [Creating safe, healthy, and active communities](#)
- ▶ [Delivering homes for people who need them](#)
- ▶ [Growing a fair economy so everyone benefits](#)
- ▶ [Celebrating our heritage and culture](#)
- ▶ [Achievements and next steps](#)

HOW WE WORK



Drone technology being used to monitor crop production to help farmers increase yields.



Health and care is a growth sector in north Essex due to its ageing population. Partnerships are forming to meet the challenge and the potential commercial opportunity.

The strategy has been developed in partnership with stakeholders. As well as setting out our priorities, it is intended to offer a framework for partners to inform decisions and investments.

This strategy forms part of a web of strategies and programmes which all contribute to driving economic and community development. For example, actions to address specific issues in the Tourism and Hospitality Sector are threaded through the Cultural Strategy, the Leisure Recovery Strategy, the BID's emerging Retail Strategy, the emerging Inclusion and Diversity Strategy, the Town Deal Investment Programme and our Levelling Up Fund bid.

Other contributing strategies and plans:

[The Our Colchester BID](#) – town centre promotion, business support and lobbying including the Leisure Recovery Strategy.

[Colbea Business Plan](#) – business support, advice and guidance, preparing companies to become greener, preparing companies for procurement opportunities, skills and employability training.

We Are Colchester [Town Deal Investment Plan](#) – place shaping and skills.

[The South East Local Enterprise Partnership \(SELEP\)](#) – is a partnership for growth between business, government, and education.

[The BEST Growth Hub](#) - Growth Hubs are government-funded, which enables them to provide support that is free at the point of delivery. BEST is the Growth Hub for Essex and works closely with Colbea to support local businesses.

[Local Transport Strategy](#) – ability to get to work or study.

[Anchor institutions](#) – are typically large, usually non-profit, public sector organisations whose long-term sustainability is tied to the wellbeing of the communities they serve. Anchor institutions can be galvanised to maximise economic benefit locally: jobs, skills, supply chains, procurement.

[Essex County Council Everyone's Essex Plan](#) and [South East Local Economic Partnership Skills Strategy](#) – integration and development in association with Colbea and employers.

[North Essex Economic Board Strategy / Success Essex Prosperity and Productivity Plan](#)

[Haven Gateway Partnership vision and objectives](#)

[The Colchester Ambassadors' Group](#)

[University of Essex](#) – international ambitions, talent retention opportunity, business development aspect through knowledge transfer partnerships.

[Colchester Institute](#) – skills pipeline for key sectors.

[Essex Chambers of Commerce](#)

[Federation of Small Business](#)

[ECC Joint Health & Wellbeing Strategy](#) – This public health strategy prioritises work that empowers people's ability to work.

Essex Employers [Family Friendly Charter](#). This charter commits organisations to develop and agree principles that govern effective family friendly employment practice across the county. Signatories will gain a charter-mark to them promote family friendly practice in the employment market and wider supply chains.

COLCHESTER BOROUGH COUNCIL STRATEGIES, PLANS AND POLICIES

[Climate Emergency strategy and action plan](#)

[Communities Can](#) community enabling strategy.

North Essex Parking Partnership [Positive Parking Strategy](#) – affects Colchester's competitiveness as a place to shop, visit and work.

[Asset Management Strategy](#) – strategic land purchase for commercial (employment) use

[Housing and Homelessness Strategy](#) – security of tenure is a key factor in ability to work. Pandemic rent arrears and debt will increase poverty.

[Cultural Strategy](#) – importance in place shaping, image and reputation as well as quality of life in attracting families to invest their lives here (920 new homes a year), a different take on inward investment but arguably still valid.

[Colchester's Digital Strategy](#) - its impact on place competitiveness, new products, new markets, ability to work from home – inward investment opportunity.

[Licensing Policy](#) – affects business.

[Waste Vision and Strategy](#) – affects businesses

COMMUNITY

Community Wealth Building: to include the [One Colchester](#) strategy, the [Livewell Campaign](#), the Suffolk and North Essex ICS [Integrated Care System](#) work, CBC's [Greenspace Strategy](#) for social prescribing and economic and social wellbeing.

The Mercury Theatre addressing skills shortages through helping young people with personal development and technical skills development so that more gigs, festivals and productions can take place around the region and beyond.

Our Approach

At a time of limited resource for local government, we want to have as big a positive impact on Colchester's economy as possible. **We are open-minded to new opportunities, but our work is evidence driven.** We seek to make much more happen than we could directly do ourselves by working as envisaged in the Council's Communities Can approach:

- ▶ Constantly scanning the horizon to understand local need and what opportunities exist.
- ▶ Developing strong relationships to allow us to collaborate with others productively.
- ▶ Participating in effective partnerships to amplify the effect of our efforts.
- ▶ Encouraging partners to play to their strengths.
- ▶ Focusing on the borough's strengths rather than deficits to capitalise on opportunities.
- ▶ Using existing assets to leverage new investment, and
- ▶ Concentrating on our role as catalyst and facilitator rather than trying to 'do' everything ourselves.
- ▶ Understanding infrastructure needs around active travel, Ultrafast gigabit broadband infrastructure, 5G WiFi and the connectivity platforms required.



WHAT WE DO

Influence

Collaborate

Partner

Research

Facilitate

Catalyse

Invest

In particular, we have developed strong and trusting relationships with local agencies such as the **BID** and **Colbea**; are active members of effective partnerships such as **One Colchester**, **We Are Colchester**, and the **North Essex Economic Board (NEEB)**; and are strengthening existing ties by agreeing shared priorities such as with our anchor institutions and particularly with the **University of Essex** through a new Civic-University Agreement.

CASE STUDY | THE NORTH ESSEX ECONOMIC BOARD (NEEB)

– bridging the span between Government and District Councils through helping businesses when they need it most

Over recent years several councils across north Essex have been working increasingly closer together and never more so than during the Pandemic.

A strategic view was taken across the north Essex business landscape as Government grants came in during 2020/21. Realising that there would be a need to support businesses indirectly as they emerged into recovery, 10% of each district's grant fund was pooled to procure a variety of business support contracts across north Essex.

Each was put out to competitive tender and the Colchester Business Enterprise Agency (Colbea) was awarded five of these contracts. Ashleigh Seymour-Rutherford, Colbea Chief Executive, said: "Working with local councils to provide the best outcome for their businesses and residents is what we do best". "Colbea is delighted to be delivering a well-rounded and extensive suite of support and advice for new and growing business; we recognise that behind every business is a person needing the tools to succeed and we provide the space to work learn and grow."



The training on offer is:

- ▶ **First Steps to Start-up Success** – an online comprehensive training course for those starting up or developing a new business. Split over two bite-sized sessions, this course takes you through the process of setting up and structuring your business.
- ▶ **Introduction to Finance** – an online course helping you to understand the fundamentals of finance and tax within your business.
- ▶ **Digital Skills** – six online sessions covering social media, project management, online sales, and your website.
- ▶ **Cyber Security** – an online session helping to protect you and your business from cyber threats and online fraud.
- ▶ **Import / Export Training** – six training courses available for those companies who are looking to start importing/exporting, or who are already in the industry and would like to enhance their skills.
- ▶ **Net Zero Business Support Programme** – offering a programme of business support activities to help SMEs across north Essex understand and lower their carbon emissions.

Most courses will be repeated throughout the year, so even the busiest schedules can be accommodated. Further information on all the courses will be available on the Colbea website: colbea.co.uk/business-training

To complement the training courses, one-to-one advice sessions for those looking to start a business are also available with Colbea's expert advisors, as well as more specialised advice for the import/export sector.

Cllr Tom Cunningham, from the North Essex Economic Board, encourages businesses to sign-up for the support.

"We are collectively funding this support because we know firms have had a tough time over the past two years, and the business landscape is ever changing," Cllr Cunningham said. *"There is so much opportunity in our growing area that we want to support local small and medium enterprises to really make the most of that – and what better way than to sharpen your skills and offer through this support."*

The North Essex Economic Board is also funding a skills programme, to ensure businesses can attract the right people to work for them, and other business support such as specialist sessions on key sectors.

Implementation and monitoring

This **Economic Strategy** has a life span of **three years** and sets out our **high-level priorities**. Each year we will produce an action plan to detail how we will work to achieve these priorities.

We will use existing partnerships as well as convening project groups to pursue specific actions.

Particular **monitoring** arrangements are in place for some projects (such as for the Town Deal) and we will use these to monitor and report progress on them. Many of these are inclusive partnerships such as **We are Colchester**.

We will **support** annual surveys of local businesses to add local intelligence to quantitative economic data to understand emerging need, opportunities as well as the impact of our work.

On top of this we will **report progress** against each year's actions plan to senior managers and to the relevant Portfolio Holder.

The Colchester Prospectus: a New City with Ambition and Potential

The conversation about Colchester has long been framed around the importance of its history and heritage. City status presents an opportunity to re-frame that conversation, to take a future view, to raise our gaze and discuss the kind of place it could and should be and how we might work with business to collectively realise its true potential.

Colchester is:

Extending and Intensifying its Enabling Digital Infrastructure

Colchester has long been a leader in investing in its digital infrastructure. The town has already secured more than £50m of government and private sector investment to build a large, open-access fibre network across much of the urban footprint. Gigabit connectivity is available in all the major residential and business clusters, with planned expansion closely interlinked with the exciting 5G and AR/VR programmes now taking shape.

Tim Robinson, Chief Executive of TechEast, the regional body responsible for accelerating growth of the digital and tech economy, said: *"Year after year 'team Colchester' is adding strategic new elements to its digital tech infrastructure and its new Angel network is already playing a key role in dealflow. As befits one of the UK's newest cities the range of digital skills support, startup incubators and plans for cross-sector innovation hubs is impressive and creates the conditions for the next wave of startups to form and then scale".*

Taking a view across these projects it's easy to see that Colchester has many of the ingredients fundamental to a tech cluster. A strong University majoring in computer science, data analytics, business leadership, incubation facilities at the Innovation

Centre on The Knowledge Gateway, a burgeoning creative sector and significant investment and delivery in a digital infrastructure.

It is also growing its own tech talent too and this, combined with flexible office space and significant housing growth and culture, heritage, sport leisure, shops, cafes, restaurants and bars and easy access to the coast and countryside, makes a compelling Colchester prospectus to attract further inward investment from all kinds of technology firms.

Such improved connectivity will enable the Internet of Things - devices and appliances connected together, 5G will bring much faster and more capable WiFi, improved cybersecurity, enable Blockchain technology development and sector specific tech developments.

But in the tech world it's often a breakthrough product which defines a link with its location. By nurturing and enabling tech start-ups and facilitating growth, skills and digital infrastructure Colchester is putting itself in a very strong position to become better known as a 'tech city.'

An Investment Hot-Spot

Between 2015-21 an estimated £333.8m had been invested in Colchester by the private and public sector. They brought new jobs, new opportunities for learning, added choice, improved quality of the experience of living, working, studying and visiting Colchester and made it even more investable.

Confidence continues. June 2022 saw the announcement that Colchester would be the global base for the new The AIXR Centre for Immersive Innovation. This new centre will be built on the site of the former bus depot in Queen Street. It will become a world focus for all immersive innovations – the Metaverse

Formed in Colchester by Daniel Colaiani, who studied at the University of Essex, AIXR is an internationally respected

voice in the immersive industry. It is associated with global tech giants like Google, Microsoft, Oculus, hp, and Nvidia. Its purpose is to educate the world about XR – extended reality (an umbrella term for all immersive technologies), and what it can do for business.

The new centre will see Colchester as a global focus for all immersive Innovations in the XR industry and will form AIXR's base of international operations, institutionalising the technology for decades to come. It will be one central location, open to all within the community who want to learn about XR, grow within XR and connect with the most passionate people within the immersive world.



Designing New Places Offering a Blank Canvas for Business

The Tendring Colchester Borders Garden Community (TCBGC) is a joint project between Tendring District Council, Colchester Borough Council and Essex County Council. Given the national shortage of housing, Garden Communities are planned new communities designed to meet anticipated local growth, which will be a sustainable and attractive place to live, work and visit. The TCBGC is based on the Garden Community principles.

The Garden Community will be delivered through a genuine partnership approach between the public and private sectors, where risk and reward are shared and community empowerment enabled. The plan is for 7,500 – 9,000 homes (to be built over many years out to the 2050s), and is part of a long-term vision of Colchester and Tendring in partnership with Essex County Council to help meet the future growth of the area in a more strategic way.

A new Garden Community provides the opportunity to develop a community of sufficient scale to deliver and be served by new schools, health facilities, and job opportunities with good public transport links to existing town centres and employment areas.

The Covid-19 pandemic has introduced fundamental shifts to working patterns

that can be expected to result in lasting increases to home working and the need for supporting services in nearby centres. The Garden Community model is well-suited to support these new ways of working and we will provide high speed and reliable broadband to enable this.

The Garden Community is also well located, with the University of Essex nearby as well as international gateways with Stansted Airport and the ports at Harwich and Felixstowe along the A120 corridor. The TCBGC includes an allocation of 25 hectares of employment land and economic assessments have shown the equivalent of one job per new home built in the Garden Community is achievable. The 'one job per household' refers to both jobs within the Garden Community itself and within a sustainable commuting distance, so the employment area is wider than just the Garden Community.

And with new growth locations at the University of Essex's Parkside development at The Knowledge Gateway and at Colchester's Northern Gateway with easy access to the A12 trunk road and multiple opportunities to develop in the city centre, Colchester offers great choice for business location.





Building New Homes for a Growing Population

Colchester's ambition continues around housing and has seen more new housing completions than any other of the 13 Local Authorities in Essex.

Colchester's build rate reflects the Council's willingness to work with developers to bring schemes forward. This growth will continue with a further 920 new homes a year being built out to 2033.

But it's not all about the numbers. There is a concern also to ensure quality of place so that communities can emerge and develop solid foundations too. With an Adopted Local Plan, a visionary approach to developing the new Tendring/ Colchester Borders Garden Community and a commitment to developing affordable housing and a high quality of life, Colchester offers a strong housing offer for people to invest their lives here.



Investing in Skills Development

Colchester is working with partners in education and business to help build the skills the local workforce needs to take advantage of personal opportunities in the future and to enable businesses to compete effectively.

A known gap nationally is IT and Digital Skills and Colchester will be delivering a new:

- ▶ Digital Working Hub and grow-on space for the creative industries at the new AIXR Centre for Immersive Innovation in the old bus depot in Queen Street
- ▶ Digital Skills Hub - developing the Wilson Marriage Centre to offer improved and transformed digital adult learning opportunities
- ▶ A range of projects funded by the Shared Prosperity Fund to address sectoral skills needs

As well as offering a series of management and business training through the Colchester Business Enterprise Agency it is hoped that this will help to:

- ▶ Upgrade skill levels
- ▶ Offer more career choice for local people
- ▶ Provide a supply of talent to local businesses
- ▶ Raise wage levels in the local economy
- ▶ Enable local businesses to innovate and compete for business

Increasing Business Support

Developing new spaces for businesses to grow to retain skills and talent to help businesses face the challenge and opportunity of growth, especially in the creative and digital sector. The new AIXR Centre for Immersive Innovation in Queen Street will also offer larger spaces for business as well as access to latest technologies.

The Colchester Business Enterprise Agency and other support organisations are working to enable businesses to access information, advice and guidance in ever new ways to enable businesses to survive, recover and compete effectively.

Improving Transportation Links

Unlocking the full economic potential of transport corridors to improve access into and out of London.

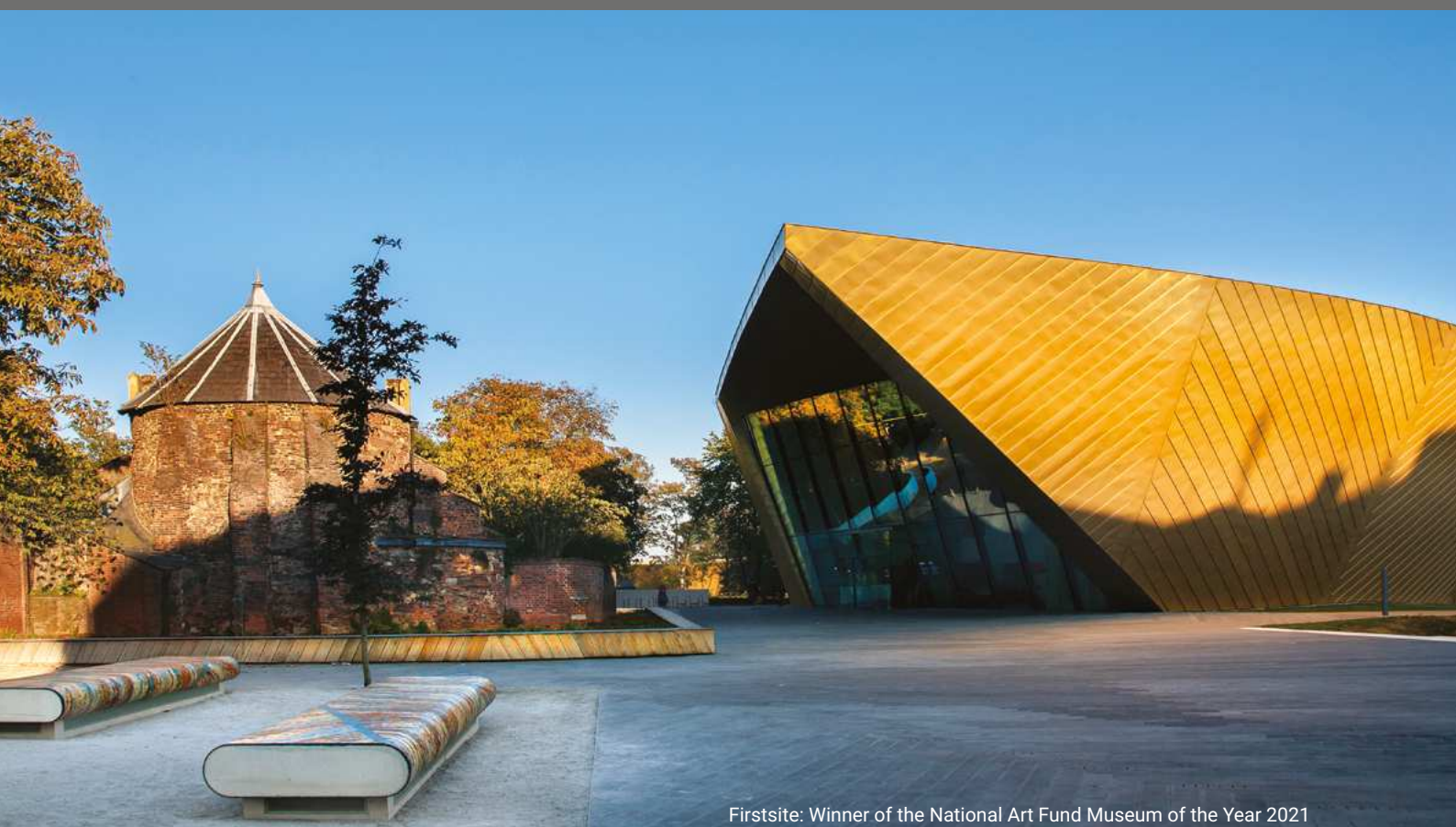
- ▶ A120 Haven Gateway - London Stansted Airport - Harwich
- ▶ A12 Brentwood - Chelmsford - Colchester
- ▶ Great Eastern Mainline Rail improvements

Find out more about how Colchester can help your business to meet your aspirations.
Contact: karen.turnbull@colchester.gov.uk Tel: 01206 282915.

Colchester Borough Council
Economic Development
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Summer 2022

COLCHESTER'S ECONOMIC STRATEGY

DATA DIGEST



Firstsite: Winner of the National Art Fund Museum of the Year 2021

2018-22



Contents:

Colchester's new Economic Strategy is due for publication in 2022. It has been developed from a comprehensive evidence base. This includes insights from local business surveys and other consultations, qualitative feedback from workshops, data and analysis from partner strategies, and monitoring of official datasets and reports to understand macro-economic trends.

This digest is a summary of this evidence base and includes:

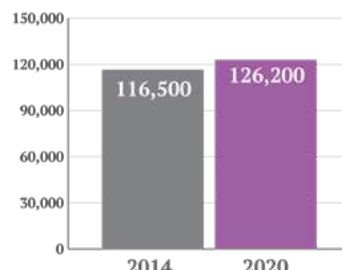
- ▶ A data dashboard of Colchester's economy
- ▶ Key statistics from our consultation with local businesses
- ▶ Information and data on sector specific drivers for growth, and
- ▶ A summary of key macro-economic issues affecting Colchester businesses.

Data Dashboard of Colchester's Economy



WORKING AGE POPULATION

The working age population has grown by 8.3% over this time. It's also clear that considerable growth is taking place beyond the working age population, particularly in the older age groups.

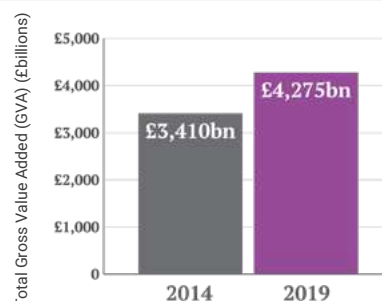


Source: Nomis ONS



GROSS VALUE ADDED (GVA)

A measure of the Borough's total productivity. From 2014 to 2019 the Borough's GVA or productivity rose by 25.4%.



Source: EEFM



INDICES OF MULTIPLE DEPRIVATION

The Indices provide a set of relative measures of deprivation for small local areas with an average of approximately 1,500 residents or 650 households across England. Colchester is characterised as having relatively low levels of deprivation.



Source: Department of Housing Communities and Local Government, 2019



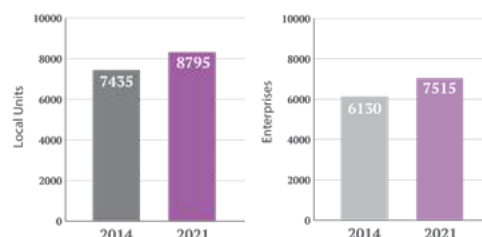
NATURE OF BUSINESSES

93% are Colchester's businesses are micro/small enterprises (with under 50 employees)



NUMBER OF BUSINESSES

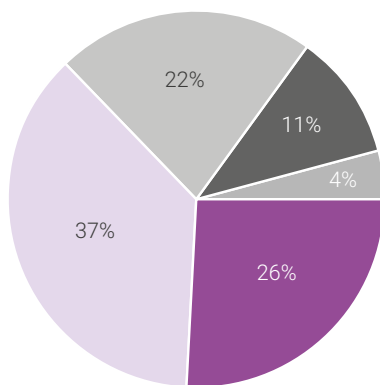
The difference between local units and enterprises can be explained by chain businesses. Tesco for instance is one business (enterprise) but has multiple units in Colchester (local units). There was an 18.3% increase in the number of local units over this period compared with a 22.6% increase in the number of enterprises.



Source: ONS

Key Statistics from Colchester Businesses

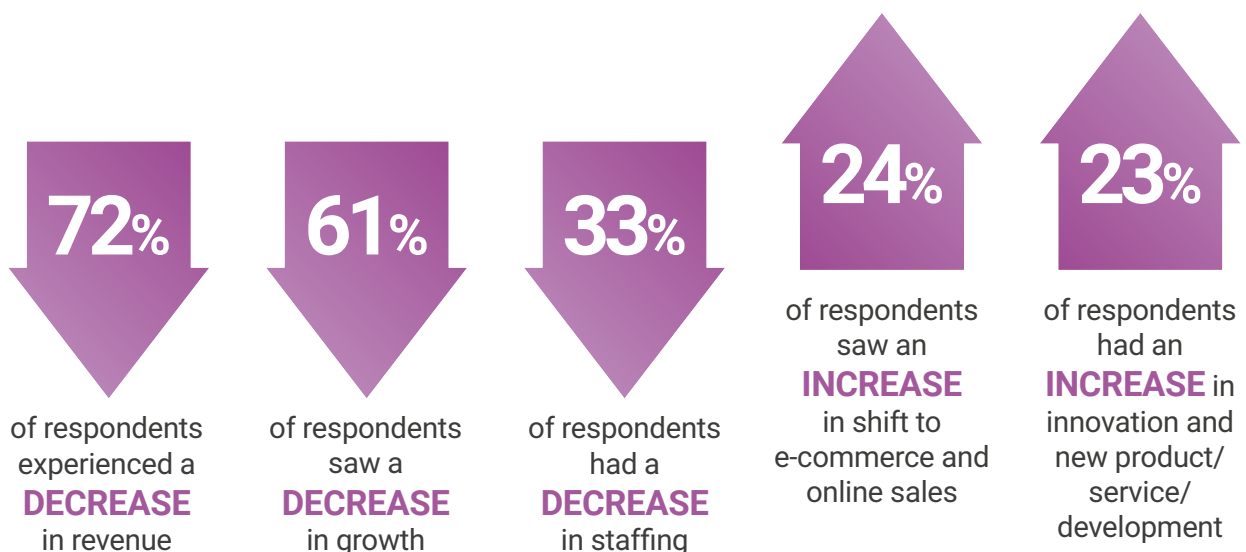
Consultation with businesses in September 2021 revealed that Covid has impacted the economy by driving change to business models and working practices but there is still confidence in Colchester as a place to do business.

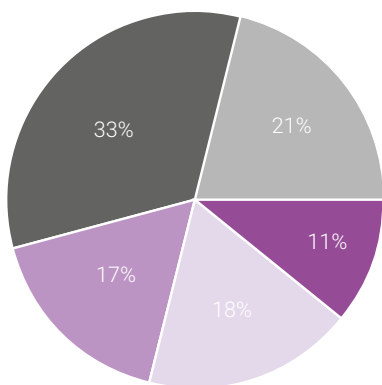


CHANGES TO BUSINESS MODELS

- ▶ **26%** of respondents made **NO** changes to their business model
- ▶ **37%** of respondents made **MINOR** adaptations to products offered, markets targeted, and distribution channels
- ▶ **22%** of respondents made **SIGNIFICANT** adaptations to products offered, markets targeted and distribution channels used
- ▶ **11%** of respondents had to take a **MAJOR** new approach to products, markets and distribution
- ▶ **4%** of respondents introduced a **NEW** model with new products, markets and/or distribution channels

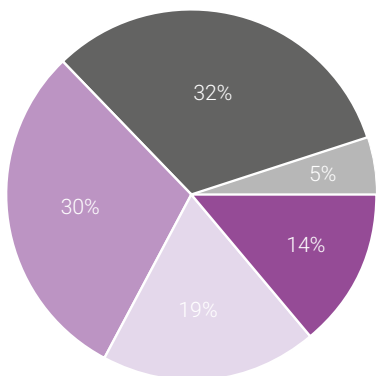
OTHER EFFECTS ON BUSINESS IN THE YEAR TO SEPTEMBER 2021





CONFIDENCE AROUND BUSINESS RECOVERY (and this picture also reflected confidence levels around sector recovery)

- ▶ 11% of respondents said **NOT AT ALL CONFIDENT**
- ▶ 18% of respondents said **SLIGHTLY CONFIDENT**
- ▶ 17% of respondents were **NEUTRAL**
- ▶ 33% of respondents said **FAIRLY CONFIDENT**
- ▶ 21% of respondents were **VERY CONFIDENT**



CONFIDENCE AROUND THE RECOVERY OF THE LOCAL ECONOMY

- ▶ 14% of respondents said **NOT AT ALL CONFIDENT**
- ▶ 19% of respondents said **SLIGHTLY CONFIDENT**
- ▶ 30% of respondents were **NEUTRAL**
- ▶ 32% of respondents said **FAIRLY CONFIDENT**
- ▶ 5% of respondents were **VERY CONFIDENT**



TOP 6 CONCERNS FOR LOCAL BUSINESSES

(@ September 2021, before the Ukrainian invasion)

FINANCIAL: REVENUE, CASHFLOW, COSTS	AVAILABILITY OF STOCK, MATERIALS, SUPPLY CHAIN ISSUES	FURTHER COVID OUTBREAKS
RECRUITMENT, RETAINING, SUPPORTING AND TRAINING SKILLED EMPLOYEES	OLD CUSTOMERS RETURNING/FINDING NEW CUSTOMERS	PEOPLE RETURNING TO THE HIGH STREET/ TOWN CENTRE

Sector Specific Drivers for Growth

Colchester has four main growth sectors and four core sectors which have seen significant investment over the life of the current Economic Growth Strategy, eg: new hotels in the tourism sector, or have planned investment through the Town Deal, eg: the Digital Hub in the former Bus Depot in Queen Street.

► **GROWTH SECTORS:** construction, creative and digital, alternative energy and health and care

► **CORE SECTORS:** advanced manufacturing, financial services, retail and tourism

ECC's emerging Sector Development Strategy (2022) identifies five sectors with significant growth potential that could be realised in the county. They are: Construction and Retrofit; Clean Energy; Advanced Manufacturing & Engineering; Digitech; and Life

Sciences (including med-tech and care-tech)

Colchester's, strong cultural sector and visitor economy will also have an important role in building the profile of north Essex as an attractive place to visit, live, and do business to secure inward investment. Colchester's significant investment in the future development of 5G and Ultrafast Broadband will place it at the forefront of the tech opportunities identified within many of these sectors below.



CONSTRUCTION:

KEY DRIVERS OF SECTOR GROWTH WILL BE:

- **HOUSEBUILDING TARGETS** – ECC forecast over 40,000 houses will be built in Essex over the next five years, with the construction of six new garden communities over the next 15 years adding 55,000 on top of a further 93,000 homes allocated in local plans up to 2036. Colchester has an annual target to build 920 new homes a year to 2033 including the new Tendring/Colchester Borders Garden Community.
- **MAJOR INFRASTRUCTURE PROJECTS** – there are a number of significant projects both within the county and nearby that will drive demand in the sector, including the Lower Thames Crossing; and the creation of two new freeports at Freeport East (Harwich/Felixstowe) and Thames Freeport (London Gateway, Tilbury and Dagenham). Colchester has significant infrastructure investment planned or in delivery, including the £19.2m Town Deal investment plan and the £48m investment in digital infrastructure.

- ▶ **CLEAN ENERGY** – there are a number of important offshore wind projects that will draw on the construction sector such as Harwich (North Falls and Five Estuaries) and a number of solar opportunities throughout the county.
- ▶ **RETROFIT** – there is an estimated £1-1.75b economic opportunity to deliver retrofit across Essex.



GREEN ENERGY:

KEY DRIVERS OF SECTOR GROWTH WILL BE:

- ▶ The UK holds a leading global position in offshore wind capacity and the sector is expected to experience significant growth, with increase in demand for workers and skills ahead of the government's goal of 40 gigawatts (GW) of offshore wind by 2030.
- ▶ By 2026 nationally, the sector could employ around 70,000 workers (40,000 direct jobs and 30,000 jobs in the supply chain) compares to around 26,000 presently.
- ▶ The government's Net Zero Strategy: Build Back Greener sets out the ambition for:
 - ▶ Supporting up to 59,000 jobs in 2024 and up to 120,000 jobs in 2030 across all elements of the sector, from innovative hydrogen production to offshore wind, as well as mobilising additional public and private investment of £150-270 billion
 - ▶ Deliver 5 GW of hydrogen production capacity by 2030, whilst halving emissions from oil and gas
 - ▶ Fully decarbonising the UK's power system by 2035

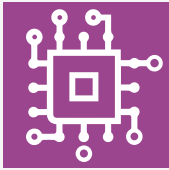


ADVANCED MANUFACTURING:

A GROWTH SECTOR AS WELL AS AN ENABLING SECTOR

- ▶ Essex has a rich history in engineering and manufacturing electronic devices, especially complex ones. Today Essex boasts a burgeoning and growing sector which specialises in the manufacture and use of different electronics used in space, from solar panels on the Hubble Space telescope to sensors and items used on the Mars rover. Colchester's long history of manufacturing is evolving to meet new opportunities. For example: Rapid Electronics is diversifying into supplying charging infrastructure for electronic vehicles through its subsidiary, Replenishh.
- ▶ The sector will be crucial to help build a more resilient and self-sufficient Essex economy to enable and support the planned growth in green energy, construction and retrofit sectors.
- ▶ The space industry is an important sub-sector for Essex with significant potential opportunities – the UK Government has an ambition to capture 10 billion of the global space industry by 2030, worth an estimate £40 billion per annum, and the Knowledge Transfer Network (KTN) and UK Space Agency have already identified a number of Essex businesses which are already operating within the sector.

- ▶ Essex is ideally placed to exploit the opportunity and create future sector growth, growing existing businesses, creating new highly paid and highly skilled jobs and attracting new businesses from UK and overseas to locate in Essex aligning with the strength of the space and satellite applications Sector.
- ▶ Essex-based space businesses play a key role in monitoring and predicting climate change; providing key components for the Copernicus and CO2m programmes which measure the levels of CO2 on earth. A future growth industry is predicted: businesses report on emissions, Essex is primed as one of the world's leading places to manufacture the sensors to enable this.



DIGI-TECH:

A GROWTH SECTOR AS WELL AS AN ENABLING SECTOR.

Industry 4.0 is driving demand for digital applications and software in traditionally offline industries. There are unique opportunities in some areas for Essex, in particular:

- ▶ Agri-tech – North Essex has a strong potential for growth in agri-tech, with a focus on agricultural use of land for food production and other uses. The University of Essex has developed partnerships with leading academic research centres, and recently opened the EPIC (Essex Plant Innovation Centre) which focuses on research in a broad range of plant science areas, including agri-tech (such as agricultural robotics which are being piloted at Wilkins in Tiptree).
- ▶ Digital health and care – There are wide ranging applications of digital technologies to support patients, clinicians, and non-clinical staff. Colchester is a hub for care services firms and ECC through its statutory role for social care can use this to leverage public investment to develop and deliver care-tech enabled services. Essex County Council has already established a new care-technology partnerships, and both University of Essex and ARU carry out research in this area. There are a number of examples of existing and developing digital technologies that could also bring benefit for Essex businesses, such as:
 - ▶ The internet of things – digital solutions beyond a single element or individual task, integrating into existing systems, linking them up with computers calculating the optimal processes, alongside the potential to automate those processes with robotics
 - ▶ Artificial intelligence (AI) – helping businesses across all industries to gain automated insights from complex data sets faster than in the past, enabling end-to-end efficiency, improved accuracy, and decision-making
 - ▶ Quantum computing – will play an increasing role in powering machine learning systems and AI platforms to better improve, understand, and interpret large datasets and calculations.



LIFE SCIENCES (INCLUDING MED-TECH AND CARE-TECH): KEY DRIVERS FOR GROWTH WILL BE:

- ▶ Care and care-tech are important areas for whole-system partners such as the NHS. We have an ageing population and want to ensure that they can age and live well. Care and care-tech are an important part of that and represent real opportunity as well as challenge for the county. Colchester Borough Council is currently working with partners to explore the concept of a Care Tech and Med Tech testbed facility. This would enable researchers and entrepreneurs to test and develop new Care Tech and Med Tech products in an actual care-giving environment or range of environments.
- ▶ Essex has a rich history of developing, commercialising, and manufacturing key components and products for the med-tech sector. Building on these strengths there is a growing demand for med-tech products for diagnostics, digital health, and assisted living support that could be capitalised upon in the county. For example, home diagnostics is a burgeoning market, fast gaining popularity in a world battling the Covid-19 pandemic.
- ▶ The aging population and prevalence of chronic diseases have resulted in rising demand for home healthcare services in the UK.
- ▶ According to UK's Office for National Statistics (ONS), It is projected that there will be an additional 7.5 million people aged 65 years and over in the UK in 50 years' time.



Five Wider Economic Issues Facing Businesses Today

1

CLIMATE CHANGE – Climate change affects most business operations from energy and water consumption, waste generated, consumer demand, supply chain procurement requirements and availability of raw materials among others. Research in 2019 by Deloitte revealed that there is an increasing pressure to act from a broad range of stakeholders:



- ▶ companies' climate responses focus mainly on measures that have a short-term cost-saving effect
- ▶ a thorough understanding of climate risks to the business is rare
- ▶ few companies have a governance, steering and monitoring mechanisms in place to develop and implement comprehensive climate strategies
- ▶ targets for carbon emission reductions are usually not aligned with the Paris Agreement

Closer to home a study commissioned by the British Business Bank (2022) revealed that:

- ▶ almost half (44%) of key decision makers at small firms believe the terminology and information around emissions reduction is overcomplex.
- ▶ more than half (58%) said they would find more information and advice about taking action to measure and reduce their business' carbon emissions helpful, while
- ▶ 42% want advice on measuring their carbon footprint.
- ▶ just under half (48%) do not know which information sources on reducing their carbon emissions to trust.

2

GLOBAL PANDEMIC – The Covid-19 pandemic has affected businesses and the local economy in a range of ways. Three national lockdowns in addition to more cautious behaviour by the public has had a significant adverse effect on footfall and custom. Changed migration patterns during the pandemic have affected labour supply, particularly key roles such as HGV drivers, in the hospitality sector, and seasonal workers. Changes to working patterns, such as an increase in home-working, presents businesses with both challenges and opportunities.



The easing of restrictions, whilst attractive to hard-hit sectors like aviation, have come with their own complications, with a rise in staff absence due to Covid infections leading to some airlines cancelling flights for example. Similarly, it is affecting the ability to service customer facing businesses such as tourism, retail, leisure and hospitality; sectors which were also worst hit during 2020/21.

3

RUSSIA'S INVASION OF UKRAINE

Russia's invasion of Ukraine is adding to existing issues within global supply chains resulting from the pandemic, and other factors. It is affecting industries ranging from semiconductors to cars and food. Locally, Fairfield Crisps for instance, relied on Ukrainian rapeseed oil to produce its crisps and now sees the price of this oil and any substitute oils rising dramatically. The war may accelerate the shift from global to regional sourcing. But given China's dominance in manufacturing especially, the shift will only happen gradually and will require Government support. If further sanctions are introduced in response to pressure to manage the use of Russian oil and gas, the UK economy would continue to grow but the pace of growth would be significantly slower.



4

BRITAIN'S EXIT FROM THE EU

Whilst other economies are seeing recovery from the pandemic in terms of exports, the UK is lagging behind. The Office of Budget Responsibility states that world exports are recovering from Covid growing 8.2%, while the UK has fallen 14% in 3 months to January 2022. EU exit affected trade with the EU. It has also affected labour supply as many EU nationals are not now working in the UK. The OBR claims UK productivity will be reduced by 4% over next 15 years.



BUSINESS COSTS – UK businesses face double challenge of rising costs and lower sales (as at April 2022)



ENERGY – A fortnight into the Russian invasion of Ukraine and gas and oil prices peaked over 200% and 50% above their end-2021 levels respectively. Prices have since fallen back but remain well above historic averages. (Office of Budget Responsibility, March 2022)

INFLATION – If wholesale energy prices remain as high as markets expect, energy bills are set to rise around another 40% in October 2022, pushing inflation to a 40-year high of 8.7% towards the end of this year. Higher inflation will erode real incomes and reduce consumption, cutting GDP growth this year from the 6.0% originally forecast last October to 3.8%. With inflation outpacing growth in earnings and tax rises taking effect, real living standards are set to fall by 2.2% in 2022-23 – their largest financial year fall on record – and not recover their pre-pandemic level until 2024-25. This will affect consumer and business to business demand from Colchester's companies and beyond. (Office of Budget Responsibility, March 2022)

TAX RISES (The Chancellor's Spring Statement March 2022) – more future focussed than immediate support, lack of clarity around self-employed and non-premises based businesses and little to stimulate consumer demand which would help business cashflow, profitability and the ability to invest in the business for future growth.

- ▶ The 1.25% increase in National Insurance contributions from April 2022 is actually 2.5% for employed owner/managers paying PAYE as it applies to both employer and employee contributions.
- ▶ Business Rates – The Chancellor re-iterated the 50% business rates discount for the retail, leisure and hospitality sector as of 1 April but with a cap of £110,000 per company.

THE UK LABOUR MARKET – Staff costs rising due to skills and staff shortages (Bank of England, April 2022). The UK labour market has been buffeted by large changes in supply and demand as we emerge from the pandemic.

- ▶ **Labour supply falling** – There are around 350,000 fewer people in the labour market due to changes in work and life preferences as a result of the pandemic. Inward migration has also fallen, either as a result of the pandemic or Brexit. Migration data over the past two years suggest that net migration into the UK fell to around 35,000 people in 2020, compared to more than 250,000 in 2019.
- ▶ **Labour demand rising** – the pandemic increased the demand for labour in some sectors, particularly health. The number of employees on payrolls is now some 700,000 higher than before Covid, half of which are in health, social work, education or public administration. Some of this reflects a shift away from self-employment.

- Overall, the picture in the labour market coming out of Covid is a story of weak labour supply and strong labour demand which is pushing pay rates up and therefore adding to business costs. Pay has been growing faster than pre-pandemic rates since the final quarter of 2020. In the three months to January 2022 whole economy total pay grew at 4.8%, with private sector regular pay – perhaps a better measure of labour market strength – growing at over 4%. The majority of firms are likely to pass at least some of these increases into prices over the coming year, which will add to inflationary pressures.

SUPPLY CHAIN COSTS RISING – Manufacturers are indicating that ongoing supply shortages, greater caution among clients, escalating inflationary pressures and geopolitical tensions are all hampering economic recovery. There were also slower upturns in both stocks of purchases and employment and a lengthening of average supplier lead times. At the same time, input prices rose for the twenty-eighth consecutive month, with the rate of increase hitting a three-month high. Finally, business confidence fell to a 14-month low amid concerns about rising geopolitical tensions, inflationary pressures and labour shortages. (Markit Economics for the UK Purchasing Managers' Index, February 2022)



Colchester Borough Council
Economic Development
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Spring 2022

Scrutiny Panel

Item
12

13 December 2022

Report of	Chief Operating Officer	Author	Gary Reid ☎ 07874984922
Title	Half Year April – September 2022 Performance Report Key Performance Indicators (KPI) and Other Performance News		
Wards affected	All wards		

1. Executive Summary

- 1.1 This report provides details of performance against Key Performance Indicators (KPIs) at half year point 2022 - 2023. The report also includes other performance news.

2. Action Required

- 2.1 To review performance against Key Performance Indicators and, where Key Performance Indicators have not been met, that appropriate corrective action has been taken.
- 2.2 Where concerns about performance are identified, to make recommendations to Cabinet so these can be considered when Cabinet considers the same report on 25 January 2023.

3. Reason for Scrutiny

- 3.1 To review half year performance for 2022 – 2023 and ensure robust performance management of key Council services.

5. Background Information

- 5.1 The Council has agreed key performance indicators which it uses as part of its Performance Management Framework to help monitor progress and improvement. This report provides an update on the Council's Key Performance Indicators and a review of other performance achieved throughout the reporting period.
- 5.2 The report at Appendix A features an improved graphical presentation of year-to-date performance, previous year performance and targets.
- 5.3 At the half year point for April - September 2022, the overall position is that 7 targets were achieved (or 'green'), and 6 did not meet the target in full ('red').
- 5.4 Of the seven KPIs that have been achieved ('green' KPI's), it is worth noting that some have been exceeded. This is particularly the case in relation to Housing Benefit and Local Council Tax Scheme (KPI K1B1) where residents are receiving benefits after an average of two days processing time, one of the lowest processing times in the country.
- 5.5 Targets for processing all types of Planning applications have also been exceeded.
- 5.6 Targets have not been met for six indicators ('red' KPIs) due to a range of impacts mainly arising from the Covid-19 pandemic. These are:
- K1H1 Net Additional Homes Provided
 - K1H2 Affordable Homes Provided
 - K1H4 Rent Collected
 - K1R3 Sickness
 - K1W1 Residual Household Waste per household
 - K1W2 Household Waste recycled, reused and composted
- 5.7 **Net additional homes provided.** Past results demonstrate Q1 & Q2 results are not indicative of the end of year figure. The 2022-2023 housing trajectory predicts delivery in the region of 880 dwellings this year. This is slightly below the KPI target, but annual delivery is expected to pick up significantly in 2023-2024 as more large sites start delivering at full capacity. Higher delivery in subsequent years will ensure the Council can demonstrate a deliverable supply of housing over the 5-year period 2022-2023 to 2026-2027.
- 5.8 **Affordable homes delivered.** Affordable housing delivery is slightly behind with two quarters remaining of the 2020-2023 period. Numbers were adversely affected by the pandemic which caused material shortages and instability in the housing market. In the remaining two quarters we will see an increase of Registered Provider homes being delivered which will bring us closer to the target of 380.
- 5.9 **Rent Collected.** Rent income is slightly under the expected position at the end of Q2. Cost of living pressures and delays with Court hearings have led to some cases with higher rent arrears. We expect improvement in Q3 and Q4 with two "rent free" weeks which balance regular monthly payment accounts.

- 5.10 **Sickness.** The sickness rate is still higher than the KPI target, but we have seen the figures start to reduce during the second quarter. After peaking in May, following the Covid wave that caused a lot of sickness in the spring, the sickness rate has reduced for four consecutive months and is projected to reduce further during the rest of the year.

This is due to a combination of a much lower level of sickness in the summer of 2022 compared to 2021 and the positive effects of the new Sickness Management Policy that was introduced at the start of 2022. This is seeing a reduction in long-term sickness as issues are identified and managed more quickly to support staff in getting back to work as early as possible.

- 5.11 **Residual Household Waste.** There has been a significant change in the amount of waste being produced by residents showing a reduction from 193.36 Kg to 174.69 Kg per household at Period 6 versus the previous year, reflecting both the cost-of-living crisis, and our ongoing campaign to enforce the limit on collections to 3 black bags or 1 180 litre wheeled bin.

We remain slightly behind target for the full year by 1.69 Kg at Period 6.

- 5.12 **Household Waste recycled, reused and composted.** The K1W2 performance has been impacted by both the exceptionally dry weather in June, July and August reducing year on year Garden Waste volumes by 28.28%, and the impact of the cost-of-living crisis reducing consumption of both Dry Recycling (Paper, Plastics, Glass and Cans) which are down by 9.75% and lastly Food Waste which has reduced by 7.1%.

At this stage last year, the comparable figure was 52.91% shown a decrease in relative performance of 0.49%.

This year's target for recycling at 55% is an increase over last year's 53% target.

- 5.13 In addition to the performance described above, the Council has again received numerous awards and accreditations, and these are highlighted at the end of Appendix B.

6. Equality, Diversity and Human Rights implications

- 6.1 Robust performance management of key Council Services supports the aims of improving both services and the lives of everyone in the borough. Where required, specific Equality Impact Assessments will exist for policies and activities rather than for individual performance indicators or actions.

7. Strategic Plan References

- 7.1 There are no references to the 2020 – 2023 Strategic Plan.

8. Consultation

- 8.1 The report's contents do not have any direct implications regarding consultation.

9. Publicity Considerations

- 9.1 The performance report contains measures for our key performance indicators. Many of these are used to monitor the performance of our services, and as such these may be of public interest. The report and related information are published on the Performance and Improvement section of the Council's website.

10. Financial implications

- 10.1 The financial implications of the action plans to deliver the indicators form part of the budget setting process.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Many of the KPI targets reported above ensure that Council Services that have a positive impact on Health and Wellbeing are delivered effectively.

12. Health and Safety Implications

- 12.1 There are no direct health and safety implications associated with this report.

13. Risk Management Implications

- 13.1 There are no direct risk management implications associated with this report.

14. Environmental and Sustainability Implications

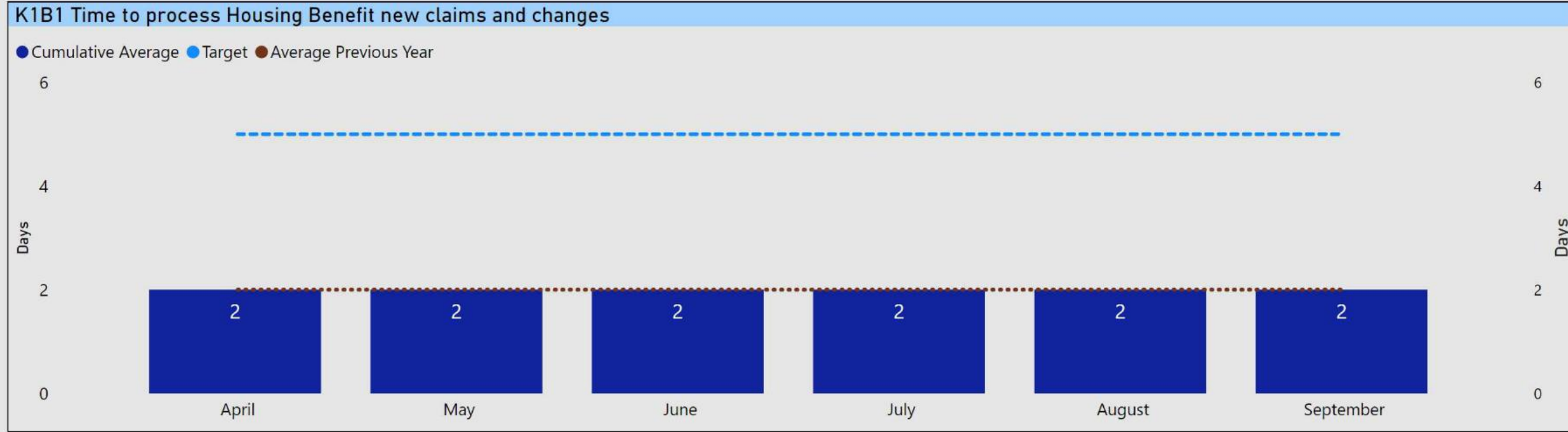
- 14.1 The KPIs relating to recycling and the levels of residual waste collected are the key indicators that contribute to Environment and Sustainability.

Appendices

- A. KPI Year End Report covering April – September 2022.
B. Awards and Other Performance News covering April – September 2022.

Corporate
Key Performance Indicators
Covering Half Year
April - September 2022

K1B1 Housing Benefit	→
K1B1 LCTS	→
K1H1 Additional Homes	→
K1H2 Affordable Homes	→
K1H3 Homelessness	→
K1H4 Rent Collected	→
K1H5 Re-lets	→
K1P1 Planning Apps (Majors)	→
K1P1 Planning Apps (Minors)	→
K1P1 Planning Apps (Others)	→
K1R1 Council Tax	→
K1R2 NNDR	→
K1R3 Sickness	→
K1W1 Residual Waste	→
K1W2 Recycled Waste	→
K1W3 % of Scheduled Collections Made	→



Cumulative Average against Target

2✓

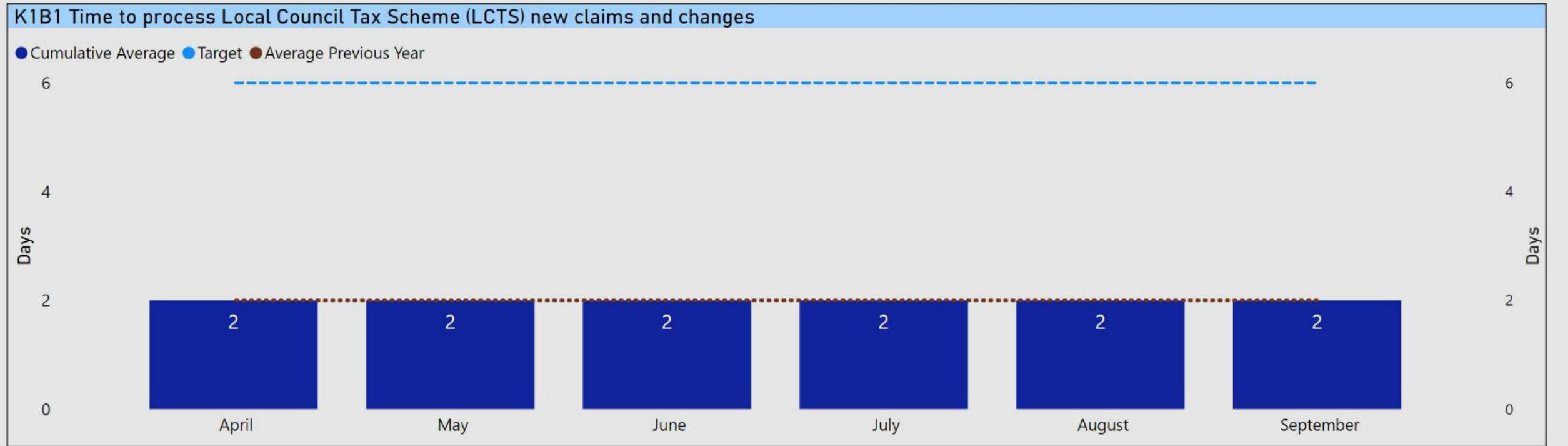
Target: 5 September

Supporting Narrative

The team continue to assess claims as quickly as possible, achieving some of the lowest processing times in the country.

2023-2024 Target

Proposed Target to be reviewed early 2023



Cumulative Average against Target

2✓

Target: 6 September

Supporting Narrative

The team continue to assess claims as quickly as possible, achieving some of the lowest processing times in the country.

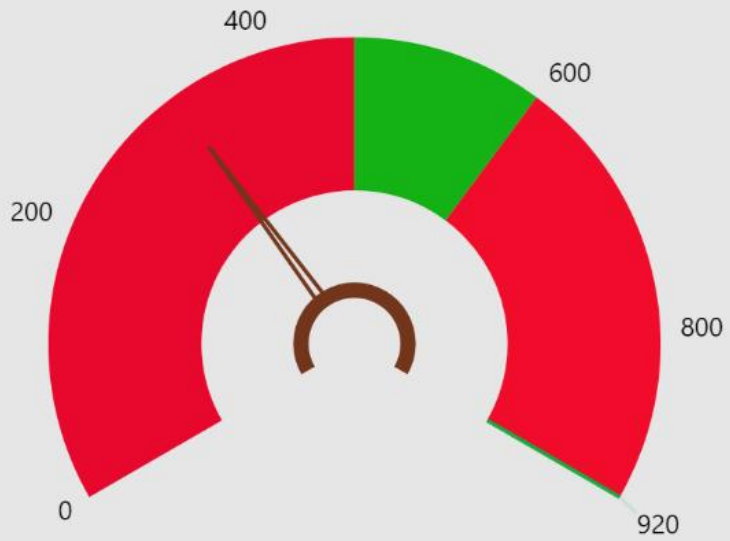
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2023-2024 Target

Proposed Target to be reviewed early 2023



K1H1 Additional Homes Provided



Actual towards Target

320!

Indicative Target: 460
September

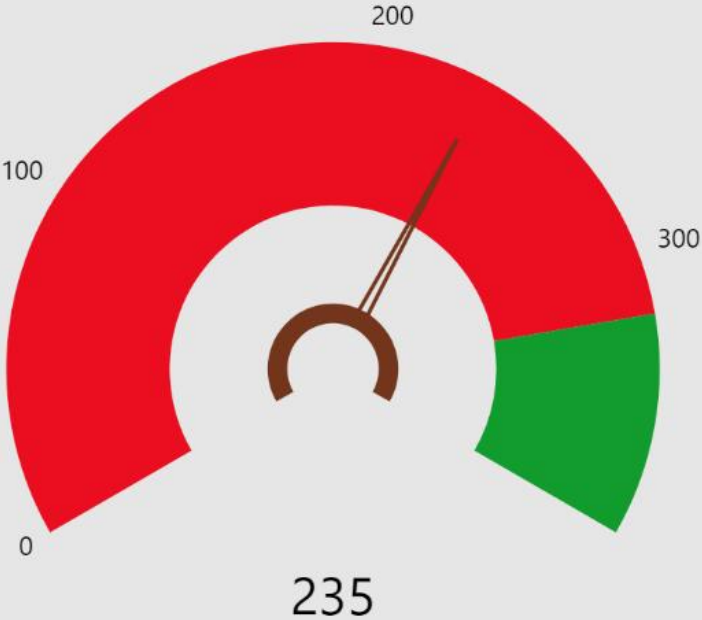
Supporting Narrative

Past results demonstrate Q1 & Q2 results are not indicative of the end of year figure. The 2022/23 housing trajectory predicts delivery in the region of 880 dwellings this year. This is slightly below the KPI target but annual delivery is expected to pick up significantly in 23/24 as more large sites start delivering at full capacity. Higher delivery in subsequent years will ensure the Council can demonstrate a deliverable supply of housing over the 5 year period 2022/23 to 2026/27.

2023-2024 Target

Proposed Target to be reviewed early 2023

K1H2 Affordable Homes Delivered over Three Years



Actual against Year Two Target

235 !

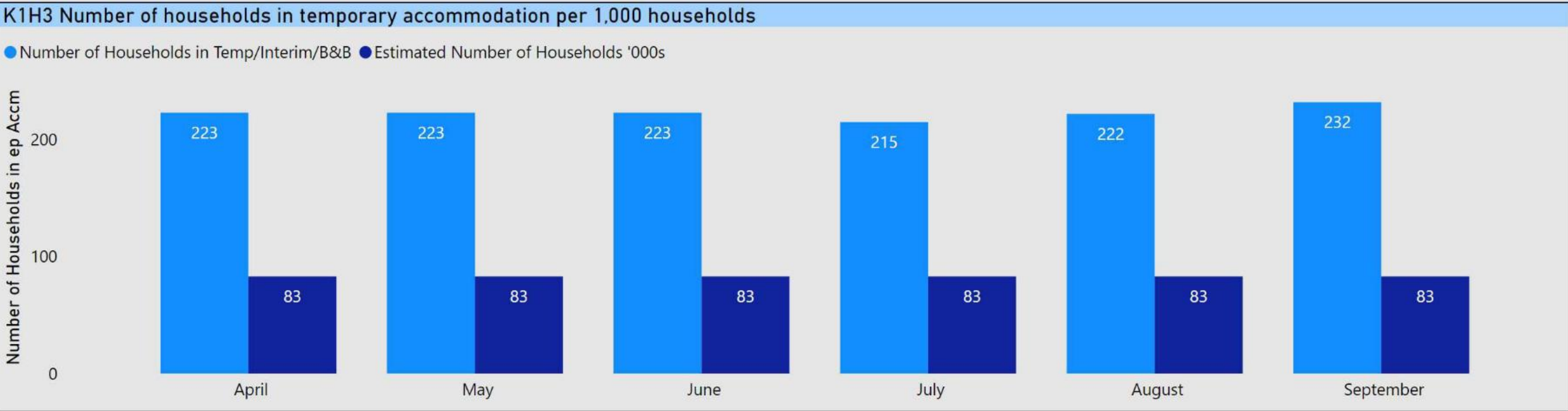
Indicative Target: 317
September

Supporting Narrative

Affordable housing delivery is slightly behind with two quarters remaining of the 2020-2023 period. Numbers were adversely affected by the pandemic which caused material shortages and instability in the housing market. In the remaining two quarters we will see an increase of Registered Provider homes being delivered which will bring us closer to the target of 380.

2023-2026 Target

Proposed Target to be reviewed early 2023



Actual against Target

2.80✓

Target: 2.90
September

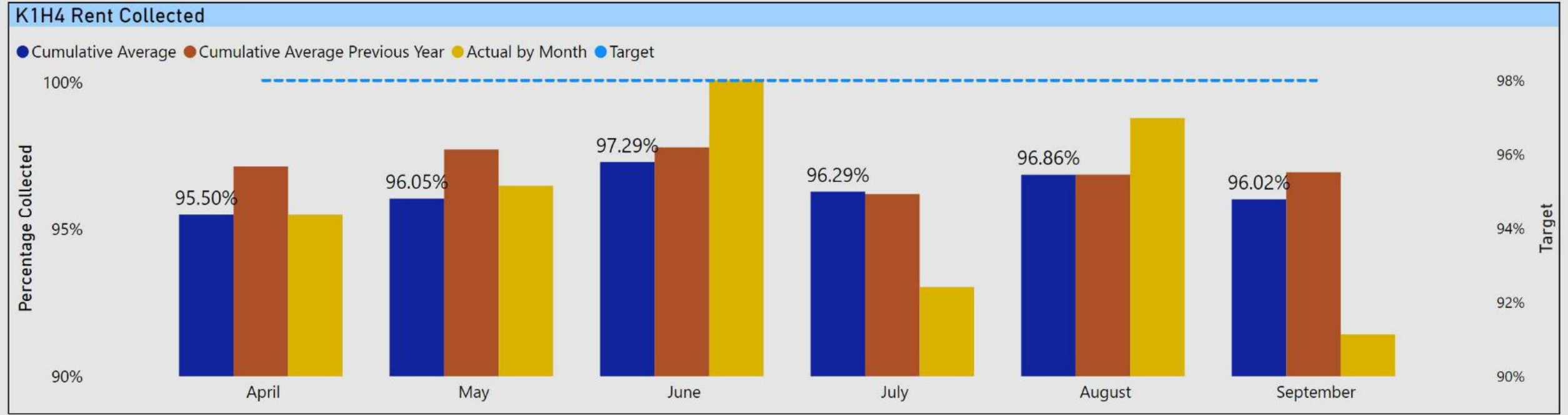
Supporting Narrative

This indicator remains within target at the end of the quarter. However, the Housing Solution service is under considerable pressure with an increase in the numbers of households approaching for support. Solutions in the private sector are now unaffordable for many who approach for support, which is leading to an increasing number requiring temporary accommodation.

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2023-2024 Target

Proposed Target to be reviewed early 2023



Cumulative against Target

96.02%!

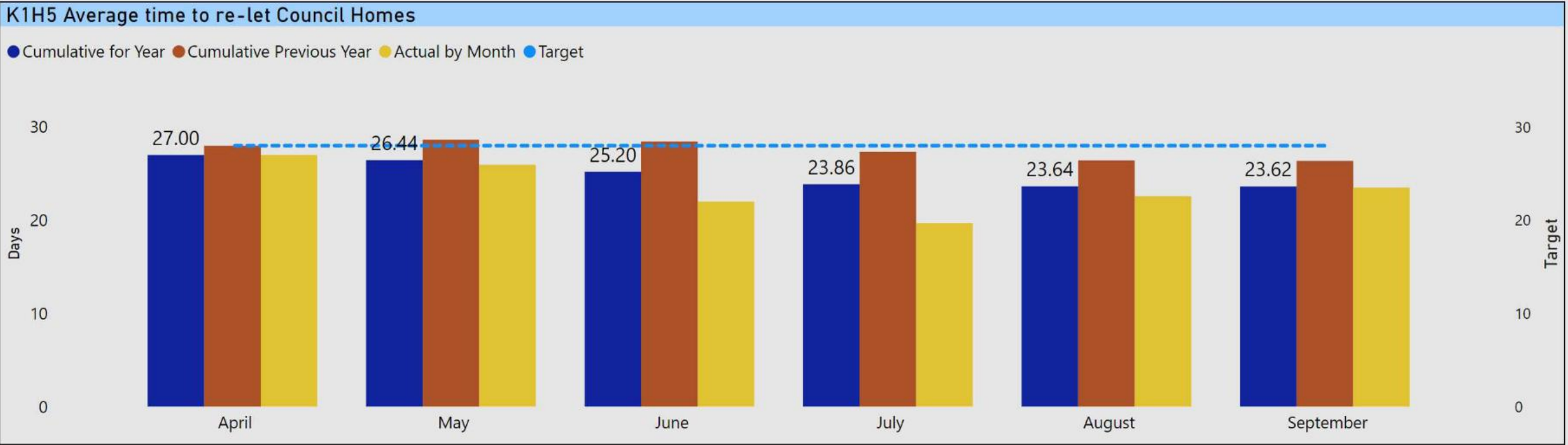
Target: 98%
September

Supporting Narrative

Rent income is slightly under the expected position at the end of quarter 2. Cost of living pressures and delays with Court hearings have led to some cases with higher rent arrears. We expect improvement in Q3 and Q4 with two “rent free” weeks which balance regular monthly payment accounts.

2023-2024 Target

Proposed Target to be reviewed early 2023



Cumulative against Target

23.62✓

Target: 28
September

Supporting Narrative

Good performance from both contractor and in house team to achieve results within target.
There continues to be supply issues (Doors, glazing) which may contribute to delays.

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2023-2024 Target

Proposed Target to be reviewed early 2023



Average against Target

100%✓

Target: 85%
September

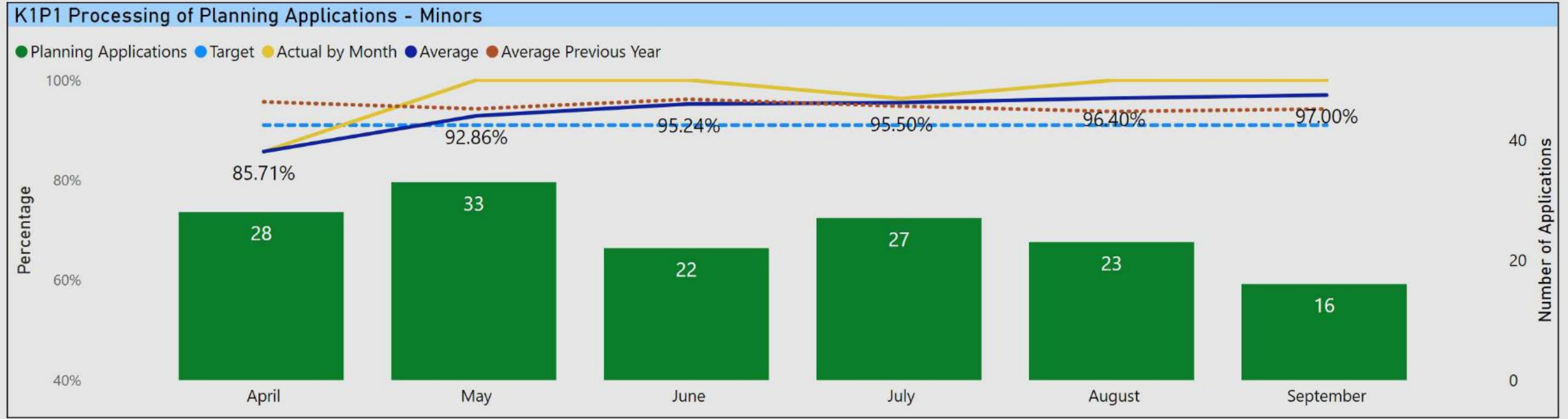
Supporting Narrative

The team achieved a consistently high level of decision making for major applications, performance is on track and targets are being met.

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2023-2024 Target

Proposed Target to be reviewed early 2023



Average against Target

97.00%✓

Target: 91%

September

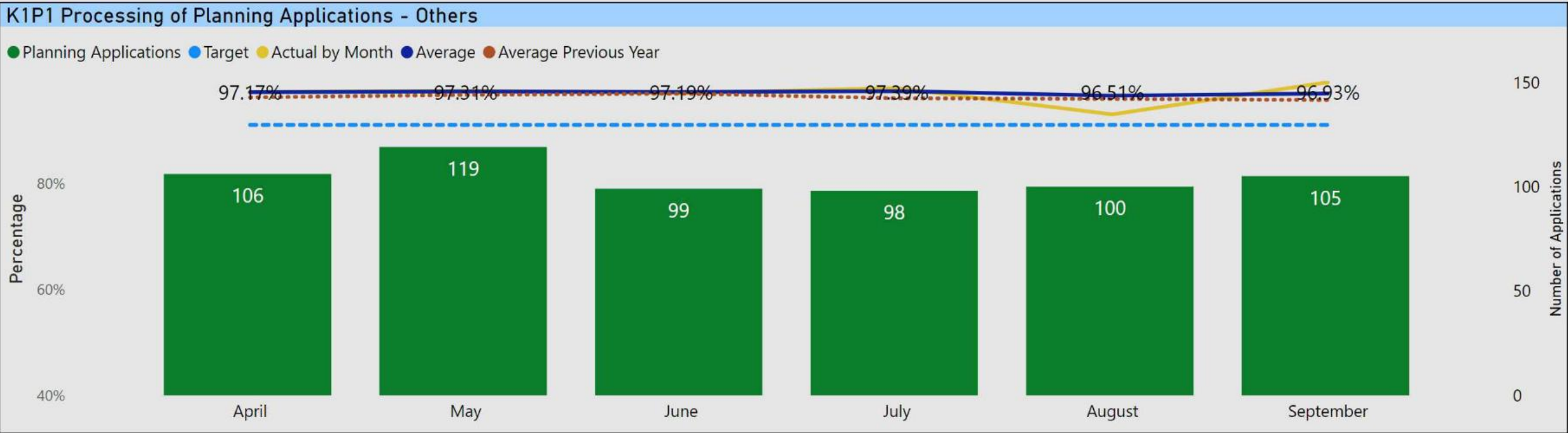
Supporting Narrative

The team achieved a consistently high level of decision making for minor applications, performance is on track and targets are being met.

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2023-2024 Target

Proposed Target to be reviewed early 2023



Average against Target

96.93%✓

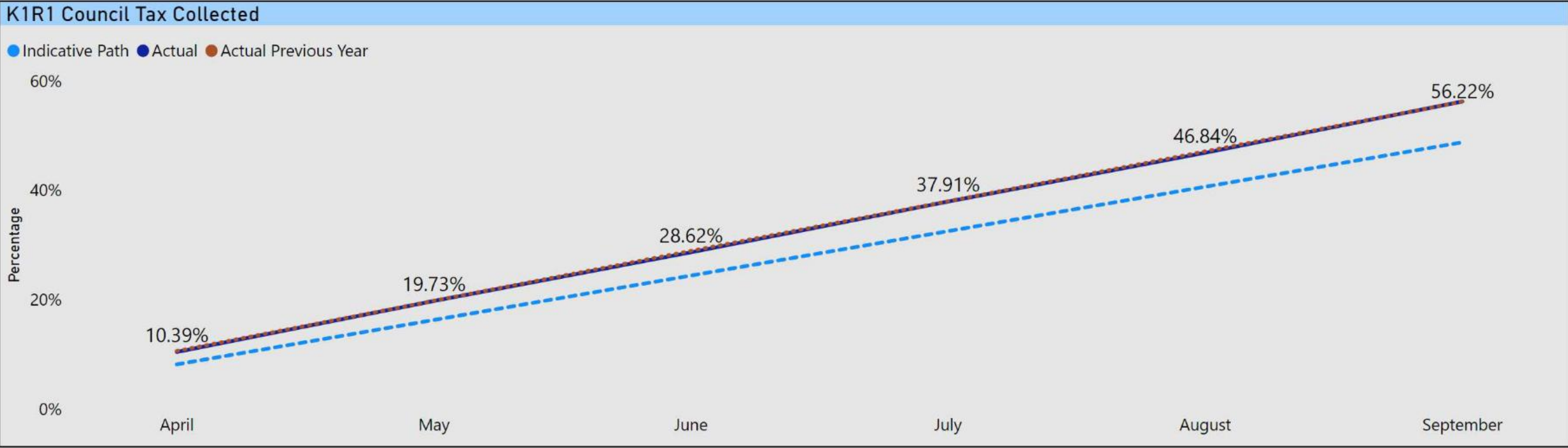
Target: 91%
September

Supporting Narrative

The team achieved a consistently high level of decision making for other applications, performance is on track and targets are being met.

2023-2024 Target

Proposed Target to be reviewed early 2023



Actual against Year End Target

56.22%

Indicative Path: 48.75%
September

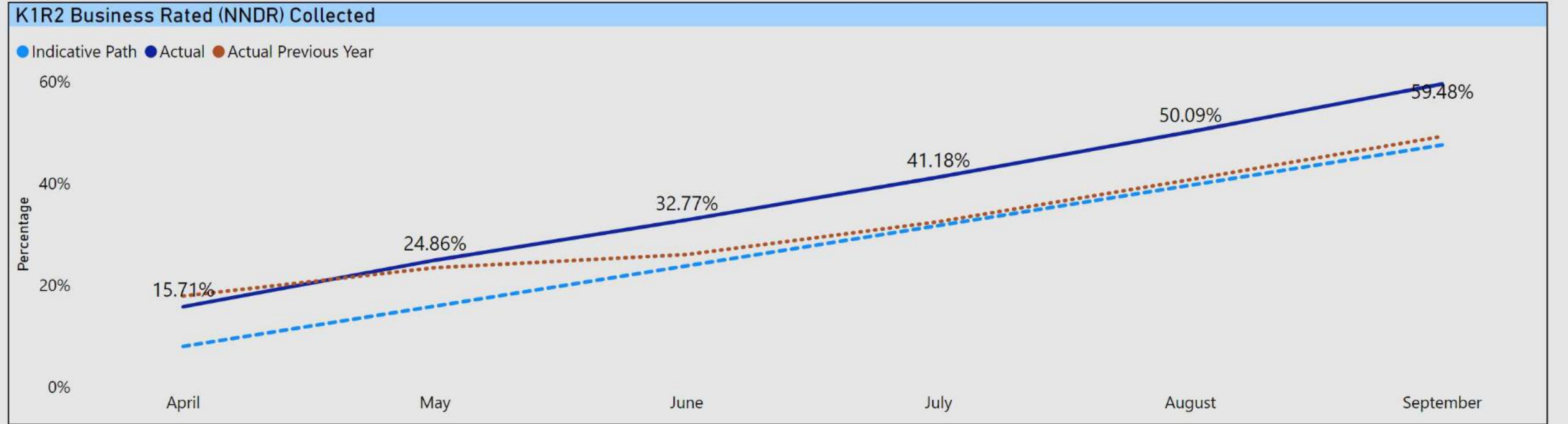
Supporting Narrative

Collection remains on target and is expected to improve towards year end. The team have focused on the distribution of the Council Tax Rebate which has delayed some of the standard recovery action normally taken. The rebate scheme closes at the end of Nov and over 99% of households received their payments.

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2023-2024 Target

Proposed Target to be reviewed early 2023



Actual against Year End Target

59.48%✓

Indicative Path: 47.50%
September

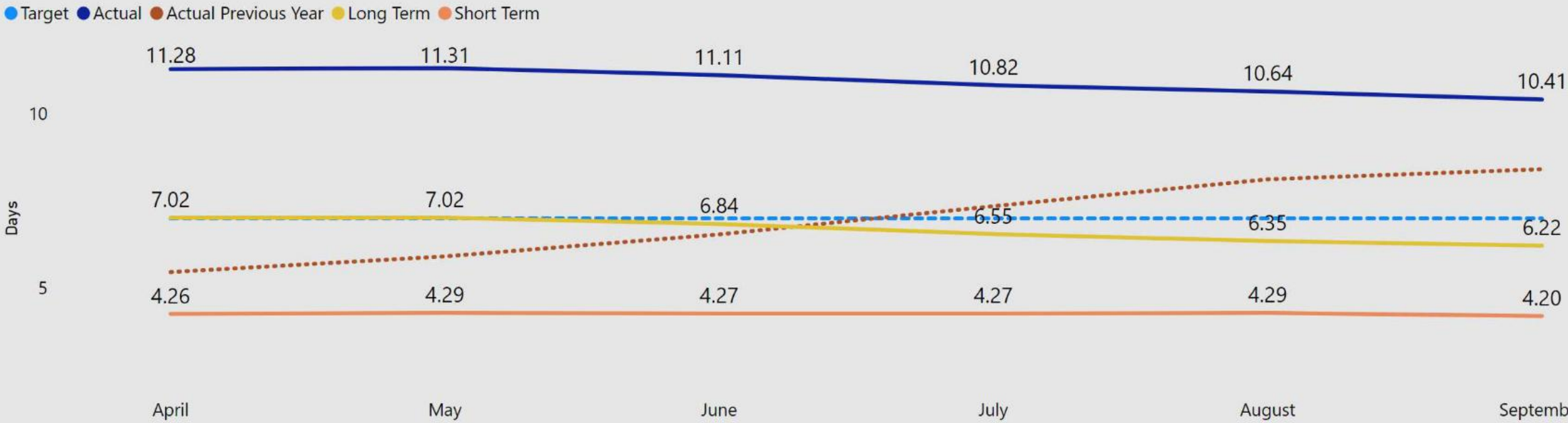
Supporting Narrative

The business rates team are now focused back on collection and compliance, following the impact of business grants work. Collection is in a very strong position and expected to exceed the target.

2023-2024 Target

Proposed Target to be reviewed early 2023

K1R3 Sickness Rates (Rolling Figures)



Actual against Target

10.41 !

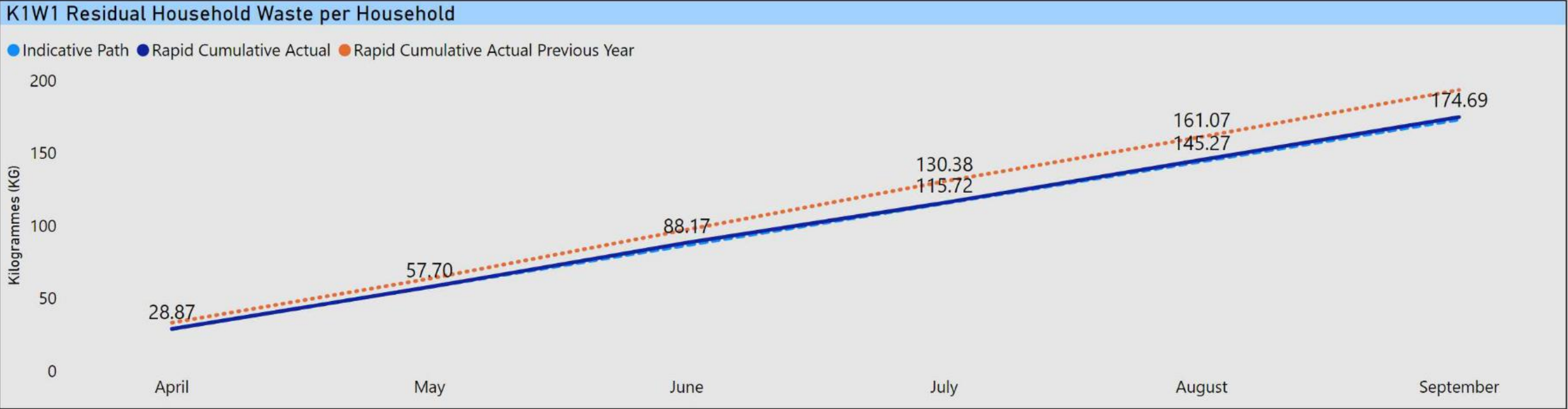
Target: 7
September

Supporting Narrative

The sickness rate is still higher than the KPI but we have seen the figures start to reduce during the second quarter. After peaking in May, following the Covid wave that caused a lot of sickness in the spring, the sickness rate has reduced for four consecutive months and is projected to reduce further during the rest of the year. This is due to a combination of a much lower level of sickness in the summer of 2022 compared to 2021 and the positive effects of the new Sickness Management Policy that was introduced at the start of 2022. This is seeing a reduction in long-term sickness as issues are identified and managed more quickly to support staff in getting back to work as early as possible.

2023-2024 Target

Proposed Target to
be reviewed early
2023



Actual against Target

174.69!

Indicative Path to date: 173.00
September

Supporting Narrative

There has been a significant change in the amount of waste being produced by residents showing a reduction from 193.36 Kg to 174.69 Kg per household at Period 6 versus the previous year, reflecting both the cost of living crisis, and our ongoing campaign to enforce the limit on collections to 3 black bags or 1 180 litre wheeled bin. We remain slightly behind target for the full year by 1.69 Kg at Period 6.

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2023-2024 Target

Proposed Target to be reviewed early 2023



Average against Target

52.42% !

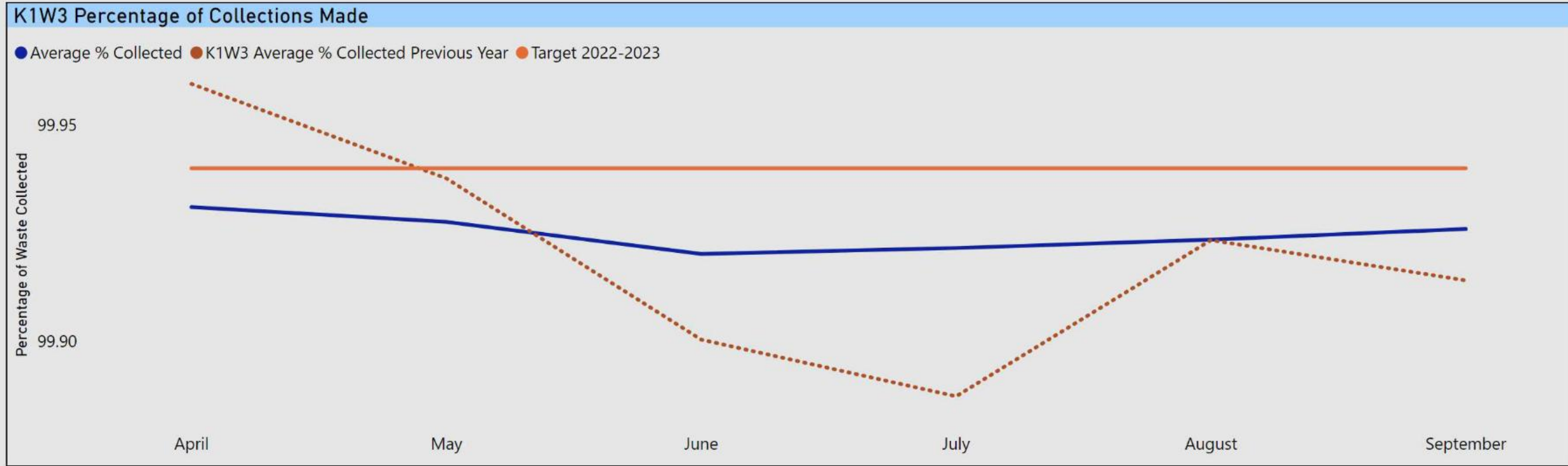
Target: 55%
September

Supporting Narrative

The K1W2 performance has been impacted by both the exceptionally dry weather in June, July and August reducing year on year Garden Waste volumes by 28.28%, and the impact of the cost of living crisis reducing consumption of both Dry Recycling (Paper, Plastics, Glass and Cans) which are down by 9.75% and lastly Food Waste which has reduced by 7.1%. At this stage last year, the comparable figure was 52.91% shown a decrease in relative performance of 0.49%. This year's target for recycling at 55% is an increase over last year's 53% target.

2023-2024 Target

Proposed Target to be reviewed early 2023



Average against Target	Supporting Narrative	2023-2024 Target
<div>99.9!</div> <div>Target: 99.9</div> <div>September</div>	<div>The K1W3 Performance at period 6 is marginally below full year target of 99.94% but is an improvement over the previous year's 99.92% at the same point. Significant investment has been made in behavioural change of the Recycling and Waste crews however the ongoing need for agency causes ongoing performance impact.</div> <div>Page 79 of 280</div>	<div>Proposed Target to be reviewed early 2023</div>

Other performance news

- **Awards and accreditations**

The highlights are summarised here and are also shown on www.colchester.gov.uk in the [achievements](#) section

Achieved April to September 2022 – half-year report	
Quest - UK quality scheme for sport and leisure	Colchester Sports Park is now a Quest Accredited Site , with the full report highlighting the facilities as “Very Good”. Quest is the Sport England recommended continuous improvement tool for leisure facilities and sports development teams, designed to measure how effective organisations are at providing customer service. It is the industry’s recognised barometer of success. October 2022
British Parking Awards	The North Essex Parking Partnership (NEPP) were finalists in five categories. The ‘ Rising Star ’ award went to Jake England, Group Operating Manager, Environment. This award shines a spotlight on the rising stars of parking, in recognition of the person “who has consistently made an outstanding contribution to their team and the wider parking sector”. October 2022
Park Mark awards and Park Mark Plus - British Parking Association (BPA)	All 20 Council-owned car parks across Colchester borough have retained national Park Mark awards for their safety, accessibility and quality management for the fourteenth consecutive year. Priory Street Car Park was only the second car park in the country to receive Park Mark Plus status in 2020, and it has now retained this elite award for the third consecutive year. The award recognises only the highest-quality car parks, and assesses a range of criteria, including services, operations, design and build. To qualify for the award, car parks must already have the BPA’s Park Mark award and meet the Disability Parking Accreditation criteria. August 2022
Fields in Trust - UK's favourite parks	Colchester Castle Park and High Woods Country Park were voted ‘East of England Local Favourites’. The public nominated 364 parks for UK's Favourite Parks 2022 and cast over 30,000 votes for local green spaces close to their hearts. Those parks finishing in the top 20% of the public vote achieved 'Local Favourite' status, reflecting the love shown for them by their local communities. August 2022
Working towards becoming a Dementia Friendly Community status	The Council has been recognised for its continuing efforts to raise awareness of dementia among staff and residents. CBC, a member of the Colchester Dementia Action Alliance (CDAA), has been accredited and awarded ‘ Working towards becoming a Dementia Friendly Community ’ status. August 2022

Green Flag Awards	Castle Park, High Woods Country Park and Colchester's Cemetery and Crematorium have received Green Flag Awards . Green Flags set a benchmark of standards for management and maintenance of publicly accessible urban and countryside parks, and they promote the community value of green spaces. As well as receiving its twentieth Green Flag award, Castle Park has also once again been awarded Green Heritage Site status, which recognises its work to promote its historic surroundings. July 2022
East of England RTPI 2022 – Head Planner of the Year	Karen Syrett, the Council's lead planning officer, was presented with the Head Planner of the Year award at the East of England RTPI awards and goes through to the national finals in November. The prestigious awards celebrate outstanding plans, projects and people that demonstrate the power of planning – highlighting exceptional examples of how planning and planners have a positive impact on people's quality of life in creating exceptional places and protecting the environment. July 2022
Colchester named England's most recycling conscious town	Food waste disposer supplier, InSinkErator, analysed the recycling habits of towns and cities across England, generating a 'recycling-conscious score'. Colchester also came out on top, with a recycling conscious score of 94%. June 2022
Kids in Museums	Colchester Castle was one of three venues shortlisted for ' Best Accessible Museum 2022 '. Hundreds of families across the country voted for their favourite heritage attraction. A panel of museum experts, children and young people then whittled down the nominations to this shortlist, saying "What set the venues on our shortlist apart was that they not only created an excellent visitor experience for families, but also showed a great commitment behind the scenes to respond to family feedback and improve access, especially for those who are not regular visitors". June 2022
Promoting Awareness of Civil Enforcement through Reporting (PACER) Awards	North Essex Parking Partnership won the 'best use of Design' category of the 2022 PATROL PACER Awards for their NEPP Parking Annual Report 2020-21 . The PACER awards are presented to the best parking and traffic management Annual Reports across seven categories. June 2022
LEXCEL	Legal Services have been re-accredited following the Lexcel standard's annual inspection, for the 22nd consecutive year. Lexcel is the Law Society's legal practice quality mark for excellence in legal practice management and excellence in client care. June 2022
Health and Wellbeing Awards – Colchester Gazette	Donna Hoy from Colchester Leisure World was awarded first place in the Personal Trainer category. The Activa Gym took third place in the Best Gym category. May 2022
GeoPlace Exemplar Awards	The Council has been awarded the ' Platinum Award for Address Data '. It recognises councils that have maintained Gold, which is the highest level of data quality, in all of the Annual Improvement Schedule criteria.

	<p>These awards recognise best practice and outstanding address data management by local authorities who have consistently maintained the highest level of data quality. Land, property, street and address information are used to connect different services across the Council – giving communities and individuals a ‘property-level view’ of the services available to them.</p> <p>May 2022</p>
Museums and Heritage awards	<p>Colchester + Ipswich Museums’ Power of Stories exhibition won the temporary or touring exhibition of the year. Why the judges chose this winner: <i>The judges were impressed by how brilliantly the Power of Stories connected with its community. They felt it was genuinely powerful and demonstrated a clear and lasting benefit. Delivered on a budget which only just took them into this category, this block buster was extremely good value as well as being both surprising and smart.</i> CIMS won the 2022 award when other finalists included the V&A, Natural History Museum and Blenheim Palace. May 2022</p>
EDIE Sustainability Leaders awards 2022	<p>The Council’s ‘CAREless pollution’ campaign was Highly Commended in the Consumer Engagement Campaign category. The campaign was established in 2020 to tackle poor air quality in Colchester. The aim is to encourage drivers to switch off their vehicle engines when stationary, cutting pollution by up to 30%. April 2022</p>
Councillor Development Charter	<p>This award recognises that the Colchester Borough Council has achieved best practice in the way it provides learning and development opportunities for its elected members (councillors). The Council was first awarded Charter Status in 2011 and was reaccredited in 2015, 2018 and 2022. The accreditation lasts for a period of three years, followed by a full reassessment.</p> <p>The Charter is recognition of the Council’s achievement of best practice in the way it provides learning and development opportunities for its elected members and also provides effective support to its elected members. This provides reassurance to current and potential members. It also provides a reassurance to residents that their elected representatives will be supported to enable them to undertake their roles and responsibilities effectively.</p> <p>To achieve Charter Status the Council had to demonstrate that it has met all of the following criteria:</p> <ul style="list-style-type: none"> a) There is a clear commitment to councillor development and support b) The Council has a strategic approach to councillor development c) Learning and development is effective in building skills and knowledge. <p>To meet these criteria, the Council demonstrates its commitment to supporting and developing councillors and how this is reflected in its policies and procedures. Key elements include an all-party member development group, a member development policy and strategy and formal methods of assessing member training needs.</p> <p>April 2022</p>

Other sources of performance data

Statistics and data – the [Council Data](#) section at colchester.gov.uk/council-data includes a range of our statistics, performance indicators, datasets and information.

Categories include [spending](#), [business rates](#), [democracy](#), [housing](#), [land](#), [parking](#), [planning and licensing](#), [recycling and waste](#), along with a broad range of [council information](#). Numerical data can be downloaded in csv format.

Pulling all this together in one place on our website helps customers, businesses, and other interested parties to easily find out information we hold. It also help us to maintain our publication obligations on open data and transparency.

Annual reports – the Council produces annual reports on its performance in various areas. These are brought into one place on the Council's website [here](#) for ease of reference, and to make it easier for the public to find which annual reports are available.

[Single Data List](#) -this is a list of all the datasets that local government must submit to central government. The list is reviewed and updated annually. Local authorities are not obliged to provide any data which is not on the list without extra funding.

13 December 2022

Report of	Chief Operating Officer	Author	Gary Reid ☎ 07874984922
Title	Half Year covering April to September 2022 Performance Report - 2020-2023 Strategic Plan Action Plan		
Wards affected	All wards		

1. Executive Summary

- 1.1 This report provides details of progress in delivering against the Council's Strategic Plan for 2020-2023 at half year of 2022-2023.

2. Action Required

- 2.1 To confirm satisfactory delivery against the Strategic Plan Action Plan and that the Council has made satisfactory progress in meeting its strategic goals.
- 2.2 Where any areas of concern are identified, to make recommendations to Cabinet so these can be considered when presented on 25 January.

3. Reason for Scrutiny

- 3.1 To ensure the Council has robust performance management of delivery against key strategic goals.

5. Background Information

- 5.1 The Council has agreed a new Strategic Plan covering 2020-2023. This report provides a review of progress against the Strategic Plan at the half year point 2022-2023.
- 5.2 Details of progress made in delivering against each aim is shown in the report at Appendix 1.

6. Equality, Diversity and Human Rights implications

- 6.1 Progress and improvement of these and many of the actions within the Strategic Plan Action Plan support our aims of improving both services and the lives of everyone in the borough. Where required, specific Equality Impact Assessments will exist for policies and activities rather than for individual performance indicators or actions. Progress on the Council's Equality Objectives are included within the Strategic Plan Action Plan Update.

7. Strategic Plan References

- 7.1 The Strategic Plan Action Plan demonstrates delivery of across all the current Strategic Plan priorities.

8. Consultation

- 8.1 The report's contents do not have any direct implications; however the Strategic Plan and priorities were agreed using the results of significant research and taking into account previous public consultations.

9. Publicity Considerations

- 9.1 The performance report contains progress in delivering key goals of the Strategic Plan Action Plan and it is important that residents and businesses are made aware of these. Many of the achievements will have been publicised during the year but the report and related information will also be published on the Performance and Improvement section of the Council's website.

10. Financial implications

- 10.1 All achievements detailed in the Strategic Plan Action Plan were delivered from within existing approved budgets and as such, there are no new financial implications associated with this report.

11. Health, Wellbeing and Community Safety Implications

- 11.1 There are actions within the Strategic Plan Action Plan which aim to improve community safety and as such this report provides progress updates in this area.

12. Health and Safety Implications

- 12.1 There are no direct health and safety implications associated with this report.

13. Risk Management Implications

13.1 There are no direct risk management implications associated with this report.

14. Environmental and Sustainability Implications

14.1 Tackling the Climate Challenge and leading sustainability is a key theme of the Strategic Plan and the report at appendix 1 provides details of the progress in delivering the associated goals.

Appendices

Appendix 1 – Strategic Plan Action Plan Half Year Report.

Better Colchester Strategic Plan Action Plan (SPAP) 2020 – 2023

Half Year Report covering April - September 2022

Themes:

- **Tackling the climate challenge and leading sustainability**
- **Creating safe, healthy, and active communities**
- **Delivering homes for people who need them**
- **Growing a better economy so everyone benefits**
- **Celebrating our heritage and culture**

Tackling the climate challenge and leading sustainability:

- Respond to the Climate Emergency
- Conserve and enhance biodiversity
- Enable more opportunity for walking and cycling around Colchester
- Strategic Priorities achievements and next steps

Respond to the Climate Emergency

- The Council agreed to develop a 17.5 Hectare Solar Park and Microgrid at the Northern Gateway and has completed RIBA stage 1 and 2 feasibility/viability work, now proceeding onto a planning application stage.
- The Council has completed the detailed design work for the Energy centre and Heat Network connections at the Northern Gateway ready to proceed to construction stage in 2023.
- The HVAC renewable heating system at Rowan House was successfully installed after the Climate Change Team secured £500k of Salix funding for this project to replace 30-year old gas boilers.

Respond to the Climate Emergency

- Work started on a new Carbon Management plan 2022-2027 and seven (7) properties are having detailed Decarbonisation Plans prepared that will be ready in November 2022; to understand further carbon reduction possibilities and costing for our assets.
- The Council's carbon emissions for financial year 2021/22 increased by 9.7% (525 tonnes of CO₂e) compared to 2020/21; however, 2020/21 was a year where operations were significantly impacted by Covid-19 (buildings shut for long periods and some operations stopped) so the 2021/22 emissions do reflect a 4.3% decrease compared to 2019/20 (pre pandemic).
- CAREless pollution 'No idling' campaign has produced a short film showcasing what local people are doing to tackle air pollution, worked with 22 schools and has promoted the campaign through sharing resources with businesses and the public and a range of media and events over the summer.
- Study 3 of the signage project testing psychological based messages in Brook St and Eastgates to encourage drivers to switch their engine off continued and finished in September. Results will be available at the end of October.
- Research has been undertaken with a number of logistics software companies to explore opportunities to develop the app for the new Defra funded eCargo Bike concierge service to be developed for the town centre for shoppers to have their shopping delivered home or to a locker in an outlying carpark leaving them free to spend more leisure time in town.

Conserve and enhance biodiversity

- The Colchester Woodland and Biodiversity Project will continue to develop in 22/23 by continuing to plant trees in suitable areas and by focusing on the naturalisation of sites, enhancing the biodiversity further, reviewing the management regimes and continue to communicate changes to our communities.
- To commemorate the Queen's Jubilee year, we delivered the Jubilee Tree Canopy Project in partnership with our local communities. We received requests for 22 Jubilee Oak Trees from Town and Parish Councils 11 of which have now been planted with a further 11 due to be planted during November 2022 when the planting season begins again.

Conserve and enhance biodiversity

- We delivered a Blossoms Circles programme, commemorating 2020 at King's Meadow. Around 124 volunteers helped plant the blossom circles. Four local poets were invited to write poems which are now displayed at the site, and the poetry reading event took place in April which was a huge success.
- We will shortly be planting 125 street trees in 16 different locations following a successful application to the Local Authority Tree Scape fund. These locations have been suggested by local Councillors.
- Now that the policy has been in place and we have extended it to other sites, a review is currently being undertaken on the impact and effectiveness, and recommendations or changes will be made as appropriate.
- Working in partnership with Wivenhoe Town Council, a total of 24 sites are now left longer incorporating the 'no mow, no sow' principle.
- Discussions have been held with Ward Members in Greenstead to explore possible Nature Recovery sites. Locations have been agreed at Magnolia Fields and Hickery Avenue to be left as wildflower sites. It is anticipated that more discussions will be held with other Town and Parish Councils and local Councillors to identify further sites across the Borough.

Enable more opportunity for walking and cycling around Colchester

- After the Sustainable Travel Team secured an unprecedented 4th consecutive round of Defra funding in 2021-22, we have submitted a 5th bid for an overarching project to combine the previous 4 projects targeting increased use of sustainable, healthier travel and cleaner air quality.
- The Council awarded a contract for the first E-Car Club which will open in Colchester in Autumn 2022 and provide a growing network of electric cars available for hire use over the coming years.
- The Council supported ECC and Tier in extending the E-Scooter trial until May 2024 with over 18,500 people now subscribed, and over 8,000 regularly active riders in Colchester, with over 300,000 miles travelled on scooters across more than 445,000 total rides now taken.

Enable more opportunity for walking and cycling around Colchester

- The Council has supported Tier in introducing E-Hire Bikes to supplement the E-Scooters and add choice for different demographics from Autumn/Winter 2022.
- “Fixing the Link” started the planned “Phase 2” projects with the replacement of the yellow flags from North Station to High Street, funded by Greater Anglia, ECC and CBC.
- The first Secure Cycle Parking Hub has progressed through final legal and fire safety checks, ready to open in Autumn/Winter 2022.
- Two shared pay a you go eCargo bike hubs are under development with the Council led Town Centre hub anticipated to be launched in Autumn 2022 and the Old Heath recreation ground hub in 2023. The scheme has been promoted over the summer at local events and over 200 residents have had a go on an eCargo Bike and given feedback.
- The Levelling Up Fund bid included a number of walking and cycling improvements and the Active Travel Fund 2 projects have been progressing ready to deliver the Local Cycling Walking Infrastructure Projects (LCWIP) with Essex County Council.
- The Council’s E-Cargo bikes project has collectively ridden over 25,000 miles to date saving approximately 7,710 tonnes of carbon compared to equivalent car journeys

Strategic Priorities achievements and next steps

- Continue to develop plans for tree planting along parts of the River Colne, as well as works to manage flooding from riverside lake near Castle Park.
- Completed workshops in collaboration with the University of Essex considering a participatory budgeting approach to the development of the Green & Blue Infrastructure Strategy, considering the River Colne. Present the findings from the workshops to Policy Panel as part of the strategy development.
- Continued with preparations of a new Castle Park Management Plan.
- Completed site safety measures to reduce the risk of unauthorised site incursions.
- Undertake consultation with key stakeholders on proposed plans at Cymbeline Meadow.

- **Creating safe, healthy and active communities:**
- Build on community strengths and assets
- Tackle the causes of inequality and support our most vulnerable people
- Provide opportunities for young people
- Strategic Priorities achievements and next steps

Build on community strengths and assets

- Embedding Communities Can with the system, partners and communities including training and awareness, learning from best practice, capacity building and outcomes focus, enabling an Asset Based Community Development Approach, funding is being sourced for a dedicated post to sit in C360.
- Continual review, promotion and support of Community Assets already in place to maximise their benefit to our residents including maximising the S106 development contributions available to support this, including mapping warm spaces for the cost of living support
- Collaborate and influence outcomes through the new Alliance Neighbourhood Model of working across NEE with all system partners.
- Work with Communities to maximise and deliver community infrastructure to mitigate the impacts of development (Community S106 programme).

Tackle the causes of inequality and support our most vulnerable people

- Improve the advice, support and signposting to grants to reduce the impact of increasing fuel prices and improve energy efficiency in homes
- Work to address the housing issues that exacerbate inequalities and impact on the most vulnerable, including supply, healthier homes, being able to remain in your home and tackling criminal landlords.

Tackle the causes of inequality and support our most vulnerable people

- Using NEE ICB funding to build capacity and improve outcomes which tackle inequalities across Colchester and Tendring
- Influence and work with partners to leverage external funding aimed at improving outcomes for those suffering from Domestic Violence & our Refugee and Asylum Seeker Communities.
- Programme of system support, advice, communications and signposting in place to assist resident with the cost of living crisis

Provide opportunities for young people

- Maximising the Youth facilities and Heart of Greenstead Town Deal projects funding with other monies to provide the best youth provision possible in Colchester.
- Using the Local Delivery Pilot to invest in projects to encourage physical activity in our young people.
- Working with the Alliance partners in the Start Well domain to ensure that all young people have the best possible start in life.

Strategic Priorities achievements and next steps

- Communities Can approach embedded across the System with well trained staff, supportive Members and a community led or co-produced approach that realises the potential and delivers tangible outcomes that reduce the inequalities faced by many.
- Maximising the value of significant investment made by the NEE ICB, aimed at reducing inequalities across Colchester.
- Implementing the newly agreed Cost of Living action plan to help residents through the current cost of living crisis, both short and long term.
- Programme of system support, advice, communications and signposting in place to assist resident with the cost of living crisis

Delivering homes for people who need them:

- Increase the number, quality and types of homes
- Prevent households from experiencing homelessness
- Create new communities and adopt a new Local Plan that delivers jobs, homes and the infrastructure to meet the borough's future needs
- Strategic Priorities achievements and next steps

Increase the number, quality, and types of homes

- The Strategic Plan target for 2020 to 2023 is to deliver 380 affordable homes (set pre Covid). Currently 267 homes have been delivered.
- From April – end of September 2022 a total of 41 new homes were delivered including 18 with Registered Providers via S106 agreements, 15 via 100 Homes & Acquisitions and 8 Council new build.
- Colchester's new Housing Strategy 2022-25 was developed by the Council and its partner organisations and adopted by Cabinet in July. The Strategy sets out our ambition for housing over the next 5 years including increasing the supply of affordable homes that are energy efficient.
- Military Road was completed, providing 8 new affordable homes owned by the Council and now occupied by tenants from the housing needs register.
- All 5 sites for the "Phase 3 Garage Sites" obtained planning permission to deliver more new Council-owned affordable homes in 2023.
- The tender of the contract to build Cross Cottages, a garage site I Boxted, was issued in order to progress into a construction phase for this site.
- The Council agreed to enter into 2 new "package deals" to acquire land with affordable homes, and is progressing the legal agreements on this new method of delivering affordable homes owned by the Council.
- The "Accessible Homes" Project was agreed, and initiated, to seek sites to deliver 10 new affordable homes specifically targeting and unmet need for fully adapted properties.

Prevent households from experiencing homelessness

- The Homelessness and Rough Sleeping Strategy Delivery Plan actions are due to be reviewed for 2022-23 and an updated Delivery Plan and Progress Report will be published.
- Between April and the end of September 2022, homelessness was prevented for 96 households and 43 households were assisted into accommodation under the relief duty.
- Between April and the end of September 2022, the Rough Sleeper Team provided support and assistance to 43 rough sleepers and accommodated 14, whilst 19 rough sleepers were reconnected.
- The Council secured £811,599 funding under the governments “Rough Sleeper Initiative” (RSI) for 3 years (2022-25), to continue to provide outreach, tenancy support and accommodation for rough sleepers or those at risk of sleeping rough.

Create new communities and adopt a new Local Plan that delivers jobs, homes and the infrastructure to meet the borough’s future needs

- New Local Plan adopted, which allocates sites for housing, employment and associated infrastructure.
- Review of S106 processes undertaken to ensure infrastructure is delivered in accordance with strategic priorities.
- Work progressed on Joint DPD for TCBGC and Joint Committees held.

Strategic Priorities achievements and next steps

- Local Plan adopted in July
- Produce Supplementary Planning Documents on Affordable Housing/Housing Standards and Specialist Housing as well as Climate Change and Sustainability and Active Travel SPD

- Submission of Joint DPD for TCBGC to provide a framework for the development of a new community.
- Work with the local community to review ecology evidence and secure a country park/nature reserve at Middlewick
- Undertake Infrastructure Audit

Growing a better economy so everyone benefits:

- Enable Economic Recovery from Covid-19 ensuring all residents benefit from growth
- Work with partners to deliver a shared vision for a vibrant town
- Create an environment that attracts inward investment to Colchester and help businesses to flourish
- Strategic Priorities achievements and next steps

Enable Economic Recovery from Covid-19 ensuring all residents benefit from growth

- Support and grants have been provided to businesses to support them through the pandemic. As well as providing direct grants, we have worked with partners in North Essex Economic Board to jointly fund business support using Government funding. This has included: Click it Local which provided a year-long pilot online shopping portal for independent local businesses, a suite of business advice services (Digital, Financial, Import/Export, Skills, A Net Zero Business Support Programme
- The support we have provided was recognised by the Local Government Chronicle with the Council shortlisted for a national award.
- We are working with partners on the North Essex Economic Board to provide specialist support to businesses including on cost reduction and decarbonising.

Work with partners to deliver a shared vision for a vibrant town

- Our bid for City Status was successful and we are engaging partners to agree how to capitalise on this
- Work with Essex County Council and partners to develop a Masterplan for the Town Centre is well underway with strong engagement with partners and stakeholders.
- We are working with the Business Improvement District to support businesses through their Leisure Recovery Strategy and on projects such as to install new gateway signage to promote use of local town centre retail.
- Government has approved all of our Town Deal business cases and so projects are mobilising to deliver improved public spaces, easier transport, better digital connection, and new community facilities.

Create an environment that attracts inward investment to Colchester and help businesses to flourish

- We have submitted a £20m bid to the Government's Levelling Up funding for the Town Centre.
- We have agreed an Investment Plan for our allocation of the Government's Shared Prosperity Fund and submitted it for approval.
- We are taking the new Economic Strategy through adoption and developing actions to deliver if priorities for supporting the Borough's economy and job creation, focus our Economic Development work, and respond to Strategies of partner agencies such as Essex County Council.
- We have an up-to-date Local Plan in place that allocates sufficient land and contains policies to encourage economic growth.
- We continue to approve of applications in line with policies to attract new businesses and allow existing firms to thrive.

Strategic Priorities achievements and next steps

- Town Deal Business Cases approved and projects mobilising.
- Masterplan work underway– engagement with stakeholders underway.

- Economic Strategy Delivery Plan will be agreed to ensure the priorities in the Strategy are achieved.

Celebrating our heritage and culture:

- Agree and implement a new Cultural Strategy that supports our cultural assets
- Strengthen Colchester's tourism sector and welcome more visitors each year
- Protect, enhance and celebrate Colchester's unique heritage
- Strategic Priorities achievements and next steps (Communities)

Agree and implement a new Cultural Strategy that supports our cultural assets

- Delivering on the priority action in the Cultural Strategy 'Build on existing sectoral and cross sector partnership working and collaboration' by funding sector body Creative Colchester to set up a Charitable Incorporated Organisation (CIO) and providing organisational capacity to build on this via a grant from the Shared Prosperity Fund (TBC).
- The Shared Prosperity Fund will also support three projects to be delivered by Creative Colchester; business support for the cultural sector and creative industries in Colchester; a new monthly cultural offer in the City Centre bridging the gap between the day and night economies and a project working with local schools to encourage young residents to pursue careers in our local cultural industries.
- Funding has been allocated for Year 2 of the Cultural and Creative Events Fund as per the recommendation in the Cultural Strategy to provide micro grants to arts, cultural and heritage activity.

Strengthen Colchester's tourism sector and welcome more visitors each year

- To help build back awareness of and confidence in Colchester with the group travel industry and mitigate costs and other issues which can deter groups from visiting; launch of coach and group tourism incentive scheme supported by targeted promotional campaign including free bookable town centre coach parking (previously pay and display and not reservable), refreshment/shopping vouchers for drivers/couriers, discounts to attractions.

Protect, enhance and celebrate Colchester's unique heritage

- Visitor numbers in the first half of 2022/23 have largely returned to pre-pandemic levels with income higher than 2019/20. Hollytrees Museum numbers remain down although investment is planned over the next 12 months.
- The recovery of the Castle has been aided by the delivery of the exhibition, 'Wicked Spirits' that sustained visitor numbers despite weather during the summer that would typically inhibit museum visits.
- School visits have also returned to pre-pandemic levels. Schools were the slowest audience to return so the resurgence of their visits has been significant.
- With the completion of a feasibility study and extensive consultation, the team is now identifying and preparing to secure funding for the redevelopment of the Natural History Museum.

Strategic Priorities achievements and next steps

- A Roman mosaic in Lion Walk, originally discovered in the 1980s was located by Colchester Archaeological Trust and a consultancy appointed to excavate and display it under glass and in situ – it is now anticipated to be completed in the summer of 2023 - later than planned due to the complexity of the project.

- In collaboration with the University of Durham, geophysical surveys have been conducted of 60 hectares of farmland to the west of Gosbecks Archaeological Park. The subsequent report provides much improved data for the area and will inform future university led research as well as future plans at the park itself.
- Following scheduled monument consent, the area around Duncan's Gate was cleared of vegetation by the Parks team, the Roman drain cleared of invasive plants and 3D scanned. This will protect the monument for years to come and provide a digital record.



Scrutiny Panel

Item
14

13 December 2022

Report of	Corporate and Improvement	Adam Wood, Samantha Preston & Paul Cook
Title	Local Council Tax Support Scheme 2023/24	
Wards affected	All wards	

1. Executive Summary

- 1.1 Local Council Tax Support (LCTS) is one of the largest financial support mechanisms for Colchester residents on a low income. The “Cost of Living” crisis continues to impact all residents, but overwhelmingly those who are on a low-income. To ensure low-income residents receive the financial support they require, we propose the maximum entitlement (80%) for working age claimants is increased within the LCTS scheme in 2023/24.

2. Action required

- 2.1 Increasing the maximum entitlement to 85% for working age claimants
- 2.2 Disregarding certain crisis payments paid to taxpayers (Local Welfare Provision)
- 2.3 Disregarding emergency increase in national welfare benefits

3. Reason for Scrutiny

- 3.1 To review and approve the proposed LCTS scheme for 2023/24

4. Background Information

4.1 What is Local Council Tax Support (LCTS)?

- LCTS is a means-tested Benefit that supports around 8,900 residents throughout Colchester. Around 5,500 of these residents are working age.
- LCTS for working age residents is a locally designed scheme which Colchester City Council (CCC) has full influence over. LCTS for pension age residents is set by Central Government using Prescribed Regulations – CCC has no influence over this scheme design.

4.2 Colchester City Council's Current Scheme

4.3 The scheme has remained the same since 2018. The key features of the working age scheme include:

- A maximum entitlement of 80% for low-income residents
- Capped at Band D equivalent
- A minimum entitlement of £2.00 per week
- Capital limit of £6,000
- A £12.00 flat-rate non-dependant deduction

4.4 Financial Considerations

4.5 The current cost of the LCTS scheme is £8.76m (June 2022). The cost of the scheme is shared between the preceptors as follows:

- Essex County Council – 73.52%
- Essex Police – 11.43%
- Colchester City Council – 11%
- Essex Fire and Rescue – 4.05%

As such, the scheme currently costs CCC £960k.

In 2023/24, we estimate a 5% increase in the cost of the scheme, this is in-line with an estimated 5% increase in chargeable Council Tax. This will increase the overall cost of the scheme to £9.2m in 2023/24.

4.6 Caseload

4.7 Between 2013 and 2020, LCTS caseload decreased year-on-year. Due to the pandemic, caseloads increased in 2021 but have now settled to pre-covid levels.

The current caseload is 8892 (June 2022) with 5500 of those cases being working age.

We anticipate caseloads to remain stable in 2023/24. The reason for this is due to the ongoing cost of living crisis.

In 2024/25, we estimate a decrease in caseload by 2%. This follows the trend of previous years (excluding 2021).

4.8 LCTS Expenditure vs. Chargeable Council Tax

- 4.9 When analysing the chargeable amount of Council Tax against the cost of LCTS from 2014. It is clear the cost of LCTS is not increasing in-line with the rate of chargeable Council Tax.

In 2014/15, LCTS expenditure was 7.6% of the chargeable Council Tax. For 2023/24, we estimate this to be 5.7%.

This means the cost of the LCTS scheme, in comparison with chargeable Council Tax, is decreasing.

5. Increasing the Maximum Entitlement

- 5.1 As explained above (5.3) the maximum entitlement for a working age resident is 80%. As per 2.0, we recommend the maximum entitlement is increased to help further support low-income residents.

5.2 Why increase the maximum entitlement?

- An increase in financial support for low-income residents to help combat the increases in cost of living
- By far the biggest lever in the scheme when it comes to varying entitlement for all working age claimants
- A straightforward change to the scheme which residents can understand
- Less likelihood of claimants falling into arrears with their Council Tax – may lead to improved recovery rates / less write-offs
- Less reliance on other sources of funding, in particular Discretionary / Exceptional Hardship Payments
- Simple implementation – no additional resource required

5.3 Other options – no changes to the scheme

- 5.4 The scheme for 2023/24 could remain static which may give residents some certainty but will not help combat the increases in cost of living. No public consultation would be required.

6. Equality, Diversity and Human Rights implications

- 6.1 An EIA has been completed in line with the policy/change being proposed to the Local Council Tax Support scheme for 2023/24.
- 6.2 A link to the completed EIA can be found here – <https://www.colchester.gov.uk/equality-and-diversity/equality-impact-assessments/local-council-tax-support-23-24/>

7. Standard References

- 7.1 There are no particular references to the community safety; health and safety or risk management implications.

8. Strategic Plan References

- 8.1 There are no references to the Strategic Plan, however, it is in line with cabinets new priorities regarding addressing the “cost of living” crisis.

9. Consultation

9.1 CCC carried out a 6-week public consultation, asking for feedback and comments on the proposed changes to the scheme for 2023/24.

9.2 Key findings from the public consultation:

1. Do you agree with increasing the maximum level of support for working age applicants to 85%? (111 responses)
 - Yes – 62.16%
 - No – 25.23%
 - Don't know – 12.61%
2. Do you agree with the scheme disregarding certain crisis payments paid to taxpayers (Local Welfare Provision)? (98 responses)
 - Yes – 76.53%
 - No – 17.35%
 - Don't know – 6.12%
3. Do you agree with the scheme disregarding emergency increases in national welfare benefits? (95 responses)
 - Yes – 78.95%
 - No – 15.79%
 - Don't know – 5.26%

9.3 For the full results of the consultation, see appendix item A.

10. Publicity Considerations

10.1 A communications plan would be key in publicising the proposed changes to the scheme for 2023/24. The CCC website and social media channels would be key methods of publicising the proposed changes to the LCTS scheme.

The use of phone-line messaging and direct mailings would also play a key role in promoting the new scheme.

11. Financial implications

11.1 Increasing the maximum entitlement of LCTS will raise the cost of the scheme. Based on current preceptor shares, CCC will be liable for 11% of any increased costs.

Increasing the maximum entitlement in 5% increments increases the overall cost of the scheme by £350k. This means CCC's share of the cost would increase by an estimated £40k for per 5% increase in the maximum entitlement.

Any increase in LCTS is likely to be offset by an increase in Council Tax.

Appendices

Item A – LCTS Public Consultation results



Colchester LCTS
Consultation Result

Item B – Draft LCTS Policy 2023/24



Colchester Draft
Policy 2023-24.pdf

Colchester Borough Council - Council Tax Reduction Scheme 2023/24 Consultation

1. Background to the Consultation

1. I have read the background information about the Council Tax Reduction Scheme: This question must be answered before you can continue.				
Answer Choices			Response Percent	Response Total
1	Yes	<div></div>	99.29%	139
2	No	<div></div>	0.71%	1
			answered	140
			skipped	0

2. Part 1 – Increasing the maximum level of support within the scheme for working age applicants

2. Do you agree with increasing the maximum level of support for working age applicants to 85%?				
Answer Choices			Response Percent	Response Total
1	Yes	<div></div>	62.16%	69
2	No	<div></div>	25.23%	28
3	Don't Know	<div></div>	12.61%	14
			answered	111
			skipped	29

3. If you disagree with increasing the maximum level of support, please explain why and what alternative would you propose?				
Answer Choices			Response Percent	Response Total
1	Open-Ended Question		100.00%	31
1	Extend the criteria to enable more people to get help.			
2	I think we help too much already & this can contribute to a reluctance in finding alternative ways to get back to work. Why should those at work pay more who are also struggling day to day.			
3	You would end up increasing council tax to people who are not covered by this but are still finding their bills increased and finding life difficult. A better way would be free car parking, black bin sacks free events in Castle Park etc as it would help a lot more people who are struggling.			
4	help more people instead			
5	People on low wages cannot manage these days without resource to help- food banks or official payments			

3. If you disagree with increasing the maximum level of support, please explain why and what alternative would you propose?

- | | |
|----|---|
| 6 | I think 80% (4/5th) is sufficient |
| 7 | give more to basic state persons 141 pounds a week is not enough |
| 8 | The cost could be better used elsewhere |
| 9 | Widen the help to more households - increase the income threshold |
| 10 | More and more money is being given to those who are on benefits. I have no issues supporting those who are unable to work through disability, but more should done to encourage those that don't work to seek work. By offering them even more support I dont see this would encourage them to seek work |
| 11 | I would support this assuming it is reasonable to expect that the savings in administative costs following the the other proposed changes will cover the majority of the increased costs incurred by this change. |
| 12 | Many households struggle even if they are not deemed to be on low income. I'd prefer that 5% to be distributed evenly or the brackets for help to be widened instead |
| 13 | I would like this increase to also apply to single person discount. |
| 14 | 80% is already too much. The alternative is to retain the services that council tax pays for rather than cut services to give more handouts. |
| 15 | What about thoses who work and never claim benefits |
| 16 | All benefits should be capped at a rate below the national minimum wage for a 40 hour working week, this is to ensure it is more beneficial to work than to claim benefits.
The alternative is to push people back into paid employment.
having worked all of my life and received no benefits i question why my neighbours can sponge off the state and enjoy having sky TV, mobile phones etc. without lifting a finger. |
| 17 | we cannot keep increasing benefits. They are supposed to be a stop gap until the claimants can return to work. If we continue to increase benefits in this manner there are no incentives for people to seek employment.
My alternative would be to reduce all benefits to a level where the total of all benefits is lower than the NMW for a 40 hour week. That way it will always be more beneficial to work, and will act as a deterrent for those who think benefits are a way of life. |
| 18 | people rely on benefits to much and think it is a way of life to sponge off of the state. The alternative is to reduce benefits to a level less than the national minimum wage for a full week (i.e. 40 hours) so any claimants benefits should total less than £17,000 per year. That way it would be more beneficial to work and pay income tax as they would be better off. |
| 19 | Support should be reduced, to help cut the cost of council tax to all residence. |
| 20 | The level of support should be reduced! My family and I all have to work hard to enjoy our lifestyle, and don't receive help or support. If the CTRS was reduced then all residence would enjoy the benefits as we would have to pay lets council tax.
Residents should not have to fund over £8M to subsidise others. |
| 21 | The rate of is CTRS already too high, and the council should be looking to reduce their costs, and those of the residence who have to pay full whack. |
| 22 | CTRS should be reduced not increased! the council cannot keep giving handout to residence.
If CTRS were to be reduced, it could mean a reduction in council taxes for all households, which in these tough times is more important. |
| 23 | The level of support should be reduced to encourage people into employment or better paid jobs. Then all savings should be passed on to all residence to decrease the amount they pay. |
| 24 | There are too many people relying on benefits, and the council should not be encouraging them by increasing what they can claim. if anything the council should be reducing benefits so that all residence can benefit from a reduction. |
| 25 | Why should these individuals get on average £1000 council tax benefit?
I propose that you cease all CTRS payments and reduce the council tax for all of the residence of Colchester. |
| 26 | Those who work deserve a discount however if people can work but do not then they should not be entitled to discount or assistance as it does not encourage them to go to work |

3. If you disagree with increasing the maximum level of support, please explain why and what alternative would you propose?						
27	<p>There are enough spongers around who receive far to much benefits as it is. (a recent newspaper report highlighted how a family received £84K a year in benefits).</p> <p>As a working person who has never had support, even when my wife was made redundant apparently I still earned to much for her to qualify for benefits.</p> <p>So no the council should not be increasing benefits it should be reducing it to ease the burden on all of us.</p>					
28	<p>i don't agree because the money i get from earning after tax to help other this not fair to me as i have to work a lot harder to pay</p> <p>The best way the council can help people who do not pay council tax or rent is to bring in a lever payment, so we all pay the same amount of rent and council tax</p>					
29	<p>To many people rely on benefits, and if anything the scheme should be scrapped. Save the money and either:-</p> <p>1. Reduce payments for all residence, or 2. Use the money on other projects that benefit all of the residence of Colchester.</p>					
30	<p>THE SCHEME STATED IS NOT TRANSPARENT OR CLEAR THEREFORE ONE WOULD BE MAKING AN EDUCATED GUESS ON THE ISSUE.</p> <p>THE MATHS ARE RELATIVELY SIMPLE IN THE CASE OF THE ISSUE.</p>					
31	<p>why when they can work and get off their back side</p>					
		<table border="1"> <tr> <td>answered</td> <td>31</td> </tr> <tr> <td>skipped</td> <td>109</td> </tr> </table>	answered	31	skipped	109
answered	31					
skipped	109					

4. Do you agree with this change to the scheme?				
Answer Choices			Response Percent	Response Total
1	Yes	<div><div></div></div>	76.53%	75
2	No	<div><div></div></div>	17.35%	17
3	Don't Know	<div><div></div></div>	6.12%	6
			answered	98
			skipped	42

5. If you disagree please explain why and what alternative would you propose?			
Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	16
1	You need to be helping everyone in these difficult times.		
2	Money should be spent on getting the unemployed back into work rather than giving money to those who are not interested in working		
3	why should the council disregard such payments? we should not be living in a spongers paradise.		



5. If you disagree please explain why and what alternative would you propose?

4	my family and i have worked full time from the time we all left school, we are not entitled to benefits, even though at times we may struggle. Why should we be expected to fund additional benefits for those who choose to sit on their backsides and do nothing.
5	I don't get additional payments, and i have to pay tax on all of my income, why should the council allow others to benefit from addition payments?
6	Why should residence get a reduction in their council tax, and still receive the same service as residence who have to pay 100%? If all residence pay 100% we can all pay less.
7	All income and benefits should be taken into account. I don't qualify for benefits as apparently i earn too much. Why is it that by doing the right thing and being employed means you get no help, whilst those who choose not to work get every handout possible? There needs to be a benefits cap that is positioned well below NMW so it encourages people into employment if they want to have "luxury goods" like mobile phones, huge TV, Sky or cars. Or make people work for the community for their benefits, like cleaning the streets, litter picking, maintaining hedgerows etc.
8	why should these individuals get additional help? i work, pay taxes and get nothing back!
9	Why should the council disregard any income a household receives? I have to pay tax and NI on all my income, and don't receive discounts etc. so why should other household be so entitled? The alternative is to reduce the CTRS inline with their full income.
10	as a full time working person i have to pay taxes and NI on all of my income, and receive no benefits, even in times of hardship like the fuel increase. So why should a chosen few be able to claim extra because the council failed to take into account their full income?
11	All income should be taken into account, so that benefits can be reduced. lessen the burden on the rest of the residence.
12	These individuals already receive too much benefits, and it should be cut.
13	Se previous answer. Cut benefits and use the money to provide better services for all residence or reduce the council tax for all residence.
14	Reduce or cancel the scheme benefits, Our council taxes should be the same for all residence, why should some pay for the services, whilst others don't?
15	THE SCHEME OR ITS INTENTION DOES NOT APPLY OR COUNT FOR PEOPLE OVER 60 WHO HAVE SAVINGS BUT NO INCOME ALSO THERE NEEDS TO BE CHANGE ON THE U CATEGORY RATED SEVERE MEDICAL IMPEDIMENT STATUS THESE PEOPLE SUCH AS MYSELF COULD AT LEAST BE CONTRIBUTING 10% OF THE CHARGE FROM BENEFITS. THIS MONEY RAISED COULD GO TOWARDS HELPING OTHERS OUTSIDE OF STIPULATION CATEGORIES.
16	their are jobs if we go back to the old ways ,,,industry must come back in

	answered	16
	skipped	124

4. Part 3 - Disregarding emergency increases in national welfare benefits

6. Do you agree with this change to the scheme?				
Answer Choices			Response Percent	Response Total
1	Yes	<div><div></div></div>	78.95%	75

6. Do you agree with this change to the scheme?				
2	No		15.79%	15
3	Don't Know		5.26%	5
			answered	95
			skipped	45

7. If you disagree please explain why and what alternative would you propose?				
Answer Choices			Response Percent	Response Total
1	Open-Ended Question		100.00%	16
1	The answer is the same as part 1 & 2.			
2	As long as time limited and less than 1 year			
3	see previous answers! why should people be better off on benefits?			
4	The total of all benefits should always be lower than the NMW for a 40 hour working week. These people cannot continue to expect society to keep paying for their standard of living if they are not prepared to get up and get a job.			
5	A persons full income should be used to calculate any benefit. We should be encouraging people off of benefits, and into employment.			
6	I have to pay tax and NI on all of my income, why should some residence benefit from the council ignoring all of their income?			
7	As previous answer			
8	again if i earned more i would pay more in tax, why should some additional payments be ignored? they are still a benefit and should be taken into consideration.			
9	It should not be a case of those who live off of benefits should keep receiving more benefits. It should be incentivised to encourage people off of benefits and into employment, so that they can pay their way in society.			
10	Again why should a chosen few have extra benefits? all incomes should be accounted for and benefits reduced accordingly.			
11	see previous answer.			
12	see previous answers			
13	Those on benefits receive discounts and assistance with things that those who work struggle to afford whilst living a normal life.			
14	The sum of money could be used on better projects within the town centre like promoting retail.			
15	Scrap the scheme, save the money and reduce the council tax for all residence.			
16	ANY DISREGARD IS HELPFUL AS LONG AS IT DOES NOT IMPAIR THE CLAIM OF OTHERS			
			answered	16
			skipped	124

5. Alternatives to changing the Council Tax Reduction Scheme

8. Please use this space to make any other comments on the proposed scheme.

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	23
1	<p>I am in favour of providing support to those on low incomes providing appropriate checks are in place. And please try to do more to support the "squeezed middle" too. Many of us do not qualify for financial assistance and are barely getting by. As a small business owner working from home I received no support during Covid and now struggling to keep a small business afloat in this time of economic downturn yet again there is no assistance available.</p> <p>Just because we are home owners in relatively affluent areas does not mean we are coping financially. A council tax reduction that could be applied outside of low income households or those receiving benefits would help.</p>		
2	How will it deliver more targeted support & to who . Can you give examples ?		
3	All households could do with extra help in these difficult times. Perhaps the council could make some cutbacks itself to enable helping more people to have a lower Council tax bill.		
4	Services have to be paid for and by increasing the level of financial relief albeit to the lowest income householders increases the burden for other low income holders who do not qualify for any relief or benefits. This isn't equitable. Council tax should be affordable for all		
5	Each case should be considered on all its individual merits rather than just handed out based on income		
6	why not make the scheme 100% for the most vulnerable due to limited income sources. This could include single people who are unable to work or looking for work. It would seem counterproductive to seek recovery of 15% of council tax liability from those receiving less than £90 per week in universal credit (single, no premium, out of work) Make the case that those in this cohort would not be able to pay 15% due to such limited income and the recovery for CBC would be in breach of any cost recovery exercise. Cost to CBC would be minimal, the cost of the uplift should be made public so the electorate would understand how negligible the impact would be to CBC. Remove the politics between CBC and ECC and simply support those that cannot pay - Councillor Cory make the case for 100%		
7	I have no comment to make except that from what I have read I agree with this scheme.		
8	As a low income household and someone who is on PIP would I benefit from this or is it just for ones who don't try and work		
9	None		
10	People should be forced out to work and seek employment, not have the council give them more benefits.		
11	the benefits system is broken and open to abuse. anybody claiming benefits needs to give something back to society. Why should us taxpayers pay for their mobile phones, cars big TV's etc.		
12	The council should be reducing the CTRS so as not to burden those of us who have to pay full council tax. I don't get any addition services from the council for my money. why should I pay more than others? why should they get any council services? Or should the receive less of a service as they get such a reduction?		
13	benefits were introduce as a way to ensure people didn't fall on hard time if the became unemployed. Now a lot of people see it as a way of life. This is wrong and everything possible should be done to encourage everyone into employment. there should be a cap on the amount of benefits received, and the length of time it is received. it should be reduced over a period of time to encourage employment, and not living on state handouts.		
14	more emphasis should be place on getting people into work rather than increasing their benefits.		
15	this already costs the council too much, and if CTRS were reduced this saving could be passed on to all households as a benefit.		
16	There needs to be a benefit cap so the total benefits anybody can receive is well below the annual NMW for a 40 hour week. Its the only way to encourage people to get off their arse and get a job.		
17	The council should be looking to reduce the burden of all residents, and not expect a majority to fund the minority.		

9. Please use the space below if you would like the Council to consider any other options (please state).

- | | |
|----|---|
| 14 | The option of stopping CTRS all together so we can all benefit from a reduction in council tax. |
| 15 | Those claiming benefits should have to provide something back to the community, in return for what they claim. |
| 16 | A moratorium period of 1 year to those who just moved out of student life would be beneficial since they don't earn enough to maintain any good form of lifestyle. I have seen my kids skipping meals and gym in order to save money to pay off food and other rental bills. |
| 17 | i would like the council to stop all benefits, and encourage people back into employment or to find better paid jobs. |
| 18 | A person's personal income should be taken into account. If you've got nowt in the bank, regardless of where you live, doesn't help you pay the council tax. |
| 19 | More assistance to those who work full time especially in public services who have had real terms pay cuts of up to 17% |
| 20 | The council needs to return to the scheme where low earners were completely exempt of a charge , especially in this current climate. |
| 21 | Cut the CTRS to zero, use the money for the benefit of all residence. |
| 22 | Encourage people back into employment. |
| 23 | THIS COUNCIL NEEDS TO ACCEPT HOUSING BENEFIT NEW CLAIMANTS WHO ARE STILL ON THE OLD ESA SYSTEM AND NOT ON THE UNIVERSAL CREDITS
MANY OF US DO NOT WANT TO GO ONTO UNIVERSAL CREDIT WE WOULD LOSE OUR STATUS SHOULD WE DO SO
THE COUNCIL NEED TO FIGHT FOR AN INCREASE IN THE BUDGET TO ALLOW CURRENT NON UNI CREDIT CASES TO APPLY FOR HOUSING BENEFIT THAT YOU ARE STILL PAYING OUT UNDER A DEFAULT SYSTEM TO EXISTING CLAIMANTS
THIS WOULD GIVE YOU MORE JOBS IN YOUR AGENCY AND MORE STATUS IN WHAT YOU ARE DOING
IT WORKS BOTH WAYS FOR ALL |

answered	23
skipped	117

10. If you have any further comments or questions to make regarding the Council Tax Reduction Scheme that you haven't had opportunity to raise elsewhere, please use the space below.

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	13
1	None		
2	I think it's highly commendable that you're asking opinions. Thank you		
3	I have recently been refused when applying for council tax reduction citing that I am not a full time registered student. But in my case I am 49 years old. In the past ten years of residing in Colchester I was never able to find a proper job and earn the national minimum wage due to child care and lack of chance for training. As long term unemployed, I am not qualified for any job seeker allowance. My husband is the scapegoat. He works day and night in hospitality industry. We paid all the taxes in the past ten years by living a restricted way of life to pay for mortgage and bringing up just one child. We are one vulnerable small family who knows no one else. No community support. We deal our own crisis. Now I got this chance to be enrolled in a government sponsored course for early year work force. It is registered as two year part time. But the tutor required us to finish theory in one year. We need to do at least two day work placement in a settings. I do not have any income for a year. The college gave a bursary to cover book travel and uniform as my net house income is lower than 27000. No one can afford to study in this economy. I wonder why council show no empathy to ordinary family like this. I feel I have a right to ask. I		

10. If you have any further comments or questions to make regarding the Council Tax Reduction Scheme that you haven't had opportunity to raise elsewhere, please use the space below.

	have paid my taxes. Yet in those difficult years when my child was small, when I lacked work experience, I was never able to find any support from local council. You have a duty to help long term unemployed mother to get back to work. I deserve rightfully the reduction to reduce household pressure in this difficult time when food price has gone up in a crazy way. For the years we suffered when school were closed. We are mothers not on any payroll. Yet I paid all my taxes for those three years!		
4	we live in a benefits driven society, which penalises those who work hard. that is all wrong, and people should not just look to handouts. the council should be reducing their costs not forcing those who choose to be employed to pay more.		
5	If anything the reduction scheme should be reducing the amount people can claim, to encourage them to work.		
6	If the council reduced CTRS rather than increase it they could use the additional funds on things that really matter.		
7	Why is there a need to increase this benefit? I don't see any benefit in the scheme for those residents who choose to work full time and pay their taxes etc. The council should treat all residence equally. If you reduce it for some then it should be reduced for all. Why should some of us be expected to fund £8M to cover this?		
8	It should be abolished.		
9	scrap the whole scheme and save us tax payers from the burden of those who chose to live on benefits.		
10	Use the money for the basics.....fill the potholes in.....pick the rubbish up.....we're supposed to be a city but we look like a third world nation in some parts.		
11	Well done for finding a simpler process and helping the most vulnerable		
12	Who in their right mind thinks this is OK? The council have absolutely no idea.		
13	THE LOG IN ADDRESS WAS WAY TOO LONG AND COULD HAVE DISENFRANCHISED OTHERS THE SYSTEM PROPOSED IS STILL VAGUE AND TOO LONG WINDED. IT WOULD HAVE BEEN BEST IN CLEAR MATH LANGUAGE TO SPELL OUT WHAT THE PROPOSALS WERE IE GIVEN A CLEAR CALCULATE EXAMPLE		
		answered	13
		skipped	127

6. About You

11. Are you completing this form on behalf of an organisation or group?



Answer Choices			Response Percent	Response Total
1	Yes	<div><div></div></div>	3.45%	3
2	No	<div><div></div></div>	96.55%	84
			answered	87
			skipped	53

If yes, please tell us the name of the organisation/group and add any other comments you wish to make.



Answer Choices		Response Percent	Response Total
1	Open-Ended Question	100.00%	2
1	We are a group of student who just completed studies and rented a place to find jobs in our field.		
2	PRIVATE DISABLED CLAIMANT. I AM THE RELATIVE CARER AND POWER OF ATTORNEY		
		answered	2
		skipped	138

7. Questions for Individuals



12. Do you live in the Colchester Borough Council area?

Answer Choices		Response Percent	Response Total
1	Yes 	92.86%	78
2	No 	7.14%	6
		answered	84
		skipped	56



13. Are you currently receiving Council Tax Reduction?

Answer Choices		Response Percent	Response Total
1	Yes 	25.00%	21
2	No 	75.00%	63
		answered	84
		skipped	56



14. Are you or your partner in work or self-employed?

Answer Choices		Response Percent	Response Total
1	Yes 	69.05%	58
2	No 	30.95%	26
		answered	84
		skipped	56





15. Are you liable to pay Council Tax?

Answer Choices			Response Percent	Response Total
1	Yes		98.80%	82
2	No		1.20%	1
			answered	83
			skipped	57





16. Are you currently serving in the Armed Forces?

Answer Choices			Response Percent	Response Total
1	Yes		1.19%	1
2	No		98.81%	83
			answered	84
			skipped	56





17. What is your gender?

Answer Choices			Response Percent	Response Total
1	Male		20.24%	17
2	Female		57.14%	48
3	Non-Binary		1.19%	1
4	Prefer not to say		21.43%	18
			answered	84
			skipped	56




18. What is your age?

Answer Choices			Response Percent	Response Total
1	18-24		5.95%	5
2	25-34		8.33%	7
3	35-44		19.05%	16
4	45-54		20.24%	17





18. What is your age?

5	55-64		13.10%	11
6	65-74		9.52%	8
7	75-84		2.38%	2
8	85+		0.00%	0
9	Prefer not to say		21.43%	18
			answered	84
			skipped	56



19. Disability: Are your day to day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?

Answer Choices			Response Percent	Response Total
1	Yes		15.48%	13
2	No		64.29%	54
3	Don't know		0.00%	0
4	Prefer not to say		20.24%	17
			answered	84
			skipped	56

20. Ethnic Origin: What is your ethnic group?

Answer Choices			Response Percent	Response Total
1	Prefer not to say		21.69%	18
2	White British		69.88%	58
3	White Irish		1.20%	1
4	White Gypsy or Irish Traveller		0.00%	0
5	Any other White background		3.61%	3
6	Mixed/Multiple ethnic groups - White & Black African		0.00%	0
7	Mixed/Multiple ethnic groups - White & Black Caribbean		0.00%	0
8	Mixed/Multiple ethnic groups - White & Asian		0.00%	0

20. Ethnic Origin: What is your ethnic group?

9	Any other multi mixed background		0.00%	0
10	Asian or Asian British Pakistani		0.00%	0
11	Asian or Asian British Indian		0.00%	0
12	Asian or Asian British Bangladeshi		1.20%	1
13	Asian or Asian British Chinese		0.00%	0
14	Any other Asian background		2.41%	2
15	Black African		0.00%	0
16	British Caribbean		0.00%	0
17	Black British		0.00%	0
18	Any other Black background		0.00%	0
			answered	83
			skipped	57

21. Other ethnic group?

Answer Choices		Response Percent	Response Total
1	Open-Ended Question	0.00%	0
No answers found.			
		answered	0
		skipped	140



Colchester Borough Council
Council Tax Reduction Scheme Policy
S13A and Schedule 1a of the Local Government Finance Act 1992

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1.0 Introduction to the Council Tax Reduction Scheme

1.1 The following has been adopted by the Council and details the Council Tax Reduction scheme for the period 1st April 2023 until 31st March 2024.

1.2 This document details how the scheme will operate for both pension credit age and working age applicants and in accordance with Section 13A of the Local Government Finance Act 1992 specifies the classes of person who are to be entitled to a reduction under the scheme and is effective from 1st April 2023 for a period of one financial year.

1.3 The scheme in respect of pension age applicants is defined by Central Government within the following:

- Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;
- Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012;
- Council Tax Reduction Schemes (Transitional Provision) (England) Regulations 2013;
- Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013;
- Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016;
- The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021;
- The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022;
- The Council Tax (Demand Notices and Reduction Schemes) (England) (amendment) Regulations 2022;
- The Council Tax (Demand Notices and Reduction Schemes) (England) (amendment) Regulations 2023; and
- Local Government Finance Act 1992 (as amended by the Local Government Finance Act 2012).

The Council has **no** discretion in relation to the calculation of Council Tax Reduction in respect of the pension age scheme.

The scheme for pension age applicants – Central Government’s scheme as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012

1.4 There are three main classes under the prescribed pension credit age scheme, for each of which there are a number of qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction, such as a person subject to immigration control with limited leave to remain. The definition of a pension credit age person is a person who;

- a. has attained the qualifying age for state pension credit; and
- b. is not, or, if he has a partner, his partner is not;
 - i. a person on income support, on an income-based jobseeker’s allowance or on an income-related employment and support allowance; or
 - ii. a person with an award of universal credit

The three prescribed classes are as follows;

Class A: pensioners whose income is less than the applicable amount.

On any day Class A consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- c. who does not fall within a class of persons prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- d. whose income (if any) for the relevant week does not exceed his applicable amount calculated in accordance with paragraph 9 and Schedule 2 of the Local Government Finance Act 1992;
- e. not have capital savings above £16,000; and
- f. who has made an application for a reduction under the authority's scheme.

Class B: pensioners whose income is greater than the applicable amount.

On any day class B consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day; in respect of whom a maximum Council Tax Reduction amount can be calculated;
- c. who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- d. whose income for the relevant week is greater than his applicable amount calculated in accordance with paragraph 9 and Schedule 2 to the Local Government Finance Act 1992;
- e. in respect of whom amount A exceeds amount B where:
 - (i) amount A is the maximum Council Tax Reduction in respect of the day in the applicant's case; and
 - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant week and his applicable amount;
- g. not have capital savings above £16,000; and
- h. who has made an application for a reduction under the authority's scheme.

Class C: alternative maximum Council Tax Reduction

On any day class C consists of any person who is a pensioner:

- a. who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- b. who, subject to paragraph 5 of Schedule 1 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, is not absent from the dwelling throughout the day;
- c. in respect of whom a maximum Council Tax Reduction amount can be calculated;
- d. who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the 1992 Act and excluded from the authority's scheme;
- e. who has made an application for a reduction under the authority's scheme; and
- f. in relation to whom the condition below is met.

The condition referred to in sub-paragraph f. is that no other resident of the dwelling is liable to pay rent to the applicant in respect of the dwelling and there is an alternative maximum Council Tax Reduction in respect of the day in the case of that person which is derived from the income, or aggregate income, of one or more residents to whom this sub-paragraph applies.

The above applies to any other resident of the dwelling who:

- a. is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount;
- b. is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);

- c. is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and—
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- d. is not a person who, jointly with the applicant, falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
- e. is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Disregard of certain incomes

- 1.5 For those who have reached the qualifying age for state pension credit, the Council has resolved to enhance the government scheme (as defined by the Council Tax Reduction Scheme (Prescribed Requirements) (England) Regulations 2012 to disregard in full the following:
- a. a war disablement pension;
 - b. a war widow's pension or war widower's pension;
 - c. a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
 - d. a guaranteed income payment;
 - e. a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
 - f. a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
 - g. pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

The provisions outlined above, enhance the Central Government's scheme.

THE SCHEME FOR WORKING AGE APPLICANTS – THE COUNCIL'S LOCAL SCHEME

- 1.6 The adopted scheme for working age applicants is a means test, which compares income against an assessment of *applicable amounts* (unless otherwise stated). Full details of the working age scheme of the authority are contained within this document from section 2 onwards. The authority is required to specify a scheme for working age and therefore this scheme only applies to a person who;
- a. has not attained the qualifying age for state pension credit; or
 - b. has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance, on an income-related employment and support allowance or on universal credit.
- 1.7 The Council has resolved that there will be *two* classes of persons who will receive a reduction in line with adopted scheme. There will be *two* main classes prescribed for, for each of which there will be a number of qualifying criteria. In all cases individuals must not be of a prescribed class exempted from reduction as specified within section 7 of this scheme.

Class D

To obtain reduction the individual (or partner) must:

- a. have not attained the qualifying age for state pension credit¹; or
- b. he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or a person with an award of universal credit.
- c. be liable to pay council tax in respect of a dwelling in which he is solely or mainly resident;
- d. is not deemed to be absent from the dwelling;
- e. not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- f. be somebody in respect of whom a maximum Council Tax Reduction² amount can be calculated;
- g. not have capital savings above £6,000³;
- h. be a person in respect of whom a day in which s/he is liable to pay council tax falls within a week in respect of which the person's *income*⁴ is **less** than their *applicable amount*⁵ or the applicant or partner is in receipt of income support, jobseekers allowance (income based) or employment and support allowance (income related); and
- i. has made a valid application for reduction⁶.

Maximum Council Tax Reduction stated above is defined within section 57 of this scheme

Class E

To obtain reduction the individual (or partner) must:

- a. have not attained the qualifying age for state pension credit⁷; or
- b. he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or a person with an award of universal credit.
- c. has attained the qualifying age for state pension credit if he, and his partner, is a person on income support, on an income-based jobseeker's allowance or on an income-related employment and support allowance or in receipt of an award Universal Credit;
- d. be liable to pay council tax in respect of a dwelling in which they are solely or mainly resident;
- e. is not deemed to be absent from the dwelling;
- f. not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the Local Government Finance Act 1992 and excluded from the authority's scheme;
- g. be somebody in respect of whom a maximum Council Tax Reduction⁸ amount can be calculated;
- h. not have capital savings above £6,000⁹;
- i. be a person in respect of whom a day in which s/he is liable to pay council tax falls within a week in respect of which the person's *income*¹⁰ is **more** than their *applicable amount*¹¹;
- j. have made a valid application for reduction¹²;
- k. be a person in respect of whom amount A exceeds amount B where
 - (i) amount A is the maximum Council Tax Reduction in respect of the day in the applicant's case; and
 - (ii) amount B is 2 6/7 per cent of the difference between his income for the relevant

¹ Section 5 of this scheme

² Sections 57 to 63 of this scheme

³ Sections 33 to 42 and Schedule 5 of this scheme

⁴ Sections 15 to 32 and Schedules 3 and 4 of this scheme

⁵ Sections 12 to 14 and Schedule 1 of this scheme

⁶ Sections 68 to 74a of this scheme

⁷ Section 5 of this scheme

⁸ Sections 57 to 63 of this scheme

⁹ Sections 33 to 42 and Schedule 5 of this scheme

¹⁰ Sections 15 to 32 and Schedules 3 and 4 of this scheme

¹¹ Sections 12 to 14 and Schedule 1 of this scheme

¹² Sections 68 to 74a of this scheme

week and his applicable amount.

Maximum Council Tax Reduction stated above is defined within section 57 of this scheme

Council Tax Reduction Scheme

Details of support to be given for **working age applicants** for the financial year 2023/24

Sections 2- 8
Definitions and interpretation

2.0 Interpretation – an explanation of the terms used within this policy

2.1 In this policy–

‘the Act’ means the Social Security Contributions and Benefits Act 1992;

‘the Administration Act’ means the Social Security Administration Act 1992;

‘the 1973 Act’ means the Employment and Training Act 1973;

‘the 1992 Act’ means the Local Government Finance Act 1992;

‘the 2000 Act’ means the Electronic Communications Act 2000;

‘Abbeyfield Home’ means an establishment run by the Abbeyfield Society including all bodies corporate or incorporate which are affiliated to that Society;

‘adoption leave’ means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996;

‘an AFIP’ means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004;

‘applicable amount’ means the amount determined in accordance with schedule 1 of this scheme

‘applicant’ means a person who the authority designates as able to claim Council Tax Support – for the purposes of this policy all references are in the masculine gender but apply equally to male and female;

‘application’ means an application for a reduction under this scheme:

‘appropriate DWP office’ means an office of the Department for Work and Pensions dealing with state pension credit or office which is normally open to the public for the receipt of claims for income support, a jobseeker’s allowance or an employment and support allowance;

‘assessment period’ means such period as is prescribed in sections 19 to 21 over which income falls to be calculated;

‘attendance allowance’ means–

(a) an attendance allowance under Part 3 of the Act;

(b) an increase of disablement pension under section 104 or 105 of the Act;

(c) a payment under regulations made in exercise of the power conferred by paragraph 7(2)(b) of Part 2 of Schedule 8 to the Act;

(d) an increase of an allowance which is payable in respect of constant attendance under paragraph 4 of Part 1 of Schedule 8 to the Act;

(e) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or

(f) any payment based on need for attendance which is paid as part of a war disablement pension;

‘the authority’ means a billing authority in relation to whose area this scheme has effect by virtue of paragraph 4(6) of Schedule 1A to the 1992 Act;

‘Back to Work scheme(s)’ means any scheme defined within the Jobseekers (Back to Work Schemes) Act 2013 or Jobseeker’s Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;

‘basic rate’, where it relates to the rate of tax, has the same meaning as in the Income Tax Act 2007 (see section 989 of that Act).

‘the benefit Acts’ means the Act (SSBA) and the Jobseekers Act 1995 and the Welfare Reform Act 2007;

‘board and lodging accommodation’ means accommodation provided to a family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

‘care home’ has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of Article 10 of that Order;

‘the Caxton Foundation’ means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;

‘child’ means a person under the age of 16;

‘child benefit’ has the meaning given by section 141 of the SSCBA as amended by The Child Benefit (General), Child Tax Credit (Amendment) Regulations 2014 and The Child Benefit (General) (Amendment) Regulations 2015;

‘the Children Order’ means the Children (Northern Ireland) Order 1995;

‘child tax credit’ means a child tax credit under section 8 of the Tax Credits Act 2002;

‘the Children Order’ means the Children (Northern Ireland) Order 1995;

‘claim’ means a claim for council tax support;

‘close relative’ means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

‘concessionary payment’ means a payment made under arrangements made by the Secretary of State with the consent of the Treasury which is charged either to the National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit or tax credits under the benefit Acts or the Tax Credits Act are charged;

‘the Consequential Provisions Regulations’ means the Housing Benefit and Council tax support (Consequential Provisions) Regulations 2006;

‘contributory employment and support allowance’ means an allowance under Part 1 of the Welfare Reform Act 2007 as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012 that remove references to an income-related allowance and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from those provisions;

‘converted employment and support allowance’ means an employment and support allowance which is not income-related and to which a person is entitled as a result of a conversion decision within the meaning of the Employment and Support Allowance (Existing Awards) Regulations 2008;

‘council tax benefit’ means council tax benefit under Part 7 of the SSCBA;

‘council tax reduction scheme’ has the same meaning as **‘council tax support or reduction’**

‘council tax support (or reduction)’ means council tax reduction as defined by S13a Local Government Finance Act 1992 (as amended);

‘couple’ means;

- a. a man and a woman who are married to each other and are members of the same household;
- b. a man and a woman who are not married to each other but are living together as husband and wife;
- c. two people of the same sex who are not civil partners of each other but are living together as if they were civil partners,
and for the purposes of sub-paragraph (d) Two people of the same sex are to be treated as living together as if they were civil partners if, and only if, they would be treated as living together as husband and wife were they of opposite sexes. The above includes the Marriage (Same Sex Couples) Act 2013 and The Marriage (Same Sex Couples) Act 2013 (Commencement No. 3) Order 2014;

‘date of claim’ / ‘date of application’ means the date on which the claim is made, or treated as made, for the purposes of this policy

‘designated authority’ means any of the following;

the local authority; or a person providing services to, or authorised to exercise any function of, any such authority;

‘designated office’ means the office designated by the authority for the receipt of claims for council tax support;

- (a) by notice upon or with a form approved by it for the purpose of claiming council tax support; or
- (b) by reference upon or with such a form to some other document available from it and sent by electronic means or otherwise on application; or
- (c) by any combination of the provisions set out in sub-paragraphs (a) and (b) above;

‘disability living allowance’ means a disability living allowance under section 71 of the Act;

‘dwelling’ has the same meaning in section 3 or 72 of the 1992 Act;

‘earnings’ has the meaning prescribed in section 25 or, as the case may be, 27;

‘the Eileen Trust’ means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

‘electronic communication’ has the same meaning as in section 15(1) of the Electronic Communications Act 2000

‘employed earner’ is to be construed in accordance with section 2(1)(a) of the Act and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

‘Employment and Support Allowance Regulations’ means the Employment and Support Allowance Regulations 2008 and the Employment and Support Regulations 2013 as appropriate;

‘Employment and Support Allowance (Existing Awards) Regulations’ means the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) Regulations 2010;

‘the Employment, Skills and Enterprise Scheme’ means a scheme under section 17A (schemes for assisting persons to obtain employment; ‘work for your benefit’ schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to assist applicants to obtain employment, including self-employment, and which may include for any individual work-related activity (including work experience or job search);

‘employment zone’ means an area within Great Britain designated for the purposes of section 60 of the Welfare Reform and Pensions Act 1999 and an **‘employment zone programme’** means a programme established for such an area or areas designed to assist applicants for a jobseeker’s allowance to obtain sustainable employment;

‘employment zone contractor’ means a person who is undertaking the provision of facilities in respect of an employment zone programme on behalf of the Secretary of State for Work and Pensions;

‘enactment’ includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;

‘extended payment (or reduction)’ means a payment of council tax support payable pursuant to section 60;

‘extended payment (or reduction) period’ means the period for which an extended reduction is payable in accordance with section 60A or 61A of this policy;

‘extended payment or extended reduction (qualifying contributory benefits)’ means a payment of council tax support payable pursuant to section 61;

‘family’ has the meaning assigned to it by section 137(1) of the Act and Section 9 of this scheme;

‘the Fund’ means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by him on 24th April 1992 or, in Scotland, on 10th April 1992;

‘a guaranteed income payment’ means a payment made under article 15(1)(c) (injury benefits) or 29(1)(a) (death benefits) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011; **‘he, him, his’** also refers to the feminine within this policy

‘housing benefit’ means housing benefit under Part 7 of the Act; **‘the Housing Benefit Regulations’** means the Housing Benefit Regulations 2006;

‘Immigration and Asylum Act’ means the Immigration and Asylum Act 1999;

‘an income-based jobseeker’s allowance’ and **‘a joint-claim jobseeker’s allowance’** have the meanings given by section 1(4) of the Jobseekers Act 1995;

‘income-related employment and support allowance’ means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

‘Income Support Regulations’ means the Income Support (General) Regulations 1987(a);

‘independent hospital’–

(a) in England, means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;

(b) in Wales, has the meaning assigned to it by section 2 of the Care Standards Act 2000; and
(c) in Scotland means an independent health care service as defined by section 10F of the National Health Service (Scotland) Act 1978;

‘the Independent Living Fund (2006)’ means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

‘invalid carriage or other vehicle’ means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

‘Jobseekers Act’ means the Jobseekers Act 1995; **‘Jobseeker’s Allowance Regulations’** means the Jobseeker’s Allowance Regulations 1996 and Jobseeker’s Allowance Regulations 2013 as appropriate;

‘limited capability for work’ has the meaning given in section 1(4) of the Welfare Reform Act;

‘limited capability for work-related activity’ has the meaning given in section 2(5) of the Welfare Reform Act 2007;

‘the London Bombing Relief Charitable Fund’ means the company limited by guarantee (number 5505072), and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;

‘lone parent’ means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

‘the Macfarlane (Special Payments) Trust’ means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

‘the Macfarlane (Special Payments) (No.2) Trust’ means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia and other beneficiaries;

‘the Macfarlane Trust’ means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

‘main phase employment and support allowance’ means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007 except in Part 1 of Schedule 1;

‘the Mandatory Work Activity Scheme’ means a scheme within section 17A (schemes for assisting persons to obtain employment; ‘work for your benefit’ schemes etc.) of the Jobseekers Act 1995 known by that name and provided pursuant to arrangements made by the Secretary of State that is designed to provide work or work related activity for up to 30 hours per week over a period of four consecutive weeks with a view to assisting applicants to improve their prospect of obtaining employment;

‘maternity leave’ means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

‘member of a couple’ means a member of a married or unmarried couple;

‘MFET Limited’ means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

‘mobility supplement’ means a supplement to which paragraph 9 of Schedule 4 refers;

‘mover’ means a applicant who changes the dwelling in which the applicant is resident and in respect of which the applicant liable to pay council tax from a dwelling in the area of the appropriate authority to a dwelling in the area of the second authority;

‘net earnings’ means such earnings as are calculated in accordance with section 26;

‘net profit’ means such profit as is calculated in accordance with section 28;

‘the New Deal options’ means the employment programmes specified in regulation 75(1)(a)(ii)

of the Jobseeker's Allowance Regulations 1996 and the training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

'new dwelling' means, for the purposes of the definition of 'second authority' and sections 60C, and 61C the dwelling to which a applicant has moved, or is about to move, in which the applicant is or will be resident;

'non-dependant' has the meaning prescribed in section 3;

'non-dependant deduction' means a deduction that is to be made under section 58;

'occasional assistance' means any payment or provision made by a local authority, the Welsh Ministers or the Scottish Ministers for the purposes of:

(a) meeting, or helping to meet an immediate short-term need;

(i) arising out of an exceptional event or exceptional circumstances, or

(ii) that needs to be met to avoid a risk to the well-being of an individual, and

(b) enabling qualifying individuals to establish or maintain a settled home, and—

(i) 'local authority' has the meaning given by section 270(1) of the Local Government Act 1972 ;and

(ii) 'qualifying individuals' means individuals who have been, or without the assistance might otherwise be:

(aa) in prison, hospital, an establishment providing residential care or other institution, or

(bb) homeless or otherwise living an unsettled way of life; and 'local authority'

means a local authority in England within the meaning of the Local Government Act 1972;

'occupational pension' means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

'occupational pension scheme' has the same meaning as in section 1 of the Pension Schemes Act 1993 as amended by the Public Service Pension Act 2013;

'ordinary clothing or footwear' means clothing or footwear for normal daily use, but does not include school uniforms, or clothing or footwear used solely for sporting activities;

'partner' in relation to a person, means

(a) where that person is a member of a couple, the other member of that couple;

(b) subject to paragraph (c), where that person is polygamously married to two or more members of his household, any such member to whom he is married; or

(c) where that person is polygamously married and has an award of universal credit with the other party to the earliest marriage that still subsists, that other party to the earliest marriage;

'paternity leave' means a period of absence from work on leave by virtue of section 80A or 80B of the Employment Rights Act 1996;

'payment' includes part of a payment;

'pensionable age' has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995 as amended by the Public Services Pension Act 2013 and Pensions Act 2014;

'pension fund holder' means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers or scheme administrators, as the case may be, of the scheme concerned;

'pensioner' a person who has attained the age at which pension credit can be claimed;

'person affected' shall be construed as a person to whom the authority decides is affected by any decision made by the council;

'person on income support' means a person in receipt of income support;

'personal independence payment' has the meaning given by Part 4 of the Welfare Reform Act 2012 and the Social Security (Personal Independence Payments) 2013; **'person treated as not being in Great Britain'** has the meaning given by section 7;

'personal pension scheme' means—

a. a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993 as amended by the Public Service Pension Act 2013;

b. an annuity contractor trust scheme approved under section 20 or 21 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) of that Act which is treated as having become a registered pension scheme by virtue of

- paragraph 1(1)(f) of Schedule 36 of the Finance Act 2004;
- c. a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;
- ‘policy of life insurance’** means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;
- ‘polygamous marriage’** means a marriage to which section 133(1) of the Act refers namely;
- (a) a person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy; and
- (b) either party to the marriage has for the time being any spouse additional to the other party.
- ‘public authority’** includes any person certain of whose functions are functions of a public nature;
- ‘qualifying course’** means a qualifying course as defined for the purposes of Parts 2 and 4 of the Job Seeker’s Allowance Regulations 1996
- ‘qualifying age for state pension credit’** means (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002)–
- (a) in the case of a woman, pensionable age; or
- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;
- ‘qualifying contributory benefit’** means;
- (a) severe disablement allowance;
- (b) incapacity benefit;
- (c) contributory employment and support allowance;
- ‘qualifying income-related benefit’** means
- (a) income support;
- (b) income-based jobseeker’s allowance;
- (c) income-related employment and support allowance;
- ‘qualifying person’** means a person in respect of whom payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund;
- ‘reduction week’** means a period of seven consecutive days beginning with a Monday and ending with a Sunday;
- ‘relative’** means a close relative, grandparent, grandchild, uncle, aunt, nephew or niece;
- ‘relevant authority’** means an authority administering council tax support;
- ‘relevant week’** In relation to any particular day, means the week within which the day in question falls;
- ‘remunerative work’** has the meaning prescribed in section 6;
- ‘rent’** means ‘eligible rent’ to which regulation 12 of the Housing Benefit Regulations refers less any deductions in respect of non-dependants which fall to be made under regulation 74 (non-dependant deductions) of those Regulations;
- ‘resident’** has the meaning it has in Part 1 or 2 of the 1992 Act;
- ‘Scottish basic rate’** means the rate of income tax of that name calculated in accordance with section 6A of the Income Tax Act 2007;
- ‘Scottish taxpayer’** has the same meaning as in Chapter 2 of Part 4A of the Scotland Act 1998
- ‘second authority’** means the authority to which a mover is liable to make payments for the new dwelling;
- ‘self-employed earner’** is to be construed in accordance with section 2(1)(b) of the Act;
- ‘self-employment route’** means assistance in pursuing self-employed earner’s employment whilst participating in–
- a. an employment zone programme;
- b. a programme provided or other arrangements made pursuant to section 2 of the 1973 Act (functions of the Secretary of State) or section 2 of the Enterprise and New Towns (Scotland) Act 1990 (functions in relation to training for employment, etc.); or
- c. the Employment, Skills and Enterprise Scheme;

- d. a scheme prescribed in regulation 3 of the Jobseeker's Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;
- e. Back to Work scheme.

'Service User' references in this scheme to an applicant participating as a service user are to

- a. a person who is being consulted by or on behalf of—
 - (i) the Secretary of State in relation to any of the Secretary of State's functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973; or
 - (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person; or
- b. the carer of a person consulted as described in sub-paragraph (a) where the carer is not being consulted as described in that sub-paragraph;

'single applicant' means an applicant who neither has a partner nor is a lone parent;

'the Skipton Fund' means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme's provisions.

'special account' means an account as defined for the purposes of Chapter 4A of Part 8 of the Jobseeker's Allowance Regulations or Chapter 5 of Part 10 of the Employment and Support Allowance Regulations;

'sports award' means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc Act 1993 out of sums allocated to it for distribution under that section;

'the SSCBA' means the Social Security Contributions and Benefits Act 1992

'State Pension Credit Act' means the State Pension Credit Act 2002;

'student' has the meaning prescribed in section 43;

'subsistence allowance' means an allowance which an employment zone contractor has agreed to pay to a person who is participating in an employment zone programme;

'support or reduction week' means a period of 7 consecutive days commencing upon a Monday and ending on a Sunday;

'the Tax Credits Act' means the Tax Credits Act 2002;

'tax year' means a period beginning with 6th April in one year and ending with 5th April in the next;

'training allowance' means an allowance (whether by way of periodical grants or otherwise) payable—

- (a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise, the Young People's Learning Agency for England, the Chief Executive of Skills Funding or Welsh Ministers;
- (b) to a person for his maintenance or in respect of a member of his family; and
- (c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, the department or approved by the department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers.

It does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the 1973 Act or is training as a teacher;

'the Trusts' means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No. 2) Trust;

'Universal Credit' means any payment of Universal Credit payable under the Welfare Reform Act 2012, the Universal Credit Regulations 2013, The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013, Universal Credit (Miscellaneous Amendments) Regulations 2013 and the Universal Credit (Transitional Provisions) Regulations 2014;

'Up-rating Act' means the Welfare Benefit Up-rating Act 2013, the Welfare Benefits Up-rating Order 2014 and the Welfare Benefits Up-rating Order 2015;

‘voluntary organisation’ means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

‘war disablement pension’ means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;

‘war pension’ means a war disablement pension, a war widow’s pension or a war widower’s pension;

‘war widow’s pension’ means any pension or allowance payable to a woman as a widow under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

‘war widower’s pension’ means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

‘water charges’ means;

(a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,

(b) as respects Scotland, any water and sewerage charges established by Scottish Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002, in so far as such charges are in respect of the dwelling which a person occupies as his home;

‘week’ means a period of seven days beginning with a Monday;

‘Welfare Reform Act’ means the Welfare Reform Act 2007;

‘Working Tax Credit Regulations’ means the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 as amended¹³; and

‘young person’ has the meaning prescribed in section 9(1) and in section 142 of the SSCBA.

2.2 In this policy, references to an applicant occupying a dwelling or premises as his home shall be construed in accordance with regulation 7 of the Housing Benefit Regulations 2006.

2.3 In this policy, where an amount is to be rounded to the nearest penny, a fraction of a penny shall be disregarded if it is less than half a penny and shall otherwise be treated as a whole penny.

2.4 For the purpose of this policy, a person is on an income-based jobseeker’s allowance on any day in respect of which an income-based jobseeker’s allowance is payable to him and on any day;

(a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker’s allowance but where the allowance is not paid in accordance with regulation 27A of the Jobseeker’s Allowance Regulations or section 19 or 20A or regulations made under section 17A of the Jobseekers Act (circumstances in which a jobseeker’s allowance is not payable); or

(b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income-based jobseeker’s allowance is payable to him or would be payable to him but for regulation 27A of the Jobseeker’s Allowance Regulations or section 19 or 20A or regulations made under section 17A of that Act;

(c) in respect of which he is a member of a joint-claim couple for the purposes of the Jobseekers Act and no joint-claim jobseeker’s allowance is payable in respect of that couple as a consequence of either member of that couple being subject to sanctions for the purposes of section 20A of that Act;

(d) in respect of which an income-based jobseeker’s allowance or a joint-claim jobseeker’s allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).

2.4A For the purposes of this policy, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support

¹³ The Working Tax Credit (Entitlement and Maximum Rate) (Amendment) Regulations 2013; The Working Tax Credit (Entitlement and Maximum Rate) (Amendment) Regulations 2015

allowance is payable to him and on any day;

- (a) in respect of which he satisfies the conditions for entitlement to an income- related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act disqualification; or
- (b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act and which falls immediately before a day in respect of which an income- related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.

2.5 For the purposes of this policy, two persons shall be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.

2.6 In this policy, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).

3.0 Definition of non-dependant

3.1 In this policy, 'non-dependant' means any person, except someone to whom paragraph 3.2 applies, who normally resides with an applicant or with whom an applicant normally resides.

3.2 This paragraph applies to;

- a. any member of the applicant's family;
- b. if the applicant is polygamously married, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;
- c. a child or young person who is living with the applicant but who is not a member of his household by virtue of section 11(membership of the same household);
- d. subject to paragraph 3.3, any person who, with the applicant, is jointly and severally liable to pay council tax in respect of a dwelling for any day under sections 6, 7 or 75 of the 1992 Act (persons liable to pay council tax);
- e. subject to paragraph 3.3, any person who is liable to make payments on a commercial basis to the applicant or the applicant's partner in respect of the occupation of the dwelling;
- f. a person who lives with the applicant in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the applicant or his partner for the services provided by that person.

3.3 Excepting persons to whom paragraph 3.2 a) to c) and f) refer, a person to whom any of the following sub-paragraphs applies shall be a non-dependant–

- a. a person who resides with the person to whom he is liable to make payments in respect of the dwelling and either;
 - i. that person is a close relative of his or her partner; or
 - ii. the tenancy or other agreement between them is other than on a commercial basis;
- b. a person whose liability to make payments in respect of the dwelling appears to the authority to have been created to take advantage of the council tax support scheme except someone who was, for any period within the eight weeks prior to the creation of the agreement giving rise to the liability to make such payments, otherwise liable to make payments of rent in respect of the same dwelling;
- c. a person who becomes jointly and severally liable with the applicant for council tax in respect of a dwelling and who was, at any time during the period of eight weeks prior to his becoming so liable, a non-dependant of one or more of the other residents in that dwelling who are so liable for the tax, unless the authority is satisfied that the change giving rise to the new liability was not made to take advantage of the support scheme.

4.0 Requirement to provide a National Insurance Number¹⁴

4.1 No person shall be entitled to support unless the criteria below in 4.2 is satisfied in relation both to the person making the claim and to any other person in respect of whom he is claiming support.

4.2 This subsection is satisfied in relation to a person if–

- a. the claim for support is accompanied by;
 - i. a statement of the person’s national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - ii. information or evidence enabling the national insurance number that has been allocated to the person to be ascertained; or
- b. the person makes an application for a national insurance number to be allocated to him which is accompanied by information or evidence enabling such a number to be so allocated and the application for reduction is accompanied by evidence of the application and information to enable it to be allocated.

4.3 Paragraph 4.2 shall not apply–

- a. in the case of a child or young person in respect of whom council tax support is claimed;
- b. to a person who;
 - i. is a person in respect of whom a claim for council tax support is made;
 - ii. is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act;
 - iii. is a person from abroad for the purposes of this scheme; and
 - iv. has not previously been allocated a national insurance number.

5.0 Persons who have attained the qualifying age for state pension credit

5.1 This scheme applies to a person if:

- (i) he has not attained the qualifying age for state pension credit; or
- (ii) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is;
 - (a) a person on income support, on income-based jobseeker’s allowance or an income-related employment and support allowance; or
 - (b) a person with an award of universal credit.

6.0 Remunerative work

6.1 Subject to the following provisions of this section, a person shall be treated for the purposes of this scheme as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.

6.2 Subject to paragraph 6.3, in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard shall be had to the average of hours worked over;

- a. if there is a recognisable cycle of work, the period of one complete cycle (including, where the cycle involves periods in which the person does no work, those periods but disregarding any other absences);
- b. in any other case, the period of 5 weeks immediately prior to that date of claim, or such other length of time as may, in the particular case, enable the person’s weekly average hours of work to be determined more accurately,

6.3 Where, for the purposes of paragraph 6.2 a), a person’s recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods

¹⁴ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work shall be disregarded in establishing the average hours for which he is engaged in work.

- 6.4 Where no recognisable cycle has been established in respect of a person's work, regard shall be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.
- 6.5 A person shall be treated as engaged in remunerative work during any period for which he is absent from work referred to in paragraph 6.1 if the absence is either without good cause or by reason of a recognised customary or other holiday.
- 6.6 A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week shall be treated as not being in remunerative work in that week.
- 6.7 A person shall not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave or adoption leave, or is absent from work because he is ill (except for the purposes of satisfying the condition for child care disregard).
- 6.8 A person shall not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which;
- a. a sports award has been made, or is to be made, to him; and
 - b. no other payment is made or is expected to be made to him.

7.0 Persons treated as not being in Great Britain and Persons Subject to Immigration Control

Persons treated as not being in Great Britain

- 7.1 Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.
- 7.2 Except where a person falls within paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.
- 7.3 A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless the person has a right to reside in one of those places.
- 7.4 For the purposes of paragraph (3), a right to reside does not include a right, which exists by virtue of, or in accordance with—
- (a) regulation 13 of the EEA Regulations;
 - (aa) regulation 14 of the EEA Regulations, but only in a case where the right exists under that regulation because the person is—
 - (i) a jobseeker for the purpose of the definition of "qualified person" in regulation 6(1) of those Regulations, or
 - (ii) a family member (within the meaning of regulation 7 of those Regulations) of such a jobseeker;
 - (b) regulation 15A(1) of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph (5) of that regulation of the Treaty on the Functioning of the European Union (in a case where the right to reside arises because a British citizen would otherwise be deprived of the genuine enjoyment of their rights as a European Union citizen).

- 7.4A For the purposes of paragraph (3), a right to reside does not include a right which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971 by virtue of—
- (a) (Removed by the Council Tax Reductions Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021
 - (b) Appendix EU to the immigration rules made under section 3(2) of that Act;
 - (c) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or
 - (d) having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.
- 7.4B Paragraph (4A)(b) does not apply to a person who—
- (a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and
 - (b) would have a right to reside under the EEA Regulations if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (4)(a) or (b)
- 7.5 A person falls within this paragraph if the person is—
- (za) a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971⁽⁸⁾, where such leave is granted by virtue of—
 - (i) the Afghan Relocations and Assistance Policy; or
 - (ii) the previous scheme for locally employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme);
 - (zb) a person in Great Britain not coming within sub-paragraph (za) or (e)(iv) who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021
 - (a) a qualified person for the purposes of regulation 6 of the EEA Regulations as a worker or a self-employed person;
 - (b) a family member of a person referred to in sub-paragraph (a);
 - (c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;
 - (ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (4A)(b), provided that the relevant person of Northern Ireland falls within paragraph (5)(a), or would do so but for the fact that they are not an EEA national;
 - (cb) a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020;
 - (cc) a family member of a person referred to in sub-paragraph (cb), who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971
 - (d) a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967;
 - (e) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971¹⁵ where that leave is—
 - (i) discretionary leave to enter or remain in the United Kingdom,

¹⁵ As amended by the Immigration Act 2014 and the Immigration Act 2014 (Commencement No. 2) Order 2014

	<ul style="list-style-type: none"> (ii) leave to remain under the Destitution Domestic Violence concession which came into effect on 1st April 2012; (iii) leave deemed to have been granted by virtue of regulation 3 of the Displaced Persons (Temporary Protection) Regulations 2005; or (iv) granted under the Afghan Citizens Resettlement Scheme.
	<ul style="list-style-type: none"> (f) a person who has humanitarian protection granted under those rules; (g) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom; (h) in receipt of income support or on an income-related employment and support allowance; or (ha) in receipt of an income-based jobseeker's allowance and has a right to reside other than a right to reside falling within paragraph (4).
7.6	A person falls within this paragraph if the person is a Crown servant or member of Her Majesty's forces posted overseas.
7.7	A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.
7.8	<p>In this regulation—</p> <p>"claim for asylum" has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;</p> <p>"Crown servant" means a person holding an office or employment under the Crown;</p> <p>"EEA Regulations" means the Immigration (European Economic Area) Regulations 2006; and the Immigration (European Economic Area) (Amendment) (No. 2) Regulations 2014 and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020</p> <p>"EEA national" has the meaning given in regulation 2(1) of the EEA Regulations;</p> <p>"family member" has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) of the EEA Regulations does not apply for the purposes of paragraphs (4B) and (5)(ca);</p> <p>"relevant person of Northern Ireland" has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971; and</p> <p>"Her Majesty's forces" has the same meaning as in the Armed Forces Act 2006.</p>
Persons subject to immigration control	
7.9	Persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.
7.10	A person who is a national of a state which has ratified the European Convention on Social and Medical Assistance (done in Paris on 11th December 1953) or a state which has ratified the Council of Europe Social Charter (signed in Turin on 18th October 1961) and who is lawfully present in the United Kingdom is not a person subject to immigration control for the purpose of paragraph 7.9
7.11	"Person subject to immigration control" has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

7A.0 Transitional provision

7A.1 The above does not apply to a person who, on 31st March 2015—

- (a) is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A(2) of the Act; and
- (b) is entitled to an income-based jobseeker's allowance, until the first of the events in paragraph 7A.2 occurs.

7A.2 The events are—

- (a) the person makes a new application for a reduction under an authority's scheme established under section 13A(2) of the Act; or
- (b) the person ceases to be entitled to an income-based jobseeker's allowance.

7A.3 In this section "the Act" means the Local Government Finance Act 1992.

8.0 Temporary Absence (period of absence)

8.1 Where a person is absent from the dwelling throughout any day then no support shall be payable

8.2 A person shall not, in relation to any day, which falls within a period of temporary absence from that dwelling, be a prescribed person under paragraph 8.1.

8.3 In paragraph 8.2, a 'period of temporary absence' means—

- a. a period of absence within Great Britain not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation in Great Britain where and for so long as;
 - i. the person resides in that accommodation;
 - ii. the part of the dwelling in which he usually resided is not let or sub-let; and
 - iii. that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,

where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;

- b. a period of absence not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as;
 - i. the person intends to return to the dwelling;
 - ii. the part of the dwelling in which he usually resided is not let or sub-let; and
 - iii. that period is unlikely to exceed 13 weeks; and
- c. a period of absence within Great Britain not exceeding 52 weeks, beginning with the first whole day of absence, where and for so long as
 - i. the person intends to return to the dwelling;
 - ii. the part of the dwelling in which he usually resided is not let or sub-let;
 - iii. the person is a person to whom paragraph 8.4 applies; and
 - iv. the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period.

8.3A A person who is temporarily absent from a dwelling he occupies as his home and is absent outside Great Britain shall be treated as occupying that dwelling as his home whilst he is temporarily absent, for a period not exceeding 4 weeks beginning with the first day of that absence from Great Britain, provided that—

- (a) the person intends to return to occupy the dwelling as his home;
- (b) the part of the dwelling normally occupied by the person has not been let or, as the case may be, sub-let; and

(c) the period of absence is unlikely to exceed 4 weeks.

8.3B A person who is temporarily absent from a dwelling he occupies as his home and is absent outside of Great Britain as a member of the armed forces away on operations, a mariner or a continental shelf worker shall be treated as occupying that dwelling as his home whilst he is temporarily absent, for a period not exceeding 26 weeks beginning with the first day of that absence from Great Britain, provided that—

- (a) the person intends to return to occupy the dwelling as his home;
- (b) the part of the dwelling normally occupied by the person has not been let or, as the case may be, sub-let; and
- (c) the period of absence is unlikely to exceed 26 weeks.

8.3C This paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the temporary absence from Great Britain is in connection with the death of the—
 - (i) person's partner or a child or young person for whom he or his partner is responsible;
 - (ii) person's close relative;
 - (iii) close relative of the person's partner; or
 - (iv) close relative of a child or young person for whom the person or their partner is responsible;
- (c) the person intends to return to occupy the dwelling as his home; and
- (d) the part of the dwelling normally occupied by the person has not been let or, as the case may be, sub-let.

8.3D person to whom paragraph (8.3C) applies shall be treated as occupying a dwelling he is absent from as his home whilst he is temporarily absent for a period not exceeding 4 weeks beginning with the first day of that absence from Great Britain.

8.3E The period of absence in paragraph (8.3D) may be extended by up to 4 further weeks if the relevant authority considers it unreasonable to expect the person to return to Great Britain within the first 4 weeks

8.4 This paragraph applies to a person who is;

- a. detained in custody on remand pending trial or required, as a condition of bail, to reside;
 - i. in a dwelling, other than the dwelling referred to in paragraph 8.1, or
 - ii. in premises approved under section 13 of the Offender Management Act 2007, or, detained in custody pending sentence upon conviction;
- b. resident in a hospital or similar institution as a patient;
- c. undergoing, or his partner or his dependent child is undergoing, in Great Britain or elsewhere, medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;
- d. following, in Great Britain or elsewhere, a training course;
- e. undertaking medically approved care of a person residing in Great Britain or elsewhere;
- f. undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care of medical treatment;
- g. in Great Britain, receiving medically approved care provided in accommodation other than residential accommodation;
- h. a student;
- i. receiving care provided in residential accommodation other than a person to whom

- j. paragraph 8.3a) applies; or
- j. has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.

8.5 This paragraph applies to a person who is:

- a. detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983 (as amended by the Mental Health (Discrimination) Act 2013), or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995) or, in Northern Ireland, under Article 4 or 12 of the Mental Health (Northern Ireland) Order 1986; and
- b. on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952 or the Prisons (Scotland) Act 1989

8.6 Where paragraph 8.5 applies to a person, then, for any day when he is on temporary release—

- a. if such temporary release was immediately preceded by a period of temporary absence under paragraph 8.3 b) or c), he shall be treated, for the purposes of paragraph 8.1, as if he continues to be absent from the dwelling, despite any return to the dwelling;
- b. for the purposes of paragraph 8.4 a), he shall be treated as if he remains in detention;
- c. if he does not fall within sub-paragraph a), he is not considered to be a person who is liable to pay Council Tax in respect of a dwelling of which he is resident

8.7 In this section;

- ‘medically approved’ means certified by a medical practitioner;
- ‘continental shelf worker’ means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any activity mentioned in section 11(2) of the Petroleum Act 1998
- ‘designated area’ means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964 as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;

“mariner” means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel, where:

- a) the employment in that capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and
- b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage
- ‘patient’ means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution; ‘residential accommodation’ means accommodation which is provided;
 - a. in a care home;
 - b. in an independent hospital;
 - c. in an Abbeyfield Home; or
 - d. in an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;
- prescribed area” means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998

- ‘training course’ means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

Sections 9 - 11

The family for Council Tax Support purposes

9.0 Membership of a family

- 9.1 Within the support scheme adopted by the Council 'family' means;
- a married or unmarried couple;
 - married or unmarried couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person;
 - two people of the same sex who are civil partners of each other and are members of the same household (with or without children);
 - two people of the same sex who are not civil partners of each other but are living together as if they were civil partners (with or without children),
 - and for the purposes of sub-paragraph (d) two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex;
 - except in prescribed circumstances, a person who is not a member of a married or unmarried couple and a member of the same household for whom that person is responsible and who is a child or a young person;

For the purposes of the scheme a child is further defined as a 'child or young person'

A 'child' means a person under the age of 16 and a 'Young Person' is someone aged 16 or over but under 20 and who satisfies other conditions. These conditions are:

- they are aged 16, have left 'relevant education' or training, and 31 August following the sixteenth birthday has not yet been passed;
- they are aged 16 or 17, have left education or training, are registered for work, education or training, are not in remunerative work and are still within their 'extension period';
- they are on a course of full-time non-advanced education, or are doing 'approved training', and they began that education or training before reaching the age of 19;
- they have finished a course of full-time non-advanced education, but are enrolled on another such course (other than one provided as a result of their employment);
- they have left 'relevant education' or 'approved training' but have not yet passed their 'terminal date'.

- 9.2 Paragraph 9.1 the definition of child or young person shall not apply to a person who is;
- a. on income support ;
 - b. an income-based jobseeker's allowance or an income related employment and support allowance; or be entitled to an award of Universal Credit; or
 - c. a person to whom section 6 of the Children (Leaving Care) Act 2000 applies

- 9.3 The definition also includes a child or young person in respect of whom there is an entitlement to child benefit but only for the period that Child Benefit is payable

10.0 Circumstances in which a person is to be treated as responsible (or not responsible) for a child or young person.

- 10.1 Subject to the following paragraphs a person shall be treated as responsible for a child or young person who is normally living with him and this includes a child or young person to whom paragraph 9.3 applies

- 10.2 Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person shall be treated for the purposes of paragraph 9.1 as normally living with;
- a. the person who is receiving child benefit in respect of him; or
 - b. if there is no such person;
 - i. where only one claim for child benefit has been made in respect of him, the person who made that claim; or
 - ii. in any other case the person who has the primary responsibility for him.

10.3 For the purposes of this scheme a child or young person shall be the responsibility of only one person in any reduction week and any person other than the one treated as responsible for the child or young person under this section shall be treated as not so responsible.

11.0 Circumstances in which a child or young person is to be treated as being or not being a member of the household

11.1 Subject to paragraphs 11.2 and 11.3, the applicant and any partner and, where the applicant or his partner is treated as responsible by virtue of section 10 (circumstances in which a person is to be treated as responsible or not responsible for a child or young person) for a child or young person, that child or young person and any child of that child or young person, shall be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.

11.2 A child or young person shall not be treated as a member of the applicant's household where he is—

- a. placed with the applicant or his partner by a local authority under section 23(2)(a) of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act, or in Scotland boarded out with the applicant or his partner under a relevant enactment; or
- b. placed, or in Scotland boarded out, with the applicant or his partner prior to adoption; or
- c. placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009.

11.3 Subject to paragraph 11.4, paragraph 11.1 shall not apply to a child or young person who is not living with the applicant and he—

- a. is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or
- b. has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
- c. has been placed for adoption in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009; or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes).

11.4 The authority shall treat a child or young person to whom paragraph 11.3 a) applies as being a member of the applicant's household in any reduction week where;

- a. that child or young person lives with the applicant for part or all of that reduction week; and
- b. the authority considers that it is responsible to do so taking into account the nature and frequency of that child's or young person's visits.

11.5 In this paragraph 'relevant enactment' means the Army Act 1955, the Air Force Act 1955, the Naval Discipline Act 1957, the Matrimonial Proceedings (Children) Act 1958, the Social Work (Scotland) Act 1968, the Family Law Reform Act 1969, the Children and Young Persons Act 1969, the Matrimonial Causes Act 1973, the Children Act 1975, the Domestic Proceedings and Magistrates' Courts Act 1978, the Adoption and Children (Scotland) Act 1978, the Family Law Act 1986, the Children Act 1989, the Children (Scotland) Act 1995 and the Legal Aid, Sentencing and Punishment of Offenders Act 2012 as amended.

Sections 12 – 14 & Schedule 1

Applicable Amounts for Council Tax Support purposes

12.0 Applicable amounts

12.1 Subject to sections 13 and 14, an applicant's weekly applicable amount shall be aggregate of such of the following amounts as may apply in his case:

- a. an amount in respect of himself or, if he is a member of a couple, an amount in respect of both of them, determined in accordance with paragraph 1 as the case may be, of Schedule 1 of this scheme;
- b. an amount determined in accordance with paragraph 2 of Schedule 1 of this scheme in respect of any child or young person who is a member of his family;
- c. if he is a member of a family of which at least one member is a child or young person, an amount determined in accordance with paragraph 3 of Schedule 1 (family premium).
 - i) Sub paragraph (c) shall not apply to a person who, on 31st March 2017, is entitled to Council Tax Reduction and is:
 - a. a member of a family of which at least one member is a child or young person; or
 - b. a partner in a polygamous marriage, where he or she, or another partner of the polygamous marriage, is responsible for a child or young person who is a member of the same household.
 - (ii) (i) above does not apply if—
 - (a) sub-paragraph 12.1 c (i) (a) or (b) of that paragraph ceases to apply; or
 - (b) the person makes a new claim for Council Tax Reduction.
 - (iii) For the purpose of this section "child", "polygamous marriage" and "young person" have the same meaning as in section 2 of this scheme;
- d. the amount of any premiums which may be applicable to him, determined in accordance with paragraphs 4 to 16 of Schedule 1 of this document (premiums).
- e. the amount of either the
 - i. work-related activity component; or
 - ii. support component which may be applicable to him in accordance with paragraph 17 and 18 of Schedule 1 of this document (the components)
- f. the amount of any transitional addition which may be applicable to him in accordance with paragraph 19 to 20 of Schedule 1 of this scheme (transitional addition).

13.0 Polygamous marriages

13.1 Subject to section 14, where an applicant is a member of a polygamous marriage, his weekly applicable amount shall be the aggregate of such of the following amounts as may apply in his case:

- a. the amount applicable to him and one of his partners determined in accordance with paragraph 1 of Schedule 1 of this scheme as if he and that partner were a couple;
- b. an amount equal to the amount within paragraph 1 (3) (c) of Schedule 1 of this scheme in respect of each of his other partners;
- c. an amount determined in accordance with paragraph 2 of Schedule 1 of this scheme (applicable amounts) in respect of any child or young person for whom he or a partner of his is responsible and who is a member of the same household;
- d. if he is a member of a family of which at least one member is a child or young person, an amount determined in accordance with paragraph 3 of Schedule 1 (family premium)
 - i) Sub paragraph (d) shall not apply to a person who, on 31st March 2017, is entitled to Council Tax Reduction and is:
 - a. a member of a family of which at least one member is a child or young person; or
 - b. a partner in a polygamous marriage, where he or she, or another partner of the polygamous marriage, is responsible for a child or young person who is a member of the same household.
 - (i) above does not apply if—
 - (a) sub-paragraph 13.1 d (i) (a) or (b) of that paragraph ceases to apply; or

(b) the person makes a new claim for Council Tax Reduction.

(ii) For the purpose of this section “child”, “polygamous marriage” and “young person” have the same meaning as in section 2 of this scheme;

- e. the amount of any premiums which may be applicable to him determined in accordance with paragraphs 4 to 16 of Schedule 1 of this scheme (premiums).
- f. the amount of either the;
 - i. work-related activity component; or
 - ii. support component which may be applicable to him in accordance with paragraph 17 and 18 of Schedule 1 (the components).
- g. the amount of any transitional addition which may be applicable to him in accordance with paragraphs 19 and 20 of Schedule 1 of this scheme (transitional addition)

14.0 Applicable amount: persons who are not pensioners who have an award of universal credit

14.1 In determining the applicable amount for a week of an applicant—

- a. who has, or
- b. who (jointly with his partner) has,

an award of universal credit, the authority may use the calculation or estimate of the maximum amount of the applicant, or the applicant and his partner jointly (as the case may be), subject to the adjustment described in sub-paragraph (2)

Sections 15 – 32 & Schedules 3 & 4

Definition and the treatment of income for Council Tax Support purposes

15.0 Calculation of income and capital of members of applicant's family and of a polygamous marriage

- 15.1 The income and capital of:
- (a) an applicant; and
 - (b) any partner of that applicant,

is to be calculated in accordance with the following provisions.

- 15.2 The income and capital of any partner of the applicant is to be treated as income and capital of the applicant, and in this Part any reference to the applicant applies equally to any partner of that applicant.

- 15.3 Where an applicant or the partner of an applicant is married polygamously to two or more members of his household:
- (a) the applicant must be treated as possessing capital and income belonging to each such member; and
 - (b) the income and capital of that member is to be calculated in accordance with the following provisions of this Part in like manner as for the applicant.

15A.0 Calculation of income and capital: persons who have an award of universal credit

- 15A.1 In determining the income of an applicant
- a. who has, or
 - b. who (jointly with his partner) has,
- an award of universal credit the authority may if it feels appropriate, subject to the following provisions of this paragraph, use the calculation or estimate of the income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.

- 15A.2 The authority may adjust the amount referred to in sub-paragraph (1) to take account of
- (a) income consisting of the award of universal credit, determined in accordance with subparagraph (3);
 - (b) any sum to be disregarded under paragraphs of Schedule 3 to this scheme (sums to be disregarded in the calculation of earnings: persons who are not pensioners);
 - (c) any sum to be disregarded under paragraphs of Schedule 4 to this scheme (sums to be disregarded in the calculation of income other than earnings: persons who are not pensioners);
 - (d) section 16 (circumstances in which income and capital of non-dependant is to be treated as applicant's), if the authority determines that the provision applies in the applicant's case;
 - (e) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable).

- 15A.3 The amount for the award of universal credit is to be determined by multiplying the amount of the award by 12 and dividing the product by 52.

- 15A.4 sections 16 (income and capital of non-dependant to be treated as applicant's) and 52 and 53 (disregards from income) apply (so far as relevant) for the purpose of determining any adjustments, which fall to be made to the figure for income under sub-paragraph (2)

- 15A.5 In determining the capital of an applicant;
- (a) who has, or
 - (b) who (jointly with his partner) has,
- an award of universal credit, the authority may use the calculation or estimate of the capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining that award

16.0 Circumstances in which capital and income of non-dependant is to be treated as applicant's

16.1 Where it appears to the authority that a non-dependant and the applicant have entered into arrangements in order to take advantage of the council tax support scheme and the non-dependant has more capital and income than the applicant, that authority shall, except where the applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, treat the applicant as possessing capital and income belonging to that non-dependant, and, in such a case, shall disregard any capital and income which the applicant does possess.

16.2 Where an applicant is treated as possessing capital and income belonging to a non-dependant under paragraph 16.1 the capital and income of that non-dependant shall be calculated in accordance with the following provisions in like manner as for the applicant and any reference to the 'applicant' shall, except where the context otherwise requires, be construed for the purposes of this scheme as if it were a reference to that non-dependant.

17.0 Calculation of income on a weekly basis

17.1 For the purposes of this scheme and in line with regulation 34 of the Housing Benefit Regulations 2006 (disregard to changes in tax, contributions etc.), the income of an applicant shall be calculated on a weekly basis;

- a. by estimating the amount which is likely to be his average weekly income in accordance with this Section and in line with Sections 2, 3, 4 and 5 of Part 6 of the Housing Benefit Regulations 2006;
- b. by adding to that amount the weekly income calculated in line with regulation 52 of the Housing Benefit Regulations 2006 (calculation to tariff income from capital); and
- c. by then deducting any relevant child care charges to which section 18 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in paragraph 17.2 are met, from those earnings plus whichever credit specified in sub-paragraph (b) of that paragraph is appropriate, up to a maximum deduction in respect of the applicant's family of whichever of the sums specified in paragraph (3) applies in his case.

17.2 The conditions of this paragraph are that;

- a. the applicant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in paragraph (3) otherwise applies in his case; and
- b. that applicant or, if he is a member of a couple either the applicant or his partner, is in receipt of either working tax credit or child tax credit.

17.3 The maximum deduction to which paragraph 17.1 c) above refers shall be;

- a. where the applicant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week.
- b. where the applicant's family includes more than one child in respect of whom relevant child care charges are paid, £300.00 per week.

The amounts stated in this paragraph shall be amended in accordance with the Housing Benefit Regulations 2006 (as amended).

17.4 For the purposes of paragraph 17.1 'income' includes capital treated as income under section 31 (capital treated as income) and income, which an applicant is treated as possessing under section 32 (notional income).

18.0 Treatment of child care charges

18.1 This section applies where an applicant is incurring relevant child-care charges and;

- a. is a lone parent and is engaged in remunerative work;
- b. is a member of a couple both of whom are engaged in remunerative work; or
- c. is a member of a couple where one member is engaged in remunerative work and the other;

- i. is incapacitated;
- ii. is an in-patient in hospital; or
- iii. is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).

18.2 For the purposes of paragraph 18.1 and subject to paragraph 18.4, a person to whom paragraph 18.3 applies shall be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he—

- a. is paid statutory sick pay;
- b. is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the Act;
- c. is paid an employment and support allowance;
- d. is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support Regulations 1987; or
- e. is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

18.3 This paragraph applies to a person who was engaged in remunerative work immediately before

- a. the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or
- b. the first day of the period in respect of which earnings are credited, as the case may be.

18.4 In a case to which paragraph 18.2 d) or e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.

18.5 Relevant child care charges are those charges for care to which paragraphs 18.6 and 18.7 apply, and shall be calculated on a weekly basis in accordance with paragraph 18.10.

18.6 The charges are paid by the applicant for care, which is provided

- a. in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or
- b. in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.

18.7 The charges are paid for care, which is provided by one, or more of the care providers listed in paragraph 18.8 and are not paid—

- a. in respect of the child's compulsory education;
- b. by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with section 10 (circumstances in which a person is treated as responsible or not responsible for another); or
- c. in respect of care provided by a relative of the child wholly or mainly in the child's home.

18.8 The care to which paragraph 18.7 refers may be provided;

- a. out of school hours, by a school on school premises or by a local authority;
 - i. for children who are not disabled in respect of the period beginning on their eight birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or
 - ii. for children who are disabled in respect of the period beginning on their eight birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or
- b. by a child care provider approved in accordance with by the Tax Credit (New Category of Child Care Provider) Regulations 1999;
- c. by persons registered under Part 2 of the Children and Families (Wales) Measure 2010;

- or
- d. by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) order 2010; or
- e. by;
 - i. persons registered under section 59(1) of the Public Services Reform Scotland Act 2010;
 - or
 - ii. local authorities registered under section 8(1) of that Act, where the care provided is child minding or daycare within the meaning of that Act; or
- f. by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002 or
- g. by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or
- h. by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
- i. by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
- j. by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of 'childcare' for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or
- k. by a foster parent or kinship carer under the Fostering Services Regulations 2002, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering or kinship carer is looking after; or
- l. by a domiciliary care worker under the Domiciliary Care Agencies Regulations 2002 or the Domiciliary Care Agencies (Wales) Regulations 2004; or
- m. by a person who is not a relative of the child wholly or mainly in the child's home.

18.9 In paragraphs 18.6 and 18.8 a), 'the first Monday in September' means the Monday which first occurs in the month of September in any year.

18.10 Relevant child care charges shall be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.

18.11 For the purposes of paragraph 18.1 c) the other member of a couple is incapacitated where

- a. the applicant's applicable amount includes a disability premium on account of the other member's incapacity or the support component or the work- related activity component on account of his having limited capability for work
- b. the applicant's applicable amount would include a disability premium on account of the other member's incapacity but for that other member being treated as capable of work by virtue of a determination made in accordance with regulation made under section 171E of the Act;
- c. the applicant's applicable amount would include the support component or the work-related activity component on account of the other member having limited capability for work but for that other member being treated as not having limited capability for work by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008 or Employment and Support Regulations 2013;
- d. the applicant (within the meaning of this scheme) is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the Act (incapacity for

- work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days shall be treated as one continuous period;
- e. the applicant (within the meaning of this scheme) has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 20018 or Employment and Support Regulations 2013 for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
 - f. there is payable in respect of him one or more of the following pensions or allowances—
 - i. long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the Act;
 - ii. attendance allowance under section 64 of the Act;
 - iii. severe disablement allowance under section 68 of the Act;
 - iv. disability living allowance under section 71 of the Act;
 - v. personal independence payment under the Welfare Reform Act 2012;
 - vi. an AFIP;
 - vii. increase of disablement pension under section 104 of the Act;
 - viii. a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under head (ii), (iv) or (vii) above;
 - ix. main phase employment and support allowance;
 - g. a pension or allowance to which head (ii), (iv), (vi) or (viii) of sub-paragraph (f) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this section shall mean a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of social security (Hospital In-Patients) Regulations 2005.
 - h. an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;
 - i. paragraphs (f) or (g) would apply to him if the legislative provisions referred to in those sub-paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or
 - j. he has an invalid carriage or other vehicle provided to him by the Secretary of State under section 5(2)(a) of and Schedule 2 to the National Health Service Act 1977 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.

18.12 For the purposes of paragraph 18.11 once paragraph 18.11d) applies to the applicant, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that paragraph shall, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable, or is treated as remaining incapable, of work.

18.12A For the purposes of paragraph 18.11, once paragraph 18.11e) applies to the applicant, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter apply to him for so long as he has, or is treated as having, limited capability for work.

18.13 For the purposes of paragraphs 18.6 and 18.8 a), a person is disabled if he is a person—

- a. in respect of whom disability living allowance or personal independence payment is payable, or has ceased to be payable solely because he is a patient;

- b. who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or
- c. who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.

18.14 For the purposes of paragraph 18.1 a person on maternity leave, paternity leave or adoption leave shall be treated as if she is engaged in remunerative work for the period specified in paragraph 18.15 ('the relevant period') provided that—

- a. in the week before the period of maternity leave, paternity leave or adoption leave began she was in remunerative work;
- b. the applicant is incurring relevant child care charges within the meaning of paragraph 18.5; and
- c. she is entitled to either statutory maternity pay under section 164 of the Act, statutory paternity pay by virtue of section 171ZA or 171ZB of the Act statutory adoption pay by of section 171ZL of the Act, maternity allowance under section 35 of the Act or qualifying support.

18.15 For the purposes of paragraph 18.14 the relevant period shall begin on the day on which the person's maternity, paternity leave or adoption leave commences and shall end on—

- a. the date that leave ends;
- b. if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support, statutory maternity pay, statutory paternity pay or statutory adoption pay ends, the date that entitlement ends; or
- c. if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credits ends.

whichever shall occur first.

18.16 In paragraphs 18.14 and 18.15

- a. 'qualifying support' means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support Regulations 1987; and
- b. 'child care element' of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act (child care element) 2002.

18.17 In this section 'applicant' does not include an applicant;

- (a) who has, or
 - (b) who (jointly with his partner) has,
- an award of universal credit

19.0 Average weekly earnings of employed earners

19.1 Where an applicant's income consists of earnings from employment as an employed earner his average weekly earnings shall be estimated by reference to his earnings from that employment—

- a. over a period immediately preceding the reduction week in which the claim is made or treated as made and being a period of
 - i. 5 weeks, if he is paid weekly; or
 - ii. 2 months, if he is paid monthly; or
- b. whether or not sub-paragraph 19.1a i) or ii) applies, where an applicant's earnings fluctuate, over such other period preceding the reduction week in which the claim is made or treated as made as may, in any particular case, enable his average weekly earnings to be estimated more accurately.

- 19.2 Where the applicant has been in his employment for less than the period specified in paragraph 19.1 a)(i) or (ii)
- a. if he has received any earnings for the period that he has been in that employment and those earnings are likely to represent his average weekly earnings from that employment his average weekly earnings shall be estimated by reference to those earnings;
 - b. in any other case, the authority shall require the applicant's employer to furnish an estimate of the applicant's likely weekly earnings over such period as the authority may require and the applicant's average weekly earnings shall be estimated by reference to that estimate.
- 19.3 Where the amount of an applicant's earnings changes during an award the authority shall estimate his average weekly earnings by reference to his likely earnings from the employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period shall not in any case exceed 52 weeks.
- 19.4 For the purposes of this section the applicant's earnings shall be calculated in accordance with sections 25 and 26
- 20.0 Average weekly earnings of self-employed earners**
- 20.1 Where an applicant's income consists of earnings from employment as a self-employed earner his average weekly earnings shall be estimated by reference to his earnings from that employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period shall not in any case exceed a year.
- 20.2 For the purposes of this section the applicant's earnings shall be calculated in accordance with section 27 to 29 of this scheme
- 21.0 Average weekly income other than earnings**
- 21.1 An applicant's income which does not consist of earnings shall, except where paragraph 18.2 applies, be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately but the length of the period shall not in any case exceed 52 weeks; and nothing in this paragraph shall authorise an authority to disregard any such income other than that specified in Schedule 4 of this scheme
- 21.2 The period over which any benefit under the benefit Acts is to be taken into account shall be the period in respect of which that support is payable.
- 21.3 For the purposes of this section income other than earnings shall be calculated in accordance with paragraphs 30 to 32 of this scheme
- 22.0 Calculation of average weekly income from tax credits**
- 22.1 This section applies where an applicant receives a tax credit.
- 22.2 Where this section applies, the period over which a tax credit is to be taken into account shall be the period set out in paragraph 22.3
- 22.3 Where the instalment in respect of which payment of a tax credit is made is;
- a. a daily instalment, the period is 1 day, being the day in respect of which the instalment is paid;
 - b. a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;
 - c. a two weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;

- d. a four weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.

22.4 For the purposes of this section 'tax credit' means child tax credit or working tax credit.

23.0 Calculation of weekly income

23.1 For the purposes of sections 19 (average weekly earnings of employed earners), 21 (average weekly income other than earnings) and 22 (calculation of average weekly income from tax credits), where the period in respect of which a payment is made;

- a. does not exceed a week, the weekly amount shall be the amount of that payment;
- b. exceeds a week, the weekly amount shall be determined—
 - i. in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - ii. in any other case, by dividing the amount of the payment by the number equal to the number of days in the period to which it relates and multiplying the product by 7.

23.2 For the purpose of section 20 (average weekly earnings of self-employed earners) the weekly amount of earnings of an applicant shall be determined by dividing his earnings over the assessment period by the number equal to the number of days in that period and multiplying the product by 7.

24.0 Disregard of changes in tax, contributions etc.

24.1 In calculating the applicant's income the appropriate authority may disregard any legislative change

- a. in the basic or other rates of income tax;
- b. in the amount of any personal tax relief;
- c. in the rates of national insurance contributions payable under the Act or in the lower earnings limit or upper earnings limit for Class 1 contributions under the Act, the lower or upper limits applicable to Class 4 contributions under the Act or the amount specified in section 11(4) of the Act (small profits threshold in relation to Class 2 contributions);
- d. in the amount of tax payable as a result of an increase in the weekly rate of Category A, B, C or D retirement pension or any addition thereto or any graduated pension payable under the Act;
- e. in the maximum rate of child tax credit or working tax credit,

for a period not exceeding 30 reduction weeks beginning with the reduction week immediately following the date from which the change is effective.

25.0 Earnings of employed earners

25.1 Subject to paragraph 25.2, 'earnings' means in the case of employment as an employed earner, any remuneration or profit derived from that employment and includes—

- a. any bonus or commission;
- b. any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;
- c. any payment in lieu of notice or any lump sum payment intended as compensation for the loss of employment but only in so far as it represents loss of income;
- d. any holiday pay except any payable more than 4 weeks after termination or interruption of the employment;
- e. any payment by way of a retainer;
- f. any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of—(i) travelling expenses incurred by the applicant between his home and his place of

	<p>employment;</p> <p>(ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;</p> <p>g. any award of compensation made under section 112(4) or 117(3)(a) of the Employment Rights Act 1996 (remedies and compensation for unfair dismissal);</p> <p>h. any payment or remuneration made under section 28, 34, 64, 68 or 70 of the Employment Rights Act 1996 (right to guarantee payments, remuneration on suspension on medical or maternity grounds, complaints to employment tribunals);</p> <p>i. any such sum as is referred to in section 112 of the Act (certain sums to be earnings for social security purposes);</p> <p>j. any statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, or a corresponding payment under any enactment having effect in Northern Ireland;</p> <p>k. any remuneration paid by or on behalf of an employer to the applicant who for the time being is on maternity leave, paternity leave or adoption leave or is absent from work because he is ill;</p> <p>l. the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001 as amended¹⁶.</p>
25.2	<p>Earnings shall not include—</p> <p>a. subject to paragraph 25.3, any payment in kind;</p> <p>b. any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of employment;</p> <p>c. any occupational pension</p> <p>d. any payment in respect of expenses arising out of an applicant participating as a service user.</p>
25.3	<p>Paragraph 25.2 a) shall not apply in respect of any non-cash voucher referred to in paragraph 25.1 m)</p>
26.0	<p>Calculation of net earnings of employed earners</p>
26.1	<p>For the purposes of section 19 (average weekly earnings of employed earners), the earnings of an applicant derived or likely to be derived from employment as an employed earner to be taken into account shall, subject to paragraph 26.2, be his net earnings.</p>
26.2	<p>There shall be disregarded from an applicant's net earnings, any sum, where applicable, specified in paragraphs 1 to 14 of Schedule 3.</p>
26.3	<p>For the purposes of paragraph 26.1 net earnings shall, except where paragraph 26.6 applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less;</p> <p>a. any amount deducted from those earnings by way of</p> <p>i) income tax;</p> <p>ii) primary Class 1 contributions under the Act;</p> <p>b. one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;</p> <p>c. one-half of the amount calculated in accordance with paragraph 26.5 in respect of any qualifying contribution payable by the applicant; and</p> <p>d. where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, any amount deducted for those earnings by way of any contributions which are payable under any enactment</p>
<p>¹⁶ Social Security (Contributions)(Amendment) Regulations 2013, Social Security (Contributions)(Amendment No.2) Regulations 2013 and Social Security (Contributions)(Amendment No.2) Regulations 2013</p>	
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having effect in Northern Ireland and which correspond to primary Class 1 contributions under the Act.

26.4 In this section 'qualifying contribution' means any sum which is payable periodically as a contribution towards a personal pension scheme.

26.5 The amount in respect of any qualifying contribution shall be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this section the daily amount of the qualifying contribution shall be determined—

- a. where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;
- b. in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.

26.6 Where the earnings of an applicant are estimated under sub-paragraph (b) of paragraph 2) of the section 19 (average weekly earnings of employment earners), his net earnings shall be calculated by taking into account those earnings over the assessment period, less—

- a. an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 257(1) of the Income and Corporation Taxes Act 1988(personal allowances) as is appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph shall be calculated on a pro rata basis;
- b. an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the Act in respect of those earnings if such contributions were payable; and
- c. one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme, if the earnings so estimated were actual earnings.

27.0 Earnings of self-employed earners

27.1 Subject to paragraph 27.2, 'earnings', in the case of employment as a self- employed earner, means the gross income of the employment plus any allowance paid under section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 to the applicant for the purpose of assisting him in carrying on his business unless at the date of claim the allowance has been terminated.

27.2 'Earnings' shall not include any payment to which paragraph 27 or 28 of Schedule 4 refers (payments in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority or voluntary organisation in respect of persons temporarily in the applicant's care) nor shall it include any sports award.

27.3 This paragraph applies to—

- a. royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trade mark; or
- b. any payment in respect of any—
 - (i) book registered under the Public Lending Right Scheme 1982; or
 - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982, where the applicant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book of work concerned.

27.4 Where the applicant's earnings consist of any items to which paragraph 27.3 applies, those earnings shall be taken into account over a period equal to such number of weeks as is equal to the number obtained (and any fraction is to be treated as a corresponding fraction of a week) by dividing the earnings by the amount of council tax support which would be payable had the payment not been made plus an amount equal to the total of the sums which would fall to be disregarded from the payment under Schedule 3 (sums to be disregarded in the calculation of earnings) as appropriate in the applicant's case.

28.0 Calculation of net profit of self-employed earners

28.1 For the purposes of section 20 (average weekly earnings of self-employed earners) the earnings of an applicant to be taken into account shall be

- a. in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;
- b. in the case of a self-employed earner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less—
 - i. an amount in respect of income tax and of national insurance contributions payable under the Act calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
 - ii. one-half of the amount calculated in accordance with paragraph (11) in respect of any qualifying premium.

28.2 There shall be disregarded from an applicant's net profit, any sum, where applicable, specified in paragraph 1 to 14 of Schedule 3.

28.3 For the purposes of paragraph 28.1 a) the net profit of the employment must, except where paragraph 28.9 applies, be calculated by taking into account the earnings for the employment over the assessment period less

- a. subject to paragraphs 28.5 to 28.7, any expenses wholly and exclusively incurred in that period for the purposes of that employment;
- b. an amount in respect of;
 - (i) income tax, and
 - (ii) national insurance contributions payable under the Act, calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
- c. one-half of the amount calculated in accordance with paragraph (28.11) in respect of any qualifying premium.

28.4 For the purposes of paragraph 28.1b) the net profit of the employment shall be calculated by taking into account the earnings of the employment over the assessment period less, subject to paragraphs 28.5 to 28.8, any expenses wholly and exclusively incurred in that period for the purposes of the employment.

28.5 Subject to paragraph 28.6 no deduction shall be made under paragraph 28.3 a) or 28.4, in respect of—

- a. any capital expenditure;
- b. the depreciation of any capital asset;
- c. any sum employed or intended to be employed in the setting up or expansion of the employment;
- d. any loss incurred before the beginning of the assessment period;
- e. the repayment of capital on any loan taken out for the purposes of the employment;
- f. any expenses incurred in providing business entertainment, and
- g. any debts, except bad debts proved to be such, but this sub-paragraph shall not apply to any expenses incurred in the recovery of a debt.

- 28.6 A deduction shall be made under paragraph 28.3 a) or 28.4 in respect of the repayment of capital on any loan used for–
- a. the replacement in the course of business of equipment or machinery; and
 - b. the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.
- 28.7 The authority shall refuse to make deduction in respect of any expenses under paragraph 28.3 a) or 28.4 where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.
- 28.8 For the avoidance of doubt–
- a. deduction shall not be made under paragraph 28.3 a) or 28.4 in respect of any sum unless it has been expended for the purposes of the business;
 - b. a deduction shall be made thereunder in respect of–
 - i. the excess of any value added tax paid over value added tax received in the assessment period;
 - ii. any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
 - iii. any payment of interest on a loan taken out for the purposes of the employment
- 28.9 Where an applicant is engaged in employment, as a child minder the net profit of the employment shall be one-third of the earnings of that employment, less an amount in respect of
- a. income tax; and
 - b. national insurance contributions payable under the Act, calculated in accordance with section 29 (deduction of tax and contributions for self-employed earners); and
 - c. one-half of the amount calculated in accordance with paragraph 28.1 in respect of any qualifying contribution
- 28.10 For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments shall not be offset against his earnings in any other of his employments.
- 28.11 The amount in respect of any qualifying premium shall be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this section the daily amount of the qualifying premium shall be determined
- a. where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and divided the product by 365;
 - b. in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.
- 28.12 In this section, ‘qualifying premium’ means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of claim.
- 29.0 Deduction of tax and contributions of self-employed earners**
- 29.1 The amount to be deducted in respect of income tax under section 28.1b) i), 28.3 b) i) or 28.9 a) i) (calculation of net profit of self-employed earners) shall be calculated on the basis of the amount of chargeable income and as if that income were assessable to income tax at the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under section 257(1) of the Income and Corporation Taxes Act 1988(personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax is to be applied

and the amount of the personal reliefs deductible under this paragraph shall be calculated on a pro rata basis.

29.2 The amount to be deducted in respect of national insurance contributions under paragraphs 28.1 1 b)(i); 28.3 b) ii) or 28.9 a shall be the total of—

- a. the amount of Class 2 contributions payable under section 11(1) or, as the case may be, 11(3) of the Act at the rate applicable to the assessment period except where the applicant's chargeable income is less than the amount specified in section 11(4) of the Act (small profits threshold) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year shall be reduced pro rata; and
- b. the amount of Class 4 contributions (if any) which would be payable under section 15 of the Act (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits shall be reduced pro rata.

29.3 In this section 'chargeable income' means—

- a. except where sub-paragraph (b) applies, the earnings derived from the employment less any expenses deducted under paragraph (28.3)(a) or, as the case may be, (28.4) of section 28;
- b. in the case of employment as a child minder, one-third of the earnings of that employment.

30.0 Calculation of income other than earnings

30.1 For the purposes of section 21 (average weekly income other than earnings), the income of an applicant which does not consist of earnings to be taken into account shall, subject to paragraphs 30.2 to 30.4, be his gross income and any capital treated as income under section 31 (capital treated as income).

30.2 There is to be disregarded from the calculation of an applicant's gross income under paragraph 30.1, any sum, where applicable, specified in Schedule 4.

30.3 Where the payment of any benefit under the benefit Acts is subject to any deduction by way of recovery the amount to be taken into account under paragraph 30.1 shall be the gross amount payable.

30.4 Where the applicant or, where he is a member of a couple, his partner is receiving a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008, the amount of that benefit to be taken into account is the amount as if it had not been reduced.

30.5 Where an award of any working tax credit or child tax credit under the Tax Credits Act 2002 is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under paragraph 30.1 shall be the amount of working tax credit or child tax credit awarded less the amount of that deduction.

30.6 In paragraph 30.5 'tax year' means a period beginning with 6th April in one year and ending with 5th April in the next.

30.7 Paragraph 30.8 and 30.9 apply where a relevant payment has been made to a person in an academic year; and that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.

- 30.8 Where a relevant payment is made quarterly, the amount of a relevant payment to be taken into account for the assessment period for the purposes of paragraph 30.1 in respect of a person to whom paragraph 30.7 applies, shall be calculated by applying the formula—

$$\frac{A - (B \times C)}{D}$$
Where
A = the total amount of the relevant payment which that person would have received had he remained a student until the last day of the academic term in which he abandoned, or was dismissed from, his course, less any deduction under paragraph 51.5
B = the number of reduction weeks from the reduction week immediately following that which includes the first day of that academic year to the reduction week which includes the day on which the person abandoned, or was dismissed from, his course;
C = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income under paragraph 51.2 had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to council tax support immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;
D = the number of reduction weeks in the assessment period.
- 30.9 Where a relevant payment is made by two or more instalments in a quarter, the amount of a relevant payment to be taken into account for the assessment period for the purposes of paragraph 30.1 in respect of a person to whom paragraph (30.8) applies, shall be calculated by applying the formula in paragraph 30.8 but as if—
A = the total amount of relevant payments which that person received, or would have received, from the first day of the academic year to the day the person abandoned the course, or was dismissed from it, less any deduction under paragraph 51.5
- 30.10 In this section— ‘academic year’ and ‘student loan’ shall have the same meanings as for the purposes of sections 43 to 45, ‘assessment period’ means—
- in a case where a relevant payment is made quarterly, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes the last day of the last quarter for which an instalment of the relevant payment was payable to that person;
 - in a case where the relevant payment is made by two or more instalments in a quarter, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes—
 - the day immediately before the day on which the next instalment of the relevant payment would have been due had the payments continued; or
 - the last day of the last quarter for which an instalment of the relevant payment was payable to that person.
- whichever of these dates is earlier
‘quarter’ in relation to an assessment period means a period in that year beginning on;
- 1st January and ending on 31st March;
 - 1st April and ending on 30th June;
 - 1st July and ending on 31st August; or
 - 1st September and ending on 31st December;
- ‘relevant payment’ means either a student loan or an amount intended for the maintenance of dependants referred to in paragraph 46.7 or both.
- 30.11 For the avoidance of doubt there shall be included as income to be taken into account under paragraph 30.1
- any payment to which paragraph 25.2 (payments not earnings) applies; or
 - in the case of an applicant who is receiving support under section 95 or 98 of the Immigration and Asylum Act 1999 including support provided by virtue of regulations made under Schedule 9 to that Act, the amount of such support provided in respect of

essential living needs of the applicant and his dependants (if any) as is specified in regulations made under paragraph 3 of Schedule 8 to the Immigration and Asylum Act 1999.

31.0 Capital treated as income

31.1 Any capital payable by instalments which are outstanding at the date on which the claim is made or treated as made, or, at the date of any subsequent revision or supersession, shall, if the aggregate of the instalments outstanding and the amount of the applicant's capital otherwise calculated in accordance with sections 33 to 42 of this scheme exceeds £16,000, be treated as income.

31.2 Any payment received under an annuity shall be treated as income.

31.3 Any earnings to the extent that they are not a payment of income shall be treated as income.

31.4 Any Career Development Loan paid pursuant to section 2 of the Employment and Training Act 1973 Act shall be treated as income.

31.5 Where an agreement or court order provides that payments shall be made to the applicant in consequence of any personal injury to the applicant and that such payments are to be made, wholly or partly, by way of periodic payments, any such periodic payments received by the applicant (but not a payment which is treated as capital), shall be treated as income.

32.0 Notional income

32.1 An applicant shall be treated as possessing income of which he has deprived himself for the purpose of securing entitlement of support or increasing the amount of that support.

32.2 Except in the case of—

- a. a discretionary trust;
- b. a trust derived from a payment made in consequence of a personal injury;
- c. a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund where the applicant has not attained the qualifying age for state pension credit;
- d. any sum to which paragraph 47(2)(a) of Schedule 5 (capital to be disregarded) applies which is administered in the way referred to in paragraph 47(1)(a);
- e. any sum to which paragraph 48(a) of Schedule 5 refers;
- f. rehabilitation allowance made under section 2 of the 1973 Act;
- g. child tax credit; or
- h. working tax credit,
- i. any sum to which paragraph 32.13 applies;

any income which would become available to the applicant upon application being made, but which has not been acquired by him, shall be treated as possessed by the applicant but only from the date on which it could be expected to be acquired were an application made.

32.3 – 32.5 Not used

32.6 Any payment of income, other than a payment of income specified in paragraph 32.7 made—

- a. to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under or by a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
- b. to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) shall, where it is not a payment referred

to in sub-paragraph a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;

- c. to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) shall be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.

32.7 Paragraph 32.6 shall not apply in respect of a payment of income made—

- a. under the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006);
- b. pursuant to section 19(1)(a) of the Coal Industry Act 1994 (concessionary coal);
- c. pursuant to section 2 of the 1973 Act in respect of a person's participation—
 - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations;
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
 - (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
 - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations or;
 - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
- d. in respect of a person's participation in the Work for Your Benefit Pilot Scheme
- e. in respect of a previous participation in the Mandatory Work Activity Scheme;
- f. in respect of an applicant's participation in the Employment, Skills and Enterprise Scheme;
- g. under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—
 - (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
 - (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and
 - (iii) the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

32.8 Where an applicant is in receipt of any benefit (other than council tax support) under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority shall treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority shall select to apply in its area, to the date on which the altered rate is to take effect.

32.9 Subject to paragraph 32.10, where—

- a. applicant performs a service for another person; and
- b. that person makes no payment of earnings or pays less than that paid for a comparable employment in the area, the authority shall treat the applicant as possessing such earnings (if any) as is reasonable for that employment unless the applicant satisfies the authority that the means of that person are insufficient for him to pay or to pay more for the service.

32.10 Paragraph 32.9 shall not apply—

- a. to an applicant who is engaged by a charitable or voluntary organisation or who is a volunteer if the authority is satisfied in any of those cases that it is reasonable for him to

- provide those services free of charge; or
- b. in a case where the service is performed in connection with—
 - (i) the applicant's participation in an employment or training programme in accordance with regulation 19(1)(q) of the Jobseeker's Allowance Regulations, other than where the service is performed in connection with the applicant's participation in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations or
 - (ii) the applicant's or the applicant's partner's participation in an employment or training programme as defined in regulation 19(3) of those Regulations for which a training allowance is not payable or, where such an allowance is payable, it is payable for the sole purpose of reimbursement of travelling or meal expenses to the person participating in that programme ; or
- c. to an applicant who is participating in a work placement approved by the Secretary of State (or a person providing services to the Secretary of State) before the placement starts.

32.10A In paragraph 32.10 (c) 'work placement' means practical work experience which is not undertaken in expectation of payment.

32.11 Where an applicant is treated as possessing any income under any of paragraph 32.1 to (32.8), the foregoing provisions of this scheme shall apply for the purposes of calculating the amount of that income as if a payment has actually been made and as if it were actual income which he does possess.

32.12 Where an applicant is treated as possessing any earnings under paragraph 32.9 the foregoing provisions of this scheme shall apply for the purposes of calculating the amount of those earnings as if a payment had actually been made and as if they were actual earnings which he does possess except that paragraph (3) of section 26 (calculation of net earnings of employed earners) shall not apply and his net earnings shall be calculated by taking into account those earnings which he is treated as possessing, less;

- a. an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the starting rate or, as the case may be, the starting rate and the basic rate or in the case of a Scottish taxpayer, the Scottish basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 257(1) of the Income and Corporation Taxes Act 1988 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the starting rate of tax is to be applied and the amount of the personal relief deductible under this sub-paragraph shall be calculated on a pro rate basis;
- b. an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the Act in respect of those earnings if such contributions were payable; and
- c. one-half of any sum payable by the applicant by way of a contribution towards an occupational or personal pension scheme.

32.13 Paragraphs (32.1), (32.2), (32.6) and (32.9) shall not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant's participation as a service user.

Sections 33 – 42 & Schedule 5

Definition and the treatment of capital for Council Tax Support purposes

33.0 Capital limit

- 33.1 For the purposes of this scheme, the prescribed amount is £6,000 and no support shall be granted when the applicant has an amount greater than this level

34.0 Calculation of capital

- 34.1 For the purposes of this scheme, the capital of an applicant to be taken into account shall, subject to paragraph (34.2), be the whole of his capital calculated in accordance with this scheme and any income treated as capital under section 36 (income treated as capital).
- 34.2 There shall be disregarded from the calculation of an applicant's capital under paragraph (34.1), any capital, where applicable, specified in Schedule 5.

35.0 Disregard of capital of child and young person

- 35.1 The capital of a child or young person who is a member of the applicant's family shall not be treated as capital of the applicant.

36.0 Income treated as capital

- 36.1 Any bounty derived from employment to which paragraph 8 of Schedule 3 applies and paid at intervals of at least one year shall be treated as capital.
- 36.2 Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E shall be treated as capital.
- 36.3 Any holiday pay which is not earnings under section 25(1)(d) (earnings of employed earners) shall be treated as capital.
- 36.4 Except any income derived from capital disregarded under paragraphs 1, 2, 4, 8, 14 or 25 to 28, 47 or 48 of Schedule 5, any income derived from capital shall be treated as capital but only from the date it is normally due to be credited to the applicant's account.
- 36.5 In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant's employer shall be treated as capital.
- 36.6 Any charitable or voluntary payment which is not made or due to be made at regular intervals, other than a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Independent Living Fund (2006), London Bombings Charitable Relief Fund, or the Windrush Compensation Scheme shall be treated as capital.
- 36.7 There shall be treated as capital the gross receipts of any commercial activity carried on by a person in respect of which assistance is received under the self-employment route, but only in so far as those receipts were payable into a special account during the period in which that person was receiving such assistance.
- 36.8 Any arrears of subsistence allowance which are paid to an applicant as a lump sum shall be treated as capital.
- 36.9 Any arrears of working tax credit or child tax credit shall be treated as capital.

37.0 Calculation of capital in the United Kingdom

- 37.1 Capital which an applicant possesses in the United Kingdom shall be calculated at its current market or surrender value less—
- a. where there would be expenses attributable to the sale, 10 per cent.; and

- b. the amount of any encumbrance secured on it;

38.0 Calculation of capital outside the United Kingdom

38.1 Capital which an applicant possesses in a country outside the United Kingdom shall be calculated

- a. in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value.
 - b. in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer,
- less, where there would be expenses attributable to sale, 10 per cent. and the amount of any encumbrances secured on it.

39.0 Notional capital

39.1 An applicant shall be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to council tax support or increasing the amount of that support except to the extent that that capital is reduced in accordance with section 40 (diminishing notional capital rule).

39.2 Except in the case of

- (a) a discretionary trust; or
- (b) a trust derived from a payment made in consequence of a personal injury; or
- (c) any loan which would be obtained only if secured against capital disregarded under Schedule 5; or
- (d) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund; or
- (e) any sum to which paragraph 47(2)(a) of Schedule 5 (capital to be disregarded) applies which is administered in the way referred to in paragraph 47(1)(a); or
- (f) any sum to which paragraph 48(a) of Schedule 5 refers; or
- (g) child tax credit; or
- (h) working tax credit,

any capital which would become available to the applicant upon application being made, but which has not been acquired by him, shall be treated as possessed by him but only from the date on which it could be expected to be acquired were an application made.

39.3 Any payment of capital, other than a payment of capital specified in paragraph (39.4), made

- (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) shall, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
- (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) shall, where it is not a payment referred to in sub-paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
- (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) shall be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.

39.4 Paragraph 39.3 shall not apply in respect of a payment of capital made:

- a. under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation, London Bombings Relief

	<p>Charitable Fund or the Windrush Compensation Scheme;</p> <p>b. pursuant to section 2 of the 1973 Act in respect of a person's participation:</p> <ul style="list-style-type: none"> i. in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations; ii. in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations; iii. in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations; iv. in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or v. in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations; <p>c. in respect of a person's participation in the Mandatory Work Activity Scheme;</p> <p>d. Enterprise Scheme;</p> <p>e. in respect of an applicant's participation in the Employment, Skills and Enterprise Scheme or Back to Work Scheme;</p> <p>f. under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—</p> <ul style="list-style-type: none"> i. a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980; ii. the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and iii. the person referred to in (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.
39.5	<p>Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case</p> <ul style="list-style-type: none"> (a) the value of his holding in that company shall, notwithstanding section 34 (calculation of capital) be disregarded; and (b) he shall, subject to paragraph 39.6, be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this Section shall apply for the purposes of calculating that amount as if it were actual capital which he does possess.
39.6	<p>For so long as the applicant undertakes activities in the course of the business of the company, the amount which, he is treated as possessing under paragraph 39.5 shall be disregarded.</p>
39.7	<p>Where an applicant is treated as possessing capital under any of paragraphs 39.1 to 39.2 the foregoing provisions of this Section shall apply for the purposes of calculating its amount as if it were actual capital, which he does possess.</p>
40.0	<p>Diminishing notional capital rule</p>
40.1	<p>Where an applicant is treated as possessing capital under section 39.1 (notional capital), the amount which he is treated as possessing;</p> <ul style="list-style-type: none"> (a) in the case of a week that is subsequent to <ul style="list-style-type: none"> (i) the relevant week in respect of which the conditions set out in paragraph 40.2 are satisfied; or (ii) a week which follows that relevant week and which satisfies those conditions, shall be reduced by an amount determined under paragraph 40.3; (b) in the case of a week in respect of which paragraph 40.1(a) does not apply but where <ul style="list-style-type: none"> (i) that week is a week subsequent to the relevant week; and (ii) that relevant week is a week in which the condition in paragraph 40.4 is satisfied, shall be reduced by the amount determined under paragraph 40.4.
40.2	<p>This paragraph applies to a reduction week or part-week where the applicant satisfies the conditions that</p>

- (a) he is in receipt of council tax support; and
 - (b) but for paragraph 39.1, he would have received an additional amount of council tax support in that week.
- 40.3 In a case to which paragraph 40.2 applies, the amount of the reduction for the purposes of paragraph 40.1(a) shall be equal to the aggregate of
- (a) the additional amount to which sub-paragraph 40.2 (b) refers;
 - (b) where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of that benefit to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 49(1) of the Housing Benefit Regulations 2006 (notional capital);
 - (c) where the applicant has also claimed income support, the amount of income support to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 51(1) of the Income Support Regulations (notional capital);
 - (d) where the applicant has also claimed a jobseeker's allowance, the amount of an income-based jobseeker's allowance to which he would have been entitled in respect of the whole or part of the reduction week to which paragraph 40.2 refers but for the application of regulation 113 of the Jobseeker's Allowance Regulations 1996 (notional capital) and
 - (e) where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the whole or part of reduction week to which paragraph 40.2 refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).
- 40.4 Subject to paragraph 40.5, for the purposes of paragraph 40.1(b) the condition is that the applicant would have been entitled to council tax support in the relevant week but for paragraph 39.1, and in such a case the amount of the reduction shall be equal to the aggregate of
- (a) the amount of council tax support to which the applicant would have been entitled in the relevant week but for paragraph 39.1; and for the purposes of this sub-paragraph is the amount is in respect of a part-week, that amount shall be determined by dividing the amount of council tax support to which he would have been so entitled by the number equal to the number of days in the part-week and multiplying the quotient so obtained by 7;
 - (b) if the applicant would, but for regulation 49(1) of the Housing Benefit Regulations, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the reduction week which includes the last day of the relevant week, the amount which is equal to—
 - (i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or
 - (ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled,
 and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of housing benefit to which he would have been so entitled by the number equal to that number of days in the part-week and multiplying the quotient so obtained by 7;
 - (c) if the applicant would, but for regulation 51(1) of the Income Support Regulations, have been entitled to income support in respect of the reduction week, within the meaning of regulation 2(1) of those Regulations, which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of the income support to which he would have been so entitled by the number equal to the number of days in the part- week and multiplying the quotient so obtained by 7

- (d) if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations, have been entitled to an income-based jobseeker's allowance in respect of the reduction week, within the meaning of this scheme, which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount shall be determined by dividing the amount of the income-based jobseeker's allowance to which he would have been so entitled by the number equal to the number of days in the part-week and multiplying the quotient so obtained by 7; and
- (e) if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations, have been entitled to an income-related employment and support allowance in respect of the reduction week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled and, for the purposes of this sub-paragraph, if the amount is in respect of a part-week, that amount must be determined by dividing the amount of the income-related employment and support allowance to which he would have been so entitled by the number equal to the number of days in that part-week and multiplying the quotient so obtained by 7.

40.5 The amount determined under paragraph 40.4 shall be re-determined under that paragraph if the applicant makes a further claim for council tax support and the conditions in paragraph 40.6 are satisfied, and in such a case—

- (a) sub-paragraphs (a) to (d) of paragraph 40.4 shall apply as if for the words 'relevant week' there were substituted the words 'relevant subsequent week'; and
- (b) subject to paragraph 40.7, the amount as re-determined shall have effect from the first week following the relevant subsequent week in question.

40.6 The conditions are that

- (a) a further claim is made 26 or more weeks after
 - (i) the date on which the applicant made a claim for council tax support in respect of which he was first treated as possessing the capital in question under paragraph 39.1;
 - (ii) in a case where there has been at least one re-determination in accordance with paragraph 40.5, the date on which he last made a claim for council tax support which resulted in the weekly amount being re-determined, or
 - (iii) the date on which he last ceased to be entitled to council tax support, whichever last occurred; and
- (b) the applicant would have been entitled to council tax support but for paragraph 39.1.

40.7 The amount as re-determined pursuant to paragraph 40.5 shall not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount shall continue to have effect.

40.8 For the purposes of this section

- (a) 'part-week'
 - (i) in paragraph 40.4(a) means a period of less than a week for which council tax support is allowed;
 - (ii) in paragraph 40.4(b) means a period of less than a week for which housing benefit is payable;
 - (iii) in paragraph 40.4 (c),(d) and (e) means—
- (aa) a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and
- (bb) any other period of less than a week for which it is payable;
- (b) 'relevant week' means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of section 39.1
 - (i) was first taken into account for the purpose of determining his entitlement to council tax support; or
 - (ii) was taken into account on a subsequent occasion for the purpose of determining or

re-determining his entitlement to council tax support on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, council tax support;

and where more than one reduction week is identified by reference to heads (i) and (ii) of this sub-paragraph the later or latest such reduction week or, as the case may be, the later or latest such part-week;

- (c) 'relevant subsequent week' means the reduction week or part-week which includes the day on which the further claim or, if more than one further claim has been made, the last such claim was made.

41.0 Capital jointly held

- 41.1 Except where an applicant possesses capital which is disregarded under paragraph 39(5) (notional capital) where an applicant and one or more persons are beneficially entitled in possession to any capital asset they shall be treated, in the absence of evidence to the contrary, as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this Section shall apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess

42.0 Not used

Sections 43 - 56

Definition and the treatment of students for Council Tax Support purposes¹⁷

¹⁷ Amounts shown in sections 43 to 56 will be uprated in line with the Housing Benefit Regulations 2006 (as amended)

43.0 Student related definitions

43.1 In this scheme the following definitions apply;

‘academic year’ means the period of twelve months beginning on 1st January, 1st April, 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course shall be considered to begin in the autumn rather than the summer;

‘access funds’ means;

- a. grants made under section 68 of the Further and Higher Education Act 1992 for the purpose of providing funds on a discretionary basis to be paid to students;
- b. grants made under section 73(a) and (c) and 74(1) of the Education (Scotland) Act 1980;
- c. grants made under Article 30 of the Education and Libraries (Northern Ireland) Order 1993 or grants, loans or other payments made under Article 5 of the Further Education (Northern Ireland) Order 1997 in each case being grants, or grants, loans or other payments as the case may be, for the purpose of assisting students in financial difficulties;
- d. discretionary payments, known as “learner support funds”, which are made available to students in further education by institutions out of funds provided by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding under sections 100 and 101 of the Apprenticeships, Skills, Children and Learning Act 2009; or
- e Financial Contingency Funds made available by the Welsh Ministers;

‘college of further education’ means a college of further education within the meaning of Part 1 of the Further and Higher Education (Scotland) Act 1992;

‘contribution’ means;

- a. any contribution in respect of the income of a student or any person which the Secretary of State, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student’s grant or student loan; or
- b. any sums, which in determining the amount of a student’s allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority consider that it is reasonable for the following person to contribute towards the holder’s expenses;
 - (i) the holder of the allowance or bursary;
 - (ii) the holder’s parents;
 - (iii) the holder’s parent’s spouse, civil partner or a person ordinarily living with the holder’s parent as if he or she were the spouse or civil partner of that parent; or
 - (iv) the holder’s spouse or civil partner;

‘course of study’ means any course of study, whether or not it is a sandwich course and whether or not a grant is made for attending or undertaking it;

‘covenant income’ means the gross income payable to a full-time student under a Deed of Covenant by his parent;

‘education authority’ means a government department, a local authority as defined in section 579 of the Education Act 1996 (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986, any body which is a research council for the purposes of the Science and Technology Act 1965 or any analogous government department, authority, board or body, of the Channel Islands, Isle of Man or any other country outside Great Britain;

‘full-time course of study’ means a full time course of study which;

- (a) is not funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers or a full-time course of study which is not funded in whole or in part by the Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers;;

- (b) is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out—
 - (i) in the case of a course funded by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding, in the student's learning agreement signed on behalf of the establishment which is funded by either of those persons for the delivery of that course; or
 - (ii) in the case of a course funded by the Welsh Ministers, in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or
- (c) is not higher education and is funded in whole or in part by the Scottish Ministers at a college of further education and involves—
 - (i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
 - (ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

'full-time student' means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

'grant' (except in the definition of 'access funds') means any kind of educational grant or award and includes any scholarship, studentship, exhibition allowance or bursary but does not include a payment from access funds or any payment to which paragraph 12 of Schedule 4 or paragraph 53 of Schedule 5 applies;

'grant income' means

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

'higher education' means higher education within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992; 'last day of the course' means;

- a. in the case of a qualifying course, the date on which the last day of that course falls or the date on which the final examination relating to that course is completed, whichever is the later;
- b. in any other case, the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

'period of study' means—

- a. in the case of a course of study for one year or less, the period beginning with the start of the course and ending with the last day of the course;
- b. in the case of a course of study for more than one year, in the first or, as the case may be, any subsequent year of the course, other than the final year of the course, the period beginning with the start of the course or, as the case may be, the year's start and ending with either—
 - (i) the day before the start of the next year of the course in a case where the student's grant or loan is assessed at a rate appropriate to his studying throughout the year, or, if he does not have a grant or loan, where a loan would have been assessed at such a rate had he had one; or
 - (ii) in any other case, the day before the start of the normal summer vacation appropriate to his course;
- c. in the final year of a course of study of more than one year, the period beginning with that year's start and ending with the last day of the course;

'periods of experience' means periods of work experience which form part of a sandwich course;

'qualifying course' means a qualifying course as defined for the purposes of Parts 2 and 4 of the Jobseeker's Allowance Regulations;

'modular course' means a course of study which consists of two or more modules, the

successful completion of a specified number of which is required before a person is considered by the educational establishment to have completed the course.

'sandwich course' has the meaning prescribed in regulation 2(9) of the Education (Student Support) Regulations 2008, regulation 4(2) of the Education (Student Loans), (Scotland), Regulations 2007 or regulation 2(8) of the Education (Student Support) Regulations (Northern Ireland) 2007, as the case may be;

'standard maintenance grant' means—

- (a) except where paragraph (b) or (c) applies, in the case of a student attending or undertaking a course of study at the University of London or an establishment within the area comprising the City of London and the Metropolitan Police District, the amount specified for the time being in paragraph 2(2)(a) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 ('the 2003 Regulations') for such a student;
- (b) except where paragraph (c) applies, in the case of a student residing at his parent's home, the amount specified in paragraph 3 thereof;
- (c) in the case of a student receiving an allowance or bursary under the Education (Scotland) Act 1980, the amount of money specified as 'standard maintenance allowance' for the relevant year appropriate for the student set out in the Student Support in Scotland Guide issued by the student Awards Agency for Scotland, or its nearest equivalent in the case of a bursary provided by a college of further education or a local education authority;
- (d) in any other case, the amount specified in paragraph 2(2) of Schedule 2 to the 2003 Regulations other than in sub-paragraph (a) or (b) thereof;

'student' means a person, other than a person in receipt of a training allowance, who is attending or undertaking—

- (a) a course of study at an educational establishment; or
- (b) a qualifying course;

'student loan' means a loan towards a student's maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998, section 73 of the Education (Scotland) Act 1980 or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 and shall include, in Scotland, a young student's bursary paid under regulation 4(1)(c) of the Student's Allowances (Scotland) Regulations 2007

43.2 For the purposes of the definition of 'full-time student', a person shall be regarded as attending or, as the case may be, undertaking a full-time course of study or as being on a sandwich course

- (a) in the case of a person attending or undertaking a part of a modular course which would be a full-time course of study for the purposes of this Part, for the period beginning on the day on which that part of the course starts and ending;
 - (i) on the last day on which he is registered with the educational establishment as attending or undertaking that part as a full-time course of study; or
 - (ii) on such earlier date (if any) as he finally abandons the course or is dismissed from it;
- (b) in any other case, throughout the period beginning on the date on which he starts attending or undertaking the course and ending on the last day of the course or on such earlier date (if any) as he finally abandons it or is dismissed from it.

43.3 For the purposes of sub-paragraph (a) of paragraph 43.2, the period referred to in that sub-paragraph shall include;

- (a) where a person has failed examinations or has failed to successfully complete a module relating to a period when he was attending or undertaking a part of the course as a full-time course of study, any period in respect of which he attends or undertakes the course for the purpose of retaking those examinations or that module;
- (b) any period of vacation within the period specified in that paragraph or immediately following that period except where the person has registered with the educational establishment to attend or undertake the final module in the course and the vacation immediately follows the last day on which he is required to attend or undertake the course.

44.0 Treatment of students

44.1 The following sections relate to students who claim Council Tax Support

45.0 Students who are excluded from entitlement to council tax support

45.1 Students (except those specified in paragraph 45.3) are not able to claim Council Tax Support under Classes D and E of the Council's reduction scheme.

45.2 To be eligible for support, the student must be liable for Council Tax under Section 6 of the Local Government Finance Act 1992 and they must not be deemed to be a full time student or a persons from abroad within the meaning of section 7 of this scheme (persons from aboard).

45.3 Paragraph 45.2 shall not apply to a student

- (a) who is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance;
- (b) who is a lone parent;
- (c) whose applicable amount would, but for this section, include the disability premium or severe disability premium;
- (d) whose applicable amount would include the disability premium but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the Act;
- (e) who is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the Act (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days shall be treated as one continuous period;
- (f) who has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations for a continuous period of not less than 196 days, and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period.
- (g) who has a partner who is also a full-time student, if he or that partner is treated as responsible for a child or young person;
- (h) who is a single applicant with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989, or, in Scotland, boarded out within the meaning of the Social Work (Scotland) Act 1968;
- (i) who is;
 - i) aged under 21 and whose course of study is not a course of higher education
 - ii) aged 21 and attained that age during a course of study which is not a course of higher education – this condition needs adding
 - iii) a qualifying young person or child within the meaning of section 142 of the Act (child and qualifying young person)
- (j) in respect of whom
 - i) a supplementary requirement has been determined under paragraph 9 of Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003;
 - (ii) an allowance, or as the case may be, bursary has been granted which includes a sum under paragraph (1)(d) or regulation 4 of the Students' Allowances (Scotland) Regulations 1999 or, as the case may be, under paragraph (1)(d) of regulation 4 of the Education Authority (Bursaries) (Scotland) Regulations 1995, in respect of expenses incurred;
 - (iii) a payment has been made under section 2 of the Education Act 1962 or under or by virtue of regulations made under the Teaching and Higher Education Act 1998;
 - (iv) a grant has been made under regulation 13 of the Education (Student Support) Regulations 2005 or under regulation 13 of the Education (Student Support)

Regulations (Northern Ireland) 2000; or
(v) a supplementary requirement has been determined under paragraph 9 of Schedule 6 to the Students Awards Regulations (Northern Ireland) 1999 or a payment has been made under Article 50(3) of the Education and Libraries (Northern Ireland) Order 1986,

on account of his disability by reason of deafness.

45.3A Paragraph 45.3(i)(ii) only applies to a claimant until the end of the course during which the claimant attained the age of 21

45.4 For the purposes of paragraph 45.3, once paragraph 45.3(e) applies to a full-time student, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that paragraph shall, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable or is treated as remaining incapable, of work.

45.5 In paragraph 45.3(h) the reference to a course of higher education is a reference to a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.

45.6 A full-time student to whom sub-paragraph (i) of paragraph 45.3 applies, shall be treated as satisfying that sub-paragraph from the date on which he made a request for the supplementary requirement, allowance, bursary or payment as the case may be.

45.7 Paragraph 45.2 shall not apply to a full-time student for the period specified in paragraph 45.8 if;

- (a) at any time during an academic year, with the consent of the relevant educational establishment, he ceases to attend or undertake a course because he is;
 - (i) engaged in caring for another person; or
 - (ii) ill;
- (b) he has subsequently ceased to be engaged in engaging in caring for that person or, as the case may be, he has subsequently recovered from that illness; and
- (c) he is not eligible for a grant or a student loan in respect of the period specified in paragraph 45.8.

45.8 The period specified for the purposes of paragraph 45.7 is the period, not exceeding one year, beginning on the day on which he ceased to be engaged in caring for that person or, as the case may be, the day on which he recovered from that illness and ending on the day before;

- (a) the day on which he resumes attending or undertaking the course; or
 - (b) the day from which the relevant educational establishment has agreed that he may resume attending or undertaking the course,
- which shall first occur.

46.0 Calculation of grant income

46.1 The amount of a student's grant income to be taken into account shall, subject to paragraphs 46.2 and 46.3, be the whole of his grant income.

46.2 There shall be excluded from a student's grant income any payment;

- (a) intended to meet tuition fees or examination fees;
- (b) in respect of the student's disability;
- (c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;
- (d) on account of the student maintaining a home at a place other than that at which he resides during his course;

	<ul style="list-style-type: none"> (e) on account of any other person but only if that person is residing outside of the United Kingdom and there is no applicable amount in respect of him; (f) intended to meet the cost of books and equipment; (g) intended to meet travel expenses incurred as a result of his attendance on the course; (h) intended for the child care costs of a child dependant. (i) of higher education bursary for care leavers made under Part III of the Children Act 1989.
46.3	<p>Where a student does not have a student loan and is not treated as possessing such a loan, there shall be excluded from the student's grant income;</p> <ul style="list-style-type: none"> (a) the sum of £303 per academic year in respect of travel costs; and (b) the sum of £390 per academic year towards the costs of books and equipment, whether or not any such costs are incurred. <p>The above figures will be increased annually in line with the Housing Benefit Regulations 2006 (as amended).</p>
46.4	<p>There shall also be excluded from a student's grant income the grant for dependants known as the parents' learning allowance paid pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 or section 22 of the Teaching and Higher Education Act 1998.</p>
46.5	<p>Subject to paragraphs 46.6 and 46.7, a student's grant income shall be apportioned;</p> <ul style="list-style-type: none"> (a) subject to paragraph 46.8, in a case where it is attributable to the period of study, equally between the weeks in that period beginning with the reduction week, the first day of which coincides with, or immediately follows the first day of the period of study and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study; (b) in any other case, equally between the weeks in the period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable.
46.6	<p>Any grant in respect of dependants paid under section 63(6) of the Health Services and Public Health Act 1968 (grants in respect of the provision of instruction to officers of hospital authorities) and any amount intended for the maintenance of dependants under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2004 shall be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.</p>
46.7	<p>In a case where a student is in receipt of a student loan or where he could have acquired a student loan by taking reasonable steps but had not done so, any amount intended for the maintenance of dependants to which neither paragraph 46.6 nor section 50 (other amounts to be disregarded) apply, shall be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.</p>
46.8	<p>In the case if a student on a sandwich course, any periods of experience within the period of study shall be excluded and the student's grant income shall be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which immediately follows the last day of the period of experience and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study.</p>
47.0	<p>Calculation of covenant income where a contribution is assessed</p>
47.1	<p>Where a student is in receipt of income by way of a grant during a period of study and a contribution has been assessed, the amount of his covenant income to be taken into account</p>

for that period and any summer vacation immediately following shall be the whole amount of the covenant income less, subject to paragraph 47.3, the amount of the contribution.

- 47.2 The weekly amount of the student's covenant shall be determined—
- (a) by dividing the amount of income which falls to be taken into account under paragraph 47.1 by 52 or 53, whichever is reasonable in the circumstances; and
 - (b) by disregarding from the resulting amount, £5.

- 47.3 For the purposes of paragraph 47.1, the contribution shall be treated as increased by the amount (if any) by which the amount excluded under paragraph 46.2(g) (calculation of grant income) falls short of the amount specified in paragraph 7(2) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (travel expenditure).

48.0 Covenant income where no grant income or no contribution is assessed

- 48.1 Where a student is not in receipt of income by way of a grant the amount of his covenant income shall be calculated as follows;

- (a) any sums intended for any expenditure specified in paragraph 46.2 (a) to (e) (calculation of grant income) necessary as a result of his attendance on the course shall be disregarded;
- (b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, shall be apportioned equally between the weeks of the period of study;
- (c) there shall be disregarded from the amount so apportioned the amount which would have been disregarded under paragraph 46.2(f) and 46.3 (calculation of grant income) had the student been in receipt of the standard maintenance grant; and
- (d) the balance, if any, shall be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 shall be disregarded.

- 48.2 Where a student is in receipt of income by way of a grant and no contribution has been assessed, the amount of his covenanted income shall be calculated in accordance with sub-paragraphs (a) to (d) of paragraph 48.1, except that;

- (a) the value of the standard maintenance grant shall be abated by the amount of such grant income less an amount equal to the amount of any sums disregarded under paragraph 46.2 (a) to (e); and
- (b) the amount to be disregarded under paragraph 48.1(c) shall be abated by an amount equal to the amount of any sums disregarded under paragraph 46.2(f) and (g) and 46.3.

49.0 Student Covenant Income and Grant income – non disregard

- 49.1 No part of a student's covenant income or grant income shall be disregarded under paragraph 15 of Schedule 4 to this scheme

50.0 Other amounts to be disregarded

- 50.1 For the purposes of ascertaining income other than grant income, covenant income and loans treated as income in accordance with section 51, any amounts intended for any expenditure specified in paragraph 46.2 (calculation of grant income), necessary as a result of his attendance on the course shall be disregarded but only if, and to the extent that, the necessary expenditure exceeds or is likely to exceed the amount of the sums disregarded under paragraphs 46.2 or 46.3, 47.3, 48.1(a) or (c) or 51.5 (calculation of grant income, covenant income and treatment of student loans) on like expenditure.

51.0 Treatment of student loans

- 51.1 A student loan shall be treated as income.

- 51.2 In calculating the weekly amount of the loan to be taken into account as income

- (a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period shall be apportioned equally between the weeks in the period beginning with;
 - (i) except in a case where (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of the single academic year;
 - (ii) where the student is required to start attending the course in August or where the course is less than an academic year's duration, the reduction week, the first day of which coincides with, or immediately follows, the first day of the course, and ending with the reduction week, the last day of which coincides with, or immediately precedes with last day of the course,
- (b) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year shall be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year and ending with the reduction week, the last day of which coincides with or immediately precedes, the last day of that academic year but excluding any reduction weeks falling entirely within the quarter during which, in the opinion of the Secretary of State, the longest of any vacation is taken and for the purposes of this sub-paragraph, 'quarter' shall have the same meaning as for the purposes of the Education (Student Support) Regulations 2005;
- (c) in respect of the final academic year of a course (not being a course of a single year's duration), a loan which is payable in respect of that final academic year shall be apportioned equally between the weeks in the period beginning with;
 - (i) except in a case where (ii) applies, the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year;
 - (ii) where the final academic year starts on 1st September, the reduction week, the first day of which coincide with, or immediately follows, the earlier of 1st September or the first day of the autumn term, and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;
- (d) in any other case, the loan shall be apportioned equally between the weeks in the period beginning with the earlier of;
 - (i) the first day of the first reduction week in September; or
 - (ii) the reduction week, the first day of which coincides with, or immediately follows the first day of the autumn term, and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of June;

and, in all cases, from the weekly amount so apportioned there shall be disregarded £10.

51.3 A student shall be treated as possessing a student loan in respect of an academic year where;

- (a) a student loan has been made to him in respect of that year; or
- (b) he could acquire such a loan in respect of that year by taking reasonable steps to do so.

51.4 Where a student is treated as possessing a student loan under paragraph 51.3, the amount of the student loan to be taken into account as income shall be, subject to paragraph 51.5

- (a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to
 - (i) the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so; and
 - (ii) any contribution whether or not it has been paid to him;
- (b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if;
 - (i) he took all reasonable steps to obtain the maximum student loan he is able to acquire

in respect of that year; and
(ii) no deduction in that loan was made by virtue of the application of a means test.

- 51.5 There shall be deducted from the amount of income taken into account under paragraph 51.4
- (a) the sum of £303 per academic year in respect of travel costs; and
 - (b) the sum of £390 per academic year towards the cost of books and equipment, whether or not any such costs are incurred.

The above figures will be increased annually in line with the Housing Benefit Regulations 2006 (as amended).

51A.0 Treatment of fee loans

- 51A. 1A loan for fees, known as a fee loan or a fee contribution loan, made pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998, section 22 of the Teaching and Higher Education Act 1998 or section 73(f) of the Education (Scotland) Act 1980, shall be disregarded as income.

52.0 Treatment of payments from access funds

- 52.1 This paragraph applies to payments from access funds that are not payments to which paragraph 55.2 or 55.3 (income treated as capital) applies.

- 52.2 A payment from access funds, other than a payment to which paragraph 52.3 applies, shall be disregarded as income.

- 52.3 Subject to paragraph 52.4 of this section and paragraph 35 of Schedule 4,
- a) any payments from access funds which are intended and used for an item of food, ordinary clothing or footwear, household fuel, or rent of a single applicant or, as the case may be, of the applicant or any other member of his family and
 - b) any payments from access funds which are used for any council tax or water charges for which that applicant or member is liable, shall be disregarded as income to the extent of £20 per week.

- 52.4 Where a payment from access funds is made—
- (a) on or after 1st September or the first day of the course, whichever first occurs, but before receipt of any student loan in respect of that year and that payment is intended for the purpose of bridging the period until receipt of the student loan; or
 - (b) before the first day of the course to a person in anticipation of that person becoming a student,
- that payment shall be disregarded as income.

53.0 Disregard of contribution

- 53.1 Where the applicant or his partner is a student and for the purposes of assessing a contribution to the student's grant or student loan, the other partner's income has been taken into account, an amount equal to that contribution shall be disregarded for the purposes of assessing that other partner's income.

54.0 Further disregard of student's income

- 54.1 Where any part of a student's income has already been taken into account for the purpose of assessing his entitlement to a grant or student loan, the amount taken into account shall be disregarded in assessing that student's income.

55.0 Income treated as capital

55.1 Any amount by way of a refund of tax deducted from a student's covenant income shall be treated as capital.

55.2 Any amount paid from access funds as a single lump sum shall be treated as capital.

55.3 An amount paid from access fund as a single lump sum which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent, or which is used for an item other than any council tax or water charges for which that applicant or member is liable, shall be disregarded as capital but only for a period of 52 weeks from the date of the payment.

56.0 Disregard of changes occurring during summer vacation

56.1 In calculating a student's income the authority shall disregard any change in the standard maintenance grant, occurring in the recognised summer vacation appropriate to the student's course, if that vacation does not form part of his period of study from the date on which the change occurred to the end of that vacation.

Sections 57 – 63

The calculation and amount of Council Tax Support

57.0 Maximum council tax support

57.1 Subject to paragraphs 57.2 to 57.4, the amount of a person's maximum council tax support in respect of a day for which he is liable to pay council tax, shall be 85 per cent, of the amount A divided by B where;

- (a) A is the **lower** of either;
- amount set by the appropriate authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; or
 - the amount set by the appropriate authority as the council tax for the relevant financial year in respect of a dwelling within Band D subject to any discount which may be appropriate to the person's circumstances; and; and
- (b) B is the number of days in that financial year,

less any deductions in respect of non-dependants which fall to be made under section 58 (non-dependant deductions).

In this paragraph "relevant financial year" means, in relation to any particular day, financial year within which the day in question falls.

57.2 In calculating a person's maximum council tax support any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act, shall be taken into account.

57.3 Subject to paragraph 57.4, where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons but excepting any person so residing with the applicant who is a student to whom paragraph 45.2 (students who are excluded from entitlement to council tax support) applies, in determining the maximum council tax support in his case in accordance with paragraph 57.1, the amount A shall be divided by the number of persons who are jointly and severally liable for that tax.

57.4 Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, paragraph 57.3 shall not apply in his case

58.0 Non-dependant deductions

58.1 Subject to the following provisions of this paragraph, the non-dependant deductions in respect of a day referred to in section 57 (maximum council tax support) shall be; in respect of a non-dependant aged 18 or over, £12.00 x 1/7 unless paragraphs 58.6,58.7,58.8 apply

58.2 Not used

58.3 Only one deduction shall be made under this section in respect of a couple or, as the case may be, members of a polygamous marriage and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other, member, the higher amount shall be deducted.

58.4 Not used

58.5 Where in respect of a day—

- (a) a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;
- (b) other residents in that dwelling (the liable persons) have joint and several liability for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 or 77 or 77A of the 1992 Act (liability of spouses and civil partners); and
- (c) the person to whom sub-paragraph (a) refers is a non-dependant of two or more of the

liable persons, the deduction in respect of that non-dependant shall be apportioned equally between those liable persons.

- 58.6 No deduction shall be made in respect of any non-dependants occupying an applicant's dwelling if the applicant or his partner is—
- (a) blind or treated as blind by virtue of paragraph 9 of Schedule 1 (additional condition for the disability premium); or
 - (b) receiving in respect of himself
 - (i) attendance allowance, or would be receiving that allowance but for
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of The Act; or
 - (bb) an abatement as a result of hospitalisation; or
 - (ii) the care component of the disability living allowance, or would be receiving that component but for
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of The Act; or
 - (bb) an abatement as a result of hospitalisation; or
 - (iii) the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);
 - (iv) an AFIP, or would be receiving that payment but for a suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allows for a suspension because a person is undergoing medical treatment in a hospital or similar institution.
- 58.7 No deduction shall be made in respect of a non-dependant if:
- a. although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or
 - b. he is in receipt of a training allowance paid in connection with a youth training established under section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
 - c. he is a full time student within the meaning of section 44.0 (Students); or
 - d. he is not residing with the applicant because he has been a patient for a period of excess of 52 weeks, and for these purposes;
 - e. 'patient' has the meaning given within this scheme, and
 - f. where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he shall be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods;
 - g. he is not residing with the claimant because he is a member of the armed forces away on operations
- 58.8 No deduction shall be made in respect of a non-dependant;
- (a) who is on income support, state pension credit, an income-based jobseeker's allowance or an income-related employment and support allowance;
 - (b) to whom Schedule 1 of the 1992 Act applies (persons disregarded for purposes of discount) but this sub-paragraph shall not apply to a non-dependant who is a student to whom paragraph 4 of that Schedule refers;
 - (c) who is entitled to an award of universal credit where the award is calculated on the basis that the person does not have any earned income.”;
For the purposes of sub-paragraph (c), “earned income” has the meaning given in regulation 52 of the Universal Credit Regulations 2013
- 58.9 Not used

59.0 Council tax support taper (applies to persons defined within Class D)

59.1 The prescribed daily percentage for the purpose of calculating support as a percentage of excess of income over the applicable amount which is deducted from maximum council tax support, shall be $2\frac{6}{7}$ per cent (20%). Where an applicant's income exceeds their applicable amount, their council tax support shall be calculated by deducting their excess income multiplied by the taper from their maximum council tax support as defined within section 57 of this scheme

59A.0 Minimum Council Tax Support

59A.1 Where any entitlement to Council Tax Support is less than £2 per week, then no amount of support shall be payable whatsoever.

60.0 Extended reductions

60.1 An applicant who is entitled to council tax support (by virtue of the general conditions of entitlement) shall be entitled to an extended reduction where;

- (a) the applicant or the applicant's partner was entitled to a qualifying income-related benefit;
- (b) entitlement to a qualifying income-related benefit ceased because the applicant or the applicant's partner—
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment,and that employment is or, as the case may be, increased earnings or increased number of hours are expected to last five weeks or more; and
- (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying income-related benefit, jobseeker's allowance or a combination of those benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying income-related benefit ceased.

60.2 For the purpose of paragraph 60.1(c), an applicant or an applicant's partner is to be treated as having been entitled to and in receipt of a qualifying income-related benefit or jobseeker's allowance during any period of less than five weeks in respect of which the applicant or the applicant's partner was not entitled to any of those benefits because the applicant or the applicant's partner was engaged in remunerative work as a consequence of their participation in an employment zone programme.

60.3 For the purpose of this section, where an applicant or an applicant's partner is entitled to and in receipt of joint-claim jobseeker's allowance they shall be treated as being entitled to and in receipt of jobseeker's allowance.

60.4 An applicant must be treated as entitled to council tax support by virtue of the general conditions of entitlement where—

- (a) the applicant ceased to be entitled to council tax support because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying income-related benefit ceased, or in the preceding week; and
- (c) entitlement to the qualifying income-related benefit ceased in any of the circumstances listed in paragraph 60.1(b).

60.5 This section shall not apply where, on the day before an applicant's entitlement to income support ceased, regulation 6(5) of the Income Support Regulations (remunerative work: housing costs) applied to that applicant.

60A.0 Duration of extended reduction period

60A.1 Where an applicant is entitled to an extended reduction, the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying income-related benefit.

60A.2 For the purpose of paragraph (60A.1), an applicant or an applicant's partner ceases to be entitled to a qualifying income-related benefit on the day immediately following the last day of entitlement to that benefit.

60A.3 The extended reduction period ends;

- (a) at the end of a period of four weeks; or
- (b) on the date on which the applicant to whom the extended reduction is payable has no liability for council tax within the Colchester district, if that occurs first

60B.0 Amount of extended reduction

60B.1 For any week during the extended reduction period the amount of the extended reduction payable to an applicant shall be the higher of–

- (a) the amount of council tax support to which the applicant was entitled under the general conditions of entitlement in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying income-related benefit;
- (b) the amount of council tax support to which the applicant would be entitled under the general conditions of entitlement for any reduction week during the extended reduction period, if section 60 (extended reductions) did not apply to the applicant; or
- (c) the amount of council tax support to which the applicant's partner would be entitled under the general conditions of entitlement, if section 60 did not apply to the applicant.

60B.2 Paragraph 60B1 does not apply in the case of a mover.

60B.3 Where an applicant is in receipt of an extended reduction under this section and the applicant's partner makes a claim for council tax support, no amount of council tax support shall be payable by the appropriate authority during the extended reduction period.

60C Extended reductions – movers

60C.1 This section applies;

- (a) to a mover; and
- (b) from the Monday following the day of the move.

60C.2 The amount of the extended reduction payable from the Monday from which this section applies until the end of the extended reduction period shall be the amount of council tax support which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying income-related benefit.

60D.0 Relationship between extended reduction and entitlement to council tax support under the general conditions of entitlement

60D.1 Where an applicant's council tax support award would have ended when the applicant ceased to be entitled to a qualifying income-related benefit in the circumstances listed in paragraph 60.1(b), that award will not cease until the end of the extended reduction period.

60D.2 Changes of circumstances and increases for exceptional circumstances shall not apply to any extended reduction payable in accordance with paragraph 60B.1(a) or 60C.2 (amount of

extended reduction – movers).

61.0 Extended reductions (qualifying contributory benefits)

61.1 An applicant who is entitled to council tax support (by virtue of the general conditions of entitlement) shall be entitled to an extended reduction (qualifying contributory benefits) where;

- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
- (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner;
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment, and that employment is or, as the case may be, increased earnings or increased number of hours are expected to last five weeks or more;
- (c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and
- (d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.

61.2 An applicant must be treated as entitled to council tax support by virtue of the general conditions of entitlement where;

- (a) the applicant ceased to be entitled to council tax support because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and
- (c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in paragraph 61.1(b).

61A.0 Duration of extended reduction period (qualifying contributory benefits)

61A.1 Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.

61A.2 For the purpose of paragraph 61A.1, an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.

61A.3 The extended reduction period ends;

- (a) at the end of a period of four weeks; or
- (b) on the date on which the applicant to whom the extended reduction is payable has no liability for council tax within the Colchester district, if that occurs first

61B.0 Amount of extended reduction (qualifying contributory benefits)

61B.1 For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) payable to an applicant shall be the higher of;

- (a) the amount of council tax support to which the applicant was entitled under the general conditions of entitlement in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;
- (b) the amount of council tax support to which the applicant would be entitled under the

- general conditions of entitlement for any reduction week during the extended reduction period, if section 61 (extended reductions (qualifying contributory benefits)) did not apply to the applicant; or
- (c) the amount of council tax support to which the applicant's partner would be entitled under the general conditions of entitlement, if section 61 did not apply to the applicant.

61B .2 Paragraph 61B.1 does not apply in the case of a mover.

61B.3 Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this section and the applicant's partner makes a claim for council tax support, no amount of council tax support shall be payable by the appropriate authority during the extended reduction period.

61C.0 Extended reductions (qualifying contributory benefits) – movers

61C.1 This section applies;

- (a) to a mover; and
- (b) from the Monday following the day of the move.

61C.2 The amount of the extended reduction (qualifying contributory benefit) payable from the Monday from which this section applies until the end of the extended reduction period shall be the amount of council tax support which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

61D.0 Relationship between extended reduction (qualifying contributory benefits) and entitlement to council tax support under the general conditions of entitlement

61D.1 Where an applicant's council tax support award would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 61.1 (b), that award will not cease until the end of the extended reduction period.

61D.2 Changes of circumstances and increases for exceptional circumstances shall not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 61B.1(a) or 61C.2 (amount of extended reduction– movers).

61E.0 Extended reductions: - Movers Generally ¹⁸

61E.1 Where;

- a. an application is made to a billing authority ("the current authority") for a reduction under this scheme, and
- b. the applicant, or the partner of the applicant, is in receipt of an extended reduction from
- c. (i) another billing authority in England;
(ii) a billing authority in Wales;
(iii) a local authority in Scotland; or
(iv) a local authority in Northern Ireland.

the current billing authority must reduce any reduction to which the applicant is entitled under this scheme by the amount of that extended reduction.

62.0- 63.0 Not Used

¹⁸ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

Sections 64 – 67

Dates on which entitlement and changes of circumstances are to take effect

64.0 Date on which entitlement is to begin

64.1 Subject to paragraph 64.2, any person to whom or in respect of whom a claim for council tax support is made and who is otherwise entitled to that support shall be so entitled from the Monday of the reduction week following the date on which that claim is made or is treated as made.

64.2 Where a person is otherwise entitled to council tax support and becomes liable for the first time for the authority's council tax in respect of a dwelling of which he is a resident in the reduction week in which his claim is made or is treated as made, he shall be so entitled from the day of the new liability in that reduction week.

65.0 - 66.0 Not Used

67.0 Date on which change of circumstances is to take effect

67.1 Except in cases where section 24 (disregard of changes in tax, contributions, etc.) applies and subject to the following provisions of this paragraph, a change of circumstances which affects entitlement to, or the amount of, a reduction under an authority's scheme ("change of circumstances"), takes effect from the first day of the reduction week following the date on which the change actually occurs, and where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs shall be the day immediately following the last day of entitlement to that benefit.

67.2 Subject to paragraph (3), where the change of circumstances is a change in the amount of council tax payable, it takes effect from the day on which it actually occurs.

67.3 Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under sections 11 or 12 of that Act, it shall take effect from the day on which the change in amount has effect.

67.4 Where the change of circumstances is the applicant's acquisition of a partner, the change takes effect on the day on which the acquisition takes place.

67.5 Where the change of circumstances is the death of an applicant's partner or their separation, it takes effect on the day the death or separation occurs.

67.6 If two or more changes of circumstances occurring in the same reduction week would, but for this paragraph, take effect in different reduction weeks in accordance with paragraphs (1) to (5) they take effect from the day to which the appropriate paragraph from (2) to (5) above refers, or, where more than one day is concerned, from the earlier day.

67.7 Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the Act, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances shall take effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

67.8 Without prejudice to paragraph (7), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances takes effect from the first day on which such income, had it been timeously paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

67.9 All changes in circumstances should be notified to the authority in writing (or by whatever format agreed by the authority) within one calendar month of the happening of the event or change in circumstance. This timescale may be extended at the discretion of the authority. Where such a change is not received within that timescale and where the change would increase the level of reduction payable, the authority may use a date later than the actual change of circumstances.

67.10 In the case of the award of a relevant benefit within the meaning of section 8(3) of the 1998 Act it shall take effect from the date on which entitlement arises to the relevant benefit or to an increase in the rate of that relevant benefit

Date on which income consisting of earnings from employment as an employed earner are taken into account

67.11 —(1) A applicant's average weekly earnings from employment shall be taken into account—
(a) in the case of a claim, on the date that the claim was made or treated as made and the first day of each reduction week thereafter, regardless of whether those earnings were actually received in that week;
(b) in the case of a claim or award where the claimant commences employment, the first day of the reduction week following the date the claimant commences that employment, and the first day of each reduction week thereafter, regardless of whether those earnings were actually received in that week; or
(c) in the case of a claim or award where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date of the change, and the beginning of each week thereafter, regardless of whether those earnings were actually received in that week."

Sections 68– 74A

Claiming and the treatment of claims for Council Tax Support purposes

68.0	Making an application¹⁹
68.1	In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines.
68.2	<p>Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and;</p> <ul style="list-style-type: none"> (a) a deputy has been appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or (b) in Scotland, his estate is being administered by a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or (c) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise, <p>that deputy, judicial factor, guardian or attorney, as the case may be, may make an application on behalf of that person.</p>
68.3	Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, the authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under the authority's scheme and to receive and deal on his behalf with any sums payable to him.
68.4	Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).
68.5	<p>Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (4);</p> <ul style="list-style-type: none"> (a) it may at any time revoke the appointment; (b) the person appointed may resign his office after having given 4 weeks notice in writing to the authority of his intention to do so; (c) any such appointment terminates when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).
68.6	Anything required by the authority's scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge to the authority for any sum paid.
68.7	<p>The authority must;</p> <ul style="list-style-type: none"> (a) inform any person making an application of the duty imposed by paragraph 9(1)(a) of the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012; (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

¹⁹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

69.0 Procedure by which a person may apply for a reduction under an authority's scheme²⁰

69.1 Paragraphs 2 to 8 apply to an application for a reduction under an authority's scheme.

69.2 An application may be made—

- (a) in writing,
- (b) by means of an electronic communication in accordance with section 101 to 106 of this policy or
- (c) (where the authority has published a telephone number for the purpose of receiving such applications) by telephone.

69.3 (1) An application which is made in writing must be made to the offices of the authority on a properly completed form.

(2) The form will be provided free of charge by the authority for the purpose.

69.4. Where an application received by the authority is defective because

- (a) it was made on the form supplied for the purpose but that form is not accepted by the authority as being properly completed; or
- (b) it was made in writing but not on the form approved for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence,

the authority may, in a case to which sub-paragraph (a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information and evidence.

69.5. (1) Where an application made in writing is defective because—

- (a) the form provided by the authority has not been properly completed; or
- (b) if it is made in writing, but not on the form provided by the authority, and the authority does not consider the application as being in a written form which is sufficient in the circumstances of the case;

the authority may request the applicant to complete the defective application or (as the case may be) supply the applicant with the form to complete or request further information or evidence.

(2) An application made on a form provided by the authority is properly completed if completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.

69.6. (1) If an application made by electronic communication is defective the authority will provide the person making the application with an opportunity to correct the defect.

(2) An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.

69.7. In a particular case the authority may determine that an application made by telephone is only valid if the person making the application approves a written statement of his circumstances provided by the authority.

69.8. (1) If an application made by telephone is defective the authority will provide the person making the application with an opportunity to correct the defect.

²⁰ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

(2) An application made by telephone is defective if the applicant does not provide all the information the authority requests during the telephone call.

69.9 Notwithstanding other paragraphs within this section, the authority will determine the method by which claims are to be made as well as where claims should be sent or delivered.

69.10 Where an applicant ('C')—

- (a) makes a claim which includes (or which C subsequently requests should include) a period before the claim is made; and
- (b) from a day, in that period, up to the date when C made the claim (or subsequently requested that the claim should include a past period), C had continuous good cause for failing to make a claim (or request that the claim should include that period), the claim is to be treated as made on the date determined in accordance with paragraph 69.11

69.11 The date is the latest of—

- (a) the first day from which C had continuous good cause;
- (b) the day 1 month before the date the claim was made;
- (c) the day 1 month before the date when C requested that the claim should include a past period.

69.12 A person who has made a claim for support may amend it at any time before a determination has been made on the claim by notice in writing received at the designated office, by telephone call to a telephone number specified by the relevant authority or in such other manner as the relevant authority may decide or accept.

69A.0 Date on which a claim made

69A.1 Subject to sub-paragraph (7), the date on which an application is made is

(a) in a case where;

- (i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and
- (ii) the application for a reduction under this scheme is made within one month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,

the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;

(b) in a case where—

- (i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
- (iii) the application to the authority is received at the authority's offices within one month of the date of the change,

the date on which the change takes place;

(c) in a case where—

- (i) the applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under this scheme, and
- (ii) where the applicant makes an application for a reduction under this scheme within one month of the date of the death or the separation,

the date of the death or separation;

(d) except where paragraph (a), (b) or (c) is satisfied, in a case where a properly completed application is received within one month (or such longer period as the authority considers reasonable) of the date on which an application form was issued to the applicant following the applicant first notifying, by whatever means, the authority of an intention to make an

application, the date of first notification;
(e) in any other case, the date on which the application is received at the offices of the authority.

- 69A.2 For the purposes only of sub-paragraph (1)(a) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under—
(a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or
(b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days),
have been entitled to that allowance.
- 69A.3 Where the defect in an application by telephone:
(a) is corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority is to treat the application as if it had been duly made in the first instance;
(b) is not corrected within one month (or such longer period as the authority considers reasonable) of the date the authority last drew attention to it, the authority is to treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide on the application.
- 69A.4 The authority is to treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.
- 69A.5 The conditions are that—
(a) where the authority receives the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority may consider reasonable; or
(b) where an application is not on approved form or further information requested by authority applies;
(i) the approved form sent to the applicant is received at the offices of the authority properly completed within one month of it having been sent to him; or, as the case may be;
(ii) the applicant supplies whatever information or evidence was requested within one month of the request; or,
in either case, within such longer period as the authority may consider reasonable; or
(c) where the authority has requested further information, the authority receives at its offices the properly completed application or the information requested to complete it within one month of the request or within such longer period as the authority considers reasonable.
- 69A.6 Except in the case of an application made by a person treated as not being in United Kingdom, where a person has not become liable for council tax to the authority but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under this scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority is to treat the application as having been made on the day on which the liability for the tax arises.
- 69A.7 Except in the case of an application made by a person treated as not being in United Kingdom, where the applicant is not entitled to a reduction under this scheme in the reduction week immediately following the date of his application but the authority is of the opinion that unless there is a change of circumstances he will be entitled to a reduction under this scheme for a period beginning not later than
(a) in the case of an application made by a pensioner, the seventeenth reduction week following the date on which the application is made, or
(b) in the case of an application made by a person who is not a pensioner, the thirteenth reduction week following the date on which the application is made,

the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.

- 69A.8 Sub-paragraph (7) applies in the case of a person who has attained, or whose partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit.

70.0 Submission of evidence electronically

- 70.1 The authority may accept such evidence, documents and certificates to support the claim electronically where it feels that this would be acceptable given the nature of the claim

71.0 Use of telephone provided evidence

- 71.1 The authority may accept such evidence to support the claim by telephone where it feels that this would be acceptable given the nature of the claim

72.0 Information and evidence²¹

- 72.1 Subject to sub-paragraph (3), a person who makes an application for a reduction under an authority's scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.

- 72.2 This sub-paragraph is satisfied in relation to a person if—
- (a) the application is accompanied by;
 - (i) a statement of the person's national insurance number and information or evidence establishing that that number has been allocated to the person; or
 - (ii) information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or
 - (b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by;
 - (i) evidence of the application for a national insurance number to be so allocated; and
 - (ii) the information or evidence enabling it to be so allocated.

- 72.3 Sub-paragraph (2) does not apply;
- (a) in the case of a child or young person in respect of whom an application for a reduction is made;
 - (b) to a person who;
 - (i) is a person treated as not being in Great Britain for the purposes of this scheme;
 - (ii) is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and
 - (iii) has not previously been allocated a national insurance number.

- 72.4 Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under the authority's scheme has been awarded, must furnish such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by that authority in order to determine that person's entitlement to, or continuing entitlement to a reduction under its scheme and must do so within one month of the authority requiring him to do so or such longer period as the authority may consider reasonable.

- 72.5 Nothing in this paragraph requires a person who is a pensioner to furnish any certificates, documents, information or evidence relating to a payment to which sub-paragraph (7) applies.

²¹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

- 72.6 Where the authority makes a request under sub-paragraph (4), it must;
- (a) inform the applicant or the person to whom a reduction under its scheme has been awarded of his duty under paragraph 9 of Schedule 8 the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and
 - (b) without prejudice to the extent of the duty owed under paragraph 9, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which must be notified.
- 72.7 This sub-paragraph applies to any of the following payments;
- (a) a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the London Emergencies Trust, the We Love Manchester Emergency Fund, London Bombings Relief Charitable Fund or the Windrush Compensation Scheme;
 - (b) a payment which is disregarded under paragraph 24 of Schedule 5, other than a payment under the Independent Living Fund (2006);
 - (c) a payment which is disregarded under paragraph 58.9.
- 72.8 Where an applicant or a person to whom a reduction under the authority's scheme has been awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following information;
- (a) the name and address of the pension fund holder;
 - (b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.
- 73.0 Amendment and withdrawal of claim ²²**
- 73.1 A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the offices of the authority.
- 73.2 Where the application was made by telephone in accordance with this scheme, the amendment may also be made by telephone.
- 73.3 Any application amended in accordance with paragraph (1) or (2) will be treated as if it had been amended in the first instance.
- 73.4 A person who has made an application may withdraw it at any time before a decision has been made on it by notice to the offices of the authority.
- 73.5 Where the application was made by telephone in accordance with this scheme, the withdrawal may also be made by telephone.
- 73.6 Any notice of withdrawal given in accordance with sub- paragraph (4) or (5) shall have effect when it is received.
- 73.7 Where a person, by telephone, amends or withdraws an application the person must (if required to do so by the authority) confirm the amendment or withdrawal by a notice in writing delivered or sent to the designated office.
- 74.0 Duty to notify changes of circumstances²³**
- 74.1 Subject to sub-paragraphs (3), (6) and (7), an applicant (or any person acting on his behalf)

²² Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

²³ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time;

(a) between the making of an application and a decision being made on it, or

(b) after the decision is made (where the decision is that the applicant is entitled to a reduction under the authority's scheme) including at any time while the applicant is in receipt of such a reduction.

74.2 The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under the authority's scheme (a "relevant change of circumstances") by giving notice to the authority;

(a) in writing; or

(b) by telephone—

(i) where the authority has published a telephone number for that purpose unless the authority determines that in any particular case or class of case notification may not be given by telephone; or

(ii) in any case or class of case where the authority determines that notice may be given by telephone; or

(c) by any other means which the authority agrees to accept in any particular case, within a period of 21 days beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.

74.3 The duty imposed on a person by sub-paragraph (1) does not extend to notifying

(a) changes in the amount of council tax payable to the authority;

(b) changes in the age of the applicant or that of any member of his family;

(c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under the authority's scheme to which he is entitled, other than the cessation of that entitlement to the benefit.

74.4 For the purposes of sub-paragraph (3)(c) "relevant benefit" means income support, an income-based jobseeker's allowance or an income-related employment and support allowance or universal credit.

74.5 Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer such a person because he has ceased to be a child or young person.

74.6 All changes in circumstances should be notified to the authority in writing (or by whatever format agreed by the authority) within one calendar month of the happening of the event or change in circumstance. This timescale may be extended at the discretion of the authority.

Sections 75- 90

Decisions, decision notices and awards of Council Tax Support

75.0 Decisions by the authority²⁴

75.1 An authority must make a decision on an application for a reduction under its scheme within 14 days of paragraphs 4 and 7 and Part 1 of Schedule 7 of the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 being satisfied, or as soon as reasonably practicable thereafter.

76.0 Notification of decision²⁵

76.1 The authority must notify in writing any person affected by a decision made by it under this scheme

- (a) in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;
- (b) in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.

76.2 Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement;

- (a) informing the person affected of the duty imposed by paragraph 9 of Schedule 8 the Council Tax Reduction Scheme (Prescribed Requirements) Regulations 2012 (duty to notify change of circumstances) to notify the authority of any change of circumstances;
- (b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and
- (c) setting out the circumstances a change in which might affect entitlement to the reduction or its amount.

76.3 Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.

76.4 In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in the authority's scheme relating to the procedure for making an appeal.

76.5 For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under this scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (6).

76.6 This sub-paragraph applies to—

- a) the applicant;
- b) in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act—
 - (i) a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
 - (ii) in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on the person's behalf; or
 - (iii) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise, a person appointed by the authority under paragraph 68.2.
- c) a person appointed by the authority under paragraph 68.3

²⁴ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

²⁵ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

77.0 Time and manner of granting council tax support²⁶

77.1 Where a person is entitled to a reduction under this authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year ("the chargeable year"), the authority must discharge his entitlement;

- (a) by reducing, so far as possible, the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers; or
- (b) where;
 - (i) such a reduction is not possible; or
 - (ii) such a reduction would be insufficient to discharge the entitlement to a reduction under the authority's scheme; or
 - (iii) the person entitled to the reduction is jointly and severally liable for the council tax and the authority determines that such a reduction would be inappropriate, by making payment to him of the amount of reduction to which he is entitled, rounded where necessary to the nearest penny.

77.2 The authority must notify the person entitled to a reduction under this scheme of the amount of that reduction and how his entitlement is to be discharged in pursuance of paragraph (1).

77.3 In a case to which paragraph (1)(b) refers;

- (a) if the amount of the council tax for which he remains liable in respect of the chargeable year, after any reduction to which sub-paragraph (1)(a) refers has been made, is insufficient to enable his entitlement to a reduction under the authority's scheme in respect thereof to be discharged, upon the final instalment of that tax becoming due any outstanding reduction;
 - (i) must be paid to that person if he so requires; or
 - (ii) in any other case must (as the authority determines) either be repaid or credited against any subsequent liability of the person to make a payment in respect of the authority's council tax as it has effect for any subsequent year;
- (b) if that person has ceased to be liable for the authority's council tax and has discharged the liability for that tax, the outstanding balance (if any) of the reduction under the authority's scheme in respect thereof must be paid within 14 days or, if that is not reasonably practicable, as soon as practicable thereafter
- (c) in any other case, the reduction under the authority's scheme must be paid within 14 days of the receipt of the application at the offices of the authority or, if that is not reasonably practicable, as soon as practicable thereafter.

77.4 For the purposes of this paragraph "instalment" means any instalment of the authority's council tax to which regulation 19 of the Council Tax (Administration and Enforcement) Regulations 1992 refers (council tax payments).

78.0 Persons to whom support is to be paid ²⁷

78.1 Subject to section 80 (payment on death) and paragraph (2), any payment of the amount of a reduction must be made to that person.

78.2 Where a person other than a person who is entitled to a reduction under this authority's scheme made the application for the reduction and that first person is a person acting pursuant to an appointment or is treated as having been so appointed, the amount of the reduction may be paid to that person.

²⁶ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

²⁷ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

79.0 Shortfall in support / reduction²⁸

79.1 Where, on the revision of a decision allowing a reduction under an authority's scheme to a person, it is determined that the amount allowed was less than the amount to which that person was entitled, the authority must either;

- (a) make good any shortfall in reduction which is due to that person, by reducing so far as possible the next and any subsequent payments he is liable to make in respect of the council tax of the authority as it has effect for the chargeable financial year until that shortfall is made good; or
- (b) where this is not possible or the person concerned so requests, pay the amount of any shortfall in reduction due to that person within 14 days of the revision of the decision being made or if that is not reasonable practicable, as soon as possible afterwards.

80.0 Payment on the death of the person entitled²⁹

80.1 Where the person entitled to any reduction under this scheme has died and it is not possible to award the reduction which is due in the form of a reduction of the council tax for which he was liable, the authority must make payment of the amount of the reduction to his executor or administrator in accordance with regulation 58(4) of the Council Tax (Administration and Enforcement) Regulations 1992.

81.0 Offsetting

81.1 Where a person has been allowed or paid a sum of council tax support under a decision which is subsequently revised or further revised, any sum allowed or paid in respect of a period covered by the subsequent decision shall be offset against arrears of entitlement under the subsequent decision except to the extent that the sum exceeds the arrears and shall be treated as properly awarded or paid on account of them.

82.0 Payment where there is joint and several liability³⁰

82.1 Where;

- (a) a person is entitled to a reduction under the authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year;
- (b) the person entitled to the reduction is jointly and severally liable for the council tax; and
- (c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992(7) refers would be inappropriate, it may make a payment to him of the amount of the reduction to which he is entitled, rounded where necessary to the nearest penny.

82.2 Subject to sub-paragraph (3) any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.

82.3 Where a person other than a person who is entitled to a reduction under the authority's scheme made the application and that first person is a person acting pursuant to an appointment or is treated as having been so appointed, the amount of the reduction may be paid to that person.

83- 90.0 Not used

²⁸ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

²⁹ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

³⁰ Inserted by Schedule 8 of the Council Tax Reductions Schemes (Prescribed Requirements) (England) Regulations 2012

Sections 91 – 94

Collection, holding and forwarding of information for Council Tax Support purposes

91.0 Use of information from and to the Department of Work and Pensions (DWP) and Her Majesty's Revenues and Customs (HMRC)

91.1 The authority will use information provided by the DWP and HMRC for the purposes of Council Tax Reduction, council tax liability, billing, administration and enforcement as outlined within Schedule 2 of the Local Government Finance Act 1992 as amended by the Local Government Finance Act 2012 and the Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2013

91.2 Where required by the relevant department and where required by law, the authority will share information obtained for Council Tax Reduction with the DWP or HMRC as appropriate and in accordance with Data Protections requirements³¹.

92.0 Collection of information

92.1 The authority may receive and obtain information and evidence relating to claims for council tax support, the council may receive or obtain the information or evidence from–

- (a) persons making claims for council tax support;
- (b) other persons in connection with such claims;
- (c) other local authorities; or
- (d) central government departments including the DWP and HMRC

92.2 The authority may verify relevant information supplied to, or obtained.

93.0 Recording and holding information

93.1 The authority may

- (a) may make a record of such information; and
- (b) may hold that information, whether as supplied or obtained or recorded, for the purpose of forwarding it to the person or authority for the time being administering council tax support.

94.0 Forwarding of information

94.1 The authority may forward it to the person or authority for the time being administering claims to or awards of council tax support to which the relevant information relates, being

- (i) a local authority;
- (ii) a person providing services to a local authority; or
- (iii) a person authorised to exercise any function of a local authority relating to council tax support.

³¹ Data Retention and Investigatory Powers Act 2014 and Data Retention Regulations 2014

Sections 95 – 98

Revisions, Written Statements, Termination of Council Tax Support

95.0 Persons affected by Decisions

95.1 A person is to be treated as a person affected by a relevant decision of the authority here that person is;

- a. an applicant;
- b. in the case of a person who is liable to make payments in respect of a dwelling and is unable for the time being to act
 - (i) a Deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit or support on his behalf,
 - (ii) in Scotland, a tutor, curator, judicial factor or other guardian acting or appointed in terms of law administering that person's estate, or
 - (iii) an attorney with a general power or a power to receive benefit or support appointed by the person liable to make those payments under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise;
- c. a person appointed by the authority under this scheme;

96.0 Revisions of Decisions

96.1 Subject to the provisions in this scheme, a relevant decision ('the original decision') may be revised or further revised by the authority, which made the decision where the person affected makes an application for a revision within;

- (i) one month of the date of notification of the original decision; or
- (ii) such extended time as the authority may allow.

96.2 The authority may revise or further revise that original decision at any time. Where further information is required from the person affected, the authority shall request such information and evidence as it feels is reasonable. Such information must be supplied within;

- i) one month of the date of notification of the additional information; or
- (ii) such extended time as the authority may allow

97.0 Written Statements

97.1 Subject to the provisions in the scheme, the authority may upon a written request issue a written statement to a person affected to further explain the decision of the authority in relation to Council Tax Support. The request must be received within one month of the date of the notification being issued by the authority.

98.0 Terminations

98.1 The authority may terminate support in whole or in part the Council Tax Support where it appears to the authority that an issue arises whether;

- a. the conditions for entitlement to Council Tax Support are or were fulfilled; or
- b. a decision as to an award of such a support should be revised or superseded.

98.2 Where the person fails to provide information to the authority as requested in relation to any matter relating to their liability for Council Tax, the authority may terminate, in whole or in part the Council Tax Support where it appears to the authority that an issue arises whether;

- a. the conditions for entitlement to Council Tax Support are or were fulfilled; or
- b. a decision as to an award of such a support should be revised or superseded.

98.3 Subject to sections 98.1 or 98.2, the authority may terminate Council Tax Support from a date it determines entitlement ended

Section 99

Appeals against the authority's decisions

- 99.0 Procedure by which a person may make an appeal against certain decisions of the authority³²**
- 99.1 A person who is aggrieved by a decision of the authority, which affects;
(a) the person's entitlement to a reduction under its scheme, or
(b) the amount of any reduction to which that person is entitled,
may serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.
- 99.2 In the circumstances mentioned in sub-paragraph (1) the authority must
(a) consider the matter to which the notice relates;
(b) notify the aggrieved person in writing;
(i) that the ground is not well founded, giving reasons for that belief; or
(ii) that steps have been taken to deal with the grievance, stating the steps taken.
- 99.3 Where, following notification under sub-paragraph (2)(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with sub-paragraph (2)(b) within two months of the service of his notice, he may appeal to the valuation tribunal under section 16 of the 1992 Act.

³² Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

Section 100

Procedure for applying for a discretionary reduction

100.0 Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act³³

- 100.1 An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act may be made;
- (a) in writing,
 - (b) by means of an electronic communication in accordance this scheme or
 - (c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.
- 100.2 Where;
- (a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and
 - (b) a person in that class would otherwise be entitled to a reduction under its scheme, that person's application for a reduction under the authority's scheme may also be treated as an application for a reduction under section 13A(1)(c).

³³ Inserted by Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

Section 100A – 100B

Second Adult Reduction - Special Provision for Students

100A.1 Alternative maximum council tax reduction (Second Adult Reduction) (Eligible Students only)

100A.1 Subject to paragraphs 100A.2 and 100A.3, the alternative maximum council tax reduction where the conditions are satisfied shall be the amount determined in accordance with Schedule 2 .

100A.2 Subject to paragraph 100A.3, where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons, in determining the alternative maximum council tax reduction in his case, the amount determined in accordance with Schedule 2 shall be divided by the number of persons who are jointly and severally liable for that tax.

100A.3 Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, solely by virtue of section 9, 77 or 77A of the 1992 Act (liability of spouses and civil partners), paragraph 100A.2 shall not apply in his case.

100B.0 Residents of a dwelling to whom Second Adult Reduction does not apply

100B.1 Entitlement to an alternative maximum council tax reduction shall not apply in respect of any person referred to in the following paragraphs namely;

- (a) a person who is liable for council tax solely in consequence of the provisions of sections 9, 77 and 77A of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
- (b) a person who is residing with a couple or with the members of a polygamous marriage where the applicant for council tax reduction is a member of that couple or of that marriage and;
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- (c) a person who jointly with the applicant for support falls within the same paragraph of sections 6(2)(a) to (e) or 75(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant;
- (d) a person who is residing with two or more persons both or all of whom fall within the same paragraph of sections 6(2)(a) to (e) or 75(2)(a) to (e) of the 1992 Act and two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

Section 101 – 106A³⁴
Electronic Communication

³⁴ Inserted by Council Tax Reductions Schemes (Prescribed Requirements) (England) Regulations 2012

101.0 Interpretation

- 101.1 In this Part;
“**information**” includes an application, a certificate, notice or other evidence; and
“**official computer system**” means a computer system maintained by or on behalf of an authority for sending, receiving, processing or storing of any information.

102.0 Conditions for the use of electronic communication

- 102.1 The authority may use an electronic communication in connection with applications for, and awards of, reductions under its scheme.
- 102.2 A person other than the authority may use an electronic communication in connection with the matters referred to in paragraph (1) if the conditions specified in paragraphs (3) to (6) are satisfied.
- 102.3 The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority.
- 102.4 The second condition is that the person uses an approved method of:
- a. authenticating the identity of the sender of the communication;
 - b. electronic communication;
 - c. authenticating any application or notice delivered by means of an electronic communication; and
 - d. subject to sub-paragraph (7), submitting to the authority any information.
- 102.5 The third condition is that any information sent by means of an electronic communication is in a form approved for the purposes.
- 102.6 The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.
- 102.7 Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.
- 102.8 In this paragraph “approved” means approved by means of a direction given by the Chief Executive of the authority for the purposes of this section.

103.0 Use of intermediaries

- 103.1 The authority may use intermediaries in connection with;
- a. the delivery of any information by means of an electronic communication; and
 - b. the authentication or security of anything transmitted by such means,
- and may require other persons to use intermediaries in connection with those matters.

104.0 Effect of delivering information by means of electronic communication

- 104.1 Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of an authority’s scheme on the day the conditions imposed:
- a. by this section; and
 - b. by or under an enactment,
- are satisfied.
- 104.2 The authority may determine that any information is to be treated as delivered on a

different day (whether earlier or later) from the day provided for in sub-paragraph (1).

- 104.3 Information may not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

105.0 Proof of identity of sender or recipient of information

- 105.1 If it is necessary to prove, for the purpose of any legal proceedings, the identity of:
- a. the sender of any information delivered by means of an electronic communication to an official computer system; or
 - b. the recipient of any such information delivered by means of an electronic communication from an official computer system,
- the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

106.0 Proof of delivery of information

- 106.1 If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this is presumed to have been the case where;
- (a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or
 - (b) any such information has been delivered by the relevant authority, if the delivery of that information has been recorded on an official computer system.
- 106.2 If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information, this is presumed not to be the case, if that information delivered to the relevant authority has not been recorded on an official computer system.
- 106.3 If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt is presumed to be that recorded on an official computer system.

106A.0 Proof of content of information

- 106A.1 If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content is presumed to be that recorded on an official computer system.

Section 107
Counter Fraud and Compliance

107.0 Counter Fraud and compliance

107.1 In order to protect the finances of the authority and also in the interests of all council taxpayers, the authority will undertake such actions as allowed by law to;

- a. Prevent and detect fraudulent claims and actions in respect of Council Tax Support;
- b. Carry out investigations fairly, professionally and in accordance with the law; and
- c. Ensure that sanctions are applied in appropriate cases

107.2 The authority believes that it is important to minimise the opportunity for fraud and;

- a. will implement rigorous procedures for the verification of claims for council tax support;
- b. will employ sufficient Officers to fulfill the authority's commitment to combat fraud;
- c. will actively tackle fraud where it occurs in accordance with this scheme;
- d. will co-operate with the Department for Work and Pensions (DWP), Her Majesty's Revenues and Customs and take part in joint working including prosecutions; and
- e. will in all cases seek to recover all outstanding council tax.

107.3 The authority shall put into place such administrative policies, procedures and processes as are necessary to ensure that the actions outlined within paragraph 107.1 and 107.2 can be carried out successfully. In particular the authority shall undertake actions provided by the Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013.

Schedule 1
Applicable Amounts³⁵

³⁵ The amounts shown within this schedule shall be uprated in line with the Housing Benefit Regulations 2006 as amended

Personal Allowance

- 1 The amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the amounts specified for the purposes the main scheme;

Column 1 Person or Couple	Column 2
1. A Single applicant who; a) is entitled to main phase employment and support allowance	£77.00
b) is aged not less than 25	£77.00
c) is aged not less than 18 but less than 25	£61.05
2. Lone Parent	£77.00
3. Couple; a) Where the applicant is entitled to the main phase of employment and support allowance	£121.05
b) Where one member is aged not less than 18	£121.05
c) For each additional spouse who is a member of the same household as the claimant	£44.05

For the purposes of paragraph 1 an applicant is entitled to main phase employment and support allowance if;

- Paragraph 17 or 18 is satisfied in relation to the applicant; or
- The applicant is entitled to a converted employment and support allowance

- 2 (1) The amount specified in column (2) below in respect of each person specified in column (1) shall, for the relevant period specified in column (1), be the amounts specified for the purposes of the main scheme

Column 1 Child or Young Person	Column 2
Person in respect of the period— (a) beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday;	£70.80
(b) beginning on the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's twentieth birthday.	£70.80

(2) In column (1) of the table in paragraph (1), "the first Monday in September" means the Monday which first occurs in the month of September in any year.

Family Premiums

3. (1) The amount for the purposes of this scheme in respect of a family of which at least one member is a child or young person shall be
- where the applicant is a lone parent to whom sub-paragraph (3) of Schedule 3 of the Housing Benefit Regulations 2006 applies, £22.20;
 - in any other case, £17.85;

Premiums

4. Except as provided in paragraph 5, the premiums specified this Schedule shall, for the purposes of this scheme, be applicable to an applicant who satisfies the condition specified in paragraphs 4 to 16 in respect of that premium.
5. Subject to paragraph 6, where an applicant satisfies the conditions in respect of more than one premium in this this Schedule, only one premium shall be applicable to him and, if they are different amounts, the higher or highest amount shall apply.
- 6 (1) The following premiums, namely–
- a. severe disability premium to which paragraph 10 applies;
 - b. an enhanced disability premium to which paragraph 11 applies;
 - c. a disabled child premium to which paragraph 12 applies; and a
 - d. carer premium to which paragraph 13 applies,
- may be applicable in addition to any other premium which may apply under this Schedule
7. (1) Subject to sub-paragraph (2), for the purposes of this Schedule, once a premium is applicable to an applicant under this Part, a person shall be treated as being in receipt of any benefit for
- a. in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and
 - b. any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the 1973 Act or by Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise under or section 2 of the Enterprise and New Towns(Scotland) Act 1990 for any period during which he is in receipt of a training allowance.
- (2) For the purposes of the carer premium, a person shall be treated as being in receipt of carer's allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the Act or the daily living component of the personal independence payment under the Welfare Reform Act 2012 or an AFIP.

Disability Premium

8. The condition (s) to be met is contained in Schedule 3 (12) Housing Benefit Regulations 2006

Additional Condition for the Disability Premiums

9. The condition (s) to be met is contained in Schedule 3 (13) Housing Benefit Regulations 2006

Severe Disability Premiums

10. The condition (s) to be met is contained in Schedule 3 (14) Housing Benefit Regulations 2006

Enhanced Disability Premium

11. The condition (s) to be met is contained in Schedule 3 (15) Housing Benefit Regulations 2006

Disabled Child Premium

12. The condition (s) to be met is contained in Schedule 3 (16) Housing Benefit Regulations 2006

Carer Premium

13. The condition (s) to be met is contained in Schedule 3 (17) Housing Benefit Regulations 2006

Persons in receipt of concessionary payments

14. For the purpose of determining whether a premium is applicable to a person under paragraphs 8 to 13, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs shall be treated as if it were a payment of that benefit.

Persons in receipt of benefit for another

15. For the purposes of this Schedule, a person shall be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and shall be so regarded only for any period in respect of which that benefit is paid.

Amounts of Premium

16. For the purposes of this Schedule, the following amounts shall apply;

Premium	Amount
Disability Premium	£36.20
a. where the applicant satisfies the condition in paragraph 12(a) of Schedule 3 Housing Benefit Regulations 2006	
b. where the applicant satisfies the condition in paragraph 12(b) of Schedule 3 Housing Benefit Regulations 2006	£51.60
Severe Disability Premium	£69.40
a. where the applicant satisfies the condition in paragraph 14(2)(a) of Schedule 3 Housing Benefit Regulations 2006	
b. where the applicant satisfies the condition in paragraph 14(2)(b) of Schedule 3 Housing Benefit Regulations 2006	£69.40
i. in a case where there is someone in receipt of carer's allowance or if he or any partner satisfies that condition only by virtue of paragraph 14(5);	
ii. in a case where there is no one in receipt of such an allowance	£138.80
Disabled Child Premium	£68.04 in respect of each child or young person in respect of whom the condition specified in paragraph 16 of Part 3 of Schedule 3 Housing Benefit Regulations 2006
Carer Premium	£38.85 in respect of each person who satisfies the condition specified in paragraph 17 of Part 3 of Schedule 3 Housing Benefit Regulations 2006
Enhanced Disability Premium	(a) £27.44 in respect of each child or young person in respect of whom the conditions specified in paragraph 15 of Part 3 of Schedule 3 Housing Benefit Regulations 2006 are satisfied; (b) £17.75 in respect of each person who is neither— (i) a child or young person; nor (ii) a member of a couple or a polygamous marriage, in respect of whom the conditions specified in paragraph 15 are satisfied; (c) £25.35 where the applicant is a member of a couple or a

Premium	Amount
	polygamous marriage and the conditions specified in paragraph 15 of Part 3 of Schedule 3 Housing Benefit Regulations 2006 are satisfied in respect of a member of that couple or polygamous marriage.

The components

17. The condition (s) to be met is contained in Schedule 3 (21 -24) Housing Benefit Regulations 2006 as amended by the Social Security (Miscellaneous Amendments) Regulations 2013
18. The amount of the work-related activity component is £30.60. The amount of the support component is £40.60.

Transitional Addition

19. The applicant is entitled to the transitional addition calculated in accordance with paragraph 30 of Schedule 3 of the Housing Benefit Regulations 2006 where the applicant or the applicant's partner meets the conditions contained within paragraphs 27 – 29 of Schedule 3 of the Housing Benefit Regulations 2006

Amount of transitional addition

20. The amount of any transitional addition is calculated in accordance with paragraphs 30 and 31 of Schedule 3 of the Housing Benefit Regulations 2006

Schedule 2

Second Adult Reduction – Special Provisions for Students

(Alternative Maximum Council tax reduction)

1. Subject to paragraphs 2 and 3, the alternative maximum council tax reduction in respect of a day for the purpose of section 100A shall be determined in accordance with the following Table and in this Table
 - a) 'second adult' means any person or persons residing with the applicant; and
 - b) 'persons to whom paragraph 45.2 applies' includes any person to whom that section would apply were they, and their partner if they had one, below the qualifying age for state pension credit.
2. In this Schedule 'council tax due in respect of that day' means the council tax payable under section 10 or 78 of the 1992 Act less—
 - (a) any reductions made in consequence of any enactment in, or under, the 1992 Act; and
 - (b) in a case to which the circumstance in the table below applies, the amount of any discount which may be appropriate to the dwelling under the 1992 Act.

Second Adult	Alternative Maximum Council tax reduction
where the dwelling would be wholly occupied by one or more persons to whom regulation 43.1 applies but for the presence of one or more second adults who are in receipt of income support, state pension credit, an income-related employment and support allowance or are persons on an income-based jobseeker's allowance	80 per cent. of the council tax due in respect of that day.

3. In determining a second adult's gross income for the purposes of this Schedule, there shall be disregarded from that income;
 - (a) any attendance allowance, or any disability living allowance under section 71 of the Act or any personal independence payment under the Welfare Reform Act 2012 or an AFIP;
 - (b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006) which had his income fallen to be calculated under section 30 (calculation of income other than earnings) would have been disregarded under paragraph 24 of Schedule 4 (income in kind); and
 - (c) any payment which had his income fallen to be calculated under section 30 would have been disregarded under paragraph 36 of Schedule 4 (payments made under certain trusts and certain other payments).

Where there are two or more second adults residing with the applicant for support and any such second adult falls to be disregarded for the purposes of discount in accordance with Schedule 1 of the 1992 Act, his income shall be disregarded in determining the amount of any alternative maximum council tax reduction, unless that second adult is a member of a couple, and his partner does not fall to be disregarded for the purposes of discount.

Schedule 3

Sums to be disregarded in the calculation of earnings³⁶

³⁶ All amounts within this schedule will be amended in line with the Housing Benefit Regulations 2006 (as amended)

1. In the case of an applicant who has been engaged in remunerative work as an employed earner or, had the employment been in Great Britain, would have been so engaged—
 - (a) where—
 - (i) the employment has been terminated because of retirement; and
 - (ii) on retirement he is entitled to a retirement pension under the Act, or is not so entitled solely because of his failure to satisfy the contribution conditions,
any earnings paid or due to be paid in respect of that employment, but only for a period commencing on the day immediately after the date on which the employment was terminated;
 - (b) where before the first day of entitlement to council tax support the employment has been terminated otherwise than because of retirement, any earnings paid or due to be paid in respect of that employment except—
 - (i) any payment of the nature described in
(aa) paragraph 25.1(e), or

(bb) section 28, 64 or 68 of the Employment Rights Act 1996 (guarantee payments, suspension from work on medical or maternity grounds); and
 - (ii) any award, sum or payment of the nature described in
(aa) paragraph 25.1(g) or (h), or
(bb) section 34 or 70 of the Employment Rights Act 1996 (guarantee payments and suspension from work: complaints to employment tribunals),
including any payment made following the settlement of a complaint to an employment tribunal or of court proceedings;
 - (c) where before the first day of entitlement to council tax support—
 - (i) the employment has not been terminated, but
 - (ii) the applicant is not engaged in remunerative work,

any earnings paid or due to be paid in respect of that employment except any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii) (bb) or paragraph 25.1(i), or (j).
2. In the case of an applicant who, before first day of entitlement to council tax support;
 - (a) has been engaged in part-time employment as an employed earner or, where the employment has been outside Great Britain, would have been so engaged had the employment been in Great Britain; and
 - (b) has ceased to be engaged in that employment, whether or not that employment has been terminated,
any earnings paid or due to be paid in respect of that employment except;
 - (i) where that employment has been terminated, any payment of the nature described in paragraph 1(b)(i) or (ii)(bb);
 - (ii) where that employment has not been terminated, any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii)(bb) or paragraph 25.1(i), (i) or (j).
- 2A. In the case of an applicant who has been engaged in remunerative work or part-time employment as a self-employed earner or, had the employment been in Great Britain would have been so engaged and who has ceased to be so employed, from the date of the cessation

of his employment any earnings derived from that employment except earnings to which paragraph 27.3 and paragraph 27.4 (earnings of self-employed earners) apply.

3. (1) In a case to which this paragraph applies and paragraph 4 does not apply, £25; but notwithstanding section 15 (calculation of income and capital of members of an applicant's family and of a polygamous marriage) if this paragraph applies to an applicant it shall not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £25.

(2) This paragraph applies where the applicant's applicable amount includes an amount by way of the disability premium, severe disability premium, work-related activity component or support component.

(3) This paragraph applies where
 - (a) the applicant is a member of a couple and his applicable amount includes an amount by way of the disability premium; and
 - (b) the applicant or his partner has not attained the qualifying age for state pension credit and at least one is engaged in employment.
(4)–(5) Not used
4. In a case where the applicant is a lone parent, £25.
5. (1) In a case to which neither paragraph 3 nor paragraph 4 applies to the applicant and, subject to sub-paragraph (2), where the applicant's applicable amount includes an amount by way of the carer premium, £25 of the earnings of the person who is, or at any time in the preceding eight weeks was, in receipt of carer's allowance or treated in accordance with this scheme as being in receipt of carer's allowance.

(2) Where the carer premium is awarded in respect of the applicant and of any partner of his, their earnings shall for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) shall not exceed £25 of the aggregated amount.
6. Where the carer premium is awarded in respect of an applicant who is a member of a couple and whose earnings are less than £25, but is not awarded in respect of the other member of the couple, and that other member is engaged in an employment;
 - (a) specified in paragraph 8(1), so much of the other member's earnings as would not when aggregated with the amount disregarded under paragraph 5 exceed £25;
 - (b) other than one specified in paragraph 8(1), so much of the other member's earnings from such other employment up to £25 as would not when aggregated with the amount disregarded under paragraph 5 exceed £25.
7. In a case where paragraphs 3, 5, 6 and 8 do not apply to the applicant and he is one of a couple and a member of that couple is in employment, £25; but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if this paragraph applies to an applicant it shall not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £25.
8. (1) In a case where paragraphs 3, 4, 5 and 6 do not apply to the applicant, £25 of earnings derived from one or more employments as–
 - (a) as a part-time fire-fighter employed by a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
 - (b) a part-time fire-fighter employed by a fire and rescue authority (as defined in section

- 1 of the Fire (Scotland) Act 2005(a)) or a joint fire and rescue board constituted by an amalgamation scheme made under section 2(1) of that Act;
- (c) an auxiliary coastguard in respect of coast rescue activities;
 - (d) a person engaged part-time in the manning or launching of a life boat;
 - (e) a member of any territorial or reserve force prescribed in Part I of Schedule 6 to the Social Security (Contributions) Regulations 2001;
- but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if this paragraph applies to an applicant it shall not apply to his partner except to the extent specified in sub-paragraph (2).
- (2) If the applicant's partner is engaged in employment;
 - (a) specified in sub-paragraph (1), so much of his earnings as would not in aggregate with the amount of the applicant's earnings disregarded under this paragraph exceed £25;
 - (b) other than one specified in sub-paragraph (1), so much of his earnings from that employment up to £25 as would not in aggregate with the applicant's earnings disregarded under this paragraph exceed £25.
- 9.** Where the applicant is engaged in one or more employments specified in paragraph 8(1), but his earnings derived from such employments are less than £25 in any week and he is also engaged in any other employment so much of his earnings from that other employment, up to £25 if he is a single applicant, or up to £25 if he has a partner, as would not in aggregate with the amount of his earnings disregarded under paragraph 8 exceed £25.
- 10.** In a case to which none of the paragraphs 3 to 9 applies, £25.
- 10A.** (1) Where;
- (a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;
 - (b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and
 - (c) paragraph 12 does not apply,
- the amount specified in sub-paragraph (7) ('the specified amount').
- (2) Where this paragraph applies, paragraphs 3 to 10 do not apply; but in any case where the applicant is a lone parent, and the specified amount would be less than the amount specified in paragraph 4, then paragraph 4 applies instead of this paragraph.
 - (3) Notwithstanding section 15 (calculation of income and capital of members of applicant's family and of a polygamous marriage), if sub-paragraph (1) applies to one member of a couple ('A') it shall not apply to the other member of that couple ('B') except to the extent provided in sub-paragraph (4).
 - (4) Where A's earnings are less than the specified amount, there shall also be disregarded so much of B's earnings as would not when aggregated with A's earnings exceed the specified amount; but the amount of B's earnings which may be disregarded under this sub-paragraph is limited to a maximum of £25 unless the Secretary of State is satisfied that B is also undertaking exempt work.
 - (5) This sub-paragraph applies to a person who is;
 - (a) in receipt of a contributory employment and support allowance;
 - (b) in receipt of incapacity benefit;
 - (c) in receipt of severe disablement allowance; or
 - (d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975
 - (6) 'Exempt work' means work of the kind described in;

(a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations; or (as the case may be)
 (b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,
 and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.

(7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt (or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).

11. Any amount or the balance of any amount which would fall to be disregarded under paragraph 19 or 20 of Schedule 4 had the applicant's income which does not consist of earnings been sufficient to entitle him to the full disregard thereunder.

12. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, his earnings.

13. Any earnings derived from employment, which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings.

14. Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting that payment into Sterling.

15. Any earnings of a child or young person.

16. (1) In a case where the applicant is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under paragraphs 3 to 10A of this Schedule shall be increased by £17.10.

(2) The conditions of this sub-paragraph are that—

(a) the applicant, or if he is a member of a couple, either the applicant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit Regulations applies; or

(b) the applicant—

(i) is, or if he is a member of a couple, at least one member of that couple is aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or

(ii) is a member of a couple and

(aa) at least one member of that couple, is engaged in remunerative work for on average not less than 16 hours per week; and

(bb) his applicable amount includes a family premium; or

(iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or

(iv) is, or if he is a member of a couple, at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and;

(aa) the applicant's applicable amount includes a disability premium, the work-related activity component or the support component ;

(bb) where he is a member of a couple, at least one member of that couple satisfies the qualifying conditions for the disability premium or either of the components referred to in sub-head (aa) above and is engaged in remunerative work for on average not less than 16 hours per week; or

(c) the applicant is, or if he has a partner, one of them is, a person to whom regulation 18(3) of the Working Tax Credit Regulations (eligibility for 50 plus element) applies, or

would apply if an application for working tax credit were to be made in his case.

- (3) The following are the amounts referred to in sub-paragraph (1);
 - (a) the amount calculated as disregardable from the applicant's earnings under paragraphs 3 to 10A of this Schedule;
 - (b) the amount of child care charges calculated as deductible under paragraph 17(1)(c); and
 - (c) £17.10
- (4) The provisions of section 6 shall apply in determining whether or not a person works for on average not less than 30 hours per week, but as if the reference to 16 hours in paragraph (1) of that section were a reference to 30 hours.
- (5) This section will be increased annually in line with the Housing Benefit Regulations 2006 (as amended).

- 17.** In this Schedule 'part-time employment' means employment in which the person is engaged on average for less than 16 hours a week.

Schedule 4

Sums to be disregarded in the calculation of income other than earnings³⁷

³⁷ Any amounts shown in this schedule will be uprated in line with the Housing Benefit Regulations 2006 as amended

- 1.** Any amount paid by way of tax on income, which is to be taken into account under section 30 (calculation of income other than earnings).
- A2.** Any payment made to the claim and in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme.
- A3.** Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme or Back to Work Scheme, but only for 52 weeks beginning with the date of receipt of the payment.
- 2.** Any payment in respect of any expenses incurred or to be incurred by an applicant who is—
 - (a) engaged by a charitable or voluntary organisation, or
 - (b) volunteer,if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under section 32.0 (notional income).
- 2A.** Any payment in respect of expenses arising out of the applicant's participation as a service user.
- 3.** In the case of employment as an employed earner, any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment.
- 4.** Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance the whole of his income.
- 5.** Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act and his partner is on an income-based jobseeker's allowance, the whole of the applicant's income.
- 6.** Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No. 3) Regulations 1999 as in force at that date, the whole of his income.
- 7.** Any disability living allowance, personal independence payment or AFIP
- 8.** Any concessionary payment made to compensate for the non-payment of;
 - (a) any payment specified in paragraph 7 or 10;
 - (b) income support;
 - (c) an income-based jobseeker's allowance.
 - (d) an income-related employment and support allowance.
- 9.** Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.
- 10.** Any attendance allowance.
- 11.** Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.
- 12.** (1) Any payment—
 - (a) by way of an education maintenance allowance made pursuant to;
 - (i) regulations made under section 518 of the Education Act 1996 (payment of school expenses; grant of scholarships etc);

- (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980 (power to assist persons to take advantage of educational facilities);
 - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992
 - (b) corresponding to such an education maintenance allowance, made pursuant to;
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 - (ii) regulations made under section 181 of that Act; or
 - (iii) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.
- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to;
 - (a) regulations made under section 518 of the Education Act 1996;
 - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
 - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992, in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).
- 13.** Any payment made to the applicant by way of a repayment under regulation 11(2) of the Education (Teacher Student Loans) (Repayment etc.) Regulations 2002.
- 14**
 - (1) Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 except a payment;
 - (a) made as a substitute for income support, a jobseeker's allowance, incapacity benefit, severe disablement allowance or an employment and support allowance;
 - (b) of an allowance referred to in section 2(3) of the 1973 Act or section 2(5) of the Enterprise and New Towns (Scotland) Act 1990; or
 - (c) intended to meet the cost of living expenses which relate to any one or more of the items specified in sub-paragraph (2) whilst an applicant is participating in an education, training or other scheme to help him enhance his employment prospects unless the payment is a Career Development Loan paid pursuant to section 2 of the 1973 Act and the period of education or training or the scheme, which is supported by that loan, has been completed.
 - (2) The items specified in this sub-paragraph for the purposes of sub-paragraph (1)(c) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- 15**
 - (1) Subject to sub-paragraph (2), any of the following payments;
 - (a) a charitable payment;
 - (b) a voluntary payment;
 - (c) a payment (not falling within sub-paragraph (a) or (b) above) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;
 - (d) a payment under an annuity purchased;
 - (i) pursuant to any agreement or court order to make payments to the applicant; or
 - (ii) from funds derived from a payment made, in consequence of any personal injury to the applicant; or
 - (e) a payment (not falling within sub-paragraphs (a) to (d) received by virtue of any agreement or court order to make payments to the applicant in consequence of

any personal injury to the applicant.

- (2) Sub-paragraph (1) shall not apply to a payment, which is made or due to be made by—
 - (a) a former partner of the applicant, or a former partner of any member of the applicant's family; or
 - (b) the parent of a child or young person where that child or young person is a member of the applicant's family.
- 16.** 100% of any of the following, namely
 - (a) a war disablement pension (except insofar as such a pension falls to be disregarded under paragraph 9 or 10);
 - (b) a war widow's pension or war widower's pension;
 - (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
 - (d) a guaranteed income payment;
 - (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
 - (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
 - (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.
- 17.** Subject to paragraph 35, £15 of any;
 - (a) widowed mother's allowance paid pursuant to section 37 of the Act;
 - (b) widowed parent's allowance paid pursuant to section 39A of the Act.
- 18.** (1) Any income derived from capital to which the applicant is or is treated under section 41 (capital jointly held) as beneficially entitled but, subject to sub- paragraph (2), not income derived from capital disregarded under paragraphs 1, 2, 4, 8, 14 or 25 to 28 of Schedule 5.
(2) Income derived from capital disregarded under paragraphs 2, 4 or 25 to 28 of Schedule 5 but only to the extent of—
 - (a) any mortgage repayments made in respect of the dwelling or premises in the period during which that income accrued; or
 - (b) any council tax or water charges which the applicant is liable to pay in respect of the dwelling or premises and which are paid in the period during which that income accrued.
(3) The definition of 'water charges' in paragraph 2(1) shall apply to sub-paragraph (2) of this paragraph with the omission of the words 'in so far as such charges are in respect of the dwelling which a person occupies as his home'.
- 19.** Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating—
 - (a) under, or pursuant to regulations made under powers conferred by, sections 1 or 2 of the Education Act 1962 or section 22 of the Teaching and Higher Education Act 1998(c), that student's award;
 - (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
 - (c) the student's student loan,an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

- 20.** (1) Where the applicant is the parent of a student aged under 25 in advanced education who either;
- (a) is not in receipt of any award, grant or student loan in respect of that education; or
 - (b) is in receipt of an award under section 2 of the Education Act 1962 (discretionary awards) or an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980,
- and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 19, an amount specified in sub-paragraph (2) in respect of each week during the student's term.
- (2) For the purposes of sub-paragraph (1), the amount shall be equal to—
- (a) the weekly amount of the payments; or
 - (b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b),
- whichever is less.
- 21.** Any payment made to the applicant by a child or young person or a non- dependant.
- 22.** Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person other than one to whom paragraph 21 or 23 refers and there is a contractual liability to make payments to the applicant in respect of the occupation of the dwelling by that person or a member of his family—
- (a) where the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family, is less than £20, the whole of that amount; or
 - (b) where the aggregate of any such payments is £20 or more per week, £20.
- 23.** (1) Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for which such accommodation is provided for the whole or any part of a week, equal to—
- (a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20.00, 100 per cent. of such payments;
 - (b) where the aggregate of any such payments exceeds £20.00, £20.00 and 50 per cent. of the excess over £20.00.
- (2) In this paragraph, 'board and lodging accommodation' means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises.
- 24.** (1) Any income in kind, except where regulation 30(11)(b) (provision of support under section 95 or 98 of the Immigration and Asylum Act in the calculation of income other than earnings) applies.
- (2) The reference in sub-paragraph (1) to 'income in kind' does not include a payment to a third party made in respect of the applicant which is used by the third party to provide benefits in kind to the applicant.
- 25.** Any income which is payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.
- 26.** (1) Any payment made to the applicant in respect of a person who is a member of his family—

- (a) pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002 or in accordance or with a scheme approved by the Scottish Ministers under section 51A of the Adoption (Scotland) Act 1978(b) (schemes for payments of allowances to adopters); or in accordance with an Adoption Allowance Scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (Adoption Allowances Schemes)
 - (b) not used
 - (ba) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child's maintenance where the child is living with a person as a result of a residence order) or in Scotland section 50 of the Children Act 1975 (payments towards maintenance of children);
 - (c) which is a payment made by an authority, as defined in Article 2 of the Children Order, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child's maintenance);
 - (d) in accordance with regulations made pursuant to section 14F of the Children Act 1989(c) (special guardianship support services);
- (2) Any payment, other than a payment to which sub-paragraph (1)(a) applies, made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.
- 27.** Any payment made to the applicant with whom a person is accommodated by virtue of arrangements made
 - (a) by a local authority under—
 - (i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),
 - (ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or
 - (iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or
 - (b) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).
- 28.** Any payment made to the applicant or his partner for a person ('the person concerned'), who is not normally a member of the applicant's household but is temporarily in his care, by—
 - (a) a health authority;
 - (b) a local authority but excluding payments of housing benefit made in respect of the person concerned;
 - (c) a voluntary organisation;
 - (d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;
 - (e) a primary care trust established under section 16A of the National Health Service Act 1977 or established by an order made under section 18(2)(c) of the National Health Service Act 2006; or
 - (f) a Local Health Board established under section 16BA of the National Health Service Act 1977 or established by an order made under section 11 of the National Health Service (Wales) Act 2006
- 29.** Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or section 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
- 29A.** (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989(e) or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ('A') which A passes on to the applicant.

- (2) Sub-paragraph (1) applies only where A;
- (a) was formerly in the applicant's care, and
 - (b) is aged 18 or over, and
 - (c) continues to live with the applicant.
- 30.** (1) Subject to sub-paragraph (2), any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments;
- (a) on a loan which is secured on the dwelling which the applicant occupies as his home; or
 - (b) under a regulated agreement as defined for the purposes of the Consumer Credit Act 1974 or under a hire-purchase agreement or a conditional sale agreement as defined for the purposes of Part 3 of the Hire-Purchase Act 1964.
- (2) A payment referred to in sub-paragraph (1) shall only be disregarded to the extent that the payment received under that policy does not exceed the amounts, calculated on a weekly basis, which are used to—
- (a) maintain the repayments referred to in sub-paragraph (1)(a) or, as the case may be, (b); and
 - (b) meet any amount due by way of premiums on—
 - (i) that policy; or
 - (ii) in a case to which sub-paragraph(1)(a) applies, an insurance policy taken out to insure against loss or damage to any building or part of a building which is occupied by the applicant as his home and which is required as a condition of the loan referred to in sub-paragraph (1)(a).
- 31.** Any payment of income which, by virtue of section 36 (income treated as capital) is to be treated as capital.
- 32.** Any social fund payment made pursuant to Part 8 of the Act (the Social Fund) or any local welfare provision as defined by the Social Security (Miscellaneous Amendments) Regulations 2013
- 33.** Any payment under Part 10 of the Act (Christmas bonus for pensioners).
- 34.** Where a payment of income is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 35.** The total of an applicant's income or, if he is a member of a family, the family's income and the income of any person which he is treated as possessing under paragraph 15.2 (calculation of income and capital of members of applicant's family and of a polygamous marriage) to be disregarded under paragraph 47.2(b) and paragraph 48.1(d) (calculation of covenant income where a contribution assessed, covenant income where no grant income or no contribution is assessed), paragraph 51(2) (treatment of student loans), paragraph 52(3) (treatment of payments from access funds) and paragraphs 16 and 17 shall in no case exceed £20 per week.
- 36.** (1) Any payment made under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
- (2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
 - (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
 - (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of;

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where;

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either;
 - (i) to that person's parent or step-parent, or
 - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where;

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and
- (b) the payment is made either
 - (i) to that person's parent or step-parent, or
 - (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose support payment referred to in this paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation London Bombings Relief Charitable Fund, or the Windrush Compensation Scheme.

37. Any housing benefit, council tax benefit or council tax support / reduction.

38. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.

39. - 40. not used

41. Any payment to a juror or witness in respect of attendance at a court other than compensation for loss of earnings or for the loss of a benefit payable under the benefit Acts.
42. Not used
43. Any payment in consequence of a reduction of council tax under section 13 or section 80 of the 1992 Act (reduction of liability for council tax).
44. Not used
45. (1) Any payment or repayment made—
 - (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
 - (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
 - (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies).(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers, which is analogous to a payment or repayment, mentioned in subparagraph (1).
46. Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins).
47. Any payment made by either the Secretary of State for Justice or by the Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody.
48. Any payment of child maintenance made or derived from a liable relative where the child or young person in respect of whom the payment is made is a member of the claimant's family, except where the person making the payment is the claimant or the claimant's partner.
49. Not used
50. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.
51. Any guardian's allowance.
52. (1) If the applicant is in receipt of any benefit under Parts 2, 3 or 5 of the Act, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of the Act, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.

(2) If the applicant is in receipt of any pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006, any increase in the rate of that pension or allowance under that Order, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.
53. Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence

to any person who is not a person entitled under that Order.

- 54.** In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983(a) (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.
- 55** (1) Any payment which is
- (a) made under any of the Dispensing Instruments to a widow, widower or
 - (b) surviving civil partner of a person;
 - (i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and
 - (ii) whose service in such capacity terminated before 31st March 1973; and equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.
- (2) In this paragraph 'the Dispensing Instruments' means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).
- 55A.** Any council tax support or council tax benefit to which the applicant is entitled.
- 56.** Except in a case which falls under sub-paragraph (1) of paragraph 16 of Schedule 3, where the applicant is a person who satisfies any of the conditions of sub-paragraph (2) of that paragraph, any amount of working tax credit up to £17.10. This will be increased annually in line with the Housing Benefit Regulations 2006 (as amended).
- 56A.–56B.** Not used
- 57.** Any payment made under section 12B of the Social Work (Scotland) Act 1968, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care) or under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments).
- 58.** (1) Subject to sub-paragraph (2), in respect of a person who is receiving, or who has received, assistance under the self-employment route, any payment to that person–
- (a) to meet expenses wholly and necessarily incurred whilst carrying on the commercial activity;
 - (b) which is used or intended to be used to maintain repayments on a loan taken out by that person for the purpose of establishing or carrying on the commercial activity,
- in respect of which such assistance is or was received.
- (2) Sub-paragraph (1) shall apply only in respect of payments, which are paid to that person from the special account
- 59.** (1) Any payment of a sports award except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).
- (2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- (3) For the purposes of sub-paragraph (2) 'food' does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.
- 60.** Where the amount of subsistence allowance paid to a person in a reduction week exceeds the amount of income-based jobseeker's allowance that person would have received in that reduction week had it been payable to him, less 50p, that excess amount.
- 61.** In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or

otherwise.

- 62.** Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001 as amended by the Welfare Reform Act 2012 (Consequential Amendments) Regulations 2013.
- 63.** (1) Any payment made by a local authority or by the Welsh Ministers to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.
(2) For the purposes of sub-paragraph (1) 'local authority' includes, in England, a county council.
- 64.** Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments)
- 65.** Any Bereavement Support payments made under the Bereavement Support Payment Regulations 2017.
- 66.** Any payments disregarded for Housing Benefits under the Social Security (Emergency Funds) Amendment) Regulations 2017.
- 67.** Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:
(a) an applicant's entitlement to a reduction under the scheme; or
(b) the amount of any reduction to which the applicant is entitled.
"The Energy Rebate Scheme 2022" means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022.
- 68.** Any payment made either under a Local Welfare Provision or any emergency increase in national welfare benefits made by Government in response to any crisis. This will exclude any benefit increases made in line with benefit upratings that would occur annually.

Schedule 5
Capital to be disregarded³⁸

³⁸ Any amounts shown in this schedule will be uprated in line with the Housing Benefit Regulations 2006 as amended

1. The dwelling together with any garage, garden and outbuildings, normally occupied by the applicant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular 5, in Scotland, any croft land on which the dwelling is situated; but, notwithstanding section 15 (calculation of income and capital of members of applicant's family and of polygamous marriage), only one dwelling shall be disregarded under this paragraph.
- A2. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme but only for 52 weeks beginning with the date of receipt of the payment.
- A3. Any payment made to the applicant in respect of any travel or other expenses incurred or to be incurred, by him in respect of his participation in the Employment, Skills and Enterprise Scheme or Back to Work Scheme but only for 52 weeks beginning with the date of receipt of the payment but only for 52 weeks beginning with the date of receipt of payment.
2. Any premises acquired for occupation by the applicant, which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
3. Any sum directly attributable to the proceeds of sale of any premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances to enable the applicant to complete the purchase.
4. Any premises occupied in whole or in part—
 - (a) by a partner or relative of a single applicant or any member of the family as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
 - (b) by the former partner of the applicant as his home; but this provision shall not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.
5. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his capital.
6. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital.
7. Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.
8. (1) The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner, or if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of any such asset.
 (2) The assets of any business owned in whole or in part by the applicant where—
 - (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
 - (b) he intends to become engaged or, as the case may be, re-engaged as a self-employed earner in that business as soon as he recovers or is able to become engaged or re-engaged in that business;

for a period of 26 weeks from the date on which the claim for council tax support is made, or is treated as made, or, if it is unreasonable to expect him to become engaged or re-

engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

(3) In the case of a person who is receiving assistance under the self-employment route, the assets acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is being received.

(3) In the case of a person who has ceased carrying on the commercial activity in respect of which assistance was received as specified in sub-paragraph (3), the assets relating to that activity for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

9. (1) Subject to sub-paragraph (2), any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of;
- (a) any payment specified in paragraphs 7, 9 or 10 of Schedule 4;
 - (b) an income-related benefit under Part 7 of the Act;
 - (c) an income-based jobseeker's allowance;
 - (d) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
 - (e) working tax credit and child tax credit
 - (f) an income-related employment and support allowance

but only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

(2) In a case where the total of any arrears and, if appropriate, any concessionary payment referred to in sub-paragraph (1) relating to one of the specified payments, benefits or allowances amounts to £5,000 or more (referred to in this sub-paragraph and in sub-paragraph (3) as 'the relevant sum') and is

- (a) paid in order to rectify or to compensate for, an official error as defined in regulation 1(2) of the Decisions and Appeals Regulations; and
- (b) received by the applicant in full on or after 14th October 2001,

sub-paragraph (1) shall have effect in relation to such arrears or concessionary payment either for a period of 52 weeks from the date of receipt, or, if the relevant sum is received in its entirety during the award of council tax support, for the remainder of that award if that is a longer period.

(3) For the purposes of sub-paragraph(2), 'the award of council tax support' means—

- (a) the award in which the relevant sum is first received (or the first part thereof where it is paid in more than one instalment); and
- (b) where that award is followed by one or more further awards which, or each of which, begins immediately after the end of the previous award, such further award provided that for that further award the applicant;
 - (i) is the person who received the relevant sum; or
 - (ii) is the partner of the person who received the relevant sum, or was that person's partner at the date of his death.

10. Any sum

- (a) paid to the applicant in consequence of damage to, or loss of the home or any personal possession and intended for its repair or replacement; or
- (b) acquired by the applicant (whether as a loan or otherwise) on the express condition that it is to be used for effecting essential repairs or improvement to the home, which is to be used for the intended purpose, for a period of 26 weeks from the date on which it was so paid or acquired or such longer period as is reasonable in the circumstances to effect the repairs, replacement or improvement.

- 11.** Any sum—
 - (a) deposited with a housing association as defined in section 1(1) of the Housing Associations Act 1985 or section 338(1) of the Housing (Scotland) Act 1987 as a condition of occupying the home;
 - (b) which was so deposited and which is to be used for the purchase of another home, for the period of 26 weeks or such longer period as may be reasonable in the circumstances to enable the applicant to complete the purchase.
- 12.** Any personal possessions except those which have been acquired by the applicant with the intention of reducing his capital in order to secure entitlement to council tax support or to increase the amount of that support.
- 13.** The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.
- 14.** Where the funds of a trust are derived from a payment made in consequence of any personal injury to the applicant or applicant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.
- 14A.** (1) Any payment made to the applicant or the applicant's partner in consequence of any personal injury to the applicant or, as the case may be, the applicant's partner.

(2) But sub-paragraph (1)
 - (a) applies only for the period of 52 weeks beginning with the day on which the applicant first receives any payment in consequence of that personal injury;
 - (b) does not apply to any subsequent payment made to him in consequence of that injury (whether it is made by the same person or another);
 - (c) ceases to apply to the payment or any part of the payment from the day on which the applicant no longer possesses it;
 - (d) does not apply to any payment from a trust where the funds of the trust are derived from a payment made in consequence of any personal injury to the applicant.
(3) For the purposes of sub-paragraph (2)(c), the circumstances in which an applicant no longer possesses a payment or a part of it include where the applicant has used a payment or part of it to purchase an asset.

(4) References in sub-paragraphs (2) and (3) to the applicant are to be construed as including references to his partner (where applicable).
- 15.** The value of the right to receive any income under a life interest or from a life rent.
- 16.** The value of the right to receive any income, which is disregarded under paragraph 13 of Schedule 3 or paragraph 25 of Schedule 4.
- 17.** The surrender value of any policy of life insurance.
- 18.** Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.
- 19.** Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or sections 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
- 19A.** (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ('A') which A passes on to the

applicant.

(2) Sub-paragraph (1) applies only where A;

- (a) was formerly in the applicant's care, and
- (b) is aged 18 or over, and
- (c) continues to live with the applicant.

- 20.** Any social fund payment made pursuant to Part 8 of the Act.
- 21.** Any refund of tax which falls to be deducted under section 369 of the Income and Corporation Taxes Act 1988 (deduction of tax from certain loan interest) on a payment of relevant loan interest for the purpose of acquiring an interest in the home or carrying out repairs or improvements to the home.
- 22.** Any capital which, by virtue of sections 31 or 51 (capital treated as income, treatment of student loans) is to be treated as income.
- 23.** Where any payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 24.** (1) Any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation or the Charitable Fund.
- (2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
 - (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
 - (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.
- (3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) the person who is suffering from haemophilia or who is a qualifying person;
 - (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
 - (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.
- (4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—
- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
 - (b) the payment is made either;

(i) to that person's parent or step-parent; or
(ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,
but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or any of the Trusts to which sub-paragraph (1) refers, where

(a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child or young person who was or had been a member of his family; and

(b) the payment is made either;

(i) to that person's parent or step-parent; or

(ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose support payment referred to in this paragraph is made, any capital resource which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited the Skipton Fund, the Caxton Foundation, London Bombings Relief Charitable Fund, or the Windrush Compensation Scheme.

25. (1) Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from, or dissolution of his civil partnership with, his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.

(2) In this paragraph 'dwelling' includes any garage, garden and outbuildings, which were formerly occupied by the applicant as his home and any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated.

26. Any premises where the applicant is taking reasonable steps to dispose of those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.

27. Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.

28. Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.

29. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
30. Not used
31. The value of the right to receive an occupational or personal pension.
32. The value of any funds held under a personal pension scheme
33. The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.
34. Any payment in kind made by a charity or under or by the Trusts, the Fund, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).
35. Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990, but only for the period of 52 weeks beginning on the date of receipt of the payment.
36. Not used.
37. Any payment in consequence of a reduction of council tax under section 13 or, as the case may be, section 80 of the Local Government Finance Act 1992 (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.
38. Any grant made in accordance with a scheme made under section 129 of the Housing Act 1988 or section 66 of the Housing (Scotland) Act 1988 (schemes for payments to assist local housing authority and local authority tenants to obtain other accommodation) which is to be used—
 - (a) to purchase premises intended for occupation as his home; or
 - (b) to carry out repairs or alterations which are required to render premises fit for occupation as his home,for a period of 26 weeks from the date on which he received such a grant or such longer period as is reasonable in the circumstances to enable the purchase, repairs or alterations to be completed and the applicant to commence occupation of those premises as his home.
39. Any arrears of supplementary pension which is disregarded under paragraph 53 of Schedule 4 (sums to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 54 or 55 of that Schedule, but only for a period of 52 weeks from the date of receipt of the arrears.
40. (1) Any payment or repayment made—
 - (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
 - (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
 - (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies),but only for a period of 52 weeks from the date of receipt of the payment or repayment.
(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers, which is analogous to a payment, or repayment mentioned in subparagraph (1), but only for a period of 52 weeks from the date of the receipt of the payment or repayment.

- 41.** Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins), but only for a period of 52 weeks from the date of receipt of the payment.
- 41A.** Any payment made under Part 8A of the Act (entitlement to health in pregnancy grant).
- 42.** Any payment made either by the Secretary of State for Justice or by Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody, but only for a period of 52 weeks from the date of the receipt of the payment.
- 43.** Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.
- 44.** Not used
- 45.** Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to homeworkers assisted under the Blind Homeworkers' Scheme.
- 46.** (1) Subject to sub-paragraph (2), where an applicant satisfies the conditions in section 131(3) and (6) of the Act (entitlement to alternative maximum council tax support), the whole of his capital.
(2) Where in addition to satisfying the conditions in section 131(3) and (6) of the Act the applicant also satisfies the conditions in section 131(4) and (5) of the Act (entitlement to the maximum council tax support), sub-paragraph (1) shall not have effect.
- 47.** 1) Any sum of capital to which sub-paragraph (2) applies and
(a) which is administered on behalf of a person by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998 (as amended by the Civil Procedure (Amendment No. 7) Rule 2013) or by the Court of Protection;
(b) which can only be disposed of by order or direction of any such court; or
(c) where the person concerned is under the age of 18, which can only be disposed of by order or direction prior to that person attaining age 18.
(2) This sub-paragraph applies to a sum of capital which is derived from;
(a) an award of damages for a personal injury to that person; or
(b) compensation for the death of one or both parents where the person concerned is under the age of 18.
- 48.** Any sum of capital administered on behalf of a person in accordance with an order made under section 13 of the Children (Scotland) Act 1995, or under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules, where such sum derives from
(a) award of damages for a personal injury to that person; or
(b) compensation for the death of one or both parents where the person concerned is under the age of 18.
- 49.** Any payment to the applicant as holder of the Victoria Cross or George Cross.
- 50.** Not used
- 51.** In the case of a person who is receiving, or who has received, assistance under the self-employment route, any sum of capital which is acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is or was received but only for a period of 52 weeks from the date on which that sum was acquired.
- 52.** (1) Any payment of a sports award for a period of 26 weeks from the date of receipt of that

payment except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).

(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

(3) For the purposes of sub-paragraph (2) 'food' does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

53. (1) Any payment;

- (a) by way of an education maintenance allowance made pursuant to—
 - (i) regulations made under section 518 of the Education Act 1996;
 - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
 - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
- (b) corresponding to such an education maintenance allowance, made pursuant to;
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and National Assembly for Wales to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 - (ii) regulations made under section 181 of that Act ;

or in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.

- (2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to;
- (a) regulations made under section 518 of the Education Act 1996;
 - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
 - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992, in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

53A.-53B. Not used

54. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise, but only for the period of 52 weeks from the date of receipt of the payment.

55. Any arrears of subsistence allowance paid as a lump sum but only for the period of 52 weeks from the date of receipt of the payment.

56. Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or internment of—

- (a) the applicant;
- (b) the applicant's partner;
- (c) the applicant's deceased spouse or deceased civil partner; or
- (d) the applicant's partner's deceased spouse or deceased civil partner,

by the Japanese during the Second World War, £10,000.

57. (1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or a member of an applicant's family who is

- (a) a diagnosed person;
- (b) the diagnosed person's partner or the person who was the diagnosed person's

- partner at the date of the diagnosed person's death;
 - (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
 - (d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.
- (2) Where a trust payment is made to;
 - (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending two years after that date;
 - (c) a person referred to in sub-paragraph (1)(d), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending—
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person—
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,
 whichever is the latest.
- (3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or a member of an applicant's family who is—
 - (a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
 - (b) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
 - (c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death, but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.
- (4) Where a payment as referred to in sub-paragraph (3) is made to—
 - (a) a person referred to in sub-paragraph (3)(a), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
 - (b) a person referred to in sub-paragraph (3)(b), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending two years after that date; or
 - (c) person referred to in sub-paragraph (3)(c), that sub-paragraph shall apply for the period beginning on the date on which that payment is made and ending—
 - (i) two years after that date; or
 - (ii) on the day before the day on which that person
 - (aa) ceases receiving full-time education; or
 - (bb) attains the age of 20,
 whichever is the latest.
- (5) In this paragraph, a reference to a person—
 - (a) being the diagnosed person's partner;
 - (b) being a member of a diagnosed person's family;
 - (c) acting in place of the diagnosed person's parents,
 at the date of the diagnosed person's death shall include a person who would have been such a person or a person who would have been so acting, but for the diagnosed person

residing in a care home, an Abbeyfield Home or an independent hospital on that date.

- (6) In this paragraph— ‘diagnosed person’ means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeld- Jakob disease;
‘relevant trust’ means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeld-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;
‘trust payment’ means a payment under a relevant trust.

58. The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant’s partner, the applicant’s deceased spouse or deceased civil partner or the applicant’s partner’s deceased spouse or deceased civil partner

- (a) was a slave labourer or a forced labourer;
- (b) had suffered property loss or had suffered personal injury; or
- (c) was a parent of a child who had died,

during the Second World War.

58 (1) Any payment made by a local authority, or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service, which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) ‘local authority’ includes in England a county council.

60. Any payment made under regulations made under section 57 of the Health and Social Care Act 2001 or under section 12B of the Social Work (Scotland) Act 1968, or under section 12A to 12D of the National Health Service Act 2006 (direct payments for health care).

61. Any payment made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.

62. Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).

63. Any payments to a claimant made under section 49 of the Children and Families Act 2014 (personal budgets and direct payments)

64. Any Bereavement Support payments made under the Bereavement Support Payment Regulations 2017.

65. Any payments disregarded for Housing Benefits under the Social Security (Emergency Funds) Amendment) Regulations 2017

66. Any payment made under the Energy Rebate Scheme 2022 is to be disregarded in determining:

- (a) an applicant’s entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.

“The Energy Rebate Scheme 2022” means the scheme to provide financial support in respect of energy bills which was announced in Parliament by the Chancellor of the Exchequer on 3rd February 2022

13 December 2022

Report of	Assistant Director – Corporate and Improvement Services	Author	Owen Howell ☎ 282518
Title	Work Programme 2022-23		
Wards affected	Not applicable		

1. Executive Summary

- 1.1 This report sets out the current Work Programme 2022-2023 for the Scrutiny Panel. This provides details of the reports that are scheduled for each meeting during the municipal year.

2. Action Required

- 2.1 The Panel is asked to consider and approve the contents of the Work Programme for 2022-2023, or request amendments, additions and/or deletions.
- 2.2 The Panel is asked to approve two additional meeting dates from the choices of:
- 10 January 2023
 - 16 January 2023
 - 15 March 2023 - recommended

3. Background Information

- 3.1 The Panel's work programme evolves as the Municipal Year progresses and items of business are commenced and concluded. At each meeting the opportunity is taken for the work programme to be reviewed and, if necessary, amended according to current circumstances. The draft work programme for 2022-23 is appended to this report. This contains the items which are reviewed each year by the Panel.
- 3.2 The Panel have requested additional items relating to the Peer Review report (expected for January), the City Status programme/strategy (expected for March) and an item to investigate whether the Council can do anything to assist in efforts to reduce the backlogs existing within the courts system. Briefings from the Portfolio Holders for 'Neighbourhood Services and Waste' and 'Environment and Sustainability' have also yet to be scheduled. The Panel is asked to consider which two dates, from the three given above at 2.2, it wishes to approve for additional meetings at which these additional items and briefings will be scheduled, if possible.
- 3.3 The Forward Plan of Key Decisions is included as part of the work programme for the Scrutiny Panel, and this is included an **Appendix A**.

4. Standard References

- 4.1 There are no particular references to publicity or consultation considerations, or financial, equality, diversity, human rights, community safety, health and safety, environmental and sustainability or risk management implications.

5. Strategic Plan References

- 4.1 Scrutiny and challenge is integral to the delivery of the Strategic Plan 2020-2023 priorities and direction for the Borough as set out under the strategic themes of:
- [Tackling the climate challenge and leading sustainability](#)
 - [Creating safe, healthy and active communities](#)
 - [Delivering homes for people who need them](#)
 - [Growing a fair economy so everyone benefits](#)
 - [Celebrating our heritage and culture](#)
- 4.2 The Council recognises that effective local government relies on establishing and maintaining the public's confidence, and that setting high standards of self-governance provides a clear and demonstrable lead. Effective governance underpins the implementation and application of all aspects of the Council's work.

Appendices

Appendix A – Scrutiny Panel Work Programme, 2022-23

Appendix B – Forward Plan of Key Decisions: 1 December 2022 – 31 March 2023

Work Programme for 2022/23

Scrutiny Panel meeting – 7 June 2022
Scrutiny Panel Chairman's briefing – 1 June 2022
<ol style="list-style-type: none"> 1. Town Deal Reporting 2. Work Programme 2022-23
Scrutiny Panel meeting – 5 July 2022
Scrutiny Panel Chairman's briefing – 30 June 2022
<ol style="list-style-type: none"> 1. Council's disbursement of rebate payments on Council Tax 2. Year End 2021/22 Performance Report and Strategic Plan Action Plan 3. Housing Strategy 4. Annual Scrutiny Report 5. Briefing note on Hythe Flooding 6. Recap report on previous Scrutiny Panel reviews of local bus services 7. Work Programme 2022-23
Scrutiny Panel meeting – 16 August 2022 Meeting cancelled for lack of business
Scrutiny Panel Chairman's briefing – 11 August 2022
<ol style="list-style-type: none"> 1. Work Programme 2022-23
Scrutiny Panel (Crime and Disorder Committee) - 13 September 2022
Scrutiny Panel Chairman's briefing – 8 September 2022
<ol style="list-style-type: none"> 1. Safer Colchester Partnership (Crime and Disorder Committee)
Scrutiny Panel – 11 October 2022
Scrutiny Panel Chairman's Briefing – 6 October 2022
<ol style="list-style-type: none"> 1. Briefing from Cllr Julie Young, Portfolio Holder for Housing and Communities 2. Economic Growth Strategy Deferred 3. Review of Colchester Borough Homes: 2021-22 Performance, and discussion of Key Performance Indicator Targets for 2023-24 4. Work Programme 2022-23
Scrutiny Panel meeting - 8 November 2022
Scrutiny Panel Chairman's briefing – 3 November 2022
<ol style="list-style-type: none"> 1. Budget Strategy for 2023-24 2. Update on Town Deal projects' progress 3. Family/local affiliation in letting and/or sale of local affordable housing and Gateway to Homechoice Allocations Policy 4. Work Programme 2022-23

Scrutiny Panel meeting - 13 December 2022
Scrutiny Panel Chairman's briefing – 8 December 2022
<ol style="list-style-type: none"> 1. Briefing by Deputy Leader of the Council and Portfolio Holder for Local Economy and Transformation 2. Draft Economic Strategy [Was due to come before Scrutiny Panel on 16 August 2022 and then 11 October 2022 but delayed to 13 December 2022] 3. Half Year 2022-23 Performance Report 4. Strategic Plan Action Plan progress 5. Local Council Tax Support – Year 2023/24 6. Work Programme 2022-23
Scrutiny Panel meeting - 24 January 2023
Scrutiny Panel Chairman's briefing – 19 January 2023
<ol style="list-style-type: none"> 1. Briefing by Portfolio Holder for Resources [focus on Budget 2023-24] 2. Budget Strategy for 2023-24 3. 2023-24 Revenue Budget, Capital Programme, Medium Term Financial Forecast and Treasury Management Investment Strategy 4. Housing Revenue Accounts Estimate and Housing Investment Programme 5. Town Deal projects progress report 6. Work Programme 2022-23
Scrutiny Panel - 14 February 2023
Scrutiny Panel Chairman's briefing – 9 February 2023
<ol style="list-style-type: none"> 1. Briefing by Portfolio Holder for Culture and Heritage 2. Briefing by the Leader of the Council 3. Corporate Key Performance Indicator Targets for 2022-23 4. Work Programme 2022-23
Scrutiny Panel meeting– 14 March 2023
Scrutiny Panel Chairman's briefing – 9 March 2023
<ol style="list-style-type: none"> 1. Briefing by Portfolio Holder for Planning and Infrastructure 2. Collection of Section 106 developer contributions 3. One Colchester Partnership 4. Scrutiny Panel Annual Report

Items still to schedule, when possible:

- Briefings from Portfolio Holders for 'Neighbourhood Services and Waste' and 'Environment and Sustainability.'
- Council negotiations with Alumno [Monitoring Officer advice is that this will only be able to be scrutinised in open session once the current ongoing legal situation is resolved regarding the Queen Street site]
- Planning trial of local prioritisation for property purchasing [relating to a recent planning application] [Officer advice is that this is at an early stage and is likely to need to wait until 2023-24 to be ready for meaningful scrutiny of scheme and outcomes]

COLCHESTER BOROUGH COUNCIL

FORWARD PLAN OF KEY DECISIONS 1 January 2023 – 30 April 2023

During the period from 1 January 2023 – 30 April 2023* Colchester Borough Council intends to take 'Key Decisions' on the issues set out in the following pages. Key Decisions relate to those executive decisions which are likely to either:

- result in the Council spending or saving money in excess of £500,000; or
- have a significant impact on communities living or working in an area comprising two or more wards within the Borough of Colchester.

This Forward Plan should be seen as an outline of the proposed decisions and it will be updated on a monthly basis. Any questions on specific issues included on the Plan should be addressed to the contact name specified in the Plan. General queries about the Plan itself should be made to Democratic Services (01206) 507832 or email democratic.services@colchester.gov.uk

The Council invites members of the public to attend any of the meetings at which these decisions will be discussed and the documents listed on the Plan and any other documents relevant to each decision which may be submitted to the decision taker can be viewed free of charge although there will be a postage and photocopying charge for any copies made. *All decisions will be available for inspection on the Council's website, www.colchester.gov.uk*

If you wish to request details of documents regarding the 'Key Decisions' outlined in this Plan please contact the individual officer identified.

If you wish to make comments or representations regarding the 'Key Decisions' outlined in this Plan please submit them, in writing, to the Contact Officer highlighted two working days before the date of the decision (as indicated in the brackets in the date of decision column). This will enable your views to be considered by the decision taker. Details of the decision makers are correct at the time of publication.

Contact details for the Council's various service departments are incorporated at the end of this plan.

If you need help with reading or understanding this document please telephone (01206) 282222 or textphone users dial 18001 followed by the full number that you wish to call and we will try to provide a reading service, translation or other formats you may need.

*The Forward Plan also shows decisions which fall before the period covered by the Plan but which have not been taken at the time of the publication of the Plan.

KEY DECISION REQUIRED	DOES DECISION INCLUDE EXEMPT INFORMATION (or information defined by the Government as Confidential)	DATE OF DECISION or PERIOD DECISION TO BE TAKEN	DECISION MAKER (title and name, including Cabinet, portfolio holders and officers) – details of decision makers correct at time of publication	DOCUMENTS SUBMITTED OR TO BE SUBMITTED TO DECISION TAKER TO CONSIDER (and from where they are available)	CONTACT DETAILS FROM WHICH DOCUMENTS CAN BE OBTAINED (name of the authors of the reports)
Approval to complete the purchase of land/property at 'The Centre' Greenstead from Notting Hill Genesis, using funding received via the Estates Regeneration Fund	No	December 2022	Portfolio Holder for Resources, Councillor Mark Cory Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Daniel Barton Greenstead and Youth (Town Deal) Projects Manager 01206 282912: Daniel.Barton@colchester.gov.uk
Award of Contract for Unadopted Roads within Council Housing Estates – HIP Programme	Yes	December 2022	Portfolio Holder for Housing and Communities, Councillor Julie Young. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Geoff Beales Client Services Manager 01206 506514 geoff.beales@colchester.gov.uk

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Award of a contract for the construction of affordable homes at Cross Cottages, Boxted	Yes	December 2022	Portfolio Holder for Housing and Communities, Councillor Julie Young. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Andrew Tyrrell Client and Business Manager andrew.tyrrell@colchester.gov.uk 01206 2822390
Housing Revenue Account Fees and Charges 2023 – 2024 To agree the Housing Revenue Account fees and charges for 2023-2024	No	December 2022	Portfolio Holder for Housing and Communities, Councillor Julie Young. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report, including schedule of charges	Geoff Beales Client Services Manager geoff.beales@colchester.gov.uk 01206 506514

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Award of Contract for Voids works contract	Yes	January 2023	Portfolio Holder for Housing and Communities, Councillor Julie Young. Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Portfolio Holder report	Geoff Beales Client Services Manager 01206 506514 geoff.beales@colchester.gov.uk
New Strategic Plan The report will propose a new Council Strategic Plan for Cabinet to consider including that it is recommended for approval by Council.	No	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Richard Block Chief Operating Officer 01206 506625 Richard.block@colchester.gov.uk

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Local Council Tax Support Scheme	No	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report, draft Scheme	Sam Preston Group Manager, Customer Samantha.preston@colchester.gov.uk 07966237492
Commercial Reform of the Northern Gateway Heat Network	Yes	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Andrew Tyrrell Client and Business Manager andrew.tyrrell@colchester.gov.uk 01206 2822390

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Award of the Contract for the Construction of the Renewable Heat Network Energy Centre and at the Northern Gateway	Yes	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Andrew Tyrrell Client and Business Manager andrew.tyrrell@colchester.gov.uk 01206 2822390
2023-24 Budget, Transformation, Council Tax and Medium Term Financial Forecast	No	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Paul Cook Head of Finance paul.cookx@colchester.gov.uk

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Housing Revenue Estimates 2023-24	No	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Darren Brown Finance Manager darren.brown@colchester.gov.uk 01206 282891
Housing Investment Programme 2023-24	No	25 January 2023	Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young) Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk	Cabinet report	Darren Brown Finance Manager darren.brown@colchester.gov.uk 01206 282891

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Colchester's Economic Strategy 2022-2025	No	25 January 2023	<p>Cabinet (Cllrs King, Cory, Cox, Fox, Goss, Luxford Vaughan, Nissen, J. Young)</p> <p>Please contact via Democratic Services (01206) 507832 email: democratic.services@colchester.gov.uk</p>	Cabinet report Draft Strategy document	<p>Karen Turnbull Economic Development Officer 01206 282915 karen.turnbull@colchester.gov.uk</p>

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