

Open

Cabinet

Agenda

6pm
Tuesday, 10th November 2015
Council Chamber
Wyre Forest House
Finepoint Way
Kidderminster



Cabinet

The Cabinet Members and their responsibilities:-

| | |
|-------------------------------|---|
| Councillor M J Hart | Leader of the Council & Strategy |
| Councillor I Hardiman | Deputy Leader and Operational Services |
| Councillor J-P Campion | Planning and Economic Regeneration |
| Councillor N J Desmond | Resources |
| Councillor S Chambers | Health Well-Being and Housing |
| Councillor S Fearn | Transformation & Change |

Scrutiny of Decisions of the Cabinet

The Council has one Scrutiny Committee that has power to investigate policy issues and question members of the Cabinet who have special responsibility for a particular area of the Council's activities. The Cabinet also considers recommendations from this Committee.

In accordance with Section 10 of the Council's Constitution, Overview and Scrutiny Procedure Rules, and Standing Order 2.4 of Section 7, any item on this agenda may be scrutinised by the Scrutiny Committee if it is "called in" by the Chairman or Vice-Chairman of the Overview & Scrutiny Committee and any other three non-Cabinet members.

The deadline for "calling in" Cabinet decisions is 5pm on Friday 20th November 2015.

Councillors wishing to "call in" a decision on this agenda should contact Lynette Cadwallader, Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster. Telephone: 01562 732729 or email lynette.cadwallader@wyreforestdc.gov.uk

Urgent Key Decisions

If the Cabinet needs to take an urgent key decision, the consent of the Scrutiny Committee Chairman must be obtained. If the Scrutiny Committee Chairman is unable to act the Chairman of the Council or in his/her absence the Vice-Chairman of the Council, must give consent. Such decisions will not be the subject to the call in procedure.

Declaration of Interests by Members – interests of members in contracts and other matters

Declarations of Interest are a standard item on every Council and Committee agenda and each Member must provide a full record of their interests in the Public Register.

In addition, alongside the Register of Interest, the Members Code of Conduct ("the Code") requires the Declaration of Interests at meetings. Members have to decide first whether or not they have a disclosable interest in the matter under discussion.

Please see the Members' Code of Conduct as set out in Section 14 of the Council's constitution for full details.

Disclosable Pecuniary Interest (DPI) / Other Disclosable Interest (ODI)

DPI's and ODI's are interests defined in the Code of Conduct that has been adopted by the District.

If you have a DPI (as defined in the Code) in a matter being considered at a meeting of the Council (as defined in the Code), the Council's Standing Orders require you to leave the room where the meeting is held, for the duration of any discussion or voting on that matter.

If you have an ODI (as defined in the Code) you will need to consider whether you need to leave the room during the consideration of the matter.

For further information

If you have any queries about this Agenda or require any details of background papers, further documents or information you should contact Lynette Cadwallader, Committee Services Officer, Wyre Forest House, Finepoint Way, Kidderminster, DY11 7WF. Telephone: 01562 732729 or email lynette.cadwallader@wyreforestdc.gov.uk

Documents referred to in this agenda may be viewed on the Council's website - www.wyreforestdc.gov.uk/council/meetings/main.htm

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If you have any queries regarding this, please speak with the Council's Legal Officer at the meeting.

Wyre Forest District Council

Cabinet

Tuesday, 10th November 2015

Council Chamber, Wyre Forest House, Finepoint Way, Kidderminster

Part 1

Open to the press and public

| Agenda item | Subject | Page Number |
|--------------------|---|--------------------|
| 1. | Apologies for Absence | |
| 2. | <p>Declarations of Interests by Members</p> <p>In accordance with the Code of Conduct, to invite Members to declare the existence and nature of any Disclosable Pecuniary Interests (DPI's) and / or Other Disclosable Interests (ODI's) in the following agenda items and indicate the action that they will be taking when the item is considered.</p> <p>Please see the Members' Code of Conduct as set out in Section 14 of the Council's Constitution for full details.</p> | |
| 3. | <p>Minutes</p> <p>To confirm as a correct record the Minutes of the meeting held on the 16th September 2015.</p> | 7 |
| 4. | CALL INS a verbal update will be given on any decisions which have been "called in" since the last meeting of the Cabinet. | |
| 5. | <p>Items Requiring Urgent Attention</p> <p>To consider any item which, in the opinion of the Chairman requires consideration at the meeting as a matter of urgency.</p> | |
| 6. | <p>Public Participation</p> <p>In accordance with the Council's Scheme for Public Speaking at Meetings of Full Council/Cabinet, to allow members of the public to present petitions, ask questions, or make statements, details of which have been received by 12 noon on Monday 2nd November 2015 (See front cover for contact details).</p> | |
| 7. | <i>Leader of the Council</i> | |
| 7.1 | Leader's Announcements | |

| 8. | | |
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| | <i>Councillor S Fearn</i> | |
| 8.1 | Review of Council Tax Reduction Scheme To consider a report from the Corporate Customer Development Manager which provides information to the Cabinet following the recent consultation to make changes to the Council Tax Reduction Scheme 2016/17. | 11 |

| 9. | | |
|------------|--|----|
| | <i>Councillor N J Desmond</i> | |
| 9.1 | Write off of Amounts Outstanding To consider a report from the Chief Financial Officer to consider the writing off of debts that cannot be collected. | 19 |
| 9.2 | Future Arrangements for HR Support To consider a report from the Chief Executive which seeks approval for the HR service to be provided in house from 1 st April 2016, following expiry of the current service level agreement. | 23 |

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|------------|---|--|
| 10. | To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting. | |
| 11. | Exclusion of the Press and Public To consider passing the following resolution: “That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting during the consideration of the following item of business on the grounds that it involves the likely disclosure of “exempt information” as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”. | |

Part 2

Not open to the Press and Public

| 12. | | |
|-------------|---|---|
| | <i>Councillor J-P Campion</i> | |
| 12.1 | Sale of Land in Stourport-on-Severn To consider a report from the Director of Economic Prosperity and Place to agree the part disposal of a site. | - |

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| 13. | To consider any other business, details of which have been communicated to the Solicitor to the Council before the commencement of the meeting, which the Chairman by reason of special circumstances considers to be of so urgent a nature that it cannot wait until the next meeting. | |
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**WYRE FOREST DISTRICT COUNCIL
CABINET**

**COUNCIL CHAMBER, WYRE FOREST HOUSE, FINEPOINT WAY, KIDDERMINSTER
16TH SEPTEMBER 2015 (6.00 PM)**

Present:

Councillors: M J Hart (Chairman) , J-P Campion, S J Chambers,
N J Desmond, S E Fearn and I Hardiman.

Observers:

Councillors: T A Muir.

CAB.24 Apologies for Absence

There were no apologies for absence.

CAB.25 Declarations of Interests by Members

No declarations of interest were made.

CAB.26 Minutes

Decision: The minutes of the Cabinet meeting held on 14th July 2015 be confirmed as a correct record and signed by the Chairman.

CAB.27 Call Ins

No decisions had been called in since the last Cabinet meeting.

CAB.28 Items Requiring Urgent Attention

There were no items requiring urgent attention.

CAB.29 Public Participation

There was no public participation.

CAB.30 Leader's Announcements

The Leader of the Council advised that due to a clash of meetings with the Charter Trustees, apologies had been received from the Leaders of the opposition groups.

CAB.31 Budget Monitoring First Quarter 2015/16

A report was considered from the Chief Financial Officer which informed Members of the budget monitoring for the first quarter of 2015/16.

The Cabinet Member for Resources led Members through the report and advised that the projected outturn at 31st March 2016 of £183,000 was made up of a Services over spend of £50,500 and £133,000 as a result of Business Rate appeals in respect of GP Surgeries.

The Leader advised that the Council had been advised by the Valuation Office of appeals which related to the 2010 rating list, neighbouring authorities in the Southern part of the County had been hit much harder and had to pay out for appeals going back to the 2005 rating list. The Leader added he would continue to pursue the issue with the Member of Parliament for Wyre Forest.

Decision: The projected budget variations and comments outlined within the report and appendices 2 to 6 of the report to Cabinet be noted.

CAB.32 Revised Partnership Arrangements for Worcestershire Regulatory Services

A report was considered from the Director of Economic Prosperity and Place which set out the proposed changes to the Worcestershire Regulatory Shared Service partner arrangements.

Members were informed the proposed changes had come about as part of the collective partner response to managing the risks to the Worcestershire Regulatory Services as a whole.

Decision: RECOMMEND to Council that:

- 1. The current Worcestershire Shared Services Partnership is dissolved by mutual agreement on 31 March 2016;**
- 2. A new Worcestershire Shared Services Partnership comprising the six district councils is created on 1 April 2016, in accordance with the terms recommended by Worcestershire Shared Services Joint Committee; and that the Council's Licensing functions be delivered through this Shared Service.**
- 3. The new Worcestershire Shared Services Partnership enters into a service level agreement with Worcestershire County Council for the provision of trading standards services in accordance with terms to be agreed by the Acting Head of Worcestershire Regulatory Services; and,**
- 4. All existing contracts and service level agreements between the existing Worcestershire Shared Services Partnership and other local authorities are novated to the new Worcestershire Shared Services Partnership.**

Decision:

The Council's Environmental Health functions be delivered through the new Shared Service.

CAB.33 Disposal of Land at Vale Road, Stourport-on-Severn

A report was considered from the Director of Economic Prosperity and Place which asked Members to agree the disposal of land at Vale Road, Stourport-on-Severn forming part of the public car park and disused public toilets.

The Cabinet Member for Planning and Economic Regeneration took Members through the report and advised that over the last three years there had been a significant drop in the usage of the car park. The public conveniences on the site had been closed since 2014 and were becoming unsightly. The proposals for the land would result in fewer parking spaces which would meet the local parking need.

Decision:

- 1. Delegated authority be granted to the Director of Economic Prosperity & Place, in consultation with the Cabinet Member for Planning & Economic Regeneration and the Cabinet Member for Operational Services to:**
 - a) Agree terms for and dispose of land at Vale Road, subject to obtaining planning permission for residential development, for a capital receipt that will be made available for the Evergreen Investment Fund.**
 - b) Advertise the removal of part of the Vale Road Car Park in the Wyre Forest (Off-Street Parking Places) Order 2015 No 2 ("the Parking Places Order"); to consider any objections made as a result of the advertisement; and, following such consideration, to decide whether the car park should be removed from the Parking Places Order.**

CAB.34 Recommendations from the Overview & Scrutiny Committee, 8th September 2015.

- **Climate Change Update**

Decision: The Climate Change Action Plan 2015/16 as set out at Appendix 2 of the report to the Overview and Scrutiny Committee, be approved.

- **Wyre Forest Health and Wellbeing Plan Update**

Members acknowledged that the Health and Wellbeing plan was a comprehensive document which contained a lot of information. The plan had been developed in conjunction with partners and it was felt there was no benefit in changing the name of the document.

Decision: The Wyre Forest Health and Wellbeing Plan 2015/16 as attached at Appendix 1 of the report to the Overview and Scrutiny Committee, be approved.

Decision: The following was not accepted:

Consideration be given to renaming the Wyre Forest Health and Wellbeing Plan to information on Wellbeing in Wyre Forest.

There being no further business, the meeting closed at 6.25pm.

WYRE FOREST DISTRICT COUNCIL

CABINET
10TH NOVEMBER 2015

Council Tax Reduction Scheme Review 2016/17

| OPEN | |
|-----------------------------|--|
| CABINET MEMBER: | Councillor S Fearn, Cabinet Member for Transformation and Change |
| RESPONSIBLE OFFICER: | Revenues, Benefits & Customer Services Manager |
| CONTACT OFFICER: | Lucy Wright Ext 2948 |
| APPENDICES: | None |

1. PURPOSE OF REPORT

- 1.1 This report provides information to the Cabinet following the recent consultation to make changes to the Council Tax Reduction Scheme 2016/17.

2. RECOMMENDATION

The Cabinet is asked to RECOMMEND to Council that from 1 April 2016:

- 2.1 The exceptional hardship fund is retained to support claimants who are unable to pay their council tax liability due to financial hardship;**
- 2.2 The technical changes outlined in paragraph 3.4 below are adopted in the Council Tax Reduction Scheme;**
- 2.3 The capital limit be reduced from £16,000 to £12,000;**
- 2.4 The minimum payment required by all working age claimants be increased to 20%, on the basis that the Council is not minded to review the level of contribution again for the period before 2019-20.**

3. BACKGROUND

- 3.1 On 23rd June 2015, the Cabinet agreed to undertake a public consultation to obtain feedback on various options to change the current Council Tax Reduction Scheme from 2016/17.
- 3.2 Consultation ran for 12 weeks from 6th July to 27th September 2015 and a total of 117 responses were received.
- 3.3 The first part of the consultation asked respondents whether they agreed to change the current scheme to make financial savings. For those that selected “no”, opinions were sought as to how the Council should make savings. Those who agreed to change the scheme were asked for their opinion on various options outlined below.

3.4 The consultation proposed making technical changes as follows:

- Changing from a reduction in entitlement where the percentage (10% under our current scheme) is taken off the award figure to a cut in council tax liability before any entitlements are calculated. This will be at a percentage rate to be agreed following consultation. Such a change would bring that element of the scheme in line with the vast majority of councils and in particular with Wychavon, Redditch and Bromsgrove
- Reducing the minimum award of Council Tax Reduction from £5 per week to 50p per week in line with housing benefit minimum entitlements. Such a change would benefit some claimants who are entitled to support but in practice receive nothing as their weekly award is less than £5
- Allow backdating of awards at the Council's discretion in line with housing benefit regulations

3.5 The consultation asked respondents for their views on whether to increase the minimum council tax payment for all working age claimants from 10% to either 15% or 20%.

3.6 Opinions were sought as to whether the amount of capital/savings allowed should be reduced from £16,000 and asked respondents to make suggestions as to an appropriate limit.

3.7 The final question asked opinions regarding the retention of an exceptional hardship fund for tax payers experiencing financial hardship.

3.8 Detailed results of the consultation were reported to the Overview and Scrutiny Committee on 5 November and a summary of the responses is outlined below.

Table 1 Summary of consultation responses

Number of responses received via the consultation portal: 115 however not everyone who responded answered every question.

Organisations that provided a named response:

Worcestershire County Council support changes to optimise council tax income whilst balancing this with the needs of lower paid families.

The Children's Society provided a 5 page response and do not support any increase to the scheme given the recently announced changes through the Welfare Reform and Work Bill that 'will have a damaging effect on the income of families with children' and request that the 'Council see the decision they take in the wider context of these families lives and not in isolation'. They also request that care leavers receive 100% council tax reduction until they reach the age of 21.

() represents the number of respondents.

| | | | | | |
|---|------------|-----------|-------------------|--------------|-----------------------|
| Q1. Do you agree the council should change the current Council Tax Reduction Scheme to help make savings? <i>115 answers</i> | | | | | |
| Yes | 56% | | No | 29% | Don't know 15% |
| Number of comments received – 20 | | | | | |
| <ul style="list-style-type: none"> • The scheme helps those in need (particularly those who go out to work on a low income) and to increase the amount they have to pay would put them in greater hardship (14) • 'Poor people' already get rent subsidised, why give them more reason not to work (1) • We all have to contribute (1) • Not enough information to make a decision (2) • This is not guaranteed income if people can't afford to pay (1) • I work with vulnerable people across Worcestershire – Wyre Forest is one of the most needy areas (1) | | | | | |
| Q2. If there is no change to the scheme, how should the Council make savings? <i>47 answers</i> | | | | | |
| | Yes | No | Don't know | Total | |
| Increase council tax for all households | 57% | 30% | 13% | 37 | |
| Use the Council's reserves | 50% | 29% | 21% | 34 | |
| Reduce funding for other services | 44% | 34% | 22% | 41 | |
| Q3. If there is no change to the scheme, what is your preference to make the savings? 1 is the option most preferred and 3 is the least <i>47 answers</i> | | | | | |
| | 1 | 2 | 3 | Total | |
| Increase council tax for all households | 58% | 12% | 30% | 40 | |
| Use the Council's reserves | 25% | 55% | 20% | 34 | |
| Reduce funding for other services | 24% | 34% | 42% | 41 | |
| Q4. Do you support the proposed changes to the way the calculations are made (technical changes)? | | | | | |

| | | | | | |
|--|-----|--|----------------|-----|-----------------------------|
| <i>96 answers</i> | | | | | |
| Yes | 52% | | No | 31% | Don't know 17% |
| <p>Number of comments received – 9</p> <ul style="list-style-type: none"> • Would like more avenues explored that would save the Council money (3) • This negatively affects those who work on low wages and does not incentivise people to remain employed (2) • The system works as it is – why change it? (2) • Everyone should contribute regardless of income (1) • Disabled persons should not be treated as normal working age people (1) | | | | | |
| Q5. If the level of support was reduced, what should the minimum payment be? | | | | | |
| <i>82 answers</i> | | | | | |
| 15% | 38% | | 20% | 27% | Don't know/Other 35% |
| <p>Number of comments received – 18</p> <ul style="list-style-type: none"> • Do not increase the minimum payment and leave it at 10% (18) | | | | | |
| Q6. Do you agree the level of savings/capital limit should be reduced? | | | | | |
| <i>77 answers</i> | | | | | |
| Yes | 57% | | No | 33% | Don't know 10% |
| Q7. How much should the savings/capital limit be before support is stopped? | | | | | |
| <i>77 answers</i> | | | | | |
| £6,000 | 34% | | £12,000 | 35% | Other 31% |
| <p>Number of comments received for 'Other' – 24</p> <ul style="list-style-type: none"> • No change £16,000 (9) • £10,000 or below (7) • £11,000 - £50,000 (5) • Above £50,000 (3) <p>Additional comments received – 15</p> <ul style="list-style-type: none"> • If someone has savings, they should not be asking for financial help (5) • Wrong to penalise those with savings (4) • Difficult to decide (2) • Should be £12,000 for a couple and £6,000 for a single person (1) • This is the only option that does not affect the poor (2) | | | | | |
| Q8. Do you agree to the council maintaining a hardship fund? | | | | | |
| <i>77 answers</i> | | | | | |
| Yes | 68% | | No | 23% | Don't know 9% |
| <p>Number of comments received – 9</p> | | | | | |

| | | | |
|---|-----|-----------|-----|
| <ul style="list-style-type: none"> • Support should be available for helping those who need it (6) • Should be used so disabled and pensioners don't have to pay council tax and should not be discretionary (1) • Unaware scheme existed (1) • Difficult to answer without knowing how it is used (1) | | | |
| Q9. Any other comments to add? | | | |
| <ul style="list-style-type: none"> • Need to do a full impact study to understand overall implications of those less able to pay. • Use a residency test like Sandwell <i>[this has been ruled illegal by the courts therefore it is not an option]</i> • Include some disregarded income such as child benefit/child maintenance. • Increase council tax on empty and second home to 150%. • Apply a benchmark for living costs based on the family structure then everyone contributes – a percentage income. And allow more payment dates so people can pay weekly or monthly as their circumstances allow. • This support needs to continue as without it some people struggle. | | | |
| Q10. Are you in receipt of Council Tax Reduction Scheme? | | | |
| Yes | 20% | No | 80% |

4. KEY ISSUES

4.1 In order to make alterations to local council tax schemes, legislation requires any changes are approved by 31st January prior to implementation on 1st April each year. Key dates in the timeline are as follows:

- 10th November 2015 -Cabinet receive report from Scrutiny and make final recommendations to Council.
- 9th December 2015 – Council approve changes to the scheme
- 1st April 2016 – Changes to Council Tax Reduction Scheme are implemented

4.2 The responses to the consultation show the following:

- 56% said “yes” to changing the scheme to make savings
- 15% selected ‘don’t know’

4.3 A summary of those who selected ‘don’t know’ or ‘yes’ to change the scheme is as follows:

- 52% support making the proposed technical changes to the scheme
- 57% support altering the maximum level of capital limits
- 68% support the continuation of an exceptional hardship fund

- 4.4 33 people did not support changing the scheme and were not given the detailed options of how the scheme could be changed.
- 4.5 The recommendations outlined in this report comply with the original principles of the scheme that was set up in 2013 as follows:
- Principle 1** Every household with working age claimants should pay something;
 - Principle 2** The scheme should incentivise people into work;
 - Principle 3** People with greater amounts of savings receive less support;
 - Principle 4** Protection will be provided through a Hardship Fund to those who are least able to pay; and
 - Principle 5** The scheme will be in support of the Council's Corporate Plan Priorities of an increased supply of good quality and decent homes in which people can afford to live.
- 4.6 There is a range of options on each of the issues raised in the consultation, including making no change to current arrangements, implementing technical changes and increasing the minimum contribution. If the changes are implemented they would complement the overall package of welfare reform that seeks to encourage work and delivers fairness for people who are paying the full amount of council tax. Increasing the minimum payment to 20% would strengthen the incentive to look for work or seek higher paid work/more hours balanced with the continuation of supporting claimants through the exceptional hardship fund.
- 4.7 This report proposes that Cabinet makes the following recommendations to Council in respect of changes to the Council Tax Reduction Scheme from 1st April 2016:
- a) Retention of the hardship fund, to ensure that people who face genuine difficulty in meeting their commitments can be assisted. This support is not available to people who have savings, for example;
 - b) Implement the technical changes outlined in paragraph 3.4;
 - c) Reduce the capital limit to £12,000 (in other words, anyone with savings in excess of that sum would not be eligible for support);
 - d) Increase the minimum council tax contribution to be made by working age people to 20%, on the basis that the Council's policy position is that it wants stability and is therefore minded neither to make a series of incremental changes nor to review the minimum contribution rate in the medium term.

5. FINANCIAL IMPLICATIONS

- 5.1 The Council and all preceptors continue to face significant financial challenges to meet savings targets in order to meet the impact of continued reductions in government grants

- 5.2 The financial implications of the recommended approach have been forecast and are shown in the following table. This table includes the potential extra income for Wyre Forest District Council that would be generated by the changes, which is estimated to be in the region of £60,000.

| Scheme variation | Annual additional council tax income | Annual additional council tax income for WFDC |
|-------------------------------------|---|--|
| 20% Top slicing (50p minimum award) | £461,000 | £60,000 |
| £12,000 Capital limit | £10,000 | £1,300 |

Notes

The current scheme is 10% bottom slicing with £5 minimum entitlement. The estimates in the table assume 100% collection rate

- 5.3 All preceptors have benefited from the savings made from the Council Tax Reduction Scheme as detailed in the Cabinet report of 23rd June 2015. As the major preceptor, Worcestershire County Council (WCC) has agreed to provide the district council with approximately £75,000 per annum from April 2016 as outlined in their response to the consultation. This additional income will replace the current funding contribution from WCC of £25,000 per annum which is match funded by the district council and will be used to maintain the exceptional hardship fund and the impact of collection rates will be closely monitored.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The legal requirement to consult on any proposed changes to the Council Tax Reduction Scheme has been completed and this report provides a summary of those responses for consideration by the Cabinet.
- 6.2 In reaching final decisions, the Cabinet will have to have regard to its duties under the Equality Act 2010 as the proposed options apply to all potential working age recipients of council tax reductions. Consideration will need to be given to other relevant legal requirements, such as the duty to co-operate in reducing child poverty in accordance with section 21 of the Child Poverty Act 2010.
- 6.3 The final decisions should also seek as far as possible to be consistent with the Council's corporate plan priorities.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 An initial equality impact assessment has been undertaken and, due to the negative impact on age, people with disabilities and poverty within the district, a full equality impact assessment has been undertaken. The negative equality impacts have been identified and can be mitigated by the continuation of the exceptional hardship fund for those affected.

8. RISK MANAGEMENT

- 8.1 Increasing the minimum payment of council tax across all working age claimants is likely to see a reduction in the Council's collection rates. In addition, working age people already in financial hardship will be required to pay more from 2016/17.
- 8.2 These risks can be mitigated by closely monitoring the collection rates, particularly against those in receipt of Council Tax Reduction. The Council's exceptional hardship fund will also mitigate the impact for working age people in severe financial hardship and this will be actively promoted across all front line teams to support claimants to apply for help when needed.

9. CONCLUSION

- 9.1 The Council has to make significant savings and proposed changes to the Council Tax Reduction Scheme as outlined in the consultation could potentially generate up to about £60,000 per year.
- 9.2 The ongoing level of the exceptional hardship fund will be kept under review and the annual contribution from the County Council used to provide additional support to the required level.
- 9.3 Given the contribution to our budget pressures and increased incentive for claimants to seek work or more work if possible, Cabinet are asked to recommend to Council that the changes suggested in this report, are implemented from 1st April 2016.

10. CONSULTEES

- 10.1 On this report: Cabinet and Corporate Leadership Team
- 10.2 Through the consultation exercise: Members of the public and other interested bodies
- 10.3 Overview and Scrutiny Committee is considering the recommendations in this report at its meeting on 5 November 2015. Its comments will be reported separately.

11. BACKGROUND PAPERS

- 11.1 Council Tax Benefit Reform, Overview and Scrutiny Committee 8th November 2012
Council Tax Benefit Reform, Cabinet 12th November 2012
Council Tax Benefit Reform, Council 21st November 2012
Welfare Support Fund, Cabinet 23rd June 2015

Detailed information on the current council tax reduction scheme can be found at www.wyreforestdc.gov.uk/counciltax

WYRE FOREST DISTRICT COUNCIL

CABINET MEETING
10TH NOVEMBER 2015

Write Off of Amounts Outstanding

| OPEN | |
|-----------------------------|---|
| CABINET MEMBER: | Councillor N J Desmond |
| RESPONSIBLE OFFICER: | Chief Financial Officer |
| CONTACT OFFICER: | Fiona Johnson Ext. 2661 E-mail Fiona.johnson@wyreforestdc.gov.uk |
| APPENDICES: | Proposed Write-Offs |

1. PURPOSE OF REPORT

- 1.1 To enable the Cabinet to give consideration to writing off the sum of £149,224.81 in respect of debts that cannot be collected.

2. RECOMMENDATION

The Cabinet is asked to DECIDE that:

- 2.1 **The total of £149,224.81, as detailed in the Appendix to this report, be written off.**

3. BACKGROUND

- 3.1 Part 4 of the Council's Constitution, Delegation to Officers, paragraph 1.13, authorises the Chief Financial Officer to write off individual debts up to the value, in each case of £5,000. For values, between £5,000 and £9,999.99 write-offs can be made with the approval of the delegated Cabinet Member. The Cabinet is authorised to write off debts of £10,000 and over.
- 3.2 It is therefore necessary for Cabinet to give consideration to the cases scheduled on the appendix to this report. On this occasion, all the debts relate to non-domestic rates.

4. KEY ISSUES

- 4.1 National Non-Domestic Rates are demanded in accordance with the provisions laid down by The Local Government Finance Act 1988. Recovery action is taken in the event of non-payment under the various regulations made by this Act.
- 4.2 Every effort has been made to pursue the debts set out in the Appendix. This rigorous recovery work has been a prolonged exercise due to the necessary stages that must be followed for debt recovery. Write off is only recommended when all recovery avenues have been fully explored, and this is the reason for the age of the debts now presented for write off. All of the companies have now been dissolved or

there is a proposal to strike off at Companies House, making the prospect of recovery impossible.

5. FINANCIAL IMPLICATIONS

5.1 Under the current Business Rates Retention Regime the cost of non-collection of National Non-Domestic Rates is met both by the Government and the Worcestershire Business Rate Pool. Approval of the proposed write-offs detailed in the Appendix of £149,224.81, will be accounted for as part of the Worcestershire Business Rates Pool and result in a loss of income shared between the Pool members and the Government.

6. LEGAL AND POLICY IMPLICATIONS

6.1 None.

7. EQUALITY IMPACT NEEDS ASSESSMENT

7.1 No Equality Impact Needs Assessment has been undertaken.

8. RISK MANAGEMENT

8.1 There are no risk management issues relating to this report.

9. CONCLUSION

9.1 The amounts set out in the Appendix cannot be collected and should be written off.

10. CONSULTEES

10.1 Corporate Leadership Team.
Cabinet Member for Resources.

11. BACKGROUND PAPERS

11.1 None.

PROPOSED WRITE-OFFS**APPENDIX**

| Debt Type | Payer | Address | Reason for Write-Off | Amount £ |
|-------------|---|--|--|------------------|
| NNDR | Son Media Ltd T/A Home Nightclub 00359157 | Night Club and Premises, Dixon Street, Kidderminster. DY10 1HH | Business Rate debt relates to occupied rates for the periods 05/02/2013 to 31/03/2013, 01/04/2013 to 31/03/2014 and 01/04/2014 to 31/08/2014. The company ran a night club from the premises and the premises were only rented. Liability Orders were made by Kidderminster Magistrates Court on 27th November 2013 and 4th July 2014. Instructions were passed to Bailiffs but they were unable to obtain payment and the warrants were returned no trace. The company has ceased trading and has been dissolved with Companies House on 20/05/2014 although the Landlord of the premises confirmed the company continued trading even after it was dissolved until 31st August 2014. | 13,937.71 |
| NNDR | MRH Leisure Ltd T/A Yates 00365734 | Public House and Premises, 4- 5 Oxford Street, Kidderminster. DY10 1BB | Business Rate debt relates to occupied rates for the periods 04/11/2013 to 31/03/2014 and 01/04/2014 to 17/08/2014. The company ran a bar from the premises and the premises were only rented. Liability Orders were made by Kidderminster Magistrates Court on 4th July 2014 and 1st August 2014. Instructions were passed to Bailiffs but they were unable to obtain payment and the warrants were returned no trace. The company has ceased trading and there is a proposal to strike off with Companies House. | 14,291.62 |
| NNDR | Allbright Retail Ltd 00364606 | Shop and Premises, 17 High Street, Kidderminster. DY10 2DJ | Business Rate debt relates to occupied rates for the periods 07/12/2013 to 31/03/2014 and 01/04/2014 to 14/01/2015. The company ran a clothes shop from the premises and the premises were only rented. Liability Orders were made by Kidderminster Magistrates Court on 9th May 2014 and 4th July 2014. Instructions were passed to Bailiffs but they were unable to obtain payment and the warrants were returned no trace. The company has ceased trading and there is a proposal to strike off with Companies House. | 46,528.12 |

PROPOSED WRITE-OFFS

APPENDIX

| | | | | |
|-------------------|---|--|--|--------------------------|
| <p>NDR</p> | <p>7 Tek (GB) Ltd 00341673, 00341703 & 00349151</p> | <p>Warehouse and Premises and Vehicle Repair Workshop and Premises. Unit 4A, 4-5 and 6 Gemini Business Park, Stourport Road, Kidderminster. DY11 7QL</p> | <p>Business Rate debt relates to occupied rates for the periods 01/04/2011 to 31/03/2012, 01/04/2012 to 31/03/2013, 01/04/2013 to 31/03/2014 and 01/04/2014 to 15/10/2014. The company ran a waste recycling company from the premises and the premises were only rented. Liability Orders were made by Kidderminster Magistrates Court on 2nd September 2011, 15th June 2012, 28th June 2013 and 4th July 2014. Instructions were passed to Bailiffs and they were able to obtain some payments but eventually these stopped and the warrants have now been returned no trace. The company has ceased trading and there is a proposal to strike off with Companies House.</p> | <p>74,467.36</p> |
| | | | | <p>149,224.81</p> |

WYRE FOREST DISTRICT COUNCIL

CABINET
10TH NOVEMBER 2015

Future Arrangements for HR Support

| OPEN | |
|-----------------------------|--|
| CABINET MEMBER: | Councillor N J Desmond |
| RESPONSIBLE OFFICER: | Chief Executive |
| CONTACT OFFICER: | Caroline Newlands Ext. 2715 Caroline.newlands@wyreforestdc.gov.uk |
| APPENDICES: | None |

1. PURPOSE OF REPORT

- 1.1 To make arrangements for the Human Resources (HR) service when the current agreement with Worcestershire County Council (WCC) expires on 31 March 2016.

2. RECOMMENDATION

Cabinet is asked to DECIDE that:

- 2.1 **The HR service be provided in-house from 1 April 2016, following expiry of the current service level agreement.**

3. BACKGROUND

- 3.1 In 2010 WFDC signed an agreement with WCC to provide a full Human Resources service for WFDC. This agreement was under Section 101 (1) of the Local Government Act 1972 which provides for a local authority to arrange for the discharge of its functions by another local authority by way of a service level agreement (SLA). The agreement commenced on 1 November 2010 and will continue until 31 March 2016. It was the right strategic decision to externalise in 2010 as WFDC had lost all senior HR professional capacity and needed additional resilience from a partner organisation.
- 3.2 On commencement of the agreement, there was a full transfer under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). The relevant employees ceased to be employees of WFDC and became employees of WCC as if the contracts of employment had been originally entered into with WCC. The HR outsourcing arrangement provided the resilience for a team that in 2010 was losing all senior experience. With the impending expiry of the agreement with WCC, it is timely that the Council should formally consider its options for the period after March 2016. It is essential we have provision of HR services, whether that is by the existing or a new provider following a procurement process, in-sourced to the Council or a partnering option.

4. KEY ISSUES

4.1 A review has been undertaken of the options for future service delivery. Soft-market testing was undertaken with councils. WCC has indicated that it does not wish to submit a proposal for the service at this time, and thus different arrangements will have to be made for April 2016 onwards. Only one expression of interest was received but this involved costs that were £50,000 higher than the option of allowing the agreement to terminate and bringing the service back in-house. The majority of the team in place at the expiry of the agreement with WCC would transfer to WFDC under TUPE, which provides an opportunity for HR to be delivered in-house with arrangements made to supplement any knowledge gaps.

4.2 Having reviewed alternative options, namely outsourcing at an additional cost of £250,000 over a 5 year contract, it is clear that bringing the service in-house is the most economical and efficient way for the Council to achieve the outcomes outlined in paragraph 4.3 of this report. This option can also deliver continuous improvement and fulfil the Council's objectives relating to revenue savings and improved service delivery.

Other tangible benefits associated with this option, include;

- More direct control and flexibility over the service scope and delivery.
- Service more aligned with Council priorities.

4.3 The proposed approach is fully consistent with the corporate transformation programme, Wyre Forest Forward. The current HR service focus is very much on the service being tailored to the recipient's needs and finding a close fit between organisational and people's needs. Ultimately, in the current climate, budgetary issues speak loudest which calls for a transformative approach to the future design of HR. The transformative approach will include further focus on HR21 (the software programme enabling electronic transactional services) which has completed stage 1 of the 2 phase roll out. HR21 is currently delivering annual leave, mileage and expenses claims electronically. We are in a period now where the existing arrangements are undergoing audit and adjustment. Phase 2 will be the roll out to the depot. Further electronic delivery (outside HR21) is also proposed for the booking of training and other efficiencies that could be delivered by enhanced self service by the user.

4.4 There is also an ongoing review of HR under Wyre Forest Forward, to ensure that new ways of working are sought and that HR remains a central driver for change. That may be supporting transactional processes as we look to downsize the organisation further or through helping to shape the new strategic direction that the authority is embracing through Wyre Forest Forward. The challenge is therefore yet more change as we think creatively and imaginatively about how we might do things in the future.

4.5 Central to Wyre Forest Forward is culture change, changing attitudes and changing behaviours. This includes enabling managers to undertake more

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HR processes for themselves, in particular by stripping down/simplifying the current processes. It is also important that HR continue to add real value and use their resources on the areas that will make the biggest impact and support real change, e.g. through the “My Development Review” process, embedding values and supporting Wyre Forest Forward.

- 4.6 It will also include taking forward a model that will empower managers with skills, competences and confidence in dealing with HR issues. This will rely on our own intranet COLIN and checking managers and staff have “asked COLIN” before asking HR. This of course depends on sound, solid and logical information and guidance which is user friendly and more understandable for managers and staff to access on the Intranet. Changes that are currently being looked at show the commitment and determination to do things differently for the better. It is also helpful to mention the focus and progress by the HR Team on promoting the health and wellbeing of staff and focus on developing the dedicated and passionate workforce “Team Wyre Forest”.
- 4.7 The HR function will always include HR having a Data Controller role for Payroll to ensure data are correct.

5. FINANCIAL IMPLICATIONS

- 5.1 The proposal is within the existing HR budget and provides the opportunity for further savings to be made in future. The current cost of the SLA is £ 122,700 and the proposed team will have the equivalent of 3.5 FTEs, led by a senior HR adviser at a cost of £116,000.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There are no specific legal requirements in terms of how the Council secures HR support. The majority of the team in place at the expiry of the agreement with WCC would transfer back to the Council under TUPE. As this happens naturally as a consequence of not renewing the agreement, and new external arrangements are not being proposed, no decision is required by full Council.

7. RISK MANAGEMENT

- 7.1 The TUPE transfer of staff will provide continuity and transfer of experience to the Council.
- 7.2 Appropriate support arrangements will be put in place to meet any development needs within the HR team.

8. EQUALITY IMPACT NEEDS ASSESSMENT (EIA)

- 8.1. An initial screening has not identified any adverse impact on the protected characteristics, and a full assessment is not therefore required.

9. CONCLUSION

- 9.1 Bringing the HR service in-house is the right strategic approach at this time for the reasons outlined in section 4 above: it is consistent with our Wyre Forest Forward programme for the HR service to be provided in-house from 1 April 2016.

10. CONSULTEES

- 10.1 CLT.

11. BACKGROUND PAPERS

- 11.1 None.