

Meeting of the Council of the London Borough of Barnet

TO BE HELD ON

TUESDAY 22ND JANUARY, 2013 AT 7.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

A G E N D A



CORPORATE GOVERNANCE DIRECTORATE

To view agenda papers go to: <http://committeepapers.barnet.gov.uk/democracy/>

Agenda and Timetable
Tuesday 22nd January, 2013

Item	Subject	Timing	Page Nos
1.	Part 1 - Statutory Formalities / Announcements	7.00pm - 7.15pm	-
1.1	Prayer - the Mayor's Chaplin, Rabbi Schochet		-
1.2	Apologies for absence		-
1.3	Minutes of the Extraordinary and Ordinary meetings held on 6 November 2012		1 - 42
1.4	Declarations of interest		-
1.5	Official Announcements		-
1.6	Any business remaining from last meeting		-
2.	Part 2 - Questions Time	7.15pm - 7.45pm	
2.1	Questions to the Leader and Cabinet		To Follow
3.	Part 3 - Business for Debate	7.45pm - 9.30pm	
	Administration Business Item		
3.1	Committee System - Councillor Richard Cornelius		43 - 44
	Opposition Business Item		
3.2	Barnet's Emergency Services - Councillor Alex Brodkin		45 - 46
	Break		
	Non Executive Business Item		
3.3	Colindale Area Action Plan - Councillor Geoff Johnson		47 - 48

3.4	Bishop Justin Welby and Rabbi Ephraim Mirvis - Councillor Brian Gordon		49 - 50
3.5	Asian Community in Barnet - Councillor Brian Salinger		51 - 52
4.	Part 4 - Statutory Council Business	9.30pm - 10.00pm	
4.1	Petition for Debate - One Barnet Programme (20 minutes)		-
4.2	Report from Cabinet - Council Tax Support Scheme (including proposals to remove discounts and exemptions)		53 - 200
4.3	Reports from Overview and Scrutiny Committee		-
4.4	Report from the Licensing Committee: 26 November 2012 - Gambling Statement of Principles		201 - 254
4.5	Report of the Head of Governance		255 - 256
4.6	Report of the Monitoring Officer		-
4.7	Questions to representatives on Outside Bodies		257 - 258

Aysen Giritli, Head of Governance

Building 4, North London Business Park, Oakleigh Road South, N11 1NP

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Minutes

OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET

held at Hendon Town Hall, The Burroughs, NW4 4BG, on 6 November 2012

AGENDA ITEM 1.3

PRESENT:-

The Worshipful the Mayor (Councillor Brian Schama)
The Deputy Mayor (Councillor Kate Salinger B.Ed (Hons))

Councillors:

Alex Brodkin	Ross Houston	Hugh Rayner
Anita Campbell	Anne Hutton	Colin Rogers
Pauline Coakley Webb	Andreas Ioannidis	Brian Salinger
Dean Cohen	Julie Johnson	Gill Sargeant
Jack Cohen	Sury Khatri BSc (Hons) MSc	Joan Scannell
Melvin Cohen	David Longstaff	Alan Schneiderman
Brian Coleman FRSA	John Marshall MA	Daniel Seal
Geof Cooke	Kath McGuirk	Mark Shooter
Alison Cornelius	Arjun Mittra	Agnes Slocombe SRN, RM
Richard Cornelius	Alison Moore	Ansuya Sodha MBA
Tom Davey	Graham Old	(Middx) Cert Ed, DipM
Barry Evangeli	Charlie O-Macauley	(CIM) AMBA
Claire Farrier	Lord Palmer OBE, BA, FCA	Stephen Sowerby
Anthony Finn BSc (Econ) FCA	Susette Palmer MA	Andrew Strongolou
Brian Gordon LLB	Bridget Perry	Andreas Tambourides
Eva Greenspan	Wendy Prentice	Joanna Tambourides
Andrew Harper	Sachin Rajput	Daniel Thomas
Helena Hart	Robert Rams	Reuben Thompstone
John Hart BA MA	Barry Rawlings	Jim Tierney
		Darrel Yawitch
		Zakia Zubairi

Apologies for Absence

Councillor Maureen Braun	Councillor Lisa Rutter
Councillor Geoffrey Johnson	Councillor Rowan Turner

3. DECLARATIONS OF INTEREST

None were declared.

4. 'NO CONFIDENCE' IN BARNET'S CONSERVATIVE LEADER AND CABINET - COUNCILLOR ALISON MOORE

Councillor Alison Moore moved the Opposition Business Item in her name. Councillors Daniel Thomas, Geof Cooke and Kath McGuirk moved the amendments in their name. Debate ensued. Upon being put to the vote, the amendment in the name of Councillor

Daniel Thomas was declared carried. Upon being put to the vote, the amendment in name of Councillor Geof Cooke was declared lost

At least ten Members rose in their places and called for a formal division on the voting on the amendment in the in the name of Councillor Geof Cooke. Upon being taken the results of the Division were declared as follows:

For	Against	Not voting	Absent
Councillors	Councillors	Councillors	Councillors
Alex Brodtkin	Dean Cohen	Brian Coleman	Maureen Braun
Anita Campbell	Melvin Cohen	Brian Schama	Geoffrey Johnson
Pauline Coakley Webb	Alison Cornelius	Kate Salinger	Lisa Rutter
Jack Cohen	Richard Cornelius		Rowan Turner
Geof Cooke	Tom Davey		
Claire Farrier	Barry Evangeli		
Ross Houston	Anthony Finn		
Anne Hutton	Brian Gordon		
Andreas Ioannidis	Eva Greenspan		
Julie Johnson	Andrew Harper		
Kath McGuirk	Helena Hart		
Arjun Mittra	John Hart		
Alison Moore	Sury Khatri		
Lord Palmer	David Longstaff		
Susette Palmer	John Marshall		
Charlie O-Macauley	Graham Old		
Barry Rawlings	Bridget Perry		
Colin Rogers	Wendy Prentice		
Gil Sargeant	Sachin Rajput		
Alan Schneiderman	Robert Rams		
Agnes Slocombe	Hugh Rayner		
Ansuya Sodha	Brian Salinger		
Jim Tierney	Joan Scannell		
Zakia Zubairi	Daniel Seal		
	Mark Shooter		
	Stephen Sowerby		
	Andrew Strongolou		
	Andreas Tambourides		
	Joanna Tambourides		
	Daniel Thomas		
	Rueben Thompstone		
	Daniel Yawitch		

For	24
Against	32
Not voting	3
Absent	4
TOTAL	63

RESOLVED - Upon being put to the vote the amendment in the name of Councillor Geof Cooke was declared lost.

Upon being put to the vote the amendment in the name of Councillor Kath McGuirk was declared lost. Upon being put to the vote, the substantive Opposition Item as amended by Councillor Daniel Thomas was declared carried.

RESOLVED – Council notes that Councillor Moore believes that this Conservative Administration has completely lost its way over the One Barnet Programme but Council believes the Labour opposition and its supporters have no alternative ideas to manage the Council budget. They accepted the savings from outsourcing in their draft budget so cannot be taken seriously.

Council notes the frustrating and opaque EU procurement rules that lead to extended process, secrecy and delays in awarding contracts. These rules cause all Members to feel disconnected from the process.

Council is pleased that the Leader and Deputy Leader have never disagreed and is further pleased that the Conservative group provides such an excellent Leader and Administration.

Council recognises the work has been done on the outsourcing projects and calls on the Cabinet to ensure that all Members of the Council are fully informed, and have had every opportunity to have their questions answered about the proposed projects before a decision is taken.

The meeting finished at 6.55 pm

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Minutes

OF THE MEETING OF THE COUNCIL OF THE LONDON BOROUGH OF BARNET
held at Hendon Town Hall, The Burroughs, NW4 4BG, on 6 November 2012

PRESENT:-

The Worshipful the Mayor (Councillor Brian Schama)
The Deputy Mayor (Councillor Kate Salinger B.Ed (Hons))

Councillors:

Alex Brodkin	Ross Houston	Hugh Rayner
Anita Campbell	Anne Hutton	Colin Rogers
Pauline Coakley Webb	Andreas Ioannidis	Brian Salinger
Dean Cohen	Julie Johnson	Gill Sargeant
Jack Cohen	Sury Khatri MSc	Joan Scannell
Melvin Cohen	David Longstaff	Alan Schneiderman
Brian Coleman FRSA	John Marshall MA	Daniel Seal
Geof Cooke	Kath McGuirk	Mark Shooter
Alison Cornelius	Arjun Mittra	Agnes Slocombe SRN, RM
Richard Cornelius	Alison Moore	Ansuya Sodha MBA (Middx)
Tom Davey	Graham Old	Cert Ed, DipM (CIM) AMBA
Barry Evangeli	Charlie O-Macauley	Stephen Sowerby
Claire Farrier	Lord Palmer OBE, BA, FCA	Andrew Strongolou
Anthony Finn BSc (Econ) FCA	Susette Palmer MA	Andreas Tambourides
Brian Gordon LLB	Bridget Perry	Joanna Tambourides
Eva Greenspan	Wendy Prentice	Daniel Thomas
Andrew Harper	Sachin Rajput	Reuben Thompstone
Helena Hart	Robert Rams	Jim Tierney
John Hart MA	Barry Rawlings	Rowan Turner
		Zakia Zubairi

Apologies for Absence

Councillor Maureen Braun	Councillor Lisa Rutter
Councillor Geoffrey Johnson	Councillor Darrel Yawitch

1 PRAYER - THE MAYOR'S CHAPLAIN

In the absence of the Mayor's Chaplin, Rabbi Schochet, Councillor Kate Salinger, the Deputy Mayor offered prayer.

2. MINUTES OF MEETING HELD ON 11 SEPTEMBER 2012

RESOLVED – That the minutes of the meeting of the Council held on 11 September 2012 were approved.

3. DECLARATIONS OF INTEREST

Member:	Subject:	Interest Declared:
Councillor Helena Hart	3.1 - Administration Business - Barnet & Chase Farm Hospitals NHS Trust	Personal but non prejudicial, as Councillor Helena Hart is an appointed Barnet Stakeholder Governor on the Royal Free Hospital Foundation Trust Council of Governors.
Councillor Alison Cornelius	3.1 - Administration Business - Barnet & Chase Farm Hospitals NHS Trust	Personal but non prejudicial. As Chaplin's Assistant, Councillor Alison Cornelius is part of the Chaplaincy team at Barnet & Chase Farm Hospitals NHS Trust. The position is voluntary and she does not receive any remuneration.

3. OFFICIAL ANNOUNCEMENTS

There were none.

4. ANY BUSINESS REMAINING FROM LAST MEETING

There was none.

5. QUESTIONS TO THE LEADER AND CABINET

These questions, together with the answers provided and the text of any supplementary questions and answers, are set out in Appendix 1 to these minutes.

6. BARNET & CHASE FARM HOSPITALS NHS TRUST - COUNCILLOR HELENA HART

Councillor Helena Hart moved the Administration Business Item in her name. Councillors Barry Rawlings and Arjun Mittra moved their amendments. Debate ensued. Councillor Helena Hart accepted Councillor Barry Rawlings' amendment. Upon being put to the vote, the amendment in the name of Councillor Mittra was declared lost. Upon being put to the vote, the substantive Administration Business Item as amended by Councillor Barry Rawlings was declared carried.

RESOLVED – Council welcomes the decision of Barnet & Chase Farm Hospitals NHS Trust to seek to partner with another NHS organisation in order to create a clinically excellent and financially sustainable NHS Foundation Trust

Noting that the Royal Free London NHS Foundation Trust was the only appropriate NHS Trust both to fulfil the necessary criteria – particularly that of the successful implementation of the BEH Clinical Strategy – and to express an interest in considering such a partnership, Council would very much like to welcome and support the principle of such a partnership and the progression to a full Business Case for consideration by the respective Trust Boards and the SHA.

This Council has a long history of support for both the Royal Free and Barnet & Chase Farm hospitals and for much greater partnership working between them – our submission of the Barnet Option for the BEH Clinical Strategy being a prime example of this. This is based not only on the essential part both institutions play in the provision of Acute hospital services for the people of Barnet but on the integral part they both play in the broader health economy of the Borough and to our dedication to the provision of high quality integrated health and social care for local residents.

In the interests of securing a safe viable and sustainable future not only for Barnet and Chase Farm Hospitals but also for the very many opportunities that such a partnership would bring for the continued clinical excellence and sustainability of the Royal Free London NHS Foundation Trust itself, Council requests that the Cabinet Member writes to the Chairman of both the Royal Free and Barnet & Chase Farm Hospitals expressing our firm support for such a partnership.

Council also asks that officers work with the relevant agencies to ensure that the properly funded Primary Care Strategy is implemented and that transport links between all three hospitals are enhanced, including the possible introduction of a bus route from East Finchley to the Royal Free Hospital, all as a matter of urgency.

7. COUNCILLOR ALAN SCHNEIDERMAN - CHRISTMAS PARKING BOOST FOR BARNET'S TOWN CENTRES

Councillor Alan Schneiderman moved the Opposition Business Item in his name. Councillors Dean Cohen and Pauline Coakley Webb moved their amendments. Debate ensued. Upon being put to the vote, the amendment in the name of Councillor Dean Cohen was declared carried. Upon being put to the vote, the amendment in the name of Councillor Pauline Coakley Webb was declared lost. Upon being put to the vote, the substantive Opposition Business Item as amended by Councillor Dean Cohen was declared carried.

RESOLVED - Council notes the many factors affecting our high streets across the country. However, Council believes we need to be doing all we can to support our town centres and our local traders and businesses, especially during the Christmas and New Year sales period.

8. VARIATION OF ORDER OF BUSINESS

Councillor Joan Scannell, duly seconded, moved under Council Procedure Rule 10.2.2, that the order of business relating to Agenda Item 3 be varied so that Non-Executive Business Item 8.6 be heard first. Upon being put to the vote, the Motion was declared carried.

RESOLVED – That the order of business be varied to allow Non-Executive Business Item 8.6 to be debated and voted upon in advance of votes being taken on the other Non-Executive Business Items on the Agenda.

9. SAFEGUARDS TO PERMITTED DEVELOPMENTS - COUNCILLOR MELVIN COHEN

Councillor Melvin Cohen moved the Non-Executive Business Item in his name. Councillors Anita Campbell and Jack Cohen moved their amendments. Debate ensued.

Councillor Melvin Cohen accepted Councillor Jack Cohen's amendment subject to the deletion of point 1. Councillor Jack Cohen agreed to amend his amendment. Upon being put to the vote, the amendment in the name of Councillor Anita Campbell was declared lost. Upon being put to the vote, the substantive Non-Executive Business Item as amended by Councillor Jack Cohen was declared carried.

RESOLVED - Council urges the government to introduce safeguards that will protect suburbia when making changes to what is allowed by permitted development.

Council note in particular that the Planning and Environment Committee at its latest meeting unanimously voiced its opposition to the Government Proposals to permit house extension up to 8 meters without the need for planning permission. Council notes that other councils such as Richmond and such as Sutton are already drawing up plans to circumvent proposed regulations as well as openly opposing these Government proposals. Council therefore requests that the Chief Executive writes to the relevant Secretary of State on behalf of the Council opposing these changes to permitted development

10. **ROAD SAFETY STRATEGY IN BARNET - COUNCILLOR PAULINE COAKLEY WEBB**

Councillor Pauline Coakley Webb moved the Non-Executive Business Item in her name. Councillors Dean Cohen and Andreas Ioannidis moved their amendments. In accordance with Council Procedure Rule 31.5, the item was voted on without discussion. Upon being put to the vote the amendment in the name of Councillor Dean Cohen was declared carried. Upon being put to the vote, the amendment in the name of Councillor Andreas Ioannidis was declared lost. Upon being put to the vote, the substantive Non-Executive Business Item as amended by Councillor Dean Cohen was declared carried.

RESOLVED - Council notes that in Barnet with reference to the number of casualties from road traffic accidents there has been a sizeable reduction compared with the year before.

Council applauds the efforts of the Administration to improve road safety in the borough.

Council further urges the Administration to continue their good work in working closely with TFL to bring forward schemes such as the very successful and welcomed Henley's corner scheme.

Council encourages the Administration to continue to bring forward whatever measures can reasonably be applied in improving road safety in the borough.

11. **HORACE WHITE MEMORIAL BENCH - COUNCILLOR ARJUN MITTRA**

In accordance with Council Procedure Rule 31.5 Councillor Arjun Mittra requested that his item be referred directly to Cabinet. As the item related to matters concerning the Street Scene and Environment, it was deemed more appropriate that it be referred to the Finchley and Golders Area Environment Sub-Committee.

RESOLVED - Council notes with sadness the passing of Finchley legend Horace White whose funeral this month was attended by over 400 people.

Council asks Cabinet to fund and deliver a fitting tribute to Horace in the form of a Memorial Bench to be placed in an appropriate location in Finchley.

12. FRIERN BARNET LIBRARY - COUNCILLOR PAULINE COAKLEY WEBB

Councillor Pauline Coakley Webb moved the Non-Executive Business Item in her name. In accordance with Council Procedure Rule 31.5, the item was voted on without discussion. Upon being put to the vote, the amendment in the name of Councillor Anne Hutton was declared lost. Upon being put to the vote the amendment in the name of Councillor Kath McGuirk was declared lost. Upon being put to the vote the amendment in the name of Councillor Robert Rams was declared carried. Upon being put to the vote, the substantive Non-Executive Business Item as amended by Councillor Robert Rams was declared carried.

RESOLVED - Council notes the extraordinary events that have unfolded since the Conservative administration closed Friern Barnet Library in April due to financial problems caused by the previous government.

Notes;

- **Over 4,300 residents signing a “re-open Friern Barnet Library” petition.**
- **The failure of the administration to open a Landmark Library at the artsdepot that was supposed to be a replacement Library for Friern Barnet residents.**
- **The occupation of the Library by campaigners who have re-built the book stock from donations from the public and are opening the Library to the community.**
- **The Library campaigners making it known to the Council that they want a Library in Friern Barnet.**

Council thanks officers for all their hard work for trying to make the Library in the Artsdepot happen but highlights its frustration towards the Artsdepot organisation who were initially very welcoming to the project but for some reason changed their mind.

Furthermore the Council is disappointed in the financial situation left by the previous government which means we have to make tough choices for our library service but welcomes the investment in new stock, that we are opening our libraries for longer and will make every primary school child a member of our library service.

Council further notes what is happening in other library services across London;

Barking and Dagenham have closed three libraries and by April 2014 will only have two council run libraries.

Brent have closed 6 Libraries.

Ealing have cut their opening hours by 9%

Islington have cut their opening hours by 11%.

And is pleased that we have not let this happen in Barnet.

Council welcomes the investment that is now going to happen in North Finchley Library.

13. NSCSO - COUNCILLOR ANDREW STRONGOLOU

Councillor Andrew Strongolou moved the Non-Executive Business Item in his name. In accordance with Council Procedure Rule 31.5, the item was voted on without discussion. Upon being put to the vote the amendment in the name of Councillor Alison Moore was declared lost. Upon being put to the vote the amendment in the name of Councillor Jack Cohen was declared lost. Upon being put to the vote, the Non-Executive Business Item was declared carried.

RESOLVED - Council is pleased that the procurement process for NSCSO is going so well and looks forward to an early conclusion.

14. NO INCREASE IN COUNCIL TAX IN 2013-14 - COUNCILLOR JOHN MARSHALL

Councillor John Marshall moved the Non-Executive Business Item in his name. In accordance with Council Procedure Rule 31.5, the item was voted on without discussion. Upon being put to the vote the amendment in the name of Councillor Alison Moore was declared lost. Upon being put to the vote, the Non-Executive Business Item was declared carried.

RESOLVED - Council welcomes the announcement by George Osborne that the Government will fund a freezing of Council Tax in 2013-14, which will be the fifth consecutive zero increase in Barnet. This will benefit in particular pensioners and hard working families.

15. FUEL POVERTY IN BARNET - COUNCILLOR JULIE JOHNSON

In accordance with Council Procedure Rule 31.5 Councillor Julie Johnson requested that her item is referred directly to Cabinet.

RESOLVED - Household energy bills have increased by around £200 in the last two years, and given the imminent onset of the cold weather Council asks Cabinet to urgently consider ways it can assist Barnet residents affected by fuel poverty – particularly the elderly and vulnerable.

16. STIRLING CORNER ROUNDABOUT - COUNCILLOR ANITA CAMPBELL

Councillor Anita Campbell moved the Non-Executive Business Item in her name. In accordance with Council Procedure Rule 31.5, the item was voted on without discussion. Upon being put to the vote the amendment in the name of Councillor David Longstaff was declared carried. Upon being put to the vote, the substantive Non-Executive Business Item as amended by Councillor Longstaff was declared carried.

RESOLVED – Council acknowledges that all local Councillors, of all parties who represent the areas adjacent to Stirling Corner are in agreement that further safety measures need to be implemented.

Council notes that on May 1st, 2012 the residents of Arkley organised a ‘Meet your Local Representatives’ evening. The Conservative councillors of High Barnet and

Underhill, along with the MP for Chipping Barnet and two members of the local Police Safer Neighbourhood Team met with residents. Those present agreed to pursue extended hours of operation for the Stirling Corner traffic lights. The Conservative local councillors then contacted the new GLA member, the new Cabinet Member and the interim Director of Environment, Planning and Regeneration in pursuit of this request.

Council asks the Cabinet Member to further *pursue* discussions with Hertsmere Council and Transport for London for urgent safety improvements to take place; and to look at the following:

- Extended hours of traffic light operation
- Safer pedestrian crossing
- Safety measures for cyclists
- Safety for cars joining the roundabout from Barnet Lane, Barnet Road and Stirling Way.

the issue is about joining the roundabout, not leaving it; and adding Stirling Way, which is the service road for Morrisons and Screwfix et al where traffic movements have increased.

Council asks the Leader to support this request and sign a cross party letter including the Chipping Barnet MP, Cabinet Member, the local councillors concerned and the GLA Member asking the Mayor of London for action.

17. **REPORTS FROM CABINET**

There were none.

18. **REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEE**

There were none.

19. **REPORT FROM THE CONSTITUTION, ETHICS AND PROBITY COMMITTEE - 22 OCTOBER 2012**

Councillor Melvin Cohen moved adoption and reception of the report. Councillor Cohen further moved that the report be amended to reflect that Councillor Andrew Harper was present at the meeting.

RESOLVED – Council approved the report of the Constitution, Ethics and Probity Committee date 22 October 2012.

20. **REPORT OF THE HEAD OF GOVERNANCE**

1. **APPOINTMENT OF INTERIM CHIEF EXECUTIVE/ INTERIM HEAD OF PAID SERVICE:**

RESOLVED – That the appointment of Mr. Andrew Travers as Interim Head of Paid Service be confirmed, with effect from 3 December 2012.

2. APPOINTMENT OF SECTION 151 OFFICER

RESOLVED – That Council note;

- (1) **Mr. Chris Naylor is appointed as the Chief Operating Officer (Director of Finance/Section 151 Officer) effective 7 January 2012**
- (2) **Mr. John Hooton is appointed as acting Section 151 Officer for the period 3 December 2012 to 7 January 2013 (i.e. for the period when the interim Chief Executive takes up his post on 3 December 2012 and when the newly appointed Chief Operating Officer (Director of Finance / Section 151 Officer) takes up post on 7 January 2013.)**

3. CHANGES TO COMMITTEE MEMBERSHIP

Budget and Performance Overview and Scrutiny Committee

- Councillor Anthony Finn replaces Councillor Brian Coleman as a Member of the Committee.

RESOLVED – That the above change to the membership of the Budget and Performance Overview and Scrutiny Committee be approved by Council.

4. CHANGES TO COMMITTEE CHAIRMANSHIP AND VICE-CHAIRMANSHIP

Budget and Performance Overview and Scrutiny Committee

- Councillor Anthony Finn to replace Councillor Brian Coleman as Chairman of the Committee.

Pension Fund Committee

- Councillor Mark Shooter to replace Councillor Anthony Finn as Chairman of the Committee.
- Councillor Anthony Finn to replace Councillor Mark Shooter as Vice-Chairman of the Committee.

RESOLVED – That the above changes to Committee Chairmanship and Vice-Chairmanship be approved by Council.

5. CHANGES TO APPOINTMENTS TO OUTSIDE BODIES

North London Waste Authority

- Councillor Daniel Thomas to replace Councillor Brian Coleman as a Council representative on the North London Waste Authority.

RESOLVED – That the above change to the Council's representation on the North London Waste Authority be approved by Council.

6. CHANGES TO SUB-COMMITTEE MEMBERSHIP

Chipping Barnet Area Environment Sub-Committee

- Councillor Richard Cornelius replaces Councillor Brian Coleman as a substitute Member of the Sub-Committee.

East Area Planning Sub-Committee

- Councillor Richard Cornelius replaces Councillor Brian Coleman as a substitute Member of the Sub-Committee.

RESOLVED – That Council note that the proposed changes to Sub-Committee membership will be reported to the next meeting of the Planning and Environment Committee for approval

7. ADDITIONAL COMMITTEE MEETINGS:

NSCSO

Committee	Date of Meeting	Time
Special Budget and Performance OSC	Thursday, 29 November 2012	7.00pm
Special Cabinet	Thursday, 6 December 2012	6.00pm (<i>early start due to clash with scheduled Budget and Performance OSC</i>)
Special Business Management OSC	Thursday, 13 December 2012	7.00pm

DRS

Committee	Date of Meeting	Time
Special Budget and Performance OSC	Thursday 24 January 2013	7.00pm
Special Cabinet	Thursday, 31 January 2013,	7.00pm
Special Business Management OSC	Thursday, 7 February 2013	7.00pm

RESOLVED – That Council approve that the additional meetings listed above be added to the calendar of the meetings

8. NOTICE THAT COUNCILLOR BRIAN COLEMAN HAS CEASED TO BE A MEMBER OF THE CONSERVATIVE GROUP

RESOLVED - Council is asked to note that Councillor Brian Coleman has, until further notice, ceased to be a Member of the Conservative Group on Council.

21. REPORT OF THE MONITORING OFFICER

RESOLVED - Council is asked to note the decision of the First Tier Tribunal General Regulatory Tribunal (Local Government Standards in England) and that the sanction imposed by the Standards Sub-Committee has been compiled with.

22. **QUESTIONS TO REPRESENTATIVES ON OUTSIDE BODIES**

There were none.

The meeting finished at 9.30 pm

Appendix 1

Council Questions to Cabinet Members 6 November 2012 Questions and Responses

Question 1

Councillor Brian Salinger

How many council owned and how many housing association properties have been let since 1st April, broken down by size of property and ward?

Answer by Councillor Tom Davey

The table below outlines the number of Local Authority and Housing Association properties let since the 1st April.

LA Lettings 1 April-30 September 2012						
	Number Of Beds					
Ward	0	1	2	3	4	Grand Total
Brunswick Park Ward		4	7			11
Burnt Oak Ward		17	24	9		50
Childs Hill Ward		2	2			4
Colindale Ward	2	2		2		6
Coppetts Ward		9	8	3		20
East Barnet Ward		3	5	5	1	14
East Finchley Ward	4	7	6	5		22
Edgware Ward		1	1	2		4
Finchley Church End Ward		3			1	4
Garden Suburb Ward		1				1
Golders Green Ward		3	2	2		7
Hale Ward		1	6	2		9
Hendon Ward	5	12	15			32
High Barnet Ward		3				3
Mill Hill Ward	1	3	5	2	1	12
Oakleigh Ward	1	2	1			4
Totteridge Ward	3		2			5
Underhill Ward	4	11	7	2		24
West Finchley Ward		7	2			9
West Hendon Ward	1	7	4	2	1	15
Woodhouse Ward		1	3	3		7
Grand Total	21	99	100	39	4	263

HA Lettings 1 April-30 September 2012						
Count Number of Beds	Number Of Beds					
Ward	0	1	2	3	4	Grand Total
Brunswick Park Ward			4	1		5
Burnt Oak Ward		1	6			7
Childs Hill Ward		7	2	1		10
Colindale Ward	2	9	47	4	1	83

Coppetts Ward		3	2		5	
Edgware Ward		1	2		3	
Garden Suburb Ward			2	1	3	
Golders Green Ward		5		1	6	
Hale Ward		3	1	4	8	
Hendon Ward		2	1		3	
High Barnet Ward	1	2	4		7	
Mill Hill Ward			7		7	
Oakleigh Ward		3			3	
Underhill Ward		1	4		5	
West Finchley Ward		3			3	
Woodhouse Ward		7	3		10	
Grand Total		3	47	85	2	168

Supplementary Question 1

Councillor Brian Salinger

Councillor Davey is aware of my concerns about the application system. Can Councillor Davey tell me how housing applicants can be assured that proper consideration is being given to their applications and that they are not being over-looked?

Answer by Councillor Tom Davey

All applications are considered on their merit, and we have a highly trained team of Housing Officers.

Question 2

Councillor Alison Moore

Would the Cabinet Member explain why the One Barnet 'efficiency' programme has not managed to make any net savings to date?

Answer by Councillor Daniel Thomas

The suggestion that the One Barnet programme has not managed to make any net savings to date is not accurate.

The programme spent a total of £6.4m to the end of March 2012 and expects to spend a £9.7m by the end of March 2013.

The base budget saving from the programme totals £5.7m at the end of March 2012 and expects to be £7.8m by the end of March 2013. These figures represent the amount that the Council's annual budget has been reduced by. So for example, a £5m base budget saving in year 1 becomes a £10m cumulative saving in year 2, a £15m cumulative saving in year 3 and so on.

The cumulative saving from the programme to the end of March 2012 was £7.1m and will be £15m by the end of March 2013, demonstrating that the programme has saved more than it has cost.

	<i>To end March 2012</i>	<i>To end March 2013 (projected)</i>
<i>Cost of the programme</i>	<i>£6.4m</i>	<i>£9.7m</i>
<i>Reduction in the Council's annual budget</i>	<i>£5.7m</i>	<i>£7.9m</i>
<i>Cumulative saving to the Council</i>	<i>£7.1m</i>	<i>£15.0m</i>
<i>Net benefit of the programme</i>	<i>£0.7m</i>	<i>£5.3m</i>

The savings from the programme will grow over time. Savings made by the programme will repeat from year to year. To reflect this, we have always focussed on the savings that the programme will deliver over a 10 year period - which we currently forecast to exceed £111m.

This equates to a £17.4m decrease in the Council's annual 'base budget'. If the One Barnet programme was not delivering these savings, other services would have to be cut.

That annual reduction in the Council's budget is equivalent to this year's combined spend on waste collection, street cleansing, recycling, parks & green spaces, transport, community safety and community protection.

Question 3

Councillor Brian Salinger

How many families with children have been re-housed by the Borough in to privately rented properties since 1st April, broken down by size of property and ward (or if outside the Borough by Council)?

Answer by Councillor Tom Davey

The table below provides details of instances where families with children have been re-housed by the Borough in to privately rented properties since 1st April, broken down by size of property and ward, and out of Borough locations.

Location	1 bedroom	2 bedrooms	3 bedrooms	4 bedrooms	Total
Colindale		2	3		5
Cricklewood		2			2
East Barnet	1	3	1		5
East Finchley		1	1		2
Edgware		3	1		4
Enfield			3	2	5
Finchley Central		3			3
Friern Barnet		2	1		3
Golders Green		2			2
Hackney			1		1
Hendon		1			1
High Barnet		11	2	2	15
Mill Hill		4	1		5
North Finchley	1	1	2		4
Palmers Green		1		1	2
Romford		1			1
Tottenham			1		1
Whetstone		3	1		4
Wood Green				1	1
Grand Total	2	40	18	6	66

Supplementary Question 3

Councillor Brian Salinger

Can the Cabinet Member assure me that when families with children are re-housed, that proper consideration is being given to the educational interests of their children?

Answer by Councillor Tom Davey

Yes, I can provide that assurance.

Question 4

Councillor Gill Sargeant

Would the Cabinet Member please explain what children and young people's play facilities will be available on the new Peel Centre site?

Answer by Councillor Dean Cohen

The Mayor's Office for Policing and Crime (MOPAC) and the Metropolitan Police Service (MPS) are planning the regeneration of the Peel Centre Site. A masterplan for the site is being developed which will form the basis for an outline planning application. The proposals include a major new public park that will be available for the wider community and will include a range of play, sport and amenity facilities for different age groups. The development will also include play facilities in line with the Mayor of London's published guidance. The principles of a play strategy will be included in the outline application. Detailed proposals will come forward in the future within reserved matters applications.

Supplementary Question 4**Councillor Gill Sargeant**

This is the main possible area for a sports facility. Beaufort Park across the road has no sports facilities. There are going to be 37,000 people in this area, so can I please stress that it's very important that an area the size of Canterbury will be have proper sports facility available.

Answer by Councillor Dean Cohen

I can give my assurance to the Member. Myself and the Leader walked around that area only last week and discussed the different developments that are coming up.

Question 5**Councillor Brian Salinger**

Will the Cabinet Member please list all the Community Payback schemes that have been completed in the last year or which are currently underway in Barnet?

Answer by Councillor David Longstaff

The following areas have utilised the payback scheme:

- Brent Terrace NW2 - painted posts along hedgerow in total (approx 40 posts)
- Clitterhouse Playing Fields - litter picked on 2 occasions
- Millennium Green Claremont Road NW2 -- assisted on action day
- Car Park Rosa Freeman Residential Car Park - litter pick of alcohol related litter
- Brent Cross underpass & surrounding area - litter picking

"Agency Placements" also take place - this is where offenders work directly for a beneficiary, traditionally this has been charity shops. Approximately 33% of offenders work in this manner.

Supplementary Question 5**Councillor Brian Salinger**

Does the Cabinet Member think the schemes are appropriate punishments for miscreants and can he tell Members how pay-back schemes are decided?

Answer by Councillor David Longstaff

In short, no, I don't think the schemes really do justice for some of the criminal actions. They are run by Probation Service and Serco, they make the decisions.

Question 6**Councillor Ansuya Sodha**

Legislation against age discrimination came into effect on the 1st October - what plans does the council have to address this, and what training will be provided for staff and elected councillors?

Answer by Councillor Richard Cornelius

The Employment Equality (Age) Regulations 2006 were repealed on 30 September 2010 and were replaced by the Equality Act 2010. This new discrimination legislation came into effect from 1 October 2010 and age is a protected characteristic within this piece of statute.

The council anticipated the changes in the Equality Act 2010 by reviewing all of its employment policies to ensure that they were compliant with this new Act and by paying 'due regard' to the protected characteristics by assessing the impact of budget decisions on protected groups. The cumulative impact of the budget cuts was considered as part of the Budget Report presented to Cabinet in February 2011. A review was undertaken of the impact of the cuts after 6 months.

This information was subsequently presented to Cabinet as part of the 2012/13 budget proposals for members to consider as part of their decision making.

Member briefing on the Equality Act has been delivered as part of the member development programmes for 2011/12 and 2012/13. Briefing on age discrimination was also presented to members at the launch of the 'Aging Well' campaign in July of this year.

I think it would be helpful to include all aspects of equalities in the next cycle of briefings for members.

Supplementary Question 6

Councillor Ansuya Sodha

As we heard previously all our services are going to be out-sourced. But if it's out sourced to a third party, how are you going to ensure that they are going to do everything that the equality legislation requires them to do? Secondly, a lot of these outsourced companies don't actually do the work themselves. For example, the people who carry out the assessments for special needs children, it's not just one company; it's several people who are set up as private companies themselves. So how are you going to ensure that they are aware of this legislation? You really have to think very hard about equality before you start doing the things that you are doing.

Answer by Councillor Richard Cornelius

Equality legislation is now a way of life in this country. One could say it is too prescriptive but we have it. Outside contractors will have to follow it. It is a way of life; everyone is equal in this country.

Question 7

Councillor Brian Salinger

What discussions has the Cabinet Member had with the Borough Police Commander regarding the future of our Safer Neighbourhood Teams and what information has he been given about their future role?

Answer by Councillor David Longstaff

The discussions on Neighbourhood policing I've had with the Borough Commander, Superintendent Adrian Usher, are as follows.

His vision is that officers should treat every victim as if they were a member of the officers own family or personal friend; the police must then leave no stone unturned in the relentless pursuit of every offender. He wants to hear from the public if this standard is not being upheld by his officers.

Repeat victimisation will be a priority.

Officer efficiency must be improved so as to require only one visit to the scene of a crime for evidence.

There must be improved communication between the Police and those affected by crime.

In line with the Commissioner of the Metropolitan Police, Bernard Hogan-Howe, frontline officers are a priority and will be staffed as such. Community policing will be at the forefront of future policing and will be enhanced in the new Neighbourhood Policing Model. This will be done by reducing the back office and putting more officers on the frontline.

Whilst no figures are available at present, Superintendent Usher expects officer numbers to remain the same or slightly higher.

The new local policing model is expected in April 2013. It will maintain the ward teams, but those teams will become part of a Neighbourhood Policing Group, made up of 3 or 4 ward teams and linked through geographical proximity and significance.

Supplementary Question 7**Councillor Brian Salinger**

Next time the Cabinet Member speaks to the Borough Commander, can he raise with him the problem of transport for what's left of our Safer Neighbourhood Team? In my Ward, apparently, they have no dedicated motorised vehicle and they have to mix and match bicycle parts just to keep the two bicycles roadworthy.

Answer by Councillor David Longstaff

Yes, I will be speaking with the Borough Commander again very soon and will speak about the transport issues. But I will say that the Metropolitan Police are going through some major cut backs at the moment, details of that will be coming soon. But transport for a lot of the Neighbourhood Teams is a major issue and I will certainly raise that.

Question 8**Councillor Alison Moore**

Only half of council services are high performing / low cost – would the Cabinet Member explain why?

Answer by Councillor Daniel Thomas

This data needs to be taken in context, the outcome ranks Barnet 4th in London overall and the highest performer alongside those authorities reporting the same number of services in the period. For a few services - Social Care Adults and Secondary Education, the unitised expenditure was above the local authority average, however this is due to:

- Some authorities did not include learning disabilities in their base budget, whereas we did, and therefore compared to those Barnet appear to have higher expenditure but in reality we do not
- Some authorities where schools moved to academy status took out the expenditure but did not adjust population sizes and hence this misrepresented their performance

These data quality issues aside that London Councils (body responsible for the data), still places the Council as high performing for this indicator.

Question 9**Councillor Brian Salinger**

Will the Cabinet Member advise the council on how many volunteers are working in each of our public libraries?

Answer by Councillor Robert Rams

In the last year (November 2011 to present day) 302 volunteers, delivered a total of 3218 volunteer hours.

Examples of work carried out include,

Early Years – volunteers help staff running rhyme time and other early years sessions by signing people in to sessions, helping them find books to borrow and read in the session and handing out instruments and other props. They are directed by a member of library staff who leads the session.

Shelver – re-shelving items and keeping library shelves tidy

ICT buddy: the volunteer is available at advertised times to provide support to people who need help using IT applications. They are able to spend lengthy amounts of time with customers on things like setting up email accounts, social media etc.

Conversation café helper: the conversation café is a setting in which customers who speak English as a foreign language can practice their English conversation. Sessions are run by library staff and volunteers support by engaging in conversations with participants.

Events assistant: these volunteers support staff running adult events like coffee mornings.

Holiday volunteering: we had retired people reading with children in the summer holidays and young people supporting staff in the delivery of the children's summer reading challenge. They

asked children about the books they had read and gave out their prizes and stickers and supported staff running related events.

Question 10

Councillor Julie Johnson

Would the Cabinet Member advise what the latest plans are for Phase 3 of the West Hendon regeneration project, including number of homes, tenure of homes, and height of buildings / blocks?

Answer by Councillor Joanna Tambourides

Phase 3 of the West Hendon Project is still under discussion with officers and exact numbers and heights of buildings have not been finalised.

The unit numbers currently under discussion are:

Open Market	
Studio	0
1 Bed Flat	410
2 Bed Flat	848
3 Bed Flat	224
4 Bed Flat	0
3 Bed House	10
4 Bed House	8
Sub Total	1,500
Affordable	
Rented	
Studio	0
1 Bed Flat	55
2 Bed Flat	115
3 Bed Flat	35
3 Bed Duplex	0
4 Bed Flat	10
3 Bed House	0
4 Bed House	1
Sub Total	216
Shared Ownership	
Studio	0
1 Bed Flat	67
2 Bed Flat	133
3 Bed Flat	68
3 Bed Duplex	16
4 Bed Flat	0
3 Bed House	0
4 Bed House	0
Sub Total	284
Grand Total	2,000

Question 11

Councillor Brian Salinger

Will the Cabinet Member please update Members on the latest position with regard to the planning for the new library in the Arts Depot building, including details of available finance for any works that are needed and an anticipated date when it might be fully operational?

Answer by Councillor Robert Rams

Members will have seen a copy of my statement issued on the 30th October. As I said in that statement, the Council undertook a very thorough feasibility study to look at options for

delivering a landmark library in the Arts Depot building and I am disappointed that this is not going ahead. However, as is now public knowledge, this option is no longer feasible. The Arts Depot would not work with us to submit a capital funding bid to the Arts Council unless we signed up to a series of demands that were unaffordable to us. I have made available the full range of options that we were considering as well as the initial plans we commissioned for the existing North Finchley Library.

Supplementary Question 11

Councillor Brian Salinger

The Cabinet Member will recall that the Business Management Overview and Scrutiny Committee twice asked the Cabinet to reconsider the closure of Friern Barnet Library, mainly because Members of that Committee didn't believe the promises that were being made about the Arts Depot. Business Management were clearly right. Can the Cabinet Member spell out exactly how the £1m talked about being spent on North Finchley Library is to be spent?

Answer by Councillor Robert Rams

I don't believe the figure is published anywhere with regards to how much we will be spending on Finchley. We will be looking to find as much cash as possible to be put into building to improve it and to create a fantastic service for the residents of North Finchley and Friern Barnet.

Question 12

Councillor Geoffrey Johnson

Would the Cabinet Member advise why you have to pay £1 to park for half an hour in the streets in West Hendon, but in Bell Lane near Green Lane in Hendon ward it is only 50p for 40 minutes?

Answer by Councillor Dean Cohen

It is standard practice to charge differential tariffs dependent on the location and its parking and traffic requirements.

Question 13

Councillor Brian Salinger

Will the Cabinet Member update Members on the actions taken and the costs involved in removing the squatters from Friern Barnet library?

Answer by Councillor Robert Rams

To date, the only costs involved are for the legal action to evict the squatters. At the time of writing the cost of the legal action is not known although in any event this is funded from within the allocated hours for legal services in relation to property. We expect some increase in utility bills but these have yet to come in.

Supplementary Question 13

Councillor Brian Salinger

When the full costs are assessed after the occupation ending this week, will the Cabinet Member ensure that all officer time that has been spent on the occupation will be costed into the calculation? Can the Cabinet Member also please tell Council what security measures were in place when the occupation started and can he speculate on how the squatters got in?

Answer by Councillor Robert Rams

Of course we will add officer time into the total costs. As for security of the building, that's a property issue and refer the Member to the Cabinet Member responsible for that.

Question 14

Councillor Julie Johnson

Would the Cabinet Member advise the latest projections for new affordable homes (broken down by type e.g. social rented, intermediate etc.) that will be delivered over the next ten years?

Answer by Councillor Tom Davey

It is not possible to provide details of a 10 year time horizon, only 8 years. This is because the affordable housing trajectory makes projections for affordable housing delivery from 2012/13 to 2019/20. There are no projections beyond this timescale

The latest projections for new affordable homes (which consist of social rented and intermediate) to be delivered over the next eight years are **3660** homes.

This is split as follows:

Affordable Rented Homes: 2,695 Units

Affordable Intermediate Homes: 965 Units

Supplementary Question 14**Councillor Julie Johnson**

Nearly 3000 of these homes were due to be built in the regeneration site. Only 395 have actually been built to date. In addition, the previous affordable housing target shows at were least 6000 new affordable homes in the pipeline over the eight year period. When will these homes actually be built because they have been a long time coming?

Answer by Councillor Tom Davey

A very valid point, the regeneration hasn't progressed as quickly as we would have liked. There are plans in place to hopefully expedite construction on the estate within the next year to 18 months.

Question 15**Councillor John Hart**

Could the Cabinet Member inform me how many new Tree Preservation Orders have been raised within the Hendon constituency, by wards, since January 2012, and how many rescinded?

Answer by Councillor Joanna Tambourides

The number of Tree Preservation Orders made and revoked within the Hendon constituency, by wards, since January 2012 is none.

4 Tree Preservation Orders have been made since January 2012 – Hampstead Garden Suburb (Dalmore, 81 Winnington Road), Finchley Church End (Kingsgate House, Amberden Avenue), East Finchley (Holy Trinity Church, Church Lane), Childs Hill (Hodford Road street trees).

Supplementary Question 15**Councillor John Hart**

Can I ask the Cabinet Member to enquire why so few TPOs have been raised and also what are the TPO Service doing?

Answer by Councillor Joanna Tambourides

I will make a thorough investigation and let you know.

Question 16**Councillor Anne Hutton**

What is the reason for the delay in delivering a landmark Library at the Arts Depot?

Answer by Councillor Robert Rams

Please see answer to Question 11

Supplementary Question 16**Councillor Anne Hutton**

The Cabinet Member clearly blames the officer for failing to secure the landmark library in there. Why didn't he do his homework in the beginning because then surely he would have known?

Answer by Councillor Robert Rams

We met with the Board roughly a week before the announcement was made public, and had a lot detailed conversation with them. At the beginning, they were very keen for us to move in there and work with them to ensure that a landmark library would be secured within the Arts Depot. Following a change of leadership of the Board, things changed for the Arts Depot and they have let down the residents of North Finchley.

Question 17

Councillor John Hart

Could the Cabinet Member please update me on the take-up so far by shop outlets of the sale of traffic vouchers, better known as scratch cards?

Answer by Councillor Dean Cohen

The total number of traders signed up to the new online service is 9 with approximately 6 to be processed via the CSO.

Approximately 200 vouchers were sold to traders before the online service was set up in early September including some buying directly from the libraries and continuing to do so = 275

The total number of scratch cards sold

½ hour Traders - £342 = 342

1 hour Traders – £485 = 242

Approximately 859 vouchers sold in total to traders since early September 2012

Supplementary Question 17

Councillor John Hart

Would the Cabinet Member agree this is simply just the start of what is going to be a very successful way of helping people to park and to bring in the revenue?

Answer by Councillor Dean Cohen

Yes, this other option of paying for parking is growing.

Question 18

Councillor Alan Schneiderman

Is the Cabinet Member going to privatise the management and grounds maintenance of our parks and green spaces?

Answer by Councillor Dean Cohen

An outline business case for these and other environment services is to be reviewed at Cabinet Resources Committee on Wednesday 7 November. The Council is proposing to retain these services in-house at this time. The Council will be looking at how it can work better with third sector, residents and local groups and businesses to both look after and better utilise our parks and green spaces.

Supplementary Question 18

Councillor Alan Schneiderman

I thank the Cabinet Member for that decision. The decision to keep those services in house is a good illustration of what happens when you properly evaluate the risks of outsourcing. Will he now take the opportunity to properly evaluate the risks in the other One Barnet Programmes?

Answer by Councillor Dean Cohen

I believe that has been answered in the last debate.

Question 19

Councillor John Hart

Is the Cabinet Member in a position to inform me of the interest being shown by potential purchasers in the former Church Farmhouse Museum, Greyhound Hill?

Answer by Councillor Robert Rams

A formal marketing exercise was carried out following council committee approval 28 July 2011. 150 sets of particulars were sent out to potential parties interested in the property, with the tender closing date May 4th 2012. Two proposals were submitted. One for a health centre, to buy at some £760,000 for the freehold ownership, the other was from a private school offered to buy a long leasehold interest, 125 years, with a premium up front payment of £1,000,000 and then to pay a £50,000 rent per annum. These bids when worked through have been identified to have high planning risk to see implemented, which could see the building left vacant over a longer term.

The Barnet Borough Arts Council, community group, approached the council however require significant financial support from the Council and proposals will require applying for Heritage Lottery Funding, this currently doesn't offer a sustainable proposal in line with community users.

There was strong residential interest in the property however no proposals were submitted because of the challenges of the public open space grounds and there being no private garden area. This building has also been affected by the difficult economic climate and the availability of funding, this is a more challenging residential development opportunity with the buildings Historic Grade II* Status, which requires more planning consultation work.

The strategic partner Middlesex University showed interest in the property including undertaking due diligence professional survey work. They could not justify buying the property to their boards because of the work that would need to be done, however they did indicate an interest in a short term letting opportunity initially for 6 months - 2 years.

Supplementary Question 19

Councillor John Hart

Would the Cabinet Member agree that the letting, disposal or sale of a grade II listed building of the quality of this extraordinary building is extremely difficult and it might really be best to keep it?

Answer by Councillor Robert Rams

Sadly we don't have the funding for that, we will do our best to ensure it's kept in its current state.

Question 20

Councillor Julie Johnson

Would the Cabinet Member advise the number of social homes that will be delivered in Barnet over the next ten years, including a breakdown of those that already have both planning permission and funding?

Answer by Councillor Tom Davey

The Council's main priority with regards to social housing is the continuation of regeneration, which will see a sizeable element of our existing stock rebuilt to a better standard.

Going forward, the Council believes increasing Affordable Rent and affordable home ownership units is a more positive approach, as this will help meet the whole range of housing needs in the borough and encourage greater home ownership. Question 14 provides more details on the number of units in the pipeline.

As such I am not aware of any plans for new medium to large scale social Housing construction schemes in the Borough.

Supplementary Question 20

Councillor Julie Johnson

With rents of 80% market value and difficulties of obtaining mortgages on one bedroom properties selling in excess of £195,000, this is beyond many people's financial means. So can I ask the Cabinet Member what his definition is of 'affordable' is?

Answer by Councillor Tom Davey

Market value.

Question 21

Councillor Kate Salinger

Will the Cabinet Member please tell me when the plans for the Landmark Library at the Arts Depot will be ready for the public to view?

Answer by Councillor Robert Rams

I have made the plans available – please see response to question 11.

Supplementary Question 21

Councillor Kate Salinger

As it affects the people in my Ward considerably, are you prepared to comment on how negotiations are going on with residents of Friern Barnet about moving and doing something within the old Friern Barnet Library premises?

Answer by Councillor Robert Rams

There are no negotiations going on. It is subject to a court case at the moment and we will be making no further statement regarding the library or potentially moving anywhere else until that case is resolved.

Question 22

Councillor Anita Campbell

Will the council be following other local authorities like Richmond in resisting the government's plans to allow larger extensions of around double the size without planning permission?

Answer by Councillor Joanna Tambourides

The government's proposals on relaxing permitted development have not been formally published as a consultation. The council is however opposed to permitted development allowances for single storey rear extensions being doubled.

Question 23

Councillor Brian Coleman

Has the Council any plans for the future of Finchley Youth Theatre?

Answer by Councillor Andrew Harper

The Council's plans are to continue delivering at Finchley Youth Theatre the excellent programmes and other services that are already provided there for children and young people, not least those with learning difficulties and/or physical disabilities. The centre works with a number of local partners to ensure a diversity of delivery and opportunities for young people.

Currently, there are drop-in facilities for young people every Friday, offering information and advice about education, employment, training, sexual health, housing, relationships, emotional health issues, positive activities or whatever is on their mind. Future plans include extending the drop in service to be available from Monday to Friday, running a Duke of Edinburgh Open Award Centre and offering alternative learning programmes in line with the Council's 14-19 Strategy and its response to the raising of the participation age.

Supplementary Question 23

Councillor Brian Coleman

Can the Cabinet Member confirm that there are no plans to close the Finchley Youth Theatre?

Answer by Councillor Andrew Harper

The plans for the Finchley Youth Theatre are very much to keep that in operation as it is a very important centre for delivering key services to young people.

Question 24

Councillor Julie Johnson

Would the Cabinet Member advise the number of affordable homes that will be delivered for each of the regeneration projects, including those that have already been delivered? As part of

his answer, would the Cabinet Member include the number of affordable homes that were originally on each of the regeneration estates / sites?

Answer by Councillor Tom Davey

Scheme	No of Affordable Homes - Existing (at time of Outline Planning Application)	No of Affordable Homes Delivered to date (25 Oct 2012)
Whitefields (part of Cricklewood Brent Cross)	151	0
Grahame Park	1,365	180
West Hendon	530	13
Stonegrove & Spur Road	467	202
Dollis Valley*	362	0
Mill Hill East (Inglis Consortium)**	0	0
Granville Road*	16	0
Total	2891	395

* Dollis Valley and Granville Road have not yet been considered by Planning

** Mill Hill East is not a previously owned Council housing estate

Supplementary Question 24

Councillor Julie Johnson

There is still a long way to catch up on improving social housing on the regeneration estates. Also can the Cabinet Member please explain why the Administration is trying to house the rest of London on building schemes partially funded by Barnet tax payers instead of the homeless, non-secure tenants and families living in cramped conditions in Barnet? Surely local people should be the council's priority.

Answer by Councillor Tom Davey

Local people, of course, are the priority of this Administration but the Opposition have to realise that Barnet is expanding and as part of that expansion there will be some people coming into the Borough.

Question 25

Councillor Brian Coleman

Is Councillor Longstaff happy that the Police in Barnet are enforcing his Borough wide Alcohol free zone and can he report what instructions the Borough Commander has given his Officers on enforcement?

Answer by Councillor David Longstaff

The Designated Public Place Order comes into effect on 19th November 2012, so happiness is on hold. This is a borough wide partnership initiative by the Council and local police. The police will enforce the order under sections 13 Criminal Justice and Police Act 2001 as they have done in the other pre existing areas within the borough.

Supplementary Question 25**Councillor Brian Coleman**

What guarantees has the Cabinet Member had from the Borough Commander that the police, who we have been told already are facing cuts, are going to allocate any resources to this matter?

Answer by Councillor David Longstaff

As explained at various meetings, it is anticipated that the CPPO will go out; street drinking will be enforced via a Community Action Panel, identifying certain problems and issues within their Wards and therefore they will direct the PCs and PCSOs to deal with those issues. It is not anticipated that the police are going to go out looking for anybody who has happened to have had a drink.

Question 26**Councillor Geoff Cooke**

In April next year how many people in Barnet will get an increase in council tax as a result of Pickles' Poll Tax?

Answer by Councillor Daniel Thomas

I assume the Member is referring to the Government's plans to localise Council Tax Benefit. The council has consulted on a range of possible options for a localised system of Council Tax Support and a full report will be presented to Cabinet in December, outlining the options. The number of people impacted depends on the nature of the scheme adopted. Out of the 30,000 current recipients of Council Tax Benefit, 10,000 of these are pensioners who will not be impacted by these changes. A full Equality Impact Assessment will be provided alongside the Cabinet report.

Supplementary Question 26**Councillor Geoff Cooke**

Does the Cabinet Member think it's fair to give a rebate of £40,000 to rehouse in the Borough to freeze their council tax into the bargain, while forcing a council tax increase on 20,000 local residents who are on lower incomes?

Answer by Councillor Daniel Thomas

I think it's fair that those who can contribute.

Question 27**Councillor Brian Coleman**

Does Cllr Cohen remain committed to the Policy of not introducing 20mph zones?

Answer by Councillor Dean Cohen

Whilst not a stated policy, the Council has not generally supported the introduction of 20mph limits or zones, which whilst not obligatory usually rely on physical measures to restrict the movement of traffic. The types of measures typically implemented can also have adverse impacts on local residents, bus services and emergency services.

While 20mph zones have undoubtedly been successful in many areas where they have been introduced in response to a history of road traffic accidents, the distribution of accidents in Barnet is such that other measures may be more effective means of reducing casualties.

20mph area wide limits without physical measures to reduce traffic speeds have been introduced in some areas. They are most likely to achieve speeds at or close to the 20mph speed limit in locations where road conditions e.g. narrow heavily parked streets mean that existing speeds are already low. Where this is not the case adequate enforcement of the limit may be unachievable.

Nevertheless consideration of 20mph zones or limits may be considered appropriate in some locations depending on the particular prevailing circumstances and I would expect such a measure to be considered on a case by case basis based on merit. Notably the recent Finchley

and Golders Green AESC did agree to the introduction of a 20mph speed limit in Church Lane having considered the matter as a local issue, but I would emphasise that this does not necessarily mean that 20mph will be the default solution when speeding concerns are investigated boroughwide.

The 20 mph scheme at the Hocroft Estate has been made permanent, illustrating the Council's responsiveness to particular circumstances.

Supplementary Question 27

Councillor Brian Coleman

Has Councillor Dean Cohen spoken to the police and has he been told what resources the police intend to invest, if any, in enforcing 20 mph speed limits in this borough?

Answer by Councillor Dean Cohen

Councillor Longstaff will be able to advise Councillor Coleman on that.

Question 28

Councillor Anita Campbell

The kerbsides in my ward seem to be covered in weeds – how often are kerbsides cleared in the council's street cleansing programme?

Answer by Councillor Dean Cohen

Street cleansing in residential areas will remove dead weeds during the cyclical sweep which currently happens every 6 weeks. The wet weather conditions during the summer have meant that the weed control contractor has had a difficult task this year. The final treatment is now under way.

Question 29

Councillor Brian Coleman

Could the Leader outline the arrangements following the resignation of the Chief Executive?

Answer by Councillor Richard Cornelius

This matter will be dealt with at the Council meeting under the report of Head of Governance.

Supplementary Question 29

Councillor Brian Coleman

The question hasn't been answered. Can the Leader confirm that the former Chief Executive has indeed left and what arrangements were made for him to serve his notice?

Answer by Councillor Richard Cornelius

There was an agreement made between the Chief Executive and the council that he would be leaving the first week in December. He is currently on leave.

Question 30

Councillor Alison Moore

I have requested complete copies of the council's risk registers, including those for the One Barnet programme but have received nothing to date. Would the Cabinet Member please provide these now?

Answer by Councillor Robert Rams

The One Barnet Programme risk register is publically available on the website as part of the openness and transparency agenda, and is available here:

It can be found at

http://www.barnet.gov.uk/info/930372/one_barnet_programme_level_risk_register/1023/one_barnet_programme_level_risk_register

I assume the Member has asked the relevant council service and Cabinet Member for each individual risk register however also in line with our transparency agenda individual risk registers for council wide directorates are published quarterly with performance information, for your information the quarter 1 results are here:

Question 31

Councillor Brian Coleman

Following complaints from Members of all Parties and even the Mayor, will Cllr Thomas withdraw the revised IT arrangements with regard to members pending consultation?

Answer by Councillor Daniel Thomas

The changes are planned following instructions from the Councils IGC (Information Governance Council) to remove practices that threaten our compliance in relation to the Public Services Network. To ensure that risks are mitigated against, to avoid Information Commissioner Office fines and data security/protection issues changes have to be made to how members currently use their IT equipment and email accounts. A phased approach to this work is being considered given the impact on members and the IT service.

Supplementary Question 31

Councillor Brian Coleman

Will Councillor Thomas ensure that any future changes to Members IT arrangements are consulted upon before edicts are issued by over enthusiastic council officers?

Answer by Councillor Daniel Thomas

These changes were consulted upon but only by a very small number of Councillors. I will ask that next time all Group Leaders are consulted on the changes.

Question 32

Councillor Jim Tierney

On the N3 section of Nether Street approaching the roundabout at the junction with Dollis Road the traffic and parking problems continue. There are long queues morning and evening. The main cause of this is that daily commuters are still allowed to park their cars on both sides of the road there between the junction of Elm Park Road and Eversleigh Road N3. This parking leaves insufficient space for traffic to get through, particularly larger vehicles, and is causing major problems. The 326 bus is frequently delayed. There are single yellow line restrictions in force further north on this N3 section of Nether Street and traffic moves relatively smoothly there. Can the Cabinet Member extend the yellow lines to the section in question?

Answer by Councillor Dean Cohen

Officers will investigate this request and make recommendations to extend the yellow line if they consider it appropriate.

Question 33

Councillor Brian Coleman

Following the Prime Minister's announcement of arrangements for the Nation to mark the Centenary of the First World War between 2014 and 2018 will the Leader ensure suitable commemoration takes place in Barnet and will he perhaps invite the Representative Deputy Lieutenant, Mr Russell who did an excellent job on the Diamond Jubilee to coordinate. Will the Leader particularly ensure that the Prime Minister's aim of using the occasion to involve and educate our young people is achieved in Barnet?

Answer by Councillor Richard Cornelius

I have already spoken to the Representative Deputy Lieutenant and intend that Barnet should commemorate this important anniversary in an appropriate manner.

Supplementary Question 33

Councillor Brian Coleman

Will the Leader ensure that perhaps some of the Deputy Lieutenant's and his committee's efforts are put into restoring one or two of the war memorials in this Borough which have fallen into disrepair?

Answer by Councillor Richard Cornelius

I think that would be appropriate in so far as it is for the council to do that.

Question 34

Councillor Arjun Mittra

Will the Council undertake to examine the state and sufficiency of play equipment in Cherry Tree Woods and the playground on Market Place in East Finchley?

Answer by Councillor Dean Cohen

Cherry Tree Woods – Benefitted from a £55k Playbuilder scheme in 2009 which saw the addition of play equipment and natural play elements alongside the existing play area, which included an aerial slide, tyre swing, climbing rock and tarantula trampoline. Due to the wet weather experienced this year this part of the play area has become very muddy as with the rest of the field, this is something out of the Council's control and should remedy itself by next Spring. The internal play area is well catered for in terms of play equipment for the under 14's.

Market Place – There has been a loss of some significant pieces of play equipment over the last few years as these have come to the end of their life, it has not been possible to replace this equipment due to financial restraints. The Council were working alongside a resident group to access external funding to carry out improvements, but after one unsuccessful bid the group disbanded.

Question 35

Councillor John Marshall

Would the Cabinet Member please comment on Mayor Johnson's Inquiry into education?

Answer by Councillor Andrew Harper

Mayor Johnson is to be congratulated for having launched this important initiative. I welcome its findings and the Mayor's enthusiastic acceptance of the recommendations. The Inquiry Panel - on which Robert McCulloch-Graham sat - made recommendations under three broad headings: (i) promoting excellent teaching with all London schools; (ii) preparing young Londoners for life and work in a global city and (iii) a good school place for every London child. Members will recognise the similarity between the third theme and Barnet's own priority of ensuring every school is a good school for every child!

Supplementary Question 35

Councillor John Marshall

Can I ask my dear neighbour if he could ask the Mayor of London if he's seeking to provide properties for academy free schools. I'm thinking of the Archer Academy and the new Greek Academy, both of which have been approved by the Secretary of State for Education. Can I also ask my Ward colleague whether he intends to have a similar inquiry in Barnet to the inquiry that was undertaken by Mayor Johnson?

Answer by Councillor Andrew Harper

I'm grateful for Councillor Marshall's continuing close interest in what will represent the best education for our children and young people. In his first point in relation to free schools, he's quite right in identifying the challenge of finding suitable properties, premises for those schools that are becoming accepted. I very much hope that the Mayor will indeed be playing his part in as much as he has control over the property portfolio for strategic planning and I, for one, will be urging him so to do.

The second point, I'm happy to say that we are embarking upon a strategic review of education in this Borough. Looking at leads, looking at possibilities and challenges. Looking at the evolving relationship between the Local Authority and schools in the maintained sector. I hope that this review will be concluded in the Spring of next year and I am looking forward to finding ways of ensuring that there is appropriate Member engagement in that process.

Question 36

Councillor Pauline Coakley Webb

What road safety measures will be put in place for the 307 bus re-route to Barnet Hospital, and when will these take place?

Answer by Councillor Dean Cohen

Concerns regarding pedestrian safety on Wellhouse Lane have been recently tabled at the Area Forum on 16 October 2012 and are being looked into. The forum submission wants the areas of investigation to include siting of bus stop facilities and consideration of a new pedestrian crossing on Wellhouse Lane, and also possibly widening Wellhouse Lane.

Currently, the siting of bus stop facilities on Wellhouse Lane has been temporary so as to allow TfL-funded improvements within the bus turning area outside the hospital to take place and also to increase capacity to cater for the relocated 307 route.

It is anticipated that feasibility and design will be completed and work on any identified measures commenced early in the next financial year.

Question 37

Councillor Alison Moore

What lessons has the administration learned from failed large outsourcing projects and problems with outsourcing in places like Somerset and Cornwall?

Answer by Councillor Richard Cornelius

Outsourcing of Council services is a common practice by local authorities, led by all political parties, across the country. In the majority of cases, outsourcing provides better services for less money to the taxpayer. There are, of course, situations where such improvements are not achieved. In some situations, this is because the process of awarding the contract is not successfully completed.

At a general level, two key lessons must be learnt from such instances:

- The process of tendering and awarding the contract must be completely robust, so that it is not possible for unsuccessful bidders to challenge the contract award. The Council is aware of this risk and has employed leading national commercial and legal specialists to ensure that the NSCSO and DRS procurement processes are run in a robust manner.
- The political support for the contract must be firm. I can assure all members of Council that the administration's support for the NSCSO and DRS contracts is unwavering.

Supplementary Question 37

Councillor Alison Moore

When the Leader says the Administration supports the NSCSO and DRS contract is unwavering, does he speak for all Members of the Administration?

Answer by Councillor Richard Cornelius

Yes.

Question 38

Councillor Claire Farrier

Following on from his response to my question at the last Council meeting, would the Cabinet Member please tell me when the review that he promised of Burnt Oak Town Centre will take place, what the remit of the review will be, how it may improve the parking situation for residents around Watling Avenue, and who the officer is who will lead the review?

Answer by Councillor Dean Cohen

The parking review in Burnt Oak is part of the Boroughwide Town Centre and Shopping Parades Parking Review which has recently been undertaken

The review is seeking to obtain views of the on-street and off-street requirements from traders and businesses in Town Centres and Local Shopping Parades that have Pay by Phone parking facilities nearby, with a view to establishing whether the current parking arrangements could be improved to better serve the area.

In the week commencing 10th September 2012, traders and businesses in Town Centres and Local Shopping Parades across the borough were sent a letter directing them to an on-line questionnaire designed to enable them to give the Council information about their business and their customers' and clients' parking needs, and highlight any specific issues that may affect them on a regular basis. The option to download or request a hard copy of the questionnaire was also available.

The closing date for returns was 28th September 2012, and Officers are currently analysing the responses before making recommendations on what changes if any could be made to better serve each area.

The work is being undertaken by the Traffic and Development Section in the Planning, Environment and Regeneration Directorate – the Director being Pam Wharfe

Supplementary Question 38

Councillor Claire Farrier

If the Town Centre Review seeks only the views from traders and businesses, it will not address the concerns of the residents living around the Watling Avenue shops and Burnt Oak station. So again could I ask the Cabinet Member to take the same action as he did in East Barnet and remove the charges for parking in Watling car park?

Answer by Councillor Dean Cohen

The review has been completed. Once all the results have been collated, I will be meeting with the businesses around the areas to see what changes, if any can be made.

Question 39

Councillor Charlie O-Macauley

How many houses or flats are being built or expected to be built in and around Burnt Oak and Colindale areas, what additional general facilities will be provided, and how many people do we estimate will come and live in those areas?

Answer by Councillor Joanna Tambourides

The London Plan identifies Colindale / Burnt Oak as an Opportunity Area with a minimum housing target of 12,500 new homes. This includes a number of sites along the Edgware Road which fall within the London Borough of Brent. To guide development in the area, the Council adopted the Colindale Area Action Plan (AAP) in 2010. This planning policy document sets out how 10,000 new homes will be built within the Colindale area. The new population resulting from these new homes is anticipated to exceed 20,000 people and the Council recognises the importance of providing appropriate supporting infrastructure to meet the demands of the rising population. The AAP therefore identifies new infrastructure including new primary schools, road infrastructure, public parks and open spaces, health, community and sports facilities that is being delivered through a combination of developer contributions and other funding sources. The Council is particularly aware of the potential strain on public transport infrastructure. Upgrades are planned to the Northern Line within TfL's Business Plan for 2009/10 – 2017/18 which will increase capacity. These upgrades are designed to take into account all housing that may come forward during the London Plan period, including the growth happening in Colindale. The Council will continue to work with TfL to undertake further capacity studies to ensure that existing services are developed and upgraded as appropriate.

Question 40

Councillor Arjun Mittra

Will the Cabinet Member for Environment consider improving signage on East End Road to reduce speeding?

Answer by Councillor Dean Cohen

Although sporadic requests for traffic calming on EER have previously been made, when assessed against the Council's agreed criteria for consideration of such measures that places focus on mitigating personal injury accidents there has been no justification in recommending

any speed control measures. However, if there is a specific stretch of East End Road that warrants consideration and may benefit from improved signage this can be looked into.

Question 41

Councillor Charlie O-Macauley

Fly-tipping has increased in and around Burnt Oak. Are there any arrangements to counter or help reduce this problem?

Answer by Councillor Dean Cohen

The majority of fly tipping in Burnt Oak area consists of individual bulky items of unwanted or broken furniture which local residents simply dump onto the small green areas at the ends of their roads. This normally happens during the hours of darkness when neighbours are less likely to see and report the offenders.

We will continue to clear reported fly tips promptly however where physical evidence is not available and fly-tip cannot be attributed nor tracked, we do rely on residents providing us information as to who is doing the dumping.

Supplementary Question 41

Councillor Charlie O-Macauley

Will the Cabinet Member consider bringing back the skip system?

Answer by Councillor Dean Cohen

The skip system, obviously a lot of the residents liked it, but at the same time the review found it was very costly to the council.

Question 42

Councillor Alan Schneiderman

What assessment has been made of the performance of NSL, the Council's parking contractor?

Answer by Councillor Dean Cohen

Parking services continues to assess, review and where necessary has adjusted the new contract for Parking with NSL.

The majority of the start of the contract has been to deal with historical elements and the resulting reviews have allowed for changes and recommendations with regards back office and enforcement processes. The service is under regular review as it is a new contract, to make sure that it is delivered effectively.

Supplementary Question 42

Councillor Alan Schneiderman

Councillor Dean Cohen said that the council, where necessary, has adjusted the new contract for parking with NSL. Can he explain in what way the contracts have been adjusted?

Answer by Councillor Dean Cohen

I don't think it's the actual contract; it's the way NSL are operating.

Question 43

Councillor Charlie O-Macauley

Watling Park is supposed to be a premier park. What is the council doing about the litter, dog fouling and the poor lighting which does not correspond to the park's premier status?

Answer by Councillor Dean Cohen

The Premier Parks Strategy ceased in 2010. The lighting in the park was turned off (2009/2010) as there were a number of incidents where people using the footpath, as a cut through, were becoming the subject of crime. As the footpath was lit it implied that it was a safe route to use after dark which is not the case as much of the park is not overlooked by neighbouring properties or open to the neighbouring streets. The lighting was disconnected to discourage the use of the footpath after dark. This decision was made in liaison with Met Police.

Litter and dog fouling is cleaned regularly from the park by the maintenance teams, during the summer the entire park is cleaned three times and the playground is cleaned daily. There is

more than ample provision of litter and dog bins in the park, but unfortunately some park users do not make use of these facilities.

Supplementary Question 43

Councillor Charlie O-Macauley

Will the Cabinet Member be available to visit Watling Park, if invited to?

Answer by Councillor Dean Cohen

Happy to do that.

Question 44

Councillor Barry Rawlings

What is the timetable for the consideration of the Village Green application for the land next to Friern Barnet Library? Please note that the fact it is protected under the Public Health Act should not be used to disregard the application.

Answer by Councillor Joanna Tambourides

Representations from the applicant in response to the council's objection have been received at the end of September. These representations are currently being reviewed by the council's legal department. The application will then be submitted for an independent decision by Counsel because of the council's interest in the land. Officers anticipate that this will be submitted by the middle of November.

Supplementary Question 44

Councillor Barry Rawlings

I'm not sure the council can make a decision as opposed to debate or advise, and I realise you may not be able to do it this evening and may wish to email me to track whether that is true, whether it will actually be to make a decision or just give expert advice and if that is the case, the details of any appeals mechanism.

Answer by Councillor Joanna Tambourides

I'm happy to do so.

Question 45

Councillor Charlie O-Macauley

Have all parking machines in Barnet now been removed, and what has the cost been to remove them?

Answer by Councillor Dean Cohen

There are 7 non functioning machines still in the borough currently in the process of final removal. The cost of the removal exercise is £81.5K.

Supplementary Question 45

Councillor Charlie O-Macauley

Does the Cabinet Member realise that the parking issue in Barnet is a galling issue for residents and does he think that £81.5K just to remove those parking meters is very expensive. And also does the Cabinet Member realise that with those parking meters are still there, that function 1, 2 and 3 of the parking regulation is still accountable for parking measures?

Answer by Councillor Dean Cohen

Yes, unfortunately, those meters are still there and we are working on removing them. In terms of the cost, there is a possibility of removing all of them and not just those mentioned.

Question 46

Councillor Alison Moore

Would the Cabinet Member please send me a copy of the process and procedure for evaluating bids under the One Barnet programme outsourcings currently taking place?

Answer by Councillor Robert Rams

Copies of the requested documents have been emailed to Councillor Moore as requested.

Question 47**Councillor Alan Schneiderman**

Why can Brent residents be told about plans for a joint procurement of street scene with Barnet and other authorities but Barnet residents are kept in the dark?

Answer by Councillor Dean Cohen

The Council is part of the West London Alliance and as part of this group officers have been working collaboratively to investigate the possibility of a shared service. Brent Council felt the most beneficial route for them was a shared service, subject to all boroughs agreeing. Due to their committee dates they submitted their business case earlier than other boroughs.

Cabinet Resources Committee on Wednesday 7 November will receive a report for approval which advises that a joint procurement option would not be the best approach for Barnet and recommends an in-house service for approval.

Question 48**Councillor Arjun Mittra**

What input has the Cabinet Member for Health had in the Sport and Physical Activity review?

Answer by Councillor Helena Hart

Given the importance of physical activity to the health of our local population, as Cabinet Member for Health I was very keen from the outset that this Review should be centred on sport and physical activity rather than just being part of the original much wider Leisure Review and I am extremely pleased that it has evolved in this way. Apart from this, my involvement has included attendance at the two Member Consultation Events in February and August 2012 and the opportunity to comment on the draft Strategic Outline Case in July 2012.

More broadly, this project has linked closely to officers and partners working in the field of health.

Dr Andrew Burnett (Joint Director for Public Health) was involved in the early development of the Strategic Outline Case as was his colleague Rachel Wells (Public Health Consultant). A member of the Public Health team has also sat on the Project Board and provided professional public health input. In addition the Public Health team has led the Sports and Physical Activity Needs Assessment and Facilities Mapping work.

Now that the Strategic Outline Case has been approved by Cabinet Resources Committee, it is planned to bring it to the Health and Well Being Board where it can be discussed in much greater detail by all Members of the Board, with input being particularly welcomed from our CCG and Public Health colleagues, the LINK and the Cabinet Members and Directors for Adults and Children.

Supplementary Question 48**Councillor Arjun Mittra**

Can I ask the Cabinet Member what were her specific suggestions to the Health and Well-Being Board.

Answer by Councillor Helena Hart

The Health and Well-being Board will be considering these proposals. As members of the Health and Well-Being Board, it is their commitment and involvement into making this sport and physical activity review work, that will actually deliver the health benefits for the people of Barnet. In advance of the strategic outline case going to the next Health and Well-being Board, I will be having meetings with relevant Cabinet colleagues and senior council officers on this.

Question 49**Councillor Andreas Ioannidis**

How many 20 mph zones are there in Barnet and where are they (broken down by ward), and are there any areas in Brunswick Park ward where the council are consulting on 20mph zones?

Answer by Councillor Dean Cohen

There are 9 distinct areas in the borough where a 20mph zone or limit is in place. These are:

	Roads	Ward
1	Wentworth Road & Byng Road, Barnet.	High Barnet
2	Courtlands Avenue, Robin Close, Stockton Gardens, Hankins Lane, Norbury Grove, Bedford Road, Worcester Crescent, Ramillies Road & Glenwood Road, NW7.	Hale
3	Bushfield Crescent, Springwood Crescent, Meadfield, Burrell Close, Hamonde Close, Warrens Shawe Lane, Knightswood Close & Bushfield Close, Edgware.	Edgware
4	Victoria Avenue, Church Crescent, Clifton Avenue, Dollis Avenue, Lyndhurst Avenue, Grass Park, Rathgar Close, Freston Park, Kingswood Park, Grenville Close, Hendon Avenue, Claremont Park, Village Road, Cyprus Gardens, St. Mary's Avenue, Cyprus Avenue, Dollis Park, Crescent Road & Queenswood Park, N3.	Finchley Church End (part of Crescent Road is in West Finchley)
5	Addison Way, Childs Way, Creswick Walk, Hogarth Hill, Wordsworth Walk, Coleridge Walk, Willifield Green, Asmunds Hill, Willifield Way, Erskine Hill, Woodside, Holmfield, Denman Drive, Chatham Close, Denman Drive North, Denman Drive South &	Garden Suburb

	Oakwood Road, NW11.	
6	Prayle Grove, Marble Drive, Wallcote Avenue, Jade Close, Amber Grove & Pearl Close, NW2.	Golders Green
7	Partingdale Lane, NW7	Mill Hill
8	Mays Lane, Barnet	Underhill
9	Ranulf Road, Lyndale, Hocroft Road, Farm Avenue, Hocroft Avenue, Harman Drive & Harman Close, NW2	Childs Hill

The council is not consulting on 20mph zones in Brunswick Park Ward.

Supplementary Question 49

Councillor Andreas Ioannidis

When only eight of the seventy road listed here are in Wards with Labour or Liberal Democrat Councillors, how is this fair?

Answer by Councillor Dean Cohen

The 20mph is put in certain locations for underlying reasons and that is how it is considered.

Question 50

Councillor Alan Schneiderman

What action has been taken to improve the performance of NSL, the Council's parking contractor?

Answer by Councillor Dean Cohen

Already answered as part of question 42.

Question 51

Councillor Barry Rawlings

How will the Council ensure any commissioning under the One Barnet Programme takes account of the Public Services (Social Value) Act 2012?

Answer by Councillor Robert Rams

This Act comes into effect from January 2013. Statutory best value guidance states that any commissioning the council undertakes will seek to maximise the additional benefit that can be created by procuring or commissioning goods and services, above and beyond the benefit of merely the goods and services themselves. The council will consider the social value of any commissioning undertaken under the One Barnet programme.

Question 52

Councillor Gill Sargeant

What is the latest assessment of the impact that the One Barnet mass outsourcing will have on both members of the pension scheme and the viability of the pension scheme itself?

Answer by Councillor Daniel Thomas

The Council implemented its staff 'TUPE Transfer Commitments' with effect from September 2011.

These TUPE Transfer Commitments explicitly state that: *'The London Borough of Barnet will ensure that employees transferred from the Council to a new employer will be able to continue in membership of the Local Government Pension Scheme [LGPS] by requiring that the new employer obtains Admitted Body Status [ABS] within LGPS. ABS permits employees to*

participate in LGPS should they choose to do so although they will no longer be employed by the Council.'

Since that date all Barnet TUPE transfers have been admitted to LGPS as an Admitted Body. As a result, all things being equal, if members continue to be paying into the pension fund via their admitted body status there will be no impact on the viability of the pension fund.

Question 53

Councillor Alan Schneiderman

What measures is the Cabinet Member going to take, beyond those already announced, to address the concerns of Barnet's traders that the current parking regime is hurting their businesses and ruining our town centres?

Answer by Councillor Dean Cohen

We have recently undertaken a Boroughwide Town Centre and Shopping Parades Parking Review sought to obtain views of the on-street and off-street requirements from traders and businesses in Town Centres and Local Shopping Parades that have Pay by Phone parking facilities nearby, with a view to establishing whether the current parking arrangements could be improved to better serve the area.

In the week commencing 10th September 2012, traders and businesses in Town Centres and Local Shopping Parades across the borough were sent a letter directing them to an on-line questionnaire designed to enable them to give the Council information about their business and their customers' and clients' parking needs, and highlight any specific issues that may affect them on a regular basis. The option to download or request a hard copy of the questionnaire was also available.

The closing date for returns was 28th September 2012, and Officers are currently analysing the responses before making recommendations on what changes if any could be made to better serve each area.

Any identified action will be based on local views and parameters and changes introduced will reflect local needs as it is not appropriate to assume a 'one size fits all' approach, although it is accepted that some common concerns exist boroughwide and there may be some uniform changes across the borough.

Officers are working hard to evaluate the response in an effort to introduce any identified changes before Christmas if possible.

Question 54

Councillor Andreas Ioannidis

What is the Cabinet Member doing in his leadership role on crime and community safety to help the police reduce the number of burglaries in Brunswick Park?

Answer by Councillor David Longstaff

Below are some of the tactical options the police and Barnet Council and partners are utilising to tackle burglary in the borough, this includes the area of Brunswick Park.

- Target Hardening advice and support for residents in hotspot areas.
- Repeat victim strategy - Target Hardening advice and support for Burglary victims.
- DNA Selecta kits (property marking) used in homes of Burglary victims
- Borough Watch providing crime prevention advice to residents borough wide
- Enforcement and Prevention targeting of Burglary Hotspots
- Automatic Number Plate Recognition System (ANPR) on arterial routes
- SNT provide specific crime prevention advice for local residents
- Targeted intelligence gathering and development on known offenders
- Warrants based on an Intel package carried out on known offenders.
- Visits by Police to offenders on licence/tag
- ASBOs or ABCs used on suitable offenders

- PPO/DIP Programme - Probation intervention
- Deployment of CCTV
- DAAT Team
- Winter Burglary Campaign
- Care and Repair Environmental Audits
- Introduction of Integrated Offender Management to reduce re-offending

Question 55

Councillor Alan Schneiderman

Does the Cabinet Member now accept that the huge hike in parking charges and removal of parking meters has led to a reduction in income from parking?

Answer by Councillor Dean Cohen

It should be noted that many areas in and outside of the borough offering free parking have seen a dramatic decrease in footfall in the past two years as part of the economic decline. Whist indications show that charging and the facility to pay to park may well have had an effect on income these are not the only issues effecting our high streets and subsequently revenue to the council.

Question 56

Councillor Barry Rawlings

Given various local news items, will the Cabinet Member clarify the situation for disabled residents regarding the ability to undertake community contribution as defined by the Housing Allocation policy?

Answer by Councillor Tom Davey

By law the housing allocations scheme has to give a priority to households in the highest housing need. One of a number of recognised housing needs is a household with a member who is disabled and living in a home that does not meet their needs.

Under the allocations scheme where there are medical grounds for a need to move, doctor and occupational health reports are taken into account to assess the need to move and housing requirements.

Where there is an urgent need for a move, for example a person is in hospital and has a permanent disability as a result and cannot be discharged back to their former home, this household will be given priority for housing and placed in band 1. Community contribution does not apply in this situation.

Where a household needs to move because a disability means that they are living in a home that no longer meets their needs they are placed into band 2 if they make a community contribution or band 3 if they do not.

The council held extensive consultation on the housing allocations scheme in 2010. Disability Action in Barnet and Community Barnet confirmed that there are opportunities for disabled people to make a community contribution in Barnet, for example through volunteering, and that many disabled people do volunteer. However, the council recognises that sometimes disabled people will be less able to make a community contribution and officers can use discretion in individual cases and reduce or remove the requirements.

Barnet Homes takes the same approach with existing tenants who need to move because of a permanent disability. However, with a limited supply of housing being made available for letting each year, these tenants might also be encouraged to make a home swap through the national home swapper service or they might find a suitable property through Housing Moves, the pan London mobility scheme.

Where it is appropriate, Barnet Homes will make adaptations to an existing home to enable a disabled person to continue to live there.

Supplementary Question 56**Councillor Barry Rawlings**

Could the Cabinet Member provide, either now or at a later time, some detailed guidance because what the confusion is, is that there are different cases; some people who are disabled are put into band three and some are put into band two and what you've got here is the decision of a housing officer. Should a disabled person's right to proper housing being in the subjective view of one officer as opposed to having detailed guidelines? Could he look into that, please?

Answer by Councillor Tom Davey

Yes. I can look into it.

Question 57**Councillor Alan Schneiderman**

Has any investment in signs and lines been made yet by the new parking contractor, and if not, when will it be made?

Answer by Councillor Dean Cohen

A full review of signs and lines is taking place, and as can be seen when travelling around the borough remarking and sign maintenance is taking place weather-permitting.

Supplementary Question 57**Councillor Alan Schneiderman**

Review aside, as this matter was outstanding for a very long time, when is any action going to be taken?

Answer by Councillor Dean Cohen

This came out of a Budget Performance meeting. Lines have started to be corrected around the borough and although the process hasn't been completed, it has made good progress.

Question 58**Councillor Jim Tierney**

We have known for some years now that residents in Elm Park Rd and Eversleigh Rd, N3 and nearby roads frequently find there's no place to park because commuters have taken every available space in the street and leave their cars there all day. The Cabinet Member was made aware of this as far back as 2009 and the Parking Service did indeed circulate a questionnaire to residents at that time. However with the cut backs nothing was done with the data collected. Would the Cabinet Member please consider doing a further consultation to see what the residents' current preferences are?

Answer by Councillor Dean Cohen

I am keen to ensure that where there is evidence that a demand exists from local residents for consideration of parking measures that the matter is investigated appropriately to see what may be justified.

To this end Officers will be identifying know areas of concern throughout the Borough, typically based on previous investigation or requests to the Council with a view to formulating a programme of review which would include the Elm Park Road area. I would anticipate such reviews to commence in earnest in the new financial year.

Question 59**Councillor Alan Schneiderman**

Does the Cabinet accept any responsibility for General Fund balances falling so far below the recommended target level of £15m?

Answer by Councillor Daniel Thomas

I accept responsibility for the council being in a healthy reserve position which was subject to external review that resulted in an unqualified audit opinion. Whilst quarter one shows a *forecast* marginal overspend at the end of this financial year there are recovery plans in place to ensure these are mitigated by the end of the year.

Question 60**Councillor Andreas Ioannidis**

When will the Brunswick Park Health Centre reopen?

Answer by Councillor Helena Hart

A precise re-opening date for the Brunswick Park Health Centre cannot be confirmed until a new gas main has been installed. The timing of this is beyond the Council and its partners' control but we are monitoring it closely.

All works directly within the Council and its partners' control are progressing well and all construction work will be completed by the end of November. The GP based at the Centre reviewed the works last week and provided positive feedback. Discussions are also taking place regarding the opportunity for a second local practice to be based in the Centre.

As a guide, it is anticipated that the Centre will re-open in December.

Council: Tuesday, 22 January 2013

Administration Business Item: Councillor Richard Cornelius

AGENDA ITEM 3.1

Committee System

Council regrets the decision by Labour to enact the Local Government Act 2000 and to abolish a tried and tested system of governance moving to the Cabinet model of running the administration of the Council.

Council welcomes the Localism Act 2011 and its provisions permitting a return to the "Committee System" and resolves to call upon the Constitution, Probity and Ethics Committee to devise alterations to the Constitution of the Council to replace the Cabinet, Cabinet Resources Committee, Business Management Overview and Scrutiny Committee and Budget and Performance Overview and Scrutiny Committee with suitable operating Committees to lead on policy, budgetary and operational matters, to further devise changes to full Council proceedings to ensure the involvement of all Members in the democratic control of the business of council.

Council appreciates that this will increase the workload and responsibilities of most Members but emphasises that at a time of budgetary restraint the changes must be cost neutral.

Council notes that the provisions of the Localism Act allow for changes to the system from an Annual meeting of the Council for a minimum of five years and asks officers and the Constitution Probity and Ethics Committee to bring forward proposals to enable early approval of such change to commence operationally from the Annual meeting 2014.

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Council: Tuesday, 22 January 2013

Opposition Business Item: Councillor Alex Brodtkin

AGENDA ITEM 3.2

Barnet's Emergency Services

Council believes that the safety and security of Londoners and the residents of our borough is being put at risk as a result of cuts to emergency services being pushed through by the Mayor and the Conservative led coalition government to our key emergency services – the Metropolitan Police Service, the London Fire Brigade alongside the London Ambulance Service and the city's Accident & Emergency Departments.

Council believes that the cuts are going too far and too fast and that the many millions of pounds being cut from the budgets of the NHS, the Metropolitan Police Service and the London Fire Brigade will inevitably endanger families and communities across the capital.

Council believes that the cuts are being carried out without consideration of the impact on Londoners' safety. In particular, the closures of police front desks at Barnet Police Station and Whetstone Police Station will mean Chipping Barnet constituency has no police station accessible to the public. The closure of Chase Farm A & E department will mean additional pressure on Barnet Hospital, and could see the safety of residents threatened by longer response times.

Council does not agree with the Mayor of London's position that the scale of the cuts are necessary and acceptable.

Council calls on the Mayor to stand up for Londoners against the cuts being imposed by the Conservative-led coalition government and to think again about his own draconian cuts to the emergency services on which we rely to keep Londoners safe, including the scandalous closure of Barnet and Whetstone Police Station front counters.

Council asks the Chief Executive to write to the Mayor of London expressing LB Barnet's outrage at these proposals, and demand that he withdraw the proposals immediately.

Council also asks the Leader to write to the 3 Barnet MPs calling on them to lobby the government for more resources for Barnet Hospital, the police and our other emergency services, and calling on them to lobby the Mayor of London to withdraw his proposals for police station closures in Barnet.

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Council: Tuesday, 22 January 2013

Non-Executive Business Item: Councillor Geoff Johnson

Colindale Area Action Plan

AGENDA ITEM 3.3

Council notes the scale of development that has taken place and continues to take place in Colindale across various sites including Grahame Park, Beaufort Park, the former Colindale Hospital site, Zenith House and now the Peel Centre. Projections show that in 10 years time Colindale's population will have more than doubled from 15,700 in 2007 to 37,700 people in just one ward.

Council is deeply concerned that without the necessary infrastructure investment in our roads, public transport – including improved network rail services, electricity, gas and water supplies, secondary school places, and, crucially, health services, the area will not be able to cope.

Council believes that it is important to secure the best infrastructure deal possible for the new development proposals on the Peel Centre site.

Council asks Cabinet to:

- work with the Peel Centre developers to secure the best affordable housing deal for the regeneration of that site
- lobby government and regional partners to ensure that adequate infrastructure investment for the needs of local people in Colindale is secured
- review the Colindale Area Action Plan to ensure there is enough provision and resources for infrastructure including, health services, transport, utilities, drains and sewers, green spaces, sports facilities and school places
- ensure that there is proper public liaison and consultation of local residents for continued support of the developing plans for Colindale

Under Standing Order Part 4, Section 1, 31.5: if my item is not debated at the meeting I ask that it be referred direct to Cabinet.

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Council: Tuesday, 22 January 2013

Non-Executive Business Item: Councillor Brian Gordon

Bishop Justin Welby and Rabbi Ephraim Mirvis

AGENDA ITEM 3.4

Council sends its congratulations to Bishop Justin Welby on his appointment as the next Archbishop of Canterbury and Rabbi Ephraim Mirvis (a Minister within this Borough) on his appointment as the next Chief Rabbi.

Council declares its pride that Barnet is a harmonious multi ethnic Borough where religious identity, faith schools, inter-faith relations and institutions such as the Mayor's Chaplain play a major role in community life.

Council believes that the majority of Barnet's citizens will salute the appointment of the said eminent gentlemen to their respective distinguished posts and instructs the Chief Executive to send letters of congratulations to Bishop Welby and Rabbi Mirvis wishing them every success.

Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.

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Council: Tuesday, 22 January 2013

Non-Executive Business Item: Councillor Brian Salinger

Asian Community in Barnet

AGENDA ITEM 3.5

Council recognises that it is 40 years since Idi Amin expelled the Ugandan Asian population from that country.

Council recognises that this has proved to be a major turning point in the life of Barnet and the United Kingdom.

Council recognises the importance of the Asian community to the life of Barnet and Council calls on the Leader and the Mayor to find an appropriate way to celebrate the beneficial contribution that the community have made to the Borough, in particular in the last 40 years.

Under Standing Order Part 4, Section 1, 31.5: if my item is not dealt with by the end of the meeting I ask that it be voted upon at the Council meeting.

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Meeting	Council
Date	22 January 2012
Subject	Council Tax Support Scheme (including proposals to remove discounts and exemptions)
Report of	Deputy Leader of the Council and Cabinet Member for Resources and Performance
Summary	<p>This report makes proposals for a Barnet Council Tax Support Scheme to replace Council Tax Benefit in line with Government requirements. The level of government funding for a local scheme will be based on a reduction of 10% from the estimated level of Council Tax Benefit expenditure in 2013/14. For LB Barnet, the best estimate of the shortfall in 2013/14 is £3.7m. The proposed scheme for 2013/14 reflects the outcomes of a public consultation process and the availability of additional transitional funding from government. It is designed to seek to recover the shortfall in funding through a number of changes, including the requirement that all working age households contribute at least 8.5% of their Council Tax bill. In addition, localised powers to remove some discounts and exemptions from Council Tax will be used to meet the funding gap. An implementation plan is also presented which will enable the council to meet the government's objective for the scheme to be operational by 1st April 2013. Changes to the scheme for 2014/15 will be subject to further consultation before implementation.</p>

Officer Contributors	Bill Murphy, Assistant Director for Customer Services and Libraries John Hooton, Assistant Director, Finance John Gregson, Programme Manager, Revenues & Benefits Rowena Gates, Revenues & Benefits Transition Team Tom Pike, Head of Performance
Status (public or exempt)	Public
Wards Affected	All

Key Decision	Yes
Reason for urgency / exemption from call-in	N/A
Function of Enclosures	Cabinet Appendix 1: Current Council Tax Benefit scheme. Appendix 2: Topics put out to consultation Appendix 3: Consultation report summary Appendix 4: Additional consultation responses from voluntary groups Appendix 5: Consultation approach Appendix 6: Equalities Impact Assessment Appendix 7: Proposed new scheme Appendix 8: Impact of the proposed scheme on affected groups Appendix 9: Implementation plan
Contact for Further Information:	John Gregson. Email: john.gregson@barnet.gov.uk Tel: 0208 359 7853

1. RECOMMENDATIONS

- 1.1 To note the results of the public consultation exercise undertaken from 1 August to 24 October 2012 on the principles and possible features of the new scheme;
- 1.2 To note the range of possible options to address the shortfall in revenue from government and reflect the outcomes of consultation, together with the associated impacts on population segments and risks of each option;
- 1.3 To endorse the adoption of the following features of the scheme for 2013/14, thereby enabling government transitional funding of £0.6m to be secured:
 - Contribution of 8.5% of Council Tax liability from all working age claimants;
 - Simplified system of non-dependent allowances;
 - Protection from the impact of the scheme for war pensioners;
- 1.4 To agree that technical changes to existing Council Tax discounts and exemptions in relation to Class A and C exemptions and second home discounts, and the introduction of an empty homes premium of 50% on those properties that have been empty for more than two years, should be adopted, to take effect from 1 April 2013;
- 1.5 To endorse the proposal that any surplus generated by the above measures should be allocated to the Crisis Fund being set up to support those in exceptional hardship in the borough;
- 1.6 To endorse the proposed implementation programme, including communications to the public;
- 1.7 To agree that the chosen scheme option should be adopted by Barnet, in line with the Government's requirement for every local authority to adopt a new scheme by 31 January 2013.

2. RELEVANT PREVIOUS DECISIONS

- 2.1. Cabinet 17 July 2012, Decision item 12 Consultation on Options for Council Tax Localisation: Cabinet noted Government changes to Council Tax Benefit and the proposal to replace this with a local Council Tax Support scheme. Cabinet agreed options for consultation, communications and consultation programme. Cabinet agreed that a future meeting would receive a report presenting the consultation findings, proposals for a local Council Tax Support (CTS) scheme, with relevant impact assessments and a proposed implementation plan.
- 2.2. Cabinet 17 December 2012, Decision item 5 Council Tax Support Scheme. Cabinet noted the results of the public consultation exercise on the new scheme, noted a range of possible options to address the shortfall in revenue from government and reflect the outcomes of consultation, endorsed the

adoption of the following features of the scheme for 2013/14, thereby enabling government transitional funding of £0.6m to be secured:

- Contribution of 8.5% of Council Tax liability from all working age claimants;
- Simplified system of non-dependent allowances;
- Protection from the impact of the scheme for war pensioners;

agreed that technical changes to existing council tax discounts and exemptions in relation to Class A and C exemptions and discounts should be presented to Full Council at its meeting on 22 January 2013, to take effect from 1 April 2013, endorsed the proposal that any surplus generated by the above measures should be allocated to the Crisis Fund being set up to support those in exceptional hardship in the borough, endorsed the proposed implementation programme, including communications to the public and agreed that the chosen scheme option should be presented to Full Council at its meeting on 22 January 2013 for final approval as the scheme to be adopted by Barnet, in line with the Government's requirement for every local authority to adopt a new scheme by 31 January 2013.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1. The Government have committed to a programme of welfare reform, aiming to simplify the benefits system, create the right incentives to get more people into work, protect the most vulnerable, and deliver fairness to tax payers and to those claiming benefits. The programme makes a number of changes, including the ending of the current Council Tax Benefit scheme and its replacement by local Council Tax Support schemes, revisions to the housing benefits scheme, the introduction of a cap on the total amount of benefits that can be claimed, and will simplify the existing benefit and credit schemes through the introduction of Universal Credit.
- 3.2. The welfare reform programme promotes localisation, recognising that local authorities are well placed to design support schemes for Council Tax in way which promotes work and supports the most vulnerable. This presents a welcome opportunity for the Council to establish a support scheme which is aligned with local priorities.
- 3.3. The reform package also gives local authorities funding and responsibility for designing and implementing a Crisis Fund, replacing the discretionary elements of the Social Fund currently administered by the Department for Work and Pensions. The design of the new Council Tax Support scheme gives additional flexibility to the Council to support the most vulnerable, develop incentives and encourage individuals and communities to develop resilience and support one another.
- 3.4. Despite large cuts to local government funding and continuing economic uncertainty, Barnet Council is in a strong position, with a robust three year plan to meet savings requirements, a track record of delivery of savings, and clear strategic direction. This considered approach to budget and business planning has enabled the Council to take prudent and measured decisions, including creating headroom to invest in early intervention to secure future savings and improved outcomes for families and residents. This approach has

also been used when designing Barnet's Council Tax Support scheme, aiming to achieve cost reduction in a way which supports local priorities.

- 3.5. The proposed Council Tax Support scheme has been designed to support the council's corporate priority to deliver 'better services with less money', making the best use of a reduced grant for Council Tax Support, modelling future costs and implications to provide a scheme which best meets the needs of Barnet residents and current Council Tax Benefit claimants, and ensuring a stable Medium Term Financial Strategy.
- 3.6. The new scheme also supports the corporate priority of 'sharing opportunities, sharing responsibilities' by considering the impacts of the scheme on different demographic groups and mitigating adverse impacts where possible. A comprehensive consultation and engagement programme has been completed, engaging current Council Tax Benefit recipients and residents, to consider alternative options. Additional research has reviewed the impacts and implications of welfare reform on groups in the borough and existing support mechanisms, and has considered whether additional actions are required to support the vulnerable and deliver local objectives.

4. RISK MANAGEMENT ISSUES

- 4.1 The Department for Communities and Local Government (DCLG) recognise that the timetable for implementation of a Council Tax Support scheme is tight, especially as it coincides with the Government's plans for implementing:
- The move to a capped system of welfare payments (the Benefits Cap)
 - The introduction of new under-occupancy rules for the calculation of housing benefit
 - The roll-out of Universal Credit
 - Business rate retention

Consequently, the time available to agree and implement our local scheme is limited. If Barnet has not adopted a new scheme by 31 January 2013, the DCLG's default scheme will take effect. This would mean that the 10% cut in government funding, of £3.7m, would have to be absorbed by the Council and the Greater London Authority. This risk has been mitigated by forming a well-designed project plan, putting in place dedicated project management, and initiating early discussions with systems and other suppliers.

- 4.2 Additional financial risks arise as follows, with mitigating actions as shown in Table 1 below.

Table 1: Principal financial risks and mitigations

Risk	Mitigation
The extent to which the selected scheme meets the funding gap of £3.7m generated by the government's reduction in funding	Options set out within this report to meet the funding gap
The increased complexity of financial planning that could result from growing	Cautious assumptions on recovery rate and therefore yield from the

pressure from the Council Tax Support scheme if funding reductions are not fully addressed	scheme
Lower Council Tax collection rate and bad debts	Robust arrears management procedures to maximise collection rate and prudent assumptions on collection rates
Higher administrative costs	Integration of administration with existing Revenues & Benefits service, supported by proven system
Potential growth in the number of claimants.	Realistic assumption on caseload growth based on trends in recent years
The proposed scheme is based on a number of assumptions, including collection rate and take-up rate. A downturn in the economy could lead to higher benefit take-up rates. As a result, the projected funding gap would increase.	Review operation of scheme in the first year and modify in later years to reflect experience
If Barnet's population increases, including an increase in the population segment that currently receives Council Tax Benefit, demand for Council Tax Support could increase against a fixed grant from the government. This would increase the funding gap. Such population migration may occur as a result of increased housing costs in central London, or if Barnet's CTS scheme is more generous than those of neighbouring boroughs	Ensure that Barnet's scheme is not significantly more generous than those of neighbouring boroughs.

These risks are covered in more detail in Section 9.5. These impacts may be mitigated to varying degrees depending on the scheme adopted and this has been a consideration when evaluating the options.

4.3 The development and finalisation of any scheme adopted by the Council must be compatible with various legal obligations:

- Firstly, decisions taken by Cabinet need to be based on comprehensive consultation, to seek responses of residents and ensure that the final decision taken has due regard for the needs of local communities. To meet this requirement, a full communication and consultation programme has been undertaken, engaging with residents, claimants, organisations and other stakeholders. The outcomes of this consultation have been used to shape the recommendations for the design of the new scheme.

- Secondly, the proposed scheme must have paid 'due regard' to the public sector equality duty as set out in the Equality Act 2010. The Corporate Plan 2012 – 2013 sets out the council's approach to assessing the impact of new policies, functions and activities on residents. The results of consultation and analysis have been used to assess the potential impacts of the proposed scheme on different groups, including potential mitigation. The Equalities Impact Assessment is provided at Appendix 5.
- 4.4 **IT System:** The IT system for operating the new scheme must be able to support the administration of the selected local scheme and must be implemented in time. The new scheme may bring increased administrative burdens and risk of fraud. The Council has engaged with its existing supplier, Civica, and have input local requirements regarding system functionality to the design of their Council Tax Support module. This module meets all the requirements of all the options contained in this report, and is planned to be fully configured, tested and staff trained in its use by 1 April 2013.
- 4.6 **Processing performance:** Reputational risks will arise for the Revenues and Benefits Service if there is reduction in speed and accuracy of processing claims or if Council Tax collection rates suffer as a result of implementing the new scheme. The design and implementation of the scheme will be managed in such a way as to minimise these risks. However, there will still be an impact on working age claimants who in the past have been effectively exempt from paying Council Tax and will in future be expected to pay a portion of their Council Tax liability. There is a real risk that a significant part of this segment of population will be unwilling to pay any contribution towards their Council Tax bill, leading to an increase in customer contact, appeals and complaints, and higher levels of bad debt.
- 4.5 **New Support and Customer Services Organisation (NSCSO):** The design, configuration, testing and training associated with the new scheme will be the responsibility of the council but the operation of the new scheme from 1 April 2013 will be the responsibility of the selected NSCSO provider. This presents a possible risk of lack of connection between the design and operation of the new scheme which will be mitigated by working closely with the selected NSCSO provider through the transition period (January to March 2013) to ensure that they input to the design phase and are fully resourced and skilled to operate the new scheme from 1 April. The risk on transaction volumes will be covered by the volumetric pricing formula which is built into the commercial arrangements with either bidder.
- 4.6 **Fairness:** There is also a risk that scheme may be perceived as being unfair. This risk has been mitigated by seeking views from the public through the 12-week consultation period - these have been taken into account in the selection of the final preferred option. In addition, the Council is recommending making full use of its powers to make technical reforms to the existing discounts and exemptions for empty and second homes, which will help alleviate the pressure to make the full 10% savings from the Council Tax support scheme; without this feature the contribution from working age claimants would need to have been over 25%. In line with the Government's commitment to incentivise work, the recommended scheme provides for a lower contribution from working age claimants together with the potential for building a support fund.

- 4.7 **Culture of non-payment:** Since current benefit claimants will mainly be asked to make only a small contribution to their Council Tax bill, existing collection and recovery strategies may not be cost-effective, and small debts may be written off. This may over time develop into a culture of non-payment, where it becomes increasingly difficult and costly to recover small amounts of Council Tax from those who can least afford to pay it. This has been mitigated by minimising the level of contribution from claimants in the first year, and will be backed up by robust arrears management procedures during the operation of the scheme.
- 4.8 **Banding limit:** It is clear from both the consultation and our modelling that the introduction of a limit on the level of support for higher banded properties could disproportionately impact on some population segments, in particular larger families. For example, the introduction of a Band D limit would lead to a reduction of over £25 per week for over 200 families living in larger properties in Barnet. In addition to the collection risk outlined above, there is a further risk that such a large impact may worsen the societal and other problems caused by some of these families, which may in the longer term cost much more to resolve than the amount of revenue generated. For these reasons it is not proposed to adopt this feature in the first year of the scheme.
- 4.9 **Impact on households who cannot afford the increased expenditure:** The scheme seeks to recover part of the funding shortfall from households at the lower end of the income scale. Together with other welfare reforms being implemented by government, the scheme may exacerbate already difficult financial circumstances for some individuals and families. This risk will be mitigated by separate proposals for a Crisis Fund to support those in severe need, and by the usual payment schemes, which allow payments to be spread over longer periods in cases where citizens have difficulty paying their Council Tax.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The Council's strategic equality objective is expressed both in the Constitution and the Corporate Plan. It gives a commitment that citizens will be treated equally, with understanding and respect; have equal opportunity with other citizens; and receive quality services provided to Best Value principles. The proposals set out in this report support this commitment.
- 5.2 The options under consideration for the proposed scheme (set out in section 9) are based on the draft prescribed regulations that support the Government's intention that pensioners should not be affected by this cut in spending.
- 5.3 The development of a proposal for a Council Tax Support scheme has incorporated a well-designed consultation and engagement programme which has identified and captured the views of citizens. The public consultation has enabled the Council to understand the needs of Barnet's diverse communities.
- 5.4 The proposals for the new scheme have been assessed to ensure that due regard has been given to the public sector equality duty as enshrined in the Equality Act 2010 using the process set out in the Corporate Plan 2012-13. Section 149 of the Act provides that a public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

The resulting Equalities Impact Assessment is presented in **Appendix 5**.

5.5 The key equalities concerns raised by respondents to the public consultation were:

- Those with a disability may not be able to afford the proposed 8.5% contribution to their Council Tax liability;
- Those with a disability whose banding may be higher as a result of the need to live in suitably adapted properties would be disproportionately impacted by the proposal to limit support to Band D or Band E;
- Those whose cultural or religious background requires them to live in certain areas (e.g. Jewish Orthodox) which may by definition be in higher banded areas would be disproportionately impacted by the proposal to limit support to Band D or Band E.
- Non-dependent children in education (particularly among those with children at university), who many respondents still regarded as dependants, may be disproportionately impacted by the proposals to require a contribution to Council Tax from current claimants and to simplify non-dependant deductions;

5.6 Complete data on the protected characteristics of Council Tax Benefit claimants is not available, but on the basis of available data sets, the breakdown of Barnet claimants is as follows:

- All are on low incomes
- The majority are of working age, with most being between 25 and 44 years of age
- A somewhat higher proportion than the general population consider themselves to have a disability

- A higher proportion of them are female, and many of these are lone parents
 - A higher proportion than in the general population are Muslim
- 5.7 Pensioners (those qualifying for state pension benefit) are exempted from the scheme, but it should be noted that the removal of exemptions and discounts on empty properties is not part of the scheme¹ and pensioners will not be exempt from this provision.
- 5.8 The Council has reduced the overall impact of the scheme by making full use of its powers to reduce or remove discounts and exemptions for empty properties and constructing a scheme that will meet the government's criteria for qualifying for transitional funding, expected to be worth £600,000 for Barnet in 2013/14. While concerns were raised in the qualitative consultation research regarding the impact of this feature on landlords, those whose property is empty through no fault of their own (eg through fire or flood) and the property market, almost two thirds of respondents to the consultation agreed with this proposal, representing the highest level of agreement for any feature.
- 5.9 It is recognised that the proposal to require all working age CTB claimants pay 8.5% of their Council Tax liability will impact on people in many protected groups, and in particular could disproportionately affect the groups identified above. In addition, concern was raised in the qualitative consultation research regarding the ability to pay of people who are unemployed, people on low incomes and those with a disability. Concerns were also expressed that this requirement may drive people to crime or unethical borrowing, and also that the cost of collection by the Council could be high.
- 5.10 In 2013/14 it is proposed to minimise the disproportionate effect of this requirement on larger families who live in higher banded properties by not implementing the proposal to implement limits on support based on Band D or Band E Council Tax levels - this could have doubled the required contribution for those in the largest properties. Furthermore, the Council have avoided an adverse impact on hardworking working families by not implementing the proposal to reduce capital limits from £16,000 to £8,000.

¹ Through a change in the technical Council Tax regulations local authorities will have the power from April 2013 to remove or modify exemptions and discounts for empty properties – this provision is outside the scope of the Council Tax Support scheme but will substantially reduce the funding gap to be filled by the CTS scheme.

6. USE OF RESOURCES IMPLICATIONS (FINANCE, PROCUREMENT, PERFORMANCE & VALUE FOR MONEY, STAFFING, IT, PROPERTY, SUSTAINABILITY)

- 6.1 Currently, there are over 32,000 benefit claimants who receive help paying their Council Tax. Total spending on Council Tax Benefit in Barnet in 2011/12 was £32.2m, which was fully funded by a central government Council Tax Benefit Grant of £32.2m. Total spending on Council Tax Benefit in Barnet in 2012/13 is expected to be £31.8m.
- 6.2 The Government has set the funding level for 2013/14 at 90% of the estimated Council Tax Benefit figure for 2013/14. Assuming no change from the expected spend in 2012/13, this would be a 10% cut from £31.8m, ie a cut of £3.2m.
- 6.3 As the Council Tax collection authority, Barnet administers benefits and receives a grant from central government which is shared with the Greater London Authority (GLA) in proportion to the GLA's share of the Council Tax. Barnet's share is currently 78.4% and GLA's is 21.6%. The new scheme will also have the effect of sharing the cost of the new scheme and the reduced funding in proportion to this Council Tax sharing ratio. Barnet's share of the £3.2m cut in government funding is £2.5m.
- 6.4 Allowing for estimated increases in demand (through population growth and potential increased take-up of the new scheme), a zero Council Tax rise in 2013/14 and the GLA share, it is estimated that the funding gap to the Council will be £3.7m in 2013/14, derived as shown in Table 2 below.

Table 2: Funding gap for Barnet in 2013/14

	£m
10per cent cut based on estimated 2013/14 spend of £31.8m	3.2
Less: GLA element	(0.7)
Zero Council Tax increase	0.0
Add: 5% increase in take up	1.2
Total	3.7

- 6.5 This report outlines a number of options for a local scheme for Council Tax Support, each of which has the ability to address the funding gap set out in 6.4. These options are shown in Table 3 below. Option 6 is recommended for adoption. The precise financial implications will be dependent not only on the option chosen but also on the growth in population, the actual scheme take-up rate and the council's ability to recover tax from those may not have paid Council Tax before.

Table 3: Option proposed for 2013/14 scheme

Feature	Option 6
Working age claimants to pay a minimum contribution towards their Council Tax	8.5% - £1.3m
Reduce capital limits from £16,000 to £8,000	-
Limiting level of support to Band D or Band E	-
Simplifying system of non-dependant deductions	£0.1m
Transitional funding from government	£0.6m
Total from CTS scheme	£2.0m
Revenue from technical changes, ie removal of exemptions and discounts on empty properties	£2.2m
Net surplus/(shortfall) against estimated funding gap of £3.7m	£0.5m

- 6.6 The Medium Term Financial Strategy has previously been set to include a provision of £3.1m to cover the potential shortfall from the cut in government support for Council Tax benefit. With the implementation of a local scheme as set out in this report, this assumption could be revisited in the final budget report.
- 6.7 There are risks associated with the position set out above. If take up were to increase by more than 5% to, say, 10%, the gap would increase by £1.2m. In terms of bad debt risk, the lower the discount offered and therefore the higher contribution expected, the greater the bad debt risk.
- 6.8 The Government has stated that the transitional funding offered for 2013/14 will not be extended into future years. In order to meet the ongoing funding gap in later years without making service savings or drawing from reserves, additional revenues would need to be generated by:
- Increasing the contribution from working age claimants and/or
 - Reducing capital limits; and/or
 - Limiting the level of support to Band D or Band E.
- 6.9 In total, up-front expenditure of £80k is expected to be incurred in setting up the new system, and existing expenditure of £100k per annum (including staff and IT costs but not bad debt) will be incurred in operating the new system. An initial £84,000 in New Burdens funding has been given to Barnet and the DCLG has indicated that further grant may also be given to assist with one-off implementation costs, transition costs and the recurring costs for the first three years of operating the new system. Government has confirmed that administration funding for 2013/14 will be the same as for 2012/13, and it is assumed that funding for administration will continue in future years on the same basis.
- 6.10 The introduction of a local Council Tax Support scheme would lead to a loss of income from people receiving Adult Social Care and Health services. Under

the Fairer Contributions Policy contributions towards the costs of non-residential care services are assessed on ability to pay, after taking into account income and outgoings, including council tax payments. The proposal that all working age claimants would pay a contribution towards the council tax could lead to a loss of income for Adult Social Care and Health of up to £22,000 a year.

7. LEGAL ISSUES

- 7.1. Section 33 of the Welfare Reform Act 2012 abolishes Council Tax Benefit and any replacement scheme is excluded from the scope of the Universal Credit system set up by Section 1 of that Act. The Local Government Finance Act 2012 (“the 2012 Act”) amends the Local Government Finance Act 1992 (“the 1992 Act”) to make provision for the localisation of Council Tax Support.

Council Tax Reduction Scheme

- 7.2. The 2012 Act amends the 1992 Act by adding a new section 13A to state that Council Tax will be reduced to the extent set out in an authority’s Council Tax reduction scheme and to such further extent as the authority sees fit (new s13A(1)(c) replicating the existing provision for authorities to adopt specified additional classes). Local authorities must make a Council Tax reduction scheme setting out the reductions which are to apply in its area by persons or persons in classes consisting of persons whom the authority considers to be in financial need. The scheme must be made no later than 31 January 2013, to take effect for the financial year commencing 1 April 2013. The 2012 Act amends the 1992 Act to make approval of the scheme a function of full Council. Failure to adopt a scheme by 31 January 2013 which result in the default scheme taking effect.
- 7.3. Schedule 4 of the 2012 Act adds a new Schedule 1 to the 1992 Act providing requirements for the scheme. This includes the following requirements:
- 7.3.1 The scheme must state the classes of person who are entitled to a reduction, by reference to income or capital of the liable person or other household members, the number of non dependants and whether the person has made an application;
 - 7.3.2 The scheme must set out the reductions to the classes of person and different reductions can apply to different classes;
 - 7.3.3 The reduction can be a percentage discount, a set discounted amount, a set maximum Council Tax liability or whole amount of Council Tax (thereby reducing liability to nil).
 - 7.3.4 The scheme must specify the application procedure, including an appeal procedure and application procedure to apply for any reduction under s.13A(1)(c).
 - 7.3.5 The scheme must include any prescribed requirements set out in regulations.
- 7.4. Draft prescribed requirements regulations have been published. The regulations require that pensioners (those who qualify for state pension support) as a class of person must be included in the scheme and prescribed

persons who must be excluded, including those subject to immigration control. The regulations prescribe the eligibility, income and capital eligibility calculations, reductions and extended reductions for pensioners. In relation to all applicants, it sets out procedural requirements for an application and appeal, extended reductions for movers into an authority's area, requirements for information and evidence, amendment and withdrawal of applications and duty to notify change of circumstances.

- 7.5. In preparing the scheme, the Council was obliged to follow a statutory process set out in the 2012 Act. This required the authority to consult any major precepting authority, publish a draft scheme and consult such persons as it considers are likely to have an interest in the operation of the scheme. The Act confirms that compliance with any of these steps prior to enactment is acceptable. Any subsequent revisions or replacement schemes must go through similar consultation and publication requirements.

Reform of existing Council Tax discounts and exemptions

- 7.6. Sections 10 to 12 of the 2012 Act will insert new clauses 11A and 11B and amend section 6(2) of the 1992 Act.
- 7.7. Under s11A(2) of the 1992 Act, the Council will therefore be permitted to make a determination regarding reducing discounts on unoccupied properties, whilst s11A(6) requires that the determination be published in a local newspaper within 21 days of the determination. There is no statutory requirement for consultation, although there are publication requirements. The decision to reduce discounts or remove exemptions is reserved to full Council.
- 7.8. Section 11B permits an authority to determine that any discount will not apply to long term empty dwellings and that the Council Tax payable for these properties can be increased by a maximum of 50%. Long term empty dwelling is defined as a property which has been continuously unoccupied and substantially unfurnished for a period of at least two years.

Public law considerations

- 7.9. On 21 May 2012, DCLG published a guidance note setting out the key local authority duties affecting vulnerable people in relation to the decision to localise Council Tax support. This covered the public sector equality duty, which is set out elsewhere within this report, duty to mitigate the effects of child poverty, the armed forces covenant and the duty to prevent homelessness.
- 7.10. The Child Poverty Act 2010 requires local authorities and other public bodies to co-operate, understand needs and develop and deliver a strategy for their local area. The Joint Strategic Needs Assessment 2011 identifies health needs for the community and covered information on child poverty. The strategy is covered in the Barnet Children and Young People Plan. In relation to child poverty issues, supporting parents into work and preventing housing difficulties were covered. The Council Tax Support Scheme is intended to incentivise work by use of extended reductions. There is also a separate report on a Crisis Fund to address particular cases of financial hardship.

- 7.11. The Armed Forces Covenant seeks to redress the disadvantages that the armed forces community face in comparison with other citizens. The existing Council Tax benefit regulations require local authorities to disregard the first £10 per week of war pension and armed forces compensation scheme payments, when calculating income. This requirement will continue. However, local authorities also have discretion to top up the disregard to the full amount.
- 7.12. The Housing Act 1995 requires authorities to formulate homelessness strategies and to seek to prevent homelessness and secure sufficient accommodation and support in their areas. It is advisable to have good publicity to ensure that those in financial hardship are aware of the Council Tax reductions they are entitled to and are encouraged to apply for these.
- 7.13. When making policy decisions, the Council must take account of all relevant material, including financial resources, consultation responses and potential equality impacts in order to reach a decision. This report presents a number of options and the financial implications of these and makes a recommendation. However, this does not preclude Cabinet from recommending that another option is the most appropriate way forward.
- 7.14. There is a statutory duty to consult on the Council Tax support scheme. Whilst there is no statutory duty to consult on the technical reforms to existing discounts and exemptions, it was felt appropriate to undertake a consultation exercise to seek the public's views on the proposals.
- 7.15. A summary of the details of the consultation responses are set out in the report and attached as an appendix. Case law has confirmed that when determining whether to change policy, the Council must be receptive to reasonable arguments against the proposals, however this does not simply involve a head count of those for and against the proposals. In the case of withdrawal of benefits, exemptions and discounts, it will not be surprising if a number of respondents are against the proposal. The Council must take these views into account and must balance this with other relevant information to decide whether to recommend an option.

8. CONSTITUTIONAL POWERS (RELEVANT SECTION FROM THE CONSTITUTION, KEY/NON-KEY DECISION)

- 8.1 The 2012 Act states that each authority must adopt a Council Tax reduction scheme no later than 31 January 2013.
- 8.2 The decision on the adoption of a Council Tax Support scheme is a decision for the full Council.

9 BACKGROUND INFORMATION

9.1 Summary

9.1.1 The Government is proposing to abolish Council Tax Benefit (CTB) in April 2013, with local authorities tasked to design and implement a local scheme. The objectives of this reform are to allow schemes to reflect local priorities, and to strengthen incentives to promote employment and growth. The council is required to adopt a local Council Tax Support (CTS) scheme by 31 January 2013, to be brought into operation on 1 April 2013.

9.1.2 This report follows on from the Cabinet report of 17 July 2012. It:

- Updates the position with respect to government funding of the new scheme
- Reports on the findings of the public consultation on this topic
- Identifies options and makes proposals for a local Council Tax Support (CTS) scheme to be operated by Barnet from 1 April 2013
- Details the impact of these proposals on relevant population segments
- Provides an implementation plan that ensures that the new scheme will be fully operational by 1 April 2013

9.1.3 Government funding available for a local scheme will be reduced by 10 per cent of the estimated Council Tax Benefit figure for 2013/14, creating a financial burden. The government has not yet published its current estimates of this figure and this means that the size of this burden is uncertain. For Barnet, a shortfall of £3.7m is currently expected in 2013/14 and could increase in future years, depending on demand and future increases in Council Tax.

9.1.4 In July 2012 Cabinet endorsed the position that the shortfall in funding should be met through the design of the Council Tax Support scheme, rather than from general funding, to avoid cuts to services or increased Council Tax bills for residents. Cabinet endorsed the following principles to shape the design of the new scheme:

- A system based on fairness, with those with the ability to pay making a fair contribution
- The scheme should incentivise work
- Support for those in the most difficult circumstances
- The most vulnerable should benefit from a level of protection
- The scheme should be transparent and accessible.

9.1.5 A public consultation was held from 1 August to 24 October on the proposed principles and options for features for the new scheme. The key responses from this consultation were:

- Among the total sample a majority agreed with each of the principles, with a minimum of two thirds (65%) agreeing with each, and a minimum net agreement of +57% (net agreement means the percentage agreeing with the proposal minus the percentage disagreeing).

- There was also positive net agreement with the following features of the scheme:
 - Removal of discounts and exemptions for second homes and empty properties
 - Some contribution to be made by all working age citizens towards their Council Tax Bill
 - Removal of second adult rebate
 - Reduction of the capital limit
 - Capping support at Band D or Band E Council Tax rates
 - Simplification of the system of non-dependant deductions,
- Significant reservations were expressed in the qualitative research with regard to the introduction of capital limits and banding limits

9.1.6 The government has announced transitional funding for CTS schemes that meet certain criteria, the key one of which is that those who are currently in receipt of a full rebate of their Council Tax liability should pay no more than 8.5% of that liability under the new scheme. The transitional funding would be worth approximately £600,000 to Barnet in 2013/14.

9.1.7 The government is also permitting local authorities to reduce discounts and exemptions and to impose surcharges on unoccupied properties. Removal of discounts and exemptions for second homes and empty properties will yield approximately £2.2m per annum and will not impact significantly on the most disadvantaged. This meets the principles of 'A system based on fairness, with those with the ability to pay making a fair contribution' and 'The most vulnerable should benefit from a level of protection' and is recommended for adoption as part of the new scheme. The other key option that will contribute to meeting the funding gap and meet the council's other objectives is for working age citizens to contribute at least 8.5% to their Council Tax Bill – expected to yield £1.3m. This option is recommended for adoption in the new scheme.

9.1.8 In the light of consultation feedback, it is not proposed for 2013/14 to reduce capital limits or introduce limits on support at Council Tax Bands D or E. It is further proposed to provide specific protection for war pensioners. Further mitigation will be provided by use of the Crisis Fund to be implemented from 1 April 2013.

9.1.9 An implementation plan has been developed that will ensure that the new scheme is up and running by 1 April 2013. This plan includes definition and testing of working procedures, procurement and testing of systems, staff training and agreeing commercial terms and handover to the successful NSCSO provider. The design of the scheme in 2014/15 onwards will be developed during 2013/14 and will be subject to further consultation.

9.2. Background to Council Tax Support localisation

9.2.1. Council Tax Benefit (CTB) is a national means-tested social security benefit to help people pay their Council Tax. CTB is designed by the Department of Work and Pensions (DWP) and administered by local authorities. It is paid to anyone whose income is low enough and is liable to pay Council Tax. CTB is available to those who are pensioners or of working age, to people who are working, to the self-employed, and to people who receive benefits.

9.2.2. Entitlement is calculated in such a way that, depending on family size and the number of other people in the household, the amount they must pay towards their Council Tax increases in line with their income up to a limit beyond which no benefit is payable. **Appendix 1** gives a brief explanation of the principles behind current calculations. This information will assist in understanding how individual options for the new scheme might work. CTB is administered by local authorities who currently receive grants from the Department of Work and Pensions (DWP) which cover 100% of the cost.

9.2.3. In its 2010 Spending Review, the Government announced proposals to reduce spending on CTB by 10% and to localise it, saving a total of £470 million a year from 2013/14. Local authorities are required to have adopted (ie agreed and approved) a local scheme by 31 January 2013 and to have implemented it by 1 April 2013. Funding will be provided through an unringfenced grant of 90% of estimated 2013/14 CTB expenditure. If any authority does not adopt its own scheme, the government will impose a default scheme along the lines of the current Council Tax Benefit scheme, which would preclude the recovery of the funding gap. The Government requires that support for pensioners will not be affected by this cut in spending and that there should be support for other vulnerable groups. In addition, local schemes should support work incentives, and in particular avoid disincentives to move into work.

9.2.4. Key milestones are:

- | | |
|---|------------------|
| • Cabinet approval of proposed scheme | 17 December 2012 |
| • Full Council approval/adoption of new scheme | 22 January 2013 |
| • Application for transitional funding (£600,000) | 15 February 2013 |
| • Scheme in operation | 1 April 2013 |

9.3. Welfare reform

9.3.1. The Government's changes to Council Tax Benefit are taking place within the context of a broad programme of welfare reform, with the aim of making the benefits and tax credit system simpler and to remove disincentives to work. This programme is coupled with a challenging economic climate and reductions in public sector spending. Specific reforms will require the Council to make decisions on how to design and discharge new local support schemes, notably the new form of Council Tax Support and a local Crisis Fund to replace some parts of the existing Social Fund (from April 2013).

9.3.2. The Welfare Reform Act 2012 makes a number of significant changes to the benefits system, as it:

- Introduces Universal Credit – from October 2013

- Caps the total amount of benefit that can be claimed from 1 April 2013
- Restricts Housing Benefit entitlement for social housing tenants whose accommodation is larger than they need from 1 April 2013
- Up-rates Local Housing Allowance rates by the Consumer Price Index from 1 April 2013
- Seeks to reduce abuse of the Social Fund system by devolving the discretionary aspects to local authorities from 1 April 2013
- Limits the payment of Employment and Support Allowance to a 12-month period from May 2013
- Introduces Personal Independence Payments, replacing Disability Living Allowance from April 2013

Many of these changes will affect those on the lowest incomes.

9.3.3. Local authorities will also be given responsibility for designing and implementing a Social Fund, replacing Crisis Loans and Community Care Grants currently administered by the Department of Work and Pensions (DWP). This will take effect in April 2013. This provides an opportunity to align this funding with a new Council Tax Support scheme and other forms of support, and consider options to enhance community-level resilience, encourage greater independence and support amongst residents.

9.4. Consultation

9.4.1. Principles of a new scheme

Following endorsement by Cabinet in July, the draft scheme for consultation was based upon a clear set of principles, as follows:

- A system based on fairness, with those with the ability to pay making a fair contribution
- The scheme should incentivise work
- Support for those in the most difficult circumstances
- The most vulnerable should benefit from a level of protection
- The scheme should be transparent and accessible.

9.4.2. Potential features included in consultation

In line with the flexibility granted to councils to develop a local scheme to address the funding shortfall, the following potential features of a new scheme were included in the consultation exercise:

1. Use of the new powers to remove/reduce existing Council Tax exemptions and discounts for empty properties and second homes, and charging a premium of 50% on properties left empty for longer than two years
2. Working age claimants will be required to pay a minimum contribution, up to 25%, to their Council Tax
3. Removal of the second adult rebate for working age claimants
4. Reducing capital limits from £16,000 to £8,000
5. Limiting the level of support for higher banded properties to Band D or E
6. Simplifying the system of non-dependant deductions

Details of these features are provided in Appendix 2.

9.4.3. **Public Consultation Process**

The aim of the public consultation process was to test public reaction to both the principles and the features of a draft scheme as described above.

The public consultation started on 1 August and ran to 24 October (12 weeks). Residents were invited to complete a questionnaire, either on line via the Barnet web site, or via a paper version that was sent to all current CTB claimants and was widely available from libraries and other public access points in the borough.

The consultation was designed to reach the widest possible range of residents, benefit claimants, community and voluntary groups, and other organisations in the borough. It used a wide range of contact channels and media, including online and hard copy questionnaires and consultation packs, focus groups, presentations, road shows, workshops, posters, leaflets and social media.

Stakeholders were identified and targeted using the most appropriate method/s for that group and that would reach the greatest number. Stakeholder groups specifically identified for consultation included residents, Council Tax benefit recipients, community groups, landlords, schools, housing associations and advice agencies.

Over 24,000 consultation packs were sent out to households in Barnet, nine focus groups were held, 12 presentations were made to community group boards and networks and five road shows were held in shopping centres. In all 2,910 completed questionnaires were received, of which 1,914 were from Council Tax Benefit recipients and 996 were from non-recipients.

A summary of the topics put out to consultation is provided in **Appendix 2**, and a summary of the consultation approach, including details of the communications media used and the timeline of events, is provided in **Appendix 5**.

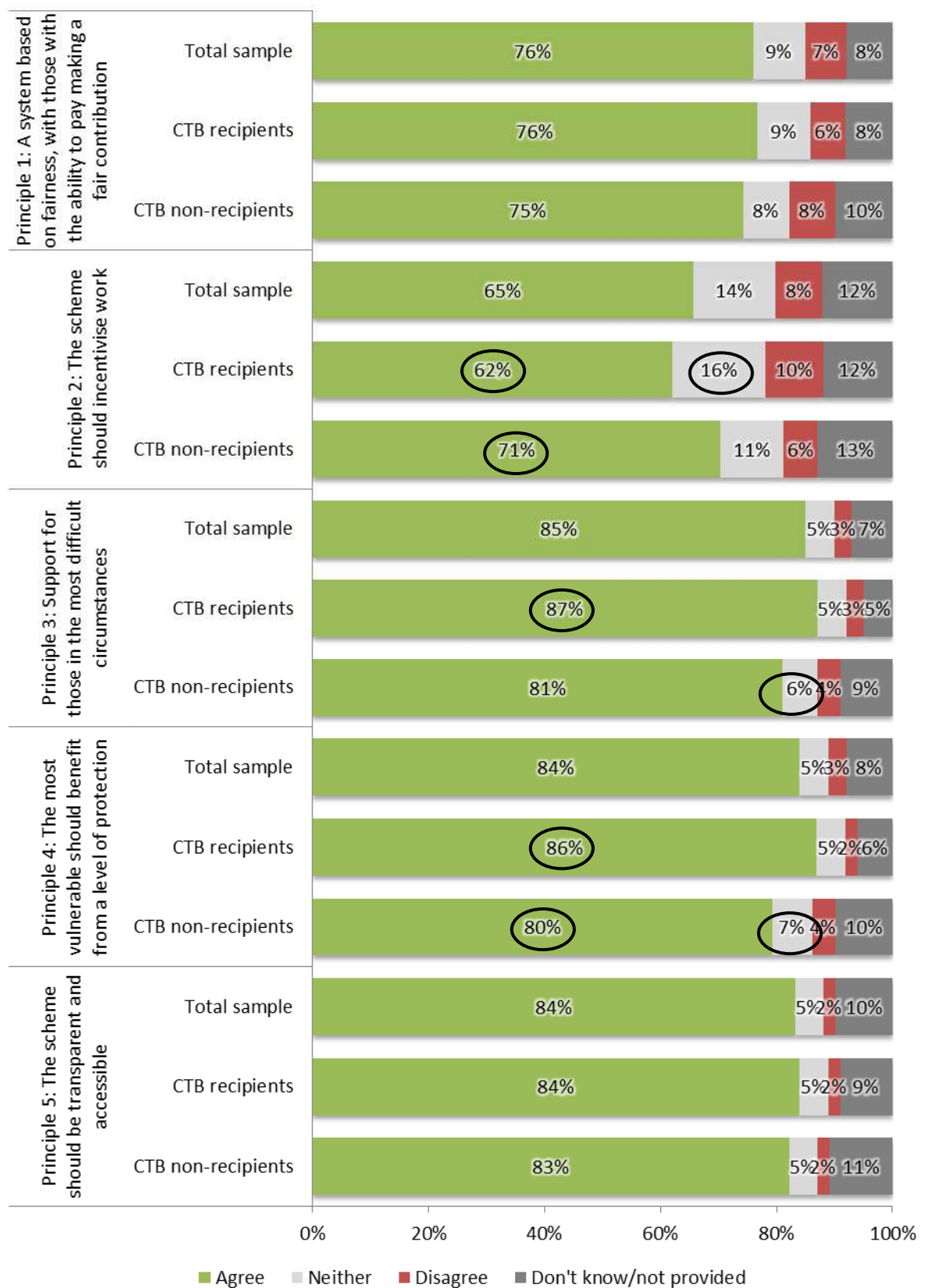
9.4.4. **Overview of responses to public consultation**

The key responses received from the public consultation are as follows. Note that in many cases a significant proportion (up to 40 %) of respondents either did not express a view or stated that they were undecided or did not know.

Principles

Figure 1 below summarises the response to the principles outlined in the consultation among all respondents, and by Council Tax Benefit recipients and non-recipients.

Figure 1: Summary of levels of agreement/disagreement with principles (all respondents and Council Tax Benefit recipients and non-recipients)



Where percentages are circled this indicates that there is a statistically significant difference at the 95% level of confidence between CTB recipients and non-recipients.

Among the total sample a majority agreed with each of the principles, with a minimum of two thirds (65%) agreeing with each, and a minimum net agreement² of +57%. Reflecting this, respondents in the focus groups largely considered the five principles underlying the Council Tax Support scheme to be fair and acceptable.

Agreement was highest with regard to the need to support those in the most difficult circumstances (85% agreed overall) and the need to afford the most vulnerable a level of protection (84% agreed).

Agreement was similarly high (84%) in relation to the need for the scheme to be transparent and accessible. However, although focus group respondents welcomed this principle, some questioned whether it would be clear and easy to understand, given their experience of the current complex systems in place. Further, throughout the groups (upon receiving information about the scheme), many respondents noted it to be complicated.

While three quarters (76%) of all respondents agreed that the system should be based on fairness, with those with the ability to pay making a fair contribution, many focus group respondents did question the fairness of this. Several respondents felt it was unfair for those with higher incomes to pay substantially more to support others, whilst not benefiting themselves.

Further, many respondents strongly disagreed that people living in larger properties should make a larger contribution. It was felt that property size did not fully reflect a person's ability to pay, and that contributions for larger properties should instead be calculated on an individual basis. Respondents had particular concerns for those who had inherited a large property.

As well as income, a key factor some respondents felt should be considered was family size: several stated that those living in larger properties with a large family should not be penalised by being asked to contribute higher amounts. In addition, some respondents recommended that council tax should instead be calculated on a person's usage of Council services, such as waste collection.

While still in the majority, agreement was lowest in relation to the need for the scheme to incentivise work (65% agreed overall, while 8% disagreed). However it should be noted on this latter point that this was the principle that attracted the highest proportion expressing a 'neither/nor' position, or not offering a definitive response (26%). In the focus groups, while respondents largely agreed with this principle, some felt that changes to Council Tax Benefit alone would not encourage people to seek employment. It was therefore recommended that the wider benefit system be addressed. Further, many respondents questioned the feasibility of the scheme in encouraging work, since unemployment was quite often considered to be the consequence of a shortage of jobs.

There was little variation in the response among Council Tax Benefit recipients and non-recipients, with both exhibiting high levels of agreement with each of the principles. However Council Tax Benefit recipients were more likely than non-recipients to agree that there should be support for those in the most

² Net agreement = the percentage agreeing minus the percentage disagreeing.

difficult circumstances (87% compared to 81%) and that the most vulnerable should benefit from a level of protection (86% compared to 80%).

Conversely, non-recipients were more likely than recipients to agree that the scheme should incentivise work (71% compared to 62%).

Agreement with principles by demographic groups

The following section focuses on those demographic groups for whom this consultation was most relevant.

Age

Among respondents of all ages agreement with the principles was high, although in each instance those aged over 65 were more likely to agree with the principles than their younger counterparts. It should be noted that those aged 65 or more were significantly less likely than younger respondents to be in receipt of Council Tax Benefit (45% compared to 71%). It should also be noted that the differences were as a result of higher levels of 'neither/nor', 'don't know' and 'not provided' among younger respondents, rather than as a result of higher levels of disagreement with the principles.

Household type

Respondents were asked to categorise their household into one of the following:

- A family with one or two dependent children;
- A family with three or more children;
- A lone parent household;
- A carer;
- A household with full and/or part time workers;
- A household that includes someone who is disabled or severely mentally impaired;
- A single person household or a couple without children.

Over four in five (83%) of all respondents assigned their household to one or more of these groups.

Considering the results on this basis, overall it is clear that support for the principles is high across the board.

However lone parents were both more likely than those who are not lone parents to be in receipt of Council Tax Benefit (87%), and to agree with a system based on fairness (79%), support for those in the most difficult circumstances (89%) and protection for the most vulnerable (88%). This pattern of response was very similar among disabled respondents, although this group was less likely than non-disabled respondents to agree that the scheme should incentivise work (58%).

Among full and part time workers, despite being less likely to be in receipt of Council Tax Benefit (54%), agreement was higher than their counterparts in relation to a system based on fairness (80%), that the scheme should incentivise work (77%) and that it should be transparent and accessible (91%). This pattern of response was replicated among those with no children, although this group was also more likely to agree that there should be protection for the most vulnerable (88%).

Ethnicity

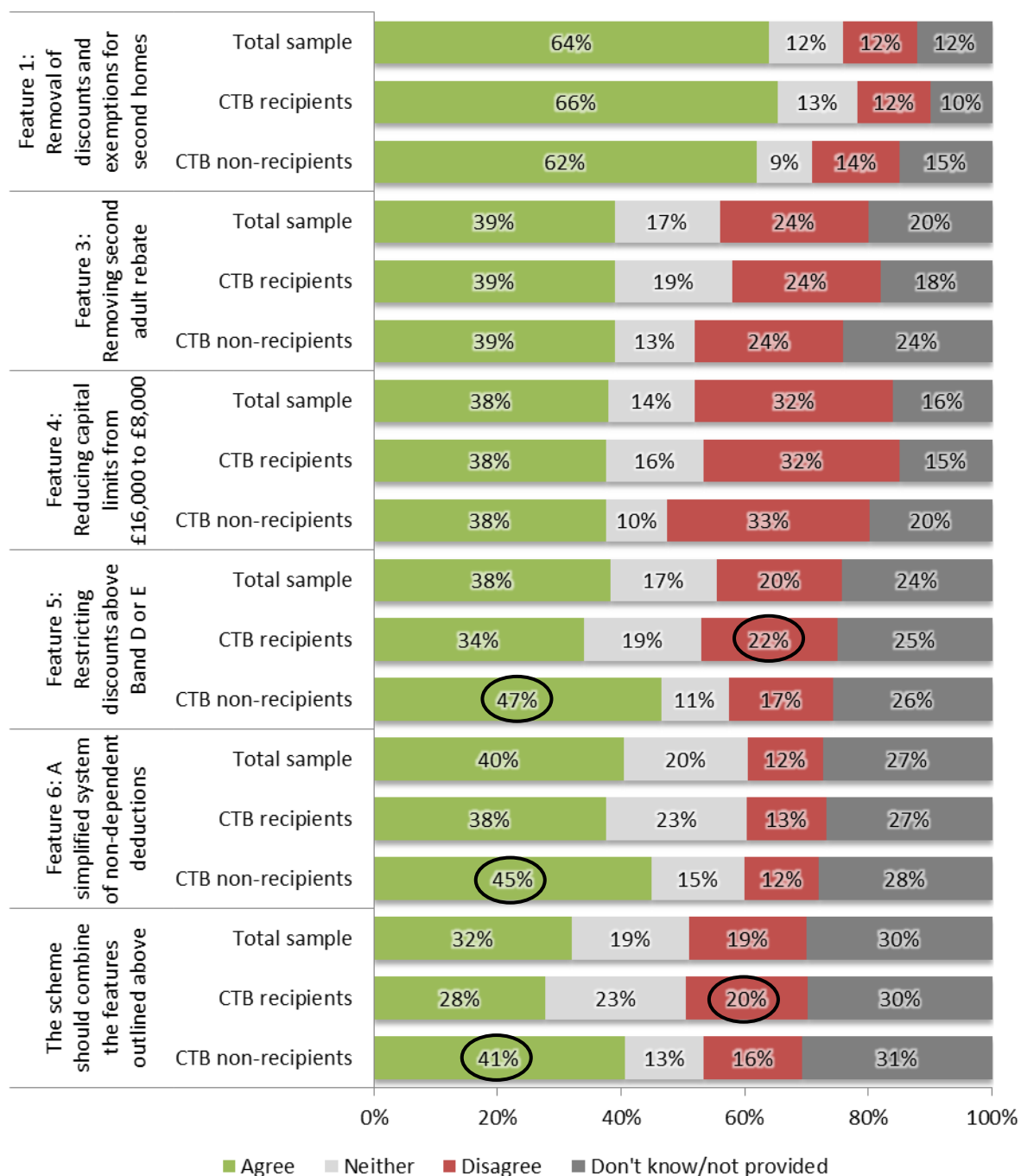
Considering the response by respondent ethnicity reveals that, while levels of agreement were high across the board, White respondents were more likely to indicate agreement with all of the proposals than those of other ethnicities.

It should be noted that in many instances the differences were a result of higher levels of 'neither/nor', don't know or not provided among non-White respondents, rather than significantly higher levels of disagreement.

Features

Figure 2 below summarises the response to the features outlined in the consultation among all respondents, and by Council Tax Benefit recipients and non-recipients.

Figure 2: Summary of levels of agreement with features (all respondents and Council Tax Benefit recipients and non-recipients)



Unweighted base: total sample = 2,910; CTB recipients = 1,916; CTB non-recipients = 994

Where percentages are circled this indicates that there is a statistically significant difference at the 95% level of confidence between CTB recipients and non-recipients.

Overall, the feature that attracted the highest levels of agreement was the removal of discounts and exemptions for empty properties (net agreement +52%), although Council Tax Benefit recipients were more likely to disagree that this should be the case than non-recipients (net agreement +48% compared with +54%).

Among the total sample, around two fifths agreed with removing the second adult rebate, reducing capital limits, restricting discounts above Band D or E and to a simplified system of non-dependant deductions. The proportions of respondents disagreeing with each of these features are summarised below:

- A simplified system of non-dependant deductions (+28%);
- Restricting discounts above Band D or E (+18%);
- Removing second adult rebate (+15%);
- Reducing capital limits (+6%).

While the response was similar among Council Tax Benefit recipients and non-recipients, however there were some differences. Net agreement among non-recipients was higher than recipients in relation to:

- Restricting discounts above Band D or E (+30% compared with +12%);
- A simplified system of non-dependant deductions (+33% compared with +25%).

Overall, views were varied as to what the maximum level of support should be, with around one in ten of all respondents indicating the amount should be less than 75%, 75%, or 85%. However a third felt that it should be 90% or more, and this rose to two fifths (39%) of Council Tax Benefit recipients (compared with 27% of non-recipients).

Focus group respondents demonstrated high levels of agreement with the removal of discounts and exemptions for empty properties, with many respondents in all groups feeling that those with second homes or empty properties could afford to contribute to their council tax. Many highlighted the benefits of the feature in overcoming the shortages of housing in the Borough by bringing empty properties back into use, and raising revenue to fill the funding gap.

However, there were a number of concerns expressed in the focus groups, as summarised below:

- The impact on those with properties left empty for short periods of time, for whom it might become necessary to sell their homes;
- The impact on those who have inherited a second property, who might be forced to sell regardless of the wider financial implications;
- The feeling that the changes might lead to a decline in property development, and the consequent impact of this on job opportunities etc.;
- The impact on those trying to sell or rent their property;
- The unfairness of the proposal given that empty properties make no use of council services;
- The impact in instances where a property is empty as a result of fire or flood;
- Difficulties in enforcement, particularly in relation to absent landlords

In the focus groups, views were mixed regarding the introduction of a maximum amount of Council Tax Support. While many felt it was fair to introduce a minimum contribution toward Council Tax in order to share the responsibility of payment for the Council's services, there were discrepancies over who should be asked to contribute. While several respondents within most of the groups felt that everyone should contribute whether in work or not, concerns were expressed with regard to the following groups:

- People who are unemployed (including people short-term unemployed due to redundancy);
- Those with an inability to pay (e.g. low income families);
- Those with a disability.

Some respondents were also concerned that this might drive people to crime or to borrowing, and additionally felt that the introduction of this feature might be costly for the council as a result of residents' inability to pay additional amounts.

The overriding feeling was that each person should be considered on the basis of their individual circumstances, so that only those with the ability to pay were asked to do so.

Where focus group respondents did feel it was acceptable to introduce a minimum contribution, ten% was considered to be the most appropriate amount, reflecting the quantitative findings. While several respondents suggested the contribution could be as high as fifteen or twenty%, most recognised that households who were in receipt of Council Tax Support would be unable to afford this increase.

In the focus groups some felt the second adult rebate should be removed because they felt that this group would be likely to be able to afford to pay, and that they should pay to compensate for their use of Council services. However some focus group respondents felt the second adult rebate should not be removed for a number of reasons:

- Those accommodating second adults would be unlikely to receive a contribution from the second adult to compensate for the loss of the discount, due to their inability to pay;
- Those accommodating second adults should continue to be compensated for supporting those on low incomes who would otherwise seek more support from the Council;
- Children over the age of eighteen are not necessarily regarded as non-dependants, so should not be expected to contribute to council tax;
- The funds generated from the removal were not considered sufficient to outweigh the impacts on the budgets of those affected, and the difficulties in enforcement.

The majority of respondents in most focus groups strongly opposed the reduction of capital limits, regardless of whether it affected them personally. It was felt that the limit of £8,000 was too low and should be increased to reflect current living costs, particularly in London (respondents across the groups suggested figures of between £20,000 and £32,000). A key concern was the disincentive such a proposal would have on saving, and the possible negative impact this would have due to an increased reliance on the Council.

Concerns were also raised as to the possibility of residents 'hiding' money, and the impact this would have on the Council in terms of enforcement, and in relation to the limited amount of funds generated as compared to the negative impact on individuals. The minority of focus group respondents who did agree with the reduction of capital limits did so because they felt that only those in genuine need – i.e. people with no savings such as themselves – should be eligible for support, or that it would make little difference since people on Council Tax Benefit such as themselves would be unlikely to have such a level of savings.

Most focus groups opposed the restriction of discounts to Band D or E. The key reason was the view that a person's property band does not necessarily reflect their ability to pay, with concern expressed that people would be forced to move to smaller properties which may be inappropriate for their needs.

Several population groups were highlighted as areas of concern:

- Larger families who require a larger property;
- Those who do not own their own property, such as those who pay 'interest-only' on their mortgage, or housing association tenants who are unable to choose where they live;
- Those with a disability whose banding may be higher as a result of the need to live in suitably adapted properties;
- Those whose cultural or religious background requires them to live in certain areas (e.g. Jewish Orthodox) which may by definition be in higher banded areas.

However some focus group respondents welcomed the suggestion to restrict discounts above band D or E, as they felt that people living in higher banded properties could downsize to more affordable properties.

Overall, it was felt that, if the Council were to introduce such restrictions, these should be limited to Band E or above.

Several focus group respondents highlighted the non-dependent deduction system's perceived continuing complexity. Some also felt the feature to be ambiguous given that it did not make specific reference to certain groups of people, such as those in education or carers.

Where focus group respondents did feel able to comment, most felt it was fair for deductions to be taken from a person's Council Tax Support in order to fund the gap. In most instances this was felt to be fair only where the non-dependent is in employment and therefore in a position to contribute, but some respondents felt that such deductions were also fair for unemployed people, since the deductions were considered to be relatively small.

Groups identified as needing consideration in respect of this feature included:

- Non-dependent children in education;
- Carers;
- People working on a freelance basis due to the unpredictability of their income.

Some respondents felt that there should not be a flat rate deduction, preferring that the amount deducted vary in accordance with the amount earned.

Some respondents further observed that the amount of money saved through the increased deductions did not justify the potential impact on affected individuals, nor the potential for additional cost burdens for the Council as a result of affected non-dependents being asked to leave the property. On this latter point, several respondents in the disability consultation group had been forced to ask their carers (family members) to move out due to such changes, leaving them in vulnerable situations without support.

Further details on the consultation response to the proposed principles and features are provided in **Appendix 3** and the full report is available at engage.barnet.gov.uk.

The approach to public consultation is detailed in **Appendix 5**.

9.4.5. **Other consultation**

The following bodies were also consulted on the scheme, with their responses appended in **Appendix 4**:

- **GLA** – GLA will take a 21.6% share of the shortfall in government funding. GLA generally supported the principles and features in the draft scheme and:
 - encouraged Barnet to take into account the Government’s announcement on 16 October that it will provide up to £100m of additional reward grant to authorities which adopt schemes which limit the impact of changes in Council Tax support on working age claimants;
 - suggested that billing authorities should consider the challenges which they will face in collecting relatively small sums of money from claimants on low incomes who may not be in a position to pay by direct debit or other automatic payment mechanisms;
 - sought updated financial figures from the council as the design of the final scheme was firmed up;
 - was keen to develop a dialogue with all 33 London billing authorities as to how the budgeting, cashflow and accounting arrangements for Council Tax support will operate under the new system – particularly in order to manage the sharing of risks.
- **Barnet Citizens Advice Bureau** – CAB expressed the views that:
 - people whose properties remain empty are not necessarily wealthy, for example some are temporarily in a nursing home or a care home before committing to a permanent move. This could result in residents facing a substantial Council Tax bill on discharge that they are unable to pay;
 - people – especially young people - on means tested benefits will struggle to cope with the requirement to contribute a proportion of their Council Tax liability;
 - young people could be disproportionately hit by the removal of the second adult rebate;
 - a reduction in capital limits could encourage those who have savings of more than £8,000 to spend their savings so as not to be caught by this option. This change may also be difficult to

- understand by people whose first language is not English, or those with mental health or learning disabilities;
- the proposal to limit Council Tax Support to Band D or Band E would mean that citizens might have to find in excess of £10 per week. Many people who live in larger properties or in areas which have a higher Council Tax liability do so not because they have a high income but rather because they live in their family home or because they have been able to afford the expense previously but are temporarily unable to afford to do so for reasons of sickness or unemployment;
- CAB welcomed any move to simplify the complicated system of non-dependant deductions.
- **Barnet Youth Board and other young people.** BYB raised the following concerns:
 - Although claimants of working age will be expected to pay Council Tax, those who are NEET or having specific problems in their lives would not be able to cope with this additional cost;
 - The change may increase the risk of homelessness amongst young people, thereby increasing downstream costs for the council and elsewhere, eg mental health services;
 - Information needs to be available and clear in a language young people understand;
 - Young people who are in care or already rely heavily on support from Barnet may be unable to afford any additional burden.

9.4.6. **Protections and incentives**

The consultation document sought citizens' views on whether certain citizen segments should be protected from some or all of the impact of the changes, and if so which segments should be protected.

Over half (56%) of all respondents felt that there were such segments, and this rose to 62% of Council Tax Benefit recipients (compared with 46% of non-recipients). Respondents with a disability (73%) and carers (69%) were more likely than other household types to feel that the Council should consider additional support for specific groups of claimants.

The main groups mentioned are summarised below, along with the number of and the percentage of all respondents who mentioned each group:

- Disabled (cited by 23% of all respondents);
- Those on low income (17%);
- Pensioners/the elderly (16%);
- Single parent families (8%);
- Families/those with children (5%);
- People who are ill (5%);
- The vulnerable/those most in need (5%);
- Carers (3%);
- Students/young adults (2%);
- Those seeking work (1%).

Respondents cited the following methods of providing protection to these groups:

- More discounts/full support/benefit/100% exemptions (cited by 20% of respondents);
- Incentivise work/help people find work/training (5%);
- Keep the same level of protection as currently (3%);
- Provide simple advice/information/advice on where to get help (2%);
- Assess each case individually (2%)
- Provide medical care/the services people need (2%);
- Provide help with housing (1%).

9.4.7. Incorporation of consultation results in scheme design

The feedback from the consultation exercise has been incorporated in the formulation of scheme options and the selection of the proposed option. The key feedback from the consultation was:

- There was strong net agreement to the proposal to remove discounts and exemptions for empty properties from all demographic groups
- Most Council Tax recipients thought that the level of contribution towards their Council Tax liability should be 10% or less, and significant concern was expressed in the qualitative research about the ability to pay any contribution of many citizens, including people who are unemployed, low income families and those with a disability
- However, non-recipients were split equally between those who thought that the level of contribution should be 25% or more and those who thought it should be 10% or less
- There was general agreement in the quantitative research with the proposal to remove the second adult rebate but reservations were also expressed about the financial impact on some households
- Whilst most demographic groups showed net agreement with the proposal to reduce capital limits, substantial concerns were expressed that this measure would deter people from saving, and some respondents expressed the view that the current limit of £16,000 should be increased.
- Whilst there was net agreement with the proposal to restrict discounts above Band D or Band E, significant reservations were expressed regarding the fairness of this measure, particularly when those in council or housing association properties have no choice over the size and Council Tax band of the property to which they have been allocated.
- There was strong net agreement with the proposal to simplify the current system of non-dependant deductions

9.5. Financial implications of Council Tax localisation

9.5.1. Currently, there are around 32,000 benefit claimants who receive help paying their Council Tax. Total spending on Council Tax Benefit in Barnet in 2012/13 is expected to be £31.8m.

9.5.2. The changes from April 2013 come with a cut of 10% in government funding from estimated 2013/14 CTB levels. The government has not yet published its current estimates of CTB for 2013/14, which will be shaped by assumptions on economic growth, unemployment and therefore caseload growth. It is

estimated that the government's figure for 2013/14 will be broadly the same as for 2012/13, ie £31.8m, giving a shortfall in funding of £3.2m. Of this amount, £0.7m is attributable to the Greater London Authority, leaving an initial funding shortfall for Barnet of £2.5m.

- 9.5.3. In line with the Medium Term Financial Strategy this report assumes a 0% increase in Council Tax rates from 2012/13 to 2013/14.

There is additional uncertainty over this budget in future years, as it will not be fixed - it will vary depending on take up, economic conditions, and other factors. Over the last five years claimant numbers and the cost of claims have grown as shown in Table 4 below. The cost of claims has risen at an average rate of 5% over the last five years, although the rate of growth over the last three years has been only 2.5%.

Table 4: Number of Council Tax Benefit claims and cost of claims

Date	CTB claimants at end year	Annual increase	Cost of claims £k	Per cent increase
2007/08	25,581		24,851	
2008/9	26,773	4.7%	26,502	6.6%
2009/10	28,466	6.3%	29,288	10.5%
2010/11	29,010	1.9%	29,488	0.6%
2011/12	30,099	3.8%	31,546	6.9%
2012/13 (est)	N/A	N/A	31,822	0.9%
Average increase		4.1%		5.1%

- 9.5.4. On top of historic increases in take up, the move from a benefit to a discount may see more people take advantage of this new entitlement since the perceived stigma of claiming a 'benefit' will be removed. Assuming a 5% increase in take up, this significantly increases the Barnet gap, by a total of £1.2m. This leaves an overall gap of £3.7m, as shown in Table 5 below:

Table 5: Funding gap for Barnet in 2013/14

	£m
10% cut based on estimated 2013/14 spend of £31.8m	3.2
Less: GLA element	(0.7)
Zero Council Tax increase	0.0
Add: 5% increase in take up	1.2
Total	3.7

9.5.5. The government recently announced³ an additional national total of £100m in transitional funding to help councils develop well designed Council Tax support schemes and maintain positive incentives to work. This £100m transition grant will seek to encourage best practice and will be available to councils who choose to design their local schemes so that:

- Those who would be on 100% support under current Council Tax benefit arrangements pay no more than 8.5% of their Council Tax liability
- The taper rate does not increase above 25%
- There is no sharp reduction in support for those entering work – for claimants entitled to 100% support, the taper will be applied to an amount at least equal to their maximum eligible award

In addition, the government states that it would not expect local authorities to impose large additional increases in non-dependant deductions.

9.5.6. This new funding is estimated to be worth around £600,000 for Barnet, and would enable the council to decide between:

- Limiting the scope of Barnet's Council Tax Support scheme in 2013/14 in order to receive the transitional grant, or
- Forgoing the grant and designing a scheme that generates more revenue for the council by exceeding one or more of the parameters above

9.5.7. The funding for Council Tax support is fixed at the 2013/14 baseline and therefore a number of factors could alter the funding gap in later years:

- The gap will increase if Council Tax is increased in future years.
- A reduction in caseload, for example generated by a pick-up in employment in the borough, would reduce the gap.
- The greater the contribution to Council Tax sought from citizens, the greater the risk of non-payment and bad debt. This risk is particularly acute in relation to the 5,000 working age benefits claimants who have hitherto paid no Council Tax since they have received 100% Council Tax Benefit.
- The proportion of claimants who are of working age has been declining over recent years and this trend is likely to continue with an ageing population. Since pensioners are exempt from any new CTS scheme, the impact of any measures to collect a portion of Council Tax will increasingly fall disproportionately on those of working age.

9.5.8. In determining the design of the proposed scheme for adoption by the Council, the following base assumptions have been made:

- Funding gap of £3.7m, based on zero increase in Council Tax rates in 2013/14 and 5% increase in take-up as a result of providing a discount rather than a benefit
- Collection rates that reduce with increasing contributions from those who currently pay no Council Tax (see section 9.5.11).
- Barnet takes up the government's offer of transitional funding in 2013/14

³ Written statement by Parliamentary Under-Secretary of State, Department of Communities and Local Government (Baroness Hanham), 15 October 2012

9.5.9. There are a number of uncertainties around these assumptions that could have a significant bearing on the size of the funding gap and scheme features. The effects of these uncertainties are outlined in the following paragraphs.

9.5.10. **Size of Funding Gap**

As outlined in Section 9.5.5 above, the central estimate of the size of the funding gap, at £3.7m, is based on a number of assumptions, any of which may prove to be incorrect. These are:

- **Council Tax increase:** In line with the council's Medium Term Financial Strategy it has been assumed that Council Tax rates will not increase from 2012/13 to 2013/14. If Barnet decided to increase Council Tax by 2.5% in 2013/14 the funding gap would increase by £0.7m to **£4.4m**
- **Increased take up of benefit:** Take-up of Council Tax Support has been assumed to grow by 5% from 2012/13. Based on experience over the past 5 years, which has seen Council Tax Benefit payments grow on average by 5% per annum, this may be a conservative estimate given that some additional growth can be expected due to the repositioning of the scheme to offer a discount rather than provide a benefit. If payments grow by 7.5% rather than 5%, the funding gap would increase by £0.6m to **£4.3m**
- **Government forecasts:** The government has not yet confirmed its forecasts of 2013/14 expenditure on CTB. It is assumed that the final government estimate will be that 2013/14 expenditure will be the same as in 2012/13. Given the continuing stagnation of the UK economy it is possible that the government may revise its caseload estimate for 2013/14 upwards. If the government's estimate was based on an assumption of a 1% increase in caseload in 2013/14, and the Barnet share of the total remained the same as in 2012/13, the funding gap would reduce by £0.2m to **£3.5m**.

9.5.11. **Collection rate**

Some features of the proposed scheme will require those of working age who have never previously paid any Council Tax to make some contribution. This may adversely affect collection rates. The average in-year collection rate for Council Tax is 96.5%, and this rises over time to over 98% with the recovery actions currently deployed by the council

Under the proposed Council Tax Support scheme it is likely that the average collection rate for a measure that gives a greater discount (say 90%) will be higher than that for a lower discount (eg 80%). Other London Boroughs have made assumptions in the range 70-45% for collection rates from benefit claimants expected to make a contribution to Council Tax for the first time.

For the purposes of financial modelling, the following assumptions have been made:

Table 6: Collection Rate Assumptions

Level of discount	Collection rate
90% - 99%	70%
85%	65%
80%	60%
75%	55%

9.5.12. **Sensitivity analysis**

The following alternative assumptions for each of the variables above have been modelled and the results presented in this paper:

Table 7: Sensitivity Analysis

Variable	Base case	Alternative assumption	Impact on funding gap
Increase in Council Tax from 2012/13 to 2013/14	0%	2.5%	+£0.7m
Increase in caseload 2012/13 to 2013/14	5%	7.5%	+£0.6m
Collection rates	70% for 10% contribution 65% for 15% contribution 60% for 20% contribution 55% for 25% contribution	60% for 10% contribution 55% for 15% contribution 50% for 20% contribution 45% for 25% contribution	N/A
Government transitional funding	Take up the offer - reduce maximum contribution to 8.5% for those who are currently fully covered and do not include Banding caps	Do not take up the offer	+£0.6m

Given the increasing uncertainties inherent in these factors over time, the detailed analysis has been limited to the impact of the new scheme in 2013/14, although some indicative longer term projections have been made and are presented in para 9.7.1.

9.6. Scheme Options

9.6.1. **Rationale**

It is clear that any scheme (including the use of the new powers in relation to reform of existing Council Tax discounts and exemptions) that is adopted must balance a range of objectives:

- **Financially viable:** Meet the funding gap of £3.7m in 2013/14,

- **Align with strategic objectives:** Align with the principles previously agreed by Cabinet which were:
 - A system based on fairness, with those with the ability to pay making a fair contribution
 - The scheme should incentivise work
 - Support for those in the most difficult circumstances (e.g. considering how we can maintain support for those in intensive programmes such as those in the Troubled Families programme)
 - The most vulnerable should benefit from a level of protection
 - The scheme should be transparent and accessible.
- **Sustainable:** The scheme is perceived as appropriate and proportionate by residents, maintains an acceptable collection rate, and can be implemented and operated at reasonable cost

The likely financial contributions from each of the scheme features are shown in Table 8 below. Features 1, 2 and 5 are the only ones that provide a significant financial contribution.

Table 8: Expected financial contribution from scheme features

Feature	Expected financial contribution
1. Removal of exemptions and discounts for empty properties	£2.2m
2. Contribution to Council Tax liability from working age claimants	Up to £2.9m
3. Removal of second adult rebate	£50,000
4. Reduction in capital limit from £16,000 to £8,000	£0.3m
5. Limiting support to Band D or Band E	Up to £0.95m
6. Simplified system of non-dependant deductions	£0.1m

In addition, the government has offered transitional funding, worth £600,000 for Barnet, if the scheme meets certain defined criteria (see para 9.5.6)

The key decisions on which features to include in the new scheme are:

- a) whether to include the removal of exemptions and discounts for empty properties to reduce the funding gap;
- b) the extent to which working age claimants are expected to contribute to their Council Tax bill (up to 25%);
- c) whether to limit the level of support to a specific band, and if so whether this should be at Band D or Band E; and
- d) whether to constrain the design of the scheme to take advantage of the government's offer of transitional funding.

9.6.2. Options considered

In the light of the risks and evaluation above, six options have been developed that combine a number of the features above. These will all broadly meet the funding gap. These options are shown in the tables overleaf, together with the expected yield in 2013/14.

Option 0 is a 'no change' option in which the current Council Tax Benefit scheme is retained but full use is made of the powers given to local authorities

to restrict discounts and exemptions on empty properties. No further income would be raised by this option although the scheme would qualify for the government's transitional funding, leaving a funding gap of £1.5m to be met by reductions in services or from reserves.

Option 1 includes full use of the new powers to remove exemptions and discounts and to impose surcharges for empty properties, a contribution of 10% towards the Council Tax liability of all working age claimants, a reduction in capital limits from £16,000 to £8,000, a limit to the level of Council Tax support to Band D and a simplified system of non-dependant deductions. This option would not qualify for the government's transitional funding but would raise £5.05m in 2013/14, thereby creating a surplus against the funding gap of £1.35m.

Option 2 includes the same features as Option 1 but limits the level of support to Band E rather than Band D. This option would not qualify for the government's transitional funding but would nevertheless generate £4.4m in 2013/14, giving a surplus of £0.7m.

Option 3 includes the same features as Options 1 and 2 except the banding limits. This would not qualify for the government's transitional funding but would nevertheless generate £4.1m in 2013, with a surplus against the funding gap of £0.4m

Option 4 is the same as Option 3 except the contribution from working age claimants is set at 15% rather than 10%. This would not qualify for the government's transitional funding and would yield £4.6m, providing a surplus of £0.9m in 2013/14.

Option 5 recognises the opportunity presented by the government's offer of transitional funding for 2013/14 by including only the removal of exemptions and discounts and the simplified system of non-dependant deductions. After government funding of £0.6m this option generates £2.9m, leaving a shortfall of £0.8m against the funding gap in 2013/14.

Option 6 is the same as Option 5 but includes a contribution of 8.5% towards Council Tax liability from working age claimants. After government funding of £0.6m it yields £4.2m, giving a surplus of £0.5m in 2013/14.

These options are compared in Table 9 below, which also identifies the main pros and cons of each option.

Table 9: Comparison of Options

Feature	Option 0	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6
Working age claimants to pay a minimum contribution towards their Council Tax	-	10% - £1.5m (70% collection rate)	10% - £1.5m (70% collection rate)	10% - £1.5m (70% collection rate)	15% - £2.0m (65% collection rate)	-	8.5% - £1.3m (70% collection rate)
Reduce capital limits from £16,000 to £8,000	-	£0.3m	£0.3m	£0.3m	£0.3m	-	-
Limiting level of support to Band D or Band E	-	Band D - £0.95m	Band E - £0.3m	-	-	-	-
Simplifying system of non-dependant deductions	-	£0.1m	£0.1m	£0.1m	£0.1m	£0.1m	£0.1m
Transitional funding from government	£0.6m					£0.6m	£0.6m
Total	£0.6m	£2.85m	£2.2m	£1.9m	£2.4m	£0.7m	£2.0m
Removal of exemptions and discounts, and charging a premium of 50% on properties left empty for more than 2 years	£2.2m	£2.2m	£2.2m	£2.2m	£2.2m	£2.2m	£2.2m
Surplus/(shortfall) against estimated funding gap of £3.7m	(£0.9m)	£1.35m	£0.7m	£0.4m	£0.9m	(£0.8m)	£0.5m
Pros	Meets transitional funding criteria	High yield Capital limits seen as fair by non-recipients	Adequate yield Capital limits seen as fair by non-recipients	Adequate yield	High yield, but risk of lower collection rate	Meets transitional funding criteria	Meets transitional funding criteria Adequate yield
Cons	Does not yield sufficient to meet funding gap	Band cap impacts those in higher banded properties severely	Band cap impacts those in higher banded properties severely	Does not meet transitional funding criteria	Does not meet transitional funding criteria	Does not yield sufficient to meet funding gap	Transitional funding from government drops away in year 2

9.6.3. **Proposed Scheme**

It is recommended that Option 6 should be adopted, since:

- It meets the government's criteria for transitional protection, therefore qualifying for a grant of £600,000 for Barnet in 2013/14
- It more than meets the funding gap of £3.7m
- It does not disproportionately impact any groups of citizens
- It provides a relatively 'soft' start for the scheme that can be built on as necessary in later years

Details of the recommended scheme are provided in **Appendix 6**.

9.6.4. **Impact of scheme on specific groups**

Cabinet agreed in July 2012 not to meet the shortfall in funding from reserves or from cuts in other services, but rather to seek to recover the shortfall from a cross-section of the population. Any scheme will therefore impact on some groups in society to a greater or lesser extent. The proposal to reduce the funding gap by removing certain discounts and exemptions places the majority of the burden on owners of empty properties, many of which are second homes.

The remaining burden will fall on people of working age in the borough, who will (some for the first time) be asked to make a small contribution to their Council Tax liability. Of these, 326 households will lose more than £25 per week, and a further 1,180 will lose between £20 and £25 per week, with around 19,500 losing smaller amounts.

The most adversely impacted groups by number are:

- 7,500 single claimants 25 and over will lose more than £3 per week
- 7,400 lone parents will lose more than £3 per week – the majority of these are women
- 4,900 families with one or more children will lose more than £3 per week
- 1,000 working age couples will lose more than £3 per week

The groups with the largest numbers of households losing more than £20 per week are:

- Families with one or more child over 18 (838 households)
- Single claimants 25 and over (282 households)
- Lone parents (majority women - 271 households)
- Working age couples (102 households)

In contrast, the following groups are impacted either minimally or not at all:

- Pensioners (those qualifying for state pension benefit) are exempted from the scheme, but it should be noted that the removal of exemptions and discounts on empty properties is not part of the scheme and pensioners will not be exempt from this provisions
- Families/couples/singles between pension age and 64

Complete data on the protected characteristics of Council Tax Benefit claimants is not available, but on the basis of available data sets, the breakdown of Barnet claimants is as follows:

- All are on low incomes

- The majority are of working age, with most being between 25 and 44 years of age
- A somewhat higher proportion than the general population consider themselves to have a disability
- A higher proportion of them are female, and many of these are lone parents
- A higher proportion than in the general population are Muslim

We have reduced the overall impact of the scheme by making full use of the council's powers to reduce or remove discounts and exemptions for empty properties and constructing a scheme that will meet the government's criteria for qualifying for transitional funding, expected to be worth £600,000 for Barnet in 2013/14. Whilst concerns were raised in the qualitative consultation research regarding the impact of this feature on landlords, those whose property is empty through no fault of their own (eg through fire or flood) and the property market, almost two thirds of respondents to the consultation agreed with this proposal, representing the highest level of agreement for any feature.

It is recognised that the proposal to require all working age CTB claimants pay 8.5% of their Council Tax liability will impact on people in many protected groups, and in particular could disproportionately affect the groups identified above. In addition, concern was raised in the qualitative consultation research regarding the ability to pay of people who are unemployed, people on low incomes and those with a disability. Concerns were also expressed that this requirement may drive people to crime or unethical borrowing, and also that the cost of collection by the Council could be high.

In 2013/14 it is proposed to minimise the disproportionate effect of this requirement on larger families who live in higher banded properties by not implementing the proposal to implement limits on support based on Band D or Band E Council Tax levels - this could have doubled the required contribution for those in the largest properties. Furthermore, we have avoided an adverse impact on hardworking working families by not implementing the proposal to reduce capital limits from £16,000 to £8,000.

Further details of the impact of the scheme of specific groups are provided in **Appendix 7**.

Appendix 5 contains the Equalities Impact Assessment.

9.6.5. **Protections**

A number of factors should be taken into consideration in deciding on the form of any protection that may be given to specific groups. Any group that receives protection will result in a loss of income from those who would otherwise have made a contribution under the scheme, which will have to be found from cuts in other services and/or a Council Tax increase.

Noting that a key element that will contribute to filling the funding gap will be the removal of discounts and exemptions from empty and second homes, the options for protection are therefore:

- a) do not provide any protections in the scheme

- b) a scheme that protects all claimants by minimising the contribution sought from working age claimants and builds a fund that can be used to target support on those who are most adversely affected, and
- c) a scheme that seeks a higher contribution from working age claimants and builds in specific protections for those in defined groups

It is proposed to adopt option b). No protections are proposed for any groups of citizens apart from war pensioners as outlined below. This will enable a more targeted approach to be taken with regard to individual need, regardless of population group.

In response to the consultation, the Royal British Legion made a strong argument for the protection of war pensioners from the impact of the new scheme (see Appendix 4d). The cost of protecting this group is less than £50,000 per annum. Given the potential sensitivity of this group and the low cost of protection, it is proposed that this group be protected from the impact of the new scheme, ie they will pay the same as they would under the existing Council Tax Benefit scheme.

On the basis of the assumptions set out in section 9.7.1 below it is expected that the scheme will generate a surplus of £500,000 in 2013/14. It is proposed that any surplus generated by the scheme should be transferred to the Crisis Fund and used to provide discretionary support to those individuals with severe financial need. This 'no one size fits all' approach will enable those in the greatest need to be targeted rather than providing blanket protection from the impacts of the scheme for population segments who may have a lesser need than those outside the protected groups. The detailed eligibility and evaluation criteria for the Crisis Fund will be developed with the benefit of inputs from a range of community groups, agencies interfacing with those in need and council functions to ensure that best use is made of the available funds.

9.6.6. Mapping to principles and consultation findings

Table 11 below shows how the proposed scheme meets the principles outlined in section 9.4.1.

Table 11: Mapping of Proposal to Principles

Principle	Recommended scheme
A system based on fairness, with those with the ability to pay making a fair contribution	Majority of the financial burden falls on those with second or empty homes Remainder of the financial burden met by requiring all working age citizens to make a small contribution to their Council Tax liability. Crisis fund will support those in real hardship
The scheme should incentivise work	Existing income tapers, designed to not penalise those in work or increasing working hours, will be maintained
Support for those in the most difficult circumstances	Using the new freedoms to reduce the level of discounts and exemptions on empty homes reduces the financial burden on current CTB claimants. The percentage contribution from

	current working age claimants has been reduced to 8.5%, below the lower end of the range put out to consultation.
The most vulnerable should benefit from a level of protection	Those suffering hardship as a result of this reform will be able to apply for support under the local Crisis fund, which will be put in place from 1 April 2013.
The scheme should be transparent and accessible.	The rules of the new scheme will be widely publicised and communicated to citizens Some aspects of the existing CTB scheme will be simplified in the new scheme, eg non-dependant deductions.

The proposal for 2013/14 reflects the feedback from consultation and restricts the impact of the scheme in its first year of operation by:

- Including the removal of exemptions and discounts for empty properties in the scheme
- Limiting the contribution required from working-age claimants to 8.5%
- Including the proposal to simplify the current system of non-dependant deductions
- Removal of the second adult rebate
- Excluding the following features:
 - Reducing capital limits
 - Restricting discounts to Band D or Band E

The proposed scheme for 2013/14 will:

- Minimise the overall impact on existing Council Tax claimants by taking full advantage of the new powers granted to local authorities to remove discounts and exemptions on empty properties
- Offer partial protection to all claimants by limiting their contribution to 8.5% of their Council Tax liability
- Exempt pensioners (those who qualify for state pension support) and war pensioners from any requirement to contribute to their Council Tax Liability
- Reduce administrative costs by simplifying the current system on non-dependent deductions
- In conjunction with the new Crisis Fund scheme, offer support to the vulnerable who are unable to meet the new requirements
- Provide increased support for people to identify their full entitlement to benefits

The design of the scheme for 2014/15 and subsequent years will be subject to further consultation via the budget planning process in the context of prevailing government funding.

9.6.7. Other London Councils

Barnet officers regularly attend inter-council CTS liaison groups to ensure that the design of schemes of neighbouring boroughs is understood and best practice is incorporated into the design of the Barnet scheme. Most councils are running to a similar timescale to Barnet, and so no final decisions have yet been taken on which features to adopt by any London borough.

The range of features being considered by other councils is broadly similar to those considered by Barnet, although additional features which have been considered by some other local authorities, are:

- Requiring a flat rate contribution to Council Tax from all benefit claimants,
- Reducing the Council Tax Support for those who have been receiving Jobseekers Allowance for more than a year,
- Reducing the capital limit below £8000,
- Instituting a minimum payment,
- Reducing the amount of backdating,
- Increasing the withdrawal rate as income increases above 20%,
- Treating all self-employed people as having an income from their earnings of the minimum wage,
- Doubling the non-dependant charges, and
- Increasing the earnings disregards.

Overall, the proposed scheme for Barnet is well in line with the majority of these schemes.

9.7. Implementation

9.7.1. Implementation strategy

If Council Tax rates and/or caseload increase in future years the funding gap will grow larger than the figure of £3.7m estimated for 2013/14. An implementation strategy may therefore be required that increases the yield from the scheme over time but avoids the risks of public non-acceptance outlined above and in section 9.8. The transitional grant will allow the Council to design a scheme that best meets the needs to the local community for future years. There is a potential that this will include a progressive increase in the expected rate of contribution under Feature 2, with the potential introduction of a reduction in capital allowances and a limit in support to Band E in a later year. This would be subject to consultation and approval by the Council in future years.

An **illustrative** evolution of the scheme is illustrated below. Assuming Council Tax rises by 2% per annum in both 2014/15 and 2015/16 (in line with the council's Medium Term Financial Strategy) but that there are no increases in caseload, the funding gap would increase as follows:

Table 12: Funding gap in future years

Year	Funding gap
2013/14	£3.7m
2014/15	£4.4m
2015/16	£4.6m

Barnet will be introducing a Crisis Fund from April 2013 to provide support those in extreme hardship. It is proposed to transfer any surplus from the proposed Council Tax Support scheme (expected to be £0.5m in 2013/14) into the Crisis Fund to support those who have suffered hardship as a result of the changes in the scheme.

Assuming no transitional funding in 2014/15 and a Council Tax increase of 2%, the base scheme would have a shortfall of £0.8m. This could be funded by increasing the minimum funding from those receiving benefit from 8.5% to 15% of their Council Tax liability, by reducing capital limits and/or by introducing caps to support at Band D or Band E. Assuming an increase in contributions to 15%, a further surplus of £0.2m would be generated which could be again be transferred to the Crisis Fund.

	Surplus £0.5m £4.2m v gap of £3.7m	Surplus £0.2m £4.6m v gap of 4.4m	Surplus £0 £4.6m v gap of £4.6m
Government funding £0.6m			
8.5% contribution £1.3m	15% contribution £2.0m	15% contribution £2.0m	
Non-dependent allowances £0.1m	Non-dependent allowances £0.1m	Non-dependent allowances £0.1m	
Removal of discounts & exemptions £2.2m	Removal of discounts & exemptions £2.2m	Removal of discounts & exemptions £2.2m	
2013/14	2014/15	2015/16	

Fig 3: Illustrative evolution of scheme

The size of the funding gap in 2014/15 and later years will depend on a range of factors, all of which are subject to significant uncertainty:

- The level of Council Tax increase
- The growth in caseload, which itself is dependent on economic growth, employment levels in the borough and the propensity of those entitled to support to claim
- Collection rates
- The existence or otherwise of further transitional support from government

In view of these uncertainties, it is recommended that all the optional features that were put out to consultation are kept open, that a decision on which features to adopt in 2014/15 is not made until late 2013 and that consultation on the selected features be undertaken as part of the annual budget round consultation process. Any of the following features, which were included in the recent consultation but are not proposed for adoption in 2013/14, could be adopted in later years:

- Working age claimants required to pay a minimum contribution to their Council Tax in excess of the 8.5% proposed for 2013/14, up to a maximum of 25%

- Reducing capital limits from £16,000 to £8,000
- Limiting the level of support for higher banded properties to Band D or Band E

9.7.2. Communications

It is proposed to implement a comprehensive public communications campaign, starting in February 2013, to ensure that all who are impacted by these proposals are aware of them. This will include:

- Guidance booklet for Voluntary Organisations and staff
- Initial letter with booklet that will be sent to all Council Tax claimants detailing the support that is available
- Information available in libraries, other public access points and via the council's contact centre
- Articles/inserts in local press and all other appropriate newsletters etc.
- Help pages on the council's web site
- Information in Council Tax Bills
- Envelope highlighting changes to ensure opened
- Posters at prominent points in Barnet
- Messages sent out via social media

This will be supported by comprehensive staff training across all council functions having contact with those who may be impacted by the scheme and by communications and training to relevant community agencies, including Barnet Homes, Citizen Advice Bureaux, charities and voluntary groups.

9.7.3. Project plan and key milestones

The timetable for implementation is extremely tight, but considered achievable. For the scheme to go live in April 2013, several milestones will need to be achieved. These are:

Table 13: Key Implementation Milestones

Milestone	By
Cabinet agree new scheme	17 December 2012
CTax Support module available from Civica	Early January 2013
Scheme principles and features developed into working procedures	15 January 2012
Full Council agree new scheme	22 January 2013
Legal deadline for a Local Authority to agree a scheme	31 January 2013
Civica Module configured in line with working procedures and fully tested	15 February 2013
Staff fully trained in new scheme and system	15 March 2013
Go Live	1 April 2013

A detailed implementation plan is provided in **Appendix 9**. A full time project manager will be required to ensure that all activities are undertaken to the required quality and timescales.

10 LIST OF APPENDICES

Appendix 1 provides details of the current Council Tax Benefit scheme.

Appendix 2 outlines the topics put out to consultation

Appendix 3 provides the results from the consultation as a Summary Consultation Report as supplied by the independent contractor engaged to collate the consultation findings, BMG Research

Appendix 4 provides additional responses to the consultation from community groups

Appendix 5 summarises the approach taken to consultation

Appendix 6 provides the Equalities Impact Assessment

Appendix 7 details the proposed new scheme

Appendix 8 shows the impact of the proposed scheme on a range of affected groups

Appendix 9 provides an implementation plan for the new scheme

11 BACKGROUND PAPERS

See appendices

APPENDIX 1: The current Council Tax Benefit scheme

Breakdown of current claims

	Number	Percentage of total
Pensioners	9,940	34.68%
Working age	20,479	65.32%
Total	30,419	100.00%
Working age breakdown:		
Couple one or both over 18	723	3.53%
Single claimant age 25 or over	4239	20.70%
Single claimant 60 - 64	68	0.33%
Single claimant 65 or over	1	0.00%
Couple one or both state pension age to 64	18	0.09%
Family one or both over 18	3746	18.29%
Single claimant 18 - 24	205	1.00%
Single claimant under 18	2	0.01%
Lone parent	4372	21.35%
Lone parent 60 - 64	4	0.02%
		65.32%

Current calculation method

1. If a claimant is passported (i.e. the DWP have approved Income Support or Job Seekers Allowance) then the Council pays CTB at 100% less any non-dependant deductions.
2. For non-passported claims, the following process applies once any non-dependant deductions have been made:

Step 1: If an applicant has savings in excess of £16,000, then there is no entitlement. For applicants with less than £16,000 savings go to Step 2.

Step 2: The applicant's income is calculated. This includes all sources of income including earnings, benefits (including Child Benefit) and tax credits. The applicant's income is then adjusted by applying certain disregards e.g. Child Benefit is fully disregarded, £17.10 of Working Tax Credit. This gives an adjusted income figure which is used at Step 3.

Step 3: The applicable amount for the applicant is then calculated. This is the amount that the Government thinks the applicant needs to live on and is dependent on the applicant's circumstances – couple/single, children, disability, etc. The adjusted income figure is then compared to the applicable amount. If the income is less than the applicable amount, then full CTB is due. If the income is greater than the applicable amount then 20% (known as the taper) of the excess must be used to pay towards Council Tax. Hence, CTB is reduced by 20% of the excess income.

APPENDIX 2

Details of options/features put out to consultation

Feature 1: Removing exemptions and discounts

The first option is to include the use of additional powers in relation to Council Tax exemptions and discounts (Class A and Class C exemptions, and second home discounts). This policy option supports the principle of '*A system based on fairness, with those with the ability to pay making a fair contribution*'. Exemptions are currently awarded to properties that are unoccupied and unfurnished for a maximum of six months (Class C) and to properties unoccupied and unfurnished undergoing or requiring major structural repair to render them habitable, or that are undergoing structural alterations (Class A). For second homes, Barnet currently allows the minimum reduction of 10%. See Appendix 1 for further details of current discounts and exemptions.

Removing these discounts and exemptions could generate £2.2m per annum (assuming 85% collection rate), as shown in the table below.

Estimated yield from removal of discounts and exemptions (85% collection rate)

	Total income generation per annum	Barnet share of income per annum (78%)
Class C exemption	£1.70m	£1.33m
Class A exemption	£0.85m	£0.66m
Second home discount	£0.34m	£0.26m
Total	£2.89m	£2.25m

Note: These figures exclude anything from 50% uplift on empty homes

Feature 2: Council Tax discount capped as a set percentage of current CTB award.

The second option replaces the current Council Tax Benefit scheme with a Council Tax discount for those people who would otherwise qualify for benefit.

This option would require all claimants (excluding protected pensioners) to make a contribution towards their Council Tax bill, based on a percentage reduction on the current amount of benefit they receive. All working age claimants would be expected to pay a portion, in the range 10% to 25%, of their Council Tax bill.

Feature 3: Removing the second adult rebate

This option aligns with the principle of '*a system based on fairness*': Second adult rebate does not take the income and savings of the taxpayer into account. It is

designed to compensate the tax payer who loses the 25% single person discount because there are other adults in the household who have a low income.

Feature 4: Reducing capital limits

The Council Tax Benefit scheme has a capital limit of £16,000. Any capital between £6,000 and £16,000 is presumed to generate tariff income of £1.00 per week for each £250 capital above the lower limit of £6,000 income. Capital is made up of savings, shares and property (except the one lived in). The draft scheme for consultation included a proposal to reduce the capital limit to £8,000 as this aligns with the expected capital limit in Universal Credit.

Feature 5: Limit Council Tax Support to Band D or Band E

In line with the principle of 'A system based on fairness, with those with the ability to pay making a fair contribution', it has been argued that those living in larger/more expensive properties should contribute a higher proportion of their Council Tax liability than those living in smaller/less expensive properties. One mechanism for achieving this is to limit Council Tax Support to a level consistent with the Council Tax bill for a specified Council Tax Band, for example Band D or Band E. Assuming 100% collection, this could yield £0.45m (Band E) or £1.56m (Band D) in 2013/14.

Feature 6: A simplified system of non-dependant deductions

Currently there are six different rates of non-dependent deductions depending upon the income of the non-dependant. We suggest reducing this to three. The actual rates will depend upon the standard Government rates to be announced in January 2013.

	Current weekly rate	Proposed weekly rate before uprating
Passported benefit or customer is blind	nil	nil
Out of work or working less than 16 hours	£3.30	£5.00
Working with gross income < £183.00	£3.30	£5.00
Working with gross income £183- £316	£6.55	£10.00
Working with gross income £316 - £394	£8.25	£10.00
Working with gross income £316 - £394	£9.90	£10.00

Offering protection to specific groups

The Government's proposals protect pensioners and single occupants from any financial impact arising from any new scheme. Analysis from the Institute for Fiscal Studies and the Joseph Rowntree Foundation shows that schemes to reduce current entitlement will impact on lower income households, as 85% of CTB goes to the lower-income half of households, and almost half of CTB goes just to the lowest-income fifth. Any scheme to recoup the 10% reduction in funding is therefore likely to disproportionately impact lower-income households and can adversely impact collection rates.

The impact of restricting Council Tax benefits to between 75% and 90% of current Council Tax benefit would equate to a reduction of between 10% and 25% in current entitlement for claimants. This effect could be partly mitigated for specific priority groups, depending on availability of additional resources to meet this need. The table below provides an illustrative summary of the projected costs of offering full protection (i.e. not seeking to recover up to 25% of Council Tax liability). These options can be adjusted to provide part protection (e.g. a lower reduction in support). The cost of protection has been estimated from various sources.

Data on troubled families is limited. The first 85 families are all on maximum benefit. There are approximately 700 families in the programme. The cost of protection has been calculated by assuming that the distribution of those household is the same as that of other Council Tax Benefit recipients accrues the Council Tax Bands. The figures have then been adjusted to take account of a prospective increase in Council Tax and a percentage reduction in maximum benefit.

Approximate additional cost of protecting defined groups

£m	90% discount	85% discount	80% discount	75% discount
Apprentices	£0	£100k	£100k	£100k
Troubled families	£100k	£100k	£200k	£200k
Those with disabilities	£500k	£700k	£900k	£1.1m
Carers	£100k	£200k	£300k	£400k
Volunteers	£200k	£300k	£400k	£500k
Total cost of full protection for all groups	£0.9m	£1.4m	£1.9m	£2.3m

Incentivising Work

The current Council Tax Benefit scheme incentivises work by ensuring that someone who is working receives a greater amount of Council Tax benefit than someone in the same circumstances who is not working by:

- Taking net income into account (gross less tax less national insurance less half of any pension contribution),
- Allowing registered child care costs to be offset against earnings where certain conditions apply,
- Disregarding a small amount of weekly earnings to take account of additional expenditure .(see below), and
- Allowing those who start work or increase their hours (so that they no longer qualify for Income Support, Income based Jobseekers Allowance or Income Related Employment and Support allowance) to keep the higher level of Council Tax Benefit for 4 weeks if the job is expected to last 5 weeks or more. This is known as the Council Tax Benefit extended payment. This 'run-on' period could be extended to further incentivise work – the table below shows the cost of increasing it to 2 months or 3 months.

Approximate additional cost of extending run-on period

£m		90% discount	85% discount	80% discount	75% discount
Increase run-on period for workers from 4 weeks to:	1 month	£0	£0	£0	£0
	2 months	£100k	£100k	£100k	£100k
	3 months	£200k	£200k	£200k	£200k

We propose to retain the system of using net income, offsetting childcare costs, earnings and disregards.

APPENDIX 3

Consultation Report

The following is the Executive Summary from the final consultation report produced by the external market research company, BMG. The full report is available at engage.barnet.gov.uk

1.1 Introduction

1.1.1 Aims and objectives

In August 2011 the government launched a consultation paper⁴ which made the following proposals:

- Help with Council Tax will be a local authority responsibility and will not become part of Universal Credit;
- The amount provided to local authorities for the new system will be 10% less than current spending on CTB;
- Support for pensioners will not be affected by this cut in spending and will remain at existing levels with existing rules;
- Local authorities will be free to establish whatever rules they choose for their schemes for working age people (and will administer the scheme for pensioners using national rules);
- Central government will provide a fixed amount of money to local authorities to operate their new schemes. Unlike current arrangements, this central government grant will not be ring-fenced and will not vary according to demand;
- New local schemes to provide help with paying Council Tax must be in place by April 2013.

The London Borough of Barnet (LBB) is committed to ensuring that people living in the Borough are given the opportunity to have their say in proposed changes to the way services are delivered. The Council therefore held a public consultation over the period 1st August to 24th October 2012 which comprised both quantitative consultation undertaken via postal self-completion, an open online questionnaire and the Citizen's Panel, and qualitative consultation in the form of focus groups undertaken by BMG Research. The Council also provided opportunities for residents to access the paper questionnaire in libraries, elsewhere, and on request.

This report summarises the results of the elements of the consultation outlined above.

The Council also consulted about the proposed scheme with a number of different organisations and user groups, and the findings from this element of the consultation are available in a separate report.

⁴ A consultation paper was launched by the Department for Communities and Local Government on 2nd August 2011. It is available at www.communities.gov.uk/publications/localgovernment/localisingcounciltaxconsult

1.1.2 Overview of the consultation process

The quantitative element of the consultation comprised a number of strands:

- Postal self-completion questionnaires sent by LBB to approximately 24,000 Council Tax Benefit recipients;
- Self-completion questionnaires distributed in public places (e.g. libraries) and provided by the Council to residents on demand;
- An open-access online questionnaire available on the Council's website;
- A postal self-completion sent to the LBB Citizens' Panel, including two follow-up reminders to non-responders;
- Letters to pensioners.

A total of 2,910 returns were received, and these break down as follows:

- 1,874 postal self-completion questionnaires;
- 492 responses from members of the Citizen's Panel, which represents a response rate of 41%;
- 544 responses via the online questionnaire.

A total of 1,914 Council Tax Benefit recipients responded to the questionnaire, which represents 66% of the total sample.

In addition to the quantitative research, London Borough of Barnet (LBB) commissioned BMG Research to undertake nine focus groups with residents, in order to further understand perceptions towards the proposals for Council Tax Support. Of the nine groups, two groups were conducted with 'general population' residents not in receipt of Council Tax Benefit, and the remaining seven groups were conducted with residents who were in receipt of Council Tax Benefit. The groups were held between Wednesday 18th September and Thursday 27th September, at community venues located in the Borough of Barnet. Details of the group dates, times and venue can be found in Appendix D.

1.2 Summary of results

1.2.1 Agreement with principles

The figure on page 9 summarises the response to the principles outlined in the consultation among all respondents, and by Council Tax Benefit recipients and non-recipients.

Among the total sample a majority agreed with each of the principles, with a minimum of two thirds (65%) agreeing with each, and a minimum net agreement⁵ of +57%. Reflecting this, respondents in the focus groups largely considered the five principles underlying the Council Tax Support scheme to be fair and acceptable.

Agreement was highest with regard to the need to support those in the most difficult circumstances (85% agreed overall) and the need to afford the most vulnerable a level of protection (84% agreed). However, one respondent within the single people and childless couple group felt that those in 'difficult circumstances' and the 'vulnerable' overlap, and therefore should be more clearly defined.

⁵ Net agreement = the percentage agreeing minus the percentage disagreeing.

Agreement was similarly high (84%) in relation to the need for the scheme to be transparent and accessible. However, although focus group respondents welcomed this principle, some, particularly in the groups composed of single people and childless couples, and general population residents with no dependents, questioned whether it would be clear and easy to understand, given their experience of the current complex systems in place. Further, throughout the groups (upon receiving information about the scheme), many respondents noted it to be complicated.

While three quarters (76%) of all respondents agreed that the system should be based on fairness, with those with the ability to pay making a fair contribution, many focus group respondents did question the fairness of this. This was particularly true of respondents in the general population groups, as well as both working and non-working families with dependent children. Many stressed that payments should not be significantly more than those made by people in receipt of Council Tax Benefit. Several respondents, particularly within the group composed of general population families felt it was unfair for those with higher incomes to pay substantially more to support others, whilst not benefiting themselves.

Further, many respondents strongly disagreed that people living in larger properties should make a larger contribution. This was especially true of general population families and both working and non-working families with three or more dependent children. Importantly, it was felt that property size did not fully reflect a person's ability to pay, and that contributions for larger properties should instead be calculated on an individual basis. Respondents had particular concerns for those who had inherited a large property.

As well as income, a key factor some respondents felt should be considered was family size: several stated that those living in larger properties with a large family should not be penalised by being asked to contribute higher amounts. These respondents were from both the general population and Council Tax Benefit recipient groups, and typically had one or more dependent children. In addition, some respondents within the group composed of general population families recommended that council tax should instead be calculated on a person's usage of Council services, such as waste collection.

While still in the majority, agreement was lowest in relation to the need for the scheme to incentivise work (65% agreed overall, while 8% disagreed). However it should be noted on this latter point that this was the principle that attracted the highest proportion expressing a 'neither/nor' position, or not offering a definitive response (26%). In the focus groups, while respondents largely agreed with this principle, some, particularly respondents within the groups composed of working and non-working families with up to 2 dependent children, felt that changes to Council Tax Benefit alone would not encourage people to seek employment. It was therefore recommended that the wider benefit system be addressed. Further, many respondents questioned the feasibility of the scheme in encouraging work, since unemployment was quite often considered to be the consequence of a shortage of jobs.

There was little variation in the response among Council Tax Benefit recipients and non-recipients, with both exhibiting high levels of agreement with each of the principles. However Council Tax Benefit recipients were more likely than non-recipients to agree that there should be support for those in the most difficult circumstances (87% compared to 81%) and that the most vulnerable should benefit from a level of protection (86% compared to 80%).

Conversely, non-recipients were more likely than recipients to agree that the scheme should incentivise work (71% compared to 62%).

Agreement with principles by demographic groups

Age

Among respondents of all ages agreement with the principles was high, although in each instance those aged over 65 were more likely to agree with the principles than their younger counterparts. It should be noted that those aged 65 or more were significantly less likely than younger respondents to be in receipt of Council Tax Benefit (45% compared to 71%). It should also be noted that the differences were as a result of higher levels of 'neither/nor', 'don't know' and 'not provided' among younger respondents, rather than as a result of higher levels of disagreement with the principles.

Household type

Respondents were asked to categorise their household into one of the following:

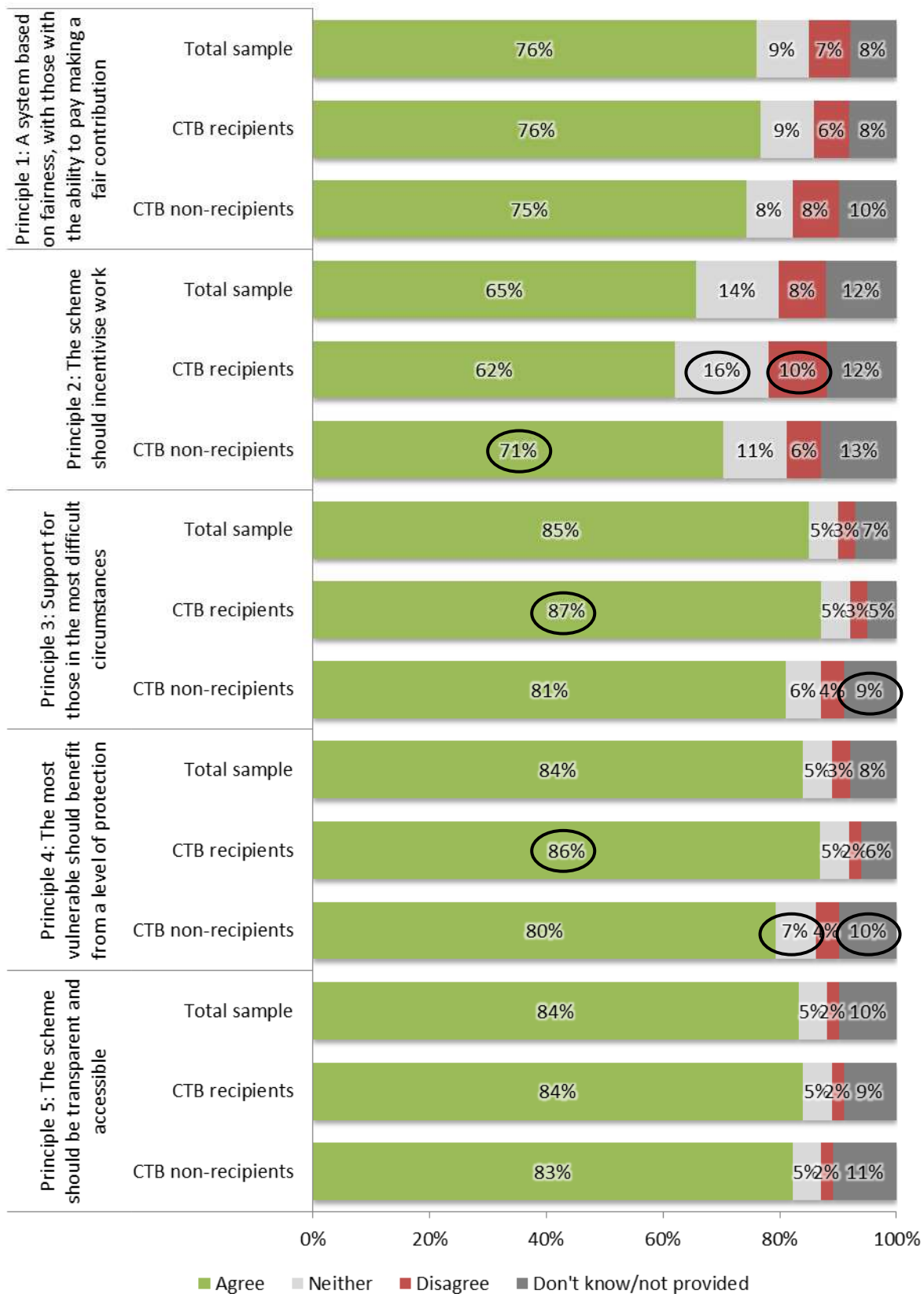
- A family with one or two dependent children;
- A family with three or more children;
- A lone parent household;
- A carer;
- A household with full and/or part time workers;
- A household that includes someone who is disabled or severely mentally impaired;
- A single person household or a couple without children.

Over four in five (83%) of all respondents assigned their household to one or more of these groups.

Considering the results on this basis, overall it is clear that support for the principles is high across the board.

However lone parents were both more likely than those who are not lone parents to be in receipt of Council Tax Benefit (87%), and to agree with a system based on fairness (79%), support for those in the most difficult circumstances (89%) and protection for the most vulnerable (88%). This pattern of response was very similar among disabled respondents, although this group was less likely than non-disabled respondents to agree that the scheme should incentivise work (58%).

Figure 2: Summary of levels of agreement/disagreement with principles (all respondents and Council Tax Benefit recipients and non-recipients)



Unweig

Unweighted base: total sample = 2,910; CTB recipients = 1,916; CTB non-recipients = 994

Where percentages are circled this indicates that there is a statistically significant difference at the 95% level of confidence between CTB recipients and non-recipients.

Among full and part time workers, despite being less likely to be in receipt of Council Tax Benefit (54%), agreement was higher than their counterparts in relation to a system based on fairness (80%), that the scheme should incentivise work (77%) and that it should be transparent and accessible (91%). This pattern of response was replicated among those with no children, although this group was also more likely to agree that there should be protection for the most vulnerable (88%).

Levels of agreement with the principles tended to be lower among families with three or more children, and among those who did not classify their household into one of the listed types, although it should be borne in mind that this latter group were the least likely to be in receipt of Council Tax Benefit.

Ethnicity

Considering the response by respondent ethnicity reveals that, while levels of agreement were high across the board, White respondents were more likely to indicate agreement with all of the proposals than those of other ethnicities.

It should be noted that in many instances the differences were a result of higher levels of 'neither/nor', don't know or not provided among non-White respondents, rather than significantly higher levels of disagreement.

Religion

Jewish respondents were more likely than non-Jewish respondents to agree with all of the proposals despite being less likely to receive Council Tax Benefit. Christians and those who regarded themselves as agnostic, atheist or as having no religion were also more likely than their counterparts to agree with a number of the proposals (a system based on fairness, incentivising work and transparency).

Again it should be noted that levels of agreement were high for all religious groups, although Hindu and Muslim respondents were less likely than their counterparts to agree with some of the proposals (for both groups a system based on fairness, for Hindus protection of the most vulnerable, and for Muslims incentivising work and transparency).

Sexual orientation

Despite being as likely to be in receipt of Council Tax Benefit, Heterosexual respondents were more likely than Lesbian, Gay and Bisexual respondents to agree with a system based on fairness, with those with the ability to pay making a fair contribution (80% compared to 68%), that there should be support for those in the most difficult circumstances (88% compared to 79%), that the most vulnerable should benefit from a level of protection (88% compared to 78%), and that the scheme should be transparent and accessible (88% compared to 76%).

However, again it should be noted that in many instances the differences were a result of higher levels of 'neither/nor', don't know or not provided among Lesbian, Gay and Bisexual respondents, rather than significantly higher levels of disagreement.

Base sizes were insufficient to provide robust findings among transgender respondents (2% equating to 48 respondents) and women who were either pregnant (2% of women, equating to 39 respondents) or on maternity leave (1% of women, equating to 12 respondents).

Ranked importance of principles

Respondents were then asked to rank each principle according to importance, from 1 being the most important, to 5 being the least important.

The principle regarded as most important by the highest proportion of respondents was that there should be support for those in the most difficult circumstances. A third (34%) regarded this as most important, and a further fifth (20%) as second most important.

Close to half (49%) of all respondents rated the principle that the most vulnerable should benefit from a level of protection as either the most or the second most important principle. This reduced to 42% in relation to a system based on fairness, to 36% in relation to a need for transparency and accessibility, and to 34% in relation to incentivising work.

The fact that the need for transparency achieved the equal highest net agreement of +82%, and yet is ranked fourth in terms of importance suggests that respondents regarded this as a 'given' of the scheme.

While the pattern of response was similar among both Council Tax Benefit recipients and non-recipients there were some notable differences:

- Recipients were more likely than non-recipients to rate support for those in the most difficult circumstances as the most or second most important principle (57% compared to 48%), as was the case in relation to the principle that the most vulnerable should benefit from a level of protection (54% compared to 40%), and that the scheme should be transparent and accessible (37% compared to 33%);
- Non-recipients were more likely than recipients to rate the incentivisation of work as the most or second most important principle (41% compared to 31%).

However, support for those in the most difficult circumstances was rated as the most or second most important principle by the highest proportion of both groups (57% and 48% respectively).

Figure 3: Proportion regarding principles as most or second most important (all respondents and Council Tax Benefit recipients and non-recipients)

	Total sample	CTB recipients	CTB non-recipients
Principle 1: A system based on fairness, with those with the ability to pay making a fair contribution	42%	41%	42%
Principle 2: The scheme should incentivise work	34%	31%	41%
Principle 3: Support for those in the most difficult circumstances	54%	57%	48%
Principle 4: The most vulnerable should benefit from a level of protection	49%	54%	40%
Principle 5: The scheme should be transparent and accessible	36%	37%	33%
Unweighted base	(2,910)	(1,916)	(994)

NB: Shaded cells represent statistically significant differences between CTB recipients and non-recipients at the 95% level of confidence.

Ranked importance of principles by demographic groups

The results were very consistent across all groups, with the need for the scheme to incentivise work achieving the lowest proportion of respondents in each case who identified this as the most important principle.

While for many groups the principle that achieved the highest proportion who regarded it as most important was the need to provide support for those in the most difficult circumstances, there were a number of notable exceptions:

- Those aged 65 or more, and Jewish respondents were more likely to regard a system based on fairness as the most important principle, and those in full or part time work were as likely to identify this principle as the most important as they were to identify the need to support those in the most difficult circumstances;
- Carers and those with a disability were more likely to regard the need for the most vulnerable to be afforded a level of protection as the most important principle, as were those regarding themselves as agnostic, atheist or having no religion;
- Respondents of mixed ethnicity were more likely to regard the need for transparency and accessibility as the most important principle.

Overview of response to features

The figure overleaf summarises the response to the features outlined in the consultation among all respondents, and by Council Tax Benefit recipients and non-recipients.

To summarise, overall the feature that attracted the highest levels of agreement among both Council Tax Benefit recipients and non-recipients, was the removal of discounts and exemptions for second homes and empty properties (64% agreed).

Among the total sample, around two fifths agreed with removing the second adult rebate (39%), reducing capital limits (38%), restricting discounts above Band D or E (38%), and to a simplified system of non-dependent deductions (40%). However levels of disagreement with each of these features were more variable, as summarised below:

- A simplified system of non-dependent deductions (12% disagreed);
- Restricting discounts above Band D or E (20%);
- Removing second adult rebate (24%);
- Reducing capital limits (32%).

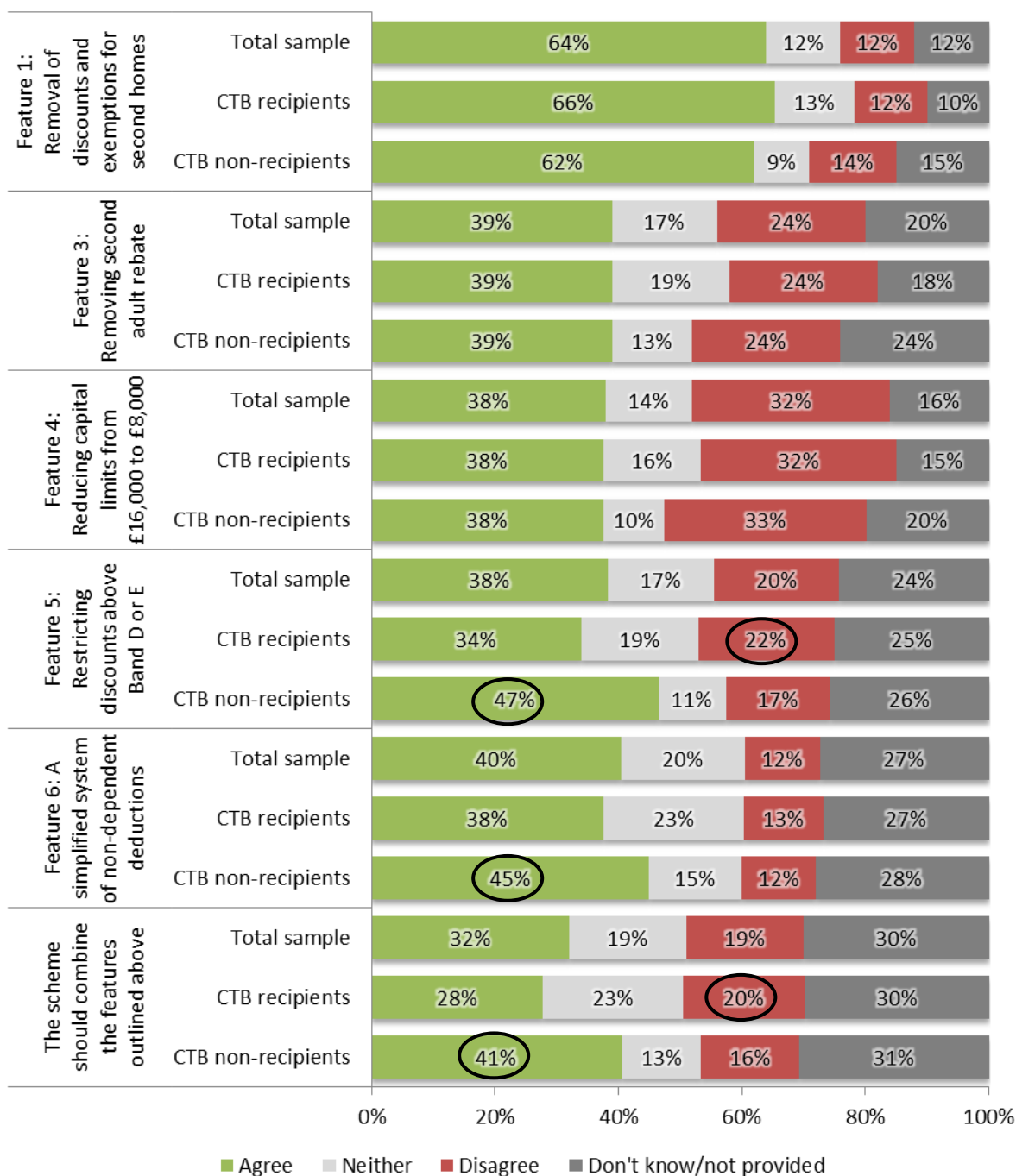
While the response was similar among Council Tax Benefit recipients and non-recipients, there were some differences. Agreement among non-recipients was higher than recipients in relation to:

- Restricting discounts above Band D or E (47% agreed compared to 34%);
- A simplified system of non-dependent deductions (45% compared to 38%).

While overall a third (32%) agreed that the scheme should combine the features outlined above, a fifth (19%) disagreed that this should be the case, although non-recipients of Council Tax Benefit were more likely to agree that this should be the case than recipients (41% compared to 28%).

The proportion of respondents indicating that they did not know, or not providing a response, varied between one in ten (12%) in relation to the removal of discounts and exemptions for second homes, to three in ten (30%) in relation to whether the scheme should combine features.

Figure 4: Summary of levels of agreement with features (all respondents and Council Tax Benefit recipients and non-recipients)



Unwei

Unweighted base: total sample = 2,910; CTB recipients = 1,916; CTB non-recipients = 994

Where percentages are circled this indicates that there is a statistically significant difference at the 95% level of confidence between CTB recipients and non-recipients.

Overall, quantitative views were varied as to what the maximum level of support should be for working age claimants (feature 2), with around one in ten of all respondents indicating the amount should be less than 75% (11%), 75% (8%), 80% (8%) or 85% (9%). However, a third (35%) felt that it should be 90% or more, and this rose to two fifths (39%) of Council Tax Benefit recipients (compared to 27% of non-recipients). Three in ten (30%) respondents did not offer a response to this question.

Response to the features in more detail

The following sections consider the results in more detail, taking each feature in turn. In order to summarise the spread of results, and facilitate comparisons across different sub-groups, net agreement scores have been used (i.e. in each instance the percentage who agree minus the percentage who disagree).

Feature 1: Removal of current council tax discounts and exemptions for second homes and empty properties

This was the feature that attracted the highest levels of agreement among both Council Tax Benefit recipients and non-recipients (net agreement +54% and +48% respectively).

One in ten respondents (12%) did not offer a definitive response to this question and the same proportion neither agreed nor disagreed (12%).

Those aged 65 or more were significantly more likely than younger respondents to agree that discounts and exemptions for second homes and empty properties should be removed (net agreement +70% compared to +52% among those aged up to 64).

Other groups among whom a higher level of net agreement was achieved included:

- Carers (+65%);
- White respondents (+65%);
- Those who describe themselves as agnostic, atheist or as having no religion (+71%).

Groups among whom a lower level of net agreement was achieved included:

- Families with three or more children (+41%) and those not covered by any of the listed household types (+44%);
- Respondents of Mixed (+28%), Asian (+43%) and Black (+44%) backgrounds;
- Muslim respondents (+35%).

Focus group respondents also demonstrated high levels of agreement with this feature, with many respondents in all groups feeling that those with second homes or empty properties could afford to contribute to their council tax, and many highlighting the benefits of the feature in overcoming the shortages of housing in the Borough by bringing empty properties back into use, and raising revenue to fill the funding gap. In particular, respondents demonstrated high levels of agreement for the removal of discounts for second homes, and the introduction of a premium for properties left empty for long periods of time.

However, there were a number of concerns expressed in the focus groups, as summarised below:

- The impact on those with properties left empty for short periods of time, for whom it might become necessary to sell their homes (particularly expressed in the group composed of non-working single people and childless couples);
- The impact on those who have inherited a second property, who might be forced to sell regardless of the wider financial implications (particularly expressed in the groups consisting of general population households with no dependent children, and non-working families with three or more dependent children);
- The negative impact already felt as a result of the removal of such discounts and exemptions for property developers (expressed as the personal experience of one property developer), and more broadly the feeling that the changes might lead to a decline in property development, and the consequent impact of this on job opportunities etc. (particularly stated by respondents within the two general population groups);
- The impact on those trying to sell or rent their property (expressed by some respondents in the following groups: general population households with no dependent children; band E and above households; working and non-working families with up to two dependent children);
- The unfairness of the proposal given that empty properties make no use of council services (raised by some respondents in the groups consisting of general population residents with no dependents, residents living in band E and above households, working families with up to two dependent children, and non-working families with three or more dependent children);
- The impact in instances where a property is empty as a result of fire or flood (expressed by most respondents in all groups, apart from the disability group, where this was not discussed);
- Difficulties in enforcement, particularly in relation to absent landlords (particularly expressed by respondents in the group consisting of general population families).

Feature 2: Range of maximum Council Tax Support

Quantitative views were varied as to what the maximum level of support should be for working age claimants, with around one in ten of all respondents indicating the amount should be less than 75% (11%), 75% (8%), 80% (8%), or 85% (9%). However, a third (35%) felt that it should be 90% or more, and this rose to two fifths (39%) of Council Tax Benefit recipients (compared to 27% of non-recipients). Three in ten (30%) respondents did not offer a response to this question.

Across almost all demographic groups the level of support that received the highest strongest preference was more than 90%. The only exception to this was among those aged 65 or more, for whom less than 75% was the most strongly preferred option.

In the focus groups, views were mixed regarding the introduction of a maximum amount of Council Tax Support. While many felt it was fair to introduce a minimum contribution toward council tax in order to share the responsibility of payment for the

Council's services, there were discrepancies over who should be asked to contribute. While several respondents within most of the groups (apart from the non-working families with up to two dependent children and single people and childless couples groups) felt that everyone should contribute whether in work or not, concerns were expressed with regard to the following groups:

- People who are unemployed (including people short-term unemployed due to redundancy);
- Those with an inability to pay (e.g. low income families);
- Those with a disability.

Some respondents within the general population families group were also concerned that this might drive people to crime or to borrowing, and additionally felt that the introduction of this feature might be costly for the Council as a result of residents' inability to pay additional amounts.

The overriding feeling was that each person should be considered on the basis of their individual circumstances, so that only those with the ability to pay were asked to do so.

Where focus group respondents did feel it was acceptable to introduce a minimum contribution, ten% was considered to be the most appropriate amount, reflecting the quantitative findings outlined above. While several respondents within the general population groups suggested the contribution could be as high as fifteen or twenty%, most recognised that households who were in receipt of Council Tax Support would be unable to afford this increase.

Feature 3: Removing second adult rebate

Among the total sample, around two fifths agreed with removing the second adult rebate (39%), while a quarter disagreed, yielding a net agreement of +15%, which was the same for both Council Tax Benefit recipients and non-recipients.

Around one in five (20%) of all respondents did not offer a response to this question, and a similar proportion (17%) neither agreed nor disagreed.

Groups among whom a higher level of net agreement was achieved included:

- Those aged 65 or more (+34%);
- Those in households with no children (+23%);
- White respondents (+23%);
- Hindu and Jewish respondents (+22% and +21% respectively);
- Lesbian, gay and bisexual respondents (+24%).

Groups among whom a lower level of net agreement was achieved included:

- Lone parents (+5%);
- Respondents of Mixed (-1%), Black (+8%) and other ethnicities (+3%);
- Those of another religion (+7%).

The majority of focus group respondents were unaware of the second adult rebate, or whether they were in fact eligible to receive it. Consequently many found it difficult to understand how the rebate was calculated or applied. For this reason many felt unable to comment on whether or not they were in support of the removal.

Where respondents did feel able to comment, some felt it should be removed because they felt that this group would be likely to be able to afford to pay, and that they should pay to compensate for their use of Council services (particularly some respondents in the groups composed of general population residents with no dependents, disability residents, residents living in band E and above households, and working and non-working families with three or more dependents). However some focus group respondents, including all in the general population families group, as well as several respondents in some other groups, felt the second adult rebate should not be removed for a number of reasons:

- Those accommodating second adults would be unlikely to receive a contribution from the second adult to compensate for the loss of the discount, due to their inability to pay;
- Those accommodating second adults should continue to be compensated for supporting those on low incomes who would otherwise seek more support from the Council;
- Children over the age of eighteen are not necessarily regarded as non-dependent, so should not be expected to contribute to council tax;
- The funds generated from the removal were not considered sufficient to outweigh the impacts on the budgets of those affected, and the difficulties in enforcement.

Feature 4: Reducing capital limits

Reducing capital limits was the feature that generated the lowest level of net agreement (+6% overall, +6% among Council Tax Benefit recipients, and +5% among non-recipients).

Around one in six (16%) of all respondents did not offer a response to this question, and a similar proportion (14%) neither agreed nor disagreed.

Those aged 65 or more were significantly less likely than younger respondents to agree that capital limits should be reduced (net agreement -17% compared to +9% among those aged up to 64).

Levels of net agreement did not exceed +13% except among those of another religion (+19%).

However there were a number of groups among whom levels of net agreement were particularly low, and these included:

- Families with three or more children (-10%), those with a disability ($\pm 0\%$), and those who did not within the household types listed (-1%);
- Jewish respondents (-18%).

Reflecting this, the majority of respondents in most focus groups, apart from those composed of working families, strongly opposed the reduction of capital limits, regardless of whether it affected them personally. It was felt that the limit of £8,000 was too low and should be increased to reflect current living costs, particularly in London (respondents across the groups suggested figures of between £20,000 and £32,000). A key concern was the disincentive such a proposal would have on saving, and the possible negative impact this would have due to an increased reliance on the Council. Concerns were also raised as to the possibility of residents 'hiding' money, and the impact this would have on the Council in terms of enforcement, and in relation to the limited amount of funds generated as compared to the negative impact on individuals. These concerns were particularly raised by respondents in the following groups: general population families; residents living in band E and above properties; working families with up to two dependent children; and non-working families with three or more dependent children.

The minority of focus group respondents who did agree with the reduction of capital limits (predominantly CTB recipients who were in working households with up to two dependent children or working families with three or more dependent children) did so because they felt that only those in genuine need – i.e. people with no savings such as themselves – should be eligible for support, or that it would make little difference since people on Council Tax Benefit such as themselves would be unlikely to have such a level of savings.

Feature 5: Restricting discounts above Band D or E

Overall two in five (38%) of respondents agreed that discounts should be restricted for properties above band D or E, while one in five (20%) disagreed, yielding a net agreement of +18%.

Around a quarter (24%) of all respondents did not offer a response to this question, and a further one in five (17%) neither agreed nor disagreed.

Those aged 65 or more were significantly more likely than younger respondents to agree that discounts above Band D or E should be restricted (net agreement +38% compared to +18% among those aged up to 64).

Groups among whom a higher level of net agreement was achieved included:

- Those in households with full or part time workers (+28%) and those with no children (+29%);
- White respondents (+27%);
- Christian respondents (+27%) and those identifying themselves as agnostic, atheist or of no religion (+30%).

Groups among whom a lower level of net agreement was achieved included:

- Families with three or more children (+2%), lone parents (+6%), carers (+10%) and disabled respondents (+10%);
- Muslim respondents (+6%).

The qualitative response was less equivocal: respondents within most groups, including all CTB recipients in working households living in Band E properties or above, opposed the restriction of discounts above band D or E. The key reason was the view that a person's property band does not necessarily reflect their ability to pay, with concern expressed that people would be forced to move to smaller properties which may be inappropriate for their needs.

Several groups were highlighted as areas of concern:

- Larger families who require a larger property (particularly highlighted by working families with three or more dependent children, and some respondents within the single people and childless couples groups);
- Those who do not own their own property, such as those who pay 'interest-only' on their mortgage, or housing association tenants who are unable to choose where they live (particularly expressed by those in the following groups: working families with three or more dependent children, and non-working families with up to two dependent children);
- Those with a disability whose banding may be higher as a result of the need to live in suitably adapted properties (raised by respondents within the disability group);
- Those whose cultural or religious background requires them to live in certain areas (e.g. Jewish Orthodox) which may by definition be in higher banded areas (particularly expressed by working families with three or more dependent children, as well as some respondents within the disability group).

However some focus group respondents welcomed the suggestion to restrict discounts above band D or E, as they felt that people living in higher banded properties could downsize to more affordable properties. This was particularly true of respondents in the groups composed of working families with up to two dependent children, and non-working families with three or more dependent children.

Overall, it was felt that, if the Council were to introduce such restrictions, these should be limited to Band E or above. Respondents within one group – working families with up to two dependent children – did, however, suggest restrictions should be limited to Band D.

Feature 6: A simplified system of non-dependent deductions

Overall two in five (40%) of respondents agreed that there should be a simplified system of non-dependent deductions, while one in ten (12%) disagreed, yielding a net agreement of +28%.

Over a quarter (27%) of all respondents did not offer a response to this question, and a further one in five (20%) neither agreed nor disagreed.

Those aged 65 or more were significantly more likely than younger respondents to agree with a simplified system of non-dependent deductions (net agreement +45% compared to +28% among those aged up to 64).

Groups among whom a higher level of net agreement was achieved included:

- Those in households with no children (+39%);
- White (+36%), Mixed (+36%) respondents and those of other ethnicities (+42%);
- Christian respondents (+37%) and those identifying themselves as agnostic, atheist or of no religion (+36%).

Groups among whom a lower level of net agreement was achieved included:

- Families with three or more children (+19%), lone parents (+21%) and those who did not fit into any of the listed household types (+21%);
- Muslim respondents (+21%);
- Lesbian, gay and bisexual respondents (+19%).

Reflecting the high levels of non-response and indecision with regard to the quantitative response to the introduction of a simplified system of non-dependent deductions, several focus group respondents amongst the groups highlighted the system's perceived continuing complexity. Some also felt the feature to be ambiguous given that it did not make specific reference to certain groups of people, such as those in education or carers. This was particularly true of respondents representing the following groups: general population families; disability respondents; working families with up to two dependent children; both working and non-working families with three or more dependent children; and single people and childless couples.

Where focus group respondents did feel able to comment, most felt it was fair for deductions to be taken from a person's Council Tax Support in order to fund the gap. In most instances this was felt to be fair only where the non-dependent is in employment and therefore in a position to contribute, but some respondents in the group consisting of households with at least one dependent child, and the group consisting of non-working families with up to two dependent children felt that such deductions were also fair for unemployed people, since the deductions were considered to be relatively small.

Groups identified as needing consideration in respect of this feature included:

- Non-dependent children in education (particularly among those with children at university), whom many respondents still regarded as dependent;
- Carers (particularly among the group consisting of CTB recipients with a disability);
- People working on a freelance basis due to the unpredictability of their income (particularly among the group consisting of CTB recipients with a disability).

Many respondents within the working families with three or more dependent children and the single and childless couple groups felt that there should not be a flat rate deduction, preferring that the amount deducted vary in accordance with the amount earned.

Some respondents, particularly within the general population and disability groups, further observed that the amount of money saved through the increased deductions did not justify the potential impact on affected individuals, nor the potential for additional cost burdens for the Council as a result of affected non-dependents being asked to leave the property. On this latter point, several respondents in the disability group had been forced to ask their carers (family members) to move out due to such changes, leaving them in vulnerable situations without support.

Views on combining features

While overall a third (32%) agreed that the scheme should combine the features outlined above, a fifth (19%) disagreed that this should be the case, yielding a net agreement of +13%, although net agreement was higher among non-recipients of Council Tax Benefit than recipients (+25% compared to +8%).

Three in ten (30%) of all respondents did not offer a response to this question, and a further one in five (19%) neither agreed nor disagreed.

Those aged 65 or more were significantly more likely than younger respondents to agree that the features should be combined (net agreement +31% compared to +14% among those aged up to 64).

Groups among whom a higher level of net agreement was achieved included:

- Those in households with full or part time workers (+23%) and those with no children (+22%);
- White respondents (+20%);
- Christian respondents (+24%) and those identifying themselves as agnostic, atheist or of no religion (+23%).

Groups among whom a lower level of net agreement was achieved included:

- Families with three or more children (+1%), lone parents (+5%) and disabled respondents (+8%);
- Asian respondents (+8%);
- Muslim respondents (+5%).

Protections

Over half (56%) of all respondents felt the Council should consider additional support to give more protection to specific groups of claimants, and this rose to 62% of Council Tax Benefit recipients (compared to 46% of non-recipients). Respondents with a disability (73%) and carers (69%) were more likely than other household types to feel that the Council should consider additional support for specific groups of claimants.

The main groups mentioned are summarised below, along with the number of and the percentage of all respondents who mentioned each group:

- Disabled (661 respondents which equates to 23% of all respondents);

- Those on low income (497 respondents, 17%);
- Pensioners/the elderly (471 respondents, 16%);
- Single parent families (230 respondents, 8%);
- People who are ill (166 respondents, 6%);
- Families/those with children (157, 5%);
- The vulnerable/those most in need (139, 5%);
- Carers (97 respondents, 3%);
- Students/young adults (57 respondents, 2%);
- Those seeking work (39 respondents, 1%).

The following summarises the types of suggestions provided when respondents were asked what forms of support or incentives they thought should be given to these groups:

- More discounts/full support/benefit/100% exemption (587 respondents, 20% of all respondents);
- Incentivise work/help people find work/training (139 respondents, 5%);
- Keep the same level of protection as currently (100 respondents, 3%);
- Provide medical care/the services people need (75 respondents, 3%);
- Assess each case individually (64 respondents, 2%)
- Provide simple advice/information/advice on where to get help (44 respondents, 2%);
- Provide help with housing (43 respondents, 1%).

The views of focus group respondents largely reflected the findings outlined above, with most feeling that those who are unable to work and are in genuine need of support should be protected from the changes under the new Council Tax Support scheme. Most importantly, all respondents stated that those with a disability (either mental or physical) should be protected, especially where it prevents them from working. Respondents within the disability group particularly stressed the need for protection for this group, as their inability to work meant they would simply be unable to afford to contribute additional amounts towards their Council Tax. Many respondents within the group were in fact particularly distressed at the prospect of greater contributions, due to their inability to pay.

Most respondents across the groups also felt that those with long-term sickness preventing them from work should also be protected. Some respondents within the general population groups, however, did question whether certain types of sickness, for example back problems or depression, should always be considered worthy of protection if not proven. It was therefore felt that such protection should be based on a clinical assessment.

In addition, many respondents also typically felt that people who are unable to find work (either in the short or long-term) should be protected. Most felt that the unemployed would simply be unable to afford to pay additional amounts towards their Council Tax. Some respondents in the group comprising households in receipt of

CTB with no dependent children, however, felt that only the unemployed in true poverty should be protected.

Further, most respondents across the groups stated that all people without the means to pay, and particularly low income or vulnerable families and those with nothing, should also be protected from the changes. The need to protect low income families, particularly those with young children, was stressed by many respondents in receipt of Council Tax Benefit who had families. Respondents within the group comprising non-working families in receipt of CTB with up to two dependent children, for example, stated that single parents should be protected as they have few opportunities to work and earn money. It should be noted that the majority of respondents in this group were in fact themselves single parents.

Views were mixed in terms of whether those making a community contribution should be protected. Where such groups were discussed, this was prompted by the moderator. Some respondents felt strongly that those in the armed forces and war veterans/ widows should be protected as compensation for what they have given the country. This was particularly expressed by some respondents representing the following groups: general population residents; residents living in band E and above properties; and working families with dependent children.

It was additionally recognised that certain groups, particularly war widows or those recently returning from the armed forces, may need additional support with living costs. Other respondents, however, questioned the need for additional support (particularly where able to work), or simply stated that support could come from elsewhere (for example: increasing their war pension). For example, one respondent within the group comprising non-CTB recipient households with no dependent children who had been in the armed forces for 23 years stated that such groups are simply not in need of financial support. Further, some respondents in the group comprising non-CTB recipient households with at least one dependent child felt that protection should not be granted for such groups as their career was considered to be a choice.

In terms of those making a community contribution through volunteering more broadly, where discussed (within the general population groups, and with working families with up to two dependent children) most felt that protection should not be offered if the person could seek paid employment. Many respondents (particularly those with children of working age) did, however, agree that young people undertaking internships, or those simply volunteering to gain work experience, should be protected as they often have little alternative.

In several groups, consisting of both working and non-working households, and CTB recipients and non-recipients, respondents also highlighted the need to protect carers from the changes.

Respondents typically felt that those identified as 'protected' groups (as outlined above) should be fully exempt from all of the changes under the new Council Tax Support Scheme. Although several respondents (particularly those representing working families with three or more dependent children) felt that all those currently in

receipt of Council Tax Benefit should be protected from the changes, they recognised that this was not possible. It was therefore recommended that protection should be identified on a case-by-case basis, to ensure only those with an ability to pay are asked to do so. Some respondents in this group did, however, recognise the cost implications associated with this. Further, some respondents highlighted the need to regularly review a person's protection status, and update this as appropriate.

Appendix 4

Other submissions to Consultation

Appendix 4a: Greater London Authority response

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Our ref: CTBLocalisation
Your ref:
Date: 24 October 2012

Dear Bill

LONDON BOROUGH OF BARNET – DRAFT COUNCIL TAX SUPPORT SCHEME GREATER LONDON AUTHORITY RESPONSE TO CONSULTATION

Thank you for your email dated 20 July and attached documentation setting out the draft Council Tax support (CTS) scheme which the London Borough of Barnet was intending to issue for consultation with local residents and stakeholders as required under Schedule 4 to the Local Government Finance Bill. The draft scheme published for consultation is summarised in Appendix A to this letter. This letter sets out the Greater London Authority's formal response to your public consultation which was launched on 1 August.

Introduction

Firstly the GLA recognises that the determination of Council Tax support schemes under the provisions of a Local Government Finance Bill is a local matter for each London borough. Individual schemes will need to be developed which have regard to specific local circumstances both in respect of the potential impact of any scheme on working age claimants (particularly vulnerable groups) and more generally the financial impact on the council and local Council Taxpayers and the final policies adopted may differ therefore across the capital's 33 billing authorities for legitimate reasons.

This fact notwithstanding the GLA also shares in the risks and potential shortfalls arising from the impact of Council Tax benefit localisation in proportion to its share of the Council Tax in each London billing authority. It is therefore important that we are engaged in the scheme development process and have an understanding both of the factors which have been taken into account by boroughs in framing their proposals as well as the data and underlying assumptions used to determine any forecast shortfalls which will inform their final scheme design.

The GLA therefore welcomes the fact that Barnet's consultation documentation provides clear illustrative numbers on the forecast financial implications of and risks associated with its draft Council Tax support scheme.

Framing and Publicising Proposals

The Government has expressed a clear intention that in developing their scheme proposals billing authorities should ensure that:

- Pensioners see no change in their current level of awards whether they are existing or new claimants
- They consider extending support or protection to other vulnerable groups
- Local schemes should support work incentives and in particular avoid disincentives to move into work

The GLA concurs with those general broad principles and would encourage all billing authorities in London to have regard to them in framing their final schemes. The GLA therefore welcomes the fact that Barnet has established a series of clear principles which underpin its draft scheme and there is a clear linkage between these and its scheme design.

It is essential that schemes are presented in a way which is transparent, understandable and accessible to claimants and we therefore welcome the approach which Barnet has taken in its consultation material to explain the potential implications for those affected by its proposed scheme. The GLA notes in particular the inclusion of working examples of the potential effects of the changes on different claimant groups.

It is likely, however, that the level of awareness amongst those working age claimants who will be affected by the potential changes in the borough and across London remains limited and may not crystallise until these individuals receive their revised benefit notifications and Council Tax bills for 2013-14 early next year. There remains a significant risk that collection rates will be affected adversely in the first year of the new system as it will take time for some claimants to set up new or revised payment arrangements. The GLA therefore considers that before finalising their schemes billing authorities should consider the challenges which they will face in collecting relatively small sums of money from claimants on low incomes who may not be in a position to pay by direct debit or other automatic payment mechanisms.

The GLA notes that Barnet has provided forecast collection rates for both their proposed technical changes and for the changes to the Council Tax Support Scheme. We would welcome the opportunity to see the Council's modelling in more detail so that we can understand the assumptions on collection rates and how these feed into the calculation of its financial forecasts.

Financial Context

According to the consultation paper 'Localising Support for Council Tax in England – Funding arrangements consultation' issued by CLG in May Barnet is provisionally estimated to receive £21.40m in Council Tax support grant in 2013-14 with the GLA forecast to receive £5.90m in respect of the Barnet borough area and around £159m for London as a whole. Slightly less than 50% of this funding will be allocated to the business rates retention baseline and will thus have the potential to move in line with the NNDR tax

take including the impact of the annual RPI uplift in the multiplier with the balance being provided through revenue support grant (RSG). The RSG element has the potential to be reduced further over the next CSR period commencing in 2015-16.

In developing its proposals for consultation Barnet has identified a potential difference of around £4.4m between the cost of the Council continuing to provide Council Tax support on the same basis at a present for its share of Council Tax through the 'default scheme' for working age claimants and its expected level of Council Tax support grant. The estimated forecast shortfall in respect of the GLA's share is around £1.0m i.e. a total forecast shortfall for the Barnet borough area of £5.4m.

The Council's draft scheme therefore seeks to identify approaches which would allow it to close the expected funding gap with a number of changes to the existing scheme based around five principles. From these principles the Council has developed seven features with feature 2 - that working age claimants will be required to pay a minimum contribution to their Council Tax – providing the most significant contribution towards reducing its funding gap. The effect of this feature is that all working age claimants (unless they are defined as protected) would have to make a minimum contribution towards their Council Tax bill of between 10% and 25% based on the draft scheme.

Technical Reforms to Council Tax

The GLA considers that in formulating its Council Tax support scheme each billing authority should both consider and address how it intends to take advantage of the technical reforms to Council Tax which will provide greater flexibility in relation to discounts and exemptions for second and empty homes. The additional revenues from the technical reforms could be used to reduce any shortfalls and thus the sums which need to be recovered from working age claimants via any changes to Council Tax support.

We welcome the fact that Barnet has considered how it intends to take advantage of the technical reforms to Council Tax and has incorporated this information within the design of its draft Council Tax support scheme. The GLA would be keen to see updated data on the forecast revenues from the technical changes and what revised assumptions the Council has made in respect of collection rates in respect of empty homes (particularly those currently eligible for the class C exemption).

Protecting Vulnerable Claimants

Where boroughs choose not to adopt the default scheme and therefore pass on any shortfalls to claimants they should seek in their scheme to provide an element of protection to the most vulnerable and those in the most difficult circumstances either within the framework of their scheme or through a hardship scheme.

The GLA welcomes the fact that one of Barnet's principles in the development of the scheme is that the most vulnerable should benefit from a level of protection. We also note that the Council is considering whether it will designate specific groups (or individuals who undertake activities which benefit the wider community) of working age as vulnerable and therefore fully or partially exempt them from any reductions in support.

We note that the Council has modelled options which would offer protection to the following groups but it will not make a final decision on its policy in relation to vulnerable groups until after the conclusion of the public consultation.

- those claimants moving into work for a period of between 1 and 3 months (compared to the current run on period of 4 weeks)
- Apprentices
- Troubled families
- Claimants with disabilities
- Carers and
- volunteers

The GLA also notes that Barnet has established support for those in the most difficult circumstances as being a key principle for its scheme. The Council has indicated that extra support may be given to claimants in exceptional hardship or those engaged in specific support programmes offered by the Council. However, the Council have also recognised that this will depend on the availability of additional resources to meet this need.

Ultimately the decision as to which groups are designated as vulnerable is a matter for local determination having regard to the potential impact on other working age claimants or Council Taxpayers and service users more generally.

Incentivising Work

The GLA considers that a key priority for the design of a localised Council Tax support scheme is to ensure that it does not disincentivise those in work or those seeking to move into work. In order to ensure that schemes meet this objective billing authorities should therefore take particular care in determining their policies on earnings disregards and extended payment periods (i.e. run ons).

The GLA welcomes the fact that Barnet has included the need to incentivise work as one of its guiding principles.

Other Elements of Barnet's Draft Scheme

The GLA also notes the other proposed features of Barnet's draft scheme as set out below (i.e. those not addressed earlier). It has no specific comments on these proposals at this stage as it regards them as being a legitimate matter for local determination:

- removal of the second adult rebate for working age claimants.
- Reducing capital limits from £16,000 to £8,000.
- Limiting the level of support for higher band properties to band D or E.
- A simplified system of non-dependant deductions.

Impact of the Government Announcement on 16 October of an Additional £100m to Support Development of Council Tax Support Schemes

Before determining its final scheme the GLA would encourage Barnet to take into account the Government's announcement on 16 October that it will provide up to £100m of additional reward grant to authorities which adopt schemes which limit the impact of changes in Council Tax support on working age claimants.

Setting the Council Tax base for 2013-14 and Assumptions in Relation to Collection Rates

The Council will be required to set a Council Tax base for 2013-14 taking into account the potential impact of the changes being made. This will require the Council to make a judgement as to the forecast collection rates from those claimants affected by the changes. It is likely in respect of those working age claimants currently in receipt of 100% benefit that the recovery rates will be significantly below the average percentage collection for Council Tax as a whole. We note that the Council intends to offer some support to claimants who are in exceptional circumstances but this is dependent upon the availability of additional resources and this would also need to be factored into the calculations.

The GLA would encourage the Council to provide it with an indicative Council Tax base forecast as soon as options are presented to members for approval in December or January (if not before) in order that it can assess the potential implications for the Mayor's budget for 2013-14. This should be accompanied ideally by supporting calculations disclosing any assumptions around collection rates.

Varying Council Tax Payments in Year

The GLA is keen to develop a dialogue with all 33 London billing authorities as to how the budgeting, cashflow and accounting arrangements for Council Tax support will operate under the new system – particularly in order to manage the sharing of risks. These discussions would also need to address the mechanisms and triggers under which billing authorities will be able to vary their instalment payments to preceptors (i.e. the GLA) in year where, for example, Council Tax collection rates are lower than anticipated or the actual demand for Council Tax support is greater than budgeted for.

We anticipate that the Government will address these issues in the secondary legislation on Council Tax support and business rates retention in the autumn as similar issues are also likely to apply where business rates revenues are lower than forecast.

In the absence of any nationally prescribed policy the GLA would be keen to develop a common wide approach in London which would apply equally across all 33 billing authorities.

This could for example follow the current approach used for the Crossrail Business Rate Supplement where instalments may be varied no more than once per quarter with the trigger for any variation being where the forecast shortfall in revenues exceeds a set percentage of the total precept instalments payable for the year. This would recognise that there is a balance to be struck between cashflow and resource management and the additional administration which would result for both parties if instalment payments were to be changed.

In practice, where shortfalls are not material, the GLA would envisage that any deficits would be recovered through the collection fund deficit calculation in January in the normal way (and thus recovered in the following financial year in cash terms).

Finally I would like to thank you for consulting the GLA and we look forward to working with the London Borough of Barnet over the coming months in order to ensure the successful implementation of the Council Tax support localisation reforms.

Yours sincerely

Martin Mitchell

Finance Manager

Appendix 4b: Barnet Citizens Advice Bureau's response

The Citizens Advice Bureau Service in Barnet is one of the busiest in London and in 2010/2011 we helped more new clients than any other London bureau⁶, and continue to do so. This means that we are in a unique position to contribute to this consultation. We see clients in a holistic way, and are able to identify recurring themes which give us cause for concern. We provide free, impartial, independent and accessible advice to all members of our community.

A major part of our work is becoming involved in social policy and responding to changes and trends that will mean that our vulnerable clients are likely to suffer.

In addition to the services we provide for Barnet residents on our own, we work closely with partner organizations that have clients with specific interests and this can only broaden our experience in understanding the impact of these proposals on the most vulnerable in our society.

We are pleased to be able to contribute to Barnet Council's proposals to replace Council Tax Benefit with a new Council Tax Support Scheme from April 2013. We recognise that this is an extremely challenging time for local authorities whose funding will be cut whilst the demand for services continues to increase.

Section 1: Principles

We welcome a system based on fairness and equity so that those who can pay should pay. It would seem appropriate that the people who work should not be penalised so that they are worse off than those who are not able to work. Equally, those who are in difficult circumstances need support and that the most vulnerable should be protected. We agree also that the scheme should be transparent and accessible to all.

Perhaps the first concern we should raise is that when the examples contain references to "working age claimant", it should not be assumed that in the current economic situation that the claimant will be in work.

One factor to bear in mind is that this benefit is means tested and therefore is designed to help the poorest in our community. This means that the most vulnerable are being asked to fund this shortfall.

Section 2: Proposed Scheme Features

Feature 1

Removal of the current Council Tax Exemptions and discounts for empty properties and second homes, and charging a premium of 50% on properties left empty for longer than two years.

People whose properties remain empty are not necessarily wealthy. Many people whose properties are empty are in fact in a nursing home or a care home to try this out before

⁶ Barnet Citizens Advice Bureau Annual Report 2010/2011

committing to a permanent move, or discovering that this is not what they want and so moving back home. Under this feature, Barnet Council has indicated that full Council tax is payable on properties that have been empty for more than six months. This could result in residents facing a substantial Council Tax bill on discharge that they are unable to pay.

Feature 2

Working age claimants will be required to pay a minimum contribution to their Council Tax.

People – especially young people - on means tested benefits will struggle to cope with this requirement. Means tested benefits are already set at subsistence levels of income and 10 – 25% of their Council Tax liability from a 23 year old's fixed income of £56.25 per week is unlikely to be achievable – and is arguably neither proportionate nor equitable. This is the case for anyone living on a fixed income, but the youngest members of society will bear the brunt. Someone who has to find £213 per year has to pay approximately £4.10 per week. As the benefits levels are unlikely to increase to cover this additional cost, it does not appear reasonable to ask those who have little to make a significantly higher contribution than people for instance who can afford to do so without the same hardship. Not all under 25-year olds have a supportive family who can afford to absorb this shortfall.

Feature 3

Removal of the second adult rebate for working age claimants

The second adult rebate is paid to additional adults in the household who are already living on low incomes. This is also likely to focus on younger people in our community, who are likely to earn less. As a result, we would raise the same issues here as mentioned under Feature 2. The fact that this would only close the funding gap by £61,000 pa if 100% of all Council Tax was collected is an indication that the amounts covered by this feature are relatively small to the Council, but could have a devastating effect on families.

Feature 4

Reducing capital limits.

This would have the effect of not penalising those who are amongst the very poorest, however the impact of punishing those who have saved a little may encourage them to spend their savings so as not to be caught by this option. It may also prove difficult to explain to claimants that one benefits system allows £8,000 capital before considering they are disqualified when another continues to discount capital under £16,000. We would be concerned that people whose first language is not English, or those with mental health or learning disabilities may unintentionally fall foul of this proposal and incur large overpayments. As people currently on means tested benefits are automatically passported onto Housing and Council Tax Benefits, this could be a challenge for Barnet Council requiring a lot of resources to ensure that this change is clearly understood by claimants.

Feature 5

Limiting the level of support for higher banded properties to Band D or E.

This proposal would mean that the Council Tax payer would have to find in excess of £10 per week. Many people who live in larger properties or in areas which have a higher Council Tax liability do so not because they have a high income but rather because they live in their family home or because they have been able to afford the expense previously but are temporarily unable to afford to do so for reasons of sickness or unemployment. We would advocate a period of transitional protection for people in this situation similar to that provided to people claiming Housing Benefit until a change in their circumstances or the anniversary of their claim. This would give claimants an opportunity to either make the decision to move or to consider their budget to take account of the additional contribution they will have to find to remain in the property.

Feature 6

A simplified system of non-dependant deductions

We welcome any move to simplify the complicated benefits system

Appendix 4c: Barnet Youth Board and other young people response

Main concerns and issues raised.

- 1. Main concerns by young people was that although claimants of working age will be expected to pay Council Tax, those who are NEET or having specific problems in their lives would not be able to cope with this additional cost.**

“It is difficult, I’ve got friends who aren’t doing anything with their lives, may have what we would call mental health problems but would really suffer if they needed to set aside extra money for paying Council Tax, unemployment is still affecting young people and not everyone can be supported by parents so this will only cause more problems. Young people who are dependent on themselves and live alone or maybe with children can’t possibly cope with this along with all the other responsibilities they have in life.”

- 2. Some young people highlighted the issue of homelessness and those at risk of homelessness.**

“Those who have problems at home or with family and aren’t safe in their home environment but are too old to go in to care might stay longer in unsafe places, not just because of Council Tax but because things are already difficult for residents and all young people before you even think about adding an extra cost to this.”

“There might be an increase in safeguarding issues if young people are having to cope for longer in unsafe environments because leaving will create additional responsibilities especially if they already have emotional problems to deal with (mental health) You say it will have a negative impact on other services if you keep the current system but the truth is later down the line this will have an impact on services anyway because people will be stressed, have mental issues and be at risk of other problems which you as council will then need to deal with.”

- 3. Information needs to be available and clear in a language young people understand**

“If this change must happen then communication will need to be your best friend, you need to be able to inform residents who pay and also young people who are responsible for themselves and even those who live with their families because there might be extra responsibilities shared within the family which they will need to think about and carry around as a burden while trying to stop themselves from becoming a NEET. (Not in Education Employment or Training). With new shared responsibilities, parents might ask young people to get a job on the side or take on some living costs in addition to studying, work experience and activities to build their skills. This will cause a lot of pressure for families and young people.”

“Poverty is real for many people in Barnet even though I always hear that we are an affluent borough, what about the people who are pushed and strained already- what advice and support is available, April is too close, you need to offer something today- information, advice and more”

“At least you’re doing public road shows cause you really need to raise more awareness on this, I’m not sure people are aware, I haven’t heard about it until now”

4. Strain in families naturally affects the children within the families

“Stress cause family break downs, young people don’t talk about everything going on at home but I’m sure many will agree that when something isn’t right at home, someone is ill or unable to do things necessary then everyone can become unhappy really. Mental health services might have to take on more young people and their families.”

5. Young people who are in care or rely heavily on support from Barnet

“What will happen to young people in care who may have financial problems, on benefit, not able to pay rent, no jobs, mental health problems, trying to hold down their education, no extra funds, personal problems and now Council Tax payments? It may seem like a small change but to some it will have a really negative and huge impact because they are already stretched.”

Appendix 4d: Royal British Legion response



Patron Her Majesty The Queen

*Dr. Chris Simpkins DMA, Hon.DUniv, DL
Director General*

The Royal British Legion
199 Borough High Street
London SE1 1AA

T 020 3207 2361
F 020 3207 2276
W www.britishlegion.org.uk

Mr N Walkley
Chief Executive
London Borough of Barnet
Building 2
North London Business Park
Oakleigh Road South
LONDON N11 1NP

Date: 1 November 2012

Reference: 12/077

Contact: dmartin@britishlegion.org.uk

Dear Mr Walkley

Localised support for council tax – consultation submission

As you will no doubt be aware, as part of the Government's localisation agenda local authorities are now required to design and operate their own council tax support schemes. As part of this process local authorities must consult stakeholders on the proposed design of their schemes. Please accept this letter as The Royal British Legion's submission to your authority's consultation process.

I strongly urge you to ensure that your local authority provides a 100% disregard of military compensation payments when calculating entitlement to council tax support. This includes all War Disablement Pensions, War Widow's Pensions and Armed Forces Compensation Scheme payments. These payments are not an income support payment but are paid as compensation for injury, illness or loss as a result of Service in HM Armed Forces. It is therefore not appropriate, nor a recognition of commitment to the nation, to include such compensation payments in calculations for means tested benefits.

Until the recent changes local authorities were statutorily required to disregard the first £10.00 of these compensation payments. However, following our campaigning work, almost every local authority in the country has used its discretionary power to fully disregard these payments, and this is an approach that we strongly support.

The Government, in its guidance to local authorities, provides a reminder that the discretion to provide a full disregard to them is still available under the new regulations. Indeed it encourages them to do so, in line with the principles of the Armed Forces Covenant¹.

An increasing number of authorities are signing up to the Armed Forces Community Covenant and we are very grateful to those who have done so, or are looking to do so. I believe that the provision of a full disregard of military compensation payments when it comes to calculating council tax support is an essential step in delivering on the principles of the Covenant at a local level.

¹ Localising Support for Council Tax: Vulnerable people – key local authority duties, Communities and Local Government, May 2012.

Shoulder to shoulder with all who Serve

Registered Charity: The Royal British Legion, Haig House, 199 Borough High Street, London SE1 1AA
Registered Charity Number: 219279

I would be very grateful if you could confirm to me that your local authority intends to provide a full disregard of War Disablement Pensions, War Widow's Pensions and Armed Forces Compensation Scheme payments in the design of your council tax support scheme.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Simpkins', written in a cursive style. The signature is underlined with a single horizontal line.

Chris Simpkins DMA, Hon.DUniv, DL

Director General

APPENDIX 5

Summary of Consultation Approach

1. Consultation objectives

The consultation approach aimed to ensure all residents in the borough (including organisations and voluntary groups) had an opportunity to have their say about the potential replacement for Council Tax Benefit.

The objectives of this consultation and engagement programme were to:

- Communicate the need to design a local Council Tax Support scheme to replace Council Tax Benefit, with a 10% reduction in funding
- To understand the views, priorities and impact on existing Council Tax Benefit recipients; and the views and priorities of residents, organisations and voluntary groups
- To assess responses to the principles underpinning a future scheme, views on the proposed model, consideration of potential incentives and protection
- To use the consultation data to shape a final recommendation to Cabinet and full Council, completing relevant impact assessments and designing an effective, efficient and sustainable scheme.

The project used a range of consultation and engagement tools and expertise to generate an evidence base to inform the development of a recommended option.

2. Approach

2.1. Communication

This element of the consultation approach focused on initiating a major communication programme with residents, Council Tax benefit recipients, different stakeholder groups, local media, voluntary organisations, and practitioners). This highlighted the changes proposed by government, the implications for Barnet and residents, principles underpinning any new scheme, and asked residents to engage in consultation activities.

2.2. Communication methods

The communications programme included:

- Press releases placed with the local media, and advertisements
- Information provided through 'Barnet First' magazine to all residents
- Dedicated part of the council website, including a summary of the context, proposals, FAQs, relevant information and access to an online questionnaire
- Information flyers placed in council and partner buildings, and hard copy questionnaires made available through face to face council sites
- Communication to all third sector organisations in the borough
- Targeted communications to organisations (e.g. Barnet Homes, Job Centre Plus, colleges, schools), seeking to cascade information to service users and recipients
- Targeted communications to other council directorates (e.g. Children's Services and ASCH) to cascade information to our other council service users
- Internal communication to our employees

2.3. Engagement and consultation

The process used both consultation and engagement. This sought the views of all residents, current recipients, and those likely to be impacted by changes, and included:

- Questionnaire (online and paper copy) available to all residents and organisations
- Information road show events across the borough, to help residents (and current benefit recipients) understand the planned changes
- Focus groups with sample groups of current Council Tax Benefit recipients, representing different demographic groups and those with protected characteristics
- Presentations to a wide range of organisations representing groups of citizens who are likely to be impacted by the changes

3. Timescales

A 12 week consultation period, from 1 August to 24 October, was used to ensure that respondents had opportunity to access relevant information and make an informed response.

4. Delivery of Consultation activities

All Communications and the majority of consultation activities were undertaken by LBB in-house resources from Corporate Communications, Insight Team and Revenues & Benefits staff. However, in order to ensure independence and rigour in the consultation process, it was decided to engage a suitable supplier to undertake the following activities:

- Collation and analysis of completed questionnaire responses
- Conduct of Focus Groups
- Interim and final consultation reports

Following a market review of potential external providers BMG Research were selected as offering best value and were engaged to undertake these activities.

5. Key statistics

Consultation pack sent to

23,095 Council Tax Benefit recipients

- 1,914 returned (8% of CTB recipients)

1,255 members of Citizens Panel (plus 2 reminder letters)

- 492 returned (39%) – 58 were deleted from the list as no longer resident (gives 41%)

Questionnaire

Overall 2,910 questionnaires completed

Letter sent to

9,693 Council Tax Benefit recipients of pensionable age

Publicity (Press)

138,000 households via Barnet First

70,680 via Barnet Press

64,000 via Barnet Times

Focus Groups

9 groups held

56 participants

Presentations to community group boards and networks

12 boards

141 attendees

Road shows

5 road shows held

717 people engaged

Workshops

2 workshops held

14 attendees

Newsletters

1,500 recipients via Community Barnet + reminder

15,000 recipients via Barnet Homes magazine

200 recipients via Barnet Centre for Independent Living newsletter

755 recipients via School Circular

94 landlords via landlords' mailing list

30 Housing Associations via Housing Association mailing list

550 households and 15 libraries via NHS Patients Circle newsletter

Total 18,129 recipients

Publicity material (posters, leaflets etc) sent to

55 GP's surgeries and health centres

13 Children's Centres and 8 other linked sites

15 libraries

2 Housing Offices

Facebook and Twitter

3,849 followers on Twitter

963 followers on Facebook

6. Consultation Timeline

Group consulted	Method	Objective	Consultation dates	Activities Completed and numbers of participants
All residents	Barnet online and web-based survey	Inform CTS scheme consultation is taking place and provide outlet for their comments, views	1 August 2012 – 24 October 2012	Online consultation published
All residents	Social Media	Inform CTS consultation is taking place and signpost to the documentation	1 August – 24 October 2012	Use of Facebook and Twitter to highlight CTS consultation 3,757 followers on Twitter 963 followers on Facebook
All residents	Press release	Inform CTS consultation is taking place and signpost to the documentation	2 August 2012	Press release published
All residents	1 page advert in Barnet Times and Barnet Press	Inform CTS consultation is taking place and signpost to the documentation	16 August 2012	Advert published
Residents in Social Housing	Surgery at Residents Forum	Inform CTS consultation is taking place and signpost to the documentation	16 August 2012	Surgery completed 7 participants
Council tax benefit recipients – pension age	Letter	Inform CTS consultation is taking place and signpost to the documentation	23 August 2012	Letters sent 9,693 recipients
Community Barnet network	E-newsletter	Inform CTS consultation is taking place and signpost to the documentation	23 August 2012	Newsletter sent 1,500 recipients
Community Barnet	Publicity	Inform CTS consultation is taking place and signpost to the documentation	23 August 2012 – 24 October 2012	CTS text and link to engage space on CB website

Group consulted	Method	Objective	Consultation dates	Activities Completed and numbers of participants
All residents	Paper copy of survey available in libraries	Inform CTS scheme consultation is taking place and provide outlet for their comments, views	24 August 2012	Copies sent out
Residents in Social Housing	Publicity	Inform CTS consultation is taking place and signpost to the documentation	24 August 2012	Newsletter and link published on Barnet Homes website
Council tax benefit recipients – working age	Consultation pack containing letter, document, questionnaire and pre-paid reply envelope	Inform CTS scheme consultation is taking place and provide outlet for their comments, views	29 and 30 August	Packs sent out 23,095 recipients
Residents in Social Housing	Publicity in Barnet Homes magazine	Inform CTS consultation is taking place and signpost to the documentation	Beginning September 2012	Carrier page on Barnet Homes magazine
All residents	Barnet First insert	Inform CTS consultation is taking place and signpost to the documentation	4 September 2012	Published
All residents	Posters in bus shelters	Inform CTS consultation is taking place and signpost to the documentation	4 September 2012 – 2 October 2012	Posters put up
All residents	Roadshow	Inform CTS consultation is taking place and signpost to the documentation	5 September 2012	Roadshow at Burnt Oak Customer Service Centre 32 participants
People in social housing	Presentation	Inform CTS consultation is taking place and signpost to the documentation	5 September 2012	Presentation to Housing Association Liaison Group
Mental Health Network	Presentation	Inform CTS consultation is taking place and signpost to the documentation	6 September 2012	Presentation given Consultation packs handed out 12 participants

Group consulted	Method	Objective	Consultation dates	Activities Completed and numbers of participants
Citizens Panel	Consultation pack	Inform CTS scheme consultation is taking place and provide outlet for their comments, views	6 September	Packs sent 1,255 recipients
Carers Forum	Presentation	Inform CTS consultation is taking place and signpost to the documentation	10 September 2012	Presentation given Consultation packs handed out 20 participants
Mental Health Partnership Board	Presentation	Inform CTS consultation is taking place and signpost to the documentation	11 September 2012	Presentation given Consultation packs handed out 20 participants
All residents	Roadshow	Inform CTS consultation is taking place and signpost to the documentation	12 September 2012	Roadshow at Broadwalk Shopping Centre 145 participants
Carers Strategy Partnership Board	Publicity	Inform CTS consultation is taking place and signpost to the documentation	12 September 2012	Topic publicised at meeting Documentation handed out
Multicultural Group	Presentation	Inform CTS consultation is taking place and signpost to the documentation	13 September 2012	Presentation given Consultation packs and leaflets handed out 4 participants
Older Adults Board	Presentation	Inform CTS consultation is taking place and signpost to the documentation	13 September 2012	Presentation given 14 recipients
All residents	Roadshow	Inform CTS consultation is taking place and signpost to the documentation	14 September 2012	Roadshow at Brent Cross Shopping Centre 270 engaged
Barnet Centre for Independent Living	Presentation	Inform CTS consultation is taking place and signpost to the documentation	18 September 2012	Presentation given 14 participants

Group consulted	Method	Objective	Consultation dates	Activities Completed and numbers of participants
All residents	Roadshow	Inform CTS consultation is taking place and signpost to the documentation	18 September 2012	Roadshow at The Spires Shopping Centre 170 engaged
All residents	Publicity	Inform CTS consultation is taking place and signpost to the documentation	18 September	Letter, poster and 20 leaflets sent to GP surgeries, health centres etc Sent to 55 sites
Selected residents	Focus Group x 4	Inform CTS scheme consultation is taking place and provide outlet for their comments, views on the scheme	19 September 2012	Focus groups held Responses gathered 22 participants
People living independently	Newsletter	Inform CTS consultation is taking place and signpost to the documentation	19 September 2012	Newsletter sent out via Centre for Independent Living mailing list 200 recipients
Education specialists/ families within Barnet	Newsletter	Inform CTS consultation is taking place and signpost to the documentation	19 September 2012	Newsletter sent out via School Circular 755 recipients
Landlords Forum	Presentation	Inform CTS consultation is taking place and signpost to the documentation	20 September 2012	Presentation given 15 recipients
Citizens' Panel	1 st reminder letter	Remind panel members to complete the questionnaire	21 September 2012	Letter sent 1,013 recipients
Physical and Sensory Impairment Board	Presentation	Inform CTS consultation is taking place and signpost to the documentation	21 September 2012	Presentation given 7 recipients
Barnet Homes residents	Presentation	Inform CTS consultation is taking place and signpost to the documentation	21 September 2012	Presentation to Supply and Demand Group 6 recipients

Group consulted	Method	Objective	Consultation dates	Activities Completed and numbers of participants
Children's Centres	Publicity	Inform CTS consultation is taking place and signpost to the documentation	24 September 2012	Posters and leaflets given to all CC managers for display 13 CC's and 8 linked sites
Landlords	Publicity	Inform CTS consultation is taking place and signpost to the documentation	24 September 2012	Newsletter sent out to mailing list 94 recipients
Selected residents	Focus Groups x 2	Inform CTS scheme consultation is taking place and provide outlet for their comments, views on the scheme	24 September 2012	Focus groups held Responses gathered 11 participants
Learning Disability Group	Presentation	Inform CTS consultation is taking place and signpost to the documentation	25 September 2012	Presentation given 12 recipients
Advice Agencies and other interested parties	Workshop	Inform CTS scheme consultation is taking place and provide outlet for their comments, views	25 September 2012	Workshop held, views gathered 5 participants
Housing Associations	Publicity	Inform CTS consultation is taking place and signpost to the documentation	25 September 2012	Newsletter sent out to mailing list 30 Housing Associations
Selected residents	Focus Groups x 3	Inform CTS scheme consultation is taking place and provide outlet for their comments, views on the scheme	27 September 2012	Focus groups held Responses gathered 23 participants
Internal stakeholders	Workshop.	Inform CTS scheme consultation is taking place and provide outlet for their comments, views	27 September 2012	Workshop held, views gathered 9 participants

Group consulted	Method	Objective	Consultation dates	Activities Completed and numbers of participants
Community Barnet Network	Reminder via E newsletter	Inform CTS consultation is taking place and signpost to the documentation	27 September 2012	Newsletter sent
All residents	Roadshow	Inform CTS consultation is taking place and signpost to the documentation	2 October 2012	Roadshow at Burnt Oak Service Centre 100 participants
Children and Young People	Script to be delivered	Inform CTS consultation is taking place and signpost to the documentation	3 October 2012	Children's Services conference ?
Citizen's Panel	2 nd reminder letter	Remind panel members to complete the questionnaire	5 October 2012	Letter sent out 773 recipients
Older Adults	Presentation	Inform CTS consultation is taking place and signpost to the documentation	16 October 2012	Presentation given 10 recipients
People with learning disabilities	CTS support session	Inform CTS consultation is taking place and explain and help carers and support workers in aiding service users in completing the questionnaire	16 October 2012	Presentation given and help and support provided 1 attendee
People with learning disabilities	CTS support session	Inform CTS consultation is taking place and explain and help carers and support workers in aiding service users in completing the questionnaire	17 October 2012	Presentation given and help and support provided 4 attendees
National Landlords	Publicity	Inform CTS consultation is taking place and signpost to the documentation	17 October 2012	Presentation given
Community Barnet Network	Reminder via E newsletter	Inform CTS consultation is taking place and signpost to the documentation	18 October 2012	Newsletter sent

Group consulted	Method	Objective	Consultation dates	Activities Completed and numbers of participants
Barnet NHS Patients	Publicity	Inform CTS consultation is taking place and signpost to the documentation	18 October 2012	NHS Patients First newsletter sent to <ul style="list-style-type: none"> • 550 households • 15 libraries
People with disabilities	Presentation at Experts by Experience	Inform CTS consultation is taking place and signpost to the documentation and offer of further support	25 October 2012	Presentation given, contact details taken, LBB contact details handed out 8 participants

Mental Health Partnership Board membership (via LBB)

Mind in Barnet
 One Housing
 Barnet Voice for mental health
 Depression Alliance
 Barnet Centre for Independent Living
 Barnet, Enfield and Haringey mental health NHS Trust
 Barnet Asian Women's Association
 Barnet Refugee Service
 The Network
 Jewish Care
 Clinical Commissioning Group
 Barnet Carers Centre
 Barnet and Southgate College
 Richmond Fellowship
 Barnet multilingual Wellbeing Service
 Barnet Bi-polar Self Management Group
 Barnet LINK

Service Users

Mental Health Network membership (via Community Barnet)

Relate

Jewish Care

Rethink Mental Illness

Barnet Depression Alliance

Barnet Voice

One Housing

BAWA

Mind

Richmond Fellowship

Community Barnet

Community Focus

Physical and Sensory Impairment Partnership Board membership (via LBB)

NHS

Barnet Deaf Community

Sense

Middlesex Association for the Blind

MS Society

Barnet Carers Centre

DAbB

Advocacy in Barnet

Older Adults Partnership Board

Community Barnet

Stroke Association

Jewish Deaf Association

Service users

Learning Disability Group membership (via Community Barnet)

Barnet Mencap

Self Unlimited

Norwood

CQC
London Visual Impairment Forum
Kisharon
St Joseph's Pastoral Centre

Multicultural and Older Adults Networks membership (via Community Barnet)

Advocacy in Barnet
Age UK Barnet
Alzheimer's Society Barnet Branch
Anand Day Centre
Barnet Asian Old Peoples Association
Barnet Asian Women's Association
Barnet Elderly Asians Group
Chipping Barnet Day Centre for the Elderly
Edgware and Mill Hill Friendship Centre
Farsophone Association in Britain
Friend in Need
Good neighbour scheme for Mill Hill and Burnt Oak
Hindu Cultural Society
Jain Sangha of Europe
Mind in Barnet
Community Barnet

Carers Strategy Partnership Board (via LBB)

26 members

Carers Forum

Older Adults Partnership Board (via LBB)

Barnet 55+ forum
Advocacy in Barnet
Barnet Elderly Asians Group
Community Barnet

Service users

Barnet Centre for Independent Living (Independent)

Advocacy in Barnet

Barnet Carers

Barnet Mencap

Barnet Mind

Barnet Voice

Barnet Borough Sight Impaired

Barnet Disabled for Independence with Support in the Community

DaBB

Barnet Association for the Blind

Richmond Fellowship

Young Autistic Spectrum Socialising

School circular (approx 775 recipients)

Secondary Bursars

Education Management Team

Education Psychology Team

Education Specialist Team

All Children's Centres

All school heads

All schools offices

Chair of Governors

Safeguarding children board

Vice chair of governors

APPENDIX 6

Equalities Impact Assessment

1. Details of function, policy, procedure or service:	
Title of what is being assessed: Council Tax Support Scheme	
Is it a function, policy, procedure or service?: Service	
Department and Section: Revenues & Benefits	
Date assessment completed: November 2012	
2. Names and roles of officers completing this assessment:	
Lead officer	John Gregson
Stakeholder groups	A wide range of stakeholder groups have been consulted as outlined in Appendix 5 of this Cabinet paper
Representative from internal stakeholders	
Departmental Equalities rep	Julie Pal
HR rep (for employment related issues)	
3. Full description of function, policy, procedure or service:	
<p>The following sections set out findings from an assessment of the future Council Tax Support scheme. This equality impact assessment (EIA) is part of the Council's commitment to assessing equalities as set out in the corporate plan 2011-13. A principle underpinning the introduction of this scheme was to ensure that we listened to the views of many groups and captured their voices in helping us to shape the design of the scheme.</p> <p>The design principles and potential features of the future scheme have been subject to an extensive consultation process that has been used to inform the design of the final scheme proposed for adoption by the council.</p> <p>The Equality and Human Rights Commission's guide to decision makers in using the equalities duties to make fair financial decisions state that the equality duties do not prevent the council from making decisions which may affect one group more than another. The equality duties should be used to ensure financial decisions are made in a fair, transparent and accountable way, considering the needs and the rights of different members of the community. This is achieved through assessing the impact that changes to policies, procedures and practices could have on different equality groups.</p> <p>Why is it needed?</p> <p>Section 33 of the Welfare Reform Act 2012 abolishes Council Tax Benefit and states that support for Council Tax will not be included in the Universal Credit set up by Section 1 of that Act. The Local Government Finance Act 2012 makes provision for the localisation of Council Tax Support. The council is therefore required to design a local Council Tax Support (CTS) scheme, to take effect on 1 April 2013.</p> <p>Draft regulations ensure that pensioners (those who qualify for state pension support) are not</p>	

disadvantaged by the reform of Council Tax Benefit and also state that local authorities must have due regard to their duties under the Equality Act 2010, as well as their duties in relation to disabilities, homelessness and child poverty. There is a requirement for the authority to demonstrate that the proposed local scheme has pay due regard to the public sector equality duty.

The current scheme is a centrally regulated, means tested benefit, funded through demand-led expenditure and administered by Local Authorities on behalf of DWP. The proposed replacement from DCLG will have a fixed grant at 90% of current CTB expenditure, and, in line with Government's localism agenda, will be decentralised to enable Local Authorities to establish local schemes. The framework includes provision for pensioners to be protected at existing rates through national regulations, placing the burden of the funding reduction on working age groups.

Currently, there are around 30,000 benefit claimants in Barnet who receive help paying their Council Tax through Council Tax Benefit (CTB). Current demand-led CTB expenditure of £32m will be cut by 10% from April 2013. When the GLA's contribution, and central forecasts of increases in Council Tax and take-up rates are taken into account, this represents a gap of £3.7m for the Council in 2012/13.

What are the outcomes to be achieved? What are the aims and objectives?

The council's broad strategic objective is to implement a localised Council Tax Support scheme for 2013/14 only, minimising the impact to those most vulnerable within the community while managing any future financial risk to the Council within the 10% reduction in government funding. Decisions on the design of the scheme for subsequent years will be made during 2013/14 and will be subject to further consultation and evaluation.

Cabinet has decided that the new scheme should be self-financing – savings cannot be found elsewhere in the council to compensate for the reduction in funding, nor should this shortfall be taken from reserves. A new scheme will therefore be developed that manages the funding gap of approximately £3.7m in 2013/14.

Within the Act Council Tax Support claimants who are pensioners will be protected so that they will receive no less support than they would under the current Council Tax Benefit scheme. Local authorities must develop approaches to meet their local needs but should consider the impact on the most vulnerable when designing their schemes.

Through technical changes to the relevant regulations, government has also extended the powers of local authorities to change the level of Council Tax discounts and exemptions on empty properties. The council aims to make full use of these changes to minimise the impact on working-age Council Tax Support claimants.

Who is it aimed at? Who is likely to benefit?

The principal segment of Barnet's population that will be impacted by this initiative is working age Council Tax Benefit claimants. At present the majority of claimants receive a full rebate of their Council Tax bill, so they do not pay anything. Under the proposed scheme all working age claimants will be required to contribute something towards their Council Tax (pensioners are protected). Some working age claimants may be particularly vulnerable to the proposals, for example disabled people and people on very low incomes.

In addition, segments of the population that will be affected by various features of the new scheme and other related decisions are as follows:

- Those who own empty properties in the borough (including landlords and second home owners) will lose the current discounts and exemptions granted in the case of properties being left empty or undergoing renovation and therefore unfit for habitation
- Claimants with other adults (non-dependants) living in the household may also receive a different level of benefit

The following customers/stakeholders have been identified:

- Existing Council Tax Benefit claimants
- Future Council Tax Benefit claimants
- Workforce – Housing Benefit, Council Tax Teams and Customer Services
- Other Council Services
- Voluntary Organisations supporting vulnerable people
- Precepting Authorities (GLA, Police, Fire)
- Council Tax payers
- Residents (if funding has to be found elsewhere could affect other services)
- Families with children
- Lone parents
- Carers
- Part time and full time workers who are claiming Council Tax Benefits
- People who are disabled and are claiming Council Tax Benefits
- Single people and couples without children
- People with mental health issues
- People who are on a low income and do not have a good education and therefore unable to earn more
- Young people leaving care
- Low paid workers

How have needs based on the protected characteristics been taken account of?

A 90-day consultation process has been undertaken to canvass the views of citizens to the proposed changes. Data relating to all the protected characteristics was sought in the consultation questionnaire and the different views of the various segments analysed. Both quantitative (based on numbers of respondents agreeing or disagreeing with a particular aspect of the proposal) and qualitative (people's general views) findings were generated from the research.

Focus groups were held as part of the consultation process. These were set up to explore the views of a number of specific groups, including those with a disability, single parents, and families with children, and the results have been included in the qualitative research results.

What data sources have been used to inform this assessment?

This assessment has been informed by the available data on current benefits held on the Revenues and Benefits system, OpenRevenues, and the results of the consultation exercise on this subject held between 1 August 2012 and 24 October 2012. In addition, national and local data sets have been used to inform the analysis of how protected groups may be impacted by the proposed changes.

The available data is shown in the table below. Note that, since data on protected characteristics is not collected via the Revenues and Benefits system, data from respondents to the consultation questionnaire who receive Council Tax Benefit is shown as a proxy.

Protected group	Breakdown	Council Tax Benefit recipients		Consultation statistics ³ (weighted)	All households	
		National statistics ¹	Barnet statistics ²		National statistics ⁴	Barnet statistics ⁵
Age	Working age	51%	96%	92%	72%	62%
	Older than working age	49%	4%	8%	28%	13%
	Under 25		7%	11%		32%
	25-34		27%	27%		17%
	35-44		31%	26%		15%
	45-54		17%	18%		13%
	55-64		12%	10%		10%
	65 and over		4%	8%		13%
Disability	In receipt of a disability benefit	18%			6%	4%
	Not in receipt of a disability benefit	82%			94%	96%
	Consider themselves to have a disability		33%	24%	19%	13%
	Do not consider themselves to have a disability		67%	76%	81%	87%
Gender	Male	38%	39%	45%	48%	48.5%
	Female	62%	61%	55%	52%	51.5%
Marital status	Married					48%
	Never married					36%
	Separated					2%
	Divorced					6%
Lone parents	Female	93%			91%	
	Male	7%			9%	
Pregnancy /maternity	Pregnant or on maternity leave		5%	4%		
	Not pregnant or on maternity leave		95%	96%		
Race/ ethnicity	White	90%	64%	62%	91%	65%
	Ethnic minority	10%	36%	38%	9%	35%
Religion	Christian		46%	49%	70%	55%
	Muslim		14%	11%	5%	7%
	Jewish		10%	9%	1%	15%
	Hindu		6%	7%		
	Other religion		7%	5%		
	No religion/agnostic/ atheist		16%	19%	22%	13%
Sexual orientation	Heterosexual		90%	89%		
	Bisexual		5%	5%		
	Lesbian		3%	3%		

¹National statistics taken from 3 years of Family Resources Survey 2005/6 to 2007/8, quoted in Retrospective EIA for Housing Benefit and Council Tax Benefit

²Barnet statistics on Council Tax Benefit recipients taken as a proxy for actual figures from responses to the consultation questionnaire

³Consultation respondents weighted in line with the proportions of Council Tax Benefit recipients and non-recipients in Barnet's population

⁴National statistics on general population taken from 2011 Census

⁵Barnet statistics on the general population taken from 2011 census data and the GLA annual population survey 2010

Further detailed breakdown of the available data from the consultation respondents is as follows:

- Of those Council Tax Benefit recipients that considered themselves to have a disability, the following impairments were quoted:
 - Reduced physical capacity (43% of respondents)
 - Mental illness (35%)
 - Mobility (35%)
 - Learning difficulties (11%)
 - Physical co-ordination (10%)
- The origin of ethnic minority respondents who claim Council Tax Benefit was cited as:
 - African (10% of all respondents)
 - Indian (6%)
 - Pakistani (1.5%)
 - Other Asian (6%)
 - Caribbean (3%)
 - Mixed race (5%)

A summary of the consultation report is attached to this report at Appendix 3 and the full report is available at engage.barnet.gov.uk.

Quantitative research findings relevant to the proposed scheme features are shown in the following tables. Figures significantly higher than average are highlighted in green and those significantly lower than average are highlighted in red.

Feature 1: Removal of exemptions and discounts for empty properties

Row percentages	Agree	Neither nor	Disagree	Net agree	Unweighted base
Council Tax Benefit					
Recipient	66%	13%	12%	+54%	(1,916)
Non-recipient	62%	9%	14%	+48%	(994)
Age					
Under 65	65%	12%	13%	+52%	(2,540)
65+	81%	5%	11%	+70%	(188)
Household type					
Family children 1-2	63%	14%	15%	+48%	(708)
Family children 3+	56%	15%	15%	+41%	(303)
Lone parent	66%	11%	12%	+54%	(567)
Carer	75%	9%	10%	+65%	(115)
FT/ PT workers	72%	10%	12%	+60%	(413)
Disabled	69%	12%	10%	+59%	(402)
No children	72%	9%	12%	+60%	(644)
None	56%	10%	12%	+44%	(490)
Ethnicity					
White	76%	7%	11%	+65%	(1,268)
Asian	59%	14%	16%	+43%	(301)
Black	56%	17%	12%	+44%	(230)
Mixed	47%	13%	19%	+28%	(85)
Other	71%	10%	14%	+57%	(79)
Religion					
Christian	70%	11%	11%	+59%	(813)
Hindu	62%	13%	12%	+50%	(112)
Jewish	76%	7%	15%	+61%	(184)
Muslim	52%	17%	17%	+35%	(225)
Agnostic/ Atheist/None	80%	6%	9%	+71%	(326)
Other	67%	9%	14%	+53%	(127)
Sexual orientation					
Heterosexual	69%	12%	10%	+59%	(1,428)
LGB	61%	14%	9%	+52%	(160)

Feature 2: Working age people contributing to their Council Tax liability

Row percentages	More than 90%	90%	85%	80%	75%	Less than 75%	Un-weighted base
Total sample	24%	11%	7%	6%	7%	10%	(2,910)
Council Tax Benefit							
Recipient	27%	12%	6%	5%	6%	8%	(1,916)
Non-recipient	19%	10%	8%	8%	11%	14%	(994)
Age							
Under 65	25%	11%	6%	6%	7%	10%	(2,540)
65+	12%	12%	15%	12%	15%	16%	(188)
Household type							
Family children 1-2	21%	13%	7%	7%	9%	11%	(708)
Family children 3+	27%	12%	8%	5%	7%	8%	(303)
Lone parent	24%	11%	5%	5%	6%	9%	(567)
Carer	30%	12%	6%	3%	7%	13%	(115)
FT/ PT workers	23%	12%	7%	9%	12%	13%	(413)
Disabled	33%	11%	5%	3%	4%	7%	(402)
No children	26%	13%	9%	7%	9%	10%	(644)
None	23%	9%	5%	4%	4%	9%	(490)
Ethnicity							
White	26%	13%	8%	8%	8%	11%	(1,268)
Asian	26%	10%	7%	5%	7%	12%	(301)
Black	20%	15%	5%	7%	8%	11%	(230)
Mixed	16%	13%	11%	8%	8%	9%	(85)
Other	28%	10%	8%	8%	13%	10%	(79)
Religion							
Christian	21%	13%	8%	7%	9%	12%	(813)
Hindu	25%	10%	4%	7%	9%	15%	(112)
Jewish	29%	14%	10%	9%	13%	9%	(184)
Muslim	27%	9%	7%	3%	8%	8%	(225)
Agnostic/ Atheist/None	29%	12%	8%	8%	9%	11%	(326)
Other	27%	7%	6%	7%	6%	16%	(127)
Sexual orientation							
Heterosexual	29%	12%	5%	5%	6%	9%	(1,428)
LGB	19%	9%	7%	4%	8%	9%	(160)

Feature 3: Removal of second adult rebate

Row percentages	Agree	Neither nor	Disagree	Net agree	Don't know/not provided	Unweighted base
Council Benefit Tax						
Recipient	39%	19%	24%	+15%	18%	(1,916)
Non-recipient	39%	13%	24%	+15%	24%	(994)
Age						
Under 65	39%	18%	25%	+14%	18%	(2,540)
65+	54%	14%	20%	+34%	12%	(188)
Household type						
Family children 1-2	36%	21%	26%	+10%	17%	(708)
Family children 3+	38%	19%	23%	+15%	20%	(303)
Lone parent	33%	20%	28%	+5%	19%	(567)
Carer	43%	16%	25%	+18%	17%	(115)
FT/ PT workers	41%	19%	29%	+12%	10%	(413)
Disabled	41%	15%	25%	+16%	19%	(402)
No children	46%	15%	23%	+23%	16%	(644)
None	32%	12%	22%	+10%	34%	(490)
Ethnicity						
White	47%	15%	24%	+23%	13%	(1,268)
Asian	36%	23%	25%	+11%	17%	(301)
Black	35%	17%	27%	+8%	22%	(230)
Mixed	25%	22%	26%	-1%	27%	(85)
Other	38	15%	35%	+3%	11%	(79)
Religion						
Christian	44%	15%	25%	+19%	16%	(813)
Hindu	39%	29%	17%	+22%	14%	(112)
Jewish	53%	9%	32%	+21%	8%	(184)
Muslim	33%	25%	20%	+13%	22%	(225)
Agnostic/ Atheist/None	47%	13%	29%	+18%	11%	(326)
Other	33%	20%	26%	+7%	21%	(127)
Sexual orientation						
Heterosexual	39%	18%	25%	+14%	17%	(1,428)
LGB	38%	21%	14%	+24%	26%	(160)

Feature 4: Reducing capital limits

Row percentages	Agree	Neither nor	Disagree	Net agree	Don't know/not provided	Unweighted base
Council Benefit						
Recipient	38%	16%	32%	+6%	15%	(1,916)
Non-recipient	38%	10%	33%	+5%	20%	(994)
Age						
Under 65	40%	14%	31%	+9%	14%	(2,540)
65+	32%	10%	49%	-17%	9%	(188)
Household type						
Family children 1-2	40%	16%	30%	+10%	14%	(708)
Family children 3+	28%	18%	38%	-10%	15%	(303)
Lone parent	42%	13%	29%	+13%	17%	(567)
Carer	38%	15%	34%	+4%	13%	(115)
FT/ PT workers	45%	11%	33%	+12%	11%	(413)
Disabled	37%	12%	37%	±0%	13%	(402)
No children	43%	11%	36%	+7%	10%	(644)
None	29%	11%	30%	-1%	30%	(490)
Ethnicity						
White	45%	12%	34%	+11%	9%	(1,268)
Asian	34%	19%	33%	+1%	14%	(301)
Black	34%	16%	27%	+7%	23%	(230)
Mixed	34%	22%	25%	+9%	19%	(85)
Other	46%	6%	39%	+7%	9%	(79)
Religion						
Christian	42%	14%	30%	+12%	14%	(813)
Hindu	38%	18%	31%	+7%	13%	(112)
Jewish	35%	8%	53%	-18%	4%	(184)
Muslim	32%	23%	28%	+4%	17%	(225)
Agnostic/ Atheist/None	49%	7%	36%	+7%	8%	(326)
Other	43%	17%	24%	+19%	16%	(127)
Sexual orientation						
Heterosexual	42%	14%	32%	+10%	12%	(1,428)
LGB	36%	16%	25%	+11%	24%	(160)

Feature 5: Restricting discounts to Band D or E

Row percentages	Agree	Neither nor	Disagree	Net agree	Don't know/not provided	Unweighted base
Council Benefit Tax						
Recipient	34%	19%	22%	+12%	25%	(1,916)
Non-recipient	47%	11%	17%	+30%	26%	(994)
Age						
Under 65	39%	17%	21%	+18%	23%	(2,540)
65+	54%	16%	16%	+38%	14%	(188)
Household type						
Family children 1-2	40%	17%	21%	+19%	22%	(708)
Family children 3+	29%	19%	27%	+2%	24%	(303)
Lone parent	30%	20%	24%	+6%	26%	(567)
Carer	40%	13%	30%	+10%	17%	(115)
FT/ PT workers	48%	14%	20%	+28%	18%	(413)
Disabled	35%	16%	25%	+10%	23%	(402)
No children	47%	16%	18%	+29%	19%	(644)
None	34%	13%	16%	+18%	37%	(490)
Ethnicity						
White	48%	14%	21%	+27%	17%	(1,268)
Asian	37%	21%	21%	+16%	21%	(301)
Black	32%	21%	15%	+17%	32%	(230)
Mixed	36%	14%	21%	+15%	28%	(85)
Other	47%	13%	24%	+23%	16%	(79)
Religion						
Christian	44%	16%	17%	+27%	22%	(813)
Hindu	40%	25%	17%	+23%	18%	(112)
Jewish	49%	12%	30%	+19%	9%	(184)
Muslim	28%	21%	22%	+6%	29%	(225)
Agnostic/ Atheist/None	50%	13%	20%	+30%	18%	(326)
Other	36%	12%	23%	+13%	29%	(127)
Sexual orientation						
Heterosexual	36%	19%	21%	+15%	24%	(1,428)
LGB	37%	16%	20%	+17%	27%	(160)

Feature 6: Simplified system of non-dependent deductions

Row percentages	Agree	Neither nor	Disagree	Net agree	Don't know/not provided	Unweighted base
Council Tax						
Benefit						
Recipient	38%	23%	13%	+25%	27%	(1,916)
Non-recipient	45%	15%	12%	+33%	28%	(994)
Age						
Under 65	41%	21%	13%	+28%	26%	(2,540)
65+	54%	22%	9%	+45%	15%	(188)
Household type						
Family children 1-2	42%	19%	12%	+30%	27%	(708)
Family children 3+	36%	23%	17%	+19%	24%	(303)
Lone parent	35%	23%	14%	+21%	28%	(567)
Carer	43%	18%	14%	+29%	25%	(115)
FT/ PT workers	46%	22%	12%	+34%	21%	(413)
Disabled	37%	20%	14%	+23%	29%	(402)
No children	48%	22%	9%	+39%	20%	(644)
None	33%	17%	12%	+21%	38%	(490)
Ethnicity						
White	48%	19%	12%	+36%	21%	(1,268)
Asian	39%	29%	12%	+27%	21%	(301)
Black	37%	20%	13%	+24%	29%	(230)
Mixed	40%	24%	6%	+36%	31%	(85)
Other	56%	16%	14%	+42%	14%	(79)
Religion						
Christian	48%	19%	11%	+37%	23%	(813)
Hindu	45%	26%	11%	+34%	19%	(112)
Jewish	49%	18%	15%	+34%	17%	(184)
Muslim	33%	26%	12%	+21%	28%	(225)
Agnostic/ Atheist/None	48%	18%	12%	+36%	22%	(326)
Other	40%	19%	15%	+25%	26%	(127)
Sexual orientation						
Heterosexual	42%	21%	12%	+30%	25%	(1,428)
LGB	29%	26%	10%	+19%	35%	(160)

Protections

Over half (56%) of all respondents felt the Council should consider additional support to give more protection to specific groups of claimants, and this rose to 62% of Council Tax Benefit recipients (compared to 46% of non-recipients). Respondents with a disability (73%) and carers (69%) were more likely than other household types to feel that the Council should consider additional support for specific groups of claimants.

The main groups mentioned are summarised below, along with the number of and the percentage of all respondents who mentioned each group:

- Disabled (661 respondents which equates to 23% of all respondents);
- Those on low income (497 respondents, 17%);
- Pensioners/the elderly (471 respondents, 16%);
- Single parent families (230 respondents, 8%);
- People who are ill (166 respondents, 6%);
- Families/those with children (157 respondents, 5%);
- The vulnerable/those most in need (139 respondents, 5%);
- Carers (97 respondents, 3%);
- Students/young adults (57 respondents, 2%);
- Those seeking work (39 respondents, 1%).

Qualitative findings from the consultation included:

Feature 1:

Focus group respondents demonstrated high levels of agreement with this feature, with many respondents in all groups feeling that those with second homes or empty properties could afford to contribute to their council tax, and many highlighting the benefits of the feature in overcoming the shortages of housing in the Borough by bringing empty properties back into use, and raising revenue to fill the funding gap. In particular, respondents demonstrated high levels of agreement for the removal of discounts for second homes, and the introduction of a premium for properties left empty for long periods of time.

However, there were a number of concerns expressed in the focus groups, as summarised below:

- The impact on those with properties left empty for short periods of time, for whom it might become necessary to sell their homes;
- The impact on those who have inherited a second property, who might be forced to sell regardless of the wider financial implications;
- The feeling that the changes might lead to a decline in property development, and the consequent impact of this on job opportunities etc.;
- The impact on those trying to sell or rent their property;
- The unfairness of the proposal given that empty properties make no use of council services;
- The impact in instances where a property is empty as a result of fire or flood;
- Difficulties in enforcement, particularly in relation to absent landlords

Feature 2:

In the focus groups, views were mixed regarding the introduction of a maximum amount of Council Tax Support. While many felt it was fair to introduce a minimum contribution toward council tax in order to share the responsibility of payment for the Council's services, there were discrepancies over who should be asked to contribute. While several respondents within most of the groups felt that everyone should contribute whether in work or not, concerns were expressed with regard to the following groups:

- People who are unemployed (including people short-term unemployed due to redundancy);
- Those with an inability to pay (e.g. low income families);
- Those with a disability.

Some respondents were also concerned that this might drive people to crime or to borrowing, and additionally felt that the introduction of this feature might be costly for the council as a result of residents' inability to pay additional amounts.

The overriding feeling was that each person should be considered on the basis of their individual circumstances, so that only those with the ability to pay were asked to do so.

Where focus group respondents did feel it was acceptable to introduce a minimum contribution, ten% was considered to be the most appropriate amount, reflecting the quantitative findings. While several respondents suggested the contribution could be as high as fifteen or twenty%, most recognised that households who were in receipt of Council Tax Support would be unable to afford this increase.

Feature 3:

The majority of focus group respondents were unaware of the second adult rebate, or whether they were in fact eligible to receive it. Consequently many found it difficult to understand how the rebate was calculated or applied. For this reason many felt unable to comment on whether or not they were in support of the removal.

Where respondents did feel able to comment, some felt it should be removed because they felt that this group would be likely to be able to afford to pay, and that they should pay to compensate for their use of Council services. However some focus group respondents felt the second adult rebate should not be removed for a number of reasons:

- Those accommodating second adults would be unlikely to receive a contribution from the second adult to compensate for the loss of the discount, due to their inability to pay;
- Those accommodating second adults should continue to be compensated for supporting those on low incomes who would otherwise seek more support from the Council;
- Children over the age of eighteen are not necessarily regarded as non-dependent, so should not be expected to contribute to council tax;
- The funds generated from the removal were not considered sufficient to outweigh the impacts on the budgets of those affected, and the difficulties in enforcement.

Feature 4:

The majority of respondents in most focus groups strongly opposed the reduction of capital limits, regardless of whether it affected them personally. It was felt that the limit of £8,000 was too low and should be increased to reflect current living costs, particularly in London (respondents across the groups suggested figures of between £20,000 and £32,000). A key concern was the disincentive such a proposal would have on saving, and the possible negative impact this would have due to an

increased reliance on the Council. Concerns were also raised as to the possibility of residents 'hiding' money, and the impact this would have on the Council in terms of enforcement, and in relation to the limited amount of funds generated as compared to the negative impact on individuals. The minority of focus group respondents who did agree with the reduction of capital limits did so because they felt that only those in genuine need – i.e. people with no savings such as themselves – should be eligible for support, or that it would make little difference since people on Council Tax Benefit such as themselves would be unlikely to have such a level of savings.

Feature 5:

The qualitative response was that most groups opposed the restriction of discounts above band D or E. The key reason was the view that a person's property band does not necessarily reflect their ability to pay, with concern expressed that people would be forced to move to smaller properties which may be inappropriate for their needs.

Several population groups were highlighted as areas of concern:

- Larger families who require a larger property;
- Those who do not own their own property, such as those who pay 'interest-only' on their mortgage, or housing association tenants who are unable to choose where they live;
- Those with a disability whose banding may be higher as a result of the need to live in suitably adapted properties;
- Those whose cultural or religious background requires them to live in certain areas (e.g. Jewish Orthodox) which may by definition be in higher banded areas.

However some focus group respondents welcomed the suggestion to restrict discounts above band D or E, as they felt that people living in higher banded properties could downsize to more affordable properties.

Overall, it was felt that, if the Council were to introduce such restrictions, these should be limited to Band E or above.

Feature 6:

Several focus group respondents highlighted the system's perceived continuing complexity. Some also felt the feature to be ambiguous given that it did not make specific reference to certain groups of people, such as those in education or carers.

Where focus group respondents did feel able to comment, most felt it was fair for deductions to be taken from a person's Council Tax Support in order to fund the gap. In most instances this was felt to be fair only where the non-dependent is in employment and therefore in a position to contribute, but some respondents felt that such deductions were also fair for unemployed people, since the deductions were considered to be relatively small.

Groups identified as needing consideration in respect of this feature included:

- Non-dependent children in education;
- Carers;
- People working on a freelance basis due to the unpredictability of their income.

Some respondents felt that there should not be a flat rate deduction, preferring that the amount deducted vary in accordance with the amount earned.

Some respondents further observed that the amount of money saved through the increased deductions did not justify the potential impact on affected individuals, nor the potential for additional cost burdens for the Council as a result of affected non-dependents being asked to leave the property. On this latter point, several respondents in the disability group had been forced to ask their

carers (family members) to move out due to such changes, leaving them in vulnerable situations without support.

4. How are the equality strands affected? Please detail the effects on each equality strand, and any mitigating action you have taken so far

The nature of the proposed changes means that there will be a negative impact on many segments of the population, including members of protected groups. However, higher concentrations of particular groups with protected characteristics may be impacted by each feature. No groups will be positively impacted by this proposal – the best case is that there will be a neutral impact compared with the current Council Tax Benefit scheme.

The sections below identify the likely impact of each feature of the proposed scheme in turn on each equality strand. The question asked is: Could the impact of the features adopted as part of the CTS scheme differ from the general population according to the following equality strands, for example, because they have particular needs, experiences, concerns or priorities in relation to the proposal?

Feature 1: Removing exemptions and discounts for empty properties

The feature is proposed to be adopted for 2013/14

Note that this is not a feature of the scheme itself but the use of increased powers granted to local authorities to set the level of certain discounts and exemptions. Those with empty homes will lose the discount they currently enjoy on their Council Tax liability. Properties that remain empty for more than 2 years will be charged a premium of 50% on their Council Tax liability. This feature has been adopted for 2013/14 to help overcome the shortage of properties in the area by encouraging them to be brought back into use.

Unlike the other features that were included in the consultation exercise, this feature will impact generally on all those with empty properties rather than those who are currently receiving Council Tax Benefit. The groups impacted by this feature will include landlords (who will incur additional costs for their properties between tenancies), second home owners who occasionally use their properties but live somewhere else, and those whose homes are empty for a period of time. By adopting this feature, the financial burden on those currently receiving Council Tax Benefit has been reduced.

It is not proposed to introduce any specific mitigations to the impacts of this feature of the scheme on any protected groups, although those in severe hardship will be able to apply for discretionary support from the new Crisis Fund being set up by the council to take over from the discretionary elements of the government-run Social Fund. It is also proposed to ensure that any awareness raising campaign includes reference to existing exemptions which people may be entitled to. The Council has a discretion as to how to enforce council tax debts and can take account of an individual's circumstances when deciding on the most appropriate enforcement method to use.

Equality Strand	Affected?	Explain how affected
Age	<p>Age data on citizens with second or empty homes is not available, although it is probable that older age groups (eg above 40) are more likely to be able to afford second homes or be landlords and will therefore be affected by this feature.</p> <p>Since this feature is not part of the scheme pensioners are not exempted from this feature.</p> <p>Qualitative research from the consultation</p>	<p>Landlords will for the first time have to pay Council Tax on their properties during the void periods between tenancies. They may choose to pass on this increased cost to tenants in rents, although market forces will mitigate this trend. Landlords already have a strong incentive to minimise voids since an empty property will be generating no rental income.</p> <p>People with empty properties may be</p>

	<p>did not reveal any impact on any specific protected group from this feature.</p> <p>CAB response raised concerns about the impact on those going into nursing homes or care homes. There is a likelihood that those individuals are likely to be in a higher age range.</p> <p>The CAB also felt this impacted on people who owned assets, but may not have a large income. This may impact on those of pension age who often have a fixed income.</p>	<p>incentivised to either let them to tenants or to sell the property on the open market. Either of these actions will have the desirable effect of increasing the available housing stock in the borough.</p> <p>There are other exemptions that continue to apply in relation to those receiving care other than at home or those who have been hospitalised.</p>
Disability	<p>Whilst no disability data on citizens with second or empty homes is available there is no evidence to suggest that this feature would disproportionately impact on disabled people.</p>	<p>No distinction has been made on the grounds of disability on removing exemptions and discounts for empty properties.</p> <p>The existing exemptions in relation to those receiving care other than at home or those who have been hospitalised will continue to apply.</p>
Gender	<p>Whilst no gender data on citizens with second or empty homes is available there is no evidence to suggest that this feature would disproportionately impact on either gender</p>	<p>No distinction has been made on the grounds of gender on removing exemptions and discounts for empty properties.</p>
Gender reassignment	<p>Whilst no gender reassignment data on citizens with second or empty homes is available there is no evidence to suggest that this feature would disproportionately impact on this group.</p>	<p>No distinction has been made on the grounds of gender reassignment on removing exemptions and discounts for empty properties.</p>
Marital status	<p>Whilst no marital status data on citizens with second or empty homes is available there is no evidence to suggest that this feature would disproportionately impact on any marital status</p>	<p>No distinction has been made on the grounds of marital status on removing exemptions and discounts for empty properties.</p>
Pregnancy and maternity (including teenage parents)	<p>Whilst no pregnancy/maternity data on citizens with second or empty homes is available there is no evidence to suggest that this feature would disproportionately impact on this group</p>	<p>No distinction has been made on the grounds of pregnancy/maternity on removing exemptions and discounts for empty properties.</p>
Race	<p>Whilst no race data on citizens with second or empty homes is available there is no evidence to suggest that this feature would disproportionately impact on citizens of any race</p>	<p>No distinction has been made on the grounds of race on removing exemptions and discounts for empty properties.</p>
Religion or belief	<p>Whilst no religion data on citizens with second or empty homes is available there is no evidence to suggest that this feature would disproportionately impact on those of</p>	<p>No distinction has been made on the grounds of religion or belief on removing exemptions and discounts for empty properties.</p>

	any religion	.
Sexual Orientation	Whilst no sexual orientation data on citizens with second or empty homes is available there is no evidence to suggest that this feature would disproportionately impact on those of any sexual orientation	No distinction has been made on the grounds of sexual orientation on removing exemptions and discounts for empty properties. .

Feature 2: Council Tax discount capped as a set percentage of current CTB award

This feature is proposed to be adopted for 2013/14 at a rate of 91.5%

A range of possible discounts, from 75% to 90%, were included in the public consultation. Whilst the level of support for any specific level of discount was spread across the full range of discounts, those currently in receipt of Council Tax Benefit favoured a discount of at least 90%.

Following the announcement of the government's offer of transitional funding, subject to a range of conditions including a minimum discount of 91.5%, we have modified our proposal to include a maximum discount at this rate, which is equivalent to a contribution from working age claimants of 8.5% of their liability. Pensioners (those who qualify for state pension support) are exempt from this and all other aspects of the scheme.

Those who are impacted by this feature may need to re-prioritise their expenditure to enable them to meet the new charges. It is likely that some households will be unable to do so (particularly in the context of other welfare reforms that may impact them), and will find it difficult to pay the charge. This may lead to indebtedness and recovery action (including court proceedings) being taken against them.

Mitigations

Actions already taken to mitigate any adverse effects of this feature are as follows:

The contribution from working age claimants has been minimised in line with the government's wish that such contributions should be limited to no more than 8.5% of their liability. In addition, the removal of existing discounts and exemptions from those with second or empty homes has been used to alleviate the burden on current Council Tax Benefit claimants.

All citizens of working age will be expected to pay the same percentage of their Council Tax liability, regardless of age or any other protected characteristic. A reconsideration/appeals process will be put in place to enable the cases of claimants who believe they have been unfairly assessed to be reviewed.

Those in severe hardship as a result of this proposal may be able to secure support from the local Crisis Fund which will be established from 1 April 2013. Advice on this and other options to alleviate hardship will be available from the council's contact centre.

We will also monitor the impact of the scheme on all groups as part of the on-going management of the service and identify any remedial actions or initiatives that may be required to mitigate the impact of the scheme on specific groups.

Within Council Tax regulations there are already protections for disabled people in the form of discounts and exemptions. These include:

- People who have a severe mental health disability that appears to be permanent. This includes people with Alzheimer's disease, strokes and other similar illnesses. IF all the residents in the household fall into this category the property could be exempt from Council Tax otherwise some charge will still be levied.
- People with disabilities whose homes have been adapted for their use may be entitled to a disabled band reduction. This means that their Council Tax will be calculated as if their property is one band lower than it would normally be.
- Continuing not to take Child Benefit and Child Maintenance into account as income when

assessing Council Tax Support

The scheme will mitigate the impact of the changes on people in some groups by:

- Continuing to not take Disability Living Allowance into account when assessing income for Council Tax Support
- Continuing to take no non dependant deductions where the claimant or partner is receiving care component of Disability Living Allowance

Future mitigating actions to be taken include:

Awareness Campaign - includes activity to reach all Council Tax Benefit claimants especially targeting the group of people who receive 100% Council Tax Benefit. This will include the following:

- Guidance booklet for Voluntary Organisations and staff
- Training sessions for relevant departments. Staff and Voluntary Organisations
- Initial letter with booklet that will be sent to all Council Tax claimants detailing the support that is available
- Information available in libraries, other public access points and via the council's contact centre
- Articles/inserts in local press and all other appropriate newsletters etc.
- Help pages on the council's web site
- Information in Council Tax Bills
- Envelope highlighting changes to ensure opened
- Posters at prominent points in Barnet
- Messages sent out via social media

Collection/recovery policy will be reviewed.

Housing/Barnet Homes will target those households that are hardest hit by the welfare reforms to deliver specific advice aimed at reducing homelessness

Equality Strand	Affected?	Explain how affected
Age	<p>Yes. Under the government's legislation pensioners are protected from the changes. The full financial impact of this change will therefore fall on working age claimants.</p> <p>National statistics show that around half of all CTB claimants are of working age, with the other half being older than working age. Local statistics and the responses to the consultation exercise show that within CTB claimants, the majority (53%) are in the age range [25 to 44] – this compares with [32%] in this age group for all citizens in Barnet.</p> <p>The qualitative research in consultation did not reveal any particular concerns relating to this group.</p> <p>The CAB and Barnet Youth Board both responded to the consultation. CAB felt that young people were more likely to be on low fixed income and minimum contributions could impact on this group more. The Barnet Youth</p>	<p>The largest number of people affected by this feature fall in the age range 31 to 50 and are therefore more likely than other age groups to have families and dependent children. The additional burden of this feature may have a particular impact on those who are already financially stretched, leading to the possibility of hardship that impacts on their children. This may have a consequential impact on Children's Services.</p>

	Board felt that the impact on young people who were NEET (not in education, employment or training) could be high, especially because youth unemployment is high at present.	
Disability	<p>Responses to the consultation show that 24% of respondents considered themselves to have a disability. National data shows that 22.6% of working age Council Tax benefit claimants are disabled. From both national and local data, about 20% of the general working age population⁷ consider themselves to have a disability, with this figure increasing sharply with age (x% of over-65s consider themselves to have a disability).</p> <p>The qualitative research revealed that disabled people were amongst those likely to be most adversely impacted by the feature, and were also the most frequently mentioned protected group that respondents believed should be offered protection under the scheme.</p>	<p>People of working age with disabilities are somewhat more affected than the general population by the proposed 8.5% contribution to their Council Tax liability.</p> <p>Based on national statistics, those of working age who look after a person with a disability (carers) are less likely to claim benefits (3.6% of Council Tax Benefit claimants v 10% in the general population⁸), and therefore carers are not disproportionately impacted by this feature.</p>
Gender	<p>Yes. Whilst the majority of CTB claimants are male, local statistics⁹ show that 94% of lone parents claiming Council Tax Benefit are female.</p> <p>Focus groups did not express any particular concern regarding either gender in their feedback.</p>	<p>Females who are lone parents are disproportionately affected by this proposed feature, leading to the possibility of hardship that impacts on their children. The financial impact of this feature may impact on their ability to pay for childcare, thereby affecting their ability to find and maintain work.</p>
Gender reassignment	<p>Whilst no data is available on the gender reassignment breakdown of claimants there is no evidence that any of the proposed changes will have a disproportionate impact on those with gender reassignment</p>	<p>No distinction has been made on the grounds of gender reassignment on contributions from working age claimants.</p>
Marital status	<p>Yes. Although statistics based on marital status are not available, national statistics¹⁰ show that 75.5% of working age Council Tax Benefit claimants live alone (or with their child dependants), compared with 17.5% of working age people in the general population.</p> <p>Focus groups did not express any particular concern regarding those of any marital status in their feedback.</p>	<p>People who live alone or with their dependent children are disproportionately impacted by this feature. Those who are lone parents are covered by the comments under 'Gender' above.</p>
Pregnancy and maternity	<p>Whilst no data is available on the pregnancy and maternity breakdown of claimants there is no evidence that any of the proposed changes</p>	<p>No distinction has been made on the grounds of pregnancy and maternity on contributions from</p>

⁷ Disability in the United Kingdom, January 2011; Papworth Foundation 2012

⁸ Survey of carers in households 2009/10; NHS Information Centre 2010

⁹ Extract from Barnet Council Tax benefit database

¹⁰ Council Tax Benefits and average weekly award for carers and disabled people not receiving a passported benefit, January 2011; DWP, January 2012

(including teenage parents)	will have a disproportionate impact on those in this category.	working age claimants.
Race	<p>Whilst no distinction has been made on the grounds of race on contributions from working age claimants, the nature of the contribution is such that the larger the Council Tax liability, the larger the contribution. Thus larger families, who may live in larger and therefore higher banded properties, will be expected to contribute a larger monetary sum (but the same percentage) towards their Council Tax liability. Based on national data¹¹, families of Indian, Pakistani and Bangladeshi origin are on average significantly larger than others (2.5 – 3.5 children compared with an average of 2.1 for all other races) and are therefore likely to be asked to contribute more.</p> <p>Focus groups did not express any particular concern regarding those of any race in their feedback.</p>	Families who live in larger properties will be expected to pay a larger monetary contribution.
Religion or belief	<p>Whilst no distinction has been made on the grounds of religion or belief on contributions from working age claimants, the nature of the contribution is such that the larger the Council Tax liability, the larger the contribution. Data from elsewhere¹² shows that households of Muslim, Hindu and Sikh families are significantly larger than average (3.2-3.7 people compared with an average of 2.3) and these families may be amongst those asked to contribute more.</p> <p>Focus groups did not express any particular concern regarding those of any religious group in their feedback.</p>	Larger families, who may live in larger and therefore higher banded properties, will be expected to contribute a larger monetary sum (but the same percentage) towards their Council Tax liabilities.
Sexual Orientation	Whilst no data is available on the sexual orientation breakdown of claimants there is no evidence that the proposed changes will have a disproportionate impact on those in this category.	No distinction has been made on the grounds of sexual orientation on contributions from working age claimants.

Feature 3: Removing the second adult rebate

Actions already taken to mitigate any adverse effects of this feature are as follows:

This feature is proposed to be adopted for 2013/14.

The removal of existing discounts and exemptions from those with second or empty homes has been used to alleviate the burden on claimants.

A reconsideration/appeals process will be put in place to enable the cases of claimants who believe they have been unfairly assessed to be reviewed.

Those in severe hardship as a result of this proposal may be able to secure support from the local

¹¹ LFS household data sets October-December 2004 to April-June 2008, weighted proportions

¹² 2001 Census, Manchester area; Manchester City Council

Crisis Fund which will be established from 1 April 2013. Advice on this and other options to alleviate hardship will be available from the council's contact centre.

We will also monitor the impact of the scheme on all groups as part of the ongoing management of the service and identify any remedial actions or initiatives that may be required to mitigate the impact of the scheme on specific groups.

Equality Strand	Affected?	Explain how affected
Age	<p>Yes. Data is not available on the age breakdown of second adult rebate claimants, but many of these claimants are claiming the rebate for an adult son or daughter who is living in the parental home. Such claimants are therefore likely to be in the age range 40-65, and this age group may be disproportionately affected by this measure.</p> <p>Focus groups also felt that children over the age of eighteen are not necessarily regarded as non-dependent, so should not be expected to contribute to council tax.</p> <p>The CAB felt this could impact on young people living at home, as they would be expected to contribute towards the council tax bill, when these individuals often have a very low fixed income.</p>	<p>If adopted, this feature would result in the loss of this rebate, worth on average £19.63 per week, by those who currently receive it</p>
Disability	<p>Data is not available on the disability breakdown of second adult rebate claimants, nor was this group mentioned as of concern in the qualitative research. There is no evidence that this change will have a disproportionate impact on those with a disability.</p>	<p>No distinction has been made on the grounds of disability on the application of this feature.</p>
Gender	<p>Data is not available on the gender breakdown of second adult rebate claimants, nor was this group mentioned as of concern in the qualitative research. There is no evidence that this change will have a disproportionate impact on those of either gender.</p>	<p>No distinction has been made on the grounds of gender on the application of this feature.</p>
Gender reassignment	<p>Data is not available on the gender reassignment breakdown of second adult rebate claimants, nor was this group mentioned as of concern in the qualitative research. There is no evidence that this change will have a disproportionate impact on those with gender reassignment</p>	<p>No distinction has been made on the grounds of gender reassignment on the application of this feature.</p>
Marital status	<p>Data is not available on the marital status breakdown of second adult rebate claimants, nor was this group mentioned as of concern in the qualitative research. There is no evidence that this change will have a disproportionate impact on those of any marital status.</p>	<p>No distinction has been made on the grounds of marital status on the application of this feature.</p>
Pregnancy and maternity (including teenage	<p>Data is not available on the pregnancy/maternity of second adult rebate claimants, nor was this group mentioned as of concern in the qualitative research. There is no evidence that this change will have a disproportionate impact on those in</p>	<p>No distinction has been made on the grounds of pregnancy or maternity on the application of this feature. .</p>

parents)	this category	
Race	Data is not available on the race breakdown of second adult rebate claimants, nor was this group mentioned as of concern in the qualitative research. There is no evidence that this change will have a disproportionate impact on those of any race.	No distinction has been made on the grounds of race on the application of this feature.
Religion or belief	Data is not available on the religion or belief breakdown of second adult rebate claimants, nor was this group mentioned as of concern in the qualitative research. There is no evidence that this change will have a disproportionate impact on those of any religion or belief.	No distinction has been made on the grounds of religion or belief on the application of this feature.
Sexual Orientation	Data is not available on the sexual orientation breakdown of second adult rebate claimants, nor was this group mentioned as of concern in the qualitative research. There is no evidence that this change will have a disproportionate impact on those of any sexual orientation.	No distinction has been made on the grounds of sexual orientation on the application of this feature.

Feature 4: Reducing capital limits

In the quantitative research reducing capital limits was the feature that generated the lowest level of net agreement. The majority of respondents in most focus groups strongly opposed the reduction of capital limits, regardless of whether it affected them personally. It was felt that the limit of £8,000 was too low and should be increased to reflect current living costs. A key concern was the disincentive such a proposal would have on saving, and the possible negative impact this would have due to an increased reliance on the Council.

However, these concerns related to the population as a whole and not to any protected group.

Actions already taken to mitigate any adverse effects of this feature are as follows:

This feature has not been adopted for 2013/14.

The removal of existing discounts and exemptions from those with second or empty homes has been used to alleviate the burden on claimants.

A reconsideration/appeals process will be put in place to enable the cases of claimants who believe they have been unfairly assessed to be reviewed.

Those in severe hardship as a result of this proposal may be able to secure support from the local Crisis Fund which will be established from 1 April 2013. Advice on this and other options to alleviate hardship will be available from the council's contact centre.

We will also monitor the impact of the scheme on all groups as part of the ongoing management of the service and identify any remedial actions or initiatives that may be required to mitigate the impact of the scheme on specific groups.

Equality Strand	Affected?	Explain how affected
Age	No. This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the age breakdown of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those	No distinction has been made on the grounds of age on the application of this feature.

	of any age.	
Disability	<p>This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the disability status of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those with a disability.</p> <p>The CAB were concerned that this may impact on those with mental health disabilities or learning disabilities who may find it difficult to understand the impact of this proposal and inadvertently fall foul of it, leading to large overpayments.</p>	There is a potential risk that if individuals failed to understand this policy, they would end up with overpayments against their Council Tax liability.
Gender	No. This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the gender breakdown of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those of either gender.	No distinction has been made on the grounds of gender on the application of this feature.
Gender reassignment	No. This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the gender reassignment breakdown of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those with gender reassignment.	No distinction has been made on the grounds of gender reassignment on the application of this feature.
Marital status	No. This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the marital status breakdown of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those of any marital status.	No distinction has been made on the grounds of marital status on the application of this feature.
Pregnancy and maternity (including teenage parents)	No. This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the age breakdown of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those of any age.	No distinction has been made on the grounds of age on the application of this feature.
Race	<p>This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the race breakdown of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those of any race.</p> <p>The CAB were concerned that those who speak English as a second language may not understand the importance of capital on entitlement to benefits, especially if different</p>	There is a potential risk that those who do not understand the new rules will end up with overpayments against their Council Tax liability.

	benefit systems work in different ways.	
Religion or belief	No. This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the religion/belief breakdown of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those of any religion or belief.	No distinction has been made on the grounds of religion or belief on the application of this feature.
Sexual Orientation	No. This feature only affects those with savings of between £8,000 and £16,000. Whilst no data is available on the sexual orientation breakdown of claimants with savings in this range there is no evidence that this change will have a disproportionate impact on those of any sexual orientation	No distinction has been made on the grounds of sexual orientation on the application of this feature.

Feature 5: Limit Council Tax Support to Band D or Band E

In the quantitative consultation research, two in five respondents agreed that discounts should be restricted for properties above band D or E, while one in five disagreed. Qualitative research revealed general opposition to the restriction of discounts above band D or E. The key reason was the view that a person's property band does not necessarily reflect their ability to pay, with concern expressed that people would be forced to move to smaller properties which may be inappropriate for their needs. Particular concern was raised regarding the following protected groups:

- Those with a disability whose banding may be higher as a result of the need to live in suitably adapted properties;
- Those whose cultural or religious background requires them to live in certain areas (e.g. Jewish Orthodox) which may by definition be in higher banded areas

Actions already taken to mitigate any adverse effects of this feature are as follows:

This feature has not been adopted for 2013/14.

The removal of existing discounts and exemptions from those with second or empty homes has been used to alleviate the burden on claimants.

A reconsideration/appeals process will be put in place to enable the cases of claimants who believe they have been unfairly assessed to be reviewed.

Those in severe hardship as a result of this proposal may be able to secure support from the local Crisis Fund which will be established from 1 April 2013. Advice on this and other options to alleviate hardship will be available from the council's contact centre.

We will also monitor the impact of the scheme on all groups as part of the ongoing management of the service and identify any remedial actions or initiatives that may be required to mitigate the impact of the scheme on specific groups.

Within Council Tax regulations there are already protections for disabled people in the form of discounts and exemptions. These include:

- People who have a severe mental health disability that appears to be permanent. This includes people with Alzheimer's disease, strokes and other similar illnesses. If all the residents in the household fall into this category the property could be exempt from Council Tax otherwise some charge will still be levied.
- People with disabilities whose homes have been adapted for their use may be entitled to a disabled band reduction. This means that their Council Tax will be calculated as if their property is one band lower than it would normally be.

- Continuing not to take Child Benefit and Child Maintenance into account as income when assessing Council Tax Support

The scheme will mitigate the impact of the changes on people in some groups by:

- Continuing to not take Disability Living Allowance into account when assessing income for Council Tax Support
- Continuing to take no non dependant deductions where the claimant or partner is receiving care component of Disability Living Allowance

Equality Strand	Affected?	Explain how affected
Age	No data is available on the age breakdown of claimants living in properties of higher bands than D or E. There is no evidence that this change will have a disproportionate impact on those of any age	No distinction has been made on the grounds of age on the application of this feature. .
Disability	<p>Yes. Whilst no data is available on the disability status of claimants living in properties of higher bands than D or E, concern was expressed in qualitative research that those with a disability may live in a higher banded property as a result of the need to live in suitably adapted properties</p> <p>The CAB also raised concern about those who may live in larger homes, but be unable to work due to sickness and as such have a reduced income.</p>	<p>If the limit were set at Band E, this feature would result in the loss of £6.05 per week for those in a Band F property, £12.10 per week for those in a Band G property and £21.18 for those in a Band H property. If the limit were set at Band D, the equivalent figures would be £6.05 per week for a Band E property, £12.10 per week for a Band F property, £18.15 for a band G property and £27.23 per week for a Band H property.</p> <p>Whilst these losses may be partly mitigated by some of the disability allowances outlined above, these losses are substantial and could impact heavily on in particular those whose disability prevents them from working</p>
Gender	No data is available on the gender breakdown of claimants living in properties of higher bands than D or E, but there is no evidence that this change will have a disproportionate impact on those of either gender	No distinction has been made on the grounds of gender on the application of this feature. .
Gender reassignment	No data is available on the gender reassignment breakdown of claimants living in properties of higher bands than D or E, but there is no evidence that this change will have a disproportionate impact on those with gender reassignment	No distinction has been made on the grounds of gender reassignment on the application of this feature. .
Marital status	No data is available on the marital status breakdown of claimants living in properties of higher bands than D or E, but there is no evidence that this change will have a	No distinction has been made on the grounds of marital status on the application of this feature. .

	disproportionate impact on those of any marital status	
Pregnancy and maternity (including teenage parents)	No data is available on the age breakdown of claimants living in properties of higher bands than D or E, but there is no evidence that this change will have a disproportionate impact on those of any age	No distinction has been made on the grounds of age on the application of this feature. .
Race	Yes. Whilst no data is available on the race breakdown of claimants living in properties banded higher than Band D or Band E, based on national data ¹³ , families of Indian, Pakistani and Bangladeshi origin are on average significantly larger than others (2.5 – 3.5 children compared with an average of 2.1 for all other races) and are therefore likely to be asked to contribute more.	Larger families, who may live in larger and therefore higher banded properties, will be expected to contribute more towards their Council Tax bill.
Religion or belief	Yes. Whilst no data is available on the religion/belief breakdown of claimants living in properties banded higher than Band D or Band E, within Barnet there are significant Jewish communities located in high-cost parts of the borough, where property bands for Council Tax are likely to be higher than in other parts of the borough. Similarly, Sikhs and Muslims may have larger families than average and therefore need larger properties.	Those who live in higher-cost parts of the borough, and larger families, who may live in larger and therefore higher banded properties, will be expected to contribute more towards their Council Tax bill.
Sexual Orientation	No. Whilst no data is available on the sexual orientation breakdown of claimants living in properties of higher bands than D or E, there is no evidence that this change will have a disproportionate impact on those of any sexual orientation	No distinction has been made on the grounds of sexual orientation on the application of this feature. .
<p>Feature 6: Simplified system of non-dependant deductions (adopted for 2013/14)</p> <p>This feature is proposed for adoption in 2013/14, although for one income band the proposed weekly rate has been reduced from the proposal put out to consultation, thereby reducing the impact on claimants.</p> <p>In the quantitative consultation research two in five of respondents agreed that there should be a simplified system of non-dependent deductions, while one in ten disagreed. Qualitative research identified the following protected groups as needing consideration in respect of this feature:</p> <ul style="list-style-type: none"> • Non-dependent children in education, whom many respondents still regarded as dependent; • Carers. 		
Equality Strand	Affected?	Explain how affected
Age	Yes. The qualitative research identified non-dependent children in education as being a group that might be particularly impacted by this	Householders with non-dependents could be asked to pay more. However, children in full time non-advanced education

¹³ LFS household data sets October-December 2004 to April-June 2008, weighted proportions

	feature	aged up to 20 are not treated as non-dependants. No charges are made for student non-dependants, those who are severely mentally impaired and where the claimant or partner is blind or receiving the disability premium
Disability	Yes. The qualitative research identified carers as being a group that might be particularly impacted by this feature	Householders with non-dependents could be asked to pay up to £3.75 per non-dependant unit per week plus the 8.5% minimum contribution more.
Gender	No. Whilst no data is available on the gender breakdown of claimants with non-dependants living in their household there is no evidence that this change will have a disproportionate impact on those of either gender	No distinction has been made on the grounds of gender on the application of this feature. .
Gender reassignment	No. Whilst no data is available on the gender reassignment breakdown of claimants with non-dependants living in their household there is no evidence that this change will have a disproportionate impact on those with gender reassignment	No distinction has been made on the grounds of gender reassignment on the application of this feature. .
Marital status	No. Whilst no data is available on the marital status breakdown of claimants with non-dependants living in their household there is no evidence that this change will have a disproportionate impact on those of any marital status	No distinction has been made on the grounds of marital status on the application of this feature. .
Pregnancy and maternity (including teenage parents)	No. Whilst no data is available on the pregnancy/maternity breakdown of claimants with non-dependants living in their household there is no evidence that this change will have a disproportionate impact on those in this category	No distinction has been made on the grounds of pregnancy or maternity on the application of this feature. .
Race	No. Whilst no data is available on the race breakdown of claimants with non-dependants living in their household there is no evidence that this change will have a disproportionate impact on those of any race	No distinction has been made on the grounds of race on the application of this feature. .
Religion or belief	No. Whilst no data is available on the religion/belief breakdown of claimants with non-dependants living in their household there is no evidence that this change will have a disproportionate impact on those of any religion or belief	No distinction has been made on the grounds of religion or belief on the application of this feature. .
Sexual Orientation	No. Whilst no data is available on the sexual orientation breakdown of claimants with non-dependants living in their household there is no evidence that this change will have a disproportionate impact on those of any sexual	No distinction has been made on the grounds of sexual orientation on the application of this feature.

	orientation	
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5. What will be the impact of delivery of any proposals on satisfaction ratings amongst different groups of residents

Cabinet agreed in July not to meet the shortfall in funding from reserves or from cuts in other services, but rather to seek to recover the shortfall from a cross-section of the population. Through the use of its new powers to remove some existing exemptions and discounts, the proposed solution places the majority of the burden on owners of empty properties, many of which are second homes. It is therefore to be expected that satisfaction ratings amongst owners of second homes may be adversely affected by this measure.

Landlords will also be impacted by being required to pay Council Tax during voids between lettings and renovations. Although the financial impact on landlords will be relatively small compared with their overall outgoings, they may seek to pass on any increase in costs to their tenants, thereby impacting on tenants' satisfaction ratings. However, this effect will be mitigated by market forces and landlords' economic driver to minimise the time during which their properties are unlet.

The remaining burden will fall on people of working age in the borough, who will (some for the first time) be asked to make a small contribution (8.5%) to their Council Tax liability. Of these, 326 households will lose more than £25 per week, and a further 1,180 will lose between £20 and £25 per week, with around 19,500 losing smaller amounts.

The most adversely impacted groups by number are:

- 7,500 single claimants 25 and over will lose more than £3 per week – most of these are likely to be between 25 and 44
- 7,400 lone parents, most of whom are female, will lose more than £3 per week
- 4,900 families with one or more children will lose more than £3 per week most of these will be under 44
- 1,000 working age couples will lose more than £3 per week

The groups with the largest numbers of households losing more than £20 per week are:

- Families with one or more child over 18 (838 households)
- Single claimants 25 and over (282 households)
- Lone parents (271 households, most of whom are female)
- Working age couples (102 households)

In contrast, the following groups are impacted either minimally or not at all:

- Pensioners (those who qualify for state pension support)
- Families/couples/singles between pension age and 64

Satisfaction ratings amongst the groups identified above are therefore likely to be adversely affected, although this may be mitigated by effective publicity and efficient administration of the scheme.

Conversely, the fact that the burden of the changes in government welfare policy will fall mainly on benefits claimants may increase satisfaction amongst those who are not claiming benefits, on the grounds that the initiative will tend to reduce the burden of taxation.

6. How does the proposal enhance Barnet's reputation as a good place to work and live?

This proposal is not unique to Barnet – the vast majority of local authorities will be introducing an equivalent scheme. Within outer London, all Barnet's neighbouring boroughs (ie Enfield, Brent, Harrow, Haringey and Camden) are introducing schemes that reduce or eliminate discounts and exemptions on empty properties and ask all those of working age to make some contribution towards their Council Tax liability.

So whilst these changes will have an adverse effect on some segments of the population, the same segments of the population will be similarly affected in most other London boroughs. On balance,

therefore, it is considered that the proposed scheme is likely to have a neutral effect on Barnet's reputation as a good place to work and live in comparison with alternative locations.

7. How will members of Barnet's diverse communities feel more confident about the council and the manner in which it conducts its business?

The council has conducted an extensive 90-day consultation process through which 22,000 Council Tax Benefit claimants have been mailed with details of the new scheme, 5 public roadshow events have been run, 9 focus groups have been held and presentations made to 12 community groups. Extensive publicity for the impending changes has also been (and will continue to be) implemented. These have increased the council's profile with large numbers of citizens from all communities, as evidenced by the fact that nearly 3,000 residents have responded to the consultation questionnaire.

It is expected that all these events will already have enhanced Barnet's reputation for openness, and this should be enhanced further when the publicity for the scheme is stepped up in February/March 2013.

In particular the Barnet Youth Board commented positively on the roadshows and the need for continued awareness raising communications to ensure those who will be impacted are made aware of this in time to plan for the changes.

8. What measures and methods have been designed to monitor the application of the policy or service, the achievement of intended outcomes and the identification of any unintended or adverse impact? *Include information about the groups of people affected by this proposal. Include how frequently will the monitoring be conducted and who will be made aware of the analysis and outcomes? Include these measures in the Equality Improvement Plan (section 13)*

Applications for Council Tax Support will include data gathering on protected characteristics and the results of the data gathered will be reported on at regular intervals.

9. How will the new proposals enable the council to promote good relations between different communities? *Include whether proposals bring different groups of people together, does the proposal have the potential to lead to resentment between different groups of people and how might you be able to compensate for perceptions of differential treatment or whether implications are explained.*

The extent of consultation with both members of the public and community groups has ensured a wide opportunity to respond, which has been demonstrated by the high response rate to the questionnaire. In general there has been a high level of alignment between the quantitative and qualitative research findings regarding who would be affected by each of the features of the scheme regardless of whether respondents came from that protected group or not.

10. How have residents with different needs been consulted on the anticipated impact of this proposal? How have any comments influenced the final proposal? Please include information about any prior consultation on the proposal been undertaken, and any dissatisfaction with it from a particular section of the community.

A 12-week public consultation was undertaken on the principles and optional features of the new scheme between 1 August and 24 October 2012. Over 2,900 responses were received from a wide cross-section of Barnet citizens, of which 1,900 were from current recipients of Council Tax and 1,000 were from non-recipients. In addition, a range of roadshows and presentations were held to generally inform citizens about the ending of Council Tax Benefit and the consultation process. Nine focus groups were also held with specifically selected representatives of particular citizen segments.

Data was gathered on the postcode, residential status, family status, age, gender, ethnicity and other protected characteristics of those who responded to the questionnaire.

These results have influenced the proposal in this report as follows:

- There was a high level of agreement with the proposal to remove discounts and exemptions on empty properties, with a net approval rating of at least +28% for all groups. However, concerns were expressed regarding the impact of this feature on the housing market, eg ability to sell properties and on property development, together with some questions on the fairness of this feature and difficulties in enforcement. Given the high level of approval, this feature has been incorporated in the proposed final scheme
- With regard to the proposal that all those of working age who currently qualify for Council Tax Benefit should pay a proportion of their Council Tax liability, all groups apart from the over-65s thought that such citizens should be supported by at least 90%, ie their contribution should be less than 10%. In focus groups, respondents expressed the concern that those on low incomes and with a disability may not be able to afford to pay any contribution. These concerns have been reflected in the final scheme design, which proposes a reduced contribution, of 8.5%, from all working age citizens who currently receive benefit towards their Council Tax liability. It is proposed that any surplus from the CTS scheme will be fed into the new Crisis Fund that will be introduced from April 2013 to alleviate severe hardship.
- Most groups demonstrated net agreement with the proposal to reduce capital limits. However, significant disagreement was exhibited in the surveys by over-65s and Jewish citizens, and the qualitative research also showed that many members of the focus groups argued that this measure would be unfair and would discourage saving. It is therefore proposed not to change capital limits in 2013/14
- In the quantitative research, all groups showed net agreement with the proposal to restrict discounts to Band D or Band E. However, in focus groups many citizens expressed the view that this would be unfair, since many citizens had little choice over the size (and therefore banding) of the property in which they lived. It is therefore proposed not to implement any Band-related restriction on Council Tax support in 2013/14
- All groups showed strong net agreement with the proposal to implement a simplified system on non-dependent deductions, with a minimum net agreement rating of +19%. In general, focus groups considered that this feature was fair. This feature is proposed to be adopted for 2013/14.

11. Decision:			
No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Not Known ¹⁴ <input checked="" type="checkbox"/>
12. Comment on decision			
<p>It is accepted that the decision to reduce the amount of council tax support from that payable under the previous council tax benefit system will impact on individuals and that some protected groups are impacted more than others. A number of mitigating steps have been highlighted to reduce this impact, including reducing the level of liability, removing proposals on capital limits and band reductions and to communicate the effect of this proposal and availability of other support. Finally, the Council will continue to monitor the impact of the proposal and will consider the suitability of its collection/recovery policy.</p>			

¹⁴ 'Impact Not Known' – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.

APPENDIX 7

Proposed new scheme



London Borough of Barnet Council Tax Support Scheme

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Glossary

Amendments to the scheme	
Capital	Savings and capital
Change of Circumstance	Any change of circumstances affecting entitlement to CTS, including but not limited to changes to income, liability, household members or residence that would affect entitlement to CTS
Council Tax payer	Person liable to pay Council Tax on the property
Council Tax Support (CTS)	the London Borough of Barnet's (Barnet) scheme
Default scheme	The default scheme contained in the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 SI 2886/2012
Dispute	Where the CTS recipient disagrees with the amount of CTS awarded or the refusal to award CTS applicant
Disregards	Deductions allowed against the income
Excess Income	The amount by which the taxpayers weekly income exceeds their applicable amount
Extended Reduction	An amount awarded for a period after the applicant or their partner has started work or increased their hours of work and is therefore no longer entitled to a qualifying benefit or qualifying contributory benefit
Income	Income from all sources not limited to earnings. Some income will be wholly or partly disregarded
Interim award	Maximum liability from which non-dependent charges and the taper have been subtracted
Maximum award	For working age claimants , the maximum award will be 91.5% of the interim award unless the claimant or their partner falls within a protected group
Maximum liability	The maximum liability is the maximum band after any Council Tax discounts or band reductions awarded under the Local Government Finance Act 1992. For example Single person discounts or band reductions due to disability
Overpayment	Any amount of CTS credited to which the recipient is not entitled

Pensionable Age	The age at which a person is eligible to claim State Pension Credit Please note the age is changing to reflect the equalisation of pension ages between men and woman and the planned increase in retirement age
Premium	An additional element forming part of the applicable amount relating to the individual or couple
Prescribed Requirements regulations	Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 SI 2885 2012
Protected group	Groups listed in Appendix B to which the maximum award does not apply
Taper	The rate at which CTS is withdrawn if the income including tariff income is greater than the applicable amount or living allowance
Tariff income	Income presumed to be generated by savings and capital between the lower and upper capital limit
War Pensions	War Pensions, War Widows pensions War Widowers Pensions, War Disablement Pensions and continuing payments from the armed forces compensation scheme,
Work	Employed or self employed
Working Age	The age below which a person or couple is eligible to claim State Pension Credit
1992 Act	Local Government Finance Act 1992

Introduction

The London Borough of Barnet's Council Tax Reduction Scheme is based on the default scheme and prescribed requirements regulations, except where the contrary is set out within the scheme. Definitions and detail from the regulations are not replicated in this document and the detail can be found by following the links below.

Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 SI 2885/2012

Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 SI 2886/2012

The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012 SI 3085/2012

Barnet Councillors agreed to a clear set of principles offering incentives and protections to help deliver local priorities from which the draft scheme was constructed.

The principles are:

- A system based on fairness, with those with the ability to pay making a fair contribution
- The scheme should incentivise work
- Support for those in the most difficult circumstances
- The most vulnerable should benefit from a level of protection
- The scheme should be transparent and accessible.

The scheme for working age has the following features

It will incentivise work by retaining the system of earned income disregards and child care disregards set out in the default scheme

Certain protected groups comprising those listed in Appendix B will not be affected by the maximum award restriction to 91.5%

Disability Living Allowance, War Pensions and Child Benefit will continue to be disregarded in the calculation

Second Adult Rebate will be abolished

Nondependent charges will be simplified to 3 levels.

- a) With income greater than or equal to the amount set out in Appendix C unless receiving a benefit set out in appendix C
- b) Out of work or with gross income less than the amount set out in Appendix C
- c) Receiving certain benefits set out in Appendix C

Once the interim award calculation has been made the maximum award is then adjusted to 91.5% of the interim award.

If the Council Tax payer applying for Council Tax Support is in a protected group then the maximum award rules will not apply.

Classes of Persons

Classes of persons excluded from the scheme

Classes of persons to be excluded from the scheme are as set out in the prescribed requirements regulations, including persons treated as not in Great Britain and persons subject to immigration control.

Classes of person entitled to a reduction under this scheme

Pensioners

Classes A-C

Pensioners who fall within any of classes A to C in the prescribed requirements regulations.

Working age persons

Class D - Persons who are not pensioners whose income is less than the applicable amount and not in a protected group

Persons who are not in a protected group and who fall within class D as set out in the default scheme,

Class E – Persons who are not pensioners whose income is greater than the applicable amount and not in a protected group

Persons who are not in a protected group and who fall within class E as set out in the default scheme.

Class F – Persons who are not pensioners whose income is less than the applicable amount and are in a protected group

Persons who are in a protected group and who fall within class D as set out in the default scheme.

Class G – Persons who are not pensioners whose income is greater than the applicable amount and are in a protected group

Persons who are in a protected group and who fall within class E as set out in the default scheme.

Applicable amount: persons who are not pensioners who have an award of universal credit.

Awards of Universal Credit will be treated as follows;

Out of work with an award of Universal Credit analogous to Income Support, Income Based Jobseekers Allowance, or Income Related Employment and Support Allowance. The income and capital will be treated as zero and the applicable amount calculated in accordance with the default scheme as though the person applying was not in receipt of universal credit. They will then fall into class D or F as appropriate.

In work and in receipt of Universal Credit analogous to a tax credit
The calculation of the applicable amount calculated in accordance with the default scheme as though the person applying was not in receipt of universal credit. The income and capital will be calculated in accordance with the Barnet scheme (See Income and capital where there is an award of Universal Credit). They will then fall into class D to G depending upon their total

Maximum council tax reduction for the purposes of calculating eligibility for a reduction under this scheme and amount of reduction

Maximum council tax reduction under this scheme: pensioners and persons who are not pensioners (class A to C,)

For classes A to C, the maximum council tax reduction is as set out in regulation 29 of the default scheme.

Maximum council tax reduction under this scheme: persons who are not pensioners and not in a protected group (class D and class E)

For classes D and E, the maximum council tax reduction is as set out in regulation 29 of the default scheme, save that the non-dependant deductions will be as set out in this scheme. Appendix C., The actual amount of the award will be calculated in accordance with the paragraph Amount of reduction under the scheme.

Maximum council tax reduction under this scheme: persons who are not pensioners and not in a protected group (class F and class G)

For classes F and G, the maximum council tax reduction is as set out in regulation 29 of the default scheme, save that the non-dependant deductions will be as set out in this scheme. Appendix C

For classes A, B C D E F and G , applicable amounts and income disregards will be the same as the default scheme except that Barnet will disregard all of a war pension or war widow(-er)'s pension or any continuing payments from the armed forces compensation scheme.

Non-dependant deductions: pensioners and persons who are not pensioners

The non-dependant deductions for pensioners (classes A –C) are as set out in the prescribed requirements regulations / default scheme

The non-dependant deductions for working age (classes D-G) are as set out in the default scheme save that the deductions in respect of a day referred to above are as follows:

- (1) in respect of a non-dependant aged 18 or over with income greater than or equal to £186.00 p.w. unless they fall into category (3), £11.00 x 1/7;
- (2) in respect of a non-dependant aged 18 or over to whom sub-paragraph (1) or (3) does not apply, £5.00 x 1/7
- (3) zero if in receipt of Income related Jobseekers Allowance, Income Support or Income related Employment and Support Allowance or the Universal Credit equivalent.

Amount of reduction under this scheme

Amount of reduction under this scheme: Classes A to G

An individual in receipt of income support, income-related jobseeker's allowance, income-related employment and support allowance or universal credit equivalent to one of the aforementioned benefits then they will have both income, earnings and capital counted as zero. This means that the individual's income will automatically be less than their applicable amount, and their Council Tax Support will be worked out as follows

Amount of reduction under this scheme:

The amount of reduction is as set out in the default scheme, save as follows:

Where a person is within class D, that amount is

- the actual liability for the Council Tax.
- Less any non-dependant deductions set out in appendix C
- The result is the interim award
- The actual award is 91.5% of the interim award

Where a person is within class E, that amount is

- the actual liability for the Council Tax
- Less any non-dependent deductions
- Less the taper (currently Twenty per cent) of the difference between the income and the applicable amount
- The result is the interim award
- The actual award is 91.5% of the interim award

Income and capital for the purposes of calculating eligibility for a reduction under this scheme and amount of reduction

Income and Capital where there is an award of Universal Credit

The income rules for calculating eligibility for a reduction are as set out in the default scheme, save as set out below save as follows.

Income and capital where there is an award of universal credit

Calculation of income and capital: persons who are not pensioners who have an award of universal credit.

Out of work with an award of Universal Credit analogous to Income Support, Income Based Jobseekers Allowance, or Income Related Employment and Support Allowance. The income and capital will be treated as zero so they will fall into class D or F as appropriate.

In work and in receipt of Universal Credit analogous to Tax Credits

If they receive the maximum universal credit, their income will be their income from universal credit for their living expenses. The Housing Element and Disability element of the Universal credit will be disregarded. Any income and capital will be disregarded

Where the individual is in work and not receiving the maximum universal credit because their income is too high, and where the individual elements cannot be identified they will be treated as receiving the income for their living expenses reduced in proportion to the overall reduction in the universal credit from the maximum. For example if the universal credit is 75% of the maximum award of universal credit for their circumstances. The income used will be 75% of the maximum living expenses element. All other income and capital apart from war pensions, war widow(ers) pensions and continuing payments under the armed forces compensation scheme will be taken into account except any income and capital disregarded in Schedules 7, 8 and 10 of the default scheme.

Capital

The capital rules for calculating eligibility for a reduction are as set out in the default scheme, save that the diminishing notional capital rule is abolished for classes D - F

Calculation of tariff income from capital: persons who are not pensioners

Where the capital of an applicant and partner if any who is not a pensioner exceeds the lower capital limit but does not exceed the upper capital limit as set out in Appendix A, it must be treated as generating an equivalent tariff income set out in Appendix A which must be added to the applicant's actual and notional income.

Where the capital of the applicant and partner if any exceeds the upper capital limit set out in Appendix A then the applicant will not be entitled to Council Tax Support.

Capital includes any income treated as capital as defined in the default scheme

Extended reductions and qualifying conditions for an extended reduction

Extended reductions and qualifying conditions for extended reductions for those of pensionable age and those of working age will be as set out in the default scheme

Procedural Matters

Applications

Anyone entitled to Council Tax Benefit on 31 March 2013 or having made an application for CTB which is still to be decided on 31 March 2013 will be assumed to have also made an application for CTS with the circumstances that applied on 31 March 2013.

Applications after 1 April 2013

All others must apply for CTS. Applications must be made in writing and received by Barnet Revenues and Benefits Service, or received electronically via Barnet's website or in some other format as Barnet may decide. If a request for CTS is received by the Revenues and Benefits Service by any means including one that is not in the correct format Barnet will invite the applicant to complete an appropriate application. If the applicant does so and it is received within one month of being asked to do so then the application date will be the date the original request was received.

If a claim is made for Housing Benefit and the person claiming is also liable for Council Tax at the same dwelling then the Housing Benefit claim will be treated as a claim for Council Tax Support unless within fourteen days of receipt of confirmation of the award from the Council, the customer advises the Council in writing that they do not wish to claim. .

For those of working age, where an application is defective or incomplete and the applicant or the person acting for them has not supplied the information requested or properly completed an application form within one month (or such longer period as Barnet considers reasonable) of being asked to do so then the council will decide that the applicant no longer wishes to apply for a reduction.

Where following a change of circumstance the person receiving a reduction is asked to supply evidence or information in support of their claim and fails to do so within one month (or such longer period as Barnet considers reasonable) then the CTS award will be amended based upon an adverse inference of the information held from the date the change of circumstances occurred. This could lead to any award being ended.

Where an application is made for Universal Credit, Income Support, Jobseekers Allowance (Income Based) or Income Related Employment and Support Allowance and the Department of Work and Pensions or the CTS applicant makes the Council aware of this fact within 4 weeks of them becoming entitled to one of the above benefits then the date of application will be treated as made on date they become entitled to one of the above benefits.

Applications for CTS can be made up to 13 weeks in advance prior to an event that would entitle them to CTS

Effective date of a change of circumstance

For those of Pensionable age the effective date of a change of circumstance is as set out in the default scheme.

For those of working age the effective date of a change of circumstances is as set out Regulation 107 of the Default regulations except as set out here. Where an applicant is required to notify a change of circumstances and the following apply, the new decision on a reduction will take effect on the date of notification:

1. The change of circumstances is a change that is required by regulations to be notified;
2. The change has been notified more than one month or such longer time as the Council considers reasonable after the change occurred and it was reasonably practicable for the change to be notified within this period;
3. The new decision on the reduction is advantageous to the applicant.

Appeals

The appeals process is as set out in the default scheme.

Discretionary Reduction see Part 3 of Schedule 1 of the default scheme

An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act must be made—

- (a) in writing,
- (b) by means of an electronic communication (see part 4 of Schedule 1)
- (c) via Barnet's website

The applicant must state why the request is being made and supply such evidence and information as the Council may require in support of the request.

If for any reason the request is not in a form that Barnet can accept then the applicant will be supplied with a suitable form.

Time and manner of granting relief and recoveries / over-payments

Where the council tax payer is entitled to an increase or decrease in their reductions following a reported change of circumstance, Barnet can issue a substitute demand notice taking into account the increase or decrease in liability.

Barnet Council will

- a. recover over-entitlement of council tax support – this effectively becomes underpayment of council tax;
- b. take recovery action according to the circumstances of the applicant;
- c. credit the council tax account with any underpayment of CTS.

Updates of the scheme

Each year Barnet Council can choose to freeze or increase any applicable amounts, disregards, non-dependant deductions. Applicable amounts and disregards will usually be increased in line with the default scheme. In future years if the Government does not publish new applicable amounts as part of the default scheme then the applicable amounts used in the Housing Benefit Regulations (2006) as amended can be used

These changes will not constitute a change to the scheme requiring consultation. Affected applicants will be notified of the changes at least 28 days in advance of implementation.

Appendix A Working Age Upper and Lower Capital Limits, Tariff Income, Taper, Maximum Award, Minimum Award Maximum Band

Working age	Class D and Class E	Class F and Class G
Upper Capital Limit	£16,000	£16000
Lower Capital Limit	£6000	£6000
Tariff Income	£1 for each £250 or part thereof above the lower capital limit of £6000	£1 for each £250 or part thereof above the lower capital limit of £6000
Taper percentage,	20%	20%
Maximum award,	91.5%	100%
Minimum award	zero	zero

Appendix B Protected Groups

Protected group
Where claimant or partner receives a war pension, or a war widow (-ers) pension, or a war disablement pension or a regular payment under the armed forces compensation scheme

Appendix C Non- Dependant deductions - April 2013 rates.

Description	Deduction
1) Gross income greater than or equal to £186.00 p.w. from any source unless the non-dependant is receiving an income in category 3)	£11.00 p.w
2) Gross income less than or equal to £185.99 p.w. unless the non-dependant is receiving an income in category 3)	£5.00
3) In receipt of Income Support, Income based Jobseekers Allowance, Income related Employment and Support Allowance, State Pension Credit or maximum Universal Credit	Nil

APPENDIX 8

Impact on affected groups – proposed scheme

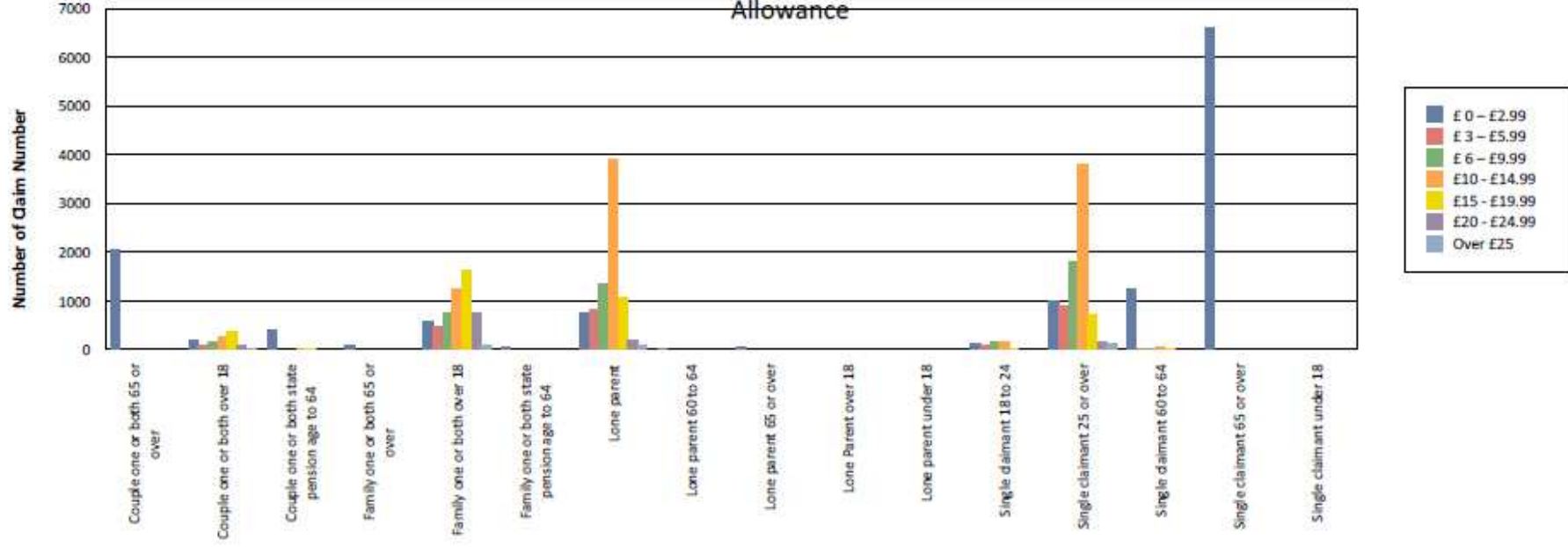
The figure and table below show the financial impact of the proposed scheme on a range of groups.

Key statistics are:

- 326 households will lose more than £25 per week, and a further 1,180 will lose between £20 and £25 per week
- The most adversely impacted groups by number are:
 - 7,500 single claimants 25 and over will lose more than £3 per week
 - 7,400 lone parents will lose more than £3 per week
 - 4,900 families with one or more children will lose more than £3 per week
 - 1,000 working age couple will lose more than £3 per week
- The groups with the largest numbers of households losing more than £20 per week are:
 - Families with one or more child over 18 (838 households)
 - Single claimants 25 and over (282 households)
 - Lone parents (271 households)
 - Working age couples (102 households)
- In contrast, the following groups are impacted either minimally or not at all:
 - Pensioners
 - Families/couples/singles between pension age and 64

Number of Claim Number / Weekly amounts lost

by Personal Allowance



Weekly losses (Range)

<u>Personal Allowance</u>		<u>£ 0 – £2.99</u>	<u>£ 3 – £5.99</u>	<u>£ 6 – £9.99</u>	<u>£10 - £14.99</u>	<u>£15 - £19.99</u>	<u>£20 - £24.99</u>	<u>Over £25</u>	<u>Total</u>
Couples	Couple one or both 65 or over	2,042	0	0	0	0	0	0	2,042
	Couple one or both over 18	192	100	160	253	359	96	6	1,166
	Couple one or both state pension age to 64	407	4	4	3	12	1	0	433
Families	Family one or both 65 or over	80	0	0	0	0	0	0	80
	Family one or both over 18	590	490	743	1,254	1,622	738	100	5,537
	Family one or both state pension age to 64	72	0	4	3	4	3	0	86
Parents	Lone parent	747	832	1,365	3,900	1,068	189	82	8,183
	Lone parent 60 to 64	31	0	0	4	1	1	0	37
	Lone parent 65 or over	34	0	0	0	0	0	0	34
	Lone Parent over 18	0	0	0	0	1	0	0	1
	Lone parent under 18	0	0	1	1	0	0	0	2
Singles	Single claimant 18 to 24	139	99	165	160	13	1	3	580
	Single claimant 25 or over	1,012	885	1,820	3,794	704	147	135	8,497
	Single claimant 60 to 64	1,242	12	28	63	19	4	0	1,368
	Single claimant 65 or over	6,594	0	0	0	0	0	0	6,594
	Single claimant under 18	3	0	0	0	1	0	0	4
Total		12,895	2,384	4,227	9,431	3,803	1,180	326	33,571

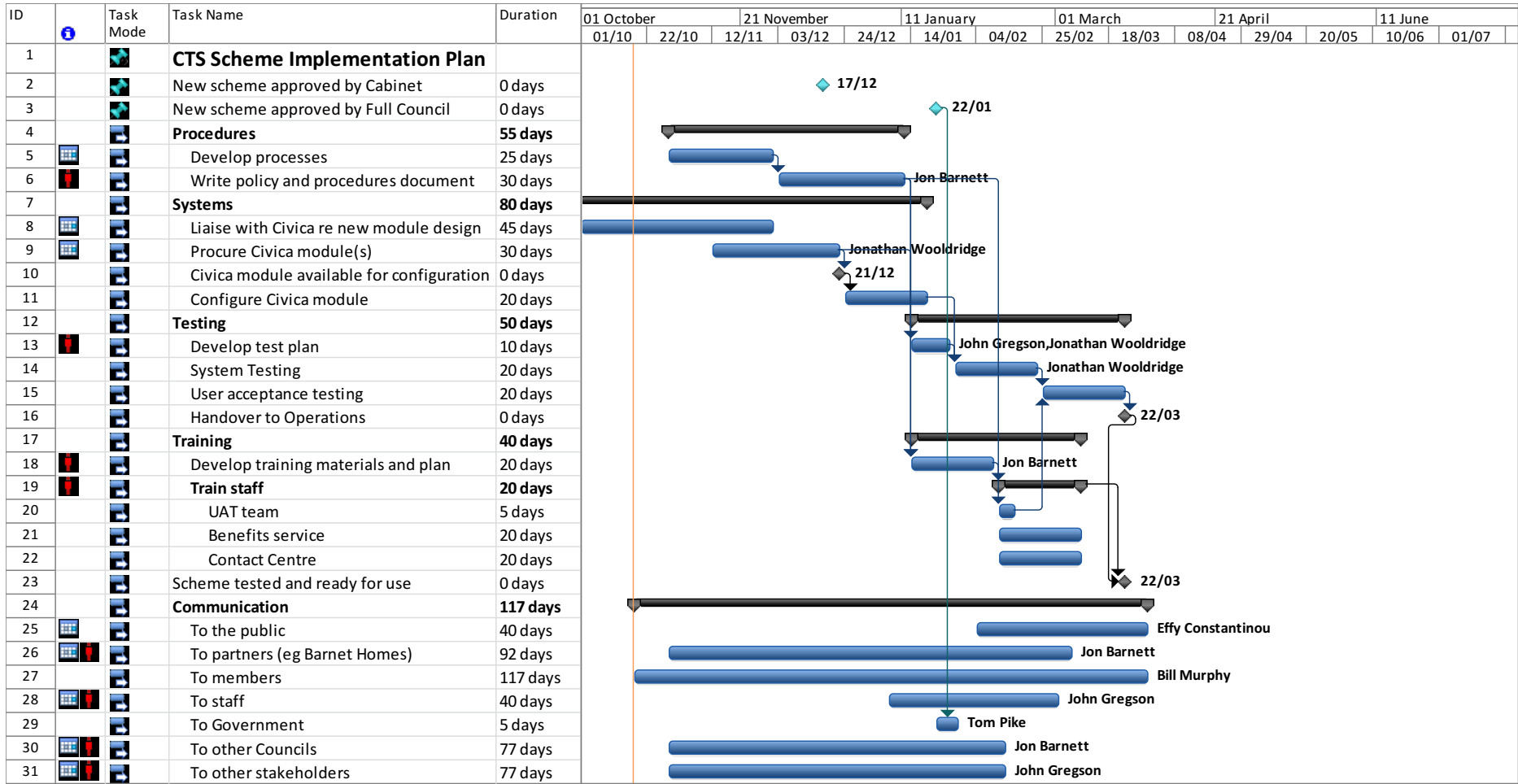
Note: The vast majority of those shown in the £0-2.99 range will suffer no loss.

APPENDIX 9

Implementation Plan

The schedule for the implementation of the proposed scheme is shown overleaf. Key milestones are:

- Scheme approved by Cabinet 17 December 2012
- Civica module available 21 December 2012
- Scheme approved by full Council 22 January 2013
- Start communications to public 1 February 2013
- Module tested and handed over to operations 22 March 2013
- Staff trained in new scheme and system 22 March 2013
- Go live 1 April 2013



Report of the Licensing Committee

26 November 2012

Members Present:-

AGENDA ITEM 4.4

Councillor Andreas Tambourides (Chairman)
Councillor Lisa Rutter (Vice Chairman)

Councillor Maureen Braun	Councillor Andreas Ioannidis
Councillor Alison Cornelius	Councillor Wendy Prentice
Councillor Claire Farrier	Councillor Agnes Slocombe
Councillor John Hart	

Apologies for Absence:-

Councillor Ansuya Sodha

GAMBLING STATEMENT OF PRINCIPLES

The Committee considered the attached report of the Interim Director of Environment, Planning and Regeneration

For the reasons given in the report the Committee set out in Appendix 1.

RESOLVED TO RECOMMEND

- 1) That the proposed Gambling Statement of Principles be approved and adopted as policy so it can be published on or before 13 January 2013 in accordance with the Gambling Act 2005.**
- 2) That the resolution not to license casinos be reaffirmed and adopted as policy.**

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Appendix 1

Meeting	Licensing Committee
Date	26 November 2012
Subject	Gambling Statement of Principles
Report of	Interim Director of Environment, Planning and Regeneration
Summary	This is a report proposes that the draft Gambling Statement of Principles be approved by the Licensing Committee and that the Committee recommend it for adoption as policy by full Council, together with an affirmation of the resolution not to licence casinos in the borough.

Officer Contributors	Emma Phasey – Trading Standards & Licensing Manager Michelle Rudland – Licensing Officer
Status (public or exempt)	Public
Wards Affected	All
Key Decision	No
Reason for urgency / exemption from call-in	Not Applicable
Function of	Council
Enclosures	Appendix 1 – Draft statement of principles Appendix 2 – Consultation document Appendix 3 – List of substantial deletion/insertions
Contact for Further Information:	Emma Phasey Trading Standards and Licensing Manager Emma.phasey@barnet.gov.uk

1. RECOMMENDATIONS

- 1.1 That the proposed Gambling Statement of Principles be approved by the Licensing Committee and recommended for adoption as policy by full Council in January 2013 so it can be published on or before 13 January 2013 in accordance with the Gambling Act 2005**
- 1.2 That the resolution not to license casinos be reaffirmed and recommended to full Council for adoption as policy.**

2. RELEVANT PREVIOUS DECISIONS

- 2.1 Decision on 15 December 2009 by council on recommendation of Licensing Committee, to adopt the current licensing policy and also that the resolution not to license casinos be reaffirmed and adopted as policy.
- 2.2 Decision of the Licensing Committee on 11 July 2012 to approve for consultation the draft Gambling Statement of Principles.

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Under the Licensing Act 2003 there are three statutory objectives to be met through licensing:
 - (1) Preventing gambling from being a source of crime, being associated with crime or being used to support crime
 - (2) Ensuring that gambling is conducted in a fair and open way
 - (3) Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 3.2 The Gambling Statement of Principles will support objectives contained within the corporate plan. In particular in relation to a “successful London suburb” by providing for well regulated gambling within the borough.

4. RISK MANAGEMENT ISSUES

- 4.1 Failure to review and adopt a Gambling Statement of Principles would be in breach of the legislative requirement of the Gambling Act 2005 and would mean that decisions of the Licensing Committee would not be valid.
- 4.2 The adoption of an unsound policy may result in poor licensing decisions being taken and could cause difficulty to businesses, residents and responsible authorities. This would leave the authority open to challenge by way of Judicial Review in relation to the Statement of Principles and/or appeal of a Licensing Committee decision to the Magistrates’ Court. This would adversely affect the Council’s reputation.

5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The Council has a legal obligation to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different groups.
- 5.2 When considering gambling applications and representations, only issues provided for in the Gambling Act 2005 and associated Guidance, in addition to the licensing authority's Statement of Gambling Principles will be taken into account. This will ensure a consistent approach is adopted. Under the terms of the policy, every application will be considered on its own merits, regardless of the race, colour, nationality, ethnic origin, sex, marital status, disability or age of the individuals involved.
- 5.3 The community in Barnet has a richness of diversity with a broad range of cultural activities and entertainments. Applications will be dealt with in accordance with the Act. Guidance will only be issued and conditions will only be imposed that are reasonable, proportionate and strictly necessary for the promotion of the licensing objectives.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 There are no resources implications of this report
- 6.2 The setting of fees is dealt with separately to the Statement of Principles and fees are reviewed every 12 months.

7. LEGAL ISSUES

- 7.1 It is mandatory under the Gambling Act 2005 for the statement of principles to be reviewed and updated.

8. CONSTITUTIONAL POWERS (Relevant section from the Constitution, Key/Non-Key Decision)

- 8.1 Constitution Part 3, Section 2, details the functions of the Licensing Committee including "all functions under the ...Gambling Act 2005, associated Regulations, not otherwise delegated to the Licensing Sub-Committee".
- 8.2 The statutory and regulatory provisions reserve to full Council the decision to approve the draft Gambling Statement of Principles and also to resolve whether to license casinos and it will therefore be necessary for the Committee to make a recommendation to the Council meeting on

December 2012 in order to meet the statutory deadline for publication which is January 2013.

9. BACKGROUND INFORMATION

- 9.1 Under the Gambling Act 2005 the Council is the licensing authority for gambling premises in the Borough. The Act requires that a licensing authority should aim to permit the use of premises for gambling in so far as it thinks it is:
- a) in accordance with any relevant code of practice or any guidance from the Gambling Commission;
 - b) reasonably consistent with the licensing objectives; and
 - c) in accordance with its gambling licensing policy.
- 9.2 The Council has a number of important regulatory functions in relation to gambling. These include licensing premises, regulating gaming and gaming machines in clubs, granting permits to what the Guidance refers to as 'family entertainment centres' for the use of certain lower stake gaming machines, regulating gaming and gaming machines on alcohol licensed premises, granting permits for prize gaming, and registering small society lotteries.
- 9.3 There are currently 72 gambling premises licences in the borough.
- 9.4 The casino resolution lapses after three years and the local authority must therefore pass a new resolution by 14 January 2013. The proposed resolution is included in paragraph 10.10.1 of the draft Statement of Principles and has been included in the consultation.
- 9.5 At its meeting on 11 July 2012 the Licensing Committee instructed the Interim Director of Environment, Planning and Regeneration to consult with relevant persons and bodies on the reviewed statement of gambling principles.
- 9.6 The consultation document was sent to the Police, trade associations for gambling businesses, and residents groups. It was also sent to councillors, responsible authorities, sample gambling businesses in the area, faith groups, and voluntary organisations, community organisations working with children and young people and organisations working with problem gambling.
- 9.7 The draft Gambling Statement of Principles was subject to public consultation for 13 weeks ending on 23 October 2012. The consultation was available on the Council's web site, and was sent by email to statutory consultees, all Members and various other individuals and organisations. Comments were invited on any aspect of the Statement. The full list of consultees is contained in Appendix 2 of the draft Gambling Statement of Principles.

- 9.8 No responses were received in response to the consultation.
- 9.9 The Statement of Principles is attached at Appendix 2. There are no changes to the proposed Statement that was submitted at the July meeting.
- 9.10 If the Statement is approved, the Committee will recommend it for adoption by full Council In January 2013 before it is published on or before 14 January 2013 in accordance with the Gambling Act 2005.
- 9.11 The Statement may be changed at any time after adoption (after further consultation), and must be renewed at intervals of not less than three years.

10. LIST OF BACKGROUND PAPERS

- 10.1 Guidance to licensing authorities on the Gambling Act 2005 issued by the Gambling Commission, May 2009
- 10.2 Draft Guidance to licensing authorities on the Gambling Act 2005 issued by the Gambling Commission, 2012

Cleared by Finance (Officer's initials)	
Cleared by Legal (Officer's initials)	

London Borough of Barnet

**Statement of
Principles**

Gambling Act 2005

2013-2016

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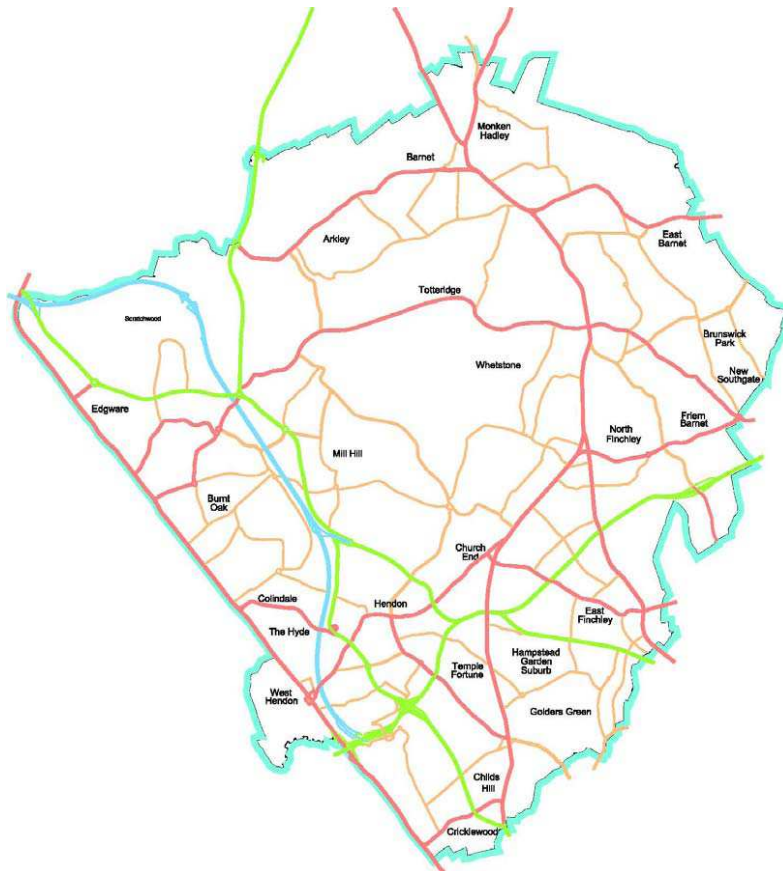
1. Introduction

- 1.1 The London Borough of Barnet here sets out a statement of principles that it will apply when carrying out its functions as a licensing authority in accordance with the Gambling Act 2005.
- 1.2 The London Borough of Barnet is situated in North London. Barnet's overall population in 2011 was projected to be 353,900, the largest population of the 32 London boroughs. In terms of area it is the fourth largest. 36% of the borough is undeveloped, being green belt (28%) and metropolitan open land (8%). The rest of the borough is made up of densely populated suburban areas, 20 town centres and the transport network. For more information of the demographics of the London Borough of Barnet please refer to the State of The Borough Report or 2011.

http://www.barnet.gov.uk/downloads/download/352/state_of_the_borough_2011

1.3 The Borough is shown in the map below and in detail at

<http://maps.barnet.gov.uk/>



1.4 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This statement must be published at least every three years and must also be reviewed from “time to time”. Any amendments must be consulted upon and the statement published before giving it effect.

1.5 In preparing a statement, the Act requires licensing Authorities to consult the following:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.

1.6 The Council has consulted widely upon this statement in accordance with the Act. A list of the groups consulted upon is provided below:

- The Metropolitan Police Service
- Social Services
- Trade associations
- Resident associations
- Responsible authorities
- Councillors
- Faith Groups
- Voluntary Groups

A full copy of the individuals and groups consulted can be found in appendix 1

1.7 The consultation took place between 12 July 2012 and 4th October 2012 in accordance with the HM Government Code of Practice on Consultation (published July 2008), which is available at: <http://www.berr.gov.uk/files/file47158.pdf>

1.8 This Statement of Principles was approved at a meeting of the Full Council on <DATE> and was published on [Date to be inserted following approval process].

1.9 It should be noted that this Statement of Principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on

its own merits and in accordance with the statutory requirements of the Gambling Act 2005.

2. The licensing objectives

- 2.1 In exercising functions under the Gambling Act 2005 licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
- Preventing gambling being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
 - Ensuring that gambling is conducted in a fair and open way.
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.2 The Council of the London Borough of Barnet as the relevant licensing authority accepts that the term “vulnerable person” is not defined. It may for example include people who gamble more than they want to, or beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. The Council as the relevant licensing authority will consider this objective on a case by case basis and will not interpret the term narrowly.
- 2.3 It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”
- 2.4 It should be noted that this statement of licensing principles will not override the right of any person to make an application, make representations about an application, or apply to review a licence as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

3. Declaration

- 3.1 In preparing this Statement of Principles, the licensing authority has had regard to the licensing objectives of the Act, and the Guidance to Licensing Authorities issued by the Gambling Commission and any responses from those consulted on this Statement of Principles.

4. Responsible authorities

- 4.1 The responsible authorities with respect to licensing premises in Barnet are:
- The Gambling Commission
 - The Metropolitan Police Service
 - The Council’s Planning Service
 - The London Fire and Emergency Planning Authority
 - The Safeguarding Children Board
 - HM Revenue and Customs
 - The Council itself as the licensing authority

- 4.2 The Licensing authority are required by regulations to state the principles it will apply in exercising its powers under Section 157 of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- The need for the body to be responsible for an area covering the whole of the licensing authorities are and
 - The need for the body to be answerable to the democratically elected persons rather than any particular vested interest group
- 4.3 In accordance with the suggestion in the Gambling Commission Guidance to Local Authorities the London Borough of Barnet designates the local safeguarding childrens board for this purpose.
- 4.4 In selecting the Safeguarding Children Board as the body competent to advise about the protection of children from harm, the London Borough of Barnet took into account the following points:
- The Safeguarding Children Board has a responsibility under the Children Act 2004 to promote the welfare and safety of children and young people in the London Borough of Barnet
 - The Board includes a variety of professionals with skills and experiences directly relevant to the need to protect children from being harmed or exploited by gambling
 - The Board is answerable to democratically elected persons and does not represent any particular interest group
 - The Board is the responsible authority for the purposes of the Licensing Act 2003 and has experience of the licensing process
 - The Board works in partnership with other local authority services and other organisations to make Barnet a safer place for children
 - The Board is able to provide advice about protecting children and guidance in accessing appropriate training
 - The Board works within the wider pan London framework of child protection so as to promote a consistent approach across London
- 4.3 Responsible authorities have the right to make representations in connection to an application, or to ask for a review of an existing licence. Any such representation must be relevant to the application.

5. Interested parties

- 5.1 Interested parties are defined in Section 158 of the Act as follows:

“A person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person;

Lives sufficiently close to the premises to be likely to be affected by the authorised activities

Has business interests that might be affected by the authorised activities
Represents persons who satisfy paragraph a) or b)”

- 5.2 Interested Parties have the right to make representations in connection to an application, or to ask for a review of an existing licence. Any such representation must be relevant to the application.
- 5.3 To enable the licensing authority to decide whether a person is an interested party it will expect any person making a representation to give their name and address and explain how they or their business interests would be affected by the authorised activities. If this information is not provided then the representation will not be accepted by the licensing authority.
- 5.4 In considering whether an interested party lives or has business interests sufficiently close to the premises certain factors will be taken into account including:
 - The size of the premises
 - The nature of the premises
 - The distance of the premises from the habitual residence or workplace of the person making the representation
 - The potential impact of the premises (number of customers, routes likely to be taken when visiting the premises)
 - The circumstances of the complainants and their interest that may be relevant to the distance from the premises
- 5.5 In determining whether a person or organisation has “business interests” the authority will adopt the widest possible interpretation and may recognise certain groups which include but are not limited to; trade unions, partnerships, charities, faith groups, residents and tenants associations and medical practices.
- 5.6 If the representation is from an association or any other body then these will only be accepted provided that they have at least one member who is an interested party.
- 5.7 Unless the person making the representation is a locally elected councillor or member of parliament the licensing authority may require written evidence that they represent identified interested parties. A letter from one of these persons will be sufficient.
- 5.8 If individuals wish to approach locally elected councillors to ask them to represent their views then those councillors cannot sit on a licensing committee that meets to determine the licence application.
- 5.9 To be deemed relevant a representation must relate to the licensing objectives or raise issues under the policy or the Gambling Commissions guidance or codes or practice.

5.10 In deciding whether to treat a representation as frivolous or vexatious the following will be taken into account

- Who is making the representation and whether that person has a history of making representation that are not relevant
- Whether or not it raises a relevant issue
- Whether it raises issues specifically to do with the premises which are the subject of the application

5.11 The validity of each representation will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at paragraphs 8.11 to 8.18.

6. Exchange of Information

6.1 The licensing authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information with the Gambling Commission and other persons listed in Schedule 6 to the Act. This includes the provision that the Data Protection Act 1998 will not be contravened.

6.2 The licensing authority will also have regard to any guidance issued to local authorities by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under powers provided in the Act.

6.3 The licensing authority will seek to establish information exchange protocols with the responsible authorities and will make these available.

7. Inspection and Enforcement

7.1 A licensing authority is required to state the principles to be applied by the authority in exercising its functions under Part 15 of the Act with respect to the inspection of premises; and the powers under Section 346 of the Act to institute criminal proceedings in respect of the offences specified.

7.2 The licensing authority's principles are that it will be guided by the Gambling Commissions Guidance for Local Authorities and in doing so will endeavour to be:

- Proportionate -The licensing authority will only intervene when necessary; remedies will be appropriate to the risks posed and costs identified and minimised
- Accountable - the licensing authority must be able to justify decisions and will be subject to public scrutiny
- Consistent - rules and standards will be implemented fairly
- Transparent -the licensing authority will be open and do its best to keep things simple and user friendly

- Targeted – the licensing authority will focus on the problem and do its best to minimise side effects.
- 7.3 Any enforcement action will be in accordance with the relevant enforcement policy.
- 7.4 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.
- 7.5 This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities. The Better Regulation Executive is a government agency which aims to achieve more effective regulation and reduce existing regulatory burdens affecting business, the third sector and frontline staff in the public sector.
- 7.6 The London Borough of Barnet’s licensing officers will monitor ongoing compliance with licence conditions. They may carry out inspections without prior notice to the occupier or licensee.
- 7.7 As per the Gambling Commission’s Guidance to Licensing Authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.8 Planned enforcement activity will be prioritised according to assessed risk (the potential for harm to the licensing objectives). This licensing authority has adopted and implemented a risk-based inspection programme, based on:
- The licensing objectives
 - Relevant codes of practice
 - Guidance issued by the Gambling Commission, in particular at Part 36
 - The principles set out in this statement of licensing policy
- 7.9 When assessing risk, the licensing authority may take into account the following matters:
- The type of gambling and its potential to result in harm
 - The size of the premises and the number of patrons
 - The standard of compliance with licence conditions
 - Officers’ confidence in the ability and intention of the management of the premises to maintain good standards of compliance with licence conditions
 - Relevant information from other agencies.

7.10 The risk rating for each premises will be kept under constant review and may change at any time.

7.11 The licensing authority is prepared to receive complaints about licensed premises and, with the agreement of the complainant, deal with them informally with the aim of securing improvement if necessary without the need for a formal review of the licence.

7.12 The licensing authority will not tolerate non-compliance with licence conditions or licensable activity at unlicensed premises except in accordance with a Temporary Use Notice.

8. Licensing Authority's Functions

8.1 Licensing authorities are required under the Act to assume responsibility for;

- Licensing premises where gambling activities are to take place by issuing premises licences
- Issuing provisional statements
- Regulation of members clubs and miners welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres
- Receiving notifications from alcohol licensed premise (Under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issuing Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.
- Registration of small society lotteries below the prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission regarding details of licensing issues
- Maintaining registers of the permits and licences that are issued under these functions.

8.2 It should be noted that local licensing authorities are not involved in licensing remote gambling at all. This falls within the remit of the Gambling Commission via operating licences. Remote gambling is defined as "gambling in which persons participate by the use of remote communication" namely, the internet, telephone, television, radio or "any other kind of electronic or other technology for facilitating communication".

9. Applications: General Principles

9.1 The licensing authority has no rigid rules about the acceptability of applications and will consider each on its merits.

9.2 The matters that it will generally take into account when considering applications for permits and licences and when reviewing a licence are set out below:

- The type and nature of the gambling activity.
- The proximity of the gambling premises to sensitive premises such as schools or centres for vulnerable adults, or to residential areas where there may be a high concentration of families with children, and the likelihood that children or vulnerable adults will enter the premises.
- Where permits or licences are sought for use at premises that may attract children, or where children may be present, the licensing authority will give particular weight to child protection issues. The licensing authority is aware that children may be harmed not only by taking part in gambling, but also if they are able to watch it taking place. This concern may be particularly relevant at premises where there are multiple licences, where only part of a premises is licensed or where permits are to be used in part of a premises only.
- The adequacy of any proposed measures to prevent crime connected with gambling.
- The adequacy of any proposed steps to prevent access by children and vulnerable adults, or to prevent such people from seeing gambling taking place.
- The public availability at the premises of information about organisations that can provide advice and support in relation to gambling and debt, for example GamCare, Gamblers Anonymous, the Gordon House Association, the National Debtline and local Citizens Advice Bureaux and other relevant advice agencies.
- The existence of crime and disorder (particularly if it has required police intervention) or actual harm to children or vulnerable adults, where these are connected to gambling at the premises.

9.3 It will assist the sub-committee in contested cases if applicants, responsible authorities and interested parties address these matters.

9.4 When considering applications, sub-committees will decide matters of fact on the balance of probabilities.

9.5 The licensing authority will place information about licence applications on its web site, and will notify ward councillors when applications are received.

10. Premises Licences

10.1 General

10.1.1 A premises licence may authorise:

- the operation of a casino
- the provision of facilities for playing bingo
- Adult Gaming Centres
- Licensed Family Entertainment Centres

- The provision of facilities for betting.

10.1.2 Premises licences are subject to the requirements as set out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

10.1.3 The licensing authority recognises that every application and representation made in connection with premises licences, with the exception of applications for a casino licence, must be treated on its merits.

10.1.4 The licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.
-

10.1.5 It is appreciated that as stated in the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" and also that unmet demand is not a criterion for a licensing authority.

10.1.6 Premises licences that are granted must be consistent with the licensing objectives. In consideration of the Gambling Commission's Guidance to Licensing Authorities the following comments are made:

- This licensing authority is aware that the Gambling Commission takes a lead role in preventing gambling from being a source of crime. However, the guidance does envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.
- This licensing authority has noted that the Gambling Commission states it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- This licensing authority has noted that Gambling Commissions Guidance on protecting children from being harmed or exploited by gambling means preventing children from taking part in gambling as well as restriction of advertising so that gambling products are not aimed at or are particularly attractive to children.

10.2 Definition of “Premises”

10.2.2 10.2.1 In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place.

10.2.3 However, the licensing authority will pay particular attention if there are issues about sub-divisions of a single building or plot and will ensure that mandatory conditions relating to access between premises are observed.

10.2.4 In most cases the expectation is that a single building or plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer.

10.2.5 The licensing authority does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.

10.2.6 This licensing authority will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non gambling) purposes. In particular, the attention of applicants is drawn to the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

10.2.7 Other factors which the licensing authority may consider are:

- Do the premises have a separate registration for business rates?
- Are the neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

10.2.8 The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per paragraph 7.26 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

No customer should be able to access the premises directly from:

- a casino
- an adult gaming centre

Bingo Premises

No customer must be able to access the premise directly from:

- a casino
- an adult gaming centre
- a betting premises, other than a track

Family Entertainment Centre

No customer must be able to access the premises directly from:

- a casino
- an adult gaming centre
- a betting premises, other than a track

10.2.9 Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

10.3 Location

10.3.1 The licensing authority will take into account the location of premises in the context of the crime prevention objective. For example, if an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime, the licensing authority will consider what, if any, controls might be appropriate to prevent those premises becoming a source of crime. These might include conditions being put on the licence, such as a requirement for door supervisors. The licensing authority has not identified any such areas, but will be receptive to advice from the Police when considering applications.

10.3.2 As stated in the Gambling Commissions Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling. Applications for granting licences in respect of gambling premises that are in close proximity to locations for such vulnerable persons for example schools, centres for gambling addicts, hostels, centres catering for people with mental disabilities or learning difficulties or those with drug or alcohol abuse problems, will receive very careful consideration.

10.3.3 Should any policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. Again it should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

10.4 Premises "ready for gambling"

10.4.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

10.4.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.

10.4.3 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this licensing

authority will determine applications on their merits, applying a two stage consideration process;

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

10.4.4 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

10.5 Duplication with Other Regimes

10.5.1 This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This licensing authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

10.5.2 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, building control and other regulations and must not form part of the consideration for the premises licence.

10.5.3 The licensing authority wishes to reconcile planning, building control and licensing considerations whenever possible. However, it should be noted that licensing decisions will not over-rule planning or building control decisions, as the legal framework for each is different.

10.5.4 Licensable activities cannot lawfully be carried on at premises unless there is a premises licence or permit (other than in accordance with a Temporary or Occasional Use Notice) and any necessary planning permission and building regulation approval. A licence will not remove the need for planning permission or building regulation approval, should these be necessary. The onus is on the licence holder or applicant to ensure that these permissions exist.

10.5.5 The licensing authority has a duty to take into consideration all relevant matters and not to take into consideration irrelevant matters ie those not related to gambling and licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their application

10.5.6 The licensing authority will take into account any concerns about conditions that are not able to be met by licence holders due to planning restrictions

10.6 Licensing Objectives

Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commissions Guidance to licensing authorities and some comments are made below.

10.6.1 Preventing Gambling from being a source of crime and disorder or being associated with crime and disorder or being used to support crime

The licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commissions guidance does however envisage that licensing authorities should pay attentions to the proposed location of gambling premises in terms of this objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

10.6.2 Ensuring that gambling is conducted in a fair and open way

This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. For Local Authorities with tracks: There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section– see page 14).

10.6.3 Protecting children and other vulnerable persons from being harmed or exploited by gambling

This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

10.6.4 This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

10.7 Adult Gaming Centres

10.7.1 The licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that those who are aged under 18 years old are not attracted to or gain access to the premises.

10.7.2 The licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10.7.3 The licensing authority will have particular regard to the location and management of entrances to adult gaming centres. It will wish to see that the opportunities for children to gain access are minimised. This will be of particular importance if young people are likely to be unsupervised and the gaming centre is in a complex, such as a shopping centre.

10.8 Licensed Family Entertainment Centres

10.8.1 Gaming machines are a form of gambling which is attractive to children and Licensed Family Entertainment Centres will contain machines of the Category D machine types on which they are allowed to play. Because gaming machines provide opportunities for solitary play and for immediate payouts, they are likely to engender repetitive and excessive play. In considering applications the licensing authority will have regard to the need to protect children and vulnerable people from harm or being exploited by gambling and will expect the applicant to satisfy the licensing authority, for example, that those aged under 18 years old do not have access to the adult only gaming machine areas.

10.8.2 The London Borough of Barnet may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage

- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

10.8.3 The licensing authority will refer to the Gambling Commission's website from time to time to ascertain any conditions that may apply to operating licences regulating the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

10.9 Tracks

10.9.1 Licensing authorities have a power under the Gambling Act 2005 to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. The licensing authority has no special policy on these issues, but will take into account the size of the track and associated area and the ability of staff to monitor the use of the machines by children and vulnerable people when determining the number of machines permitted.

10.8.1 10.9.2 The licensing authority will normally attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public.

10.10 Casinos

10.10.1 The licensing authority has resolved not to license casinos, with immediate effect. Any applications received will be returned with a notification that a 'no-casino' resolution is in place.

10.11 Bingo

10.11.1 The licensing authority will need to be satisfied that appropriate conditions exist for bingo to be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

10.11.2 This authority also notes the Gambling Commission's Guidance at paragraph 18.8 regarding the unusual circumstances in which the

splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

10.11.3 Children and young people are allowed into bingo premises. However, they are not permitted to participate in the playing of bingo and if category B or C machines are made available for use, then these must be separated from areas where children and young people are allowed.

10.12 Betting premises

10.12.1 The licensing authority is aware that there is a trend to enlarge betting offices and that this can result in improved customer facilities. The licensing authority will look favourably on applications to improve customer facilities by enlarging or relocating existing premises, provided this does not entail risk to the licensing objectives.

10.12.2 The licensing authority recognises that certain bookmakers have a number of premises within its area. In order to ensure compliance and that issues are recognised and resolved at the earliest stage, operators are requested to give the licensing authority a single named point of contact, who should be a senior individual, and whom the licensing authority will contact first should any compliance queries or issues arise.

10.11.1 10.12.3 Betting machines - This licensing authority will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable people, when considering the number, nature and circumstances of betting machines an operator wants to offer.

10.13 Provisional Statements

10.13.1 Developers may wish to apply to this licensing authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

10.13.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

10.13.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as

applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

10.13.4 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage,
- they reflect a change in the applicant's circumstances.

10.13.5 In addition, the licensing authority may refuse the premises licence or grant it on terms different to those attached to the provisional statement only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the licensing authority's opinion reflect a change in the operator's circumstances;
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

10.14 Licence Conditions

10.14.1 Premises licences will be subject to the permissions and restrictions set out in the Gambling Act 2005 and Regulations, as well as specific mandatory and default conditions detailed in regulations. It is expected that in most cases the mandatory and default conditions will be appropriate and sufficient but the licensing authority is able to exclude default conditions and also attach others. The licensing authority will be concerned to ensure that appropriate conditions are attached to licences and if it believes that the mandatory and default conditions will not be appropriate or sufficient in a particular case, it will be minded to impose others. Similarly, it may be prepared to remove or amend default conditions if satisfied that to do so would not harm the licensing objectives.

10.14.2 The London Borough of Barnet accepts that conditions, other than mandatory ones, must be tailored to the individual style and characteristics of the premises concerned. Apart from the mandatory conditions, the London Borough of Barnet will not apply conditions from a standard list without regard to the particular circumstances of the application. It will only apply conditions if they are:

- Relevant to the need to make the proposed building suitable as a gambling facility, or
- Directly related to the type of licence applied for
- Relevant to one or more of the licensing objectives
- Fairly and reasonably related to the scale and type of premises
- Reasonable in all other respects.

In this way, unnecessary or disproportionate conditions will be avoided.

10.14.3 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

10.14.4 This licensing authority will also consider specific measures which may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

10.14.5 This authority believes that children should not normally be permitted access to premises or parts of premises where gambling takes place.

10.14.6 The authority will ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder;
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18 years of age.
- Ages of younger patrons are checked

These considerations will apply to premises including buildings where multiple premises licences are applicable.

10.14.7 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a

specified area of the track. This licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

- 10.14.8 If there is justified concern about serious, disruptive or threatening disorder, particularly if Police intervention has been necessary, suitable licence conditions such as door supervision or the use of CCTV will normally be appropriate.
- 10.14.9 Licence conditions may be imposed if there is justified concern about burglary targeted at gaming machines or the use of gaming machines by children.
- 10.14.10 If the licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.
- 10.14.11 Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be Security Industries Act licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Gambling Commission's Guidance, Part 33).
- 10.14.12 When considering whether to impose a licence condition to restrict the number of betting machines in particular premises, the licensing authority will take into account the size of the premises, the number of counter positions available for person to person transactions, and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.
- 10.14.13 It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:
- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
 - conditions relating to gaming machine categories, numbers, or method of operation;
 - conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the

membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and

- conditions in relation to stakes, fees, winning or prizes

10.14.14 The fairness and openness of gambling are primarily matters for the Gambling Commission, which has the power to impose relevant conditions on operating and personal licences. The licensing authority will not impose conditions on premises licences in connection with this objective except in the case of track licences, where the track operator may not have an operating licence.

10.15 Reviews

10.15.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the licensing authority to decide whether the review is to be carried out. This decision will be made on the basis of whether the request for the review is relevant to the matters listed below but the licensing authority will not review a licence if it considers the request to be frivolous, vexatious or repetitious, or that a review will certainly not cause the licensing authority to alter, revoke or suspend the licence, or the request is substantially the same as previous representations or requests for review. The holding of a review must be:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- consistent with the licensing objectives and
- in accordance with the authority's statement of principles.

10.15.2 The licensing authority can itself initiate a review of a licence and may do so if it appears to its officers that the licensing objectives are being harmed. It is open to any officers of the London Borough of Barnet authorised to do so to initiate a review in the London Borough of Barnet's name but it is expected that in most cases licensing officers will take the lead.

10.15.3 The licensing authority does not wish its licensing officers to take on the initiation of a review that could otherwise be requested by another responsible authority or an interested party. Where evidence of harm to the licensing objectives is provided by either a responsible authority or interested party wanting a review to take place, the licensing authority expects that they, not the licensing officers, will normally initiate the review.

10.15.4 Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt. The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

- 10.15.5 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are;
- (a) add, remove or amend a licence condition imposed by the licensing authority;
 - (b) exclude a default condition imposed by the Secretary of State or remove or amend such an exclusion;
 - (c) suspend the premises licence for a period not exceeding three months; and
 - (d) revoke the premises licence.
- 10.15.6 In determining what action, if any, should be taken following a review, the licensing authority will have regard to the principles set out in section 153 of the Act, as well as any relevant representations. In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 10.15.7 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Gambling Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

11. Permits

11.1 General

- 11.1.1 The licensing authority believes that gambling, including the use of category D gaming machines, is harmful to children. The licensing authority believes that the use of gaming machines by children is not consistent with the third licensing objective.
- 11.1.2 The licensing authority will not grant permits for any category of gaming machines where it considers that they are likely to be used or easily accessed, by children. Permits may be granted if adequate precautions are offered by the applicant. These could include, for example, steps to prevent access to the machines by children, and training for staff with respect to suspected truants and unsupervised very young children on the premises.

11.1.3 This licensing authority is concerned about burglary targeted at gaming machines. The authority considers that this is relevant to the first licensing objective.

11.1.4 Precautions to reduce the risk of burglary or theft from the machines may include:

- good security to deter break-ins
- machines monitored by overt CCTV systems of an adequate standard to meet Police recommendations
- machines to be of substantial construction to resist damage
- emptying machines of cash nightly, and displaying a notice stating that this is done
- siting machines where they can be observed by staff or the licence holder to deter theft when the premises are open
- providing adequate secure cash storage facilities to Police recommendations.

11.1.5 The licensing authority recommends that applicants consult the Police, including the local Safer Neighbourhood Team, at an early stage, to obtain advice about crime prevention measures.

11.1.6 When considering an application for a permit, the licensing authority will take into account the applicant's suitability (including whether they have a conviction for any relevant offence).

11.2 [Unlicensed Family Entertainment Centre gaming machine permits \(Statement of Principles on Permits - Schedule 10 paragraph 7\)](#)

11.2.1 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

11.2.2 An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an Unlicensed Family Entertainment Centre (UFEC) and if the chief officer of police has been consulted on the application.

11.2.3 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures including training for staff as regards suspected truant school children on the premises, measures including training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises.

11.2.4 The licensing authority will expect applications to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions
- that staff are trained to have a full understanding of the maximum stakes and prizes.

11.2.5 It should be noted that a licensing authority cannot attach conditions to this type of permit.

11.3 Alcohol Licensed Premises Gaming Machine Permits (Schedule 13 paragraph 4(1)) Automatic entitlement: 2 machines

11.3.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority.

11.3.2 The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

11.4.1 Alcohol Licensed Premises Gaming Machine Permits Permit: 3 or More Machines

11.4.2 If a premises wishes to have more than 2 machines, then it needs to apply for a permit. The licensing authority will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and any other matters that it may think relevant.

11.4.2 This licensing authority considers that such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that those aged under 18 years old do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may

include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18 years. Notices and signage may also help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

11.4.3 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

11.4.4 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions other than these cannot be attached.

11.4.5 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

11.5 Prize Gaming Permits

11.5.1 Gaming is prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming.

11.5.2 This licensing authority has prepared a statement of principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- Clear policies that outline the steps to be taken to protect children from harm.

11.5.3 In making its decision on an application for this permit the licensing authority does not need to but may have regard to the licensing objectives. However, it must have regard to any Gambling Commission guidance.

11.5.4 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game

must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;

- the prize for which the game is played must not exceed the amount set out in regulations if a money prize, or the prescribed value if non-monetary prize;
- participation in the gaming must not entitle the player to take part in any other gambling.

11.5.5 The licensing authority may not impose any further conditions

11.6 Club Gaming and Club Machine Permits

11.6.1 Members clubs and miners' welfare institutes but not commercial clubs may apply for a club gaming permit. The club gaming permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in regulations.

11.6.2 Members clubs, miner's welfare institutes and commercial clubs may apply for a club machine permit. A club machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). It should be noted that commercial clubs may not site category B3A gaming machines offering lottery games in their club.

11.6.3 Members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs, which replicates the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

11.6.4 Licensing authorities may refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years;
- (e) an objection has been lodged by the Gambling Commission or the Police.

11.6.5 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police and the grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

11.6.6 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

11.7 Temporary Use Notices

11.7.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a Temporary Use Notice would include hotels, conference centres and sporting venues.

11.7.2 The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

11.7.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

11.7.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

11.7.5 This licensing authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

11.8.1 Occasional Use Notices

11.8.2 The licensing authority has very little discretion as regards occasional use notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will consider the definition of

a 'track' and whether the applicant is permitted to avail him/herself of the notice.

12. Travelling Fairs

- 12.1 This licensing authority is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 12.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 12.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land.
- 12.4 This licensing authority will work with its neighbouring authorities to ensure that land that crosses our boundaries is monitored so that the statutory limits are not exceeded.

13. Small Society Lotteries

- 13.1 Registration of non-commercial society lotteries may be refused if it appears that the applicant is a commercial society, and the licensing authority will therefore expect full details to be provided of the purpose for which the society is established. The licensing authority may make enquiries to satisfy itself on this point.
- 13.2 If the licensing authority is minded to refuse to register a lottery, or to revoke a registration, it will inform the applicant, stating the reasons, and the applicant will have the right to make representations. Any such representations will be heard by a sub-committee of the Licensing Committee.
- 13.3 The London Borough of Barnet does not currently possess an operating licence in its own name for the purposes of promoting a lottery for the benefit of the community.

14. Integration of licensing with other strategies

- 14.1 The licensing authority will ensure, so far as is consistent with the Act and Guidance, that action taken under this policy supports and does not conflict with strategies for local crime prevention and community safety, planning, equality, tourism and cultural issues, including in particular:
 - The Cultural Strategy for London
http://www.cityoflondon.gov.uk/NR/rdonlyres/DC8388C6-A0B8-4BFE-9EBD-D7A4D5361E23/0/DP_PL_CulturalStrategydocument17Feb.pdf
 - The objectives of the Security Industry Authority
<http://www.sia.homeoffice.gov.uk/Pages/home.aspx>
 - The Safer Communities Strategy

http://www.barnet.gov.uk/downloads/download/116/safer_communities_partnership_strategy_2011-2014

- The Sustainable Communities Strategy
http://www.barnet.gov.uk/downloads/file/125/one_barnet_a_sustainable_community_strategy_for_barnet_2010-2020
- Barnet's Equalities policy
http://www.barnet.gov.uk/downloads/200041/equality_and_diversity

15. Tourism and employment

15.1 The licensing authority recognises the relevance of licensed premises to tourism and employment in the borough. The Licensing Committee will receive reports from any body that it considers appropriate on the needs of the local cultural strategy, and tourist economy, including the employment situation in the area and the need for new investment and employment. These issues will be taken into account so far as the Gambling Act permits when making licensing decisions.

16. Promotion of equality

16.1 The licensing authority encourages the provision of proper facilities for disabled people at licensed premises, and will offer advice and information where necessary to assist applicants

16.2 The licensing authority is obliged to have due regard to the need to eliminate unlawful discrimination, for example on the grounds of race, gender, disability, sexual orientation or religion, and to promote equality of opportunity and good relations between persons of different groups. When considering applications and representations, the licensing authority will treat all parties equally. However, it can take into account only the issues provided for in the Gambling Act.

17 Licensing Register

17.1 The licensing authority will establish and maintain a Licensing Register containing the information required by statute, and keep it available for inspection. It can be seen on request to the Licensing Team, telephone 0208 359 7443.

18. Relevant documents

- The Enforcement Concordat
<http://webarchive.nationalarchives.gov.uk/+/http://www.berr.gov.uk/files/file10150.pdf>
- The Regulators' Compliance Code <http://www.berr.gov.uk/files/file45019.pdf>
- The Human Rights Act 1998
<http://www.legislation.gov.uk/ukpga/1998/42/contents>
- Crime and Disorder Act 1998
<http://www.legislation.gov.uk/ukpga/1998/37/contents>

- Disability Discrimination Act 1995
www.hmso.gov.uk/acts/acts1995/Ukpga_19950050_en_1.htm

Guidance issued by the Gambling Commission under section 25 of the Gambling Act 2005

http://www.gamblingcommission.gov.uk/licensing_authorities/information_for_licensing_auth/guidance_to_las.aspx

19. Complaints about the Licensing Service

19.1 The licensing authority will investigate any complaint about the way it deals with a licensing issue and will inform the complainant of the outcome. If the complaint is justified, it will put the problem right if possible. The Council has a formal complaints procedure. For information see www.barnet.gov.uk/contact-us.htm

20. Further information

20.1 Information about applications, fees, how to make a representation, details of the responsible authorities and the licensing register, see www.gamblingcommission.gov.uk or contact the Licensing Team on 020 8359 7443, licensingadmin@barnet.gov.uk or see the council's website, www.barnet.gov.uk

21. Commencement and Review

21.1 This policy will come into effect on (date) It will be kept under review and the Council may make changes after consultation. It will be renewed every three years. The council will be pleased to receive the views of responsible authorities, individuals or organisations at any time

Matter to be dealt with	Full Council	Licensing Committee	Licensing sub committee	10.2.9.1.1.1 Officers
Final approval of the Licensing Authority Statement of Policy	X			
Policy not to permit casinos	X			
Application for premises licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application to vary premises licence			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for transfer of a licence			Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for provisional statement			Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence			All cases	
Application for club gaming/club machine permits			Where objections have been made (and not withdrawn)	Where no objections have been made/objections have been withdrawn
Cancellation of club gaming/club machine permits			All cases	
Applications for other permits				All cases
Cancellation of licensed premises gaming machine permits				All cases
Consideration of temporary use notice				All cases
Decision to give a counter notice to a temporary use notice			All cases	
Decision to reject a representation on the grounds that it is not from an interested party				All cases
Initiation of review of a premises licence by the council in its capacity as licensing authority				All cases
Fee setting (when appropriate)		Normal budget-setting arrangements		

Consideration of representations when the council is minded to refuse to register a lottery or to revoke a lottery registration

All cases

Appendix 1 List of Consultees

All responsible authorities

All councillors

Main Trade Associations

- British Casino Association
28 Grosvenor Gardens
10.2.9.1.1.1.1.1.1 London
SW1W 0EB
- BACTA
Alders House
13 Aldergate St
London
EC1A 4JA
- Association of British Bookmakers
Norris House

4 Norris Street
London
SW1y 4RJ
- Business in Sport and Leisure
17a Chartfield Avenue
Putney
London
SW15 6DX
- BALPA
Suite 12
37 Tanner Street
London
SE1 3LF

Residents Groups

Church Gate Residents Association Whetstone Ltd, 3 Tudor Grove
Church Crescent, London, N20 0JW

- Alan Lodge Residents Ltd
Flat 3 Alan Lodge, Nether Street, London, N3 1QH
- Hendon Avenue Residents Ltd
9 Hendon Avenue, London, N3 1UL
- Barnet Residents Association
Melvyn Sears 71 Byng Road Barnet EN5

- North West Two Residents Association group@northwesttwo.co.uk
- Hampstead Garden Suburb Residents Association
chaiman@hgs.org.uk
- Sunnyhill Residents Association (Hendon)
daniel@sunnyhill-residents.co.uk

Sample Gambling Businesses in our Area

10% of each type of business directly contacted:

Faith Groups

- Hindu Cultural Society
321 Colney Hatch Lane, London, N11 3DH

Voluntary Organisations

CAB's

- newbarnet@barnetcab.org.uk
- finchley@barnetcab.org.uk
- Hendon, 40-42 Church End Hendon, London, NW4 4JT
- Graheme Park, The Concourse
Graheme Park, London,
NW9 5XA
-

Community Organisations Working With Children and Young People

Organisations Working With Problem Gambling

GamCare info@gamcare.org.uk

Christian Centre for Problem gambling admin@ccgr.org.uk

Empowering Communities, Riverside Business Centre, Riverside Road, Lowestoft, NR33
0TQ
info@empowering-communities.org

Appendix 2

London Borough of Barnet

GAMBLING ACT 2005

FORMAL CONSULTATION: COMMENTS ON OUR DRAFT GAMBLING POLICY

When you have completed this form please return to licensingadmin@barnet.gov.uk or by letter, addressed to
Emma Phasey, Trading Standards and Licensing Manager,
London Borough of Barnet, Building 4,
North London Business Park,
Oakleigh Road South,
London,
N11 1NP

Name:

Organisation or capacity (if applicable):

Address:

E-mail:

Telephone Number:

**Paragraph No.
COMMENTS**

**Paragraph No.
COMMENTS**

Please add further rows if you wish

In addition I wish to make the following general comments:

Declaration:

***I am happy for this Response to be made public OR
I do not wish this Response to be made public***

Failure to complete the above Declaration will result in your Response being made public.

Signature: Date:

Name: *(Please print)*

APPENDIX 3

Number	Insertion deletion	or Text
2.5	Insertion	It should be noted that this statement of licensing principles will not override the right of any person to make an application, make representations about an application, or apply to review a licence as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
2.5	Deletion (repeated elsewhere)	<p>This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:</p> <p>in accordance with any relevant code of practice issued by the Gambling Commission;</p> <p>in accordance with any relevant guidance issued by the Gambling Commission; reasonably consistent with the licensing objectives;</p> <p>and</p> <p>in accordance with the authority's statement of licensing policy.</p>
4.2 - 4.3	insertion	<p>The Licensing authority are required by regulations to state the principles it will apply in exercising its powers under Section 157 of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:</p> <p>The need for the body to be responsible for an area covering the whole of the licensing authorities are and</p> <p>The need for the body to be answerable to the democratically</p>

		<p>elected persons rather than any particular vested interest group</p> <p>In accordance with the suggestion in the Gambling Commission Guidance to Local Authorities the London Borough of Barnet designates the local safeguarding children's board for this purpose.</p>
4.4	Deletion (repeated elsewhere)	<p>The Gambling Commission has a number of important functions in the regulation of gambling. In particular it issues operating and personal licences, and deals with internet gambling. These matters are not within the Council's remit. For information see www.gamblingcommission.gov.uk</p>
10.5.5	deletion	<p>Where there is no relevant planning permission or building regulation approval, or where there are planning conditions that conflict with the licence application, the licensing authority recommends applicants to submit a planning application or building regulation approval application as early as possible in order to regularise the position.</p>
10.5.5	Insertion (to replace above)	<p>The licensing authority has a duty to take into consideration all relevant matters and not to take into considerations irrelevant matters ie those nor related to gambling and licensing objectives. One example of a irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their application</p>
10.6	insertion	<p>Licensing Objectives Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commissions Guidance to licensing authorities and some comments are made below.</p> <p>Preventing Gambling from being a source of crime and disorder or being associated with crime and</p>

		<p>disorder or being used to support crime</p> <p>The licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.</p> <p>Ensuring that gambling is conducted in a fair and open way</p> <p>This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. For Local Authorities with tracks: There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section– see page 14).</p> <p>Protecting children and other vulnerable persons from being harmed or exploited by gambling</p> <p>This licensing authority has noted</p>
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		<p>the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.</p> <p>This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.</p>
11.4.5	insertion	The licensing authority may not impose any further conditions

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REPORT OF THE HEAD OF GOVERNANCE

1. CHIEF OFFICER APPOINTMENTS

The Remuneration Committee made the following arrangements in relation to the appointment

RECOMMEND – That Council note;

- 1. Ms. Kate Kennally is appointed as the Director of People.**
- 2. Ms. Pam Wharfe is appointed as the Director Place.**
- 3. Ms. Maryellen Salter is appointed as the Director of Assurance.**
- 4. Ms. Dawn Wakeling is appointed as the Director of Adults and Communities.**

2. STATUTORY PROPER OFFICER: HEAD OF GOVERNANCE

Following the Senior Management restructure, Andrew Nathan has been appointed Head of Governance, effective 1 April 2013. The position of Head of Governance is a Statutory Proper Officer, which is appointed by Council.

RECOMMEND – That Council note Mr. Andrew Nathan has been appointed Head of Governance with effect from 1 April. Council is asked to confirm Mr Nathan as statutory proper officer for:

- All Head of Governance functions in the constitution.**
- Members' declaration of acceptance of office.**
- Members' notice of resignation.**
- Giving notice of casual vacancies.**
- Convening Council to fill Mayoral casual vacancy.**
- Signing summonses for council meeting and receiving notices as to Members' addresses for summonses.**
- Receiving notification of political groups for the calculation of political balance.**
- Returning Officer for election of parent governor representatives to Committee**
- Deposit of documents.**
- Certification and authentication of documents, byelaws and copy minutes and signing of other relevant formal notices and documents.**

Aysen Giritli
Head of Governance

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**Council Meeting
22 January 2013**

AGENDA ITEM 4.7

QUESTIONS TO REPRESENTATIVES ON OUTSIDE BODIES

1. **From Councillor Brian Coleman**

Will the Leader report on discussions at London Councils Leaders Committee on Airport expansion and what line did he take on behalf of Barnet?

To Councillor Richard Cornelius – Representative on London Councils Leaders Committee

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