

Overview and Scrutiny Committee

Date and Time - **Monday 10 July 2023 – 6:30pm**

Venue - **Council Chamber, Town Hall, Bexhill-on-Sea**

Councillors appointed to the Committee:

P.N. Osborne (Chair), Mrs V. Cook (Vice-Chair), J. Barnes (MBE),
Mrs M.L. Barnes, S. Burton, C.A. Clark, B.J. Coupar, C.A. Creaser,
T.M. Killeen (MBE), M.C. Legg, C.R. Maynard and S.B. McGurk.

Substitute Members: F.H. Chowdhury, N. Gordon, P.J. Gray, C. Pearce, J. Stanger

AGENDA

1. MINUTES

To authorise the Chair to sign the Minutes of the meeting of the Overview and Scrutiny Committee held on 5 June 2023 as a correct record of proceedings.

2. APOLOGIES AND SUBSTITUTES

The Chair to ask if any Member present is substituting for another Member and, if so, to declare his/her name as substitute Member and the name of the absent Member.

3. ADDITIONAL AGENDA ITEMS

To consider such other items as the Chair decides are urgent and due notice of which has been given to the Head of Paid Service by 12 Noon on the day of the meeting.

4. DISCLOSURE OF INTERESTS

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

5. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING DRAFT OUTTURN 2022/23 (Pages 3 - 14)

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For all enquiries – please contact louise.hollingsworth@rother.gov.uk (Tel: 01424 787815)

Rother District Council putting residents at the heart of everything we do.

6. **COUNCIL TAX REDUCTION SCHEME** (Pages 15 - 22)

7. **WORK PROGRAMME** (Pages 23 - 24)

Lorna Ford
Interim Chief Executive

Agenda Despatch Date: 30 June 2023

Rother District Council

Report to:	Overview and Scrutiny Committee
Date:	10 July 2023
Title:	Revenue Budget and Capital Programme Monitoring Draft Outturn 2022/23
Report of:	Duncan Ellis, Deputy Chief Executive (Interim)
Ward(s):	All
Purpose of Report:	To note the draft financial outturn for 2022/23 based on expenditure and income to the 31 March 2023.
Officer	
Recommendation(s):	It be RESOLVED : That the report be noted.

Introduction

1. This report presents the provisional outturn position for the 2022/23 financial year and updates Members on the Council's financial position as at 31 March 2023. The information presented within the report will be used to inform the production of the Council's statutory accounts which will be subject to audit review ahead of presentation to the Audit and Standards Committee (A&SC).
2. The Revenue Budget and Capital Programme positions are summarised in Appendices A and B respectively. The impact of the forecast on the Council's reserves is summarised in Appendix C. The report also includes a brief update on the Collection Fund performance as well as information on income write offs for the last financial year as required by the updated Constitution. Members will note that all figures in this report are subject to external audit and potential change.
3. All budgets have been monitored during the year by the relevant service and finance officers with regular reports being presented to Cabinet and the Overview and Scrutiny Committee.
4. There have not been any reportable virements to the Revenue Budget since the last financial update to Members.
5. Commentary on the more significant year-end variances is included within the report with further supporting information provided within the appendices.
6. The Capital Programme for the period 2023/24 to 2027/28 is being reviewed and updated and will be reported as at the end of Quarter 1 2023/24.

Revenue Budget

7. The Quarter 3 Budget monitoring report was presented to Cabinet in February and covered the first nine months of the year up to the end of December 2022. At the time this report was forecasting a surplus of just over £0.1m against the

approved budgeted drawdown from Reserves of £3.2m which would have reduced the reserve drawdown to £3.1m at the year end.

8. The Revenue Budget outturn position for the year ending 31 March 2023 is that the drawdown has now reduced to £1.5m which is £1.7m less compared to the budget. This represents an improvement of £1.5m since the Quarter 3 forecast. The position is summarised in Appendix A and material variances which have been identified since the last forecast are explained below.
9. The section below provides more detail and focuses on the movement in variances between Quarters 3 and 4.

Corporate Core – Deficit £61,000

10. There has been a £7,000 forecast deficit increase from Quarter 3. This is mainly due to higher than predicted Legal services costs which outweighed reductions in estimated operational cost in other areas of the service.

Environmental Services – Surplus (£100,000)

11. The variance at Quarter 3 was insignificant at £9,000, therefore it was not separately reported. The mixture of operational cost increases, salary savings and increased income have now risen to £20,000 but the main reason for the surplus is previously unreported and unbudgeted for income from returned Disabled Facilities Grants (£80,000) where residents have disposed of their property within a certain timeframe and are required to repay some of their grant. Although these are capital grants, their low individual values mean that they are treated as revenue income.

Strategy and Planning – Surplus (£96,000)

12. The forecast changed into a surplus position from a £164,000 deficit estimated at the end of Quarter 3 (positive movement of £260,000). This is primarily due to (£123,000) increase in Planning income surplus and a net reduction in estimated provision for costs claims of (£110,000). The remaining net (£27,000) reduction in deficit is a mixture of factors with the primary positive impact from an unbudgeted for Biodiversity Net Gain Grant.

Acquisitions, Transformation and Regeneration – Surplus (£632,000)

13. The forecast shows a surplus increase of (£130,000) compared to Quarter 3 resulting from a combination of higher contributions to staff costs from CIL and the housing company as well as impact of lottery income and grant receipts (£65,000 overall). In addition, we noted a similar level of savings due to delays in various repair works across the Council owned estate.

Housing and Community Services – Deficit £216,000

14. The forecast deficit has decreased by (£32,000) since Quarter 3. The change reflects (£91,000) of savings achieved by Neighbourhood Services despite £58,000 increase in projected public convenience utilities costs. The savings were mainly driven by unrealised repair work and reductions in operational costs of the waste contract. Housing, however, has seen an increase in deficit of £59,000 compared to the previous quarter. Temporary accommodation

costs are again the reason for this outcome due to continuing high levels of demand and this cost pressure will need to be closely watched as part of the budget monitoring process for the 2023/24 financial year.

Resources – Deficit £374,000

15. The deficit has decreased by £423,000 since Quarter 3. The movement was predominantly within Revenues and Benefits and has been mainly due to lower than predicted impact of Housing Benefit Overpayments (£100,000), underspend on staff cost due to staff turnover (£150,000) and late receipt of additional COVID-19 New Burdens grants relating to the previous year (£137,000). A saving of (£30,000) compared to the previous quarter's variance was recorded in Finance due to partial staff salary recharge to the housing company.

Net Financing Costs – Surplus (£1,508,000)

16. The surplus has increased by £381,000 since the last forecast in Quarter 3 due to a combination of better than expected interest received on our cash balances (rising interest rates and better cash management) contributing (£358,000), and the inclusion in the accounts of the accrual for interest from the Housing Company loan (£125,000). These were countered by £102,000 adjustment (increase) to forecast interest payable. Overall, compared to the budget there is a £1.5m surplus due to £664,000 surplus on Interest receivable and £844,000 surplus on interest payable. The latter is mainly the result of lower than anticipated borrowing costs due to delays with the delivery of the capital programme.

Financial Stability Programme (FSP) – Deficit £544,000

17. There has been little change since the Quarter 3 forecast with an increased deficit of £13,000. This is due to a review of existing agreed savings.
18. The latest FSP update is as follows;

Protection of Discretionary Services - Phase 1 savings from 1 April 2023

Bexhill-on-Sea Town Council (BoSTC) deferred the decision to take on services until after the May 2023 local elections meaning that any potential savings from devolving public conveniences won't be realised in the original timeframe of 1 April 2023. Informal discussions have recommenced with BoSTC and with community groups although these will take some time and savings may not be realised until the next financial year.

Engagement is also underway for phase two of devolution (implementation from 1 April 2024) to protect discretionary services across Rother including the devolvement of other assets/services in Bexhill, but also public conveniences, maintenance of open spaces, non-charged for car parks and bus shelters across the district.

Digitalisation

Our in-house team successfully undertook migration work on the Environmental Health Idox system saving an estimated £70k compared with contracting out the work. Neighbouring councils may be interested in buying our expertise to undertake the same migration which would help generate additional income.

There are lots of smaller saving from in-house work amounting to approximately £20k (upgrading automation and website maintenance).

Capital Projects and Property Investments

A review of all projects is being scheduled to test our assumptions in the original business cases against the current external financial situation, particularly the cost of borrowing and the impact against the planned return on the investments.

Income – Surplus (£326,000)

19. Income surplus has seen an overall increase of £237,000 since Quarter 3. This is due to additional general government grant income but also more specifically the positive variance on Section 31 grant income recognised in the financial year compared to the budget.

Capital Programme

20. The Chief Finance Officer (CFO) continues to work with Heads of Service to undertake a fundamental review of the capital schemes in 2023/24 and beyond and update reports will be presented to committee over the coming months in respect of some of these.
21. Inflation and interest rate rises continue to have a significant impact on the affordability of some capital schemes because borrowing costs are charged to the Revenue Budget with some industry forecasts suggesting rates may continue to rise, peaking at 6% by the end of the calendar year based on current information.
22. The Capital Programme draft outturn as at the 31 March 2023 is £23.4m which is more than £150m lower than the revised budget and £1.3m higher than forecast expenditure at the end of Quarter 3. Large variances are the result either of significant underspend against 2022/23 budget and/or the change in spend profile. The main variances are outlined below, and the overall position is summarised in Appendix B showing the revisions of estimated budgets throughout the financial year and anticipated future years spend phasing.
23. Main variances between the revised budget and draft out turn are as follows:
 - a. Barnhorn Road GP Surgery and Industrial Units development (£8.3m underspent as of 31 March 2023 compared to the budget allocation) – the scheme has been delayed due to extensive design work being carried out in conjunction with key third parties. Project costs are now being reviewed, including inflationary pressures to assess options on the next steps.

- b. Blackfriars Housing (Infrastructure) development (£5.1m compared to the revised budget) – the scheme experienced significant delays in 2022/23.
- c. Housing Company (spend £77m less than expected) – it is anticipated that the Council will significantly increase its borrowing to the Housing Company once the Blackfriars Infrastructure development has been completed. Delays in the delivery of the infrastructure element are a factor but there have also been changes in key personnel (Chief Operating Officer, Board Directors, and representatives from Finance). This ambitious project is being assessed along with others within the Capital Programme to identify the best way forward in challenging economic circumstances.
- d. Temporary Accommodation purchases (£7.5m under budget) – the team have been very active and spent £2.7m on improving over 20 properties either purchased during the previous year or acquired within the year. The Council has continued seeking sources of funding in relation to this activity and in 2022/23 in addition to Homes England grants we allocated a Disabled Facilities Grant for the first time to adapt one of the purchased properties to make it accessible. It is expected that with funding still available, the team will continue in their efforts to increase the available accommodation and reduce the revenue costs to the Council fuelled by unparalleled public demand.
- e. Mount View Street Development – the site was divided on the asset register into three distinctive parts: Phase 1 - the NHS Mental Hospital Unit was sold to the Trust as they exercised their rights set out in the options agreement. There were no other costs related to the land in 2022/23. The Phase two is a possible additional wing of the same facility whereas Phase 3 being the parcel of land allocated for housing is currently awaiting assessment as to the best way to proceed with the development while Rother officers are exploring further opportunities to engage with prospective NHS buyers. Until the future of the site becomes clear the £3.4m balance on this scheme has been removed.
- f. Site redevelopment in Beeching Road/Wainwright Road (£15m budget in total) - Cabinet approved this sum to be added to the Capital Programme on the 7 February 2022 for the site redevelopment. Cash flow timings still cannot be determined at this stage and the project remains at the early options appraisal stage. Discussions are ongoing with various interested parties to help deliver the Local Plan aspirations which include a new food store and a hotel. Any developments will be reported to Members through the quarterly monitoring updates and/or separate reports as required.
- g. Levelling Up Fund (LUF) – Rother officers have been successful in their bid for the Government's £19.2m levelling up funding which will benefit the De La Warr Pavilion and the Heart of Sidley Programme. The former project is hoping to attract National Lottery Funding and will also be supplemented by a grant from the Community Infrastructure Levy (£0.85m). The financial profiling at the end of March 2023 was still not clear and officers will continue to refine the programme and updates will be provided within future monitoring reports. A much more modest allocation of Parks LUF grant will be used in 2023/24 towards improvements to Sidley House Open Space (£85k).

24. The Department for Levelling Up, Housing, and Communities have announced an additional £250m Local Authority Housing Fund (second round) which will run over the financial year 2023-24. The Council has been awarded £0.8m in principle, from the fund. This is in addition to the £1.49m we were awarded in February 2023. As well as helping to fulfil the UK's humanitarian duties to assist those fleeing war, the fund will create a legacy for UK nationals by providing a new and permanent supply of accommodation for local authorities to help address local housing and homelessness pressures.
25. The Head of Service Housing and Regeneration will be seeking approval to use the existing capital budget for the purchase of temporary accommodation as the 60% match funding required to access the £0.8m offer.
26. For Round 1, we have secured and occupied one 3-bedroom house and are due to complete on at least 3 additional properties in July.
27. In March 2023 Strategic CIL Panel considered schemes which have been added to the capital programme including improvements to Camber Visitor facilities (to include improvements to environmental aspects and staff welfare provision), re-building the sports pavilion at Battle, traffic calming measures at Sedlescombe and improvements at Battle train station.
28. Where schemes are forecast to underspend, it is still expected that they will be completed in future years unless otherwise stated. The revised financing for the programme and scheduling of schemes forms part of the recommendations of this report, including agreeing any slippage and phasing between years.

Impact of the revenue and capital draft out turn on Reserves

29. As at Quarter 3 a slightly lower drawdown of reserves was expected which would have seen £3.1m being taken from reserves to help balance the budget for the 2022/23 financial year. The impact on reserves now at year end is a total draft drawdown of £1.5m against the planned use of £3.2m, which means the Council has used £1.7m less from its reserves to fund the annual revenue budget which is positive news in terms of the reserve position.

Collection Fund

30. The Council Tax collection rate at the end of Quarter 4 was 97.66% of the collectable debit and 99.92% of the budgeted yield. Both figures are slightly lower than the corresponding figures for 2021/22 by 0.35% and 1.06% respectively. In the case of the budgeted yield, the Council budgeted for a collection rate of 98.3%. The figures show that whereas in the previous year we exceeded that target, in 2022/23 we slipped marginally into the deficit territory with a £130k negative variance.

	2022/2023	Equivalent Period 2021/2022
Income Received	£86,473,070.12	£82,171,920.61
	£84,446,581.21	£80,533,203.68
Income Received as a % of collectable debit	97.66%	98.01%
Budgeted yield (at 98.3% collection)	£84,513,438.24	£79,751,694.59

Income Received as a % of budgeted yield	99.92%	100.98%
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The Business Rates collection rate at the end of Quarter 4 was 97.83%, an 0.84% increase on the previous year's 96.99% of the collectable debit. It shows continuous improvement in collection rates post-pandemic despite challenging economic climate but may not be sustainable. Collection performance is shown below.

	2022/2023	Equivalent Period 2021/2022
Collectable debit	£16,903,353.12	£13,511,807.25
Income Received	£16,536,294.31	£13,105,659.63
Income Received as a % of collectable debit	97.83%	96.99%
Amount outstanding for year	£367,058.81	£406,147.62

Write offs

31. The following provides Members with information regarding amounts written off during the 2022/23 financial year as required by the updated Constitution. Details of write offs over the past 4 years have been provided for comparative purposes.

YEAR	COUNCIL TAX	NNDR	HOUSING BENEFIT OVERPAYMENTS	SUNDRY DEBTS	SUBTOTAL FOR THE YEAR
2018/19	65,073	80,262	129,913	2,917	278,165
2019/20	149,532	46,460	117,223	39,820	353,035
2020/21	42,563	4,574	19,856	-	66,993
2021/22	164,050	129,183	60,443	56,689	410,365
2022/23	306,844	121,829	16,963	107,819	553,455
TOTAL	728,062	382,308	344,398	207,245	1,662,013

32. Balances are written off when the amounts owed are deemed irrecoverable. The increase in amounts written off in the previous two years for Council Tax, NNDR and Sundry debts appear higher due to a review of the likelihood of recovery of amounts which have been outstanding for some time. The average rate of collection for council tax during the previous two years was 98% and for NNDR was 97%.
33. Other factors affecting the recovery of amounts include the effect of the COVID-19 pandemic on businesses and the impact of the cost of living crisis on the finances of businesses and households.
34. The improvement in the level of Housing Benefit Overpayments written off is due to better data being available to assist with verifying claims thus reducing the overall levels of overpayments made to claimants.

Conclusion

35. The draft revenue outturn for 2022/23 shows an overall deficit of £1.5m which is £1.7m lower than the approved planned use of Reserves. Whilst this is clearly a positive outcome for the Council it was partly because of additional income from Section 31 grants, without which the variance would have been significantly smaller. We are still drawing from reserves rather than replenishing them and so there is an increased need and urgency to embrace the Financial Stability Programme objectives laid out in the Corporate Plan and captured in Service Plans across Council departments, and to record and monitor its effectiveness with heightened discipline.
36. Whilst there have been some challenges hitting the FSP savings targets to date there are several savings that are already being achieved in the 2023/24 financial year which were identified within the Service Planning process for implementation in 2024/25. Within the Revenues and Benefits area, the implementation of online services mean that unfilled vacant posts have not been resulting in £40k of staff savings from 1st April 2023. An additional £22k has been saved by reducing the external printing and office supplies budget. Several changes within the Neighbourhood Services area have resulted in ongoing cashable savings of £30k. An increased focus on our treasury management activities has delivered an additional £100k to the end of June above the profiled budget despite the full year budget being increased by £200k.
37. The draft Capital Programme outturn indicates an underspend of in excess of £150m against the revised budget. This is largely because of the slow pace of the programme due to a mixture of external economic factors (high price inflation, increasing construction and material costs) and organisational capacity. All capital programme items will be subject to a review by senior officers in Finance and Departmental Managers to establish if Rother should continue to proceed with them. Any budget changes to the programme will be presented to Members for formal approval and any unspent amounts will be regularly reprofiled between future time periods to ensure their currency.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	External Consultation	No
Environmental	No	Access to Information	No
Risk Management	No	Exempt from publication	No

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Appendices:	Appendix A Revenue Budget Forecast Appendix B Capital Programme Forecast Appendix C Impact on Reserves
Relevant Previous Minutes:	None.
Background Papers:	None.
Reference Documents:	None.

REVENUE BUDGET 2021/22 DRAFT OUTTURN AS AT THE 31 MARCH 2023

Line	Rother District Council General Fund Summary	2021/22 Outturn £ (000)	2022/23 Original Budget £ (000)	2022/23 Revised Budget £ (000)	2022/23 Draft Outturn £ (000)	2022/23 Draft Variance £ (000)	Change from the previous quarter £ (000)
1	Corporate Core	1,938	2,173	2,173	2,234	61	7
2	Environmental Services	451	629	629	529	(100)	(91)
3	Strategy and Planning	1,506	1,325	1,325	1,229	(96)	(260)
4	Acquisitions, Transformation and Regeneration	(384)	(16)	(12)	(644)	(632)	(130)
5	Housing, Community & Neighbourhood Services	8,116	8,211	8,212	8,428	216	(32)
6	Resources	3,580	3,307	3,302	3,676	374	(423)
7	Total Cost of Services	15,208	15,629	15,629	15,452	(177)	(929)
8	Net Financing Costs	281	1,543	1,543	35	(1,508)	(381)
9	Budget Contingency	0	200	200	0	(200)	0
10	Financial Stability Programme - savings/cost reductions	(196)	(635)	(635)	(91)	544	13
						0	0
11	Net Cost of Services	15,292	16,737	16,737	15,396	(1,341)	(1,297)
	Income						
12	Special Expenses	(692)	(702)	(702)	(702)	0	0
13	Net Business Rates & Section 31 Grants	(3,745)	(3,747)	(3,747)	(3,845)	(98)	(98)
14	Non-Specific Revenue Grants	(2,436)	(1,650)	(1,650)	(1,904)	(254)	(165)
15	Council Tax Requirement (Rother only)	(7,097)	(7,470)	(7,392)	(7,392)	0	0
	Other Financing						
16	Collection Fund (Surplus)/Deficit	120	(59)	(59)	(33)	26	26
17	Total Income	(13,849)	(13,628)	(13,550)	(13,876)	(326)	(237)
	Contribution (to)/from Reserves - Funding Gap/(Surplus)	1,444	3,109	3,187	1,520	(1,667)	(1,534)

CAPITAL PROGRAMME 2022/23 DRAFT OUTTURN AS AT THE 31 MARCH 2023

Appendix B

	Total scheme budget	Prior year spend	Revised budget	Actual spend 2022/23	Remaining Budget	2023/24 Updated	2024/25 Updated	2025/26 Updated	2026/27 Updated	2027/28 Updated
	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)
Acquisitions, Transformation and Regeneration										
Other Schemes										
Corporate Document Image Processing System	120	22	98	11	87	87	0	0	0	0
Rother Transformation ICT Investment	386	233	153	36	117	117	0	0	0	0
Community Grants	1,416	516	900	120	780	260	130	130	130	130
Cemetery Entrance	145	142	3	4	0	0	0	0	0	0
Development of Town Hall Bexhill	856	303	553	553	0	0	0	0	0	0
Ravenside Roundabout	200	0	200	0	200	200	0	0	0	0
UK Shared Prosperity Fund	131	0	131	0	131	131	0	0	0	0
Oil Scheme 1 Village Hall Energy Project	500	0	500	17	483	458	25	0	0	0
Property Investment Strategy										
PIS - 35 Beeching Road	2,417	2,417	0	0	0	0	0	0	0	0
Beeching Road Hotel and Foodstore Development	15,000	384	14,616	13	14,604	2,604	12,000	0	0	0
PIS - Beeching Park Estate	450	0	450	0	450	450	0	0	0	0
PIS - Beeching Road 18-40 (Creative Workspace)	1,235	1,043	192	192	0	0	0	0	0	0
Barnhorn Green GP Surgery and Industrial Development	9,741	939	8,802	547	8,255	3,313	4,942	0	0	0
PIS - Buckhurst Place	10,500	0	10,500	10,182	318	318	0	0	0	0
Housing Development Schemes										
Community Led Housing Scheme - CHF	327	30	297	297	0	0	0	0	0	0
Blackfriars Housing Development - infrastructure only	11,500	3,583	7,917	2,833	5,084	5,084	0	0	0	0
RDC Housing Company Ltd Investment	79,923	0	79,923	2,620	77,303	7,000	37,000	7,000	0	26,303
Development of council owned sites	270	56	214	0	213	213	0	0	0	0
King Offa Residential scheme	805	102	703	44	659	659	0	0	0	0
Community Led Housing Schemes - Cemetery Lodge	200	0	200	0	200	200	0	0	0	0
Camber, Old Lydd Road	369	0	369	27	342	342	0	0	0	0

Housing and Community Services										
De La Warr Pavilion - Capital Grant	388	218	170	58	113	56	57	0	0	0
Land Swap re Former High School Site	1,092	0	1,092	1,092	0	0	0	0	0	0
Bexhill Leisure Centre - site development	396	318	78	0	78	78	0	0	0	0
Fairlight Coastal Protection	291	62	229	12	217	217	0	0	0	0
Disabled Facilities Grant	14,223	4,667	9,556	1,431	8,125	1,625	1,625	1,625	1,625	1,625
Sidley Sports and Recreation	857	650	207	207	0	0	0	0	0	0
New bins	1,153	384	769	134	635	135	125	125	125	125
Bexhill Promenade - Protective Barriers	50	48	2	0	2	2	0	0	0	0
Housing - Temporary Accommodation Purchase	12,830	2,657	10,174	2,707	7,467	6,717	750	0	0	0
Bexhill Promenade - Shelter 1	71	16	55	43	12	12	0	0	0	0
Bexhill Promenade - Outflow pipe	200	9	191	0	191	191	0	0	0	0
Bexhill Leisure Centre - refurbishment	140	0	140	110	30	30	0	0	0	0
Capital - Northiam Cemetery Extension – S106	50	0	50	50	0	0	0	0	0	0
Capital - Sidley House Open Space Improvements	75	0	75	4	71	71	0	0	0	0
Pebsham Toilets	54	0	54	0	54	54	0	0	0	0
Camber Conveniences - GRANT/CIL	1,012	0	1,012	0	1,012	1,012	0	0	0	0
Strategy & Planning										
Payments to Parishes - CIL	211	40	171	0	171	171	0	0	0	0
Resources										
New website development	31	20	11	3	8	8	0	0	0	0
Invest To Save initiatives (Financial Stability Prog)	750	29	721	16	705	705	0	0	0	0
LUF De La Warr Pavilion Project LUF Grant	23,203	0	23,203	9	23,194	2,560	2,125	13,466	5,043	0
LUF Heart of Sidley Programme	2,692	0	2,692	2	2,690	188	1,765	737	0	0
Battle Train Station - CIL	1,000	0	1,000	0	1,000	1,000	0	0	0	0
Sedlescombe Traffic Calming Measures - CIL	74	0	74	0	74	74	0	0	0	0
Battle Sports Pavilion - CIL	400	0	400	0	400	400	0	0	0	0
Total Capital Programme	197,735	18,886	178,848	23,372	155,477	36,744	60,544	23,083	6,923	28,183
Funded By:										
Capital Receipts	3,192	0	3,192	1,092	2,100	2,100	0	0	0	0
Grants and contributions	55,280	10,955	44,325	5,057	39,269	9,633	5,515	15,828	6,668	1,625
CIL	3,978	40	3,938	17	3,921	3,896	25	0	0	0
Borrowing	52,348	7,136	45,211	14,237	30,975	12,782	17,817	125	125	125
Capital Expenditure Charged to Revenue	2,764	755	2,009	298	1,710	1,134	187	130	130	130
Borrowing and Loan for Rother DC Housing Company Ltd	79,923	0	79,923	2,620	77,303	7,000	37,000	7,000	0	26,303
Section 106	250	0	250	50	200	200	0	0	0	0
Total Funding	197,735	18,886	178,848	23,372	155,477	36,744	60,544	23,083	6,923	28,183

Reserves

Line		2021/22 Outturn	2022/23 Original Budget	2022/23 Revised Budget	2022/23 Draft Outturn	2022/23 Draft Variance	Change from the previous quarter
		£ (000)	£ (000)	£ (000)	£ (000)	£ (000)	£ (000)
	Revenue Reserves and General Fund - Opening Balance	(16,527)	(14,406)	(14,406)	(14,406)	0	0
1	Use of Reserves to Fund Capital Expenditure	678	374	374	297	(77)	179
2	Use of Reserves to Balance Budget including deficit	1,444	3,109	3,187	1,520	(1,667)	(1,534)
3	Contribution of residual DFG Grant to the grants reserve				(239)	(239)	(239)
4	Balance 31 March	(14,406)	(10,923)	(10,845)	(12,828)	(1,983)	(1,594)

Rother District Council

Report to: Overview and Scrutiny Committee
Date: 10 July 2023
Title: Council Tax Reduction Scheme
Report of: Chris Watchman, Revenues and Benefits Manager
Ward(s): ALL
Purpose of Report: Discussion paper on potential changes to the Council’s working age Council Tax Reduction Scheme and the amount of Council Tax charged on second homes.

Officer

Recommendation(s): It be **RESOLVED:** That:

- 1) the report and the further engagement session that will be held over the summer be noted; and
- 2) the proposed timeframes for consultation on any new scheme be noted.

Introduction

1. Each year the Council is required to review its Council Tax Reduction Scheme (CTRS) in accordance with the requirements of schedule 1A of the Local Government Finance Act 1992 and to either maintain the scheme or replace it.
2. The CTRS cannot be amended in-year and can only be changed following consultation with the public and the major preceptors, East Sussex County Council (ESCC), Sussex Police and Crime Commissioner and East Sussex Fire and Rescue.
3. If the CTRS is to be amended for 2024/25, discussions need to start now to allow sufficient time for the formal consultation process to commence in the Autumn.

Background

4. Council Tax Reduction (CTR) was introduced by Central Government in April 2013 as a replacement for Council Tax Benefit.

As part of the introduction, the Government:

- Placed the duty to create a local scheme for Working Age applicants with billing authorities.
- Reduced initial funding by the equivalent of ten per cent from the levels paid through benefit subsidy to authorities under the previous Council Tax Benefit Scheme; and
- Prescribed that persons of Pension age would be dealt with under regulations set by Central Government and not the authorities’ local scheme.

5. However, since that time, funding for the CTRS has been amalgamated into other Central Government grants paid to Local Authorities and within the Business Rates Retention regime. It is now therefore generally accepted that it is not possible to identify the amount of funding provided from Central Government sources for CTR.
6. The current CTRS administered by the Council is divided into two schemes, with pension age applicants receiving support under the rules prescribed by Central Government, and the scheme for working age applicants being determined solely by the local authority.
7. Pensioners, subject to their income, can receive up to 100% support towards their council tax. The Council has no power to change the level of support provided to pensioners and therefore any changes to the level of CTR can only be made to the working age scheme.
8. When CTR was introduced in 2013, for working age applicants, the Council broadly adopted the previous means tested Council Tax Benefit Scheme as the basis of awarding support. However, due to the reduction in funding from Central Government, the Council has, since that time, also required working age applicants, even those on the lowest income, to pay a minimum payment of 20%.
9. Significant improvements have also been made to the working age scheme with the introduction of a banded scheme which has both simplified the scheme for applicants and reduced the administration burden caused by the introduction of Universal Credit.

The issues with the current scheme

10. The key issue is the requirement for low-income households to pay a minimum of 20%, significantly increasing the financial pressure on low-income households, particularly given all the wider economic pressures around the cost-of-living crisis.
11. Since 2013, the introduction of CTR, most authorities have required all working age applicants to pay a minimum payment. Under the previous scheme (Council Tax Benefit), almost 75% of working age applicants would not have been required to pay any Council Tax and would have received full (100%) support.
12. At present Rother and Eastbourne are the only Councils across East Sussex which have not reverted to a 100% scheme, so it is important that Members revisit the level of support provided, particularly following the COVID-19 pandemic and the cost-of-living crisis which have had a major effect on household incomes generally.
13. Whilst the principle of all working age households paying 'something' was initially thought to be an approach that would be central to the design of CTR, the reality is that, since its introduction, low-income taxpayers, the poorest households, have struggled to pay the balance leading to additional costs, court, and enforcement action and, in some cases, the amounts demanded have been written off as uncollectable.

14. Whilst the overall level of Council Tax collection in Rother has remained relatively stable at around 98%, the collection levels for working age CTR applicants is significantly lower:

Table 1 – Collection Rates Working Age CTR applicants

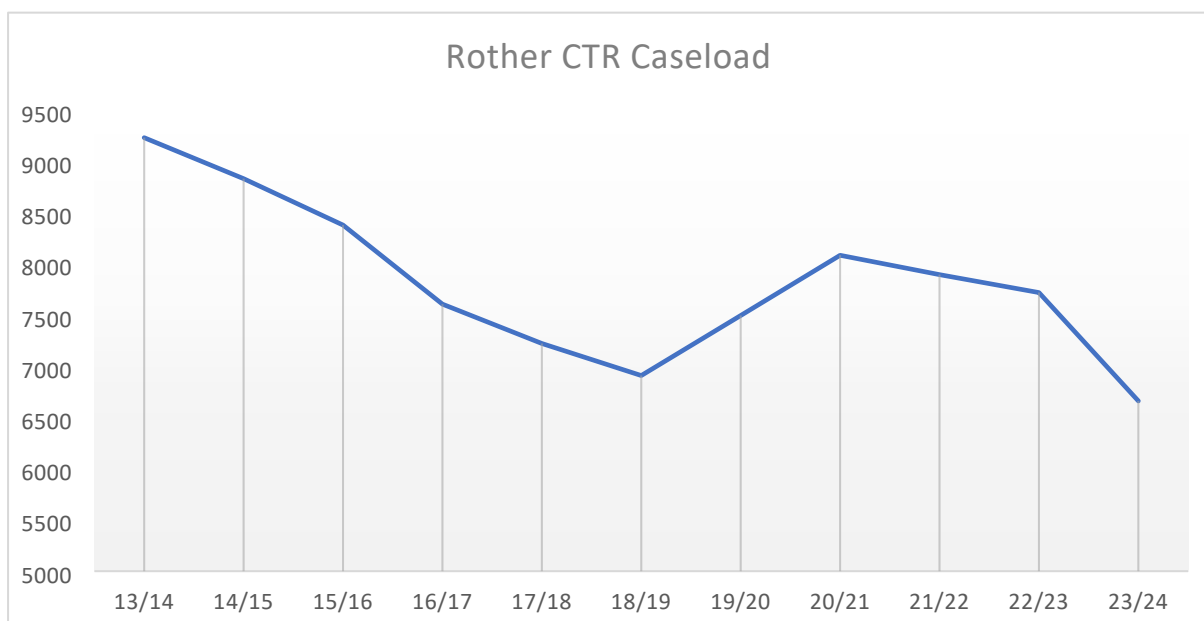
Financial Year	2016	2017	2018	2019	2020	2021	2022
Collection Rate	84.1%	85.9%	83.9%	84.5%	79.3%	81%	82.5%

15. The collection rate over the last three years has only been maintained primarily due to Central Government initiatives such as the Council Tax Hardship Fund. Without this additional support for those on low incomes, the collection rate for this group, is likely to have reduced further. This is significant and increases the cost to the collection fund by the need to increase the Council’s bad debt provision.
16. In addition, the cost of administration of these cases by the Council has increased significantly over the years. These costs are borne by Rother District Council. With the difficulties experienced, the relatively low level of payment and the high administration costs incurred, it may no longer make the amounts economically viable to collect, notwithstanding the negative effects to those poorest households.
17. Any potential change to increase the maximum level of support available would bring the Council's scheme in line with the majority of the other CTR schemes in East Sussex.

The financial effect of Council Tax Reduction on the taxbase

18. Since its inception, the number of Council Taxpayers receiving CTR has reduced as shown in graph below:

CTR Caseloads



19. The above shows that the caseload has reduced year on year since 2013 and now stands at over 27% below the 2013 figure. This is mainly due to the continued decrease in pensioner cases which has been reflected nationally.
20. In the case of the working age cases, the numbers did increase temporarily due to the COVID-19 pandemic, but they are also now reducing year on year.
21. The costs of the schemes have reduced in terms of the CTR as a percentage of the Council Tax Base due to both the changes in caseload and the change (increase) in Tax Base.
22. Table 2 shows how the level of CTR, as a proportion of the Council Tax Base, has reduced each year whilst at the same time the actual base has increased:

Table 2 – CTR as a percentage of Council Tax Base

	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23
Gross Tax Base	37,692	39,602	39,797	40,082	40,324	40,534	40,759	40,856	41,068	41,298
CTR	5,765	5,512	5,242	4,377	4,142	4,011	3,998	4,262	4,228	4,163
%age	15.3%	13.9%	13.2%	10.9%	40.35	9.9%	9.8%	10.4%	10.3%	10.1%

23. The current scheme costs the collection fund c£8.2m. If it was decided to change the scheme for 2024/25 to increase the working age maximum to 100%, it is estimated that the cost to the collection fund would increase to c£8.95m. However additional modelling and analysis would be required before actual costs could be confirmed.
24. It should be noted the cost of the scheme are borne directly in accordance with the percentage received from the collection fund. A comparison is shown below as to the relative costs for both the current scheme and estimate of a new 100% scheme.

Table 3 – Increase in costs for a 100% CTRS (2023/24 & 2024/25 comparison)

	%age from collection fund	Cost of CTR scheme 2023	Cost of changing to 100% scheme	Difference
	%	£m	£m	£m
ESCC	74.45	6.11	6.66	0.55
Sussex Police	10.55	0.86	0.94	0.08
East Sussex Fire and Rescue	4.59	0.38	0.42	0.04
Rother District Council	8.73	0.72	0.78	0.06
Parish/Town Council (example)	1.68	0.13	0.15	0.02
Total	100	8.2	8.95	0.75

25. As can be seen from the table above the cost of this potential change would be most significant for ESCC (£0.55m), with the cost to Rother at approximately £0.06m.
26. If it was decided to change the Council's CTRS for 2024/25 to increase the working age maximum support to 100%, the cost of the CTRS would increase. However, it is expected that the increase in the tax base generally (based on historic performance) for the same year would offset some of this cost irrespective of any other change.

Second Home Premiums

27. Within the Levelling Up and Regeneration Bill that is currently going through parliament, it is the Government's intentions to:
 - A – reduce the minimum period for the implementation of a long-term empty premium from two years to one year; and
 - B – to allow Councils to introduce a premium in respect of second homes (dwellings that are unoccupied but furnished), (Class A and B), of up to 100%.
28. In the case of (a), the changes can be introduced with effect from 1 April 2024, if Royal Assent is granted. In the case of the second homes premium (b), this will require a notice period of one year and therefore the expected start date will be 1 April 2025.
29. Should the Council decide to adopt the new premium regime offered by the Bill; additional income would potentially be available to the Council and all preceptors in line with their share of the collection fund. This additional income could possibly offset some of the cost of any changes to the CTRS.
30. However, it is difficult to model the effect of the new legislation and estimate the additional income that may be generated at this point. Guidance from Central Government on the implementation of the changes has not yet been provided. In particular, it is unknown what additional powers, if any, local authorities will be given to help identify properties being used as second homes. Without additional powers it may be difficult to realise the benefits.

Conclusion

31. The Council's CTRS is currently at odds with most of East Sussex and while there may be an additional cost to making the scheme more generous this must be offset against the financial hardship currently being faced by a number of our residents.
32. There is the potential for increased growth in the tax base to at least partly offset this cost, but the detailed modelling has not yet been completed to properly inform this discussion.
33. It is therefore recommended that a Member Briefing session is held with Members over the summer to increase the understanding of the issues around this subject prior to a more detailed, costed report being brought forward in the autumn for further consideration. A proposed reporting and consultation timeline for this is as follows:

ACTIVITY	DATE	PURPOSE	RESPONSIBILITY
OSC	10/07/23	Report to update Members on the potential changes to the CTRS and premiums	Revenues & Benefits Manager
OSC Member Briefing	Summer 2023	To increase awareness of the issues and challenges being faced prior to any further report being considered and to consider any potential impact of any changes	Revenues & Benefits Manager
OSC	11/09/23	Cost options in moving between 80% and 100% for CTRS. Outline of potential for 100% premium around second homes and issues with delays on Levelling Up Bill	Revenues & Benefits Manager
Cabinet	09/10/23	To consider recommendations from OSC, agree a provisional draft scheme and authorise start of consultation	Revenues & Benefits Manager
6-week consultation – period TBC	10/10/23 – 24/11/23	6-week consultation period (length of consultation to be confirmed, no apparent minimum timescales). Please note that to fit with the reporting timetable and to provide an adequate consultation period any request for a call-in will not be actioned by the Chief Executive	Revenues & Benefits Manager
Cabinet	11/12/23	To consider results of consultation and make final recommendations to Full Council	Revenues & Benefits Manager
Full Council	18/12/23	Final approval of revised scheme	Revenues & Benefits Manager
Budget process	Winter 2023	Feed in any financial impacts into budget setting process and share proposals with ESCC	Interim Deputy Chief Executive (s151)
Cabinet/Full Council - Council tax	Feb 2024	Include financial impacts of new CTRS and any potential recommendations for April 2025 in respect of second homes premium	Interim Deputy Chief Executive (s151)

34. As no decisions have yet been made there is no requirement to undertake an Equalities Impact Assessment (EqIA). If however changes are ultimately recommended by Members following the next report, then a full EqIA will be

undertaken which will also need to give due regard to the socio-economic duty set out under the Equality Act 2010 voluntarily adopted by the Council in May 2023.

35. The report in September will also provide the latest update in relation to the Levelling Up and Regeneration Bill that is currently going through parliament, and the final decisions relating to long-term empty property and second home premiums.
36. It is hope that the guidance as to how these premiums will operate in practice will be available at that point which will then also allow further work to be undertaken around any potential additional income that the Council might expect if the decision was taken to maximise these opportunities.

Other Implications	Applies?	Other Implications	Applies?
Human Rights	No	Equalities and Diversity	No
Crime and Disorder	No	External Consultation	No
Environmental	No	Access to Information	No
Risk Management	No	Exempt from publication	No

Interim Chief Executive:	Lorna Ford
Report Contact Officer:	Chris Watchman, Revenues and Benefits Manager
e-mail address:	chris.watchman@rother.gov.uk
Appendices:	None.
Relevant Previous Minutes:	None.
Background Papers:	None.
Reference Documents:	None.

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OVERVIEW AND SCRUTINY COMMITTEE

WORK PROGRAMME 2023 – 2024

DATE OF MEETING	SUBJECT – MAIN ITEM IN BOLD	Cabinet Portfolio Holder
10.07.23	<ul style="list-style-type: none"> Draft Revenue Budget and Capital Programme Outturn 2022/23 Council Tax Reduction Scheme 	Jeeawon
11.09.23	<ul style="list-style-type: none"> Performance Report: First Quarter 2023/24 Revenue Budget and Capital Programme Monitoring – Quarter 1 2023/24 Council Tax Reduction Scheme 	Jeeawon
16.10.23	<ul style="list-style-type: none"> Medium Term Financial Plan 2024/25 to 2028/29 Digital and Customer Services Strategy 	Jeeawon Byrne
20.11.23	<ul style="list-style-type: none"> Performance Report: Second Quarter 2023/24 Revenue Budget and Capital Programme Monitoring – Quarter 2 2023/24 	Jeeawon
22.01.24	<ul style="list-style-type: none"> Draft Revenue Budget Proposals 2024/25 Key Performance Targets 2024/25 	Jeeawon
18.03.24	<ul style="list-style-type: none"> Crime and Disorder Committee: to receive a report from the Community Safety Partnership Performance Report: Third Quarter 2023/24 Revenue Budget and Capital Programme Monitoring – Quarter 3 2024/24 	Field Jeeawon
22.04.24	<ul style="list-style-type: none"> Call-in and Urgency Procedures Draft Annual Report to Council Review of progress against the recommendations of the Health and Well-Being Task and Finish Group 	Coleman
ITEMS FOR CONSIDERATION		
<ul style="list-style-type: none"> Regeneration inc. Leisure Centre, Fountains, Skate Park and Accessibility of Green Spaces across the district Review of the Economic Regeneration Strategy Litter Strategy Review of the Tourism Strategy and the impact of Airbnbs Impact of Airbnb and second homes in Rye/Winchelsea/Camber Review of the Financial Stability Programme Update report from the Local Strategic Partnership Update report from the Health and Well-Being Board Review of progress against the recommendations of the Health and Well-Being Task and Finish Group (Year 3) Development of new Housing, Homelessness and Rough Sleeper Strategy Development of new Corporate Plan Update report from the Climate Change Steering Group 		

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