

*Please note the amended public question time arrangements for this meeting

Meeting of: The Cabinet

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Time: 6.30pm **Date:** 7th October 2020

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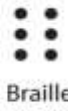
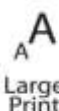
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Supported by: Glenda Ashton, Committee and Member Services Officer Tel: 01706 252423
Email: glendaashton@rossendalebc.gov.uk

ITEM		Lead Member/Contact Officer
A.	BUSINESS MATTERS	
A1.	Apologies for Absence	
A2.	Minutes of the last meeting To approve and sign as a correct record the Minutes of the meeting held on 1 st July 2020.	Clare Birtwistle, Monitoring Officer 01706 252438 clarebirtwistle@rossendalebc.gov.uk
A3.	Urgent Items of Business To note any items which the Chair has agreed to add to the Agenda on the grounds of urgency.	
A4.	Declarations of Interest <i>Members are advised to contact the Monitoring Officer in advance of the meeting to seek advice on interest issues if necessary.</i> Members are requested to indicate at this stage, any items on the agenda in which they intend to declare an interest. Members are reminded that, in accordance with the Local Government Act 2000 and the Council's Code of Conduct, they must declare the nature of any personal interest and, if the interest is prejudicial,	

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ITEM		Lead Member/Contact Officer
	withdraw from the meeting during consideration of the item.	
B.	COMMUNITY ENGAGEMENT	
B1.	<p>Public Question Time Members of the public can register their question by contacting the Committee Officer. Groups with similar questions are advised to appoint and register a spokesperson.</p> <p>This is an opportunity to ask a question about an agenda matter which the Council may be able to assist with. A time limit applies for each question and you are only able to address the meeting once.</p> <p>To register for public question time your question must be received no later than 9.00am two working days prior to the day of the meeting by emailing democracy@rossendalebc.gov.uk Please give your full name, telephone number and include a copy of your question.</p> <p>At the meeting you will be invited to speak at the appropriate time, please begin by giving your name and state whether you are speaking as an individual member of the public, or as a representative of a group. (Question time normally lasts up to 30 minutes).</p>	<p>Glenda Ashton, Committee and Member Services Officer 01706 252423 glendaashton@rossendalebc.gov.uk</p> <p>Please register an agenda related public question by emailing democracy@rossendalebc.gov.uk no later than 9.00am Friday 2nd October</p>
C.	KEY DECISIONS	
C1.	Health and Wellbeing Update	Councillor Oakes/Adam Allen Director of Communities 01706 252428 adamallen@rossendalebc.gov.uk
C2.	Council Tax / National Non Domestic Rates Recovery Update & Options	Councillor Hughes/Adam Allen Director of Communities 01706 252428 adamallen@rossendalebc.gov.uk
C3.	Empty Property Council Tax Premiums	Councillor Hughes/Cath Burns Director of Economic Development 01706 252429 cathburns@rossendalebc.gov.uk



Neil Shaw
Chief Executive

Date Published: 29th September 2020

MINUTES OF: THE CABINET

Date of Meeting: Wednesday 1st July 2020

**Present: Councillor A Barnes (Chair)
Councillors Hughes, Lythgoe, Oakes, Serridge and Walmsley**

**In Attendance: Mr N Shaw, Chief Executive
Mrs C Burns, Director of Economic Development
Mr A Allen, Director of Communities
Ms C Birtwistle, Monitoring Officer
Ms K Spencer, Head of Finance
Mr P Morton, PPU Manager
Mr G Darragh, Economic Development Manager
Miss G Ashton, Committee and Member Services Officer
Mrs J Wood, Committee and Member Services Officer**

**Also Present: Councillors Haworth, Morris, Neal and Steen
4 members of public**

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. MINUTES OF THE LAST MEETING

Resolved:

That the minutes of the meeting held on 27th May 2020 were agreed as a correct record.

3. URGENT ITEMS OF BUSINESS

There were no urgent items.

4. DECLARATIONS OF INTEREST

Cllr Walmsley confirmed in relation to report C2, Bacup Future High Streets Fund Bid, himself and his partner were residents and owners of a business in Bacup.

5. PUBLIC QUESTION TIME

No written questions had been submitted.

6. CLIMATE CHANGE STRATEGY AND ACTION PLAN

The Portfolio Holder for Environment outlined the report which asked members to consider, approve and adopt the draft Strategy and Action Plan.

Cabinet members were invited to comment on the report:

- Amendment to the report to include the following wording "That the Council are committed to implementing the action and consider the implications in terms of the Council's medium term financial strategy planning".
- Amendment to the Solar Panel case study in the report to include the correct figures.

In response to questions raised it was noted that:

- Clarification was given on concerns raised about consultation.

Resolved:

1. Cabinet approved the Climate Change Strategy and Action Plan.
2. Additional wording to be added to the Strategy: "That the Council are committed to implementing the actions and to consider the implications of each action in terms of the Council's medium term financial strategy planning".

Reason for Decision:

Work to tackle Climate Change would continue to be a priority for all services of the Council and we would actively work with partners to tackle the threats of Climate Change. The adoption of a Climate Change Strategy would provide long term direction in reducing the impact of climate change across the borough and help achieve our carbon reduction targets.

Alternative Options Considered:

None.

7. BACUP FUTURE HIGH STREETS FUND BID

The Portfolio Holder for Health and Leisure outlined the report which asked members to approve the Bacup Future High Streets Fund bid, authorise up to £3.08m of capital funding to support the project if the bid was successful and delegate authority to the Director of Economic Development in conjunction with the Section 151 Officer to make any minor amendments to the project bid before submission in consultation with the Portfolio Holder.

Cabinet members were invited to comment on the report:

- Not all derelict buildings were included in the plan.
- Improvement of the Town Centre.
- Further consultation needed if successful in the bid.

In response to questions raised it was noted that:

- Longer term plan to deal with all the derelict buildings.
- Consultation to take place with Planning if successful.

Resolved:

1. Cabinet approved the Bacup Future High Streets Fund bid.
2. Cabinet authorised up to £3.08m of capital funding to support the project if the bid was successful.
3. Cabinet delegated authority to the Director of Economic Development in conjunction with the Section 151 Officer to make any minor amendments to the project bid before submission in consultation with the Portfolio Holder.

Reason for Decision:

The project has the power to transform Bacup town centre for the next generation. The Bacup Market Square development aims to deliver a modern vibrant offer to visitors, businesses and residents. The new public realm proposals will enhance the town centres appeal and draw visitors from the car parks into the heart of the town. The heritage buildings chosen will be restored and given new modern uses.

If successful, this bid provides a once in a lifetime opportunity to bring significant investment into a town centre that has suffered from lack of investment for many generations.

Alternative Options Considered:

None.

8. 2019/20 DRAFT OUT-TURN REPORT

The Portfolio Holder for Resources outlined the report which asked members to note the contents of the report and approve funding the adverse variance out-turn from the Transitional Reserve.

Cabinet members were invited to comment on the report:

- Welcomed the new Section 151 Officer.
- Staff Vacancies.
- Thanked staff for the work they have completed on the report.
- Empty Homes.
- Council Tax arrears.

In response to questions raised it was noted that:

- Confirmation of two Senior Posts had been filled.
- A reduction had taken place from 375 in 2015 to just over 100 in 2020 in relation to Empty Homes.
- A softly worded letter would be sent to households in relation to Council tax. Residents struggling to pay due to the COVID-19 pandemic or the Post Office closures in Whitworth should contact the team to discuss their payments.

Resolved:

1. Cabinet noted the contents of the report.
2. Cabinet approved funding the adverse variance out-turn from the Transitional Reserve.

Reason for Decision:

Robust monitoring of the General Fund and MTFs is essential to control risks.

The meeting commenced at 6.30pm and concluded at 7.06pm

_____ CHAIR _____ DATE

Subject:	Health & Wellbeing Update	Status:	For Publication
Report to:	Cabinet	Date:	7 th October 2020
Report of:	Director of Communities	Portfolio Holder:	Health & Leisure
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
Contact Officer:	Adam Allen	Telephone:	01706
Email:	adamallen@rossendalebc.gov.uk		

1. RECOMMENDATION

- 1.1 Cabinet consider the latest development in health partnerships and governance structures and support the development of a health and wellbeing strategy for Rossendale.

2. PURPOSE OF REPORT

- 2.1 The purpose of the report is to bring Cabinet members up to date with the latest developments around health and wellbeing in Rossendale and seek agreement on the proposed way forward including the development of a Rossendale Community health and wellbeing strategy.

3. BACKGROUND

- 3.1 Since the last Cabinet report on health in November 2019 a number of changes in senior management and portfolio holders, together with the community response to Covid 19, have highlighted further the need for a place based approach to health in Rossendale. This proposal will establish the right partnership structure and work programme in order to develop this place based approach and a Community Health and Wellbeing strategy for Rossendale with a focus on mental health.

- 3.2 Rossendale Council's corporate priority 3 is to ensure we are creating and maintaining a healthy and vibrant place for people to live and visit. Objectives contributing to this for 20/21 include:

- Working with partners in the health and voluntary sector to develop a Health and Wellbeing strategy for the borough
- To review partnerships and identify which partnerships the council should focus on including providing new training for members and officers on their role in these priority partnerships

Expectations by central government of the role of district councils in health are increasing as demonstrated during the pandemic. It will be the aim of the strategy to understand the council's contribution to health and to maximize its impact.

In its community leadership role, the council is well placed to bring together key partners at a local level and sub-regional level so objectives and activity is better coordinated to ensure maximum benefit for Rossendale. The strategy will also put in place structures and partnerships to achieve this.

Many factors have led the council to consider its community leadership role in health at this

time - as a direct deliverer, enabler and partnership member.

3.3 These factors are:

- Rossendale Primary Care Network (PCN) was officially launched one year ago. Strong relationships have been formed between medical professionals and other agencies, in particular, the council and the Leisure Trust. We have worked together well during the pandemic. We have worked with the PCN to develop a Place and Person based approach to health within which the council will have a central role.
- The Covid 19 pandemic has put a spotlight on health and our community and partner response which has been excellent. It brought individuals and organisations together with a common purpose and it is important that we learn lessons and make the most of those new relationships.
- Rossendale Connected (RC) is the name of the community vehicle which brought together neighbourhood based community organisations with G.P.s, pharmacists, the council, Leisure Trust, the Police, Citizens Advice, Stubblee greenhouses and many more. There are plans to develop RC as an umbrella for existing partnerships, organisations and individuals to improve health and wellbeing in Rossendale using a Place and Person based approach. Rossendale Connected is not purely about health, it covers all community activity. The majority of groups and organisations do however have a positive impact on Health and Wellbeing.
- Although there is considerable activity by a wide range of health organisations (including the CCG and voluntary organisations) this is complex and to some extent fragmented. The council can play a key role, working with the PCN, to take a more joined up approach to health at the local level.

3.4 The approach outlined in this report follows a review of RBC's membership of health partnerships at a regional and local level in order to determine the most appropriate way to contribute and ensure we secure resources for Rossendale, our voice is heard and we make a better collective impact on health outcomes.

3.5 **Local emphasis**

Rossendale already has a number of well-established partnerships around health and we need to ensure that these are supported and enabled to contribute to priority setting, providing insight and examples of good practice. These are:

Rossendale Health and Wellbeing partnership – in its current iteration, this partnership has been established for 4 years, chaired for most of that time by Cllr. Barbara Ashworth. The partnership is supported by the council's Communities team. The partnership has current priorities which are:

- Smoking cessation
- Physical activity
- Mental health – including loneliness and isolation

The Partnership held a workshop on 17th July 2020 to begin to identify how it can work more closely with the PCN – Community. Feedback from the meeting indicated full support for the partnership to continue, set priorities using robust data and feed community intelligence

back to the PCN and through the PCN to sub regional partners where appropriate.

Rossendale PCN community – established formally in July 2019 as part of NHS strategy nationally. Rossendale has two PCNs, East and West but they meet as one. Every other month the second hour of the meeting is the PCN Community chaired by Ken Masser and including membership from the Council, Lancs Fire and Rescue, Children and Families Wellbeing Service and CVS. It is supported by Andy Lavery from ELCCG. The PCN has overseen the successful Together an Active future bid and is the responsible body for this initiative. It has also discussed excess winter deaths and suicide as particular issues for Rossendale.

Rossendale Connected – this is the name given to the Covid 19 hub and all of the individuals and organisations that contributed to it. There have been weekly zoom meetings to discuss immediate needs, priorities and issues surrounding the pandemic. Many of the attendees are also members of the Health and Wellbeing partnership and/or the PCN Community. New micro neighbourhood organisations have evolved in response to the crisis.

A number of clear areas of work have emerged from Rossendale Connected including food availability, volunteer retention and opportunities and readily accessible information on available activities. Lead organisations for these areas of work have been identified:

- Food - the Rossendale Community Support network
- Volunteer activity – CVS
- Haslingden Community Link for access to information through the resurrection of, and ongoing support to the REAL directory

Going forward Rossendale Connected is being seen as a principle or set of principles around how everyone involved in the place of Rossendale connects together for the good of the Borough.

The Rossendale Connected meeting on 2nd July secured agreement from participants on a way forward which includes monthly meetings whilst Covid 19 remains an issue, engagement sessions throughout July to find out what people got from the meetings and what, if any, support they require in the future.

In addition, work to develop the REAL directory was agreed and a Rossendale Connected Conference on 12 November.

It is not considered that we need any new local structures or partnerships at this time, rather that we look at any gaps and look to strengthen the links between existing partnerships.

We do however feel that there is a need for more structured engagement with sub-regional partners such as Mental Health, Children's, Adults and Public Health to understand their objectives for the sub-region in order for Rossendale to support where appropriate and maximize the opportunities for the Borough. This structured engagement will also allow the voice of the Rossendale community to be heard in order to inform sub-regional strategic planning.

3.6 How to bring it all together?

Next steps/actions	Date
1. Sub regional engagement event involving LCC, NHS, RBC	October 2020
2. Rossendale Connected conference	12th November 2020
3. RBC staff engagement workshop to explore services' contribution to health	December 2020
4. Health and Wellbeing Strategy	First draft by end January 2021

3.7 Sub Regional Partners

The council will add value by concentrating on work at a sub-regional level, bringing together representatives from statutory partners to understand their health priorities and activity in Rossendale. Community feedback information will also flow from the HWB partnership to the PCN and then to the sub-regional level for consideration in sub regional strategies. A structured sub-regional engagement event focusing on Rossendale as a place will take place annually and this will feed into the PCN and HWB partnership.

It is proposed that the first sub-regional engagement event will take place in October 2020 to start the process of sharing insight and intelligence and to begin to strengthen the relationships. It is anticipated that this meeting becomes an annual needs assessment for Rossendale. The outcomes of the first meeting will feed into the planned Rossendale Connected conference on 12th November 2020.

This structure will ensure that we take a place based approach to health and that it is evidence based, whilst also listening to the voice of the community.

3.8 Rossendale Connected conference

Rossendale Connected is the name given to the Covid 19 community response hub and is now a brand being developed to connect together everyone with an interest in Rossendale. A day conference is planned for November to bring organisations together from across all sectors to consider insight and intelligence for the borough and plan how to work better together to improve the health and wellbeing of local people.

3.9 PCN Community/Health and Wellbeing Partnership

It is proposed that the existing PCN Community group be strengthened and any gaps in membership be addressed. This will be the strategic place based group for Rossendale. The Health and Wellbeing Partnership undertook a recent workshop to examine areas that are perceived as strengths and possible improvement areas. It was recognised that connecting better with other health partners and understanding the wider health landscape were key areas of possible improvement. It is proposed that the PCN Community Group link closely with the HWB partnership to provide strategic leadership and support. The partnership will be the key vehicle for community engagement and delivery.

3.10 Council services

In addition to better aligning the Rossendale partnerships and improving connections sub-regionally; a second strand of work will commence. This work will establish the council's contribution to health and examine ways that we can maximize our impact on the Health and Wellbeing of Rossendale. This will look at low cost changes to service delivery that increase our impact on health and also increase awareness amongst front line staff of the health landscape and the options available to support people and refer to partner agencies.

Within the above structure, the council will not directly deliver any additional health related early intervention or prevention activities. We have worked with the PCN and VCS to establish a team of approximately ten officers that will be co-located at a Ski Rossendale office to deliver a place based approach to early intervention and prevention. These staff will include Social Prescribers, Community Connectors and experts such as dieticians and possibly Occupational Therapists. The work of this team will support people who need help and also connect people with community resources and appropriate agencies.

Strong progress has been made at a local level to understand the current landscape and establish consensus and support for better alignment. The early intervention resource is also taking shape. Connecting these two elements at a sub-regional level is considered to be the main challenge in implementing the new model.

Following on from the sub-regional engagement event and the Rossendale Connected conference, work will start on a Community Health and Wellbeing strategy for Rossendale which will bring together data and intelligence, local knowledge and delivery and an agreed action plan to improve health and wellbeing for residents.

4. RISK

4.1 It is essential that the correct and effective governance structures are in place to impact on health and wellbeing in Rossendale. Local engagement is considered to be strong, but further work is required at a sub-regional level to effectively engage partners in a place based approach for Rossendale and to use stronger leadership to drive change. Absence of a clear strategy and stronger leadership is likely to result in only limited and disjointed progress being made on the health agenda.

5. FINANCE

5.1 There are no financial implications at this stage. It is likely there will be financial implications arising from the suggested actions, these will be brought to Cabinet for consideration prior to implementation.

6. LEGAL

6.1 There are no legal implications arising out of this report.

7. POLICY AND EQUALITIES IMPLICATIONS

7.1 This work will develop into a community focused Health and Wellbeing strategy for Rossendale. Health implications will then need to be considered as the council develops other future strategies.

8. CONCLUSIONS

8.1 The council is keen to develop and grow its' role in health, providing greater community leadership to improve health and wellbeing outcomes for residents. We want to work in partnership and in appropriate ways with our partners and members to improve the health and wellbeing of people in Rossendale. We want to identify shared objectives and base our priorities on need using the latest data and intelligence from our sub regional partners, our

PCN partners and our community partners. The council can play a clear role in bringing together sub-regional partners and supporting and participating in existing partnerships more effectively. The council has a role to convene, facilitate and influence. This report sets out how we might best achieve that.

Background Papers	
Document	Place of Inspection
Cabinet - Health and Wellbeing Update (27 November 2019)	https://www.rossendale.gov.uk/meetings/meeting/1131/cabinet

Subject:	Council Tax / National Non Domestic Rates Recovery Update and Council Tax Partnership Protocol	Status:	For Publication
Report to:	Cabinet	Date:	7 th October 2020
Report of:	Director of Communities	Portfolio Holder:	Communities
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
Contact Officer:	Adam Allen	Telephone:	01706 238608
Email:	adamallen@rossendalebc.gov.uk		

1. RECOMMENDATION(S)

1.1 That Cabinet consider the content of this report and agree the following:

- The approach as outlined for the recovery of Council Tax and National Non-Domestic Rates (NNDR).
- Cabinet approve the Council Tax Partnership Protocol that has been developed between Rossendale Borough Council and the Citizens Advice Bureau.

2. PURPOSE OF REPORT

- 2.1 The purpose of this report is to update Cabinet on the current position with regard to Council Tax and NNDR arrears and the current arrangements for recovery during the Covid - 19 pandemic. This approach has been designed to be sympathetic to those in financial hardship due to the crisis.
- 2.2 Additionally, the report seeks member approval for a proposed package of measures that aim to provide an enhanced level of support to individuals that are currently experiencing financial difficulties and in particular issues with debt. These measures have been agreed with the Citizens Advice Bureau to create a Partnership Protocol.

3. BACKGROUND

3.1 Council Tax / NNDR Recovery

Recovery action for both Council Tax and NNDR was suspended in March 2020 due to the Covid - 19 pandemic and a recognition that residents would be suffering financial hardship. As a result, the collection performance in year for both Council Tax and NNDR has declined. It should also be noted that Court action is currently not possible due to Court Closures.

3.2 In addition, all recovery for previous years' arrears has been stopped for both Council Tax and NNDR. All Enforcement Agent customer visits have been suspended and enforcement agent activity suspended.

3.3 Quarter 1 Performance against target for Council Tax and NNDR in the current year is set out below:

3.4 COUNCIL TAX

- Council Tax Collected - 27.62% of total annual amount owed has been collected.

- Target for this time period is 28.9% (Performance was 1.27% below target)
- Last year as a comparison performance was 28.63%

3.5 NNDR

- Current Year - 25.62% of all NNDR Owed has been collected
- Target for this period is 28% (Performance was 2.38 % below target)
- Last year comparison performance was 28.68% (-3.06%)

3.6 **Income Shortfall**

The reduced collection rates have resulted in an income shortfall of £478k up to the end of August. A breakdown of the income shortfall by month is shown in the table below:

RBC Impact - Income Shortfall						
	April	May	June	July	August	Total
	£	£	£	£	£	£
CTax	45,000	34,000	34,000	34,000	28,000	175,000
NNDR	136,260	8,600	93,600	0	65,000	303,460
Total Loss	181,260	42,600	127,600	34,000	93,000	478,460

It is important to note that the identified shortfall does not include any adjustment for the application of the Hardship Fund or any new Council Tax Support Cases that have been granted. It is anticipated that this will reduce the shortfall.

3.7 **Recovery Measures Used for Council Tax During COVID Pandemic**

During the Covid - 19 situation the Council has adopted a sympathetic recovery approach, recognising the exceptional circumstances that have impacted many residents financially. This has included:

- A soft recovery letter to those customers who would ordinarily have received a reminder being sent on the 13 and 14 July.
- Follow up soft text messages and emails were sent out in August and in September.

In September the first proper recovery reminders were sent to approximately 2,300 households who had arrears over £100. A further reminder will be sent early in October. Currently the Courts are not dealing with Council Tax arrears cases and therefore further legal action is not possible at this time.

Recovery agents have also reinstated their work to recover historical debts that are subject to previous Court orders. This recommenced in August.

3.8 **Recommended Recovery Action for Customers with Court Orders:**

There are 6,600 individual Liability Orders for unpaid Council Tax from 2014 onwards with a balance still outstanding with a value of £4.6 million at various stages in the recovery process. There are 85 Liability Orders for NNDR from 2014 onwards with a balance still outstanding of £350k at various stages in the recovery process. Work has recommenced to:

- Contact customers who have fallen into arrears with direct arrangements. To do this a variety of methods is adopted such as letter and telephone contact.
- Enforcement Agents contacting customers who have fallen into arrears or who are not paying. Only the Enforcement Agents have up to date records and are able to do this function.
- Contacting employers where attachment of earnings have been served but they are not making deductions.

Enforcement Agents did send a soft letter aimed at re-establishing contact and identifying new hardship cases. There has also been a resumption of broken arrangement letters with a view to identifying issues and setting new arrangements. Enforcement Agents have been conducting visits as and when required from the 24 August 2020 in accordance with government guidance.

3.9 Support for Individuals Experiencing Financial Difficulties

Council Tax Partnership Protocol between Rossendale Citizens Advice Bureau and Rossendale Council(Appendix 1)

Rossendale Council works closely with the Citizens Advice Bureau and we have established effective partnership working in the area of debt management and recovery. In addition, prior to Covid - 19 the Citizens Advice Bureau provided services from the Council One Stop Shop offices and will be again in the future.

The Council Tax Partnership Protocol is the next stage to develop our partnership and provide the best possible service to customers. Protecting and supporting the vulnerable where we can whilst also ensuring that Council Tax can be paid. Only a very small number of authorities in Lancashire have signed such an arrangement. In practice the protocol agrees how we will work with customers and how we will continue to develop effective partnership working putting the customer, at the centre. Implementing the protocol will improve the information supplied to Council Tax Customers about the support that can be accessed and how they can pay. It will also ensure adequate training for staff working with the financially vulnerable and join the services together more seamlessly.

4. RISK

- 4.1 Failure to adopt the proposed recovery options will result in a reduced collection performance for both Council Tax and NNDR and also reduced revenue.
- 4.2 It is now probable that an increased number of customers will carry forward arrears into the 2021/22 tax year with negative impacts on collection rates for next year also.
- 4.3 Some customers will only address Council Tax when prompted. It is likely that changes in circumstances have not been reported and records are becoming inaccurate.
- 4.4 There is likely to be some negative feedback on the resumption of recovery. This will happen at whatever stage recovery resumes.
- 4.5 The Council's payments to Preceptors are based on pre-Covid estimates. This is having a negative impact on the Council's cash flow and increases the risk that the Council will have to replace some of its internal borrowing with external borrowing, this risk is

increasing as the pandemic progresses and further restrictions are introduced.

5. FINANCE

- 5.1 The Council is a billing authority for Council Tax and NNDR, collecting on behalf of Lancashire County Council, the Police and Crime Commissioner for Lancashire and the Lancashire Combined Fire Authority.
- 5.2 The Council is distributing the 2020/21 monies collected, based on the budget set in February 2020, prior to the Covid pandemic. Therefore 100% of the Covid related shortfall in collection, is impacting on the Council's cash balances. For April through to June the Government deferred collecting their share of NNDR, however they began collecting in July, increasing their collection rates to make up for the earlier deferral.
- 5.3 Collection rates for both Council Tax and NNDR remain below the budget estimates.

6. LEGAL

- 6.1 None at this stage however legal input will be sought in the preparation of the protocol. All enforcement shall be carried out within the agreed parameters and in line with government guidance.

7. POLICY AND EQUALITIES IMPLICATIONS

- 7.1 None at this stage.

8. CONCLUSION

- 8.1 This report outlines the sympathetic approach that has been adopted by Rossendale Council towards those that are struggling financially due to the Covid – 19 pandemic. Support will continue to be provided by Council staff to help residents pay their Council tax and agree payment plans that can be sustained. In addition, the Council have developed a partnership protocol with the Citizens Advice Bureau to provide a joined up partnership approach to residents that are in arrears for their Council Tax. This report seeks the support of Cabinet for this approach.

Background Papers	
Document	Place of Inspection
RBC/CA COUNCIL TAX Protocol	Appendix 1

Rossendale Borough Council & Citizen's Advice – Council Tax Protocol

Partnership

To foster more effective partnership working:

1. Local authorities, enforcement agencies and advice agencies should meet regularly to discuss practical and policy issues with a recommendation to meet quarterly at officer level.
2. All parties should have dedicated contacts accessible on direct lines and electronically so that issues can be taken up quickly.
3. All parties should promote mutual understanding by providing training workshops, undertaking exchange visits and sharing good practice.
4. As local authorities are responsible for the overall collections process, they should ensure all their staff, external contractors and enforcement agencies receive the appropriate training, particularly on vulnerability and hardship.

Information

To improve the information supplied to council tax payers about the billing process, how to get support and debt advice and to promote engagement:

1. Local authorities should consider reviewing payment arrangements and offer more flexible options, including, subject to practicality, different payment dates within the month, spreading payments over 12 months and, potentially, different payment amounts to assist those on fluctuating incomes. This can allow people to budget more effectively.
2. Local authorities and enforcement agents should publicise local and national debt advice contact details on literature and notices. Advice agencies can help by promoting the need for debtors to contact their local authority promptly in order to agree payment plans. Parties can work together to ensure the tone of letters is not intimidating but encouraging of engagement.
3. Local authorities should ensure that enforcement agencies have appropriate information about the council tax debts they are recovering, so they can put this in letters they send to debtors and answer any questions.
4. Local authorities should consider providing literature about concerns council tax debtors may have about enforcement agents and enforcement. Information could cover charges enforcement agencies are allowed to make by law, how to complain about enforcement agent behaviour or check enforcement agent certification and further help available from the local authority or advice agencies.
5. All parties should work together to review and promote better engagement by council taxpayers. This should include information on how bills can be reduced through reliefs, exemptions and council tax support schemes, advising taxpayers that they should contact the local authority if they experience financial hardship and the consequences of allowing priority debts to accumulate. Information and budgeting tools should be made available on local authority and advice agency websites, via social media and at offices of relevant agencies. This is an opportunity for joint campaign work.

Recovery

If a council tax bill is not paid, then the local authority's recovery process comes into play. While local authorities strive to make early contact with a debtor, the first contact is usually made at point of engagement by a debtor and often only occurs when an enforcement agent visits the premises. Greater effort should be made at or before the Tribunal Courts and Enforcement Act's compliance stage, including debt and money advice referrals and to assess whether vulnerability or hardship applies, so as to avoid escalating a debt. Therefore:

1. Local authorities and enforcement agencies should work in partnership with advice agencies on the content, language and layout of all documents, produced by the local authority and agents acting on its behalf which are part of the enforcement process. This should aim to ensure that the rights and responsibilities of all parties, particularly those of the debtor, are clearly set out.
2. Enforcement agents should provide the debtor with a contact number and email address.
3. Local authorities should keep all charges associated with recovery under regular review to ensure they are reasonable and as clear and transparent as possible and reflect actual costs incurred. Enforcement agents should only make charges in accordance with council tax collection and enforcement regulations, particularly the Tribunal Courts and Enforcement Act.
4. Local authorities should periodically review their corporate policy on debt and recovery, particularly what level of debt (inclusive of liability order fees) should have accrued before enforcement agent action, as enforcement will add additional costs to a debt.
5. As part of their corporate policy on debt and recovery, local authorities should have a process for dealing with cases that are identified as vulnerable, bearing in mind that different local authorities may have different definitions of a vulnerable person or household. Any local definition of vulnerability should be developed in consultation with advice agencies and enforcement agencies and, wherever possible, the local authority should aim to publish clear guidelines on what constitutes vulnerability locally. Where a local authority's vulnerability criteria apply, in these cases, debts should be considered carefully before being passed to enforcement agencies. Where enforcement agents or other parties identify a vulnerable customer, appropriate adjustments will be made.
6. Local authorities should review and publish their guidance which cover hardship, including how these relate to council tax arrears.

7. Local authorities and their enforcement agents should consider offering a 28 days hold or “breathing space” on enforcement action if debtors are seeking debt advice from an accredited advice provider.
8. Procedures should exist for debt advisers to negotiate payments on behalf of the taxpayer at any point in the process, including when the debt has been passed to the enforcement agent. In some cases, the debtor may only contact an advice agency following a visit from the enforcement agent.
9. Each case should be examined on its merits and repayment arrangements need to be affordable and sustainable, while ensuring that the debt is paid off within a reasonable period. Where appropriate, local authorities should provide the flexibility to spread repayments over 12 months for the current years CTAX charge and more than a year for previous year’s debts.
10. Local authorities should prioritise direct deduction from benefits or attachment of earnings in preference to using enforcement agents. This avoids extra debts being incurred by people who may already have substantial liabilities.
11. Clarity should be provided to the debtor and enforcement agency as to which debts are being paid off, in what amounts and when, especially where a debtor has multiple liability orders. Where appropriate, debts should be consolidated before being sent to enforcement agents.
12. Local authorities should publish a clear procedure for people to report complaints about all stages of recovery action. Local authorities will regularly monitor and, subject to requirements of commercial confidentiality and the Data Protection Act 2018 and the General Data Protection Regulation, publish the performance (including complaints) of those recovering debts on their behalf and ensure that contractual and legal arrangements are met.

Subject:	Empty Property Council Tax Premiums	Status:	For Publication
Report to:	Cabinet	Date:	7 th October 2020
Report of:	Director of Economic Development	Portfolio Holder:	Communities
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached: No
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION
1.1	Increase the premium on empty dwellings to the maximum amount permitted from 1 st April 2021, with 100%, 200% and 300% premiums for properties empty for 2, 5 and 10 years respectively.

2. PURPOSE OF REPORT

2.1 To examine the Council's options for changing premiums on empty homes, with powers available to increase them being phased in from 2019 to 2021. Also to estimate the impact of the changes to the Council, particularly financially, within the parameters of stated assumptions.

3. BACKGROUND

3.1 Since the localisation of Council Tax in 2013 Rossendale has had some flexibility over Council Tax discounts for 2nd homes and Empty homes which it introduced in 2014 and has not changed since. The introduction of new premiums possible for longer term empty properties has however raised the issue again.

3.2 Second Homes

Traditionally Second Homes received a 50% discount on the relevant Council Tax rate for that property, however localisation in 2013 meant the Council could charge up to 100% if the home is substantially furnished and counted as a second home. The Council has applied the 100% rate in second homes since April 2014. There is also a discount of 50% for people who are forced to move due to employment, however that is not a local decision.

3.3 Properties Empty for up to 6 Months

Currently Rossendale give 100% discount for the first month a home is empty and then a 50% discount for the next 5 months. This discount applied by the Council is one of the most generous in Lancashire.

3.4 Properties Empty 6-24 Months

Rossendale offers no discount for properties empty from 6 to 24 months, which is in line with most other local authorities.

3.5 Major Repairs

Rossendale currently gives a discount of up to 12 months of 50% if major repairs, such as structural alterations are needed to a property. This policy is similar to most other local authorities.

3.6 Premiums

After the localisation of Council Tax, Rossendale introduced the maximum premium of 50% on properties empty for more than 2 years, and there is currently around 175 of these. From April 2019 the premium could rise to 100% if the Council wished, but this wasn't implemented. From April 2020 the premium on properties empty for over 5 years could rise to 200% and from April 2021 the premium on a property empty for 10 years plus can rise to 300%. As the premiums are on top of the full rate the table below demonstrates the current situation and what could be applied from April 2021.

	1 Month	1 to 6 Months	6 to 24 Months	24 Months+	5 Years +	10 Years +
1 st April 2020	0%	50%	100%	150%	150%	150%
1 st April 2021	0%	50%	100%	200%	300%	400%

3.7 There are over 32,000 homes in Rossendale and raising the premiums would affect around 175 or 0.5%. The number of properties subject to the premium can change on a daily basis, however the Council Tax Base information from late 2019 illustrates the types of numbers we have in each category below.

	Number of Properties Affected
Empty 2 to 5 years	134
Empty 5 to 10 years	21
Empty 10 years plus	20
Total	175

3.8 The raising of the premiums would be a disincentive rather than a way of raising revenue, as when properties return to use they may be paying less Council Tax, as over a third have the single occupancy discount then a 150% property on average becomes a 90% property. When raising premiums, it is normal to give exemptions to the premium if certain conditions are met. If an exemption is granted it would mean that the owner/liable party would pay 100% of the Council Tax rather than 200 to 400%. It is proposed that the following exemptions should be included or at least considered for a policy:

- Where there is a genuine attempt to sell or let the property
- Where there is a new owner, the property needs major repairs, and the major repairs discount has already been applied to the property.
- Where there are exceptional legal or technical issues which prevent the owner selling or letting the property
- Where the property has remained empty for over two years due to exceptional circumstances beyond control of the owner or liable party.
- Where the owner or liable party would face genuine financial hardship if the premium was applied

3.9 Income Implications of the Premiums

3.10 The aim of the additional premiums is to change behaviour rather than increase income for

the Council, and it isn't possible to accurately predict how Council Tax income will be affected by the introduction of the higher premiums, however it is possible to model scenarios given assumptions, such as properties returning back into use, exemptions under a new policy and the liable party not paying. It is likely that there will be around £100k generated a year extra through the premiums, of which the Council will keep around £15k.

3.11 Resources and Consultation

A consultation exercise will be needed to implement the proposed changes, especially to investigate any unexpected consequences of proposed changes. The survey will be conducted from mid-October 2020 and be publicised through the Council's digital channels and a press release. If implemented administering the exemption policy will need to be resourced. There is a cost of an extra module for the current software to allow changes to be made which will be £625 in the first year and £125 in subsequent years.

3.12 Returning Empty Homes Back into Use

Empty dwellings are a wasted resource and it is a priority of the Council to encourage them to be returned into use, and the proposed change to Council Tax premiums supports this priority. In recent years the Council has principally applied a casework approach to return empty homes into occupation, enabling owners by way of assisted sales and linking them up with developers and other potential buyers. Whilst there are various enforcement options available, for example enforced sale, for which a policy was adopted in 2018, a more encouraging and assisting approach is preferred.

4. RISKS

- 4.1 If the change in premiums means that 43% or more long term voids are brought back into use then the Council would be in danger of losing income, however this is very unlikely and would be an excellent result for regeneration aims.
- 4.2 There are reputational implications introducing increased premiums shortly after or during the COVID-19 crisis, although these would never be popular with owners of long term empty homes at any time.
- 4.3 There is a risk of judicial review especially if the consultation is not robust enough.

5. FINANCE

- 5.1 There is the potential for the Council to generate additional income through the increased Council Tax premiums, however the main aim of the policy is to bring empty homes back into use.

There will be a one off small cost to the Council for the software update required to implement the proposed changes of c£500 as a one off payment and £125 pa support and maintenance.

6. LEGAL

- 6.1 Legislation gives the Council power to set a premium for long term empty dwellings and to reduce the amount of council tax payable as it thinks fit. When undertaking the consultation exercise, the Council must give meaningful consideration to the responses received to mitigate against the risk of challenge from affected parties.

7. POLICY AND EQUALITIES IMPLICATIONS

- 7.1 Any changes in the fees will comply with the relevant regulations and primary legislation,

as amended, relating to Council Tax and Council Tax Reduction Schemes.

There are no equalities implications.

8. CONCLUSION

8.1 It is anticipated that introducing the higher Council Tax premiums in April 2021 will lead to a behaviour change in a large minority of landlords or liable parties with more homes returning to use, increasing housing supply and the offer overall, as well as the economy in the borough. There will be a small amount of addition income for the Council which will be tempered by increased administration burdens.

No background papers