

TONBRIDGE & MALLING BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER EMERGENCY POWERS

Decision No:	D200005EM
Decision Taken By:	Leader of the Borough Council
Authority under which Decision Taken:	Emergency provisions for decision making during a period of serious and unexpected disruption under Part 7 of the Constitution.
Decision Type:	Executive Key Decision
Date:	24 April 2020

Decision(s) and Reason(s)

Government Funding for Specific Hardship Policy – Council Tax Reduction

The Government recently announced new grant funding of £500m to support economically vulnerable people and households in the local area. Tonbridge and Malling Borough Council had received a funding allocation of £866,829.

Billing authorities would primarily use grant allocations to reduce the council tax liability of local council taxpayers outside of the local authorities formal Council Tax Reduction (CTR) Scheme, using discretionary powers under s13A(1)(c) of the Local Government Finance Act 1992. It was noted that the Borough Council had adopted a new CTR Scheme on 18 February 2020.

All recipients of working age were to be provided with local council tax support during the financial year 2020-21, with a further reduction in the annual council tax bill of up to £150. The sums allocated would be credited to a taxpayer's council tax account reducing net liability for the year, and would not be 'cash' allocations.

It was possible that in the current circumstances, and with the significant increase in claims for Universal Credit, that working age claims for CTR could also increase significantly. This represented a financial risk to the Borough Council as the entire cost of the award of up to £150 per case would have to be met from the General Fund as there were no indications from Government that any specific additional costs in respect of this scheme, over and above the initial allocation, would be met through a second grant 'tranche'. It was recommended that this financial concern be raised with local Members of Parliament to lobby Government.

In order to distribute the funding in accordance with the Government's guidance, it was necessary for the Borough Council to adopt a specific policy (the Council Tax s13A (1) (c) policy) to sit alongside the adopted exceptional hardship policy. This would be implemented strictly in accordance with Government guidelines.

Finally, it was recommended that delegated authority was given to the Director of Finance and Transformation, in liaison with the Leader and Cabinet Member for Finance, Innovation and Property, to make minor adjustments to the policy as needed to reflect further government guidance on this matter.

RESOLVED: That:

- (1) the Council Tax s13A (1) (c) policy as set out above and as described in government guidance be adopted;
- (2) delegated authority be given to the Director of Finance and Transformation (and Finance Officers) to grant reductions in accordance with the policy;
- (3) the lobbying of MPs, already undertaken by the Leader, regarding the 'risks' for billing authorities (as set out above) be endorsed;
- (4) delegated authority be given to the Director of Finance and Transformation, in liaison with the Leader and Cabinet Member for Finance, Innovation and Property, to make minor adjustments to the policy as needed to reflect further government guidance or requirements.

Taken in accordance with the Emergency Provisions set out at Part 7 Paragraph 1.3 of the Constitution and in agreement with the Chairman of Overview and Scrutiny Committee.

Signed Leader: N Heslop

Signed Chairman of Overview and Scrutiny Committee: J Sergison

Signed Chief Executive: J Beilby

Date of publication: 24 April 2020

This decision is urgent and therefore not subject to call-in (in accordance with Overview and Scrutiny Committee Procedure Rule 15 (i) as set out in Part 4 of the Constitution) and may be implemented immediately.