

EXECUTIVE - 18 JANUARY 2018

NOTICES OF MOTION

Executive Summary

At its meeting on 7 December 2017, the Council referred the following Notices of Motion to the Executive.

Councillor W P Forster

“Care leavers have had their childhoods punctuated by instability and trauma, they leave home earlier and have less support than other young people. As a result, care leavers have some of the worse life chances in the country.

A 2016 report by the Children's Society found that when care leavers move into independent accommodation, they find managing their own finances extremely challenging. With no family to support them and insufficient financial education, care leavers are falling into debt and financial difficulty. The Children's Society recommends that care leavers should be taken out of Council Tax until they turn 25.

The Children and Social Work Act 2017 places corporate parenting responsibilities on borough and district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions.

To ensure that transition from care to adult life is as smooth as possible and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, this Council agrees not to charge care leavers under 25 living in Woking Borough any Council Tax from April 2018.

This Council also agrees to look at ways of supporting care leavers further to ensure they fulfil their potential.”

Officer Comment

“A person who is liable to pay Council Tax has the right to apply to the Council for a reduction in the amount of Council Tax due to be paid. Usually discount is available via **statutory schemes** for payers on low incomes or discount schemes and personal exemptions. Therefore when considering a “local” discount/exemption for care leavers existing statutory reductions should be applied first as these will be funded through the statutory scheme.

If after considering statutory schemes a charge is still payable, by a care leaver, then under Section 13A of the Local Government Finance Act 1992 there is a general discretionary power **to go further** with discount in specific cases. This would be Discretionary Local scheme discount funded by Woking Borough Council.

A Section 13A application form would be required to be completed for each application and these could be determined by a senior officer within the Council Tax section in accordance with the determined policy. While the award is entirely discretionary with no appeal process, it is good practice that any disputed decisions are referred to another officer for review and a final decision.

In relation to the scheme/policy itself it would seem sensible to mirror the statutory scheme for full time students.

In that:

1. If the chargeable property occupied solely by a care leaver then after any statutory discounts have been applied the remaining charge is remitted using the powers under Section 13A.
2. If the property is occupied by 2 adults, one of which is a care leaver, then the care leaver is treated as disregarded (i.e. as though not there) which would normally result in a 25% discount on the charge.
3. If the property is occupied by more than 2 adults, one of which is a care leaver, then the care leaver is treated as disregarded (i.e. as though not there) which would have no affect on reducing the charge as there are still 2 non discounts adults.

Finally, the Council Tax data base holds no data on care leavers, in order to apply any discounts the names, address, dates of birth, etc. would need to be supplied to the Council Tax section in order that applications can be sent. This would need to comply with data protection rules, particularly the changes being introduced in May 2018 under the General Data Protection Regulation.”

Councillor K Howard

“With a view to finding a solution to the ongoing problem of roadside litter, officers will investigate and recommend ways in which the Council can target people who throw litter from vehicles on the public highway.”

Officer Comment

“Officers will continue to be proactive in tackling the anti social practice of throwing litter from vehicles on to the public highway where the offence is witnessed.

Following a public consultation as part of the launch of the Government’s Litter Strategy in April 2017 new powers are expected to be available for Local Authorities from April 2018 to include the below:-

- from April, the maximum on-the-spot fine local authorities can issue for dropping litter will nearly double, from £80 to £150. The minimum fine will increase from £50 to £65, while the default fine will increase from £75 to £100; and
- for the first time, local authorities will also be able to apply these penalties for littering to vehicle owners if it can be proved litter was thrown from their car – even if it was discarded by somebody else.

Once the new powers are confirmed the opportunity will be taken to promote the topic and the Council’s intention to proactively enforce hot spots around the Borough to protect our local environment. A report on the new powers will be brought to a future meeting of the Executive.”

Background Papers:

None.

Reporting Person:

Cllr Will Forster
E Mail: CllrWill.Forster@woking.gov.uk

Cllr Ken Howard
E Mail: CllrKen.Howard@woking.gov.uk

Douglas Spinks, Deputy Chief Executive
Ext. 3440, E Mail: Douglas.Spinks@woking.gov.uk

Leigh Clarke, Finance Director
Ext. 3277, E Mail: Leigh.Clarke@woking.gov.uk

Contact Person:

Cllr Will Forster
E Mail: CllrWill.Forster@woking.gov.uk

Cllr Ken Howard
E Mail: CllrKen.Howard@woking.gov.uk

Geoff McManus, Assistant Director (Place)
Ext. 3707, E Mail: Geoff.McManus@woking.gov.uk

David Ripley, Revenues and Benefits Manager
Ext. 3630, E Mail: David.Ripley@woking.gov.uk

Portfolio Holder:

Cllr Ayesha Azad
E Mail: CllrAyesha.Azad@woking.gov.uk

Cllr Beryl Hunwicks
E Mail: CllrBeryl.Hunwicks@woking.gov.uk

Shadow Portfolio Holder:

Cllr Ann-Marie Barker
E Mail: CllrAnn-Marie.Barker@woking.gov.uk

Cllr Ken Howard
E Mail: CllrKen.Howard@woking.gov.uk

Date Published:

10 January 2018