



Corporate Management Committee

Thursday, 23 November 2023 at 7.30 pm

Council Chamber - Civic Centre

Members of the Committee

Councillors: T Gracey (Chairman), C Howorth (Vice-Chair), D Coen, MD Cressey, L Gillham, S Jenkins, R King, M Nuti, S Ringham, P Snow, D Whyte and M Willingale

In accordance with Standing Order 29.1, any Member of the Council may attend the meeting of this Committee, but may speak only with the permission of the Chairman of the Committee, if they are not a member of this Committee.

AGENDA

Notes:

- 1) Any report on the Agenda involving confidential information (as defined by section 100A(3) of the Local Government Act 1972) must be discussed in private. Any report involving exempt information (as defined by section 100I of the Local Government Act 1972), whether it appears in Part 1 or Part 2 below, may be discussed in private but only if the Committee so resolves.
- 2) The relevant 'background papers' are listed after each report in Part 1. Enquiries about any of the Agenda reports and background papers should be directed in the first instance to **Mr G Lelliott, Democratic Services Section, Law and Governance Business Centre, Runnymede Civic Centre, Station Road, Addlestone (Tel: Direct Line: 01932 425620). (Email: gary.elliott@runnymede.gov.uk).**
- 3) Agendas and Minutes are available on a subscription basis. For details, please ring 01932 425620. Agendas and Minutes for all the Council's Committees may also be viewed on www.runnymede.gov.uk.
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The Chairman will make the final decision on all matters of dispute in regard to the use of social media audio-recording, photography and filming in the Committee meeting.

List of matters for consideration

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Part I

Matters in respect of which reports have been made available for public inspection

1. **Notification of Changes to Committee Membership**
2. **Minutes** 6 - 11

To confirm and sign, as a correct record, the Minutes of the meeting of the Committee held on 12 October 2023.
3. **Apologies for Absence**
4. **Declarations of Interest**

Members are invited to declare any disclosable pecuniary interests or other registrable and non-registrable interests in items on the agenda.
5. **Reconsideration of the 25 May 2023 minutes** 12 - 17

Due to a technical issue with the minutes of the meeting held on 25 May 2023, the full minute text for items 13 (Grounds Maintenance - Vehicles & Equipment) and 14 (Procurement of Insurances) did not display on the document that was considered by the Committee at its meeting on 22 June 2023. The text was however displayed on the [webpage for 25 May 2023 meeting](#). There has been no change to the content of any item aside from those listed above.

The Committee is therefore asked to consider the minutes for these items and confirm the agreement of the minutes of the Corporate Management Committee held on 25 May 2023 (attached).
6. **Recommendations from committees**
 - a) Standards and Audit Committee - provision of internal audit services To Follow

The report associated with this item was circulated to all members with the agenda for the 21 November 2023 meeting of the Standards and Audit Committee.

A recommendation will follow after the Committee has met.
 - b) Environment and Sustainability Committee - Implications of climate change for Runnymede Borough Council To Follow

The report associated with this item was circulated to all members with the agenda for the 16 November 2023 meeting of the Environment and Sustainability Committee.

A recommendation will follow after the Committee has met.
7. **Electric Vehicle Strategy** 18 - 46
8. **Draft Climate Change Action Plan** 47 - 202
9. **Release of previously agreed funds to enable alteration to staffing structure in the Planning, Economy and Built Environment service** 203 - 206

10.	Reserve Forces Policy	207 - 215
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13.	Review of Household Support Fund (Fourth Round)	493 - 506
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15.	Budget Monitoring Report - April 2023 to September 2023	526 - 539
16.	To adopt a policy in respect of councillor surgeries and to approve funding to cover the cost of premises hired for councillor surgeries for the financial year 2023/24 and for the hiring of premises in which to conduct councillor surgeries for future financial years	540 - 546
17.	Minor amendment to the Constitution - recommendation from the Constitution Member Working Party	547 - 548
18.	S042 - Urgent Action	
	a) 1028 - To report urgent action taken regarding a virement of money from the Planning Policy budget to the Climate Change budget to underpin the production of Heat Decarbonisation Plans for the Hythe Community Centre and Manor Farm Day Centre and other technical information to underpin a funding bid for round 3c of the Public Sector Decarbonisation Scheme	549 - 553
	b) 1029 - To report urgent action taken regarding business rates pooling 2024/25	554 - 558
19.	Exclusion of Press and Public	

Part II

Matters involving Exempt or Confidential Information in respect of which reports have not been made available for public inspection

20.	Recommendations from committees	
	a) Community Services Committee - Procurement of Digital Alarms	559 - 560
	The report associated with this item was circulated to all members with the exempt agenda for the 9 November 2023 meeting of the Community Services Committee.	
	The Committee's recommendation is attached.	
	<i>Note: The recommendation document does not contain any exempt information. Please refer to the Committee report for this.</i>	
	b) Environment and Sustainability Committee - Environmental Services and GIS restructure incorporating Environmental Health and Licensing, Engineering, Green Spaces, Grounds Maintenance, and Street Naming and Numbering	To Follow
	The report associated with this item was circulated to all members with the exempt agenda for the 16 November 2023 meeting of the Environment and Sustainability Committee.	

A recommendation will follow after the Committee has met.

21. **Building Compliance**

561 - 565

Runnymede Borough Council

Corporate Management Committee

Thursday, 12 October 2023 at 7.30 pm

Members of the Committee present: Councillors C Howorth (Vice-Chair, in the Chair), A Balkan (In place of T Gracey), D Coen, M Cressey, R Davies (In place of R King), L Gillham, S Jenkins, M Nuti, M Singh (In place of S Ringham), P Snow, D Whyte and M Willingale.

Members of the Committee absent: Councillors T Gracey (Chairman), R King and S Ringham.

In attendance: Councillors T Gates.

72 Notification of Changes to Committee Membership

Councillor Balkan substituted for Councillor Gracey, Councillor Davies substituted for Councillor R. King and Councillor Singh substituted for Councillor Ringham.

73 Minutes

The minutes of the meeting held on 14 September 2023 were confirmed and signed as a correct record.

74 Apologies for Absence

There were no apologies for absence.

75 Declarations of Interest

Councillor Singh withdrew from the meeting for agenda items 5a, 5b, 5c, 9, 11a, 11b and 12.

76 Recommendations from Committees

76a Community Services Committee - Contain Outbreak Management Fund

The scope of the flooring maintenance works at Chertsey Hall was noted. The Committee was supportive of the proposals.

It was **resolved** that:

1. The proposed expenditure plans for the remaining Contain Outbreak Management Fund held by the Council, in 2023- 2024 be agreed.
2. The use of the existing Communities First budgets be used to fund the balance of £1,174.

76b Community Services Committee - Play Area Programme 2023/2024

The Committee was pleased to note that there had been cross party and ward member involvement in developing the proposals.

It was **resolved** that:

1. The proposed health and safety works and play area replacement plan be agreed.
2. A capital estimate of £229,000, for the replacement plan involving Surrey Towers, Pooley Green and Hythe Park, as set out in table 3 of the report, to be funded from the resources set out in table 2 (subject to any additional approvals required), be agreed.
3. The release of £100,000 for play area replacement programme provisions, set aside in the capital programme for 2023/24, be agreed.
4. An allocation of £47,000, from the 2024/2025 youth development revenue budget for the play area replacement, be agreed.
5. The virement of the revenue budgets earmarked for the replacement of play equipment to fund the capital expenditure be agreed (noting that this would show in future revenue reports as contributions to capital expenditure on the summary page of the budget).

The Committee **recommended** to the Council that:

1. A capital estimate of £565,000, for the replacement plan involving the remaining locations set out in table 3 of the report, to be funded from the resources set out in table 2 (subject to any additional approvals required), be agreed.

[Members were advised at the Community Services Committee that the capital estimate had been revised. This was however not captured in the recommendation put before the Community Services Committee, which is what was moved and agreed for communication to the Corporate Management Committee.]

The Council is therefore asked to agree a revised capital estimate of £799,000, covering both financial years, for the replacement plan to be funded from the resources set out in table 2 of the officer's report (subject to any additional approvals required).]

76c **Community Services Committee - Period Poverty - Motion from Council 20 July 2023**

Councillor A. King was thanked for bringing the motion to the 20 July 2023 Council.

It was **resolved** that:

1. A combined budget of £24,000, over three years, be agreed.
3. The Corporate Head of Community Services be delegated authority to agree the delivery of this project, in consultation with the Chairman and Vice-Chairman of Community Services Committee, and Councillor A. King as the proposer of the motion to the Council.

77 **Bullying and Harassment Policy**

The Committee was pleased to see that a more comprehensive Bullying and Harassment Policy had been prepared.

The process for reviewing allegations made by councillors against officers was clarified, noting that this would be managed using the Council's suite of employment policies. Allegations of bullying and harassment against councillors by members of the public would also be managed utilising the Council's suite of policies relevant to the handling of such individuals. Members were advised to contact the police in the event of particularly serious

incidents.

It was **resolved** that:

1. The Bullying and Harassment Policy be agreed, subject to the inclusion of a clarification regarding allegations of bullying of councillors by officers.
4. That authority be delegated to the Corporate Head of Human Resources and Occupational Development, to agree the text of the clarification requested in 1. above, in consultation with the Chairman and Vice-Chairman of the Corporate Management Committee, Councillor Jenkins (as the requestor of this clarification), and the Corporate Head of Legal and Governance.

78 **Calendar of Committee Meetings**

The revised layout of the calendar was welcomed.

The Corporate Management Committee **recommended** that the calendar of meetings for the 2024/25 municipal year be agreed by the Council.

79 **Amendments to the Constitution**

Urgency procedures

The Committee welcomed the modernisation of the Council's urgency procedures (Standing Order 42 (SO42)). There was discussion about whether SO42 was being used as a tool to circumvent committee discussions. It was reported that the frequency and value of SO42 decisions was dependent on the issues that arose, and could therefore be highly variable. The value of recent SO42 decisions was questioned; it was stated that these decisions related to supplementary estimates, which could be reported separately to the supplementary estimates agreed by committees, should the Corporate Management Committee require it.

Contract Standing Orders

There was discussion about the advertising of contract values when seeking bids as part of the tendering process, and whether this was having value for money implications for the Council. It was noted that the Public Contract Regulations 2015 required specific information to be provided when advertising a contract above the Find a Tender Service (FTS) threshold value.

The Committee **recommended** to the Council that:

1. The proposed minor amendments to the Council's urgency provisions (Standing Order 42) and the Contract Standing Orders be agreed, subject to the minor typographical error at 2.5a of the Contract Standing Orders being corrected.
2. The Corporate Head of Legal and Governance be delegated authority to make further necessary amendments to the Constitution, to give effect to the amendments proposed in the report.

80 **Proposal to confer honorary titles and agree actions and events to mark the 50th anniversary of the creation of Runnymede administrative area**

There was a detailed debate about the proposed honours and their recipients.

Many members lauded the contributions made by Mr Cotty to both the community and the

Council. In addition, some felt that the role of a ward councillor was often underappreciated. Other members felt that whilst Mr Cotty's work was much appreciated, it was questionable as to whether it was over and above the work undertaken by many other ward councillors. The appropriateness of the Honorary Alderman title, in the context of previous awardees receiving the Freedom of the Borough, was also questioned.

The Committee debated the proposed honour for the North West Surrey Alliance (NWSA). Some members considered the proposed honour to be warranted, particularly because of NWSA's position in caring for Runnymede's residents; a role that was amplified during the Covid-19 pandemic. It was suggested that the NWSA's position in the community was not sufficiently well known to warrant being awarded Freedom of the Borough, and that the publicly available information on their website focused on the senior individuals involved in running the Alliance, and not its frontline and operational staff. It was however suggested that the proposed honour represented a good opportunity to promote the work of the Alliance, in particular the work of operational and frontline staff providing services to Runnymede's residents. It was reported that the NWSA would also be asked to send a number of operational and frontline staff to receive the award on behalf of the Alliance at a special awards ceremony in March 2024.

Some members questioned whether it was proper to recognise just healthcare workers, particularly because other individuals, such as delivery drivers and shopworkers, had also provided important services to the community during the Covid-19 pandemic.

There was discussion about the expenditure associated with the proposals. Some members felt that the anticipated cost, which did not represent new expenditure due to it being met from in-year savings, was acceptable because the proposals provided a rare opportunity to celebrate the work of partners and other individuals, whilst also commemorating a significant milestone for Runnymede as a Council.

Other members felt that the proposals should have been discussed between group leaders before being presented to the Committee. They also stated that there were more appropriate opportunities that did not involve the awarding of honours. One such suggestion included the planting of fifty trees which would, it was asserted, have also served to enhance the Council's environmental credentials.

By request of the committee, the recommendations were divided into their constituent parts, and named votes taken on each.

1. The Committee **recommended** that North West Surrey Alliance be awarded Freedom of the Borough of Runnymede.

The voting on this resolution was as follows:

In favour (7) – Councillors Howorth, Balkan, Coen, Cressey, Nuti, Snow and Willingale.

Against (4) – Councillors Davies, Gillham, Jenkins and D. Whyte.

Abstentions – none.

2. The Committee **recommended** that former Councillor Derek Cotty be appointed as an Honorary Alderman.

The voting on this resolution was as follows:

In favour (7) – Councillors Howorth, Balkan, Coen, Cressey, Nuti, Snow and Willingale.

Against (4) – Councillors Davies, Gillham, Jenkins and D. Whyte.

Abstentions – none.

3. Subject to the agreement of the Council with the awards detailed in 1 and 2 above, the Corporate Management Committee **agreed** to allocate a budget of £6,200 for the above awards, and other associated costs arising from the proposals contained within the report, which would be drawn from existing budgets.

The voting on this resolution was as follows:

In favour (7) – Councillors Howorth, Balkan, Coen, Cressey, Nuti, Snow and Willingale.

Against (4) – Councillors Davies, Gillham, Jenkins and D. Whyte.

Abstentions – none.

81 **Exclusion of Press and Public**

By resolution of the Committee, the press and public were excluded from the remainder of the meeting during the consideration of the remaining matters under Section 100A (4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information as set out in Schedule 12A to Part 1 of the Act.

82 **Recommendations from Committees**

82a **Community Services Committee - Larchwood Drive Letting**

It was **resolved** that:

1. The premises in Larchwood Drive be leased to the organisation named in the report for a period of 10 years on the terms set out in the officer's report.
5. In the event a development Charitable Incorporated Organisation (CIO) was successfully formed, the Council grant a lease to the CIO, with the Chief Executive delegated authority to finalise the terms of the lease, in consultation with Chairman and Vice-Chairman of Community Services Committee, the Corporate Head of Law and Governance and Corporate Head of Assets and Regeneration.

82b **Community Services Committee - Virginia Water Football Club Lease**

It was **resolved** that the lease and other provisions set out in the officer's report be agreed.

83 **Commercial Lettings**

Magna Square letting

The Committee noted that the proposed tenant was planning to move from their existing site in Egham Town Centre. Concerns were raised about the adverse impact of increasing unoccupied units in the area that the proposed tenant would be vacating. The Regeneration and Major Projects Member Working Party was going to be considering the health of the borough's high streets at one of its upcoming meetings.

Addlestone One letting

There was detailed discussion about the proposed activity and tenant for the unit in question. Members explored whether the proposed use of the unit was compatible with

other commercial units in the Addlestone One development. It was noted that the vacant unit was difficult to market, due its size being unattractive in the current market. The Council was liable for void costs whilst the unit whilst the unit remained unlet.

The Committee raised concerns about the prospective tenant's track record of failed speculative ventures, although it was noted that the risk associated with this was being mitigated by the inclusion of certain measures in the proposed lease such as a large deposit. The proposed tenant was also paying a substantial sum for fit out costs. The fixtures and fittings associated with the fit out would be retained by the Council in the event that the unit was vacated. There was discussion about the proposed lease and whether this represented the best possible deal for the Council. The Committee was reminded that the relationship would be with a company and not an individual. Officers were confident that the proposals were in keeping with the rates being realised in the current market, for a unit such as this one.

It was **resolved** that:

1. The leases be granted in accordance with the recommendations set out within the officer's report.
6. Authority be delegated to the Assistant Chief Executive (Section 151) to make necessary amendments to the proposed terms in order to ensure the leases progress to completion (provided the deals continue to fulfil the Council's statutory obligation of best consideration), in consultation with the Corporate Head of Assets and Regeneration, and the Chairman and Vice-Chairman of the Corporate Management Committee.
3. The Property and Assets Task Force be asked to review the viability of The Precinct in Egham and report back to the Corporate Management Committee.

84 **Building Compliance**

This item was withdrawn in advance of the meeting.

85 **Q2 2023/24 Projects Portfolio Updates**

The Committee discussed various elements of the report. There was particular discussion about the phased approach to the RIBA plan of work stages. Also discussed was the delay in obtaining DBS checks for new staff at the Eileen Tozer Centre.

The report was noted.

(The meeting ended at 9.58 pm.)

Chairman

Runnymede Borough CouncilCorporate Management CommitteeThursday, 25 May 2023 at 7.30 pm

Members of the Committee present: Councillors T Gracey (Chairman), C Howorth (Vice-Chair), D Coen, M Cressey, L Gillham, A King (In place of S Ringham), R King, I Mullens, M Nuti, P Snow, D Whyte and M Willingale.

In attendance: Councillors M Smith.

1 **Notification of Changes to Committee Membership**

Councillor A. King substituted for Councillor Ringham.

2 **Minutes**

The minutes of the meeting held on 20 April 2023 were agreed and signed as a correct record.

3 **Apologies for Absence**

There were no apologies for absence.

4 **Declarations of Interest**

Agenda item 10 – Surplus Properties

Councillor Coen declared that he was a director of RBC Investments (Surrey) Limited and did not participate or vote during this item.

5 **Annual Governance Statement**

The Annual Governance Statement had been reviewed by the Standards and Audit Committee the previous night and had been recommended for approval by the Corporate Management Committee. The Statement set out how the Council had complied with its Code of Governance during 2022/23 and a summary of the key governance improvements introduced during the year was provided. Formatting changes had been introduced in the document in the previous year, which aimed to make the Governance Statement more digestible and transparent. An overview of the progress made against the previous year's actions was provided to the Committee. Some of these actions, such as those pertaining to risk reporting, had been incorporated into the proposed action plan for 2023/24.

[Councillor Howorth arrived.]

The Committee discussed the proposed Governance Statement. It was felt that the document was comprehensive and the changes made were welcomed. The importance of risk monitoring was noted, with particular regard paid to recent investigations carried out by the Chartered Institute of Public Finance and Accountancy (CIPFA) on behalf of the Department for Levelling Up, Housing and Communities (DLUHC). It was reported that CIPFA's report into Woking Borough Council's finances had been published earlier in the day. An update from DLUHC regarding CIPFA's review into Runnymede Borough Council's finances would continue to be pursued.

It was **resolved** that the Annual Governance Statement 2022/23 be approved.

[Councillor Howorth did not vote as he was not present for the entirety of the item.]

6 **Climate Change Action Plan**

The report outlined the Council's initial approach to engaging with residents (including young people), businesses and local community groups, with the eventual aim of developing Climate Change Action Plan actions to influence people's behaviour and minimise their climate impact, in order to achieve national and local net-zero carbon targets. The survey, which sought to generate a manageable level of useable data, had been created with the input of a third party consultant. In addition to the online survey, a number of engagement activities were planned, some of which would be linked to the 'great big green week'. Further updates on the Council's climate change activities would be provided to the Committee at regular intervals.

The Committee welcomed the proposals set out in the report and agreed that significant progress had been made. The Committee was also pleased to note that further proposed activities would be brought forward for consideration in due course.

Members reviewed the proposed survey. A number of potential amendments were discussed. Suggestions included asking about people's diet and their consumption of resources, and asking for their views on the barriers they faced when choosing whether to engage with climate change activities. Careful consideration would be given to the language used in introducing the survey, to ensure that it was relevant to a range of respondents.

There was discussion about how the consultation would take account of the views of harder to reach groups. The consultation would be conducted through a range of media – both online and physical – in order to generate a broad range of responses. It was noted that whilst the Council could consider making use of resident data that it held across its services, compliance with data protection requirements would considerably restrict the exercise. The Council's relationships with reputable local businesses and other organisations could also potentially provide an additional means of reaching a range of individuals.

It was **resolved** that the following be approved:

- a) the research and engagement plan, as set out in the report, including the use of online surveys for residents, businesses and young people as shown in draft format at Appendix 1 of the report;
- b) a commencement date of 1 June 2023, for implementing the engagement plan, including launching the online surveys for a period of six weeks;
- c) the Chief Executive be granted delegated authority, in consultation with the Chairman and Vice Chairman of the Corporate Management Committee, to agree any further required minor changes to the online surveys as shown in Appendix 1 of the report, prior to the consultation commencement date of 1 June 2023.

7 **Appointment to Outside Bodies**

Applications to join outside bodies needed to be submitted in accordance with the new process, that was implemented in January 2022. As there were still a number of positions for which nominations had not been received, a further round of applications would be invited in time for the next Corporate Management Committee.

Members were reminded of the requirement to provide reports on the activities of the bodies they were appointed to.

It was **resolved** that:

- 1) The following appointments be made, in accordance with the arrangements set out in the report:

Organisation/type of representation	Appointees
Armed Forces Champion	Councillor Walsh
Basingstoke Canal JMC	Councillor Ringham (deputy)
Chertsey Combined Charity	Mr D Cotty
Community Safety Partnership	Councillor Balkan Councillor Burton
Egham Chamber of Commerce	Councillor Balkan
Egham United Charity	Mr H Shah
Fairoaks Airfield JCC	Councillor Mann
Frank Muir Memorial Field	Councillor Gill Councillor Gillham Councillor Harnden
Mary Drew Almshouses	Councillor Prescott Mr H Meares
Noise and Airspace Community Forum	Councillor Howorth Mr P Conway (community representative)
Runnymede Access Liaison Group	Councillor Jenkins
Runnymede and Spelthorne Citizens' Advice	Councillor Mullens (member) Councillor Balkan (deputy)
Runnymede Open Awards Centre	Councillor Walsh
Thames Basin Health Special Protection Area Strategic Partnership Board	Councillor S Whyte
Thorpe Parochial Charities	Mrs J Gruncell Mr I Patenall

- 2) A further round of nominations be invited, where none had been received, for consideration at a future Corporate Management Committee.

8 Code of Corporate Governance

The Code of Corporate Governance had been reviewed by the Standards and Audit Committee the previous night and was recommended for approval by the Corporate Management Committee, prior to its consideration by the Council on 20 July 2023.

The format of the Code of Corporate Governance had been updated to reflect the structure of the Annual Governance Statement. The Code was reviewed on an annual basis, in order to ensure that it remained reflective of the current governance arrangements. A new

process for reviewing the Code was included in the report.

Following a question regarding webcasting, it was confirmed that the next opportunity to review this would be the budget setting process for 2024/25. The proposed member training and development programme was welcomed. It was suggested that a skills audit, to supplement the proposed programme, be considered.

It was **resolved** that the Local Code of Corporate Governance be recommended to the Council for approval.

9 **Exclusion of Press and Public**

By resolution of the Committee, the press and public were excluded from the remainder of the meeting during the consideration of the remaining matters under Section 100A (4) of the Local Government Act 1972 on the grounds that the discussion would be likely to involve the disclosure of exempt information as set out in Schedule 12A to Part 1 of the Act.

10 **Surplus Properties**

The Committee discussed the proposals set out in the report. The properties would be returned by the Housing Service in a lettable condition, with refurbishment costs met by the Housing Service from within the general fund. The Committee sought confirmation that the properties were no longer required for temporary homeless accommodation.

It was **resolved** that:

- 1) The disposal of 2 flats at the Literary Institute in Egham to RBC Investments Limited ('RBCI') by way of a lease of less than 7 years, subject to the agreement of the RBCI Board, be agreed.
- 2) The lease contain provisions for:
 - Agreeing the basis on which the units were to be rented i.e. at 'market' rate or 'social rent' rate.
 - A 10% letting management fee deduction from the rental income.
 - The balance of rental income to be passed to Runnymede Borough Council.
- 3) That the Chief Executive be delegated authority (in consultation with the chairman and vice-chairman of the Committee) to explore with RBCI the opportunities and consequences of offering the units at a reduced 'social rent' rate, with a view to determining whether this would be realistic and viable, and agree the relevant provision(s) for inclusion in the lease with RBCI.

11 **Commercial Rent Arrears**

The report updated the committee on commercial tenants whose rent accounts were in arrears. Such reports were required in organisations who were landlords. It was noted that not all of the debts referred to in the report would become irrecoverable.

It was **resolved** that:

- 1) The potential write off in respect the bad debts detailed in section 2.1 of the report, be noted.
- 2) The proposed rent concession, as set out in section 2.2 of the report, be agreed.

- 3) The position on other debts and the actions being taken, as detailed in section 2.3 of the report, be noted.

12 Potential Letting in Egham

The Committee reviewed the proposed letting for the vacant M&Co unit in Egham. A concern was raised about local ward councillors not being consulted about potential tenants, although the Council's duty to secure the best possible value meant that there was limited scope to influence the type of businesses units could be let to.

It was **resolved** that:

- 1) The lease to the company detailed in the report, on the Heads of Terms outlined in Appendix A, be approved.
- 2) The Chief Executive (or Assistant Chief Executive in the Chief Executive's absence), in consultation with Corporate Head of Assets and Regeneration, be delegated authority to amend the terms of the lease if necessary, provided that this offer remains the highest ranked offer.

13 Grounds Maintenance - Vehicles & Equipment

The portfolio of grounds maintenance machinery and vehicles had been re-evaluated following the recent repatriation of this service. Some issues with service quality remained, principally due to the unavailability of appropriate or working machinery. A waiver to the Council's Procurement Standing Orders was requested to facilitate the purchase of currently available equipment, with a view to remedying some of the service issues being experienced.

There was discussion about the types of work being undertaken, particularly around grass cutting at various locations and the maintenance of cemeteries. Some concern was expressed about the premature replacement of recently purchased vehicles, and whether there had been good value for money secured for the Council. It was noted that the Chief Executive was undertaking an investigation into the matter and would report back to members at the appropriate time.

Members expressed frustration with maintenance issues that fell under the responsibility of Surrey County Council. It was reported that the Leader continued to lobby key Surrey County Councillors.

It was **resolved** that:

- 1) A supplementary capital estimate, for the sum set out in the report, to facilitate remodelling of the fleet and equipment provided for the new in-house grounds maintenance service be approved.
- 2) It be noted that the additional cost would be partially offset by resale of two less efficient fleet vehicles, in accordance with the arrangements set out in the report.
- 3) A virement for the sum set out in the report, currently set aside in the general fund revenue estimates, for a contribution towards the running costs of a Surrey-wide Traveller site, be put towards the remaining costs of this scheme as a revenue contribution to capital.
- 4) A waiver of the contract standing orders, to facilitate direct purchase of vehicles and equipment due to urgency and potential risk to the provision of council services be agreed, in order to secure improved efficiency and service continuity.

14 Procurement of Insurances

This item had previously been considered by the Committee, where a procurement approach was agreed. It had not been possible to use the service offered by the London Borough of Sutton because they did not have the capacity to support an additional client.

The insurance market had become significantly less favourable and insurance premiums had recently been subject to sizeable increases. Some of the additional cost could be passed onto tenants and leaseholders, although this would only partially mitigate the impact on the Council's finances.

It was **resolved** that:

- 1) The Council enter into a three-year agreement (with two possible 12 month extensions) with the insurers for the insurances tendered, as set out in the report.
- 2) The Council commence negotiations to secure either an extension of the existing cover for Leasehold and Right-to-Buy with the current insurance provider for up to 12 months or obtain such insurance from alternative insurance providers for up to 5 years by using its appointed insurance broker.
- 3) A supplementary estimate for the sum set out in the report (inclusive of taxes) to cover the increased costs of the insurance be agreed.

15 Standing Order 42 - Mini Restructure within Environmental Services

Concerns were raised about the timeliness of this matter being reported to the Committee. It was clarified that whilst the decision was initially proposed on 20 March 2023, the decision was not finalised in accordance with the Council's Standing Orders until 19 April 2023. As this was after the statutory agenda publication date of 12 April 2023, it was not possible to include it on the agenda for this meeting.

Additionally, it was questioned whether this decision needed to be made using the Council's urgency procedures, given that it was finalised the day prior to the Committee meeting.

The Chief Executive undertook to review the circumstances around this decision and to review the process for signing off decisions.

The decision pertaining to the restructure within Environmental Services, taken in accordance with Standing Order 42, was noted.

(The meeting ended at 9.37 pm.)

Chairman

Report title	Electric Vehicle Strategy
Report author	Judith Orr
Department	Planning Policy
Exempt?	No
Exemption type	Not applicable.
Reasons for exemption	Not applicable.

Purpose of report:
To recommend to Full Council

Synopsis of report:

The Electric Vehicle Strategy sets out how Runnymede Borough Council will explore opportunities to increase the network of publicly available electric vehicle charge points across Runnymede on both Council owned land and in other locations..

It is important to recognise that it is not the intention of this Strategy to increase the number of vehicles on our roads. The aim is to support a far higher proportion of vehicles using highways across the borough which produce less harmful emissions than those vehicles powered by petrol and diesel fuels. This EV Strategy therefore also looks at encouraging the use of e-bikes as well as electric vehicles.

This report seeks Committee endorsement of the proposed Electric Vehicle (EV) Strategy for Runnymede Borough Council together with a recommendation to Full Council that the Strategy be adopted.

Recommendation(s):

- 1. The Electric Vehicle Strategy for Runnymede Borough Council, as attached at Appendix A, be endorsed by Corporate Management Committee;**
- 2. The Committee recommends that the Strategy be adopted by Full Council at the meeting on the 7th December 2023, with an implementation date of 14th December 2023.**

1. Context and background of report

1.1 An Ultra-Low Emission Vehicle (ULEV) Strategy for Runnymede Borough Council was produced and endorsed by the Environment and Sustainability Committee on 8th July 2020 and Full Council on 16th July 2020 (subject to certain amendments being made). The intention was that the ULEV Strategy would be regularly reviewed and brought back to the Environment and Sustainability Committee every 6 months. However, it has come to the attention of officers that unfortunately, this has not

happened, and the strategy was never published, mainly due to changes in personnel at the authority. Officers have therefore taken the opportunity, in light of the additional work now being carried out in various service areas on EV and supporting infrastructure, to carry out a wholesale update of the strategy. Officers have also incorporated the Member requests for amendments to the strategy that were sought in 2020.

2. Report and, where applicable, options considered and recommended

- 2.1 The main purpose of the EV Strategy is to start to develop a coordinated borough wide approach to encourage the transition from petrol and diesel vehicles to electric vehicles as part of a sustainable transport system. The development of the Electric Vehicle Strategy (see Appendix A) forms one part of the Council's response to Climate Change.
- 2.2 The Strategy has the following aims:
- To increase provision of publicly available electric vehicle charging infrastructure and ensure that they are available across Runnymede to help to incentivise the use of electric/hybrid vehicles over internal combustion engine powered equivalents.
 - To help to reduce carbon emissions and improve air quality in Runnymede.
 - To integrate RBC charging infrastructure with other EV charging initiatives being undertaken locally. This includes integration with the charging points provided by other public authorities such as Surrey County Council, as well as private initiatives to avoid duplication.
 - To lead by example by ensuring the Council's own activities use cleaner EV technology at the earliest opportunity, where it is practical and offers the taxpayer good value for money.
- 2.3 The EV Strategy provides background information relating to Electric Vehicle uptake and the availability of charge points nationally and in the borough. It contains an overview of the national and local policy context, sets out why it is important for RBC to get involved in this agenda and sets the overall direction for the Strategy.
- 2.4 The Strategy incorporates an Action Plan containing seven key action points to help ensure that the aims of the document are delivered. These are set out below:
- Action One: Explore opportunities to increase the network of publicly available electric vehicle charge points across Runnymede on both Council owned land and other public sector land. This includes both on and off-street chargers.
 - Action Two: To explore opportunities to implement electric vehicle technology within RBC for the fleet and employees.
 - Action Three: Bid into relevant third-party funding opportunities to move towards delivery of electric vehicle charging infrastructure.
 - Action Four: Condition private developers and landowners to provide EV charge points and supporting infrastructure (such as power supply) on future development sites.
 - Action Five: Investigate opportunities with partners, in the private sector, to provide additional charge points.

- Action Six: To look at opportunities to incentivise and promote the use of e bikes within the borough.
- Action Seven: Raise awareness of the location of charging points in the Borough as well as the benefits of EV ownership, such as reduced environmental impacts and improved air quality.

2.5 It is important that the Council can adapt to changes and ensure a flexible approach to the delivery of the Strategy. The Strategy will therefore be reviewed annually. It is considered that allowing these regular reviews will ensure that the Council's approach is adaptable to changes in technology such as improvements in artificial intelligence or hydrogen fuelled vehicle technology, and ensure that trends in mobility, changes to Government and sub-regional policy and financial considerations can also be taken into consideration. These reviews are likely to involve officers recommending amendments via tracked changes, and then discussing the proposed amendments with the Climate Change Working Party, before formally taking the amended Strategy through the Committee process for agreement.

2.6 Whilst the Strategy has been produced centrally by the Planning Policy Team, Heads of Service and other key officers who will be involved in the delivery of the action plan have been consulted throughout the production of the document. In addition, discussions were held with officers from across the Council at three Climate Change Officers' Working Group meetings during the development of the Strategy.

3. Policy framework implications

3.1 Taking Charge (published in March 2022) is the Government's electric vehicle infrastructure strategy. It sets out the Government's vision and action plan for the roll out of electric vehicle charging infrastructure in the UK and comes with an ambition to see 300,000 (as a minimum) publicly available charge points across the UK by 2030. It sets out that local authorities have a key role to play in meeting this target.

3.2 Surrey County Council (SCC) has developed a county-wide electric vehicle strategy¹ and the RBC EV Strategy looks to integrate, as far as practically possible, with county-wide proposals.

3.3 The Runnymede Corporate Business Plan 2022-2026 sets out how the Council will play a key role in creating a greener environment and ensuring an effective response to climate change. The Climate Change Strategy 2022-2030 describes how the Council will approach this, and sets out Runnymede's 2030 climate vision i.e., how the Council intends that all its operations will be carbon 'net zero' by 2030, in line with the national target. It describes how the Council will approach this and sets out within it actions for reviewing the Council owned car parks to establish the potential to install EV charging point facilities to encourage the modal shift to Electric Vehicles and reduce carbon emissions.

4 Resource implications/Value for Money

4.1 Members will be aware of the Councils need to make savings and efficiencies to bridge the forecast £5.2m budget gap by 2025/26 as reported to Full Council in February 2023. The approved budget and Medium Term Financial Strategy (MTFS) currently have no budgetary provision for climate change or other such initiatives so any resources (financial or other) to achieve the actions as set out in the EV strategy will need to come from repurposing current budgets or seeking external funding.

¹ [Surrey Transport Plan Electric Vehicle Strategy Nov 2018](#)

- 4.2 The implementation of the Electric Vehicle Strategy will have resource implications for the Council. However, at this stage it is difficult to identify specific costs and resources to implement individual elements of the strategy. For example, there are several options open to RBC to support the delivery of Electric Vehicle charging infrastructure, including public and private funding schemes. It is envisaged that the costs of putting together bids for external funding and wider communications work will be met from within current staff resources and budgets, with any subsequent individual infrastructure projects being subject to detailed business cases for consideration at the relevant committees as required.

5. Legal implications

- 5.1 The UK's Climate Change Act 2008 sets a legally binding UK-wide carbon budget and commits the UK to 'net zero emissions' by 2050. The UK has also signed and ratified the United Nations Paris Agreement – a legally binding international treaty - which commits signatories to keep the increase in global average temperature to well below 2 degrees centigrade above pre-industrial levels, and to pursue efforts to limit the temperature increase to 1.5 degrees centigrade.
- 5.2 The Government has introduced or is proposing to introduce policy across various sectors aimed at achieving the carbon emissions target. One such policy being the introduction of a ban on the sale of new petrol and diesel vehicles from 2035 (delayed from 2030).

6. Equality implications

- 6.1 The Council has a Public Sector Duty under the Equality Act 2010 (as amended) to have due regard to the need to:
- a) Eliminate unlawful discrimination, harassment or victimisation;
 - b) Advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it;
 - c) Foster good relations between those who share a relevant protected characteristic and persons who do not share those characteristics;
- in relation to the 9 'Protected Characteristics' stated within the Act.
- 6.2 An EqIA screening has been carried out in support of this Strategy and this concluded that implementing the Electric Vehicle Strategy requires thought to be given at the outset, prior to the installation of new charge points, to people with accessibility needs. PAS 1899:2022 is a new standard giving designers, procurers and installers essential specifications on how to provide accessible public charge points for electric vehicles. It covers the physical aspects of the environment surrounding fixed charge points (e.g. kerb height, ground type); the location, placement and spacing of charge points within the streetscape/public realm; the information, signals and indicators to be provided to users; and the factors to be taken into account in the design and specification of accessible charge points (e.g. height of charge point, cables and cable management systems, bollard spacing, colours used on screens, weight and force and ease of use of the equipment).
- 6.3 Continued monitoring of the EV Strategy will take place, after it is adopted, which may reveal additional positive or negative impacts that exist and will assist officers in recommending measures that seek to mitigate any negative impacts on any of the protected characteristics.

7. Environmental/Sustainability/Biodiversity implications

7.1 There are several positive environmental/ sustainability/ biodiversity implications expected to arise from the implementation of this Strategy including:

- EVs release zero tailpipe emissions at street level improving air quality in urban areas;
- Emissions from electricity generation are usually displaced away from street level where they have highest human health impacts;
- EVs can be powered by electricity produced from sustainable energy sources;
- The lifetime carbon footprint of manufacturing, running and disposing of an electric vehicle is lower than for a conventional fossil fuel vehicle.
- Electric vehicles are very quiet compared to petrol and diesel vehicles. This has benefits for residents living alongside busy roads and benefits for the natural environment with reduced vehicle borne noise pollution.

8. Timetable for Implementation

8.1 It is intended that should the EV Strategy be endorsed at this Committee that it will then be considered for adoption by Full Council at the meeting on the 7th December 2023, with an implementation date of 14th December 2023.

9. Conclusions

9.1 The Council needs to drive forward action on climate change to ensure local and national net zero targets are achieved in the borough. This EV Strategy is one means of helping to achieve this, with the Council playing a key role in ensuring an effective response to climate change.

10. Background papers

10.1 None.

11. Appendices

- Appendix A - Electric Vehicle (EV) Strategy for Runnymede Borough Council

Runnymede Borough Council

Electric Vehicle Strategy

December 2023

Introduction

- 1.1 In 2022 transport accounted for 34% of all territorial carbon dioxide emissions in the UK. Most emissions from transport are from road transport¹. Consequently, replacing existing petrol and diesel vehicles with electric vehicles (EVs) is a key component of Government policy². Local authorities are fundamental to successful charge point rollout. In addition, this change brings the environmental benefits of lowering carbon emissions, reducing noise from road transport and reducing air pollution. This transition therefore makes an important contribution to addressing climate change in the borough, and the following document sets out the Council's strategy to support this transition. It is important that the strategy can adapt to changes in technology, trends in mobility, changes to Government and sub regional policy and financial considerations. As such, this Strategy will be reviewed on an annual basis (please see the Monitoring and Review section at the end of this document for more information on this point) and there are likely to be future iterations.
- 1.2 Electric vehicles (EVs) are greener than internal combustion powered vehicles for many reasons:
- EVs release zero tailpipe emissions at street level, improving air quality in urban areas; Emissions from electricity generation is usually displaced away from street level where they have highest human health impacts.
 - EVs don't require motor oil, which is a major pollutant.
 - EVs can be powered by electricity produced from sustainable energy sources.
 - The UK's electricity supply is rapidly decarbonising, a result of the planned closure of our remaining coal-fired power stations and the take up of renewable energy and other low-carbon energy sources.
 - Vehicles operating on electric power are very quiet compared to petrol and diesel vehicles. This has benefits for residents living alongside busy roads and benefits for the natural environment with reduced vehicle borne noise pollution.
 - EVs are expected, in the near future, to feed electricity back into the grid during peak periods, reducing the need for fossil fuel stations.

Why supporting Electric Vehicles is important to Runnymede

- 1.3 In October 2022, Runnymede Borough Council's four-year Corporate Business Plan and the five supporting corporate strategies which underpin it were approved. The Corporate Business Plan is the Council's top level strategic document. Together with the supporting strategies – Climate Change, Empowering our Communities, Economic Development, Health and Wellbeing and Organisational Development – it sets out the Council's priority areas of work.

¹ [2022 UK greenhouse gas emissions: provisional figures - statistical release \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/107111/2022-uk-greenhouse-gas-emissions-provisional-figures-statistical-release.pdf)

² [Taking charge: the electric vehicle infrastructure strategy \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/107111/taking-charge-the-electric-vehicle-infrastructure-strategy.pdf)

- 1.4 One of the top priorities is tackling climate change, and this is reflected in the Council’s commitment to working with partners to decarbonise, improve air quality, offer more public transport as an alternative to the car, provide the infrastructure for electric vehicles and to play our part in creating a greener economy.
- 1.5 Reducing our impact on the environment will however permeate all of the Council’s activities and functions and we will also seek to influence positive changes in behaviour, from personal to Government level. The Climate Change Strategy’s main aim is to make all Council operations carbon net zero by 2030. The Strategy also sets out that providing or enabling sufficient numbers of electric vehicle charging points and embracing hydrogen-based fuel technologies as they develop will also support the Council’s aims.
- 1.6 This EV Strategy will help to incentivise the use of cleaner EVs and as a result improve air quality in the borough and, as such, forms a critical part in helping to move forward this commitment.

National Context

- 1.7 The Government has confirmed that the sale of new petrol and diesel cars and vans will be banned from 2035, with it being expected that the sale of new non-zero emission Heavy Goods Vehicles (HGVs) will be banned from 2040. As a result, the demand for electric vehicles is expected to increase rapidly in the coming years.
- 1.8 The UK has already seen a large increase in demand for ultra-low emission vehicles³, including EVs, but this is expected to increase even more rapidly as a result of the above ban on the sales of petrol and diesel cars. Figures published by the Society of Motor Manufacturers and Traders (SMMT) show that there were 3,500 plug-in car registrations in 2013. This figure had increased to over 780,000 plug-in cars by the end of May 2023⁴. The Climate Change Commission in its 6th Carbon Budget⁵ predicts that in the UK 43% of cars on the road by 2030 would need to be electric for a balanced pathway to net zero.
- 1.9 Ultra-low emission vehicles can be broken down into three types:

Battery	Electric vehicles relying solely on battery power. Generally, operating to a 100-300 miles range.
Plug-in Hybrid	Conventional petrol or diesel working alongside an electric motor with a relatively small battery (20-40 miles range) but both motors working together can achieve fuel consumption figures in excess of 130mpg.
Fuel Cell	A type of vehicle that uses compressed hydrogen gas as fuel to generate electric power via a highly efficient energy converter, a fuel cell. The fuel cell transforms the hydrogen directly into electricity to power an electric engine.

³ Under the current Government definition, any car that emits less than 75g/km of CO2 is classified as an Ultra Low Emissions Vehicle. All mainstream electric cars and the majority of plug-in hybrids are Ultra Low Emissions Vehicles.

⁴ [How many electric vehicles are there in the UK - EV market statistics 2023 \(zap-map.com\)](https://www.zap-map.com/)

⁵ <https://www.theccc.org.uk/wp-content/uploads/2020/12/The-Sixth-Carbon-Budget-The-UKs-path-to-Net-Zero.pdf>

Figure 1: The number of electric vehicles in Great Britain as at June 2022

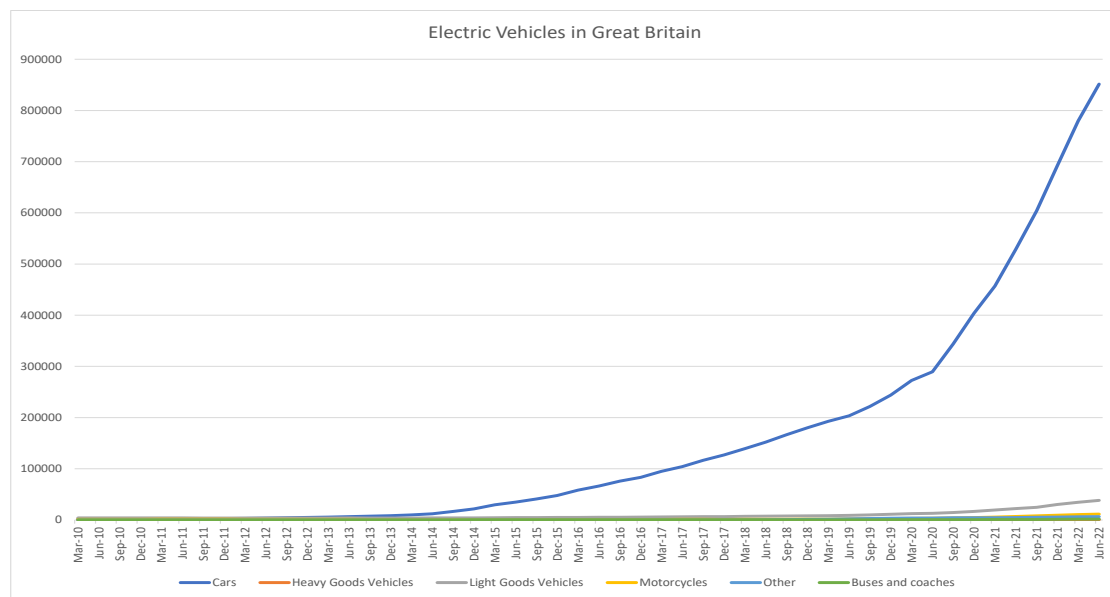


Figure 1: The number of electric vehicles in Great Britain

- 1.10 Battery Electric Vehicles (BEVs) are generally much cheaper to run than petrol or diesel vehicles, although the vehicles themselves are still relatively expensive to buy. However, research predicts⁶ the cost of making electric cars will reach parity with internal combustion cars by around 2025/26. From this point, cost will no longer be a barrier to purchase, and owning an EV will become a realistic, viable option for more people.
- 1.11 Existing plug-in vehicle owners rely mostly on home and workplace charging but there is an increasing demand for more extensive, and faster, public charging to enable them to undertake longer journeys and to enable residents without access to off street parking to switch to EVs. In order to match this demand, the amount of available charge points installed in the UK has increased proportionally year on year from 2019/20 and now stands at 43,626 devices at the end of May 2023⁷. This equates to an average annual growth rate of 25% year on year (using Zap Map data).
- 1.12 Charge point types have recently been updated from slow, fast, rapid and ultra-rapid. They are now categorised into five types - < 3.7 kW (low speed), 3.7kW – 8kW (standard), 8 – 50 kW fast, 50 – 150kW rapid and anything above 150kW as ultra-rapid. Generally, the speed of a charge point will dictate the place in which it is used.
- 1.13 There are two types of electricity supply, alternating current (AC) which is the standard power supply for UK households and comes straight from the grid and DC (direct current).
- 1.14 Typically, lower speed chargers will use AC, which is converted to DC by an inverter in the car. Rapid and ultra-rapid chargers will use DC to charge the battery directly⁸.

⁶ [Envision sees cost of electric cars at parity by 2025-2026 | Reuters](#)

⁷ <https://www.zap-map.com/ev-stats/how-many-charging-points>

⁸ [AC and DC charging | Electric vehicle fundamentals | Shell Recharge](#)

Not all vehicles are capable of charging at the highest rate of kW. Listed below are the type and speed of chargers and where they are typically found:

- Low speed - <3.7 kW. Charge time up to 24 hours.
- Standard -3.7 - 8kW. Generally used for home, public and workplace charging. Charge time 3-4 hours (note this includes lamp column chargers)
- Fast – 8-50kW. Tend to be installed in destination locations such as supermarkets, leisure centres, shopping centres and transport hubs. Charging time: 45 minutes to 4 hours.
- Rapid - 50-150kW. Tend to be installed in well used charging locations such as motorway service areas, close to major roads or in key settlements. Charging time: 15 - 45 minutes.
- Ultra rapid -Typically rated 150kW+. These chargers tend to be installed at similar locations to rapid chargers where fast charge speeds are critically important. Charging time: less than 30 minutes.

1.15 The number of electric vehicles registered in the UK for the first time increased by 70% for Plug-in Hybrids and 76% for Battery EVs in 2021, when compared with 2020. There was a 10% reduction in petrol cars and a 36% reduction in diesel cars over the same period.⁹

1.16 A key driver for change is legislation and this has resulted in a number of strategies, produced at national, regional, county and borough level, which aim to implement these measures and reduce carbon emissions. Details of these are set out in full in Appendix 1 to this Strategy but some of the more relevant strategies are set out below. The UK's Climate Change Act 2008 sets a legally binding UK-wide carbon budget and commits the UK to 'net zero emissions' by 2050. The UK has also signed and ratified the United Nations Paris Agreement – a legally binding international treaty - which commits signatories to keep the increase in global average temperature to well below 2 degrees centigrade above pre-industrial levels, and to pursue efforts to limit the temperature increase to 1.5 degrees centigrade.

Surrey County Council context

1.17 It is important to note that whilst Runnymede Borough Council has responsibility for many of the car parks across the borough, leisure centres, some business premises and leads on creating air quality action plans, Surrey County Council, as highway authority, looks after on-street infrastructure and has wider transport powers.

1.18 Klynveld Peat Marwick Goerdeler (KPMG), working for Surrey County Council, have estimated that across Surrey 1,600 fast chargers and 100 rapid chargers¹⁰ will be needed by 2025, rising to 10,000 and 500 by 2030¹¹. In total there were 530¹² charging points across the whole of Surrey as at April 2023 of which 119 are rapid or faster.

⁹ [Vehicle licensing statistics: 2021 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/vehicle-licensing-statistics-2021)

¹⁰ Based on the previous definition with fast being between 7-22kW and rapid 43kW+.

¹¹ KPMG, Surrey County Council: Electric Vehicle Charging Technology Assessment, Final Report, August 2020

¹² [electric-vehicle-charging-device-statistics-april-2023.ods \(live.com\) Tables 1a and 1b.](https://live.com/ods/electric-vehicle-charging-device-statistics-april-2023)

- 1.19 SCC provides guidance to the boroughs and districts in Surrey to enable a co-ordinated approach to be taken to the provision of EV charging infrastructure in new developments across the county. It is important that, as far as possible, this Strategy is aligned with SCC's Electric Vehicle Strategy from November 2018 (see Appendix 1 for more detail). The latest guidance on EV charging infrastructure requirements in Surrey is set out in the Surrey County Council's Vehicular and Cycle Parking Guidance (November 2021), which contains similar standards to those introduced by the Government in the part s changes to the Building Regulations.

Runnymede Borough Council context

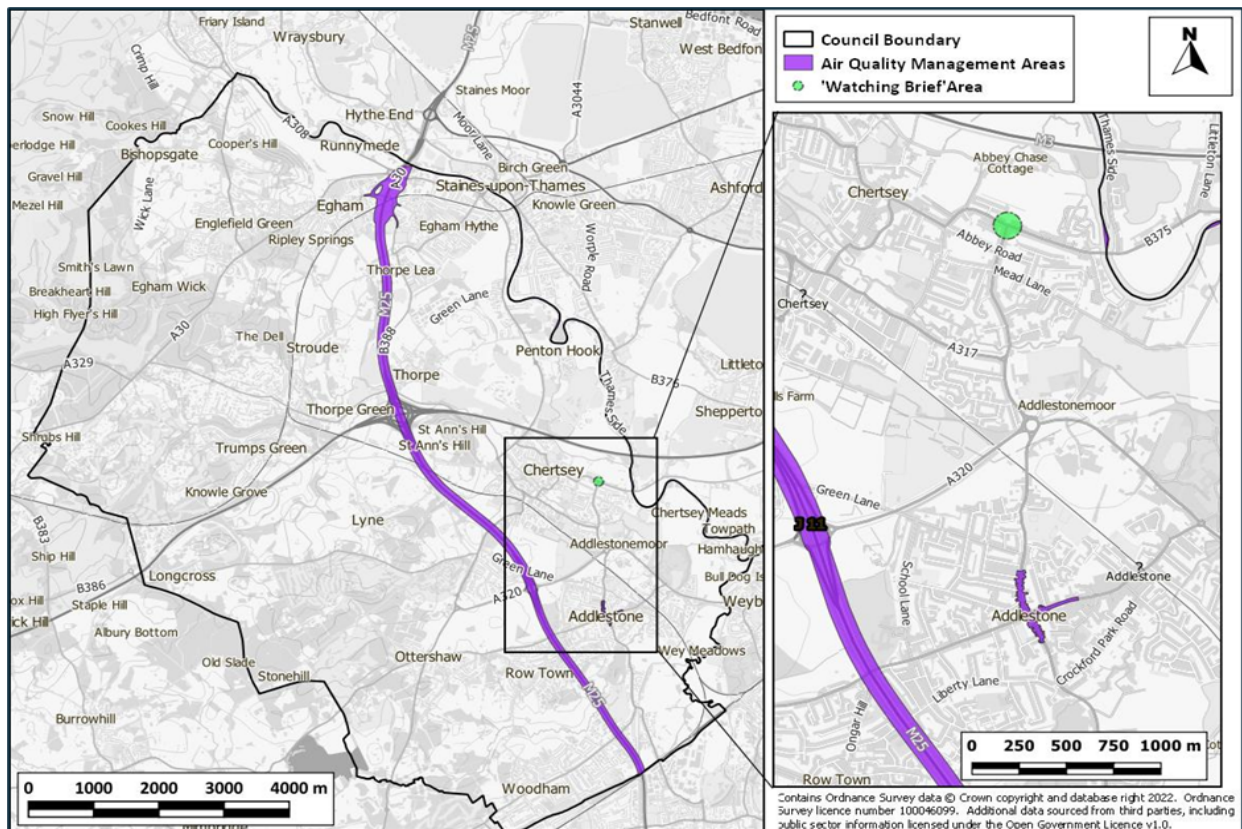
- 1.20 The adopted Runnymede 2030 Local Plan includes Policy SD7: Sustainable Design which requires development proposals to incorporate charging points in accordance with the SCC Vehicular and Cycle Parking Guidance¹³. These standards and additional guidance are also included in Runnymede Parking Guidance Supplementary Planning Document (SPD).
- 1.21 In addition, local authorities are required to declare an Air Quality Management Area (AQMA) where health-based air quality objectives are not met, and subsequently put in place an Air Quality Action Plan (AQAP) to improve air quality within AQMAs. Most vehicles across Runnymede run on either petrol or diesel causing pollution which can be harmful to health and to the environment.
- 1.22 Two AQMAs have been declared in Runnymede (see Figure 1 below). These have been declared in relation to traffic-related nitrogen dioxide concentrations and exceedances of the annual mean objective. These are located adjacent to the M25 and at a traffic light-controlled junction in Addlestone. A third area in Chertsey is being held under a 'watching brief' to determine whether an AQMA is required, due to concentrations being close to the objective. RBC have prepared an Air Quality Action Plan to improve air quality within the AQMAs¹⁴.
- 1.23 In line with the national trend, the number of electric vehicles registered within Runnymede has increased exponentially in recent years with the number of registered vehicles more than doubling (240% increase) in the two years between June 2020 (453) and June 2022 (1,086)¹⁵. This is therefore expected to be one means of helping to reduce transport related air quality emissions in the borough.

¹³ [Runnymede Parking Guidance SPD November 2022](#)

¹⁴ RBC 2014. Air Quality Action Plan January 2014. Addendum in April 2014. Available at <https://www.runnymede.gov.uk/pollution/air-quality-1/3>

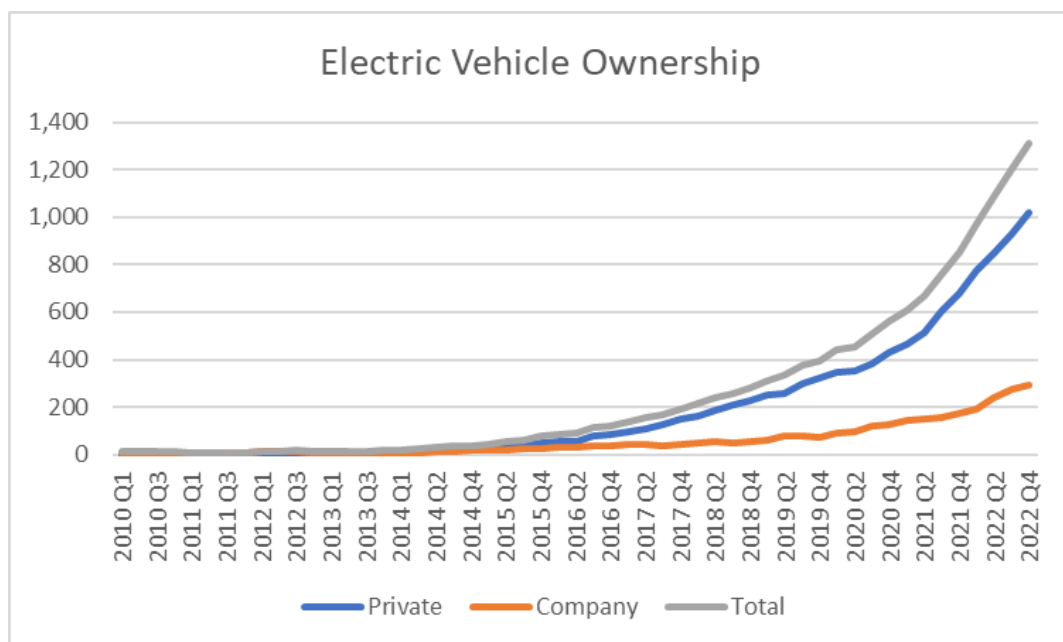
¹⁵ [Vehicles statistics - GOV.UK \(www.gov.uk\)](#)

Figure 2: RBC Air Quality Managements Areas (AQMAs) and Watching Brief Area



Source: Runnymede Borough Council data

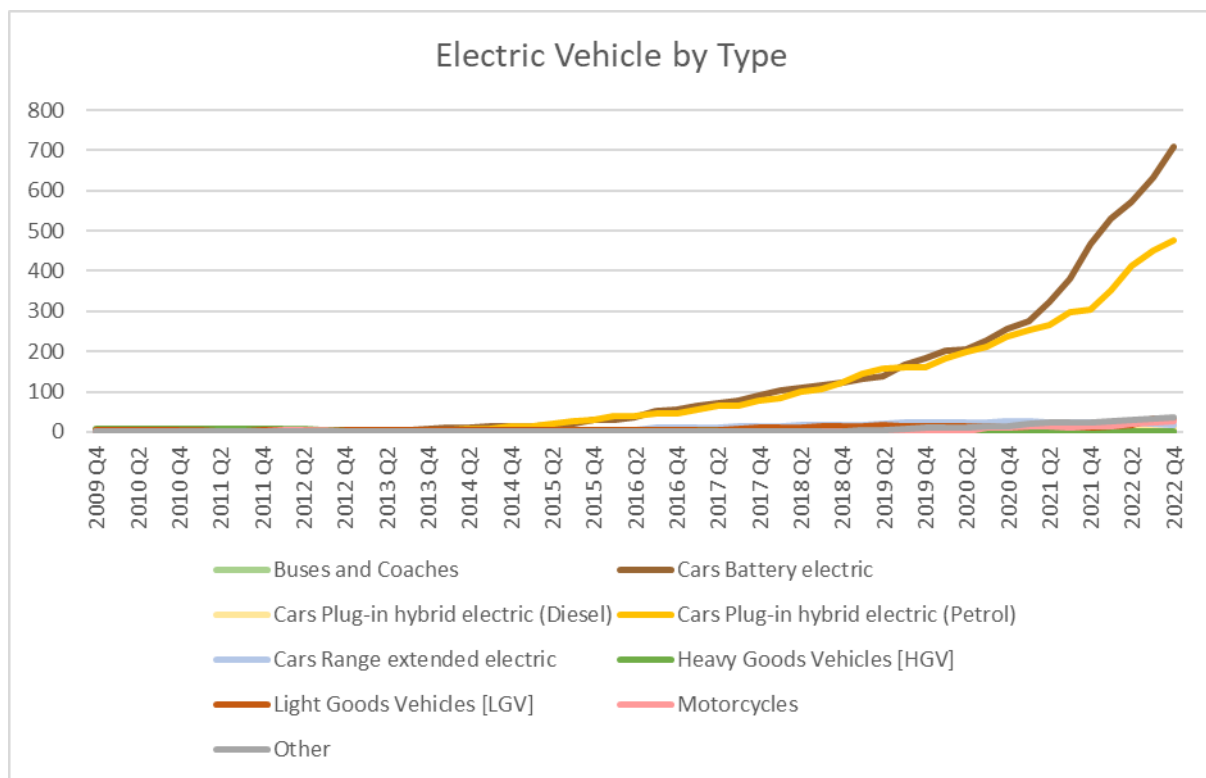
Figure 3: Electric vehicle ownership in Runnymede



Source: [DfT and DVLA, September 2022](#)

- 1.24 An analysis of the ownership of these vehicles, using DVLA data, shows that 1,019 of the 1,312 vehicles were registered to private individuals. This equates to 77.67% of all vehicle registrations within Runnymede, with the remaining 293 registered to companies. It is however worth noting that DVLA data only identifies where vehicles are first registered, vehicles may then be based outside of the borough.
- 1.25 The vast majority of electric vehicles registered within Runnymede are Battery Electric. This accounts for 710 (54.12%) of all electric vehicles within Runnymede. The next largest category is Plug-in Hybrid Petrol Cars. This accounts for 476 (36.28%) of the 1,086 registered vehicles.
- 1.26 The number of chargers across the borough are increasing but not all of them are public. Many existing ones are owned by hotels, are private or work-based chargers. A map of current EV chargers across the borough can be found on [Zap Map](https://www.zap-map.com) (<https://www.zap-map.com>). The site also provides information about the type of charge points available at specific locations and the state of repair. For example, users can check when the charge point was last used and whether any problems were encountered in using it.

Figure 4: Electric vehicle types in Runnymede



Source: [DfT and DVLA, June 2023](#)

- 1.27 There are currently few publicly accessible charge-points available in the borough and we know that an increasing number of residents and visitors are asking about the availability of electric vehicle charging points. The absence of accessible publicly available charging facilities is a constraint on the potential take-up of EVs and the current level of public charging provision is too small to meet the projected level of demand.
- 1.28 A limited public charging network may discourage new users or businesses to adopt this technology. Presently¹⁶, Runnymede (70) is fifth in Surrey behind Guildford (122), Mole Valley (105), Elmbridge (74) and Waverley (74) in terms of the number of charging points available to the public. The 58 publicly available charge points within Runnymede represent an availability of 79.8 charge devices per 100,000 population compared to 56.0 per 100,000 for Surrey.
- 1.29 Only 14 of the publicly available charging devices installed in Runnymede are rapid charging devices, according to Government data¹⁷, with the remainder being fast or slow chargers. This provision puts Runnymede 3rd in terms of the provision of the 148 rapid chargers in Surrey, behind Guildford (32) and Elmbridge (25). In terms of the availability of rapid charge points per 100,000 residents, this equates to 16.0 per 100k in Surrey as opposed to 12.3 per 100k in Runnymede.

Purpose of the Runnymede Electric Vehicle (EV) Strategy

- 1.30 Given the background context set out in the preceding chapters, it is clear that Runnymede Borough Council has an important role to play in supporting the replacement of internal combustion engines with electric vehicles by creating a supportive policy environment; enabling the creation of new charging facilities for electric vehicles; promoting their benefits to a wider audience and working with its partners and private enterprises to encourage wider take up.
- 1.31 Uptake of electric vehicles is increasing rapidly and whilst most users currently prefer to charge at home, there is demand for destination-based charging, particularly for longer journeys. In order to promote the visitor economy, commuting and to provide options for residents, publicly available charging infrastructure is therefore required in the borough.
- 1.32 It is not the intention of this EV Strategy to increase the number of vehicles on the borough's roads, its aim is to ensure that, for journeys where cars and vans remain an appropriate mode of transport, a far higher proportion of these vehicles using highways across the borough are producing less harmful emissions than those vehicles powered by petrol and diesel fuels. This strategy therefore also looks at encouraging the use of e-bikes as well as electric vehicles.
- 1.33 The main purpose of this EV Strategy is to start to develop a borough wide approach in the period up to 2030 to encourage the transition from petrol and diesel vehicles to electric vehicles as part of a sustainable transport system.

¹⁶ As at July 2023 [Department for Transport data](#) table 1a

¹⁷ Source: <https://www.gov.uk/government/statistics/electric-vehicle-charging-device-statistics-april-2023>

- 1.34 To achieve this, the Strategy has the following aims:
- To increase provision of publicly available electric vehicle charging infrastructure and ensure that the charge points are accessible to those with mobility issues.
 - To help reduce carbon emissions and improve air quality in Runnymede.
 - To integrate RBC charging infrastructure with other EV charging initiatives being undertaken locally, such as those being installed by Surrey County Council and private sector companies, so as to avoid duplication and ensure that overall, sufficient infrastructure is installed across the borough to help to incentivise the use of electric/hybrid vehicles over internal combustion engine powered equivalents.
 - To ensure residents and businesses understand the options for, and benefits of, EV ownership as well as where they can find information about charging points.
 - To make residents and businesses aware of available grants.
 - To lead by example by ensuring our own Council fleets uses cleaner EV technology at the earliest opportunity, where it is practical and offers the taxpayer good value for money.
 - To encourage staff to transition from fossil fuel-based vehicles by supporting measures designed to aid transition e.g., staff salary sacrifice schemes.
- 1.35 This strategy contains seven key action points, with the initial priority actions that the Council intends to take to implement the Strategy grouped around them. These actions tend to, at this early stage, set out investigative options for gaining a greater understanding of the type and locations for charge points most suitable in the Borough (see more detail below in action one) before making financial commitments. The Council's view is that whilst there is strong growth in the electric vehicle market, nationally and locally, it is important not to overprovide and waste public money. Understanding what can be implemented and at what cost will be crucial to ensure that we offer the taxpayer good value for money. Further actions will therefore be added within future iterations, to take the Strategy through to its end date of 2030.
- 1.36 The focus of this Strategy is currently on electric power innovation; however, development is occurring across a range of alternative fuel sources, including hydrogen-based technologies. It is important to be ready to quickly respond to developments and future changes, so this strategy is designed to be flexible and responsive. It is recognised that the Council is not best placed to stay on the cutting edge of technological development. It is therefore anticipated that, once the Council has decided on the type and locations of chargers, that it will appoint a charge point operator(s) to work with us and deliver the Council's ambition across the borough.
- 1.37 As well as focusing on EVs, the action plan also considers what can be done to encourage the use of e-bikes in Runnymede. E-scooters were also looked at but were ruled out for safety and legal reasons at the current time. It is anticipated that the action plan will be reviewed regularly (on an annual basis) to ensure adaptability to changes in technology, and to allow consideration of any changes to trends in mobility as well as current financial considerations to ensure that it remains up to date and deliverable.

Action Plan 2022-26

- 2.1 To initiate delivery of the EV Strategy, an action plan has been formulated based on 7 action points. This is a short-term action plan covering the period up to the end of the current business plans i.e., 2026. It is our intention to include longer term actions when this action plan is reviewed.
- 2.2 The planned actions and anticipated outcomes are outlined below.

Action One: Explore opportunities to increase the network of publicly available electric vehicle charge points across Runnymede on both Council owned land and other public sector land. This includes both on and off-street chargers.

What has been done to date?

- Runnymede Borough Council has been working with Surrey County Council to ensure a coordinated approach to charge points across Runnymede. As part of this work, a survey was undertaken with residents to suggest locations for charge points in the borough. The survey results will feed into work to inform the possible installation of charge points in Runnymede. In addition, Runnymede BC was one of six boroughs and districts in Surrey that signed up to a pilot scheme with SCC to subsidise the installation of on-street charge point sockets. Four 'standard' on-street charge point sockets have been installed at each of the following locations:
 - Victoria Street, Englefield Green
 - Egham High Street, Egham
 - Station Parade, Virginia Water
 - London Street, Chertsey
 - St Pauls Road, Egham
- A car club has been set up in Magna Square in Egham with [Enterprise UK](#). This enables people locally to rent fuel-efficient, hybrid and electric vehicles for use by the hour. Meetings have also been held by officers with potential car club providers to investigate the feasibility of introducing more new car clubs using EVs within Runnymede. This can incentivise a reduction in car ownership.
- Officers have contacted Energy Saving Trust and held several meetings to discuss working together to facilitate public charging points across the borough on Council owned land, subject to demand and available funding. This work is discussed in more detail below.

What are we proposing to do in the short-term period 2023-2026?

The Council is working with Energy Saving Trust to establish how many charge points and what types (e.g. standard, fast and rapid) we need to provide between now and 2030 and also taking advice from them on the procurement approach that we should adopt. This work is also looking at what the barriers are to delivering Electric Vehicle infrastructure in Runnymede.

The next phase of the work will be to establish and facilitate where charge points should be located in the borough, subject to demand and funding. In terms of Council owned land, the intention is to initially focus on Council owned car parks. As part of this work, we will be carrying out an exploratory stock condition survey. This is intended to be a clear and simple survey of car parks using criteria, such as those outlined below, to shortlist potential locations.

- General Site Conditions.
- Power Supply availability and cost.
- Proximity to key attractions.
- Proximity to key routes.
- Proximity to existing charging points and their costs.
- Proximity to Food/Drink outlets.
- Cost of implementation.
- Links and proximity to AQMAs.
- Local demand (based on any data that is available locally on this).
- Impact on parking supply.
- Passive provision for potential expansion of charging points.
- Statutory Utilities.

2.3 Although we will initially be looking at Council owned car parks, we want to be ready and able to implement more charge points across different locations within the borough if and when required. Locations other than car parks will therefore also be considered, based on the advice received from Energy Saving Trust and, where available, local demand data.

2.4 It is critical that the Council explores the feasibility of increasing coverage in areas currently without access to charge points and secures delivery where possible across the whole of the borough i.e., gets charge points installed in the least commercially attractive areas and not just the attractive locations.

2.5 These locations will be mapped on to our Geographic Information System (GIS). Once this work is complete and we have a list of potential locations for chargers, the EV Strategy together with its accompanying action plan, will be updated to include this more detailed information.

A third key part of the Council's approach to delivering EV charge points is to focus on how we can overcome any barriers, identified in the research work, to delivering the charge points needed.

2.6 One such barrier, relates to the accessibility of EVs and their infrastructure to people with disabilities installed on Council land. It is essential that the Council is complying with the Equality Act 2010, and also in ensuring a just transition for those with mobility issues. The Council will require thought to be given at the outset of any scheme to install new charge points, to the needs of people with accessibility needs. PAS 1899:2022¹⁸ is a new standard giving designers, procurers and installers essential specifications on how to provide accessible public charge points for electric

¹⁸ <https://www.bsigroup.com/en-GB/standards/pas-1899/>

vehicles. This issue is also referred to in the Runnymede Parking Guidance Supplementary Planning Document¹⁹.

- 2.7 It covers the physical aspects of the environment surrounding fixed charge points (e.g. kerb height, ground type); the location, placement and spacing of charge points within the streetscape/public realm; the information, signals and indicators to be provided to users; and the factors to be taken into account in the design and specification of accessible charge points (e.g. height of charge point, cables and cable management systems, bollard spacing, colours used on screens, weight and force and ease of use of the equipment).
- 2.8 Another key barrier is equity of access. It is important to ensure that EV charge points are available across the borough, to all residents, and access is not dependent on where you live (to encourage the switch to EV in areas considered less commercially favourable by charge point operators).

Grid capacity and associated grid costs

- 2.9 One key barrier that is expected to be identified relates to the grid capacity and associated grid connection costs for the installation of new charging points. It is therefore critical that we work closely with the Distribution Network Operator (DNO)²⁰ to discuss any plans for grid reinforcement work so as to reduce wait times for installing charge points in the borough. Officers will therefore be contacting the DNOs to discuss our needs at an early stage in the work. This could be negated in some cases if these costs could be funded by commercial charge point operators or through the possible use of photovoltaic (PV) canopy installation in car park areas which could reduce the initial outlay (although in this case there may be increased maintenance costs).
- 2.10 There is also the opportunity for the Council's site requirements to be fed into the Network Plan being developed by Surrey County Council (SCC) as part of their joint work with the districts and boroughs on developing the charging infrastructure in the County. Runnymede can sign up, using the agreed contract, at any stage and as a result will be able to become part of this Plan and also be eligible for any LEVI grant funding which SCC apply for through the Office for Zero Vehicle Emissions (OZEV).

On-street charging points

- 2.11 It is also expected that properties in the borough without access to their own driveways will be another key barrier to accelerating the roll out of charge points and EV use across Runnymede. As already set out, SCC are installing some on-street chargers in the borough, including looking at lamp column charges and cable gullies.

¹⁹ [See para. 4.20](#)

²⁰ A DNO is a company licensed to distribute electricity in the UK. These companies own and operate the system of cables and towers that bring electricity from the national transmission network to our homes and businesses. Since April 2023, the costs of new connections in most cases will be socialised across the network and will present less of a cost barrier to the installation of new EVCPs. There may be some cases where this cost is not covered, but this is expected to be for very few cases - and those that are not covered are expected to be the very high demand cases - such as creating a new ultra-rapid hub where potential grid load is very high.

Additionally, officers intend to investigate allowing residents who live close to car parks to charge their cars overnight in some of the Council's car parks.

Operation of proposed charging infrastructure:

2.12 As set out above, the management of the charging points in Runnymede is likely to be by charge point operator(s) and not RBC. It is unlikely Runnymede would own charge points and be responsible for their maintenance. Although this strategy does not preclude this where market conditions prevail. Work is currently underway, with Energy Saving Trust, to assess in more detail the procurement approach that best meets the needs of the Council. This will include considering whether it is best for Runnymede to join in with the Surrey County Council Electric Vehicle scheme or to sign up directly with a private company(ies) to manage the charging points. It is considered that working with a third party to manage the charging points, as opposed to the Council being the scheme operator, has several advantages which are summarised below:

- Benchmarking shows that this is the option preferred by other local authorities that have already installed charging points at their car parks;
- RBC could be at disadvantage compared with experienced operators as the Council doesn't have the level of expertise or resource to be the scheme operator across a wide network of charge points;
- Opportunity to connect electric vehicle charging point infrastructure in Runnymede to an existing network of charging points across the country;
- A third party operating the charging points will potentially be a better use of public money and better for the user because this is business as usual for charge point operators, and would be a new service that RBC would be taking on.
- Less risk of the council being left with stranded or redundant assets at the end of the contract
- External operators are responsible for maintenance, upkeep and upgrade of chargepoints
- The council can still benefit from a revenue (or profit) share with the operator
- Should there be a sector shift to new technologies RBC would not be left with the ongoing capital liability for legacy infrastructure.

Parking Fees

2.13 Parking fees will be tailored to suit the needs of the EV provider and reflect market conditions. In some cases, parking fees will remain in public car parks for EV users as it is important, for congestion management purposes; to ensure that car use is not incentivised over other sustainable modes of transport and this is also an important source of revenue for the Council. In addition, it is considered that owning an EV is beyond the means of some lower income residents and therefore in terms of equality it would not be fair to allow these potentially more affluent car users free parking.

- 2.14 Overstay fees will also apply to encourage EV users to move on after their allotted charging time, this could be in addition to any Traffic Regulation Order (TRO) (see below).

Charging bay enforcement

- 2.15 If RBC install charging points in RBC owned parking facilities, bays with charging infrastructure included must be used only by electric vehicles that are plugged in and charging and will have a time restriction to prevent abuse. This will be determined by the type of charger associated with the recharging bay i.e., the time period needed to charge an EV using a standard charger will obviously be longer than the time needed to park to use a rapid charger, for example.
- 2.16 These bays may need to be supported by a new TRO and be signalled using Department of Transport approved signs. Any new TRO could also introduce fines for misuse of charging bays. In addition, overstay fees can also be introduced through the EV charge point back-office system to encourage EV users to move on after their allotted charging time.
- 2.17 The use of innovative technology to support proposed charge points will be considered. For instance, as previously mentioned, there are possibilities around installing solar panels and battery storage at appropriate locations to improve the sustainability of the electricity generation.

The Council will also work with other public sector organisations to encourage the provision of charge points for staff and visitors. This will include promoting any funding opportunities available to them.

Action Two: To explore opportunities to implement electric vehicle technology within RBC for the fleet and employees.

What has been done to date?

- The Council has in place a bike purchase scheme for staff – this can cover e-bikes as well as normal pedal bikes.
- The Council has undertaken a staff survey on personal transport use for work purposes for the Climate Change Study.
- In 2022/2023, when needing to replace the existing Meals at Home lease vehicles, a review of both the fleet options and operational delivery model was undertaken, resulting in six different service delivery/vehicle options being considered. The purpose of doing this was to identify whether it was possible to switch to an EV solution, and if so, whether there were service delivery models that would support this, or indeed, which would be compromised by the switch to EV. In completing this work, and after considering the various options, the Meals at Home vehicles was switched to electric in June 2023, decreasing carbon emissions by at least 1.1 tonnes per vehicle a year, contributing towards the Council's ambition of delivering Carbon Net Zero on their operations by 2030.

Short term actions – 2023-26:

Employees

1. Investigate the demand and viability of electric pool vehicles for council staff use. This could possibly take the form of a car club service which could then be available for the general public outside of office working hours.
2. In order to ensure that RBC employees are incentivised to use their own electric vehicles for travelling to work and site visits over internal combustion engines, RBC will investigate establishing charging points at key working locations for staff. In the interests of equality, staff will be expected to pay for any electricity used to charge their vehicles.
3. The Council will explore schemes which would support its employees to transition to the use of electric vehicles such as, for example, by introducing a salary sacrifice scheme. A salary sacrifice scheme allows staff to pay part of their monthly salary towards the cost of an electric vehicle, at a reduced cost to them as the cost of the car would not be subject to Income Tax or National Insurance.

Fleet

1. A review to determine the future service delivery model for the different elements of the Council's fleet (including the grounds maintenance, community transport and meals at homes services) is being undertaken, which will identify the future fleet requirements.
2. RBC will review the procurement route for new vehicle acquisitions, from the implementation date of this strategy, and this will include a business case and financial appraisal on a whole-life cost basis and the ability to transition from fossil fuels to electric vehicles and other emerging technologies.
3. Work with suppliers to ensure that the issue of using EV vehicles in place of internal combustion engines (ICE) vehicles has been considered for supplier contracts carrying out RBC work or services.

Action Three: Bid into relevant third-party funding opportunities to move towards delivery of electric vehicle charging infrastructure.

- 2.18 Grant funding primarily from central government is expected to continue ahead of the ban on sales of new internal combustion engine powered cars and vans in 2035. Some of this funding, such as Local Electric Vehicle Infrastructure (LEVI), will be allocated to higher tier authorities (i.e., Surrey County Council) working in partnership with the districts and boroughs. Runnymede Borough Council will, as already mentioned under Action One, consider if and if so at what stage in the process it wishes to engage with this partnership.
- 2.19 RBC will research, identify and target appropriate funding opportunities, including for feasibility studies, with a view to enabling the provision of further charging infrastructure across Runnymede. The work that is currently underway with Energy

Saving Trust will also assist us in identifying potential funding opportunities for charge point infrastructure.

- 2.20 Relevant funding opportunities will also be promoted to other organisations, such as businesses, taxi drivers/companies and bus companies should they present a suitable opportunity to fit with this strategy.

Action Four: Condition private developers and landowners to provide EV charge points and supporting infrastructure (such as power supply) on future development sites.

What has been done to date?

- 2.21 RBC as a planning authority can place appropriate requirements on new developments. The adopted Runnymede 2030 Local Plan requires that subject to feasibility, electrical vehicle charging points should be installed in accordance with guidance issued by Surrey County Council. The current guidance is set out in the [Vehicular Electric Vehicle and Cycle Guidance](#) for new development (July 2022). This requires that all new housing developments will be required, subject to feasibility, to provide a fast charge socket per house or flat²¹. It also requires that 20% of available spaces in C2 Care and Nursing Home and C3 Elderly (Sheltered) be provided with a fast charge socket or power supply to provide a fast charge socket. The guidance also requires the installation of EV charging infrastructure for commercial developments including offices, employment, retail and leisure uses and for high demand, short stay land uses such as service stations, large petrol filling stations and large or major development and regeneration projects.

What are we proposing to do in the period 2023-2026?

Share growth plans with the District Network Operators as early as possible to try and ensure that the necessary capacity is built into the network.

- 2.22 As already set out above, a significant constraint in providing new EV chargers within the borough is likely to be the capacity of the district network operators (DNO) to supply the power to these units. Runnymede BC will continue to share growth scenarios for both housing and employment with the DNO in response to their annual requests for data; and will share growth scenarios that arise as part of the Local Plan Review at the earliest possible opportunity to ensure that they are fully aware of our needs in advance and to try and ensure that capacity is put in place sooner rather than later.

Revisit policies in the Local Plan as part of the Local Plan Review.

- 2.23 The Local Plan Review offers a significant opportunity to revisit the policies in the Runnymede 2030 Local Plan to consider further the requirements for new chargers and whether additional provision should be included for developments in the borough or whether we should instead continue to reflect SCC guidance. We will investigate

²¹ This requirement is based on the previous definition of a fast charger being one that is typically rated between 7-22kW and take 3-4 hours to charge.

the feasibility of increasing the EV charge point infrastructure requirements for both EVs and e-bikes, in new developments as part of the Local Plan Review work. As part of this exercise, we will work with Surrey County Council to determine how any revised requirements identified as part of the Local Plan Review align with the new Part S to the Building Regulations, which came into effect in June 2022 (see above).

Consider funding opportunities for EV infrastructure through the Community Infrastructure Levy

- 2.24 In March 2021, the Council introduced the Community Infrastructure Levy (CIL), which allows local authorities in England to raise funds from developers who are undertaking new building projects in their area. The money collected must be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support new development. CIL is now the primary mechanism for securing developer contributions, although S106 obligations will still be used for some site-specific infrastructure delivery. There will be many competing schemes applying for CIL funding, and a key criterion will be whether other sources of funding will be available, or whether there are other agencies with the means to fund and deliver projects to support growth. However, projects which deliver EV charge points and supporting infrastructure in line with this EV Strategy have been included on the Council's revised 'Infrastructure Delivery Schedules', which will allow relevant EV schemes to be considered for CIL funding in the future, should additional sources of funding be required. This is in recognition of the fact that 'active and sustainable transport improvements and facilities' have been identified as 'essential' in the Infrastructure Hierarchy contained in the Council's Infrastructure Delivery & Prioritisation SPD (November 2020)²².

Action Five: Investigate opportunities with partners, in the private sector, to provide additional charge points.

What are we proposing to do in the period 2023-2026?

1. The existing workplace charging grant will be promoted to large employers to encourage them to install facilities. This will include promoting opportunities for businesses to access grants, such as the Workplace Charging Grant from the Office for Zero Emission Vehicles (OZEV). To this end, information will be made available to give out to those that are interested.
2. Contact will be made with the largest supermarkets and local fuel retailers to discuss the potential for them introducing additional charging infrastructure.

²² Available at: <https://www.runnymede.gov.uk/downloads/file/786/adopted-infrastructure-spd>

Action Six: To look at opportunities to incentivise and promote the use of e bikes within the borough.

What has been done to date?

- 2.25 Electric bikes broaden the accessibility of cycling to a wider group of people and incentivising their usage can be a strong way to reduce the number of journeys taken by motor vehicles. Increasing the uptake of electric bikes therefore offers significant social, environmental, and economic benefits including reductions in traffic congestion, increased public health, and local air quality improvements. The Council has assessed a number of methods aimed at encouraging the greater uptake of e bikes within the borough during the end of 2022.

What are we proposing to do in the period 2023-2026?

1. Investigating the feasibility of launching a small bikeshare scheme with a fleet consisting solely of e-bikes. The Council has begun to gauge the support of potential partners to launch a pilot scheme in part of the borough and is currently investigating potential funding sources for this, with a view towards developing a business case in the near future.
2. The Council, in partnership with Surrey County Council, will also seek to identify funding to improve infrastructure to encourage and promote all forms of cycling, including the priority proposals outlined in the recent Runnymede Local Cycling and Walking Infrastructure Plan (LCWIP).
3. The Council has also considered the possibility of expanding the e-bike scheme to include the provision of e-scooters. This, however, has been ruled out for the time being due to issues with the public perception of e-scooters as a result of potential safety risks, as well as uncertainty regarding their future legal status due to delays in proposed government legislation.

Action seven: Raise awareness of the location of charging points in the Borough as well as the benefits of EV ownership, such as reduced environmental impacts and improved air quality.

What are we proposing to do in the period 2023-2026?

1. In order to maximise the usage of the charge points and the uptake of EVs by Runnymede residents a variety of tools will be used in order to publicise the locations and see what residents think about the installation of further charge points in the borough and their locations and type.
 - The infrastructure will be advertised on the RBC website; a dedicated webpage will be set up signposting members of the public to details of charging points within the borough. This will need to link to Zap maps or another similar site so that people can view live updates on whether or not the chargers are in operation and the type of charge points that are available.

- Any new charge points will be added to the National Chargepoint Registry.
- We will contact car dealerships with charge point locations, so they can pass this information onto potential electrical vehicle car purchasers.
- We will endeavour to secure some press coverage of the launch of the strategy, the consultation and implementation of the scheme. In addition, we will seek to get social media coverage from RBC accounts for the various national days/ events/ campaigns that EV charge points could be a feature of.
- We will discuss with SCC about the introduction of signage to direct people to charging points and have links to the RBC webpage from the SCC website.
- We will promote existing grants to residents and business.

Targets and Monitoring

- 3.1 It is important that this strategy can adapt to changes in technology, trends in mobility, changes to Government and sub regional policy and financial considerations. This Strategy will therefore be subject to regular review on an annual basis. All changes to this Strategy, will be noted within the Version Control at the start of the document, and an updated version will be uploaded to the Council's website.
- 3.2 Key Performance Indicators (KPIs) will be developed for inclusion in future drafts of the EV Strategy once the baseline position is clearly identified. At this stage, the Council is focusing on undertaking feasibility studies rather than setting ambitious targets which are not evidenced based, and which we may then not be in a position to meet.

Appendix 1 – Policy Context

National EV Strategy

Taking Charge²³ (published in March 2022) is the Government's electric vehicle infrastructure strategy. It sets out the Government's vision and action plan for the roll out of electric vehicle charging infrastructure in the UK and comes with an ambition to see 300,000 (as a minimum) publicly available charge points across the UK by 2030 and it has set its sights on local authorities to achieve this.

In particular, local authorities will be asked to identify:

- How to scale up and oversee the delivery of public charge points on local streets;
- How to provide affordable and convenient charging without causing pavement disruptions that could discourage walking and cycling; and
- How such charging opportunities could be rolled out for other vehicles, including e-bikes and motorbikes.

Whilst the Government's plans provide a clear direction and an opportunity to shape the responsibilities of key stakeholders in this field, they also represent a significant undertaking for all local authorities, requiring dedicated resource, time and cost.

Building Regulations (Part S)

The Government has introduced new Building Regulations²⁴ (Part S²⁵) to drive the delivery of charging infrastructure in new development. These regulations set out that:

- From June 2022, every new home including those created from a change of use, with associated parking, must have a charge point
- Residential buildings undergoing a major renovation which will have more than 10 parking spaces must have at least one EV charge points per dwelling with associated parking, along with cable routes in all spaces without charge points
- All new non-residential buildings with more than 10 parking spaces must have a minimum of one charge point and cable routes for one in five (20%) of the total number of spaces
- All non-residential buildings undergoing a major renovation that will have more than 10 parking spaces must have a minimum of one charge point, along with cable routes to one in five spaces.

Transport for the South East EV Strategy

In March 2023 Transport for the South East (TfSE) published an EV Strategy for their area, together with an accompanying action plan²⁶. This Strategy supports the Government's

²³ [UK electric vehicle infrastructure strategy - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/taking-charge)

²⁴ [Approved Document S: Infrastructure for the charging of electric vehicles \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/consultations/approved-document-s-infrastructure-for-the-charging-of-electric-vehicles)

²⁵ [The Building Regulations 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2022/1251/contents/part-s)

²⁶ [Transport for the South East Electric Vehicle Charging Infrastructure Strategy](https://www.tfse.gov.uk/infrastructure/ev-strategy)

electric vehicle infrastructure strategy. The TfSE Strategy forecasts that up to 28,500 charge points are needed across the TfSE area by 2030. According to the TfSE Strategy, at the start of 2022 there were 2,308 public chargers in their area. The TfSE EV Strategy aims to accelerate the roll-out of EV charging infrastructure across the South East in an efficient and cohesive manner, through better local engagement, leadership and planning.

The map below shows the area covered by TfSE



Surrey County Council EV Strategy

Surrey County Council (SCC) has developed a county-wide electric vehicle strategy²⁷. The main driver behind the SCC Strategy supporting the transition from conventional petrol or diesel internal combustion engine (ICE) vehicles to EVs, is the beneficial impact this will have on transport-related pollutants, including:

- Reduced greenhouse gas emissions at the vehicle exhaust.
- Reduced emissions of harmful nitrogen oxides (NOX) emissions.
- Fewer exhaust emissions means improved air quality and therefore better public health.

In addition, SCC have produced on-line Healthy Streets for Surrey Guidance. This document provides links to the EV requirements set out above and also includes a number of design requirements for on-street charge point installation.²⁸

²⁷ [Surrey Transport Plan Electric Vehicle Strategy Nov 2018](#)

²⁸ [Electric Vehicle \(EV\) charging | Healthy Streets for Surrey \(surreycc.gov.uk\)](#)

Runnymede Borough Council documents

This EV Strategy forms one part of Runnymede's response to Climate Change. It should be considered alongside, and read in conjunction with the following documents:

- i. Climate Change Strategy
- ii. Health and Wellbeing Strategy
- iii. Economic Development Strategy
- iv. RBC Air Quality Management Area Action Plan and annual status reports
- v. Runnymede Parking SPD, 2022
- vi. The emerging Local Cycling and Walking Infrastructure Plan SCC/ RBC
- vii. Runnymede 2030 Local Plan, adopted March 2020
- viii. The emerging Environmental Protection SPD
- ix. Capital & Investment Strategy
- x. Medium Term Financial Strategy
- xi. Asset Management Strategy

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above contact details.

Report title	Draft Climate Change Action Plan
Report author	Stephanie Broadley, Principal Planning Policy Officer
Department	Planning, Economy and Built Environment
Exempt?	No
Exemption type	Not applicable
Reasons for exemption	Not applicable

Purpose of report:

To resolve

Synopsis of report:

The draft Climate Change Action Plan updates the existing, preliminary draft considered previously by Members during the preparation of the Climate Change Strategy, but not formally adopted. The report describes how background research and early engagement with a range of stakeholders has informed the updated version of the Action Plan, and how formal public consultation is now proposed. Paragraphs 2.8-2.11 of the report describe the proposed consultation and communication methods to be used to maximise responses. The feedback received will inform the final iteration of the Climate Change Action Plan ahead of its adoption.

Recommendation(s):

Corporate Management Committee is requested to:

1: APPROVE the draft Runnymede Borough Council Climate Change Action Plan for public consultation for a period of five weeks, commencing on Friday 1 December 2023.

1. Context and background of report

- 1.1 The Corporate Business Plan 2022-2026 sets out how the Council will play a key role in creating a greener environment and ensuring an effective response to climate change. The Climate Change Strategy 2022-2030, adopted in October 2022, describes how the Council will approach this and sets out Runnymede’s 2030 climate vision: how the Council intends that all its operations will be carbon ‘net zero’ by 2030. The Strategy also sets out how the Council will work with local community groups and a range of other stakeholders to reach net zero carbon emissions across the wider borough by 2050, in line with national targets.
- 1.2 A preliminary Climate Change Action Plan (CCAP) has previously been drafted to support delivery of the Climate Change Strategy, but further work on this has been necessary to ensure proposed actions (both in relation to the 2030 and 2050 targets) are informed by the latest evidence (such as the baseline emissions findings of the

Climate Change Study) and feedback from extensive stakeholder engagement and consultation. In this regard, on 25 May 2023, the Corporate Management Committee approved an extensive research and engagement plan to be conducted over the summer period, primarily consisting of an online climate change survey for residents, young people and businesses. The engagement activities have now concluded, and feedback has been used to inform the development of the draft CCAP.

2. Report and, where applicable, options considered and recommended

- 2.1 The draft CCAP updates the existing, preliminary Action Plan which was prepared alongside the Climate Change Strategy, but never formally adopted.
- 2.2 The purpose of the CCAP is to support delivery of the Council's Climate Change Strategy. The draft CCAP contains measures that will help reduce the Council's carbon emissions to net zero by 2030, but also contains measures that will help reduce borough-wide emissions to net zero by 2050 in line with national targets.
- 2.3 The draft CCAP contains several introductory chapters describing how the CCAP is structured; how actions have been identified; how the Council's estate and area greenhouse gas baseline has informed actions; how outcomes of the engagement activities have helped shaped the document; how actions will be financed and resourced; and how the CCAP will be delivered and monitored. This penultimate chapter (before the action plan itself begins) stresses how the CCAP is a living document, and actions will evolve and continue to be developed as more information is gathered about potential new projects and activities which will help the Council respond to the challenges of climate change.
- 2.4 The actions themselves are then presented, grouped by theme. The actions have been developed through a combination of means, including:
 - a desk-based literature review to identify existing evidence on actions associated with reaching net zero, including reports produced by the Climate Change Committee and their recommendations to Government;
 - drawing on and transposing where relevant, the county-wide climate change actions identified by Surrey County Council in its Climate Change Strategy and Greener Futures climate change delivery plan 2021-2025;
 - drawing on feedback from the 'summer of engagement' with residents, local community groups, businesses, schools and young people (see paragraph 2.5 below);
 - consulting action plan toolkits and best practice case studies, such as the Ashden / Friends of the Earth "*31 climate actions that councils can take*" publication, and the Local Government Association climate change hub;
 - familiarisation with action plans from similar local authorities, including those across Surrey with whom the Council will be working with to tackle climate change at a larger spatial scale;
 - drawing on recommendations made by Aether and Land Use Consultants in the Council's Climate Change Study (2023), including the Council's detailed Greenhouse Gas baseline report (included at Appendix 1 of the Climate Change Action Plan);
 - drawing on feedback from senior officers across all Service Areas of the Council at meetings held throughout June-September to ensure the actions are fit-for-purpose and reflect service area plans;
 - drawing on feedback from Members of the Climate Change Working Party.

- 2.5 At the Corporate Management Committee meeting of 25 May 2023, Members agreed an extensive 'summer of engagement' plan. The draft CCAP has been informed by feedback received from these engagement activities, described in detail in Appendix 2 of the CCAP. In summary, engagement activities included:
- an online climate change survey, which saw 450 under-18s, 815 residents and 25 organisations respond over a 6-week period;
 - focus group sessions and meetings with local community groups including Resident Associations, Neighbourhood Fora, Community Action groups, Eco-churches, the Showmen's Guild and the Surrey Gypsy Traveller Communities Forum;
 - attendance at business meetings and network events including the Town Teams meetings in Chertsey and Addlestone, and the Business Runnymede Steering Group meeting;
 - seeking feedback at events such as summer fairs, Surrey Youth Games and the Great Big Green Week;
 - in-person and virtual feedback sessions with senior officers of the Council, including at the Climate Change Officers Working Group meetings; and
 - seeking feedback from Members at the Climate Change Members Working Party.
- 2.6 Various barriers to action were identified during the course of these engagement activities, with the most common response being upfront costs and expense, followed by lack of time, resources, skills or information. Actions have been included in the CCAP to try and address some of these barriers, such as providing assistance with accessing grants, working with partners to improve active travel and sustainable transport infrastructure, and developing awareness-raising campaigns and events.
- 2.7 Where possible, the CCAP also identifies potential cost implications, carbon reduction impacts, and co-benefits that can be achieved in addition to climate change mitigation and adaptation (such as health and wellbeing benefits, economic prosperity; and inclusivity and community engagement). In relation to cost implications and carbon reduction savings, Members will note that currently, information for many activities/projects is missing. This is because, in many instances, projects have not commenced, or have commenced but are still at the relatively early stages. However, officers will continue to work with the Service Areas across the Council to obtain this information wherever possible as projects develop, and add it into the CCAP at review points.
- 2.8 It is proposed that the draft CCAP should now undergo a period of public consultation following which any representations received will be considered by the Council prior to adoption. The period for consultation is proposed to be for 5 weeks. As the required length of the consultation is not determined by any legal requirement, 5 weeks is considered to represent a proportionate amount of time taking into account the extent of early engagement already conducted; and will allow enough time to review the material given the Christmas period. The proposed timescales will allow officers to analyse feedback and present the revised CCAP to the Climate Change Members Working Party on Wednesday 24 January 2024.
- 2.9 Officers will utilise a number of consultation methods to ensure that the consultation material is shared as widely as possible during this period. Communications activity will include:
- hosting the material, including a consultation response form, on a dedicated page on the Council's climate change website, with links from the Council's consultation webpage;

- advertising the consultation on the Council's social media channels, other websites such as Business Runnymede, and via the monthly Community Life (circulated to 22,000 households);
- e-marketing and press releases – launching the consultation via email to the Council's climate change database of contacts, which includes contact details of those who indicated in the climate change survey that they wished to be kept updated about the Council's climate change work (approx. 460 individuals and organisations), and also via residents' e-news (approx. 1,500 individuals);
- outdoor communications - publicising the material on the borough's noticeboards where available;
- displaying hard copies of the consultation material in community buildings (more on this in paragraph 2.11 below);
- publicising the consultation when attending events such as the Town Teams, Community Action and Community Planning Panel meetings;
- encouraging local community groups to publicise the material in their newsletters and electronic communications.

2.10 Officers will also organise and invite stakeholders to a dedicated webinar to present the material, encourage discussion and invite written feedback. This is considered to be a proportionate approach, given the extent of early engagement which has already helped shape the draft CCAP.

2.11 In order to ensure the consultation is as inclusive as possible, officers will:

- produce hard copies of the consultation materials and display them in accessible community buildings such as libraries;
- provide the consultation materials in an accessible format (such as large print, audio and other language) on request;
- ensure downloadable PDF consultation documents meet accessibility standards; and
- encourage people to get in touch with the Climate Change team with any questions and to help overcome any issues in accessing the materials.

3 Resource implications/Value for Money (where applicable)

3.1 Production of the draft CCAP has been undertaken in-house. Consultation activity and analysis of feedback generated by this will also be undertaken by officers of the Climate Change team. No additional resource implications beyond that provided for within the agreed climate change budget will be required to run the public consultation.

3.2 The introduction of the CCAP, when adopted, will support delivery of the Climate Change Strategy and the climate-related objectives of the overarching Corporate Business Plan. The CCAP describes the financial, resourcing, delivery and monitoring implications in detail in the introductory chapters, which have been reviewed by the Heads of Public Relations & Marketing, Law & Governance and Financial Services.

4. Legal implications

5.1 All of the projects/activities included in the CCAP which are underway, would have had their legal implications assessed. Future planned activities will need to have their legal implications considered at the relevant stages, as appropriate.

6. Equality implications

- 6.1 The Council has a Public Sector Duty under the Equalities Act 2020 to have due regard to the nine 'protected characteristics' stated within the Act. The draft CCAP as a whole has been screened to establish whether there may be an impact, whether positive or negative, on any of the nine protected characteristics. The conclusion of the screening assessment has confirmed that the draft CCAP complies with the Council's duty under S149 of the Act, and that subject to a further review following the conclusion of the consultation process, a full Equalities Impact Assessment is not required.
- 6.2 All of the projects/activities included in the draft CCAP which are underway, would have had their equality implications assessed individually, where relevant. Future planned activities will need to have their equality implications considered at the relevant stages, as appropriate.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 The draft CCAP has undergone Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening, with the interim conclusion that there will be no likely significant effects on designated habitats or any other significant environmental effects. This conclusion is being confirmed by the three statutory bodies (Environment Agency, Historic England and Natural England) in accordance with the Environmental Assessment of Plans & Programmes Regulations 2004. Once consultation responses are received, the final determination will be published alongside the consultation material.
- 7.2 All of the projects/activities included in the draft CCAP which are underway, would have had their environmental/ sustainability/ biodiversity implications assessed individually. Future planned activities will need to have their implications in terms of environment, sustainability and biodiversity considered at the relevant stages, as appropriate.

8. Other implications

- 8.1 Individual actions in the CCAP will be assessed for other implications as appropriate.

9. Timetable for Implementation

- 9.1 It is proposed that the public consultation is launched at 9am on Friday 1 December. It will last five weeks, closing at 5pm on Thursday 4 January 2024. Officers will monitor feedback during the course of the consultation, but also have 8 working days upon the close of consultation to revise the CCAP taking into account representations made. The revised CCAP will then be considered by the Climate Change Members Working Party on Wednesday 24 January. This timetable should allow for the adoption of the CCAP before the end of the financial year.
- 9.2 The CCAP is a cross-service document that sets out shared responsibilities, with specific actions being owned by the relevant service area leads and implementation supported by other relevant service areas where necessary. The various actions identified in the draft CCAP therefore all have their own timescales for delivery. As described in the CCAP, detailed monitoring and climate change update reports will be prepared by officers of the Climate Change team and reported to the Corporate Management Committee at regular intervals.

10. Background papers

- 10.1 Members' attention is drawn to the Corporate Management Committee report of 25 May 2023 seeking approval for the CCAP early engagement plan, for background information. It is available here:
<https://democracy.runnymede.gov.uk/ieListDocuments.aspx?CId=152&MId=758&Ver=4>.

11. Appendices

Appendix 1: Draft Climate Change Action Plan

Appendix 2: Runnymede Climate Change Study: Council Estate and Area GHG Baseline (Appendix 1 of the Action Plan)

Appendix 3: Early Engagement Summary of Findings Report (Appendix 2 of the Action Plan)

Indicative Climate Change Action Plan

Consultation Version
October 2023

Terminology used in this document

Carbon emissions – often used as shorthand to refer to the greenhouse gas (GHG) emissions that contribute to global warming. Carbon dioxide is the most common GHG and other gases can be measured in relation to it: data for all greenhouse gases are translated into a single comparable unit, carbon dioxide equivalence, or CO₂e, usually measured in kilogrammes or tonnes. Therefore, one tonne of CO₂e has the global warming impact of one tonne of CO₂, but it can be a mix of GHGs. The Council has agreed that its net zero targets should cover carbon dioxide, methane and nitrous oxide, not just carbon dioxide.

Net zero targets are used in this document to refer to both Council and government commitments to reduce emissions by 100% from 1990 levels by 2050. The net zero target was made legally binding by the Climate Change Act 2008 (as amended). In January 2022, the Council adopted its own target to achieve operational 'net zero' carbon emissions from its own services and operations by 2030. Net zero carbon emissions is achieved when the total operational carbon emissions released on an annual basis average to be zero or negative, so the amount of emitted carbon balances with that removed or offset.

Carbon Neutrality means “achieving net zero carbon emissions by balancing a measured amount of carbon released with an equivalent amount sequestered or offset” (UN Environment, 2018). The Council’s primary goal will be to develop solutions to reduce carbon emissions wherever they can be directly mitigated (avoided or reduced). But this will not always be possible or viable and we will need to offset some of our emissions in the short term.

Climate Resilience means ensuring that our communities are adapted to cope with the projected impacts of global warming locally.

Climate Change Mitigation essentially refers to actions which will lead to the avoidance or reduction of emissions or will reduce the projected impacts of global warming.

Adaptation refers to actions which are necessary to deal with the impacts that cannot be mitigated.

Offsetting is a way of compensating for emissions arising in one place, by taking action elsewhere. For instance, it may not be possible, feasible or viable to actually reduce emissions from a particular source any further, so instead money would be diverted to deliver additionality in mitigation/sequestration projects elsewhere to make up for the emissions that will remain.

Insetting – whereas carbon offsetting allows organisations to invest in environmental projects around the world as a means to offset their own emissions, insetting is when organisations invest in carbon reduction projects within their own supply chain. By engaging in carbon insetting, organisations are investing in making their own products, practices and supply chains more sustainable.

Sequestration is the process of capturing carbon dioxide from the atmosphere and the long-term storage of it in trees, plants, soils, geological formations and the ocean. Though it should be noted that increasing sequestration by oceans can lead to harmful ocean acidification. Can be a natural or artificial process.

Scope – a way of categorising emission sources in relation to the reporting organisation, used as a way of providing transparency in emissions accounting, making it clear the type of emission source and the level of control of the reporting organisation over the source. Three levels of scope have been defined and used on a global basis.

Circular economy – a model of production and consumption which involves sharing, leasing, reusing, repairing, refurbishing and recycling existing materials and products for as long as possible. In this way, the life cycle of products is extended. Relies on reducing waste to a minimum in the first instance.

Co-benefits are secondary or ancillary benefits of an action that are also a relevant reason for that action in their own right. Many actions to mitigate and adapt to the climate emergency will have co-benefits such as improving health and wellbeing, improving air quality and building biodiversity.

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Introduction

The Council's new [Corporate Business Plan](#), supported by the [Climate Change Strategy](#), has put tackling climate change at the heart of the Council's agenda going forward. The Climate Change Strategy describes how we are committed to working towards making the Council's services and operations are carbon neutral by 2030, and to work with our communities and businesses to achieve carbon neutrality across the whole of Runnymede by 2050 in line with national targets.

The Strategy recognises that the Council has an obligation to reduce carbon emissions from its operations and to play its part in supporting communities and businesses to do the same. Whilst addressing climate change is everyone's responsibility - and we collectively have a role to play on the journey to carbon neutrality by 2030 and 2050 – there is a significant opportunity available for the Council to act as a facilitator and enabler for change. We are aware that there are lots of activities already underway outside of the Council, led by a range of community groups. The Council can help by creating conversation about how things need to change, taking action where it can, supporting and enabling others to play their part, including supporting Government and other stakeholders to make changes. The Council can also lead by example and take action to reduce carbon emissions from its own services and operations.

The following indicative Climate Change Action Plan supports the delivery of objectives in the Climate Change Strategy. Drawing on feedback from the local community and organisations, actions have been identified which focus on things that the Council can directly control and influence (actions which address our 'Scope 1' and 'Scope 2' emissions), those which focus on reducing emissions arising from activities which we can indirectly influence ('Scope 3' emissions), and actions which will help reduce borough-wide emissions. The three scopes are defined in the Climate Change Strategy, and in a section below.

Whilst the majority of actions in the Action Plan focus on reducing local carbon emissions in order to limit the impact of warming global temperatures, actions are also included which will help places, people and nature be ready for unavoidable climate change – 'climate change adaptation' actions. These actions are embedded throughout the relevant themes but feature heavily in the Natural Environment & Biodiversity theme.

It is well documented that the future benefits of action overwhelmingly outweigh the future costs of inaction. Reaching net zero will require significant financial investment, with some costs falling to the Council and others requiring investment from national government, businesses and members of the public. But without this investment, the costs of dealing with climate change impacts in a world with average temperatures 2°C or more above pre-industrial levels will be far higher. The UK National Audit Office, for instance, estimates that for every £1 spent on protecting communities from flooding, around £9 in property damages and wider impacts can be avoided

Taking climate action will bring real positives for Runnymede that are much wider than protecting our community from adverse weather impacts. A cleaner, greener Runnymede is a healthier borough, with reduced NHS costs, better housing, better transport, improved biodiversity, and a reduction in poverty and inequality. Such 'co-benefits' are also identified in the Action Plan.

Many of the actions listed within the Action Plan are ongoing and they will progress over the coming years to make a significant contribution to achieving our collective net zero goals. Below is a section explaining how we will monitor and report on the delivery of the actions, so that there is a clear, shared understanding of the progress being made.

Structure of the Indicative Action Plan

The Action Plan is structured into themes and sub-themes, with lead owner(s) and timescales identified. Some of the actions can be undertaken immediately, whilst others will take longer to plan, implement and achieve. Actions include estimates of carbon impacts and cost implications where available – these are high-level in nature and will need to be refined as more detailed assessments become available over time. Not all actions will generate quantifiable carbon savings, but where data is available for emissions over which the Council has an influence, it has been included. It is worth noting that even those actions identified as having a low overall impact will be worthwhile undertaking as, cumulatively, they will add up.

Actions include a mixture of those that will achieve a reduction in our own operational emissions and those that will help make the wider borough carbon neutral by 2050. With direct control over our own estate, operations and vehicles, we have the potential to have significant influence in driving these emissions down at a faster rate than other sectors of our local economy. Actions which involve engagement with residents and partners to address borough-wide emissions will need to be supplemented by those of the UK Government – including actions which change the national policy landscape, accelerate action on climate change and support, where necessary, identified local initiatives.

Actions include specific targets and metrics where available, such as those established by the Housing and Assets Management Plan under Action 1.3. Several actions will lead to the development of other plans and strategies – such as an Assets Decarbonisation Plan, Energy Strategy and Electric Vehicle Strategy – and it is within these documents, rather than this Action Plan, where additional targets will be set.

The proposed themes are set out in Box 1, with actions then grouped into sub-themes as follows:

- **Delivering Sustainable Development** – actions which will ensure that new or redeveloped homes, buildings and infrastructure across the borough are planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change; and can help to reduce greenhouse gas emissions.
- **Strategy, Policy & Operational Activity** – actions which focus on driving energy efficiency, carbon reduction and climate change adaptation through Council business. A key element of these actions relates to strategy and policy. It is important that these are defined and applied consistently. The detail of these policies, and the way they are implemented, will have a significant impact on achieving our net zero targets.
- **Partner and Stakeholder Engagement** – actions which focus on working collaboratively and collectively to tackle climate change and reach our net zero targets (where these actions have not already been picked up in preceding sub-themes).

Box 1 – Proposed Themes

Greener Homes & Buildings – actions to reduce emissions and increase resilience of Runnymede’s building stock, covering residential, commercial and public buildings which are delivered by both the private sector and by the Council. Second highest emitter of greenhouse gas emissions for Runnymede, but with the largest emission reduction potential. Includes actions to ensure new development meets and where possible exceeds energy requirements in the existing Local Plan; and actions which will result in stronger climate change planning

policies in a future revised Local Plan. Some actions rely on the transition of the national grid to renewable energies to enable development to become net zero.

Energy Generation & Storage – actions to reduce emissions from and increase the resilience of the energy sector in Runnymede. Covering the generation of grid-supplied energy, and locally-produced renewable electricity, with a considerable overlap with the Greener Homes & Buildings theme. Taking steps to transition the Council’s energy to green and clean sources, but also that of its wider communities.

Active & Sustainable Travel – actions to create a low-carbon and resilient transport sector. Covering all modes of mobility across the borough, transport is the highest emitter of greenhouse gas emissions for Runnymede.

Natural Environment & Biodiversity – actions here outline a way forward to improve the quality, carbon storage potential and resilience of Runnymede’s natural environment and biodiversity.

Reducing Borough-wide Waste – actions to create a low-carbon and low-waste borough. Actions aim to reduce waste and use resources efficiently – working toward a ‘circular economy’ - in accordance with the Government’s Environmental Improvement Plan 2023.

Green Economy – transition to a low-carbon, circular economy in accordance with Priority 6 of the Council’s [Economic Development Strategy](#), by supporting Runnymede’s businesses to grow while reducing their carbon footprint, as well as attracting new businesses to our borough. Facilitating our future and current workforce to develop ‘green skills’ to enable full participation in the green economy.

Sustainable Council – actions which minimise carbon emissions through all council business (other than those relating to the Council estate which have been picked up in preceding themes). Actions involve changing how we commission services to influence our supply chain, changing how we invest to influence the financial markets and changing how we work, day to day, as employees and members of the Council. Actions which feature heavily include those relating to strategy and policy development, implementation and monitoring.

Supporting our Communities – holistic approaches to achieving a net zero Runnymede by 2050 which haven’t already been picked up in preceding themes. Actions where the community works together with partners/supported by partners to effect change through community level initiatives. Actions focus on communications and engagement, partnerships and communities, sharing information to raise awareness and providing advice.

How have actions been identified?

The actions identified in the Action Plan have been developed through a combination of:

- Researching the recommendations in evidence published by the Climate Change Committee, such as “*Net Zero – The UK’s contribution to stopping global warming*” report (May 2019), and other evidence bases;

- Drawing on and transposing where relevant the county-wide climate change actions identified by Surrey County Council in its [Climate Change Strategy and Action Plan](#);
- Analysis of feedback through engaging with residents, local community groups, businesses, schools and young people through the climate change survey, focus groups, events (such as the Great Big Green Week), stakeholder group meetings, and one-to-one meetings and conversations conducted during the summer 2023;
- Consulting the Ashden / Friends of the Earth “*31 climate actions that councils can take*” publication, and other toolkits and hubs (such as the Local Government Association climate change hub);
- Analysing action plans from similar councils, including those across Surrey with whom we will be working in partnership to tackle climate change at a larger spatial scale;
- Consulting the recommendations made by Aether and Land Use Consultants in the Council’s Climate Change Study (2023), including the detailed Greenhouse Gas baseline report (included at Appendix 1 of this Action Plan);
- Collaboration across service areas of the Council, drawing on feedback from senior officers across all Service Areas at meetings held throughout summer 2023;
- Drawing on feedback from Members of the Climate Change Member Working Party;
- Extracting relevant actions from existing Council Service Area Plans.

The Council's Baseline and what this means for our Action Plan

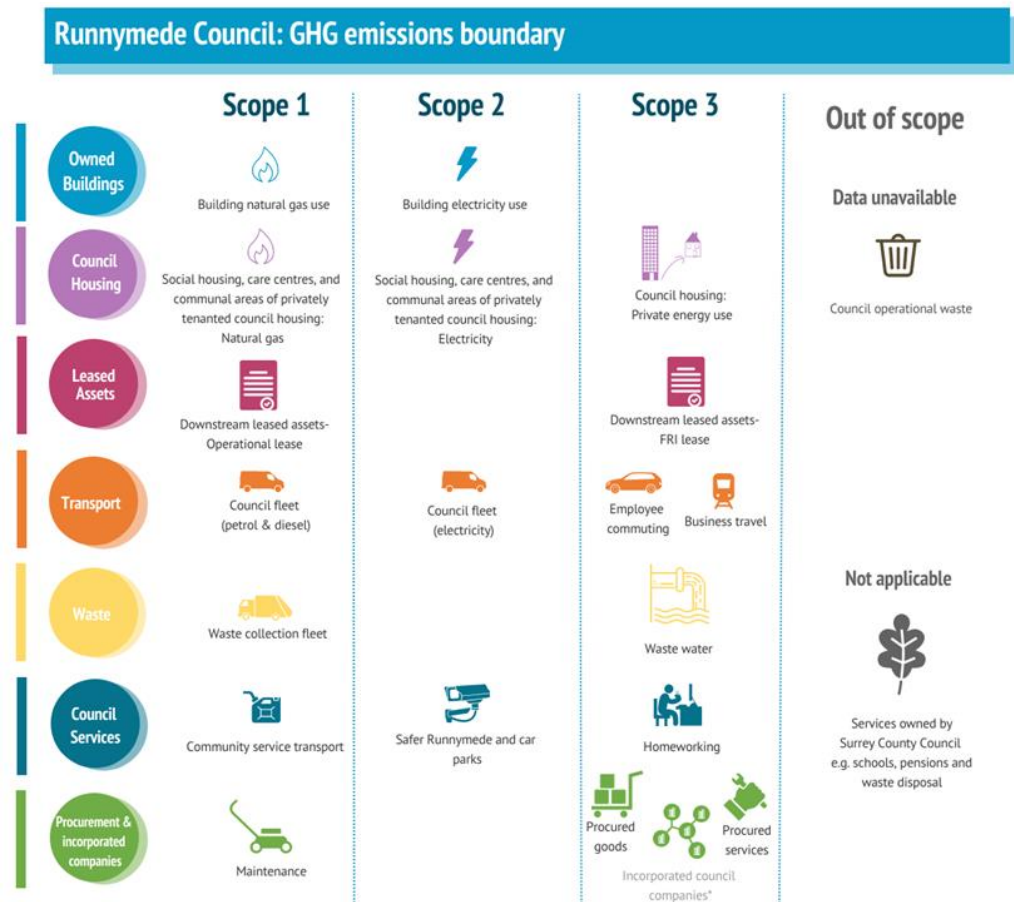
In 2022, the Council commissioned Land Use Consultants and Aether to provide baseline emission estimates for the Council estate and the wider borough. The consultants produced a detailed Greenhouse Gas (GHG) inventory – a data set which presents estimates of emissions of various greenhouse gases from a wide range of activities. A GHG baseline is the GHG inventory for a specific year from which progress in decarbonisation is monitored – the Council's baseline year has been chosen as 2019, to align with Surrey County Council reporting. This is the baseline year against which we will assess progress of our actions. The full 'Runnymede Climate Change Study: Council Estate and Area GHG Baseline' is now complete, and attached at Appendix 1.

The GHG inventory estimates emissions across three areas, shown in Table 1 below. Figure 1 provides a summary of the scope of emissions baseline for the Council estate.

Table 1 Scope definitions for the Council estate baseline

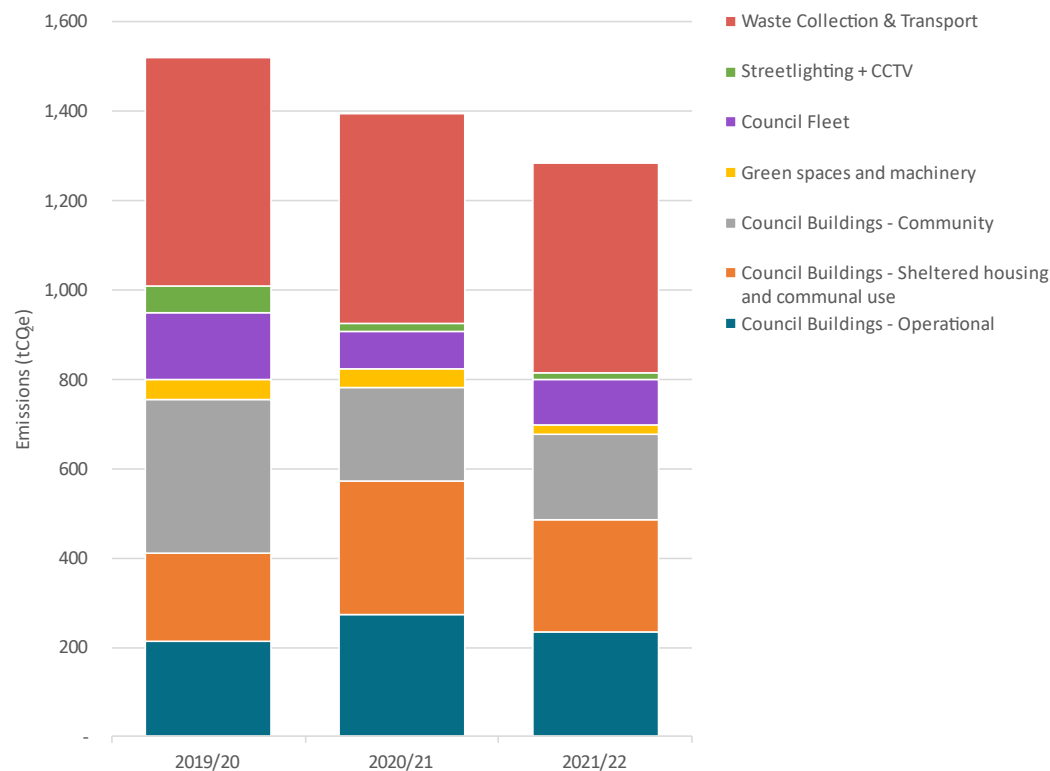
Scope	Definition
Scope 1	GHG emissions from sources owned or controlled by the council.
Scope 2	GHG emissions from the consumption of purchased electricity, steam or other sources of grid-generated energy. Includes electricity supply to the council's operational buildings.
Scope 3	GHG emissions that occur indirectly from council activities, outside the control of the council (e.g. the council's procured services and investments).

Figure 1: Summary of the scope of emissions baseline for the Council estate



The Council's total GHG emissions for 2019/20 were estimated to be 19,836 tCO₂e. This is our new 'baseline', which we need to get to net zero by 2030. In 2021/22, emissions increased to 21,922 tCO₂e – an 11% increase. The sources which contributed most to this increase were 'Council buildings – sheltered housing and communal use' (which saw a 26% increase in emissions over this period) and 'Procurement of goods and services' (which saw a 59% increase in emissions).

Figure 2: Emissions for scope 1 and 2 sources for RBC (tCO₂e)



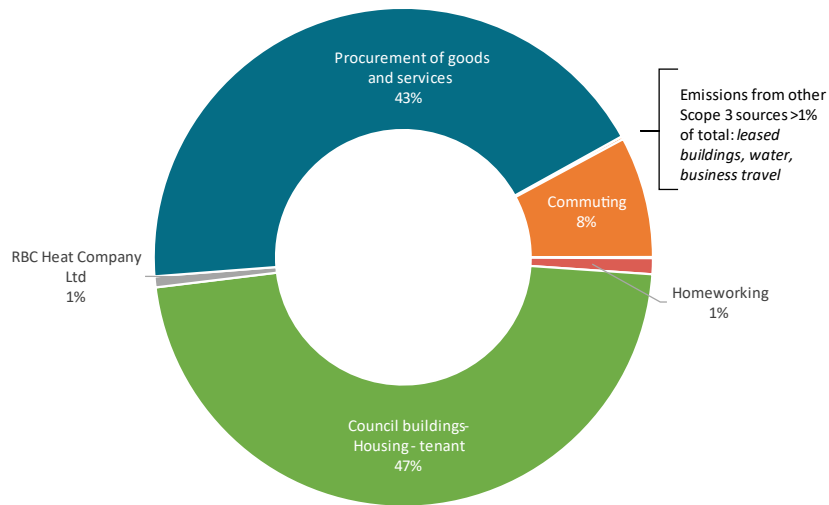
Considering emissions arising from scope 1 and 2 only, emissions from the Council estate decreased between 2019/20 and 2021/22 by 16% from 1,521 tCO₂e to 1,283 tCO₂e respectively. Emission reductions are observed across all categories under scope 1 and 2 except for 'Council buildings – operational and sheltered housing and communal use'. The most significant emissions arise from energy consumption within council buildings (53% of the total). Waste collection and transport is the next most significant source, comprising of 37% of the total. Figure 2 displays emissions for scope 1 and 2 sources for the Council between 2019/20 and 2021/22 (tCO₂e).

A series of actions are included in the following Action Plan under 'Greener Homes & Buildings' which aim to reduce scope 1 and 2 emissions generated by Council buildings, including actions which aim to retrofit and improve the energy efficiency of existing Council housing stock, and actions which aim to decarbonise the Council's operational assets.

Whilst we are focusing on reducing scope 1 and 2 emissions to net zero by 2030, with support and financial assistance from Government, we also have an important role to play in reducing scope 3 emissions as well. Emissions from scope 3 are significant, comprising of 94% of the total emissions

from the council estate in 2021/22. Figure 3 shows a breakdown in scope 3 sources, with private tenanted council housing and procured goods and services contributing the most. Actions to support the decarbonisation of private rented accommodation have been included under 'Greener Homes & Buildings', and under 'Sustainable Council'. Actions have also been identified under the Sustainable Council category which

Figure 3: Emissions from scope 3 sources, 2021/22 (tCO2e)

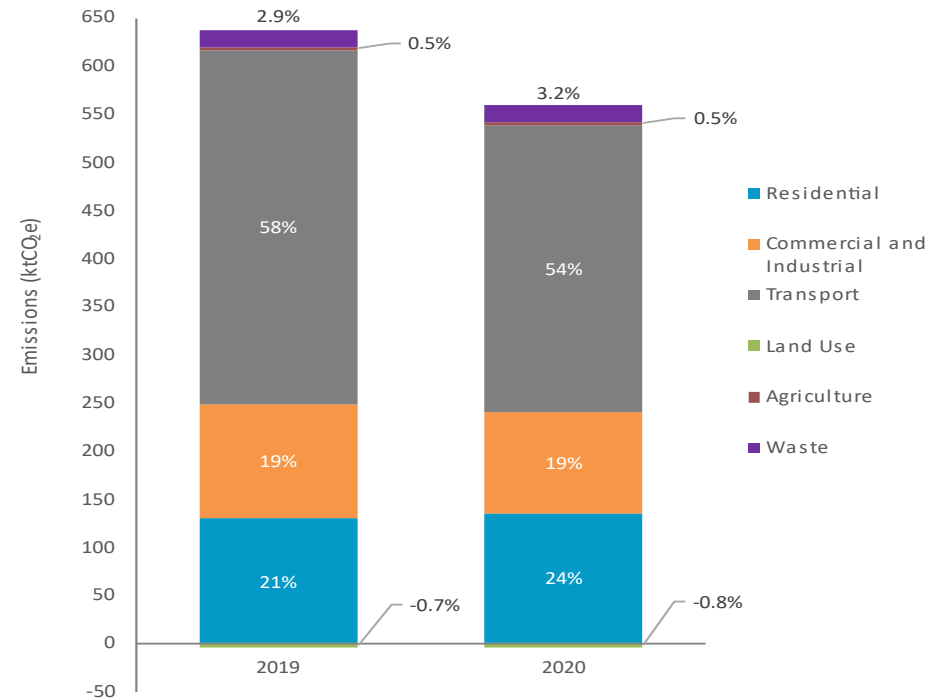


aim to ensure that the Council’s supply chain is minimising carbon emissions through the newly adopted Procurement Strategy; and which will encourage Council employees to commute to work using more sustainable modes of transport.

The borough’s GHG emission for 2019/20 are estimated to be 634 ktCO2e, decreasing to 556 ktCO2e in 2020/21 (a 12% reduction). Across both years, shown in Figure 4, the most significant emissions source has been the transport sector, particularly from private car, LGV and motorbike use. A large number of actions have been included in the Action Plan under ‘Active & Sustainable Travel’ which aim to reduce emissions generated by the transport sector – this will involve working closely with key partners such as Surrey County Council as Highways Authority. The second largest source at 21% of total emissions is from the heating of residential homes. Several actions under ‘Greener Homes & Buildings’ aim to reduce emissions from the heating of both existing and new-build homes (e.g. through strengthening Local Plan policies), in addition to actions which seek to share guidance, best practice and advice under ‘Supporting our Communities’.

The detailed baseline provides the Council with the most accurate data possible to help prioritise decarbonisation actions – reflected in the following Action Plan - and measure the effectiveness of these actions over time.

Figure 4: Emissions for Runnymede Borough 2019-2020 (ktCO2e)



Engagement Approach

Multiple stakeholder engagement techniques have been adopted to inform the development of this Action Plan, including:

- An online resident survey, which saw 450 under-18s, 815 residents and 25 organisations respond over a 6-week period;
- Focus group sessions and meetings with local community groups;
- Attendance at business meetings including the Town Teams meetings in Chertsey and Addlestone, and the Business Runnymede Steering Group meeting to engage with the local business community;
- Feedback at the Council's climate change stall at events such as summer fairs and the Great Big Green Week;
- Pop-up events in local towns;
- In-person and virtual feedback sessions with Runnymede Borough Council senior officers; and
- Attendance at the Climate Change Members Working Party to engage with Runnymede Councillors.

A report detailing the key messages and findings from the online survey, focus group sessions and meetings is available at Appendix 2.

It is clear from the surveys that many of Runnymede's residents, businesses and young people are already taking action to tackle climate change – ranging from simple measures such as changing their daily behaviours (turning off the lights or planning meals to reduce food waste) to more costly measures such as installing renewable energy technologies (albeit a minority of people). Some of those changing their behaviours are doing so out of necessity to save money, for example, rather than to specifically reduce carbon emissions. Many people recognised that actions to reduce emissions and build resilience can deliver multiple benefits such as reducing congestion, improving air quality, improved health and economic growth, and stressed that much of the information which the Council shares with its communities should clearly signal these co-benefits in order to accelerate the pace of change. The following plan identifies the greatest co-benefit potential against each action, which will play a role in the prioritisation of delivery.

Various barriers to taking action were identified, with the most common response being upfront costs and expense, followed by lack of time, resources, skills or information. Actions have been included in the Action Plan to try and address some of these barriers, such as providing assistance with accessing grants, working with our partners to improve our active travel and sustainable transport infrastructure, and developing awareness-raising campaigns and events.

A clear message coming out of the engagement activity was that the Council should lead by example. Many of the following actions, particularly under 'Greener Homes & Buildings' and 'Sustainable Council', seek to reduce the environmental impact through the services we deliver, reduce emissions from our own and contractors' operations, and embed climate change considerations in our decision-making processes. We will continue to develop more innovative solutions wherever possible and include them as actions in this Action Plan over time.

Next steps for engagement

In recognition that significant community engagement and commitment will be needed to reach our collective ambition of a net zero Runnymede by 2050, there will be many more opportunities to get involved - not only in providing feedback and shaping the Action Plan, but also in taking a role in delivery of the actions.

The first stage of this engagement journey is to publish this draft Climate Change Action Plan for public consultation, so that the Council can finalise the Plan drawing on community and other stakeholder feedback.

There will also be opportunities to engage with the Local Plan Review work which will seek to strengthen climate change planning policies (in addition to other policy topics). Consultation activities will take place at various stages of the plan-making process, where the Council will capture feedback to inform the emerging, revised policies.

Financing Action

Reducing the Council's operational carbon emissions to net zero by 2030 will require significant financial investment at a time when the Council is looking for savings and efficiencies to balance its budget. The delivery of this Action Plan therefore needs to be carefully managed to ensure the Council remains financially sound, with infrastructure and services fit for the future.

Where viable, the Council will utilise funding within individual service revenue budgets and the capital programme to deliver green outcomes and will use developer funding via the Community Infrastructure Levy where appropriate. The Council will particularly look to invest in decarbonisation projects which will lead to an associated return of investment from energy savings ('invest to save' projects).

Where climate change actions are not budgeted, alternative funding resources will be sought. This may include, but is not limited to, public/private partnership, Government grants, and funding from other sources. The Climate Change Strategy sets out how the Council will seek to make maximum use of any opportunities to bid for external sources of funding as they become available to supplement the cost of projects (reflected in various actions in the Action Plan), working with partners such as Surrey County Council. This often requires RBC to ensure that projects are at a stage where funding can be applied for (project ready) which in itself may incur additional cost, both financially and in officer time, so needs to be planned carefully to ensure the maximum use of our scarce resources. Grants and funding opportunities, where appropriate, will be sourced through the Bids and Grant Funding Officer located in the Chief Executive's Office.

Officers will continue to lobby central Government to make available specific funding for local authorities to tackle climate change.

Resourcing Action

Delivering the actions will also impact on service areas of the Council which provide a supporting role rather than an operational role, such as Public Relations & Marketing, Law & Governance, and Financial Services. Actions will need to be incorporated into these service areas' existing portfolio of work, and whilst the majority of actions in the Action Plan are allocated to operational service areas, the impact on support services should not be underestimated.

The Council will need to carefully monitor impacts on support services and seek to ensure that sufficient resources are available to progress the climate change agenda across the Council. The Climate Change Team will provide expertise and support to service areas wherever possible.

Delivery and Monitoring

Oversight of delivering the Climate Change Strategy, and the Action Plan that sits under it, sits with the Leader of the Council. Operational responsibility for delivery of the strategy is located at Corporate Leadership Team level. The Climate Change Team will oversee the coordination and monitoring of the Strategy and Action Plan, and lead on stakeholder engagement.

However, this Action Plan is very much a cross-service document that sets out shared responsibilities, with specific actions being owned by a relevant lead service area and implementation supported by other relevant service areas where necessary. It is essential that all Council service areas play their part in implementing this Action Plan, which has been co-produced with involvement from all services. Following adoption of the Action Plan, it is proposed that annual delivery plans will be produced which will set out priority areas for that year to reduce the Council's scope 1 and 2 emissions (emissions which the Council has direct influence over), and which identify campaign themes aiming to reduce scope 3 emissions.

In addition, a Climate Change Member Working Party has recently been established. The Working Party has no decision-making powers: its purpose is instead to provide steer on key matters which relate to the Council's response to climate change and to make sure that they are in line with the Council's Corporate Business Plan. Some of the group's responsibilities are to assist in the development and periodic revision of the Action Plan, to help identify priorities, and to monitor progress with the targets that the Action Plan sets. Detailed monitoring and climate change update reports will be prepared by the Climate Change Team and reported to the Corporate Management Committee at regular intervals. Formal decisions on climate change activities will be made at the relevant committees.

The long-term nature of this Action Plan allows time to deliver a range of climate mitigation, adaptation and wider sustainability actions up to 2050. It is intended to be a living document - actions can be amended or revised periodically as national or international climate change measures change, and as new information and opportunities become available, with actions being allocated to relevant service areas accordingly. At a minimum, the Action Plan will be reviewed in full in line with Corporate Business Plan updates and to allow for project completion and development.






As explained in the Climate Change Strategy, the Council is mandated to report all current GHG emissions to the Department for Energy Security and Net Zero (DESNZ). For those operations which the Council directly controls or influences, a monitoring framework and key performance indicators will be created as a measure of success and to track and report progress. These will be measured through the Council's internal performance system and reported to Corporate Management Committee. This is captured by Action 7.1 of the following Action Plan.

Key

Action Timeframes	
ST	Short-term: 0-2yrs (2024-2026 ¹)
MT	Medium-term: 3-7yrs (2026-2030 ²)
LT	Long-term: 7yrs + (2030 +)
O	Ongoing

Indicative Carbon Impact (tonnes per annum)	
L	Low (0-500)
M	Medium (501-1000)
H	High (1001-10,000)
VH	Very High (10,000+)
E	Enabling borough-wide reduction – yet to be quantified.
U	Unknown / not yet quantified

Indicative Costs	
L	Low (£0 - £50k)
M	Medium (£50 - £250k)
H	High (£250k - £1m)
VH	Very high (£1m +)
U / NQ	Unknown / not yet quantified


Co-benefits		
	Health & wellbeing improvement	Air quality, physical health, wellbeing
	Environmental improvement	Water quality & management, habitat, biodiversity, green space
	Economic prosperity	Employment, income & poverty, cost of living, skills & training, invest to save
	Inclusivity & civil society	Stakeholder engagement, social justice, community representation
	Effective strategic planning, management, governance and delivery of essential public services	Housing, mobility, access to clean, green energy, waste management, reduced risk of fluvial or pluvial flooding.

GHG Scopes / Borough-wide reduction	
Scope 1	Carbon emissions from sources owned or controlled by the Council.
Scope 2	Carbon emissions from the consumption of purchased electricity, steam or other sources of grid-generated energy. Includes electricity supply to the Council's operational buildings.
Scope 3	Carbon emissions that occur indirectly from Council activities, outside the control of the Council (e.g. the Council's procured services and investments).
B	Borough-wide GHG emission reduction to reach 2050 target.

¹ Aligns with the Council's Medium Term Financial Strategy and Corporate Business Plan 2022-2026

² To align with the 2030 net zero target for Council operations

Greener Homes & Buildings Actions


Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
Delivering Sustainable Development									
1.1	Ensure new homes and buildings in Runnymede meet 2030 Local Plan sustainable design and renewable & low carbon energy policy requirements at a minimum, and encourage developers to exceed these standards to minimise adverse impacts.			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	+ £ 
		1.1.1	In-house training for new Development Management Officers on the effective implementation of climate change policies in the 2030 Local Plan.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
		1.1.2	Training for Planning Committee members on the importance of allocating sufficient weight to climate change issues in decision-making.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
		1.1.3	Develop planning guidance to ensure existing 2030 Local Plan carbon reduction policies are implemented effectively, encouraging developers to go beyond minimum requirements.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		1.1.4	Consider adoption of Net Zero Carbon Toolkit, or similar, developed by Cotswold District Council and its partners as a resource for other public	Corporate Head of Planning, Economy &		ST	L	U	



Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
			sector organisations to use and adopt, to encourage delivery of low carbon development as an interim measure ahead of Local Plan Review.	Built Environment					
		1.1.5	Run sessions with local developers to raise awareness of guidance which encourages developers to go beyond minimum Local Plan standards.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		1.1.6	Work with Climate Change Planning Officer at Surrey County Council to produce county-wide planning guidance and sustainability checklist for developers, ensuring relevance for Runnymede.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		1.1.7	Ensure pre-application advice emphasises the importance of applying energy hierarchy and sustainable design principles.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
1.2	Review and strengthen climate change planning policies and guidance through the preparation of a Local Plan Review: policies which improve energy efficiency and reduce carbon emissions of new homes and buildings.				B	ST - MT	H	U	+ £ ⚙️ ⚖️
		1.2.1	Work with the appointed consultants to finalise the Climate Change Study which underpins the Local Plan Review. Consider its recommendations for strengthening existing or introducing	Corporate Head of Planning, Economy &		ST	L	U	





Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
			new planning policies in order to better meet net zero carbon emission targets and to adapt to climate change.	Built Environment					
		1.2.2	Produce viability evidence to understand the impacts of introducing stronger/new planning policies on housing delivery.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		1.2.3	Consider introducing a carbon offsetting scheme to facilitate the achievement of any net zero carbon planning policy requirements (as last resort in energy hierarchy), identifying local schemes where emission reductions can be monitored accurately and effectively.	Corporate Head of Planning, Economy & Built Environment		MT	L	U	
		1.2.4	Explore the opportunity to promote the use of the Future Homes & Buildings Standard or equivalent best practice to achieve high quality new homes and buildings in the borough, and develop recommendations.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		1.2.5	Following construction of new homes and buildings, consider introducing a 'post-occupancy monitoring' system to ensure that buildings are operating at the required standards.	Corporate Head of Planning, Economy & Built Environment		MT	U	U	
		1.2.6	Consider options to introduce planning policies which support high quality communications infrastructure – essential to facilitate the delivery of smart buildings to reduce the volume of electricity used.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		1.2.7	In developing a Design Code for Runnymede, consider developing a set of codes focusing on net zero design, and design which embraces nature recovery. Improve upon existing Design SPD sustainable construction guidance.	Corporate Head of Planning, Economy & Built Environment		ST	M	U	
Strategy, Policy & Operational Activity – Council Estate									
1.3	Retrofit and improve energy efficiency and heating systems of existing Council housing stock.				1, 2, 3, B	ST – MT	VH	M	+ ⚙️ £ ⚖️
		1.3.1	Develop a works programme, including costs, to target and improve Council homes with lowest energy performance ratings (i.e. those with EPC D rating or lower).	Corporate Head of Housing Services		ST	NQ	U	
		1.3.2	Upgrade or redevelop (where feasible), including through the Decent Homes programme, poorly performing homes to EPC C rating or above by 2030 (cross-reference with Action 4 of Housing Asset Management Plan).	Corporate Head of Housing Services		ST - MT	VH	U	
		1.3.3	Review Runnymede Investment Standard (which goes beyond 'Decent Homes' standard) to incorporate measures to improve energy performance of homes (cross-reference with Action 1 of Housing Asset Management Plan).	Corporate Head of Housing Services		ST – MT	VH	U	
		1.3.4	Review effectiveness of new asset management software system to model energy performance scenarios and improve quality of data (cross-reference with Action 2 of Housing Asset Management Plan).	Corporate Head of Housing Services		ST	NQ	U	



Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		1.3.5	Develop a Council Housing Heating Plan to identify how Council-owned homes will transition away from gas and be heated in the longer term (cross-reference with Action 6 of the Housing Asset Management Plan).	Corporate Head of Housing Services		ST	NQ	U	
		1.3.6	Identify relevant grants (e.g. Green Homes Grant / Social Housing Decarbonisation Fund) to fund energy performance improvement projects.	Climate Change Function & Corporate Head of Housing Services		O	L	U	
1.4	Deliver new Council-owned homes to a high energy performance standard.			Corporate Head of Housing Services	1, 2, 3, B	ST-MT-LT	VH	U	+ £ ⚖️ ⚙️
		1.4.1	Produce a detailed delivery programme to identify sites and costs (including to meet high energy efficiency standards) for around 125 new units by 2026.	Corporate Head of Housing Services		ST	VH	U	
		1.4.2	All new council-led housing schemes to be designed to meet EPC A rating, to include alternative heating sources to gas where feasible.	Corporate Head of Housing Services		ST-MT-LT	VH	U	
1.5	Decarbonise operational estate (non-housing)			Corporate Head of Assets & Regeneration	1, 2	ST-MT	H	U	+ ⚙️ £
		1.5.1	Develop and deliver an Assets Decarbonisation Plan to consider the strategic approach to reducing energy demand and decarbonising the Council's operational estate, such as the Civic Centre, Chertsey Depot and Community	Corporate Head of Assets & Regeneration		ST	H	U	



Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
			Centres, along with a programme for the works.						
		1.5.2	Encourage tenants to review EPC rating certificates for all commercial assets and where possible support tenants with any upgrades to achieve an optimum rating.	Corporate Head of Assets & Regeneration	B	ST	E	U	
		1.5.3	Review and rationalise all power contracts and transition to renewable energy contracts where cost effective to do so, and seeking minimal financial impact to the Council's budget position.	Corporate Head of Assets & Regeneration		O	NQ	U	
		1.5.4	Review and rationalise all energy saving functions (e.g. LED lighting, upgrade electric equipment) as part of periodic review and condition surveys of council assets, including car parks, subject to funding.	Corporate Head of Assets & Regeneration		O	NQ	U	
Partner & Stakeholder Engagement									
1.6	Develop a communications programme to encourage and facilitate the retrofitting of energy efficiency and renewable/low carbon technology schemes in homes and buildings across the borough (cross-reference with Action 8.2).			Climate Change Function and Head of Public Relations & Marketing	B	ST	L	U	+ £ 
		1.6.1	Advance the case for the creation of a Surrey-wide Sustainable Design Awards which would highlight best practice and leading examples of decarbonised buildings, and other innovations in new developments.	Climate Change Function		ST	L	U	


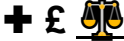
Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		1.6.2	Publicise opportunities associated with improving energy efficiency standards and provide communications to owner-occupied homes.	Climate Change Function and Head of Public Relations & Marketing		ST	L	U	
		1.6.3	Signpost to existing databases of registered local tradespeople and resources that Runnymede residents and organisations can utilise to make homes / businesses more energy efficient.	Climate Change Function and Head of Public Relations & Marketing		ST	L	U	
1.7	Continue to support our partners such as SCC and delivery agents such as Action Surrey to promote funding opportunities and schemes providing grants and advice for residents for energy efficiency home improvements (cross-reference with Action 8.3).			Climate Change Function and Head of Public Relations & Marketing	B	ST / O	L	U	+ £
1.8	Work with housing association partners and other housing providers to share knowledge of approaches to minimise carbon emissions / maximise energy efficiency across all social housing outside Council Estate.			Corporate Head of Housing Services	B	O	L	U	+ £ 
1.9	Explore ways of mapping fuel poor households against poor energy efficient homes to target funding/ energy saving advice / support to households experiencing fuel poverty and			Climate Change Function	B	ST	L	U	+ £ 

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
	for those where improvements could see the biggest benefits.								
1.10	Investigate grant funding programmes and support businesses access any relevant schemes (cross-reference with Actions 6.8 and 8.3).			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	+ £ 
1.11	Provide guidance and support to private rental tenants on taking action to improve energy performance ratings where needed.			Corporate Head of Housing Services	B	O	L	U	+ £ 
		1.11.1	Explore options to work with partners to improve enforcement of Minimum Energy Efficiency Standards to ensure that private rental residents are in properties which have an EPC rating of E and above (or as required by future Regulations) to capture non-compliance.	Corporate Head of Environmental Services		ST / O	L	U	
1.12	Support and guide Neighbourhood Forums to strive to ensure that Neighbourhood Plans reflect the ambition and help deliver a net zero Runnymede by 2050.			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	+ £  

Energy Generation & Storage Actions









Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
Delivering Sustainable Development									
2.1	Review and strengthen climate change planning policies through the preparation of a Local Plan Review: policies which seek to support new stand-alone renewable and low carbon energy development.			Corporate Head of Planning, Economy & Built Environment	B	ST - MT	H	VH	 £
		2.1.1	Identify areas suitable for renewable energy (and energy storage) in the revised Local Plan.	Corporate Head of Planning, Economy & Built Environment		ST - MT	H	VH	
		2.1.2	Identify opportunity areas for decentralised energy networks in the revised Local Plan.	Corporate Head of Planning, Economy & Built Environment		ST - MT	H	U	
Strategy, Policy and Operational Activities									
2.2	Subject to budget, develop an Energy Strategy for the Council's operational estate, exploring options to invest in the development of renewable/low carbon energy and energy storage, subject to costs.			Climate Change Function	1 & 2	ST	L	H	 £
		2.2.1	Undertake a feasibility study of suitable decarbonisation measures and renewable energy technologies for the Council estate.	Climate Change Function		ST	L	L	
		2.2.2	Work with partners to explore feasibility and business case of installing solar panels over Runnymede-owned car parks which can supply the lighting and EV chargers, subject to payback being within five years.	Climate Change Function		ST	L	L	


Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		2.2.3	Consider feasibility and viability of renewable energy options in Independent Retirement Living units to increase renewable energy generation to 100% by 2030.	Corporate Head of Housing Services		ST	L	L	
		2.2.4	Consider feasibility of purchasing batteries to store electricity / energy supplied overnight when it is cheaper; to supply offices/properties during the day or sell back to the National Grid. Considerations to include Vehicle-to-Grid facilities for Council-owned fleet (cross-reference with Actions 3.3 and 7.11).	Climate Change Function		ST	L	L	
		2.2.5	Explore opportunities to source external expertise / partners to deliver actions in the Energy Strategy e.g. private / public joint ventures.	Climate Change Function		ST	L	L	
2.3	When relevant opportunities arise (e.g. comprehensive development / regeneration schemes), explore options to invest in new/expanded low carbon local district heat networks where feasible and financially viable.			Climate Change Function	1, 2, 3, B	O	NQ	U	 £
Stakeholder & Partner Engagement									
2.4	Work with stakeholders such as UK Power Networks' Local Area Energy Planning team to plan for the electricity capacity required to support the Council's decarbonisation plans and ensure Runnymede Council's energy infrastructure is climate			Climate Change Function / Head of Assets & Regeneration	1 & 2	O	L	E	

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
	ready (cross-reference with Action 2.2).								
2.5	Explore opportunities to work with partners to produce a sub-regional Local Area Energy Plan.			Head of External Projects	B	ST	L	U	
		2.5.1	Share information to develop integrated local and joint authority strategic working on energy infrastructure, where opportunities arise.	Head of External Projects		ST	L	U	
2.6	Develop a programme to encourage and facilitate the delivery of community-led renewable energy projects in conjunction with other stakeholders, including not-for-profit organisations.			Climate Change Function	B	ST	L	E	
		2.6.1	Share guidance and provide assistance to Neighbourhood Forums to explore options for Neighbourhood Plans to support renewable / low-carbon energy development (cross reference with Action 1.12).	Corporate Head of Planning, Economy & Built Environment		ST	L	E	







Active & Sustainable Travel Actions

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
Delivering Sustainable Development									
3.1	New and redevelopment to support improvement and expansion of active travel and sustainable transport network through effective implementation of 2030 Local Plan.			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	+ £ ⚙️
		3.1.1	Through the Development Management process, ensure EV charging infrastructure is included in all new developments in line with 2030 Local Plan requirements.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
3.2	Review and strengthen climate change planning policies through the preparation of a Local Plan Review: policies which ensure new and redevelopment proposals incorporate active travel and sustainable transport options.			Corporate Head of Planning, Economy & Built Environment	B	ST - MT	H	U	+ £ ⚙️ ⚖️
		3.2.1	Work with stakeholders such as SCC to strengthen planning policies to reduce car use and improve active and sustainable travel networks in new developments.	Corporate Head of Planning, Economy & Built Environment		ST - MT	L	U	
		3.2.2	Produce evidence to assess the sustainability of proposed site allocations in terms of accessibility to local services and facilities by foot/cycle. Evidence to influence preferred spatial strategy.	Corporate Head of Planning, Economy & Built Environment		ST - MT	M	U	

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		3.2.3	Consider options to require EV charging infrastructure be incorporated into new development in excess of Building Regulations standards.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
Strategy, Policy and Operational Activities									
3.3	Deliver an Electric Vehicle (EV) Strategy for Runnymede to support the transition to electric vehicles. Actions will be identified to help create a supportive policy environment; enable the creation of new EV charging infrastructure; promote EV benefits to a wider audience; and to work with partners to encourage wider take-up (by the Council for its own fleet and by Council employees, as well as private users). Actions will also consider the use of e-bikes. Cross reference with Action 7.12.			Corporate Head of Planning, Economy & Built Environment	1, 2, 3 B	ST	L	L	 
3.4	Work in partnership with SCC in their capacity as Local Highway Authority to reduce emissions from transport, particularly through the RBC/SCC Joint Infrastructure Group.			Corporate Head of Planning, Economy & Built Environment	B tbc	ST	M	L	  
3.5	Review and assess the current and likely future air quality in Runnymede on a yearly basis.				B	O	L	U	  

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		3.5.1	Monitor Air Quality Management Areas and implement identified mitigation measures in the Air Quality Action Plan.	Corporate Head of Environmental Services		O	VH	U	
		3.5.2	Finalise and adopt the Environmental Protection SPD which guides new development on the assessment of air quality and measures to mitigate adverse impacts to comply with 2030 Local Plan policy requirements.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
Stakeholder & Partner Engagement, including with Communities									
3.6	Work in partnership with SCC, through the Joint Infrastructure Group and other fora, to improve cycling, walking and sustainable transport infrastructure.			Corporate Head of Planning, Economy & Built Environment	B	O	VH	VH	
		3.6.1	Continue to work in partnership with SCC on delivery of Phase 1 projects identified in Runnymede's Local Cycling and Walking Infrastructure Plan (LCWIP), currently subject to feasibility design/ development.	Corporate Head of Planning, Economy & Built Environment		ST-MT	VH	U	
		3.6.2	Work with SCC on dedicated LCWIP development for River Thames Scheme active travel plans, to connect into wider LCWIP routes.	Corporate Head of Planning, Economy & Built Environment		ST-MT	L	U	
		3.6.3	Continue to work in partnership with SCC to consult on and implement Tranche 1 Liveable Neighbourhoods (LNs) Programme to improve pedestrian and cycling environment.	Corporate Head of Planning, Economy & Built Environment		ST-MT	H	U	
		3.6.4	Work with SCC to closely monitor impacts of LN pilot schemes to identify	Corporate Head of Planning,		MT	L	U	



Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
			benefits and address any adverse impacts.	Economy & Built Environment					
		3.6.5	Work with SCC to assess and consult on feasibility of further LNs and other measures that achieve similar outcomes – implementing where they are deemed appropriate.	Corporate Head of Planning, Economy & Built Environment		MT	L	U	
		3.6.6	Continue to work in partnership with SCC to deliver the A320 North of Woking project which incorporates an active travel corridor and links to neighbouring areas.	Corporate Head of Planning, Economy & Built Environment		ST – MT	VH	VH	
		3.6.7	Work in partnership with SCC to consult on and implement package of improvement measures (including pedestrian and cycling measures as well as public realm enhancements) for Addlestone Town.	Corporate Head of Planning, Economy & Built Environment		ST	VH	U	
		3.6.8	Lobby for improvements to bus infrastructure in Runnymede as part of SCC's Bus Improvement Plan, including the introduction of zero-emissions buses, and support SCC in implementing the Plan.	Corporate Head of Planning, Economy & Built Environment		ST / O	L	U	
		3.6.9	Support SCC in the implementation of the Surrey Rail Strategy, and work with Network Rail to improve capacity of Runnymede's rail network and accessibility to local stations.	Corporate Head of Planning, Economy & Built Environment		ST / O	VH	U	
		3.6.10	Work with members of the Council's Developer Contributions Advisory Group to ensure active and sustainable travel projects (classified as 'essential infrastructure') are	Corporate Head of Planning, Economy & Built Environment		O	L	U	

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
			considered for Community Infrastructure Levy funding.						
3.7	Engage with Government, Transport for the South East and other relevant bodies to input to regulatory change and lobby for investment in Runnymede and the wider sub-region on active and sustainable transport improvements.			Corporate Head of Planning, Economy & Built Environment	1, 2, 3, B	ST, O	L	E	 
3.8	Work with the Heathrow Strategic Planning Group to influence sustainability of airport plans for recovery and growth, and to identify options to accelerate the pace of decarbonisation in the affected sub-region.			Head of External Projects	B	ST, O	L	E	 
		3.8.1	Represent the Council in the Heathrow Recovery Plan.	Head of External Projects		ST, O	L	E	
		3.8.2	Work with partners to improve surface access to Heathrow Airport – to help achieve a modal shift to public transport.	Head of External Projects		ST, O	L	E	
3.9	Publicise and share information about cycling, walking and sustainable transport initiatives (cross-reference with Action 8.2).			Climate Change Function	B	O	L	E	 
		3.9.1	Promote cycle training for children, families, residents and businesses where opportunities arise.	Climate Change Function		O	L	E	

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		3.9.2	Promote and facilitate walk and/or cycle to school initiatives, and work with local schools to improve the quality of School Travel Plans.	Climate Change Function		O	L	E	
		3.9.3	Work with local colleges and RHUL to identify and promote safe walking/cycle routes.	Climate Change Function		O	L	E	
		3.9.4	Engage with businesses to encourage travel choices that produce less emissions, such as Electric Vehicles and e-Cargo bikes.	Climate Change Function		O	L	E	

Reducing Borough-wide Waste Actions


Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
Delivering Sustainable Development									
4.1	Review and strengthen climate change planning policies through the preparation of a Local Plan Review: policies which aim to reduce waste and promote sustainable use of resources.			Corporate Head of Planning, Economy & Built Environment	B	ST – MT	H	U	+ £ ⚙️ ⚖️
		4.1.1	Explore policy options to require all new development, including any public realm and supporting infrastructure, to incorporate circular economy measures into all aspects of the design, construction and operational process – reported via a Circular Economy Statement.	Corporate Head of Planning, Economy & Built Environment		ST – MT	L	U	
		4.1.2	Consider preparing guidance outlining how to prepare a Circular Economy Statement to accompany planning applications.	Corporate Head of Planning, Economy & Built Environment		MT	L	U	
Strategy, Policy and Operational Activities									
4.2	Implement the Surrey Environmental Partnership 2025 delivery plan for waste prevention, recycling, and emissions reduction.			Corporate Head of Environmental Services	B	O	NQ	U	+ £ ⚙️ ⚖️
4.3	Investigate opportunities to enhance and expand the recycling of trade and commercial waste.			Corporate Head of Environmental Services	B	ST	NQ	U	⚙️ ⚖️
4.4	Improve waste recycling facilities at Council-owned housing.			Corporate Head of Housing Services	B	ST	NQ	U	⚙️


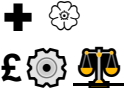
Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		4.4.1	Increase number of food waste bins used by Council house tenants.	Corporate Head of Housing Services		O	NQ	U	
		4.4.2	Invest in 'refuse areas' at Council-owned housing blocks to promote recycling, and reduce the amount of waste going to landfill.	Corporate Head of Housing Services		ST	NQ	U	
4.5	Ensure Council's operational non-residential buildings and facilities have full recycling services, including food waste, with clear communications in place to ensure they are well used.			Corporate Head of Assets & Regeneration	B	ST	NQ	U	£ 
Stakeholder & Partner Engagement									
4.6	Engage and collaborate with partners to facilitate behaviour change in Runnymede's local communities, adopting more sustainable and resilient waste practices (cross-reference with Action 8.2).			Climate Change Function	B	O	L	U	£ 
		4.6.1	Work with residents and local voluntary groups to build a recycling, repair and reuse culture through targeted communications, supporting local events, and considering whether vacant Council-owned shop units can be provided to community groups for zero-waste/repair initiatives.	Climate Change Function		O	L	U	
		4.6.2	Work with local community groups to support event organisers in reducing and recycling waste generated by local events (such as sport events and fairs).	Climate Change Function		O	L	U	

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		4.6.3	Publicly share and advertise best practice case studies in waste management, waste behaviours and application of circular economy principles and measures within Runnymede. Develop and publicise an inventory of businesses, voluntary groups, and shops within Runnymede that implement best practice circular economy or waste hierarchy principles e.g. repair shops / charity shops.	Climate Change Function		O	L	U	
		4.6.4	Share information about new schemes such as 'Rethink Waste', which incentivise Surrey residents to reduce their waste.	Climate Change Function		O	L	U	
		4.6.5	Continue to support and increase regular community-led litter picks across Runnymede.	Climate Change Function		O	L	U	
		4.6.6	Work with residents and the community to encourage and promote home and community composting.	Climate Change Function		O	L	U	
		4.6.7	Better communicate the ongoing education campaigns in Runnymede's schools, colleges and university in relation to waste management and circular economy principles.	Climate Change Function		O	L	U	

Natural Environment & Biodiversity Actions

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
Delivering Sustainable Development									
5.1	Review and strengthen climate change planning policies through the preparation of a Local Plan Review: policies which enhance green infrastructure; bring about net gains in biodiversity; manage flood risk; improve water efficiency.			Corporate Head of Planning, Economy & Built Environment	B	ST – MT	H	U	 + 🌸 £ ⚙️ ⚖️
		5.1.1	Consider Climate Change Study recommendations to strengthen climate change adaptation policy requirements, including for Sustainable Drainage Systems to ensure surface water runoff is being restricted to rates as close to the greenfield runoff rate as possible.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		5.1.2	Investigate policy options which will optimise water efficiency of non-residential development.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		5.1.3	Investigate policy options which will provide food growing opportunities through new development.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
Strategy, Policy and Operational Activities									
5.2	Develop and implement a Green and Blue Infrastructure (GBI) Strategy to identify opportunities and projects to enhance GBI across the borough.			Corporate Head of Planning, Economy & Built Environment	B	ST	L	U	 + 🌸 ⚙️ ⚖️



Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		5.2.1	Audit of existing GBI assets to understand deficiencies in the network and opportunities for strengthening provision and connectivity.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		5.2.2	Early engagement with stakeholders to identify potential projects followed by public consultation on the draft GBI strategy in late 2023.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		5.2.3	Consider availability of Council-owned land to act as a habitat bank which can contribute to carbon sequestration.	Corporate Head of Planning, Economy & Built Environment		ST	NQ	U	
		5.2.4	Explore opportunities through development of the strategy to increase tree cover on council-owned land and on streets and other opportunities for urban greening.	Corporate Head of Planning, Economy & Built Environment		ST	NQ	U	
		5.2.5	Explore with SCC opportunities to improve/enhance green active travel routes for cyclists/pedestrians (cross-reference with Actions 5.5.1 and 3.9).	Corporate Head of Planning, Economy & Built Environment		ST	VH	U	
5.3	Following its adoption in October 2022, implement the Council's sustainable planting policy to enhance the borough's natural environment.			Corporate Head of Environmental Services	B	O	TBC	U	
		5.3.1	Continue work to trial areas for naturalisation and to maximise use of perennial native and drought-tolerant species.	Corporate Head of Environmental Services		O	NQ	U	
		5.3.2	Continue to plant new hedges and trees using the Local Authority Treescapes Fund and other available funding.	Corporate Head of Environmental Services		O	NQ	U	





Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		5.3.3	Encourage and support local community engagement including residents' groups and local businesses who wish to participate in community planting initiatives, applying sustainable planting principles.	Corporate Head of Environmental Services		O	L	U	
		5.3.4	Explore advantages and disadvantages of introducing 'No Mow May' and whether suitable areas exist within Council control.	Corporate Head of Environmental Services		O	L	U	
5.4	Identify and bid for relevant government grants for environmental improvement projects.			Corporate Head of Environmental Services	B	O	L	U	
		5.4.1	Work with SCC to prepare and submit bid for Local Authority Treescapes Fund to restore tree cover in non-woodland areas.	Corporate Head of Environmental Services		O	NQ	U	
Stakeholder & Partner Engagement									
5.5	Continue to coordinate with the Environment Agency, SCC and other local authorities on the River Thames Scheme, to deliver multiple benefits including flood alleviation, biodiversity net gains, carbon sequestration, and active travel infrastructure improvements.			Head of External Projects.	B	ST, O	VH	E	
		5.5.1	Identify opportunities to improve access to green open spaces and for sustainable green travel corridors (see Actions 3.9 and 5.3.5).	Head of External Projects.		ST, O	NQ	E	
		5.5.2	Explore options to deliver Suitable Alternative Natural Greenspace as part of the RTS.	Head of External Projects.		ST, O	NQ	E	




Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
5.6	As part of Innovate UK's Net Zero Living project (if Phase Two funding bid is successful), identify suitable carbon sequestration projects in the sub-region, including in Runnymede, which could attract decarbonisation funding (insets/offsets ³).			Head of External Projects	B tbc	ST – MT	NQ	U	+ 🌱 £ ⚙️
5.7	Work with local community groups and not-for-profit organisations to encourage local food production e.g. via allotments and community farms.			Climate Change Function	B	ST / O	L	U	+ 🌱 £ ⚖️
		5.7.1	Work with local communities to identify available land that can be used for local food production.	Climate Change Function and Corporate Head of Planning, Economy & Built Environment		ST / O	L	U	


³ Refer to 'Terminology used in this document' for definitions.

Green Economy Actions



Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
Delivering Sustainable Development									
6.1	Review and strengthen planning policies through the Local Plan Review, to ensure requirements help achieve a green, net-zero economy.			Corporate Head of Planning, Economy & Built Environment	B	ST – MT	H	U	£  
		6.1.1	Consider scope to introduce policies which support greater digital connectivity, but which address adverse impacts such as carbon-intensive data centre development.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
		6.1.2	Review policies which seek to deliver highly sustainable non-residential development such as offices and retail floorspace.	Corporate Head of Planning, Economy & Built Environment		ST	L	U	
6.2	Work with partners to support the construction sector move to a circular economy and reduce emissions through sustainable practices.			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	
		6.2.1	Share information and advice with local SME house builders on best practice in sustainable construction and identifying opportunities available to upskill the labour force (in green skills).	Corporate Head of Planning, Economy & Built Environment		O	L	U	
		6.2.2	Work with Building Control team to raise awareness of planning policy standards on sustainable design and construction, and how these relate to Building Regulations.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
Strategy, Policy and Operational Activities									


Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
6.3	Through the newly established Runnymede Business Growth and Innovation Service, provide advice, coaching and mentoring to help businesses become more sustainable, and help businesses which work in the green sector to grow.			Corporate Head of Planning, Economy & Built Environment	B	ST	M	U	£
Stakeholder & Partner Engagement									
6.4	Cross-reference with Action 3.9 under Active Travel & Sustainable Transport theme – work with partners such as SCC to improve the borough's sustainable and active transport infrastructure to facilitate green growth.			Corporate Head of Planning, Economy & Built Environment	B	O	VH	U	+ £   
6.5	Work with partners such as the Chambers of Commerce and Business Runnymede to encourage behaviour change across small-medium sized enterprises (SMEs), including through appropriate communications (cross-reference with Action 8.2).			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	£ 
		6.5.1	Signpost and support SMEs access funds, tools and expertise for reducing carbon emissions, including related legal and tax advice.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
		6.5.2	Support businesses to reduce their emissions from travel e.g. by replacing fossil fuel vehicles with e-vans or e-Cargo bikes (cross-reference with Action 3.3).	Corporate Head of Planning, Economy & Built Environment		O	L	U	




Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		6.5.3	Identify, promote and potentially deliver training and employability support programmes, which will focus on green skills.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
		6.5.4	Support local businesses to diversify and localise the supply chain to reduce carbon emissions in operations.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
		6.5.5	Work with local companies and organisations to identify and share best practice in key sectors such as waste management, energy efficiency, EV investment, and innovation in green economy, highlighting the co-benefits of taking action.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
6.6	With partners, plan and deliver Business Runnymede and other networking events which showcase best practice and share information about addressing barriers to taking action.			Corporate Head of Planning, Economy & Built Environment	B	ST / O	L	U	£ 
6.7	Encourage large employees to install EV charging facilities for staff (cross-reference with Action 3.3).			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	
		6.7.1	Promote and provide assistance with accessing grants, such as Workplace Charging Grant from the Office for Zero Emission Vehicles, to improve charging infrastructure at the workplace.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
6.8	Encourage and assist local businesses and landlords to improve the energy performance of their premises.			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	£ 



Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		6.8.1	Promote and provide assistance with accessing local grants available from central government or from other initiatives (cross-reference with Actions 1.10 and 1.11).	Corporate Head of Planning, Economy & Built Environment		O	L	U	
		6.8.2	Encourage the development of central government initiatives to support SMEs to retrofit their premises.	Corporate Head of Planning, Economy & Built Environment		O	L	U	
6.9	Engage with Surrey County Council, local businesses and other relevant bodies to support climate change innovation and action.			Corporate Head of Planning, Economy & Built Environment	B	O	L	U	£ 
		6.9.1	Share information and provide assistance to local businesses and industry to raise awareness of the benefits of adoption of 5G and digital solutions to help reduce overall energy consumption across the local economy.	Corporate Head of Planning, Economy & Built Environment		O	L	U	



Sustainable Council – Additional Actions


Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
Climate Change Governance, Project Coordination and Monitoring									
7.1	Monitor progress with Climate Change Action Plan delivery and its ongoing development, reporting to new member Climate Change Working Party.			Climate Change Function	1, 2, 3, B	O	L	L	
		7.1.1	Adopt and monitor Annual Delivery Plans which will set out priority climate change actions.	Climate Change Function		O	L	L	
		7.1.2	Measure, demonstrate and report progress towards 2030 net zero target against Runnymede Standard Carbon Baseline at agreed intervals.	Climate Change Function		O	L	L	
		7.1.3	Improve and streamline the Council's carbon emissions and energy monitoring, measuring and reporting methodologies, in accordance with recommendations made in the Climate Change Study (which may include ongoing officer training).	Climate Change Function		O	L	L	
		7.1.4	Explore benefits of appointing Climate Change & Nature Champions across the Council (Councillors and employees) to help drive delivery of climate change actions throughout members' communities.	Climate Change Function		ST	L	L	
7.2	Seek funding opportunities which support emissions reductions from Council operations and across Runnymede and support the			Climate Change Function & Chief Executive's Office	1, 2, 3, B	O	L	U	 £




Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
	delivery of actions within the Climate Change Action Plan.								
		7.2.1	Share relevant project information with the Bid Writer and Grants Officer to investigate potential funding streams.	Climate Change Function & Chief Executive's Office		O	L	U	
		7.2.2	Develop list of available and planned funding for climate change projects and list the criteria for a successful bid.	Climate Change Function & Chief Executive's Office		O	L	U	
		7.2.3	Explore opportunities for securing joint funding opportunities with SCC / other boroughs / wider partners.	Climate Change Function & Chief Executive's Office		O	L	U	
7.3	Continue to identify climate change training needs for staff, Councillors and other stakeholders to improve understanding of impact of decisions on carbon emissions.			Climate Change Function (working with Democratic Services & HR)	1, 2, 3, B	O	L	L	
		7.3.1	Continue to offer Carbon Literacy Training to newly elected Councillors and new senior officers of the Council subject to the availability of further funding.	Climate Change Function & Corporate Head of HR & Organisational Development		O	L	U	
		7.3.2	Discuss training needs of all staff across the organisation and devise a wider programme to roll out relevant climate change training as appropriate.	Climate Change Function & Corporate Head of HR & Organisational Development		ST	L	U	
		7.3.3	Ensure carbon emissions considerations are incorporated into Project Management training modules, and other training courses as appropriate.	Climate Change Function & Head of Business Planning, Projects & Performance		ST	L	U	
Strategy, Policy & Operational Activities									

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
7.4	Through the newly adopted Procurement Strategy and Policies, ensure the local authority supply chain is minimising carbon emissions.			Head of Business Planning, Projects & Performance	3	O	L	U	£ 
		7.4.1	Continue to monitor implementation of Sustainable Procurement Policy to determine if environmental factors are being successfully considered as part of any tender exercise as appropriate.	Head of Business Planning, Projects & Performance		O	L	U	
		7.4.2	Run briefing sessions for staff on the new Procurement Strategy 2023-2026 and its supporting policies as required.	Head of Business Planning, Projects & Performance		ST / O	L	U	
		7.4.3	Provide support to all departments when they look to secure works, services and goods to ensure relevant environmental criteria are being assessed effectively as part of tender evaluation.	Head of Business Planning, Projects & Performance		O	L	U	
7.5	Support, monitor and revise as appropriate project management procedures which seek to minimise carbon emissions.			Head of Business Planning, Projects & Performance	1, 2, 3	ST	L	U	
		7.5.1	Continue to develop project and activity reporting to provide overview of progress of climate change activity as part of overall performance of the Council at agreed intervals.	Head of Business Planning, Projects & Performance		ST	L	U	
7.6	Explore RBC controlled waste streams to identify opportunities for further waste reduction by applying the waste hierarchy.			Climate Change Function	tbc	ST	L	U	£ 




Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		7.6.1	Explore options to separate and recycle waste more effectively.	Climate Change Function		ST	L	U	
		7.6.2	Identify where further training is necessary to upskill Council staff and Councillors on circular economy principles and measures, and how these can be applied in the Council's operations across appropriate service areas (cross-reference with Action 7.3).	Climate Change Function		ST	L	U	
7.7	Review waste associated with Meals on Wheels and Day Centres meal services, and sustainability of meals served.			Corporate Head of Community Services	tbc	ST	L	U	£ 
		7.7.1	Introduce recycling of foil packaging on meals and those served at day centres.	Corporate Head of Community Services		ST	NQ	U	
		7.7.2	Consider the sourcing and ingredients of meals and challenge providers to meet environmental objectives.	Corporate Head of Community Services		ST	NQ	U	
7.8	Reduce the Council's paper waste by offering papers and notifications electronically.				1, 2, 3	ST – MT	NQ	U	£ 
		7.8.1	Through a rolling digital transformation programme, enable increased access to online services to reduce printing.	Corporate Head of Customer, Digital and Collection Services		O	NQ	U	
		7.8.2	Explore further efficiencies to reduce the need to print and post multiple notifications for residents through the hybrid mail project.	Corporate Head of Customer, Digital and Collection Services		ST	NQ	U	
		7.8.3	Feasibility study into the implementation of a new financial management system to reduce the need to produce paper documentation (in Capital Programme for replacement by April 2026).	Corporate Head of Finance		ST	Tbc	U	


Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		7.8.4	Resolve any concerns on the part of Councillors regarding use of the Mod Gov and pure electronic systems to encourage paperless systems to be used where appropriate.	Corporate Head of Law & Governance		O	L	U	
		7.8.5	Identify and resolve any barriers to use of OneAccount where customers can access online services and switch to paperless billing and notifications.	Corporate Head of Customer, Digital and Collection Services		O	L	U	
		7.8.6	Make enhancements to the Council's OneAccount to make more services available to Council tenants online.	Corporate Head of Customer, Digital and Collection Services					
		7.8.7	Upgrade pay and display parking machines in the Council's car parks to transition to ANPR technology and contactless systems, to move away from printed tickets. Explore use of renewable technologies to power the new machinery, where financially feasible to do so.	Corporate Head of Customer, Digital and Collection Services		ST – MT	NQ	U	
		7.8.8	Identify and resolve accessibility issues through Equality Impact Assessment.	Corporate Head of Customer, Digital and Collection Services		ST – MT	L	U	
7.9	Review the success of the IT disposal contract on an annual basis, assessing degree to which IT hardware has been reused and recycled and making improvements as required.			Corporate Head of Customer, Digital and Collection Services	3	O	NQ	U	£ 
7.10	Improve the Council's waste and recycling software to optimise efficiency of waste collection rounds.			Corporate Head of Customer, Digital and Collection Services	1, 2	ST	NQ	U	£ 

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
7.11	Develop and deliver a combined service area Sustainable Fleet Strategy, including feasibility of introducing Hydrotreated Vegetable Oil (HVO), use of EVs and associated infrastructure (cross-reference with Action 3.3).			Corporate Heads of Community Services; Environmental Services; Assets & Regeneration/ Digital Services/ Housing	1	ST	NQ	U	£ 
		7.11.1	Transition fleet and ground maintenance equipment at the Chertsey Depot onto HVO, where feasible. At the end of their life, explore replacing vehicles with greener alternatives.	Corporate Head of Environmental Services		O	NQ	U	
7.12	Develop an Active Travel Plan/Strategy to facilitate staff adopting active travel and sustainable transport options to commute to work.			Corporate Head of HR & Organisational Development	3	ST	NQ	U	
		7.12.1	Establish a cross-service area Green HR Officer Working Party to develop the strategy.	Corporate Head of HR & Organisational Development		ST	NQ	U	
		7.12.2	Use results of the Climate Change Study staff travel survey to understand barriers towards a shift to more sustainable modes of transport.	Corporate Head of HR & Organisational Development		ST	NQ	U	
		7.12.3	Implement electric vehicle technology within RBC for employees in line with the Council's emerging EV Strategy (cross-reference with Action 3.3).	Corporate Head of HR & Organisational Development		ST – MT	NQ	U	
		7.12.4	Prepare a Green Travel Policy aimed at employees.	Corporate Head of HR & Organisational Development		ST	NQ	U	

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		7.12.5	Set up a season ticket loan scheme for those who commute to work by train.	Corporate Head of HR & Organisational Development		ST	NQ	U	
Partner & Stakeholder Engagement									
7.13	Continue to engage with SCC and other Surrey authorities on joint carbon reduction opportunities.			Climate Change Function	1, 2, 3, B	O	L	U	
		7.13.1	Continue to support delivery of SCC Greener Futures Climate Change Delivery Plan.	Climate Change Function		O	L	U	
		7.13.2	Regularly attend Greener Futures Partnership Steering Group meetings.	Climate Change Function		O	L	U	
7.14	Work with partners to put the case forward to central government, trade sectors, and other relevant bodies to gain the resources and powers necessary to meet local and national net zero targets.			Climate Change Function and other Service Areas as appropriate	1, 2, 3, B	O	L	E	
7.15	Review the criteria in the Council's Community Grants programme to ensure that they can be awarded towards climate change initiatives/groups.			Head of Community Services	B	ST	L	L	

Supporting our Communities Actions

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
Stakeholder & Partner Engagement									
8.1	Work with the Runnymede Citizen's Panel (once it is set up) to engage with residents about climate change issues and seek feedback on the Council's initiatives.			Climate Change Function and Head of Public Relations & Marketing	1, 2, 3, B	ST, OST	L	L	
8.2	Work with our partners and communities to encourage positive behavioural changes, supported by annual communications plans, which coordinates priorities and campaigns.			Climate Change Function and Head of Public Relations & Marketing	B	ST, O	NQ	U	
		8.2.1	Undertake borough-wide communications campaigns to strongly promote and support local, county-wide, regional and national schemes that help communities overcome barriers to change as appropriate.	Climate Change Function and Head of Public Relations & Marketing		ST, O	NQ	U	
		8.2.2	Participate in external events throughout the year such as the Great Big Green Week.	Climate Change Function.		O	L	U	
8.3	Identify and provide assistance in accessing funding opportunities and schemes which support community-led climate change projects.			Climate Change Function and Head of Public Relations & Marketing	B	ST, O	L	U	
		8.3.1	Work with SCC to promote solar panel installations on domestic properties and SMEs through the Solar Together programme or similar replacement initiatives.	Climate Change Function and Head of Public Relations & Marketing		ST, O	L	U	

Action ID	Action	Sub-Action ID	Sub Actions	Action Lead Owner(s)	GHG Scope	Timescales	Indicative Costs	Carbon Impact	Co-benefits
		8.3.2	Run campaigns to ensure that households are signposted to opportunities available for funding sources and promoting good behaviour practices to achieve an efficient home with low running costs.	Climate Change Function and Head of Public Relations & Marketing		ST, O	L	U	
8.4	Consider how the Council can provide support in establishing community-led 'climate change hubs', in partnership with local community groups.			Climate Change Function	B	ST	NQ	U	

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Runnymede Climate Change Study: Council Estate and Area GHG Baseline

Stage 1

Runnymede Borough Council

August 2023



Title	Runnymede Climate Change Study: Council Estate and Area GHG Baseline
Customer	Runnymede Borough Council
Recipient	Sarah Hides
Report Reference	3037
Report Status	Final
Revisions	V1
File	Y:\Projects\3037-Runnymede Climate Change Study\2_Deliverables\Y:\Projects\3037-Runnymede Climate Change Study\1_Working\Reporting\Stage 1\Aether_RunnymedeStage1BaselineReport_Final_v1.docx

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1 Introduction

In response to rising global temperatures due to greenhouse gases (GHG) emissions the Intergovernmental Panel on Climate Change (IPCC) released the *Special Report on Global Warming of 1.5°C*¹. In this, it is made clear that ensuring global temperatures stay well-below 2°C pre-industrial levels is crucial to reduce large risks to human and natural systems, and efforts should be made to pursue warming of only 1.5°C to prevent the largest risks. Following this, global accords such as the Paris Agreement were signed, and national goals such as those outlined by the Climate Change Committee were made. The UK, as outlined by the Committee on Climate Change (2019), has set an ambition to “vigorously pursue an ambitious target to reduce greenhouse gas emissions (GHGs) to ‘net-zero’ by 2050” across the whole economy.

It is widely recognised that achieving the UK target will require cross-government cooperation. Local authorities are well placed to influence emissions in buildings, transport, and waste whilst holding the best knowledge of the needs and opportunities of their area. Local authorities can also drive emissions reductions in their areas through their role as community leaders and major employers, as well as their regulatory and planning capacities. Through their planning role, local authorities can leverage change by enabling sustainable development and placemaking, establishing building energy efficiency standards, implementing sustainable travel programmes and infrastructure, approving renewable energy projects, pursuing district heating programmes and implementing sustainable waste management programmes. Therefore, local action to reduce carbon emissions is vital for the UK to meet its international commitments to reduce our impact on global warming.

In January 2022, Runnymede Borough Council committed to tackling climate change and adopted a target to achieve operational ‘Net Zero Carbon’ emissions from its services and operations by 2030.

Runnymede’s 2030 climate vision

The council intends that all its operations will be Carbon Net Zero by 2030.

- To work with our communities and businesses to create a sustainable living environment where people can meet the needs of the present without compromising the ability of future generations to meet their own needs (United Nations Brundtland Commission, 1987).
- To support the international climate change response to limit global warming to a 1.5 degrees centigrade temperature increase while simultaneously delivering a prosperous, caring, healthier borough where people are valued and cared for and where strong communities pull together.
- To support and encourage the private sector and green technology innovation within the Borough and incorporate it into our strategy wherever possible.

¹ <https://www.ipcc.ch/2018/10/08/summary-for-policymakers-of-ipcc-special-report-on-global-warming-of-1-5c-approved-by-governments/>

In making these commitments, Runnymede Borough Council acknowledged that reaching net zero will involve fundamental changes across the UK economy and that against this backdrop Runnymede Borough's influence individually, will be limited. However jointly, with other councils and organisations across the public and private sectors, notable impacts will be achievable.

Runnymede Borough Council published the Climate Change Strategy² in 2022 which presents the council's roadmap to reducing its carbon emissions in line with the Government's Net Zero targets. The strategy contains examples of actions already taken by the council in response to climate change and committed actions moving forwards which includes supporting communities, establishing a citizens panel and supporting schemes which promote localised services. A comprehensive list of the actions proposed by the council to meet its Net Zero commitments will be contained in the Council's Climate Change Action Plan which was under production at the time of writing this report. The Climate Change Strategy highlighted the need to establish a greenhouse gas (GHG) baseline on which progress towards the target can be monitored. Importantly, RBC outlined that the Runnymede Standard Carbon Baseline (RSCB) developed should be future proofed against emerging guidance on compiling baseline emissions at a local authority level by adhering to the principles of consistency and transparency. In practice this means that the baseline can be adapted against emerging guidance to ensure consistency in the method that RBC uses to monitor progress in implanting the climate change strategy.

Aether, Land Use Consultants (LUC) and Centre for Sustainable Energy (CSE) were commissioned by Runnymede Borough Council to complete a body of work to establish an evidence base, to be completed in two stages. This report presents a summary of the outcome of the first stage of work led by Aether, which focused on developing a baseline emission estimate for the council estate and the borough (**Section 44** and **Section 55**, respectively). This report also presents recommendations on how the baseline can support monitoring against the climate change strategy and establishing governance structure for effective monitoring (**Section 66**).

² <https://www.runnymede.gov.uk/downloads/file/1533/climate-change-strategy>

2 Scope of the emissions baseline

An important first step in the establishment of any emissions baseline is defining the scope of emission sources to cover. In the case of the area wide baseline, this is well defined, however for the council estate, careful consideration is required to ensure that emission accounting aligns with the council’s ability to influence emissions.

Scopes are defined by the Greenhouse Gas Protocol for GHG accounting, as outlined in the table on the next page. Dividing emission sources into scopes is a useful way of breaking down the decision-making process as to what should be included within an organisational or city scale emissions inventory. Generally, all carbon accounts include scope 1 and 2 emissions, whereas scope 3 sources might be excluded or only partially included, depending on both the availability of data and the usefulness of its collection. It should be noted that one organisation’s scope 3 emissions are another organisation’s scope 1 or 2.

The emissions accounted for in the ‘borough wide’ baseline and the ‘council estate’ baseline are not discrete. For example, emissions included for ‘commuting’ in the council estate baseline will be partially included in transport emissions at the borough level.

2.1 Borough wide scope considerations

The baseline compiled for Runnymede area wide is a 'territorial-based emission inventory'. This type of emissions accounting is conventionally used for national carbon accounting, such as the UK’s national inventory. It is geographically bounded, so limited to emission sources within specific boundaries. This inventory follows a sector-based approach, splitting emissions by the activity that caused them e.g. emissions from agriculture, transport, electricity generation etc.

2.1.1 Geographical boundaries and time range

The geographical, operational and time-related scopes of the targets are outlined below:

- The geographical boundary is the areas covered by the administrative areas of Runnymede Borough Council
- The baseline for data is the 2019 calendar year. Calendar year is used as this matches the timeframe of the activity data used as input to the emission calculation.
- The unit of measurement is CO₂e

2.1.2 Operational Boundary

An operational boundary defines the emission sources that are included in the reporting. Emission sources are divided into three scopes (see **Table 1** on the next page). Setting a clear operational boundary defines which emission sources are included in the reporting and which ones are excluded.

The most widely used set of standards for carbon accounting are those produced under the Greenhouse Gas Protocol. Of particular relevance to this project is the Global Protocol for Community-Scale Greenhouse Gas Emission Inventories, otherwise known as the [GHG Protocol for Cities](#). This standard describes the emission sources by “scopes” which should be considered as part of a city-wide carbon accounting process; the

definitions of the three scopes are shown in Table 1 below. The diagram (**Figure 1**) shows the activities that are included in the Runnymede borough baseline.

Table 1 City carbon accounting scope definitions from the GHG Protocol for Cities

Scope	Definition	Sources to consider
1	GHG emissions from sources located within the borough	<ul style="list-style-type: none"> Fuel combustion (for energy and transportation) within the borough boundary Fugitive emissions from fossil fuels extraction and processing Solid waste disposal (in boundary) Biological treatment of waste (in boundary) Incineration and open burning of waste (in boundary) Wastewater treatment (in boundary) Industrial processes occurring within the boundary Product use occurring within the borough boundary Livestock emission sources Land use emission sources Aggregate sources and non-CO₂ emission sources on land (e.g., fertilizer application and rice cultivation)
2	GHG emissions occurring as a consequence of the use of grid-supplied electricity, heat, steam and/or cooling within the borough boundary	<ul style="list-style-type: none"> Consumption of grid-supplied energy consumed within the borough boundary (energy and transportation)
3	Other GHG emissions that occur outside the borough boundary as a result of activities taking place within the borough boundary	<ul style="list-style-type: none"> Transmission and distribution losses from grid-supplied electricity Well-to-tank emissions for stationary fuels, transportation fuels and electricity generation Emissions from transboundary transportation Solid waste disposal of waste transported out of boundary Biological treatment of waste transported out of boundary Incineration and open burning of waste transported out of boundary Wastewater transported out of boundary to be treated

There are various reasons why some emissions are excluded from the scope of the area-wide baseline:

Limited data availability at borough scale:

- **Off-road machinery:** Data on fuel consumption is not available. Given the transient nature of e.g. construction equipment, the impact of actions taken at a borough level are unlikely to be completely captured. Nevertheless, this should not discount consideration of construction in the borough’s climate action plans.
- **Household and commercial/industrial wastewater treatment:** Data held by Thames Water are not currently accessible and, in any case, identifying data specific to Runnymede may not be possible. Emissions could be estimated – albeit with a high degree of uncertainty. This could be considered under the

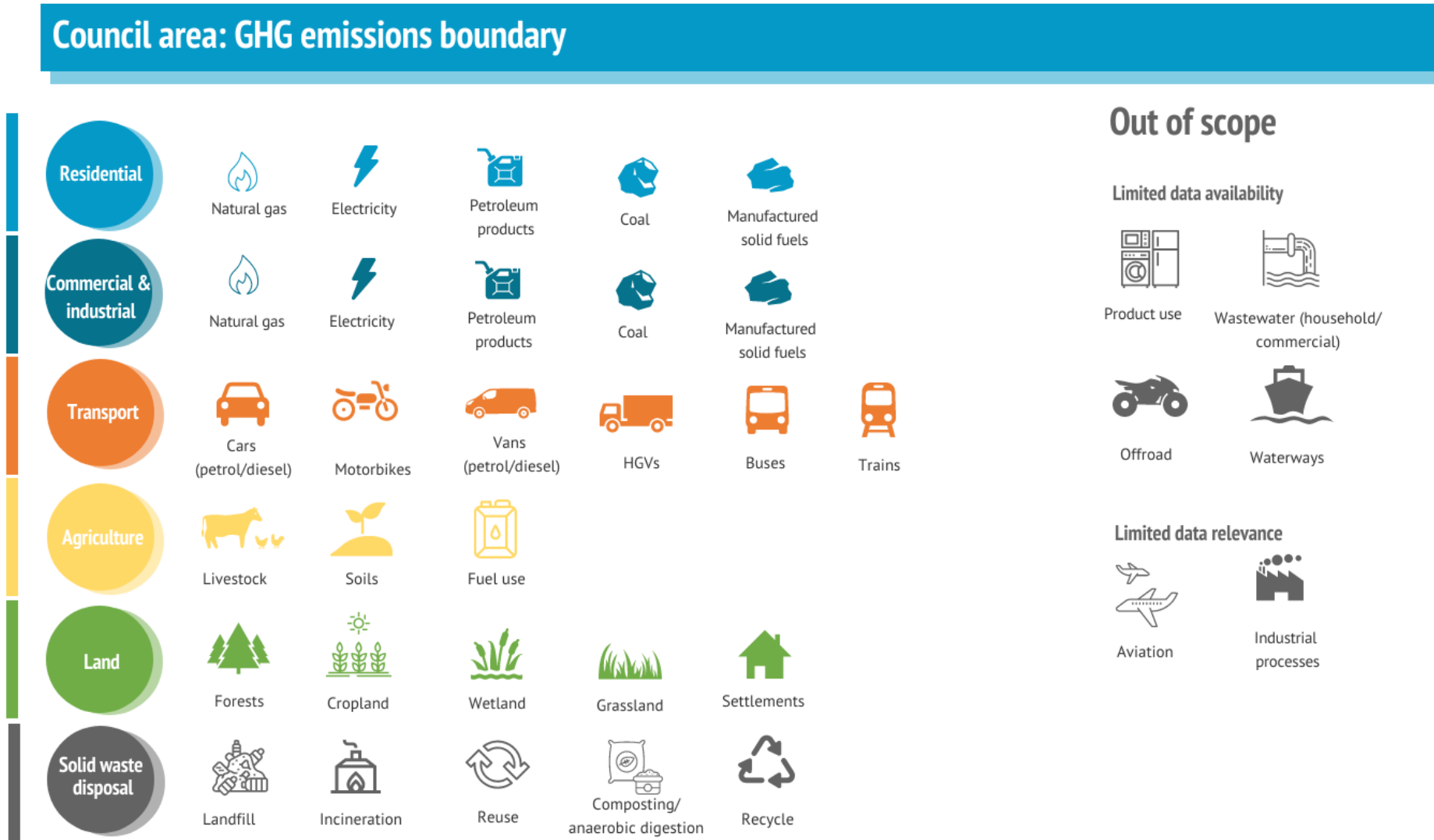
climate action plans and included within the modelling at a later date. Emissions from wastewater treatment are relatively small.

- **Waterways:** While there are emissions from river traffic within the borough boundary, apportioning them to Runnymede is highly uncertain and would not account for changes at a borough level.
- **Product Use:** data are scarce and uncertain. Emissions of concern in this sector are fluorocarbons used in electronics production and lubricants/paraffin waxes for non-energy products, neither of which are considered a significant source in Runnymede.

Limited relevance to borough emissions:

- **Aviation:** this is not a relevant source for inclusion in the baseline emissions as there is no airport within the council boundary. However, Runnymede Borough Council is committed to working jointly with partners such as the Heathrow Strategic Planning Group to address emissions associated with travel to London Heathrow Airport.
- **Industrial processes:** Energy consumption at industrial sites is contained within the BEIS energy data although other process emissions are not. It is likely that obtaining additional data would require significant time and effort for minimal return as there is not a significant industrial manufacturing sector within Runnymede. Additionally, Runnymede Borough Council has limited ability to alter these emissions.

Figure 1: Scope diagram for the borough wide emissions baseline



2.2 Council Estate scope considerations

2.2.1 Time range

The time-related scopes of the targets are outlined below:

- The baseline for data is the 2019/20 financial year. Financial years are used for reporting for the estate baseline as this matches the format of most input activity data.
- Emissions have also been compiled for subsequent years: 2020/21 and 2021/22.

2.2.2 Operational Boundary

An operational boundary defines the emission sources that are included in the reporting. Emission sources are divided into three scopes, see **Table 2** below. **Figure 2** later in this section presents more detail on the activities been identified within these three scopes that are included in the council baseline. Setting a clear operational boundary defines which emission sources are included in the reporting and which ones are excluded.

Runnymede is committed to considering the full scope of emissions occurring within the operational boundary within the limits of the organisational boundary, as outlined in the next section.

Table 2 Scope definitions for the Council estate baseline

Scope	Definition
Scope 1	GHG emissions from sources owned or controlled by the council.
Scope 2	GHG emissions from the consumption of purchased electricity, steam or other sources of grid-generated energy. Includes electricity supply to the council's operational buildings.
Scope 3	GHG emissions that occur indirectly from council activities, outside the control of the council (e.g. the council's procured services and investments).

2.2.3 Organisational Boundary

An organisational boundary defines which parts of an organisation are included for the purpose of GHG reporting. The following definitions are given in the GHG Protocol corporate reporting guidance.

Financial control boundary

Your organisation reports on all sources of environmental impact over which it has financial control. Your organisation has financial control over an operation if your organisation has the ability to direct the financial and operating policies of the operation with a view to gaining economic benefits from its activities.

Operational control boundary

Your organisation reports on all sources of environmental impact over which it has operational control. Your organisation has operational control over an operation if your organisation or one of its subsidiaries has the full authority to introduce and implement its operating policies at the operation.

Equity share boundary

Your organisation accounts for GHG emissions from operations according to its share of equity in the operation

Considering the implications of each organisational boundary, Runnymede Borough Council opted to develop the emissions baseline for the council estate using an **operational control boundary** for the following reasons:

- It presented the most pragmatic approach to defining the council estate emissions baseline as it allows the council to focus on what is in our direct control and what we are most able to influence and change.
- This approach most closely fits the aim of the climate change target adopted by the council in January 2022 ‘to achieve operational ‘Net Zero Carbon’ emissions from its services and operations by 2030’.
- An operational control boundary accounting approach is used by Surrey County Council to whom we regularly report our CO₂e emissions.
- The emissions estimates previously reported to BEIS sit within this approach.

It is important to note that the organisational boundary agreed is for reporting purposes only and does not preclude the council from working to reduce emissions in areas of its influence not included or reported on within the chosen boundary. This also applies to areas where data to show progress is hard to come by.

It is also noteworthy that if the approach to defining the organisational boundary should need to change in the future for any reason not yet foreseen, this would be possible due to the transparent accounting process used to create the baseline. As such information per source of emission could be disaggregated and moved between scopes to align with a different approach to defining the council’s organisational boundary, if this became necessary.

Consideration to how the organisational approach impacts emission allocations within specific emission sources is presented below:

Leased Assets

Leased assets may be included in a local authority’s Scope 1 or Scope 2 inventory depending on the type of lease and the consolidation approach the local authority uses

to define its organisational boundaries (the financial/operational control approach or the equity share approach). Emissions from leased assets that the council maintain operational control over are allocated to Scope 1 and 2 of the council estate. However, in line with reporting at Surrey County level, an operational approach has been chosen which means that when the council lease a building to another user on a full repairing and insuring (FRI) lease, the emissions associated with the operation of that building are allocated to Scope 3. This is because the level of influence such a lease allows means that the council is limited in the work that can be done until the break clauses in contracts.

Homeworking

Whilst emissions from homeworking would not be significant in the baseline year (2019/20), the rise in hybrid working due to the COVID-19 pandemic means that it is necessary to consider these emissions and are therefore included in scope. Emissions from homeworking have not been estimated for the year 2019/20 but are included in subsequent emission inventory years.

Council housing

Sheltered housing and care provision: Emissions from all council owned and operated sheltered housing, including care and retirement homes are included under Scope 1 and 2.

Communal areas: Runnymede is responsible for communal areas of council housing such as external lighting, entryways, corridors, stairways, etc and therefore has control over the emissions from these sources. The local authority could influence the emissions by, for example installing more energy efficient lighting or replacing heating systems. Reporting for these areas is included under Scopes 1 and 2.

Landlord services: Runnymede owns housing that is privately tenanted and therefore the council is not responsible for the payment of bills and does not have operational control of the use of energy.

It is understood that Runnymede owns the heating systems installed in council Housing and funds housing through a Housing Revenue Account. Therefore, in line with the considerations given to leased assets, the energy emissions from privately tenanted housing are included under Scope 3 in line with an operational based accounting approach.

Incorporated council companies

The operational emissions of the RBC Companies (RBC Heat, RBC Investments and RBC Services) are included in Scope 3 when using the operational control boundary approach.

2.2.4 Exclusions from scope

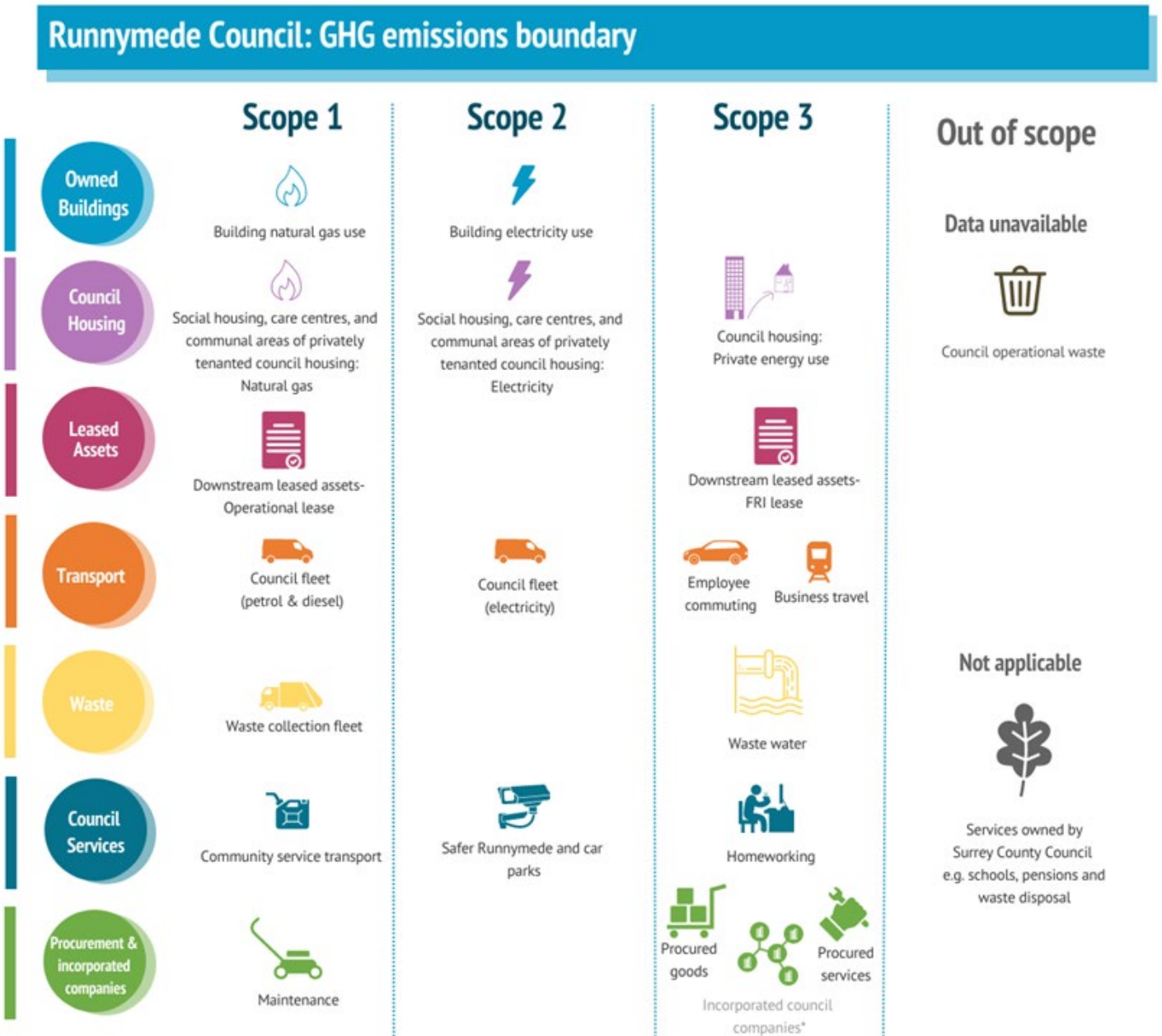
Surrey County Council Services i.e., waste processing, streetlighting, schools and pension fund are excluded from the RBC emissions baseline. Runnymede is not a waste authority

and therefore in accordance with the LGA reporting guidance for local authorities³ will not report emissions arising from waste in the council estate scope. The emissions from the waste collection fleet however are included under Scope 1. The same principle has been applied to other services that Surrey has operational control over such as schools and streetlighting.

A summary of the source covered by Scopes 1 2 and 3 is provided in **Figure 2**.

³ <https://www.local.gov.uk/climate-change-reporting-guidance-local-authorities#scope-3-emissions-reporting-categories->

Figure 2: Summary of the scope of emissions baseline for the council estate



3 Methodology

This section presents the methodology used to compile the GHG emissions estimates for Runnymede Borough Council estate and wider borough area. It introduces the key concepts of emissions accounting and presents the input data used in the calculations.

3.1 Approach

The most widely used set of standards for local carbon accounting are those produced under the Greenhouse Gas Protocol; of relevance to this project is the Global Protocol for Companies and Organizations and Cities⁴.

A **GHG inventory** is a dataset which presents estimates of emissions of various greenhouse gases from a wide range of activities in an organisation, country or other geographical area. A **GHG baseline**, is the GHG inventory for a specific year chosen by the reporting organisation from which progress in decarbonisation is monitored.

The standard approach to estimate GHG emissions is by multiplying activity data by an emission factor associated with the activity being measured (**Equation 1**).

Equation 1: Emission factor approach for calculating GHG emissions.

$$\text{GHG emissions} = \text{Activity Data} * \text{Emission Factor}$$

Emission Factor - This is the emissions per unit of activity, which usually comes from scientific literature. Emission factors may be quantified in a number of ways; for processes that strictly follow clear chemical or mass balance reactions they can be developed using an understanding of stoichiometry, or they can be developed empirically through statistical sample measurements. For example, EFs for stationary energy emissions are generally estimated based on sample measurements of the average carbon content of the fuel.

Activity data - This is a measure or estimate of the activity which is taking place, such as tonnes of fuel or miles driven. This data typically comes from national statistical datasets or from the organisation in question, in this case Runnymede Borough Council.

Example Calculation

➤ *Activity Data*

Natural gas consumption in an organisation's operated building: 98,500 kWh

➤ *Emission Factor*

Gross natural gas EF (direct): EF: 0.18385kg CO₂e/kWh

➤ *Calculation*

Multiply kWh activity by the fuel specific EF to get total emissions from natural gas consumption

Total emissions: 98,500 x 0.18385= 18,109 kg CO₂e

⁴ <https://ghgprotocol.org/companies-and-organizations>

3.1.1 Carbon Dioxide Equivalent

The impact of different gases on the atmosphere is complex and depends on their duration and behaviour in the atmosphere. For example, methane produces 28 times more warming effect than an equivalent amount of carbon dioxide over an equivalent time period, known as the Global Warming Potential (GWP). In order to simplify this complicated situation, data for all GHGs are translated into a single comparable unit, carbon dioxide equivalence, or CO₂e, usually measured in kilogrammes or tonnes. Therefore, one tonne of CO₂e has the global warming impact of one tonne of CO₂ but it can be a mix of any of the seven Kyoto gases:

- Carbon dioxide (CO₂)
- Methane (CH₄)
- Nitrous oxide (N₂O)
- Hydrofluorocarbons (HFCs)
- Perfluorocarbons (PFCs)
- Sulphur hexafluoride (SF₆)
- Nitrogen trifluoride (NF₃)

Emissions are reported as a mass of CO₂ equivalent, CO₂e. Whilst less abundant than CO₂, other GHGs such as methane (CH₄) and nitrous oxides (N₂O) have a greater warming effect than CO₂. A Global Warming Potential (GWP) factor is applied to these GHGs to convert to CO₂e.

The council agreed that their net zero targets should cover all relevant gases and therefore emissions are to be reported in CO₂ equivalent.

3.1.2 Quality Principles

The GHG Protocol Accounting and Reporting standard also sets out a series of principles which are intended to guide GHG accounting towards a fair and accurate account of GHG emissions. These are:

- **Relevance:** Ensure the GHG inventory appropriately reflects the GHG emissions of the company and serves the decision-making needs of users, both internal and external to the company
- **Completeness:** Account for and report on all GHG emission sources and activities within the chosen inventory boundary. Disclose and justify any specific exclusions.
- **Consistency:** Use consistent methodologies to allow for meaningful comparisons of emissions over time. Transparently document any changes to the data, inventory boundary, methods, or any other relevant factors in the time series
- **Transparency:** Address all relevant issues in a factual and coherent manner, based on a clear audit trail. Disclose any relevant assumptions and make appropriate references to the accounting and calculation methodologies and data sources used.
- **Accuracy:** Ensure that the quantification of GHG emissions is systematically neither over nor under actual emissions, as far as can be judged, and that uncertainties are reduced as far as practicable. Achieve sufficient accuracy to

enable users to make decisions with reasonable assurance as to the integrity of the reported information.

Complying with these principles will provide a very high standard of GHG accounting.

3.2 Input Data

Activity data was collected from regularly published datasets of sub-national statistics for the area wide baseline and directly from Runnymede Borough Council for the council estate. Further details are provided on the council estate and borough wide inventories in **Appendix 1** and **Appendix 2**.

Emission factors for both the council and the borough GHG inventory are taken from “UK Government GHG Conversion Factors for Company Reporting”⁵ for the applicable sources and years. For data sources in the council inventory which relate to the 2019/20 financial year, the 2019 emission factors are applied. Emission factors for the council Estate and area wide GHG inventory are further documented in Appendix 1 and 2, respectively.

3.2.1 Energy

The energy consumption data covers a range of council-owned buildings which have been categorised into the several groups. The groups used and a summary of the buildings covered within each group are presented in **Table 3**, together with the Scope within which they are accounted.

3.2.2 Water

Water supply and treatment covers emissions from the supply of water to council buildings and the treatment of wastewater. Water supply data was provided on a spend basis. It was assumed that emissions from water treatment were 95% of those from water supply.

3.2.3 Fleet and green spaces

Runnymede Borough Council provided fuel consumption for the council’s fleet. Petrol and diesel consumption were multiplied by an emission factor to calculate emissions.

Green spaces and machinery cover emissions related to the fuel used to power tools such as leaf blowers, hedge cutters, and vehicles used by the council’s green spaces team.

3.2.4 Waste

Waste emissions relate to the collection of waste through the contracted service provided by the council and fuel used to power street cleaners. These are estimated through applying BEIS carbon factors based on the fuel used by refuse trucks and street cleaners, respectively.

⁵ <https://www.gov.uk/government/collections/government-conversion-factors-for-company-reporting>

Table 3: Buildings covered in Runnymede Borough Council's emissions inventory

Category	Buildings included	Scope	Data/ emissions apportionment
Operational buildings	Runnymede Civic Centre	1 & 2	Emissions apportioned based on floor area within ownership of RBC (80%)
	Chertsey Depot	1 & 2	Whole site
Community buildings	W Davies Pavilion	1 & 2	Whole site
	Chertsey Hall	1 & 2	Whole site
	Charter Place and Library	1 & 2	Whole site
	Eileen Tozer Day Centre	1 & 2	Whole site
	The Literary Institute Cultural Community Hub	3	Emissions apportioned based on ownership, RBC accounts for 20%
	Runnymede Pleasure Grounds	1 & 2	Whole site
	The Orchard	1 & 2	Whole site
	Ottershaw Memorial Fields	1 & 2	Whole site
	Chertsey Recreation Ground	1 & 2	Whole site
	Chertsey Museum	1 & 2	Whole site
	Gogmore Farm Park	1 & 2	Whole site
	MANORCROFTS & MANOR FARM	1 & 2	Whole site
	Woodham and New Haw Day Centre	1 & 2	Whole site
	Hythe Centre	1 & 2	Whole site
	Chertsey Cemetery	1 & 2	Whole site
	Victory Park	1 & 2	Whole site
	Sports Pavilion	1 & 2	Whole site
	The Lodge	1 & 2	Whole site
	Toilets	1 & 2	Whole site
	Housing – Sheltered and communal use	Addlestone (Surrey Towers)	1 & 2	Communal areas
Sandhills Lane		1 & 2	Communal areas
Darley Dene Landlords Supply		1 & 2	Communal areas
Stoneylands		1 & 2	Communal areas

Category	Buildings included	Scope	Data/ emissions apportionment
	Floral House	1 & 2	Communal areas
	Beomonds	1 & 2	Communal areas
	Heatherfields	1 & 2	Communal areas
	Beomonds Sheltered Housing	1 & 2	Communal areas
Housing – tenant use	Council housing	3	Whole site based on SAP ratings
Runnymede Heat Company Ltd.	Addlestone District Heat Network (DHN)	3	Whole site for 2021/22

3.2.5 Commuting

The *Runnymede Borough Council – Homeworking and Commuting Survey*⁶ was developed to collect information to calculate emissions from heating as part of homeworking calculations and to understand commuting patterns. The total distance travelled was grouped by mode of travel based on categories listed in GHG Conversion Factors for Company Reporting. The survey was completed by 165 staff members (approximately 36% of council staff) and provided distances travelled one-way on a particular day. They were therefore scaled to reflect three return journeys a week (in line with the assumption of three days in the office per week). To estimate distance for all staff members, results were scaled against the 2021/22 FTE number of 445.3. Uncertainty is high for this emission source due to the need to extrapolate survey results to represent all staff and because of the likely variations in the way that individuals choose to travel.

3.2.6 Working from home emissions

Emissions related to working from home (WfH) were calculated following the methodology provided by Ecoact in their 2020 Homeworking emissions whitepaper⁷. WfH emissions were calculated for 2021, assuming that across a five-day work week, staff work from home for three of those days. As part of the combined commuting and homeworking survey, staff were asked about their homeworking setup. WfH emissions were calculated where staff were working in homes that would otherwise have been unoccupied, based on rates reported in the survey. Emissions were then calculated by aggregating up the survey results to a full-time equivalent (FTE) basis.

Homeworking emissions were calculated for electricity usage to power desk equipment and lighting, and emissions from heating. Benchmark values provided in the whitepaper were used to calculate emissions from electricity use for office equipment and lighting, using the assumption that 140W of power for desk equipment (e.g. monitors, chargers) and 10W for lighting is used across the year.

To calculate emissions from heating, staff were asked how their homes were heated. Natural gas was the most common heating type, followed by electricity and oil. It was assumed that heating was turned on for two homeworking days a week for 6 months between October and March. Average energy consumption rates per heating day were used for a household, based on the Ecoact method.

3.2.7 Emissions from third party suppliers

Standard industrial classification codes (SIC) are used to categories different activity types by industrial sector. In 2019, Defra published ‘Indirect emissions from the supply chain’⁸ which contains a list of carbon emission factors for each SIC code. This table can

⁶

<https://forms.office.com/Pages/DesignPageV2.aspx?subpage=design&token=6ff3eb99811c460f81debcc9560ba0b1&id=35BPxq8KfkKEAaHd3MAqhSpJeaV6gpeoKQmh5UuwutxUOEpWMDBDU1RSNTYzSzQ4VFNFFVhMVzZMS4u&analysis=true>

⁷ <https://info.eco-act.com/en/homeworking-emissions-whitepaper-2020>

⁸

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/404542/Table_13_Indirect_emissions_from_supply_chain_2007-2011.xls

be used to produce initial high-level estimates of the Greenhouse Gas emissions relating to the production of goods, works and services purchased by a company or organisation.

Emission estimates from third party suppliers used by the council (appointed in accordance with the council's procurement processes) were calculated for 2019/20 – 2021/22 using expense reports provided by Runnymede Borough Council, which were allocated to SIC groups using expense codes information and the relevant carbon factor was then applied. Only the top 90% of spend was considered in each year, to focus on key sources and reduce the time needed for data processing. As Runnymede Borough Council provided an expense report, activity related to the transfer of finances was excluded from estimates. Expenses related to activities already included within the baseline were also excluded to avoid double counting. This covers activities such as electricity, gas and water payments.

The methodology used to estimate emissions from the supply chain should be considered as a tool to support a first estimate of supply chain emissions and identify hotspots of emissions in the supply chain and not as a tool with which to monitor and report emissions from specific procurement actions and contracts. The reasons for that are:

1. The categories are broad and allow for little discrimination between different product options and services within a category e.g. they cannot be used to choose a lower carbon option for delivering social care services because the one category covers all the options available to deliver care.
2. Relationships between spend and carbon emissions are complex; for materials and simple products, the relationships are likely to be reasonably accurate because energy and transport make up a larger proportion of the cost; however, for complex products and services, it is likely that each category represents a much larger range of actual emissions.
3. The emissions factors by SIC code will change over time depending on the industry efficiency and carbon intensity of energy use, but the published dataset may not be updated regularly.
4. An organisation cannot monitor change in Scope 3 supply chain emissions based on spend because the estimate will only change by reducing spend or by switching spend to a different lower carbon category. More detailed methods are required for monitoring change.
5. These factors are designed to look at the upstream Scope 3 emissions of goods and services but some purchasing decisions will also have potential impacts on the Scope 1 and 2 emissions of the organisation e.g. energy use by IT equipment or significant downstream scope 3 emissions e.g. non-reusable products going to landfill. These carbon/unit of spend factors do not enable easy understanding of these additional emissions.

Therefore, to support monitoring and reporting, a more dynamic approach is required. The initial analysis enables procurers to identify probable hotspots of carbon emissions within the supply chain (which might be related to the spend, or high carbon categories, or volume of materials) to inform a more collaborate approach with suppliers to identify both key sources of emissions within the specific product or service, and opportunities for reducing these and reporting savings. Recommendations on how RBC may look to improve estimation of emissions from this sector are included in **Section 7**.

4 Runnymede Borough Council GHG inventory

4.1 Runnymede Borough Council baseline inventory for 2019/20 - 2021/22

4.1.1 Total emissions (Scope 1-3)

Runnymede Borough Council's total GHG emissions, considering emissions from scope 1-3, in 2019/20 were estimated to be **19,836 tCO₂e**. A 11% increase in total emissions was estimated between 2019/20 and 2021/22 with emissions estimated to be **21,922 tCO₂e** in 2021/22.

Emissions from scope 3 sources, meaning GHG emissions that occur indirectly from council activities, outside of the direct control of the council (e.g. the council's procured services and investments) account for 94% of the total GHG emissions. Emissions from scope 1 and 2 are included in the inventory, meaning emissions arising from sources owned or controlled by the council directly or resulting from the consumption of purchased electricity, steam or other sources of grid-generated energy, account for the remaining 6% of the total GHG emissions. Emissions from scope 1 and 2 are explored further in **section 4.1.2** and scope 3 sources in **section 4.1.3**.

Emission estimates by sector are presented for the years 2019/20 to 2021/22 in **Figure 3** and

Table 4.

Figure 3: Emissions for Runnymede Borough Council (t CO₂e) , 2019/20 – 2021/22

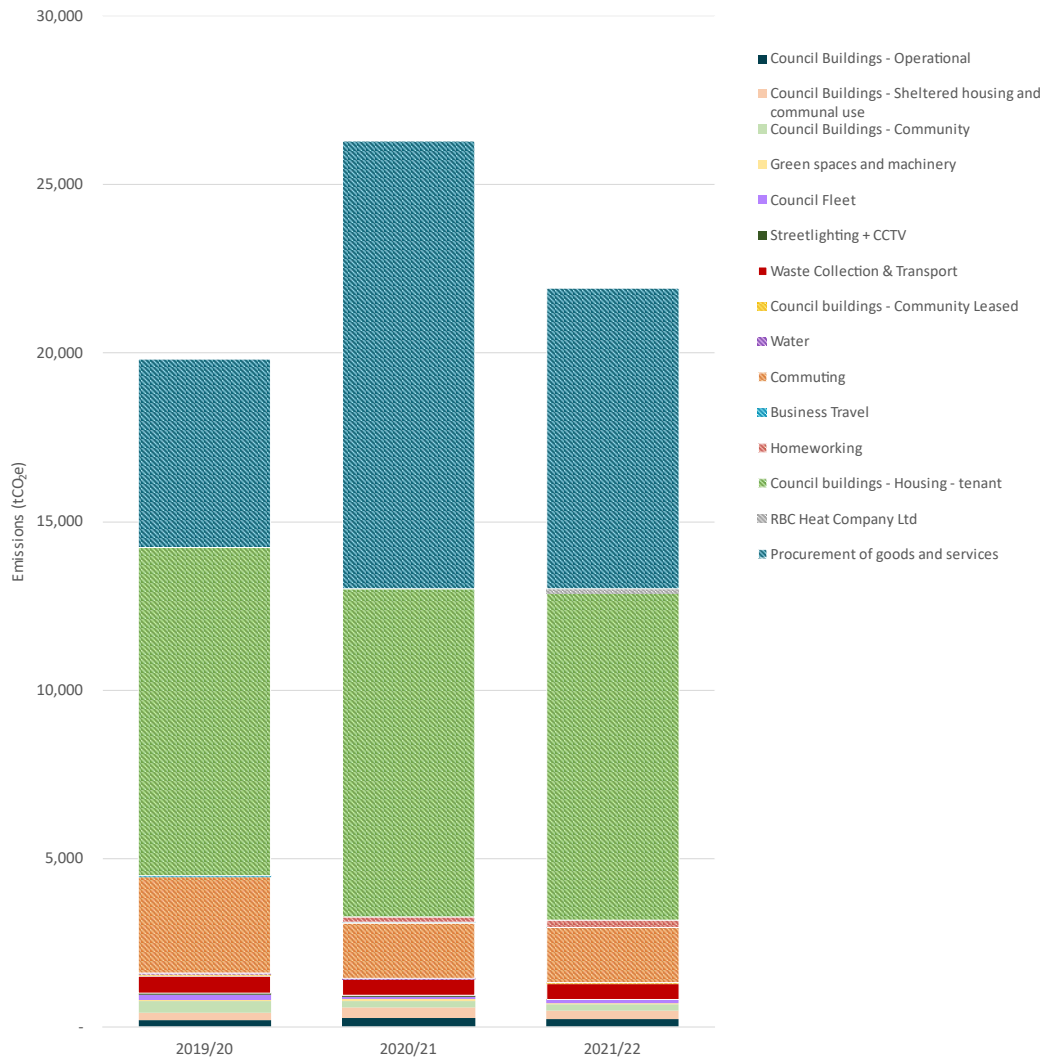


Table 4: Emissions (in tCO₂e) and percentage change in emissions from each sector, 2019/20-2021/22

Sector	Scope	Emissions (ktCO ₂ e)			Change between 2019 baseline and 2021 (%)
		2019/20	2020/21	2021/22	
<i>Council Buildings – Operational</i>	1+2	212	274	234	10%
<i>Council Buildings – Sheltered housing and communal use</i>	1+2	200	298	251	26%
<i>Council Buildings – Community</i>	1+2	342	210	193	-44%
Council buildings - Total	1+2	754	781	678	-10%
Green spaces and machinery	1+2	47	44	19	-60%
Council fleet	1	147	81	102	-31%
Streetlighting + CCTV	2	60	55	14	-76%
Waste collection & transport	1	513	470	470	-8%
Scope 1 and 2 emissions total		1,521	1,395	1,283	-16%

Council buildings – community leased assets	3	33	10	6	-82%
Water	3	38	45	36	-6%
Commuting	3	2,865	1,635	1,618	-44%
Business travel	3	34	15	15	-57%
Homeworking	3	-	180	213	-
Housing – tenant consumption	3	9,733	9,734	9,697	0%
RBC Heat Company Ltd CHP	3	-	-	146	-
Procurement of goods and services	3	5,612	13,291	8,908	59%
Scope 3 emissions total		18,316	24,909	20,639	13%
Council total		19,836	26,304	21,922	11%

4.1.2 Scope 1 & 2 Emissions

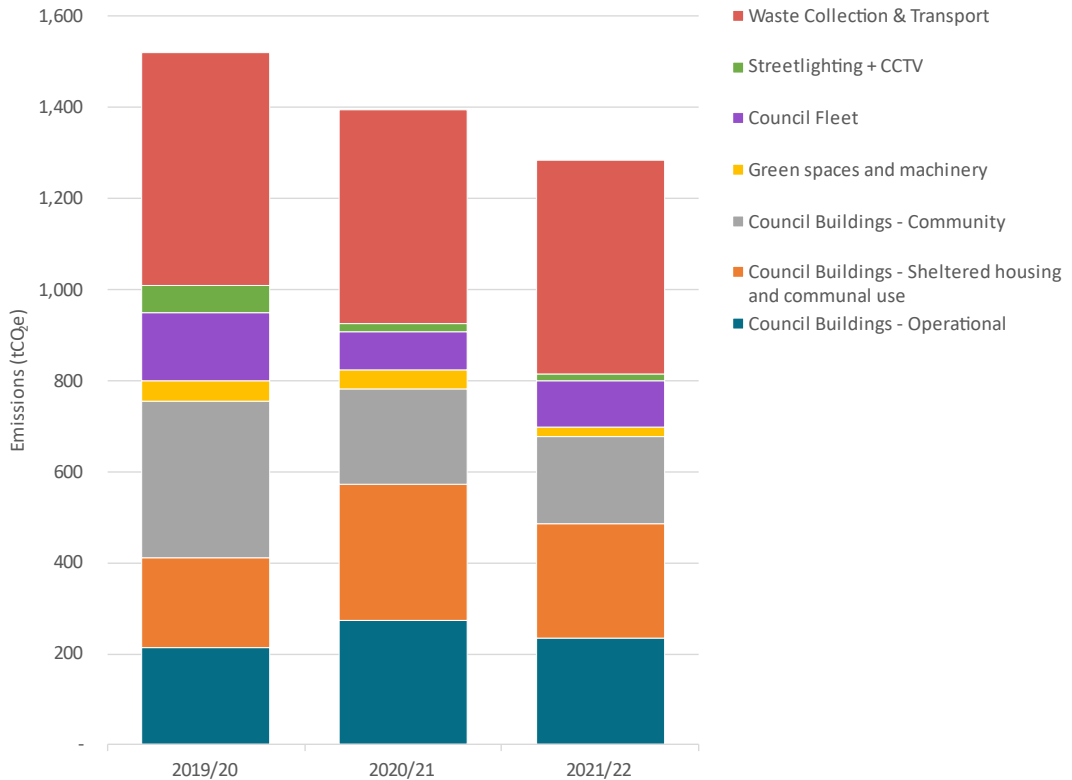
Considering emissions arising from Scope 1 and 2 only, emissions from the council estate **decrease** between 2019/20 and 2021/22 by 16%, from **1,521 tCO₂e** to **1,283 tCO₂e**, respectively (Figure 4). Emission reductions are observed across all categories under scope 1 and 2 except for ‘Council Buildings – Operational and Sheltered housing and communal use’.

Considering emissions from scope 1 and 2 only, the most significant emissions within arise from energy consumption within council buildings (53% of the total). Waste collection and transport is the next most significant source comprising of 37% of total emissions. Emissions from fuel consumed within the council owned fleet is responsible for 8% of the total, with emissions from green spaces and machinery, street lighting and CCTV attributable to approximately 1% each.

The greatest reduction in emissions between 2019/20 and 2021/22 was a 76% reduction in emissions arising from the operation of streetlighting and CCTV. Whilst the decarbonisation of the electricity grid drives reductions in emissions associated with electricity consumption, significant reductions in the total kWh consumed by streetlighting and CCTV networks were also observed.

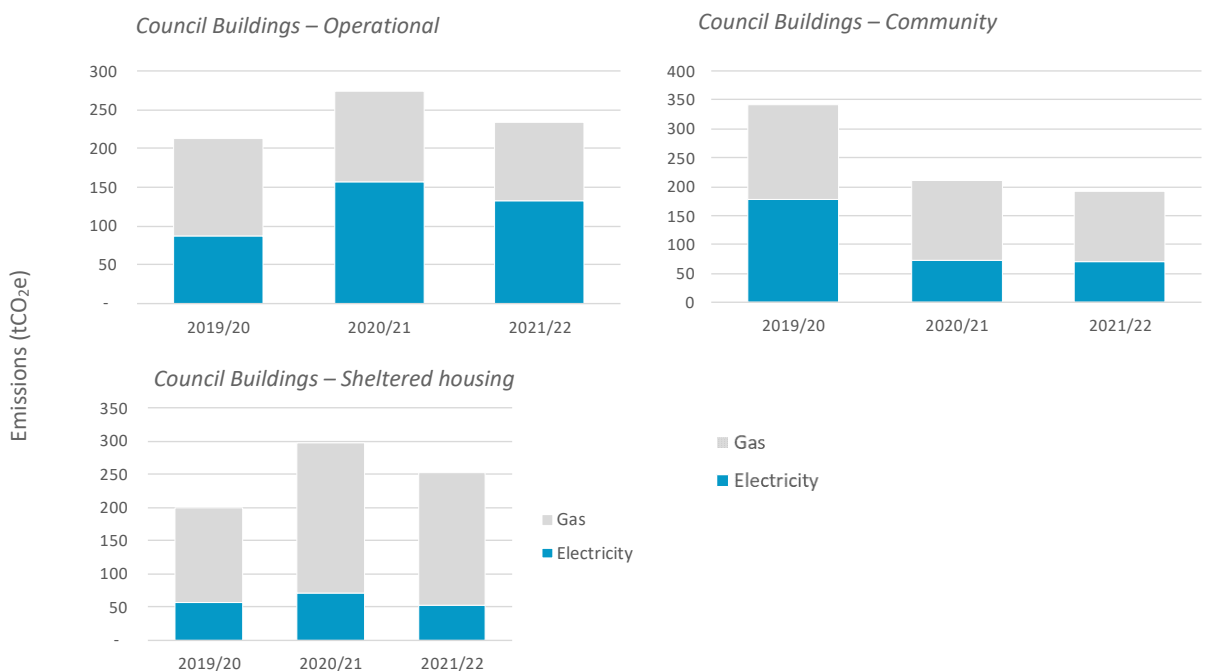
Significant reductions are also observed in fuel consumed in vehicles and machinery used for the management of green spaces (60% decrease) and in gas emissions from community council buildings (44% decrease). The impact of COVID-19 is observed through reductions in 2020/21 compared to 2019/20 for the council fleet, which to some extent ‘rebounded’ in 2021/22 and ‘Council Buildings – Community’. There is no observed reduction in operational council buildings in 2020/21 suggesting that lower occupancy rates and building closures did not lower recorded energy use. Emissions from ‘Council Buildings – Sheltered housing and communal use’ increased in 2020/21 which may indicate higher energy consumption due to the ‘stay at home’ order as a result of COVID-19.

Figure 4: Emissions for scope 1 and 2 sources for Runnymede Borough Council, 2019/20 – 2021/22 (tCO₂e)



Emissions from council buildings (as presented in Table 4) arise due to consumption of both electricity and gas. Figure 5 presents the split of emissions between those arising from gas and electricity use by each building category.

Figure 5: Building emissions split by electricity and gas, by type, 2019/20 – 2021/22 (tCO₂e)



4.1.3 Scope 3 Emissions

Emissions arising from scope 3 are significant, comprising of 94% of the total emissions from the council estate in 2021/22. Emissions in scope 3 are dominated by a handful of sectors with large associated emissions; procured of goods, works and services, council housing and commuting. **Figure 6** presents the split of emissions across scope 3 in 2021/22, with the trends presented in **Figure 7** and

Figure 8.

Emissions related to the third-party provision of goods, works and services increase by 59% between 2019/20 and 2021/22. This is explored in more detail in section 4.1.4.

Estimated emissions from commuting and homeworking have varied significantly over the time series due to changes in working patterns at RBC driven by COVID-19. The results indicate that the reduction in emissions associated with commuting outweighs the increase in emissions due to energy consumed whilst employees work from home.

Figure 6: Emissions for scope 3 sources for Runnymede Borough Council, 2021/22 (tCO₂e)

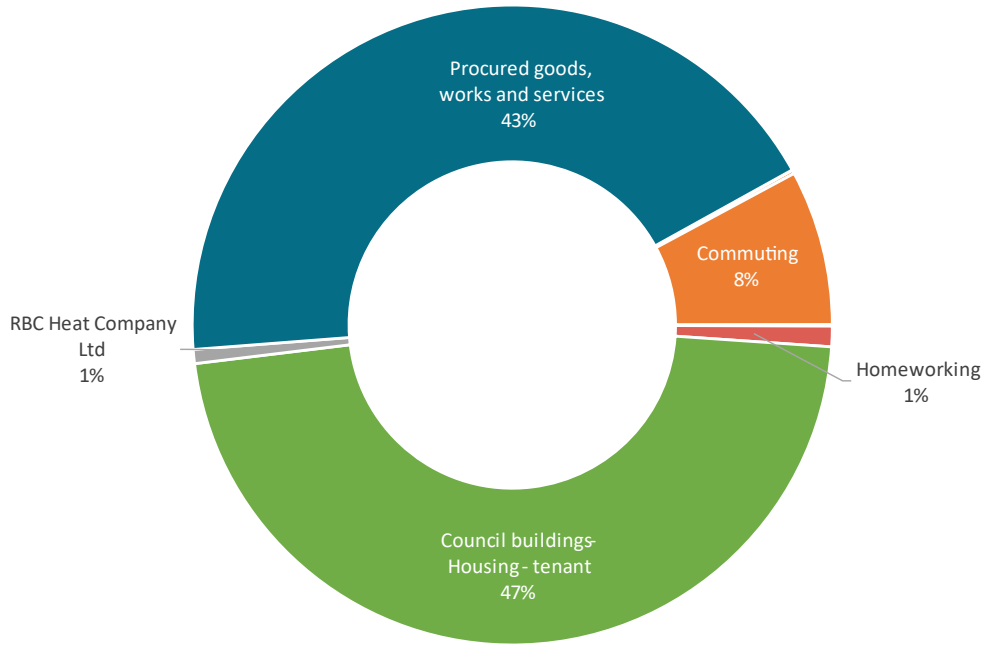


Figure 7: Emissions for largest scope 3 sources for Runnymede Borough Council, 2019/20-2021/22 (tCO₂e)

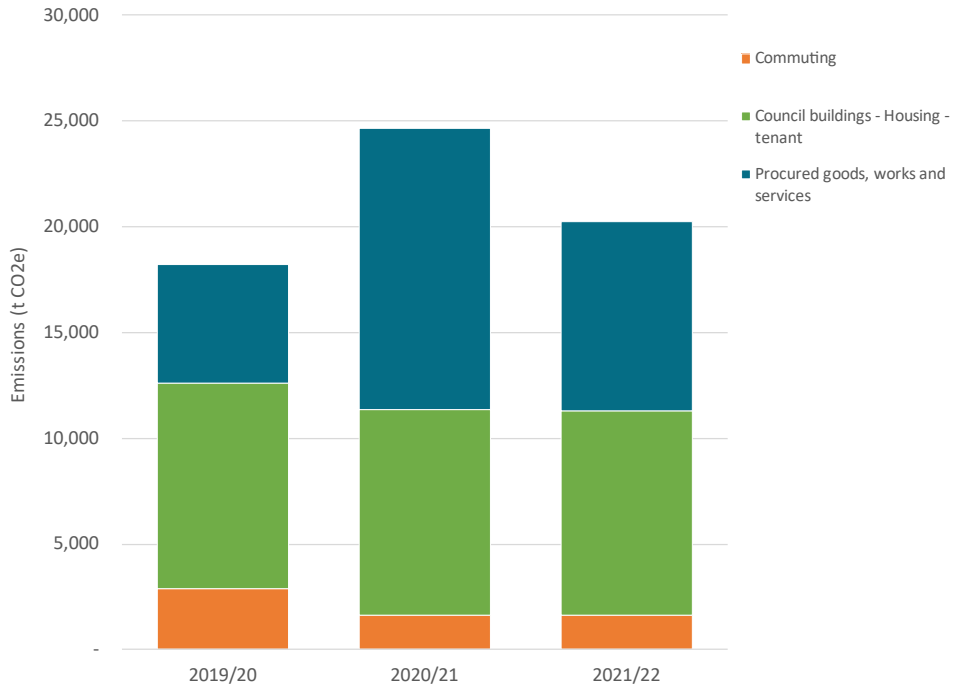
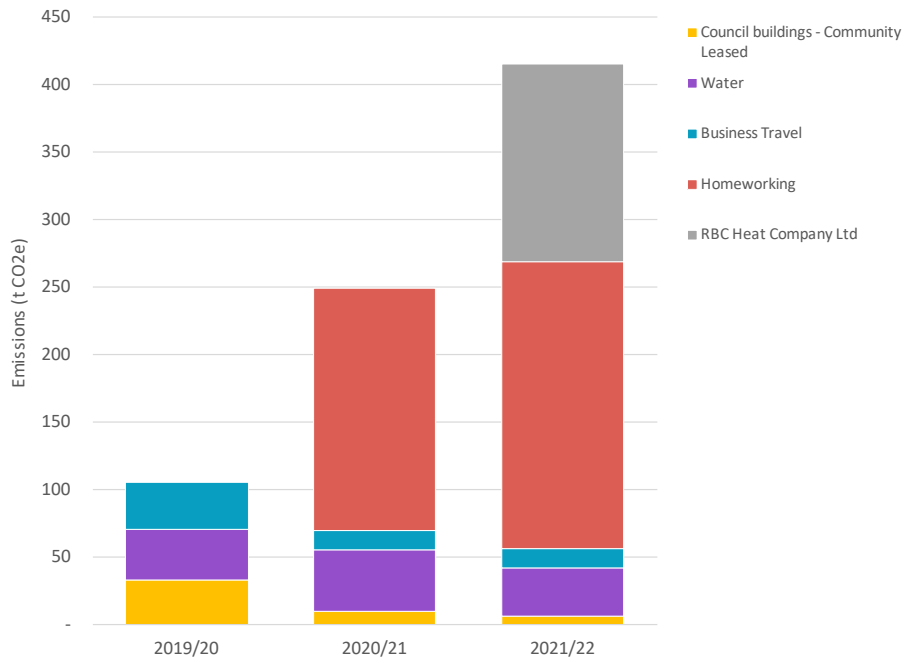


Figure 8: Emissions for other scope 3 sources for Runnymede Borough Council, 2019/20-2021/22 (tCO₂e)



4.1.4 Emissions related to the third-party provision of goods, works and services

There are emissions associated with the third party provision of goods, works and services which result from the procurement activities carried out by the council. Whilst the council has an influence over emissions from this source, it does not have direct control. These emissions are presented here as an initial estimate of the scale of third party emissions, and to start to identify the goods, works and services which represent the largest carbon sources within this category. Methodologies for estimating emissions from third party suppliers are not yet well established and have a high uncertainty and are therefore presented separately to the inventory.

The methodology used to estimate emissions from third parties following the procurement of goods, works and services is based on published factors of carbon intensity per amount spent⁹. This was applied to the council’s financial accounts summary. Financial transactions not related to the purchase of goods, works and services were excluded from the carbon totals, as were activities that were included within the baseline, such as purchase of fuel, to avoid double counting.

Emissions from third party suppliers procured by the council were approximately 5,612 tCO₂e in 2019/20, 13,291 tCO₂e in 2020/21 and 8,908 tCO₂e in 2021/22. Phase 1 of the Egham Regeneration project was identified as the greatest source of emissions at 37% in 2019/20 (Table 5). However, to put this in context, this was a major £90 million mixed use town centre regeneration scheme which has provided 100 student bedspaces, 101 residential units, a cinema and a variety of retail units together with car parking,

⁹ <https://www.gov.uk/government/statistics/uks-carbon-footprint>

highway improvements and public realm enhancements. The construction of this scheme will also have contributed to the carbon emissions under this category in 2020/21 and 2021/22.

Table 5: Identified emission hotspots within Runnymede Borough Council's supply chain

Year	Procurement type	Spend category	SIC Category	% of procurement emissions
2019/20	Works	Egham Regeneration – Phase 1	Buildings and building construction works	37%
		Chertsey Metrode Development	Buildings and building construction works	9%
		New Egham Leisure Centre Development	Buildings and building construction works	6%
2020/21	Works	Egham Regeneration - Phase 1	Buildings and building construction works	68%
		Chertsey Metrode Development	Buildings and building construction works	16%
2021/22	Works	Egham Regeneration - Phase 1	Buildings and building construction works	91%
	Services	Major Repairs - Major Specials (C)	Rest of repair; Installation	4%

5 Runnymede Borough GHG inventory

5.1 Borough inventory

Runnymede Borough's GHG emissions for 2019 have been estimated to be 634 ktCO₂e. Emissions by sector are presented in **Figure 9** and **Table 6**. The most significant emissions source is the transport sector, comprising 58% of total emissions.

Figure 9: Estimated ktCO₂e emissions for Runnymede Borough in 2019

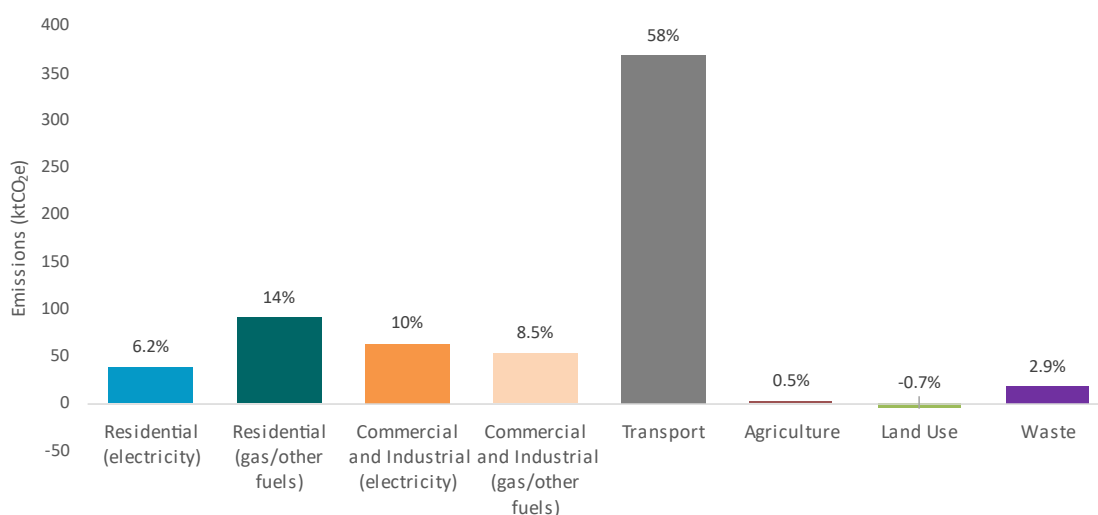


Table 6: Estimated ktCO₂e emissions for Runnymede Borough in 2019

Sector	2019 emissions (kt CO ₂ e) ¹⁰	% of total emissions ¹⁰
Residential (electricity)	39.3	6.2%
Residential (gas/other fuels)	90.9	14.3%
Commercial and Industrial (electricity)	63.8	10.1%
Commercial and Industrial (gas/other fuels)	53.9	8.5%
Transport (buses and rail)	6.2	1.0%
Transport (cars/LGVs/motorbikes)	298	47.1%
Transport (HGVs)	64	10.1%
Agriculture	3.1	0.5%
Land use	-4.3	-0.68%
Waste	18.3	2.9%
Total	634	

The sources of emissions in Runnymede are dominated by transport use within the borough, particularly from private car use. The second largest source, at 21% of total emissions, is from heating of residential homes.

¹⁰ Due to rounding of values, summing values shown in the table may not equal totals shown.

Emissions from land use and land use change in Runnymede are currently a small net sink of CO₂ at -4.3 ktCO₂e. This is due to carbon sequestration occurring in woodland and grassland areas of the borough.

Please note that a portion of emissions included in the council baseline are also included in the borough baseline. For example, council fleet, commuting, and business travel are included within the borough transport figures and working from home is included within the residential sector. Emissions from the collection of waste material by the council are included in the transport emissions from HGVs. This is due to the subnational datasets used to calculate the borough emissions not specifying the purpose of the fuel quantities provided. The data sources used to calculate the borough baseline are included in **Table A2.1**. The activity data and emission factors used are in **Table A2.** and **Table A2.**, respectively.

A per capita factor represents the emissions of an average person in a country or region – they are total emissions divided by population. The average per capita emission for England was 5.7 tCO₂e in 2019¹¹. In comparison, per capita emissions in Runnymede are 7.1 tCO₂e in 2019. This comparatively higher emission per capita is largely driven by the high transport emissions within Runnymede; as an average, in England transport emissions comprise 33% of total emissions, whereas in Runnymede transport is 58% of the total emissions.

5.2 Change in emissions compared to the 2019 baseline

Emissions from private transport decreased between 2019 and 2020 by 23%. The change in fuel usage for each transport mode and types are presented in **Table 8**.

Emissions from land use and land use change remained consistent between years, at a sink of -4.30 ktCO₂e in 2019 and -4.24 ktCO₂e in 2020. Waste emissions decreased from 18.3 ktCO₂e in 2019 to 17.6 ktCO₂e in 2020.

In summary, emissions at the borough level reduced in a number of key sectors between 2019 and 2020, however, it is likely that there will be a 'rebound' effect in future years reflecting a return to 'business as usual' following the lockdown during the COVID-19 pandemic.

¹¹ UK local authority and regional greenhouse gas emissions national statistics: 2005-2021

Figure 10 and **Table 7** show the emissions for the borough for the years 2019 and 2020. Total emissions decreased from 634 ktCO₂e in 2019 to 556 ktCO₂e in 2020, equating to a 12% reduction.

At 21%, the greatest reduction in emissions across this period was from electricity use in the commercial and industrial sector followed by a 19% reduction in emissions from the transport sector. The reduction in emissions may be due to the impacts of the COVID-19 pandemic. Domestic electricity usage increased by 9 GWh between 2019 and 2020 while non-domestic usage decreased by 33 GWh over the same period, potentially reflecting stay at home orders, an increase in homeworking, and temporary closure of non-essential commercial activity. The decreased electricity demand, combined with the decrease in the carbon intensity of the UK electricity grid, resulted in a decrease in emissions between 2019 and 2020. Transport emissions equally decreased across this period due to stay at home orders, reducing travel for leisure and commuting.

Emissions from private transport decreased between 2019 and 2020 by 23%. The change in fuel usage for each transport mode and types are presented in **Table 8**.

Emissions from land use and land use change remained consistent between years, at a sink of -4.30 ktCO₂e in 2019 and -4.24 ktCO₂e in 2020. Waste emissions decreased from 18.3 ktCO₂e in 2019 to 17.6 ktCO₂e in 2020.

In summary, emissions at the borough level reduced in a number of key sectors between 2019 and 2020, however, it is likely that there will be a 'rebound' effect in future years reflecting a return to 'business as usual' following the lockdown during the COVID-19 pandemic.

Figure 10: ktCO₂e emissions for Runnymede Borough, 2019-2020

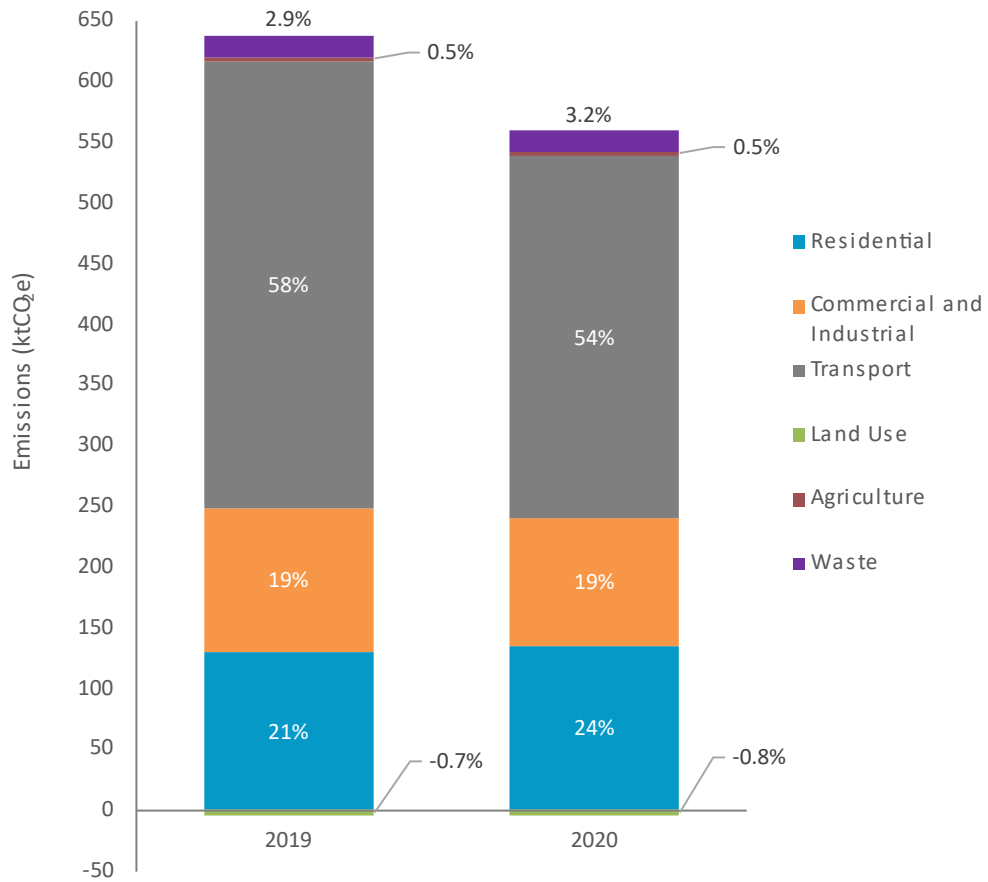


Table 7: Emissions (in ktCO₂e) and percentage change in emissions from each sector, 2019-2021

Sector	Scope	Emissions (ktCO ₂ e)		Change between 2019 baseline and 2020 (%)
		2019	2020	
Residential (electricity)	2&3	39.3	38.0	-3.3%
Residential (gas/other fuels)	1	90.9	97.7	7.5%
Residential buildings total		130	136	4.2%
Commercial and industrial (electricity)	2&3	63.8	50.4	-21%
Commercial and Industrial (gas/other fuels)	1	53.9	54.2	0.6%
Commercial and Industrial buildings total		118	105	-11%
Transport (buses and rail)	1	6.2	3.5	-43.9%
Transport (cars/LGVs/motorbikes)	1	298.4	231.1	-22.6%
Transport (HGVs)	1	64.2	64.4	0.2%
Transport total		369	299	-19%
Agriculture	1	3.1	3.0	-2.3%
Land use	1	-4.3	-4.2	-1.2%
Waste	3	18.3	17.6	-3.7%
Borough Total		634	556	-12%

Table 8: Borough private transport emissions and percentage change, 2019-2020

Emission source	Emissions (ktCO ₂ e)		Change from 2019-2020 (ktCO ₂ e)	% change 2019 – 2020
	2019	2020		
Cars (petrol)	118	89	-28	-24%
Cars (diesel)	121	85	-36	-30%
Motorcycles (petrol)	1.7	1.2	-0.54	-31%
LGVs (petrol)	1.8	1.7	-0.12	-7%
LGVs (diesel)	56	54	-1.84	-3%
Total	298	231	-67	-23%

6 Monitoring and governance

By updating the GHG inventory on a regular basis, Runnymede Borough Council will be able to track the level of GHG emissions for the council and the borough included in the scope of the inventories, albeit with some delay in data availability. The ability of the GHG inventory to show progress in decarbonisation and the effectiveness of mitigation actions depends on the GHG estimation methods possible for the inventory. Where data availability is a limiting factor, the inventory might not show a true reflection of decarbonisation efforts.

It will be necessary for the council to establish and formalise data supply chains so that emissions can be monitored and reported with confidence at regular intervals. This will particularly be the case for emissions from the council's own estate and operations. It is therefore recommended that data requirements are set out clearly for each service area. Data provision will need to be given a high priority, with commitment agreed at Head of Service level. Responsibility for data should sit with a specific role as opposed to with a named individual, to allow for staff turnover.

If one does not already exist, it would be beneficial to set up an asset register, listing individually the buildings and vehicles which are considered to be within scope. It is also recommended that the process for data provision should be made as clear and simple as possible, with template forms provided for each service area for the submission of (e.g.) meter readings.

Priority areas for formalising data supply processes should include:

- Gas and electricity consumption in council buildings (e.g. offices, depots)
- Gas and electricity consumption in community buildings (e.g. day centres)
- Gas and electricity consumption in council housing
- Fuel consumption by waste collection vehicles
- Fuel consumption by other council vehicles
- Fuel consumption associated with business travel

It is recommended that the frequency of monitoring and reporting is also agreed at the outset. If reporting is to be an annual activity, there may still be value in more regular monitoring to ensure that emissions reporting is based, for example, on actual rather than estimated meter readings. For certain areas, it may be possible to align financial reporting with data provision - for example, the council's energy bills will be based on gas or electric meter readings - and it would be worth exploring whether aligning the two might lead to some internal efficiencies.

With regard to procured works, goods and services, the council adopted its Sustainable Procurement Policy in 2023. This sets out how environmental considerations will be built into the procurement and delivery of goods, works and services through its specifications, tender questions, evaluation criteria, key performance indicators and clauses of contracts.

Specifically in relation to carbon reduction, the policy sets out supplier expectations, stating that where relevant and appropriate to the contract and decided on a case by case basis, the council expects prospective suppliers to:

- Provide requested information and details of environmental impacts (including for in-scope suppliers, carbon emissions under scopes 1 and 2 with estimations

on emissions from scope 3 activities), compliance with corporate commitments and plans for improvement during the procurement process;

- Meet requirements for environmental impact improvement, monitoring and reporting (for example relating to carbon emission reduction) which have been built into the specification of contracts, where appropriate, and measure and report on these requirements throughout the contract lifetime, taking corrective and remedial actions if necessary;
- Commit to mitigating impacts on climate change throughout operations through carbon reduction initiatives as well as through the encouragement and support of this practice throughout their own supply chains;
- Minimise the transport requirements associated with any contract through local sourcing and servicing, efficiency improvements or transport alternatives (such as using postal services, active transport or electric vehicles) to minimise air pollution and carbon impact of transport operations;

This policy is expected to ensure that a consistent approach to carbon is applied throughout the tender process, reducing the risk around contracts being let which fail to deliver emissions reductions. It should be noted that whilst the policy sets out council requirements, it does not constrain council officers in exceeding the requirements where appropriate.

In terms of governance, it is recommended that operational (non-political) governance for the councils' net-zero targets, both for the council's own emissions and those from the wider borough area, should sit at Corporate Leadership Team level. This will ensure that the commitment to net-zero comes from the top of the council down. The recently established Climate Change Working Party will provide steer on key matters associated with the Council's response to climate change. Working party discussions will help shape the development of reports which will be taken through Corporate Management Committee (or other relevant committees as appropriate) on climate change matters. This will provide governance arrangements through which the council can ensure that operational decisions being made within each individual service area are consistent with the over-arching net-zero commitments.

It would also be worth considering Carbon Literacy training for the council, with the aim of achieving accreditation from the Carbon Literacy Project as a Carbon Literate organisation, possibly to Silver level. If the Senior Leadership Team undertook this training initially, that would help to embed a net-zero culture across the council, again from the top down.

7 Conclusions and Recommendations

Runnymede Borough Council has set an ambitious net zero target for its operations by 2030. To determine the extent of additional policies and actions required to meet this target, an evidence base of a comprehensive and accurate baseline is required, and is provided in this report.

This evidence base report has been compiled for Runnymede Borough Council to present the main components of their own footprint and wider geographical area. This can be used to work with internal council departments to identify key areas for projects or for wider stakeholder engagement with local businesses and other public bodies.

Throughout the report, a number of recommendations have been made - some recommendations relate to data improvements or suggestions to provide further data sources to the baseline and trajectories and some recommendations are suggested to Runnymede Borough Council as next steps. Both are summarised below.

Recommendation 1: Establish and maintain data flows

This study was informed by a number of key data sources obtained from different departments across Runnymede Borough Council. It is therefore recommended that as follow up to this work that data flows are established within the council which set out the data requirements from council officers across the different departments. This should communicate to all data providers the frequency at which data is required, the preferred format and the reporting period. It is important that this data requirement is established within departments as opposed to with individuals to ensure that institutional memory is retained should individuals move departments/ leave the council.

Recommendation 2: Data set improvements

The period between baseline compilation and data collection for the subsequent year should be utilised to follow up with data providers to discuss further clarification to data sets and to discuss alternative datasets which may allow for improvements in emission calculations. The following datasets have been identified as priorities following this baseline compilation and relate to areas where it is felt that data quality could be improved or data gaps filled.

A key principle of GHG inventory compilation is continuous improvement, and therefore RBC should view these data improvement suggestions as the start of an improvement plan to be implemented as a standard part of an annual cycle to improve the GHG estimates.

Energy consumption from operational and leased council buildings: Data is incomplete for some leased assets and so a priority of the improvement plan should be to gap fill missing data.

Council spend on third party suppliers: Current emission estimates from procurement are uncertain due to the use of per £ carbon factors. See Recommendation 3 for further guidance.

Water usage and treatment: It was not possible to estimate emissions from water usage and treatment from activity data (m³) and therefore spend data was used to infer consumption. Whilst the use of spend data is an acceptable data source for calculating

baseline emissions at a high-level baseline due to the close relationship between spend and consumption, to improve accuracy moving forward, it is recommended that the council collect data on a volume basis. It is however noted that as water usage and treatment is a minor source of emissions that this may be lower priority compared to other improvement items

Recommendation 3: Engage with the council's largest suppliers and contractors to better understand scope 3 emissions from third party suppliers procured by the council

As is expected, the emissions from third party suppliers who are providing goods, works and services for the council are a large source of emissions from the council's activities. The methodology used in this baseline study gives an indication of the magnitude of the emissions using high level estimates of CO₂e per £ spent.

To gain a more accurate representation of emissions from the procurement of third party suppliers it is recommended that the council improve the accuracy of the emission calculations by engaging with their highest spend sectors to provide more detailed information on the carbon emissions associated with the goods, services or works they are providing. The implementation and embedding of the council's 2023 Sustainable Procurement Policy within the organisation and the council's supply chains should allow the council to gather improved data in this regard.

Recommendation 4: Future tracking and reporting of GHG emissions

It will be necessary to produce further GHG inventories of emissions within the scope of this baseline in order to assess realised emission reductions. This will be required at minimum in any target year to verify if the emissions target has been achieved, however it is recommended that inventories are calculated annually to track progress. It is further recommended that the council consider some external verification of any updated GHG estimates to ensure that the estimates align with the GHG protocol methodologies and quality principles.

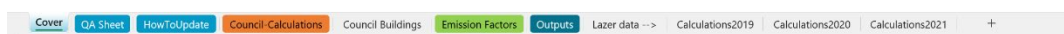
Appendix 1 – Council Estate Inventory Calculation tool

The council estate baseline was developed within Aether’s GHG inventory tool. The tool is designed to present the emission estimates in a transparent manner, with all data sources documented within the tool itself.

The ‘How To Update’ sheet in the workbook contains step-by-step instructions on how Runnymede Borough Council can update the inventory in the future. Figure 811 shows the cover page of the GHG inventory tool for Runnymede Borough Council. The sheets of the tool are as follows:

- **QA Sheet** – containing meta-data on version control, authors, quality assurance checks
- **How To Update** – containing steps on how to update the inventories and tracker in future iterations, as well as full references for data sources
- **Council-Calculations** - containing activity data, emission factors and emissions calculations for Runnymede Borough Council
- **Council Buildings** – containing emission calculations at the council building level using linked activity data from the laser energy data sheets.
- **Emission factors** – contains the emission factors applied to activity data to calculate greenhouse gas emissions
- **Outputs** – containing summary figures of the inventories
- **Laser data** – Sheets ‘Calculations 2019-2021’ include the raw energy consumption data from laser energy for the council building calculations.

Figure 811: Structure of Runnymede Borough’s GHG Inventory tool



Appendix 2– Borough wide Inventory Datasets

Table A2.1: Data sets used for the borough GHG inventory

Source number	Data Source	Sector	Description
1	Department for Business, Energy and Industrial Strategy (BEIS): 'Sub-national electricity sales and numbers of customers'	Grid electricity; domestic economy, domestic standard and non-domestic	This dataset provides energy consumption data for domestic and commercial electricity use in the borough of Runnymede.
2	Department for Business, Energy and Industrial Strategy (BEIS): 'Road transport energy consumption at regional and local authority level'	Borough bus travel, Borough diesel car travel, Borough petrol car travel, Borough motorbike travel, Borough HGV, Borough LGV diesel and Borough LGV petrol	This dataset provides fuel consumption data (diesel and petrol) for road vehicles in the borough of Runnymede.
3	Department for Business, Energy and Industrial Strategy (BEIS): 'Sub-national weather uncorrected gas sales and numbers of customers'	Natural gas; domestic and non-domestic	This dataset provides energy consumption data for domestic and commercial gas use in the borough of Runnymede.
4	Department for Business, Energy and Industrial Strategy (BEIS): 'Sub-national estimates of non-gas, non-electricity and non-road transport fuels'	Petroleum, coal and manufactured solid fuels consumption	This data set provides consumption data for other fuels, non-gas and non-electricity for domestic, commercial, industrial and non-road transport use in the borough of Runnymede.
5	Department for Business, Energy and Industrial Strategy (BEIS): 'UK local authority and regional carbon dioxide emissions national statistics'	Borough emissions from land use, agriculture and waste	This dataset provides net CO ₂ e emissions from land use, land use change and forestry (LULUCF), agriculture and waste for the borough of Runnymede.
6	Department for Business, Energy and Industrial Strategy (BEIS): 'Greenhouse gas reporting: conversion factors' 2019 - 2020	All sectors	This dataset provides emission factors for all sources covered in this inventory.

Calculation Input Data

Table A2.2: Activity data for the borough GHG inventory

Sector	Category	Fuel	Unit	Data Source	2019	2020
Commercial	Non-domestic	Gas	GWh	3	240	243
Commercial	Non-domestic	Electricity	GWh	1	250	216
Commercial	Public Administration	Petroleum	ktoe	4	0.171	0.331
Commercial	Commercial	Petroleum	ktoe	4	0.114	0.054
Industrial	Industry	Petroleum	ktoe	4	2.9	2.7
Industrial	Industry	Manufactured solid fuels	ktoe	4	0.05	0.06
Industrial	Industry	Coal	ktoe	4	-	-
Land Use	Forest	Net CO ₂ emissions	kt CO ₂ e	5	-5.26	-5.25
Land Use	Cropland	Net CO ₂ emissions	kt CO ₂ e	5	1.97	1.99
Land Use	Grassland	Net CO ₂ emissions	kt CO ₂ e	5	-2.27	-2.28
Land Use	Wetlands	Net CO ₂ emissions	kt CO ₂ e	5	-	-
Land Use	Settlements	Net CO ₂ emissions	kt CO ₂ e	5	1.27	1.29
Residential	Domestic	Gas	GWh	3	472	509
Residential	Domestic	Electricity	GWh	1	154	163
Residential	Domestic	Petroleum	ktoe	4	0.55	0.57
Residential	Domestic	Coal	ktoe	4	0.29	0.28
Residential	Domestic	Manufactured solid fuels	ktoe	4	0.35	0.34
Transport	Buses	Diesel	ktoe	2	1.83	0.99
Transport	Cars	Petrol	ktoe	2	37.3	28.2
Transport	Cars	Diesel	ktoe	2	39	28
Transport	Motorcycles	Petrol	ktoe	2	0.55	0.38
Transport	HGV	Diesel	ktoe	2	20.8	21.3
Transport	LGV	Petrol	ktoe	2	0.6	0.5

Sector	Category	Fuel	Unit	Data Source	2019	2020
Transport	LGV	Diesel	ktoe	2	18.2	18.0
Transport	Rail	Petroleum	ktoe	4	0.186	0.158
Agriculture	Off-road/agriculture	Petroleum	ktoe	4	0.159	0.156
Agriculture	Livestock	-	kt CO ₂ e	5	2.10	2.10
Agriculture	Soils	-	kt CO ₂ e	5	0.53	0.47
Waste	Landfill	-	kt CO ₂ e	5	7.62	6.99
Waste	Waste Management 'Other'	-	kt CO ₂ e	5	10.63	10.59

Table A2.3: Emission factors for the borough GHG inventory

Sector	Category	Fuel	Unit	Data Source	2019	2020
Multiple	UK	Grid Electricity	kgCO ₂ e/kWh	UK Government GHG Conversion Factors for Company Reporting - UK Electricity - Electricity generated	0.2556	0.2331
Multiple	UK	Grid Electricity T&D	kgCO ₂ e/kWh	UK Government GHG Conversion Factors for Company Reporting - Transmission and distribution - T&D- UK electricity	0.1839	0.1839
Multiple	UK	Natural Gas	kgCO ₂ e/kWh	UK Government GHG Conversion Factors for Company Reporting - Fuels - Gaseous Fuels - Natural Gas - kWh (Gross CV)	0.3318	0.3204
Multiple	Industrial & Commercial	Coal	kgCO ₂ e/kWh	UK Government GHG Conversion Factors for Company Reporting - Fuels - Solid fuels - Coal (industrial) - kWh (Gross CV)	0.2568	0.2567
Multiple	UK	Gas oil	kgCO ₂ e/kWh	UK Government GHG Conversion Factors for Company Reporting - Fuels - Liquid fuels - Gas Oil - kWh (Gross CV)	0.3350	0.3350
Multiple	UK	Solid smokeless fuel	ktCO ₂ e/TJ	NAEI https://naei.beis.gov.uk/data/ef-all-results?q=149740	0.3447	0.3446
Residential	Domestic	Coal	ktCO ₂ e/TJ	NAEI https://naei.beis.gov.uk/data/ef-all-results?q=149742	0.2468	0.2467
Residential	Domestic	Kerosene (burning oil)	kgCO ₂ e/kWh	UK Government GHG Conversion Factors for Company Reporting - Fuels - Liquid fuels - Burning Oil - kWh (Gross CV)	0.1734	0.1684
Transport	Car (average size)	Diesel	kg CO ₂ e/km	UK Government GHG Conversion Factors for Company Reporting - Passenger vehicles - Cars (by size) - Average car - Diesel	0.1808	0.1743
Transport	Car (average size)	Petrol	kg CO ₂ e/km	UK Government GHG Conversion Factors for Company Reporting - Passenger vehicles - Cars (by size) - Average car - Petrol	0.1047	0.1031

Sector	Category	Fuel	Unit	Data Source	2019	2020
Transport	Buses	Petrol	kg CO ₂ e/passenger km	UK Government GHG Conversion Factors for Company Reporting - Business travel-land - Bus - Average Local Bus	0.8456	0.8302
Transport	HGV (all, 50% laden)	Diesel	kg CO ₂ e/km	UK Government GHG Conversion Factors for Company Reporting - Freightng goods - HGV(all diesel) - All HGVs – 50% laden	0.1155	0.1134
Transport	Motorcycle (average)	Petrol	kg CO ₂ e/km	UK Government GHG Conversion Factors for Company Reporting - Passenger vehicles - Motorbike - Average	0.2365	0.2196
Transport	Van (average)	Petrol	kg CO ₂ e/km	UK Government GHG Conversion Factors for Company Reporting - Freightng goods - Vans - Average (up to 3.5 tonnes) - Petrol	0.2521	0.2471
Transport	Van (average)	Diesel	kg CO ₂ e/km	UK Government GHG Conversion Factors for Company Reporting - Freightng goods - Vans - Average (up to 3.5 tonnes) - Diesel	0.2568	0.2567
Transport	Rail	Diesel	kgCO ₂ e/kWh	UK Government GHG Conversion Factors for Company Reporting - Fuels - Liquid fuels - Gas Oil - kWh (Gross CV)	0.2556	0.2331

Appendix 3 - Key Terms and Definitions

Activity: an action that leads to emissions of greenhouse gases. Examples include combustion of fossil fuels for heat, generation of electricity and transport, treatment of waste and wastewater, industrial processes. Activity data represent how much of this activity is taking place and has a variety of different units e.g. kWh, passenger kilometres, tonnes of waste etc.

Carbon dioxide equivalent (CO₂e): carbon dioxide equivalent is a measure used to compare the emissions from various greenhouse gases based upon their global warming potential. For example, the global warming potential for methane over 100 years is 28. Therefore 1 tonne of methane released is equivalent to 28 tonnes of CO₂ (measured on a 100-year time horizon). Therefore, CO₂e works as a single 'currency' for greenhouse gases.

Carbon emissions: often used as a shorthand to refer to greenhouse gas (GHG) emissions that are included in the Kyoto Treaty. Carbon dioxide is the most common GHG and other gases can be measured in relation to it (see CO₂e).

Carbon neutral: the balancing of carbon emissions against carbon removals and/or carbon offsetting with the net result being zero (see also net zero carbon).

Carbon reduction: an activity that reduces carbon emissions compared to a baseline scenario.

Climate change: the large-scale, long-term shift in the planet's weather patterns or average temperatures.

Climate change mitigation: action taken to reduce the release of greenhouse gas emissions or increase the removal of emissions by enhancing sinks (e.g. increasing the area of forests).

Decarbonisation: usually refers to the electricity sector and refers to reducing the carbon intensity of electricity generated (emissions per kWh) by increasing efficiency of supply or changing the generation fuel mix from fossil fuel to renewables and low carbon sources.

Emission factor: the average emissions of a given GHG for a particular activity. Emission factors are also expressed as the average combination of GHGs for a particular activity, in units of kgCO₂e.

Global warming: refers to the recent and ongoing rise in global average temperature near Earth's surface. It is caused mostly by increasing concentrations of greenhouse gases in the atmosphere. Global warming is causing climate patterns to change. However, global warming itself represents only one aspect of climate change.

Greenhouse Gas (GHG): a gas in our atmosphere that absorbs and emits radiation within the thermal infrared range. There are naturally occurring greenhouse gases in our atmosphere which maintain surface temperatures in a range conducive to life. However, since the industrial revolution, anthropogenic sources of GHGs have increased hugely, leading to 40% increase in atmospheric concentration of carbon dioxide. This is causing

increases in surface temperatures and is the main cause of climate change. There are seven GHGs covered by the Kyoto Treaty, but the main ones are carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O), and action needs to be taken to reduce emissions of these.

Greenhouse Gas Protocol: a joint initiative of the World Resource Institute (WRI) and the World Business Council for Sustainable Development (WBCSD), the GHG Protocol provides global standard frameworks for the measurement and management of greenhouse gas emissions.

Net zero carbon: the balancing of carbon emissions against carbon removals and/or carbon offsetting with the net result being zero (see also carbon neutral).

Project lifetime: anticipated lifetime of an energy efficiency technology or low carbon behaviour, used to calculate lifetime savings.

Removals: CO₂ removals refer to a set of techniques that aim to remove CO₂ directly from the atmosphere by either increasing natural sinks for carbon or using chemical engineering to remove the CO₂, with the intent of reducing the atmospheric CO₂ concentration.

Scope: a way of categorising emission sources in relation to the reporting organisation, used as a way of providing transparency in emissions accounting, making it clear the type of emission source and the level of control of the reporting organisation over the source. Three levels of scope have been defined and used on a global basis.

Sequestration: a natural or artificial process by which carbon dioxide is removed from the atmosphere and held in solid or liquid form. The uptake of atmospheric carbon by plants and the growth of wood or increase of peat volume are examples of biological sequestration. Also see removals.



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Runnymede Borough Council Summer of Engagement Report & Summary of Findings

October 2023



1. Executive Summary and Key Recommendations

The RBC 'Summer of Engagement on Climate Change' has sought the views of individuals and groups across the borough to inform the Council's Climate Change Action Plan. This report details the key findings of this engagement, which can be summarised in the following concluding points drawn from the data:

- Approximately **a third** of respondents in all surveys are **worried** about climate change and its potential impacts, however a larger proportion indicate a **strong collective sense of responsibility** to act. Whereas young people were largely unaware of RBC actions on climate change to date, most business respondents were supportive of the Council's net zero targets.
- There are a wide range of actions and behavioural changes taking place across the borough in response to climate change.
- For travel, there is a **preference for walking** as much as possible among residents and young people, with public transport utilised less frequently, and private petrol/diesel vehicle use still dominant. Key barriers identified which are preventing people from walking, cycling, or using public transport more often include **poor infrastructure, lack of reliability, and cost**.
- At home, **small habitual behaviour changes**, such as turning off lights when leaving rooms and recycling, are favoured to larger infrastructural changes/investments such as renewable technology installation. When spending money, residents and businesses consider **the sustainability ethos** of their suppliers. The popularity of meal planning and energy efficiency measures, such as smart meters, may reflect an environmental focus, but may also highlight **financial motivations** for changing behaviours. Barriers to action include the **upfront costs**, and **lack of time**, with businesses indicating a lack of government **incentives** and lack of resources to act as important.
- In order to improve the borough's green spaces, residents most often focused on **reducing littering**, closely followed by making more space for nature, rewilding appropriate areas, and tree planting. Businesses indicated their willingness to play a role in facilitating tree planting on their sites. For young people, **protecting more wildlife** was favoured over additional tree planting.
- When asked about RBC Climate Change Action Plan priorities, the key focus areas varied between groups. For residents, **improved transport** and **increasing tree planting** were most favoured. Young people strongly signalled a desire for **more education and engagement** in school, which was also a feature of many focus group and meeting discussions. For businesses, **access to funding, expertise**, and **green procurement processes** were all signalled as important.

Through this summary of findings, several key themes have emerged which should be key considerations in drafting the Climate Change Action Plan:

- **The Council should lead by example.** Evident among respondents is a strong interest regarding RBC's commitment to climate change action and the role played by the Council in promoting more sustainable behaviours. RBC should act as a leader on the topic in realising the Council and borough-wide net zero targets.

- **Climate change actions need to be visible.** The summary of findings indicates that there are many individuals and groups across Runnymede that are unaware of RBC's action on climate change to date, or its future plans for further action. Several options are available to address this, including improved Council communications and raising awareness of climate change activities at events. Ensuring this commitment, actions, and benefits are communicated to the full diversity of groups present in the borough is essential to demonstrate leadership and empower communities to act.
- **Building partnerships and supporting community action are critical.** While RBC should lead the way on climate action, building sustainable partnerships and facilitating communities to act will be essential for achieving Net Zero ambitions. These partnerships could either be between the Council and other parties or facilitated by the Council bringing together actors across the borough in collaboration. This summary highlights the actions already taking place across the borough, alongside the barriers to further action that the Council should support communities to overcome.
- **Co-benefits of environmental behaviours require illumination.** It is evident in this summary that residents, businesses, and local groups have many competing priorities. There is a need to recognise this and communicate the co-benefits of more sustainable behaviours alongside the environmental gains. Dependent on the behaviour, this may include cost savings, improved public health, empowering communities, and reduced traffic congestion.
- **Education and information remain essential.** While the survey results indicate that the importance of information and education varies by group and by theme, the heavy focus place on information provision and awareness raising during focus groups and meetings was profound. This can be related to multiple areas, including tackling misinformation, highlighting co-benefits, facilitating access to financial support, and raising awareness of collective impact. While the locations and methods for providing this will be diverse and the information should be tailored appropriately to the target audience and change, the centrality of this topic to success is key.

2. Introduction and Methodology

The development and implementation of a Climate Change Action Plan is crucial to bring the Runnymede Borough Council (RBC) Climate Change Strategy 2022-2030 vision into reality. A key objective of the Strategy is to “positively engage with residents, businesses, community groups, national and local government and universities to share information and encourage positive behavioural change to adapt to or mitigate climate change”.

This applies to the very early stages of developing an Action Plan - it must be informed by robust evidence and wide stakeholder engagement promoting a community-inclusive approach. A community focus enables an understanding of local preferences and aspirations that builds local support for climate action, while identifying priorities and barriers to sustainable behavioural change across the borough. This in turn allows the Action Plan to include measures to encourage and enable changes in behaviour across the Borough, within the Council’s sphere of influence, in addition to actions to become net zero across the Council’s own estate.

The aims of early engagement included:

- to begin to communicate a positive vision and clear local narrative on climate change, particularly about how the public can help achieve climate and environment goals (recognising that most Borough emissions are outside the direct control of the Council);
- to gain clarity about current attitudes towards climate change, and get an early indication of appetite for behaviour change;
- to understand actions that residents, organisations and young people have already taken, and identify the barriers people face in taking further action that the Council could try and address through its Action Plan; and
- to start building support in the community for getting to net zero, and reduce the risk of resistance to any new policies and initiatives which may be introduced to help meet ambitious climate change targets.

In June 2023, RBC launched a ‘Summer of Engagement on Climate Change’. The findings of this engagement are summarised in the following report.

To ensure that a wide range of stakeholder views were captured, including from different socio-economic backgrounds and hard to reach groups, a variety of engagement methods were adopted. Mass engagement was promoted through an online climate change survey, with hard copies available at libraries and on request, which went live from 1 June to 16 July 2023. The Council used the Built-ID ‘Give My View’ platform, which used digital marketing to extend the reach of the survey to different groups across Runnymede. Built-ID aims to strengthen community empowerment in decision-making, and their platform is designed with a visual, intuitive, and time conscious focus.

Three separate surveys were developed, each with tailored questions to target three different stakeholder groups: residents, young people (under 18s), and businesses. The survey questions are reflected in the analysis of findings from Section 3 onwards and the full list of questions from all surveys is shown in Annex A.

The survey was promoted through multiple channels, primarily by direct digital marketing through the use of social media. However, links to the surveys were also circulated widely to local secondary schools, to community groups and business networks across the Borough,

via newsletters and noticeboards, Council media including the Business Runnymede website, at events such as Great Big Green Week, the Black Cherry Fayre and Surrey Youth Games, and at local stakeholder meetings.

The three surveys received a combined 1,290 responses (Residents: 815, Young people (under 18s): 450, Businesses: 25). Across all surveys, most respondents were from Chertsey, Addlestone & Rowtown, and Egham. This potentially reflects the greater concentrations of residents and businesses, and greater success of survey promotional activities, in these areas.

Supplementary virtual and in-person engagement activities accompanied the online survey to further involve businesses, community groups, and residents. These included:

- Business meetings with the Towns Teams in Chertsey and Addlestone, and the Business Runnymede Steering Group.
- Focus groups with Resident Association and Neighbourhood Forum members.
- Meetings with Showmen's Guild, Surrey Gypsy Traveller Communities Forum Committee, Egham Residents Association, and St John's Eco-church.
- Attendance at Community Action Meetings in Egham Hythe, Chertsey, Englefield Green, and Addlestone.
- Great Big Green Week, Black Cherry Fayre, and Surrey Youth Games events.

3. Format of this Report

This report seeks to summarise the feedback received from stakeholders on various matters related to climate change as captured during the Summer of Engagement. Section 4 of the report focusses on attitudes to climate change. Sections 5-9 analyse current actions being taken in the community to address climate change, aligned to key thematic areas proposed in the Action Plan. Section 10 highlights existing barriers to action, and Section 11 summarises perspectives on RBC Action Plan priorities which would support further activities to combat climate change. A summary of findings and key recommendations is provided in the opening section of this report – Executive Summary and Key Recommendations.

4. Attitudes towards Climate Change and RBC Targets

4.1 Headline RBC Engagement Statistics

Only 20% of young people indicated that they are “not really concerned” about climate change.

52% of businesses consider climate change “a high priority”.

40% of residents felt “a community effort is needed” resonated most with them in relation to climate change.

4.2 UK Context

The 2021 Office for National Statistics Opinions and Lifestyle Survey found that 75% of adults in Great Britain were “very worried” or “somewhat worried” about the impacts of climate change, and 90% were either neutral or felt negatively about the future of the environment¹. A further study by Bath University on young people (aged 16-25) suggested that 80% of respondents were “moderately” to “extremely” worried about climate change².

4.3 RBC Engagement Findings

Figure 1: How worried are you about climate change? (Source: RBC Young People Survey)

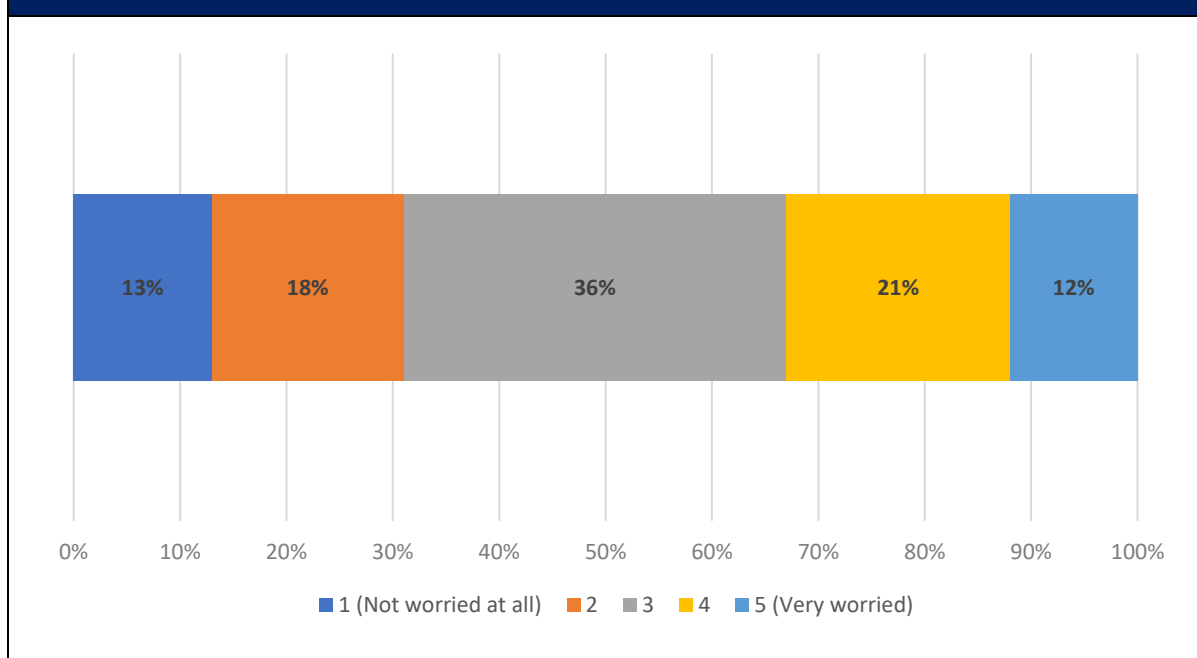


Figure 1 shows the results of 449 responses from the Young People’s Survey which used a sliding scale from 1, representing the response ‘Not worried at all’, to 5, representing the response ‘Very worried’, to gauge climate change concern. The highest frequency answer was 3 (36%) indicating a neutral attitude, or that respondents didn’t know how to feel about it. It is notable that a third of young people completing the survey are ‘Worried’ or ‘Very Worried’ about climate change.

¹ ONS (2021) *Three-quarters of adults in Great Britain worry about climate change.*

<https://www.ons.gov.uk/peoplepopulationandcommunity/wellbeing/articles/threequartersofadultsingreatbritainworryaboutclimatechange/2021-11-05>

² Hickman, C. et al (2021) Climate anxiety in children and young people and their beliefs about government responses to climate change: a global survey. *The Lancet Planetary Health*, 5, e863-e873.

Figure 2: What concerns you about climate change? (Choice of up to three answers) (Source: RBC Young People Survey)

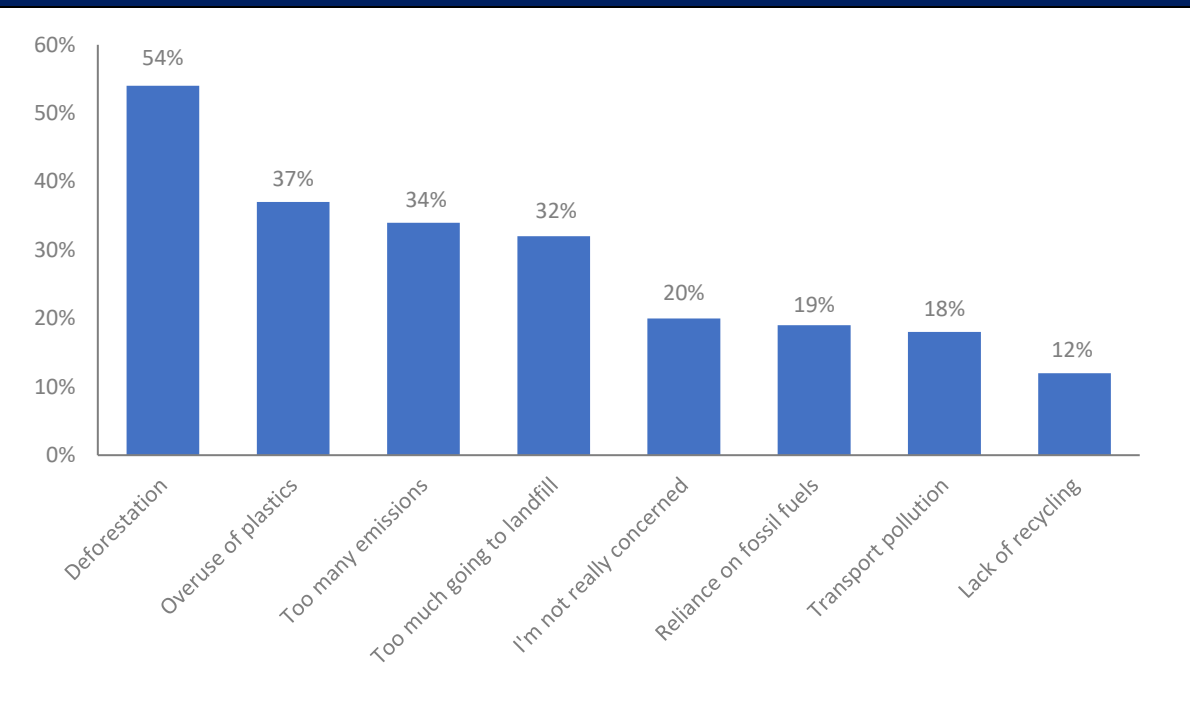
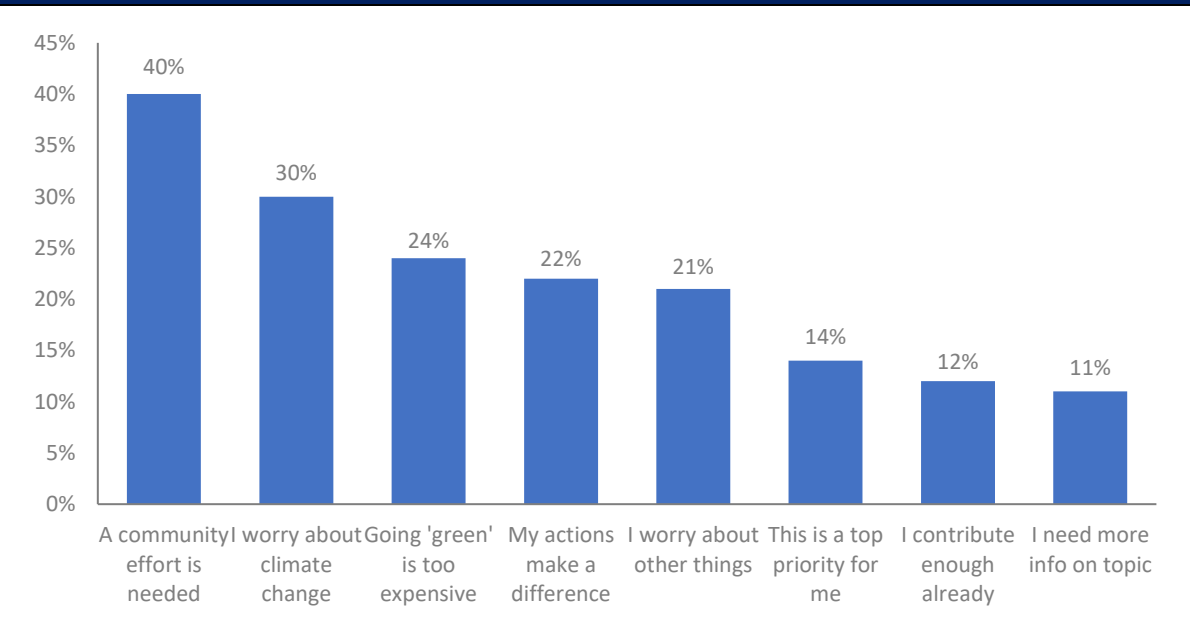


Figure 3: Which of these statements resonate most with you in relation to climate change? (Choice of up to three answers) (Source: RBC Resident Survey)



When delving further into the aspects of climate change which most concern young people, the most selected responses were 'Deforestation' (54%), followed by 'Overuse of plastics' (37%) reflected in Figure 2. Both activities have impacts that are very visual and heavily associated with damage to wildlife and biodiversity, which this graph indicates may be a focus for young people. Only 20% indicated that they are "not really concerned".

The climate change concern frequencies reflected among young people were closely mirrored in the 706 responses to the Residents Survey displayed in Figure 3. 30% of respondents indicated that they “Worry about climate change”, and 14% consider climate change a “Top priority”.

Figure 4: In regard to climate change, which of the following do you resonate with most? (Choice of up to 4 answers) (Source: RBC Business Survey)

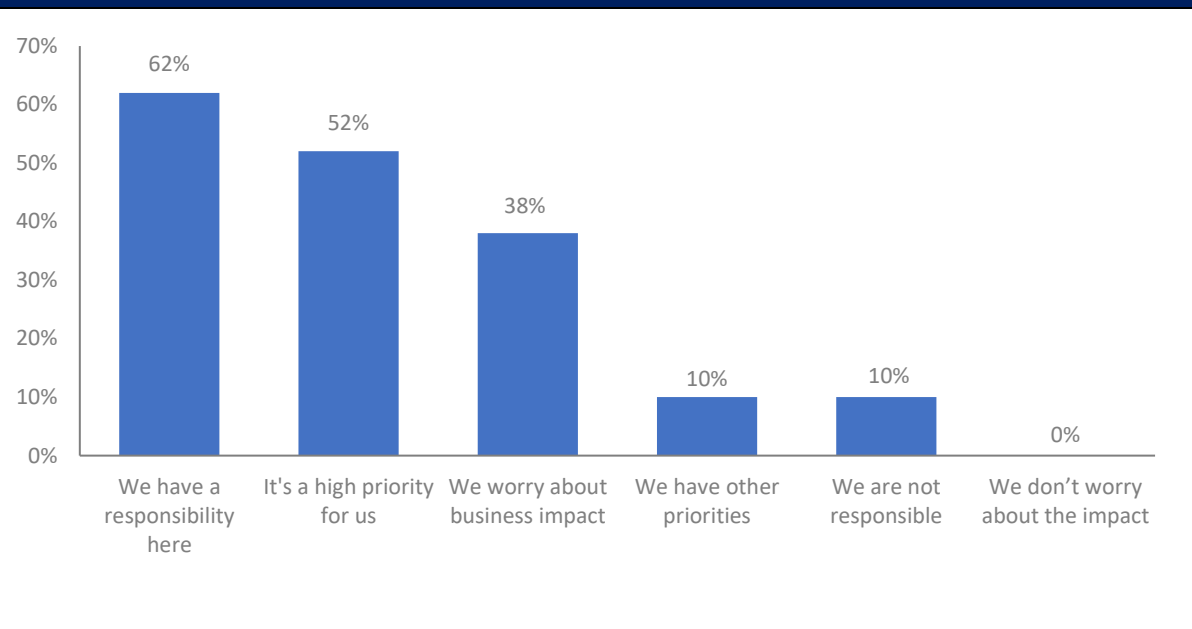


Figure 4 displays findings from the Business survey, which reflects greater concern about the impact of climate change among businesses (38%) and the high priority placed on mitigating and adapting to climate change (52%) from the 21 responses. This concern was prevalent during conversation with Showmen’s Guild, where extreme weather events more likely to occur with climate change, such as heavy rain and strong winds, force rides to close and make access to and from show grounds challenging. None of the business respondents answered “We don’t worry about the impact”.

While around a third of respondents across all surveys indicated that they worry about climate change, a far higher percentage revealed a sense of responsibility to act. In Figure 3, only 12% of residents feel “I contribute enough already”, with “A community effort is needed” resonating with the greatest number of participants (40%). Shown in Figure 4, 62% of business felt “We have a responsibility here”, with only 10% indicating that “We are not responsible”.

Respondents in the Egham Hythe Community Action Group embodied this, discussing the Eco-church certification which has been obtained by St Paul’s Church, and several others in the borough, for their commitments to environmental action. Although a question on sense of responsibility was not expressly asked in the Young People’s survey, trends of shifting behaviour indicate that there is also a strong sense of ownership for acting on climate change, as explored in the following sections.

In conjunction with questions on broader climate change issues, respondents in the Business Survey and Young People’s Survey were asked about their knowledge of RBC actions on climate change, and whether they support the Council’s Net Zero ambitions.

Figure 5: Are you aware of what RBC is already doing to tackle climate change? (Source: RBC Young People Survey)

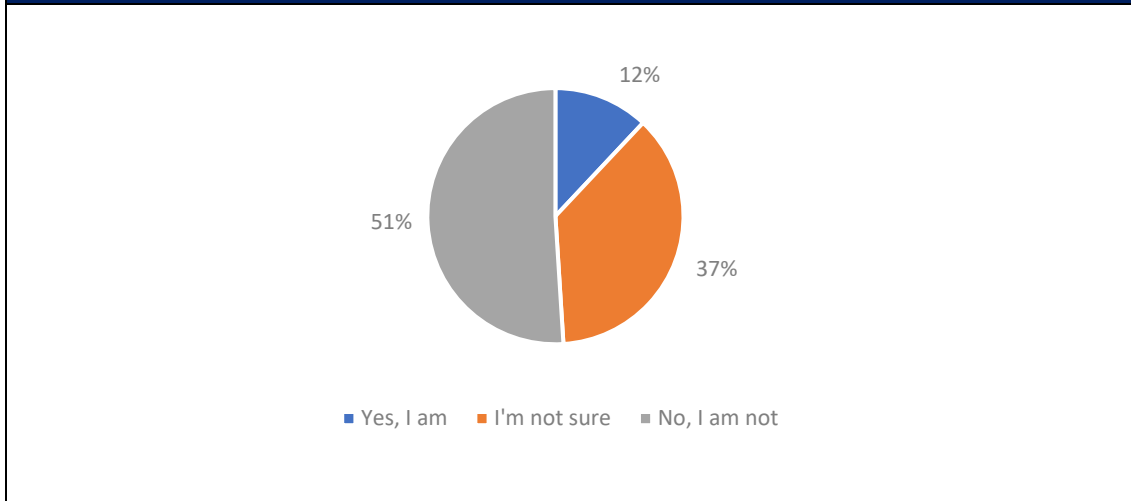


Figure 5 indicates that 51% of young people are not aware of RBC’s actions on climate change and a further 37% were not sure. This points to a potential requirement to make the Council’s actions more visible to young people.

Figure 6: Do you support RBC’s commitments to reach net zero carbon emissions? (Source: RBC Business Survey)

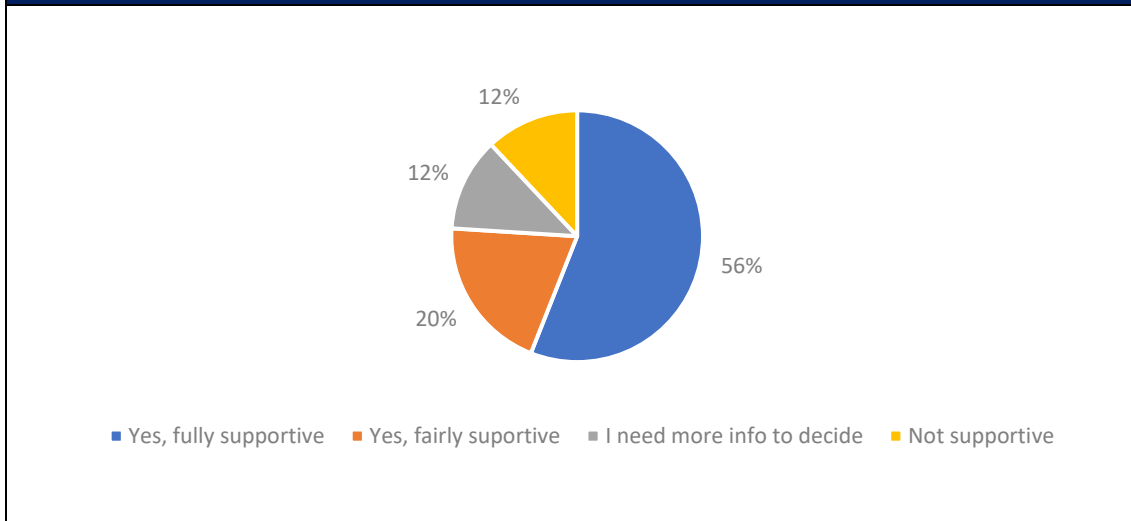


Figure 6 gauges the perspectives of businesses on their support for RBC Net Zero commitments. It is positive to see that 56% are supportive of these targets for Council estate Net Zero by 2030 and borough-wide Net Zero by 2050. Of respondents selecting ‘Not supportive’, they were asked why this was. One respondent stated that the UK’s efforts will make no difference as other country’s emissions are significantly greater than ours. Another

said that it will be costly, and RBC already faces financial challenges. A further comment stated that the effects of climate change are already being felt and that to achieve net zero carbon emissions for the Borough we should aim for 2030 rather than 2050.

There was positive feedback from groups present at the Business Runnymede Steering Group meeting on the 'Sustainable Business' category of the Runnymede Business Awards. This was viewed as a good way of raising awareness and sharing best practice examples of how small-medium sized businesses in the Borough are approaching sustainability issues.

5. Climate Change Actions

5.1 UK Context

Encouraging and supporting a transition to more sustainable behaviours across all groups is recognised as a critical element of responding to climate change. According to the Climate Change Committee, whilst local authorities are directly responsible for between 2-5% of their local area's emissions, they have the power to influence around a third of emissions in their local area through service delivery, policies, enabling activities and investments, and their wider leadership role³. Local authorities should take as many enabling actions as possible to help change behaviours and habits of local individuals, businesses, and organisations. These can range from seemingly small changes in habitual behaviours, such as turning off lights when leaving rooms, to larger scale infrastructural changes, including installing renewable energy sources on private property or switching from a petrol/diesel vehicle to EV. Positively, studies indicate that change is happening. A poll by the Met Office in 2023 indicated that 59% of the British public are consciously making decisions to support a low-carbon lifestyle⁴ and the Office for National Statistics 2021 Opinions and Lifestyle Survey Report in 2021 found 81% of British adults were making lifestyle changes in response to climate change⁵.

5.2 RBC Engagement Findings

Sections 5 to 8 explore changes in behaviours occurring across Runnymede in response to climate change. This will be addressed according to the following relevant themes in the draft Action Plan:

- Active & Sustainable Travel (barriers to further action are also fully explored as barrier questions were explicitly linked to this theme in the survey)
- Greener Homes & Buildings

³ Climate Change Committee (2020) *Local Authorities and the Sixth Carbon Budget*.

<https://www.theccc.org.uk/publication/local-authorities-and-the-sixth-carbon-budget/>

⁴ Met Office (2023) *Over half of public making low-carbon decisions*. <https://www.metoffice.gov.uk/about-us/press-office/news/weather-and-climate/2023/over-half-of-british-public-say-they-are-making-conscious-decisions-to-live-a-low-carbon-lifestyle-and-they-want-to-do-more>

⁵ ONS (2021) *Three-quarters of adults in Great Britain worry about climate change*.

<https://www.ons.gov.uk/peoplepopulationandcommunity/wellbeing/articles/threequartersofadultsingreatbritainworryaboutclimatechange/2021-11-05>

- Reducing Borough-wide Waste
- Natural Environment & Biodiversity

6. Active & Sustainable Travel

6.1 *Headline RBC Engagement Statistics*

53% of residents *“walk as much as possible”*.

26% of young people use **public transport** to get around the borough.

“Cost” and *“Poor infrastructure”* are key barriers to using sustainable transport.

6.2 *RBC Baseline Emissions and UK Context*

The Runnymede Council Estate and Area Greenhouse Gases (GHG) Baseline Report identifies ‘Transport’ as the largest emissions contributor across the borough, accounting for 54% of emissions in 2020. Of the total 299ktCO₂e emissions from transport, 58% came from private petrol and diesel cars. Of RBC emissions in 2021/22, 10% of emissions were from the council fleet, waste collection & transport, commuting, and business travel⁶.

The DESNZ Public Attitudes Tracker on Net Zero and Climate Change in Spring 2023 found that, nationally, 53% of respondents were choosing to walk or cycle, and 34% were choosing to use public transport, rather than use a car and 10% drive a hybrid or electric vehicle. This same study found that choosing to walk or cycle rather than use a car was perceived by the highest percentage of respondents (44%) as having the biggest impact on tackling climate change in the UK⁷.

⁶ Aether (2023) *Runnymede Climate Change Study: Council Estate and Area GHG Baseline*.

⁷ DESNZ (2023) *DESNZ Public Attitudes Tracker: Net Zero and Climate Change: Spring 2023, UK*.
<https://www.gov.uk/government/collections/public-attitudes-tracking-survey>

6.3 RBC Engagement Findings

Figure 7: Are you taking any of the following actions to reduce emissions when travelling? (Choice of up to three answers) (Source: RBC Resident Survey)

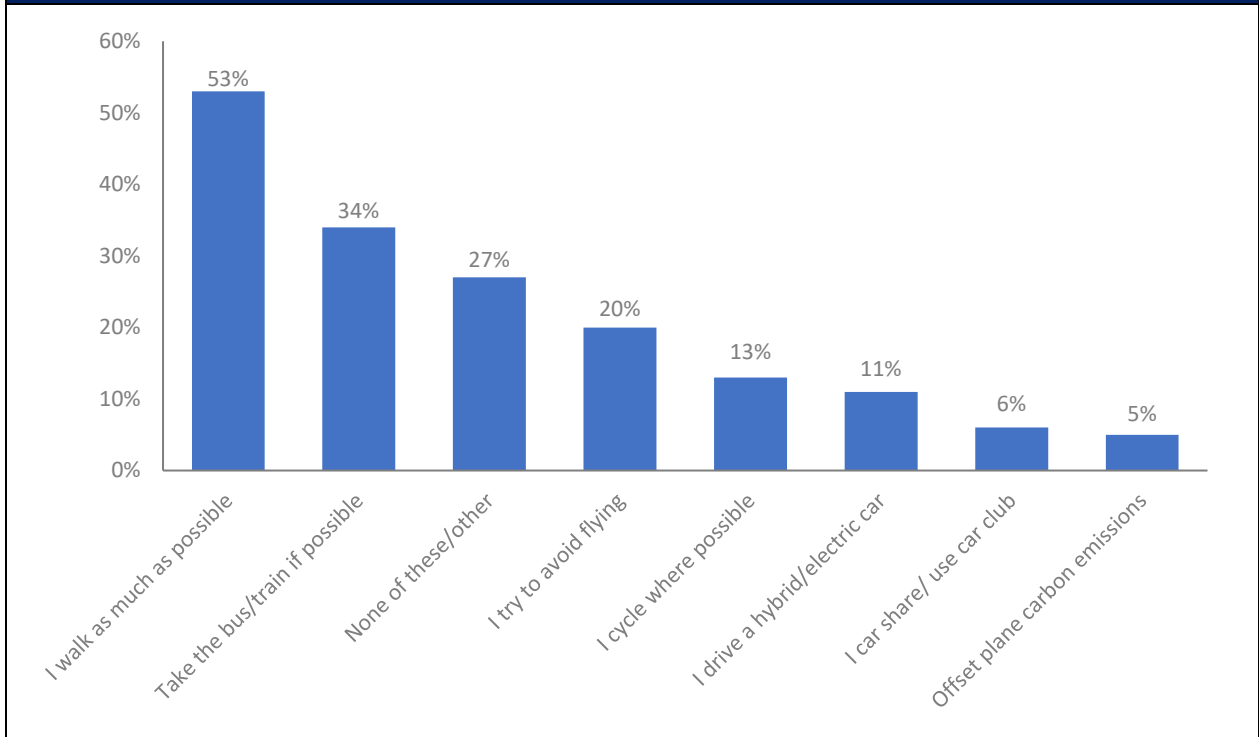
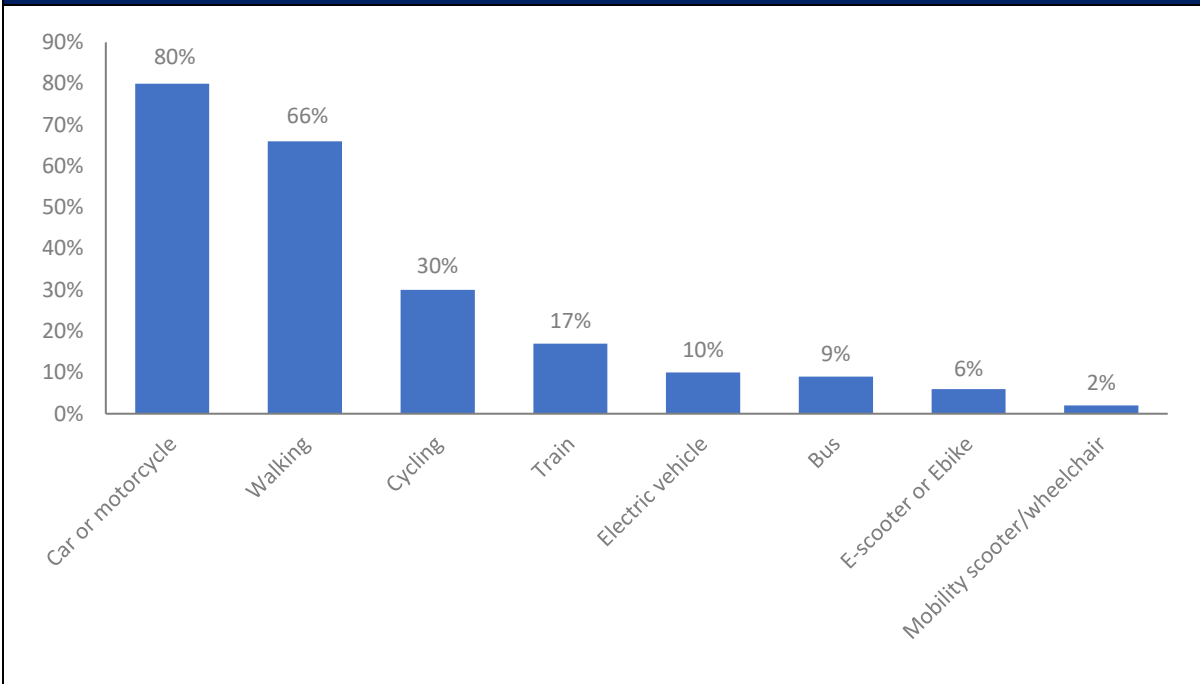


Figure 7 shows the results from 577 responses to the Resident survey on transport. 53% indicated that they walk as much as possible, and 34% use public transport as much as possible, closely mirroring the national picture. Cycling is a comparably less popular option, and car clubs/car sharing is only taken up by 6% of residents. A respondent at the Addlestone Community Action Group encourages car sharing at their organisation and has seen the multiple environmental and financial benefits that such an approach can offer.

Of the 27% responding 'None of these/Other', the follow-up question asked, "What other actions do you take to reduce emissions when travelling?". The most common response – 32 out of 102 responses – was 'Nothing'.

Figure 8: What ways of getting around Runnymede do you and your family use most? (Choice of up to three answers) (Source: RBC Young People Survey)



In the Young People’s and Business surveys, questions were asked on what modes of transport are most often used to travel around the borough. Figure 8 shows outcomes from the Young People’s survey, indicating that 80% use a car/motorcycle, 66% walk, and 30% cycle. Train and bus usage is low, used by 17% and 9% of respondents, respectively.

Figure 9: What are the modes of transport most used by your staff to get to work? (Choice of up to 4 answers) (Source: RBC Business Survey)

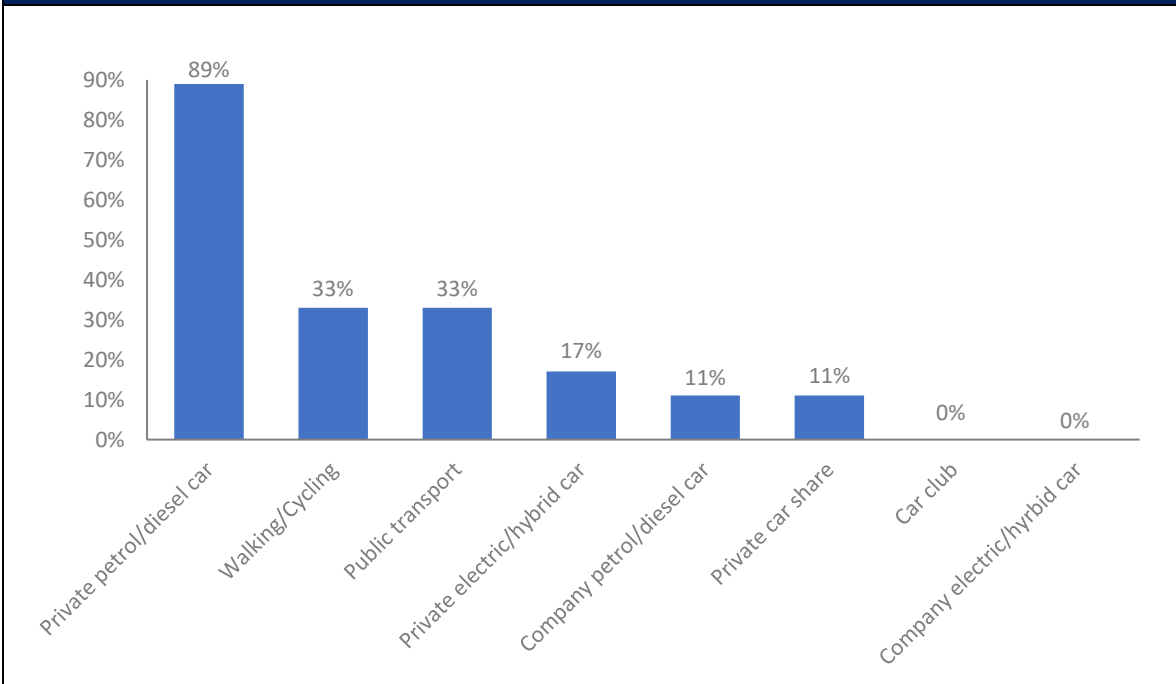
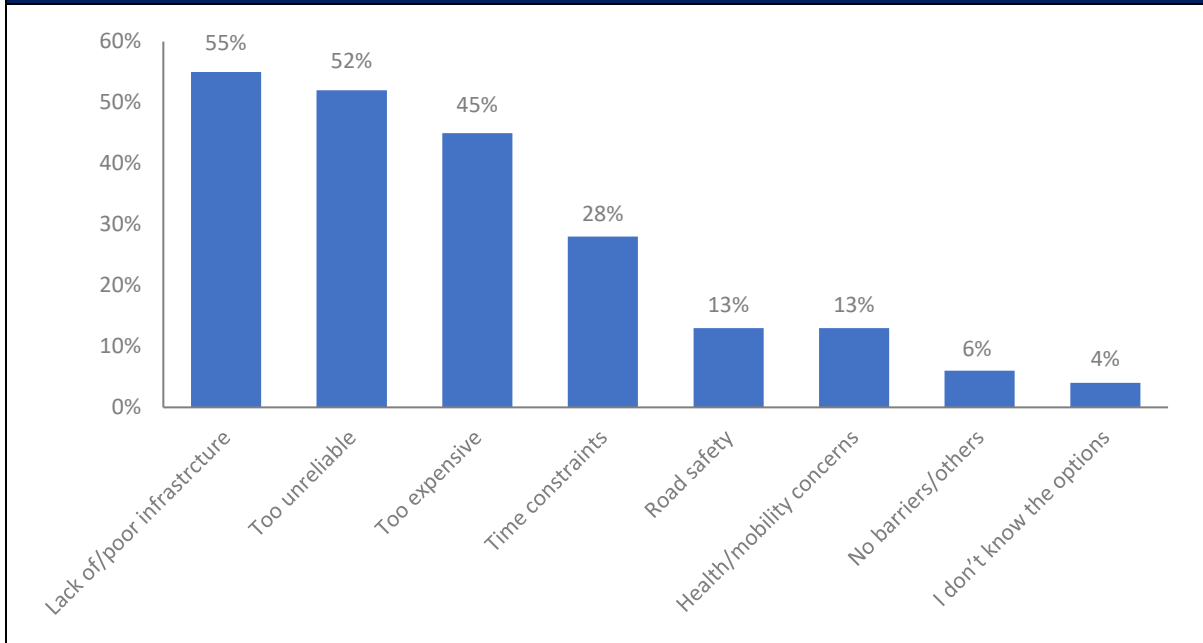


Figure 9 shows the results to the question in the Business Survey that asked what modes of transport staff take when commuting to work. A clear preference for private petrol/diesel vehicles is evident, selected by 89% of respondents. Walking/cycling and public transport were selected by 33%. In a separate question, businesses were asked whether they owned a fleet of vehicles, and if so, what types of vehicles this fleet was comprised of. Of 13 responses, 61% indicated they only have petrol/diesel vehicles, with a further 23% indicating that they mainly use petrol/diesel vehicles.

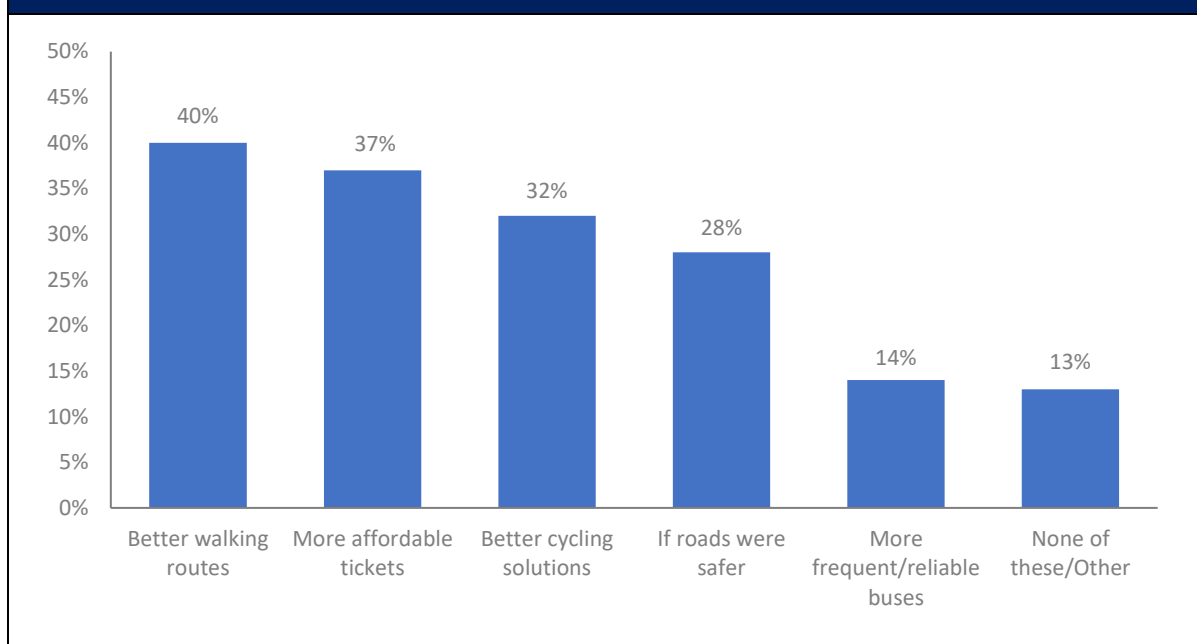
Figure 10: What makes it difficult for you to use more sustainable transport? (Choice of up to three answers) (Source: RBC Resident Survey)



All surveys asked about the barriers preventing use of more sustainable forms of transport. Figure 10 details the 572 responses to this question from the Resident's survey. Several key themes emerge here, including 'Lack of/poor infrastructure', 'Too unreliable' (which links to 'Time constraints'), and 'Too expensive'. Although not explicitly asked, it is reasonable to suggest that 'Too unreliable' and 'Too expensive' refer to public transport (train/bus), whereas 'Lack of/Poor infrastructure' and 'Time constraints' may equally apply to walking and cycling.

Public transport infrastructure and electrifying bus fleets were discussed with Egham Resident's Association Members, who noted key routes that were not served by public transport; and with the Chertsey Community Action Meeting participants who highlighted a lack of bus provision and the need to seek co-benefits from sustainable transport options, such as cost-effectiveness. The need for reliable and cheaper public transport was also noted in the Business survey, alongside improved provision of EV charging and government schemes which support business action on climate change.

Figure 11: What would help you use sustainable transport more often? (e.g. bus/bike/train) (Choice of up to three answers) (Source: RBC Young People Survey)



The Young People’s Survey notes similar barriers to those identified in the Resident’s Survey across 439 responses (Figure 11). ‘Better walking routes’ was the most frequently selected response to promote more sustainable transport (40%), with 37% selecting more affordable tickets, and 32% better cycling solutions. Of those selecting ‘None of these/Other’, the most frequent comment was ‘Ease/Convenience’.

7. Greener Homes & Buildings

7.1 *Headline RBC Engagement Statistics*

66% of residents had **“changed daily habits/behaviours”** to reduce energy emissions.

80% of young people **“turn off lights when leaving a room”**.

Only **6%** of residents and **10%** of businesses have **“explored energy grants”**.

7.2 *RBC Baseline Emissions and UK Context*

Residential and commercial/industrial property, and their associated energy usage, comprise the second largest sources of borough-wide emissions in Runnymede (43% in 2020). Council buildings for scope 1 and 2 emissions only, and Housing (tenant consumption) for scope 3 emissions, are also the largest emissions contributors for RBC⁸. As green homes and energy consumption are intricately linked, they are simultaneously addressed in this section. In the DESNZ Public Attitudes Tracker, activities related to reducing emissions at

⁸ Aether (2023) *Runnymede Climate Change Study: Council Estate and Area GHG Baseline*.

home, including installing low carbon heating systems (40%), minimising daily energy usage (37%), and installing insulation (33%) were among the behaviours perceived to have the biggest impact on tackling climate change in the UK. 80% of respondents minimised energy used at home, with small habitual changes such as turning off lights and washing at lower temperatures, and 51% consider the energy efficiency of goods they purchase⁹.

7.3 RBC Engagement Findings

Figure 12: Have you done any of the below to manage your emissions from energy use at home? (Choice of up to three answers) (Source: RBC Resident Survey)

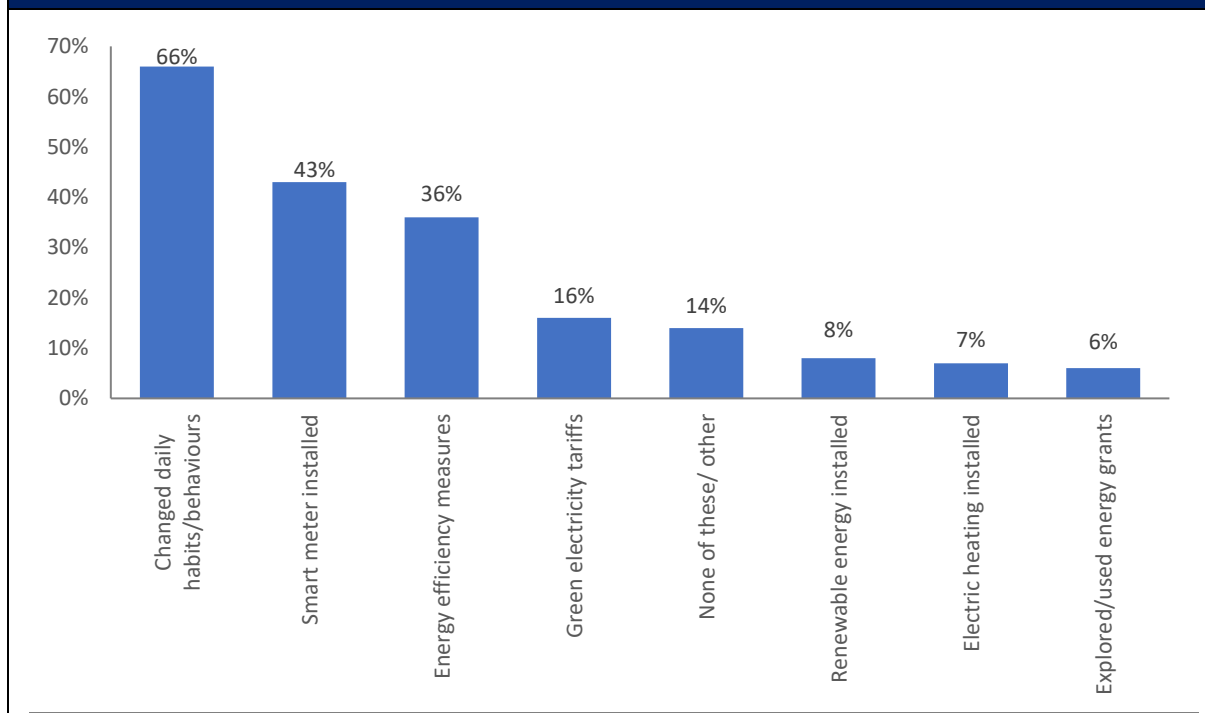
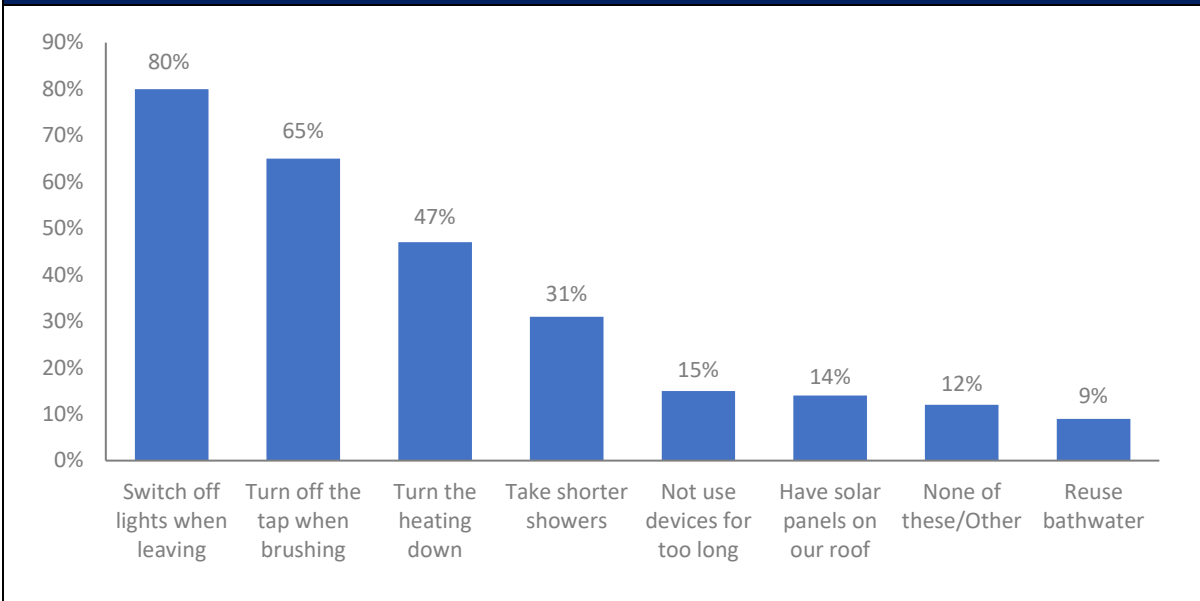


Figure 12 reveals the behavioural changes made by residents to manage their at-home energy emissions. “Changed daily habits” was the most frequent response, selected by 66% of 677 respondents, followed by “Smart meter installed”. Comparably, a much lower percentage have made changes to their energy infrastructure, such as installing renewables (8%) or electric heating (7%). The Surrey Gypsy and Traveller Communities Forum identified a particular problem being that they live in caravans heavily reliant on gas bottles and enabling connection to electrical mains could facilitate a sustainable transition. Of the 14% responding ‘None of these/Other’, the most common response to the follow-up question ‘What else do you do to help reduce energy & water use?’ was “Nothing”.

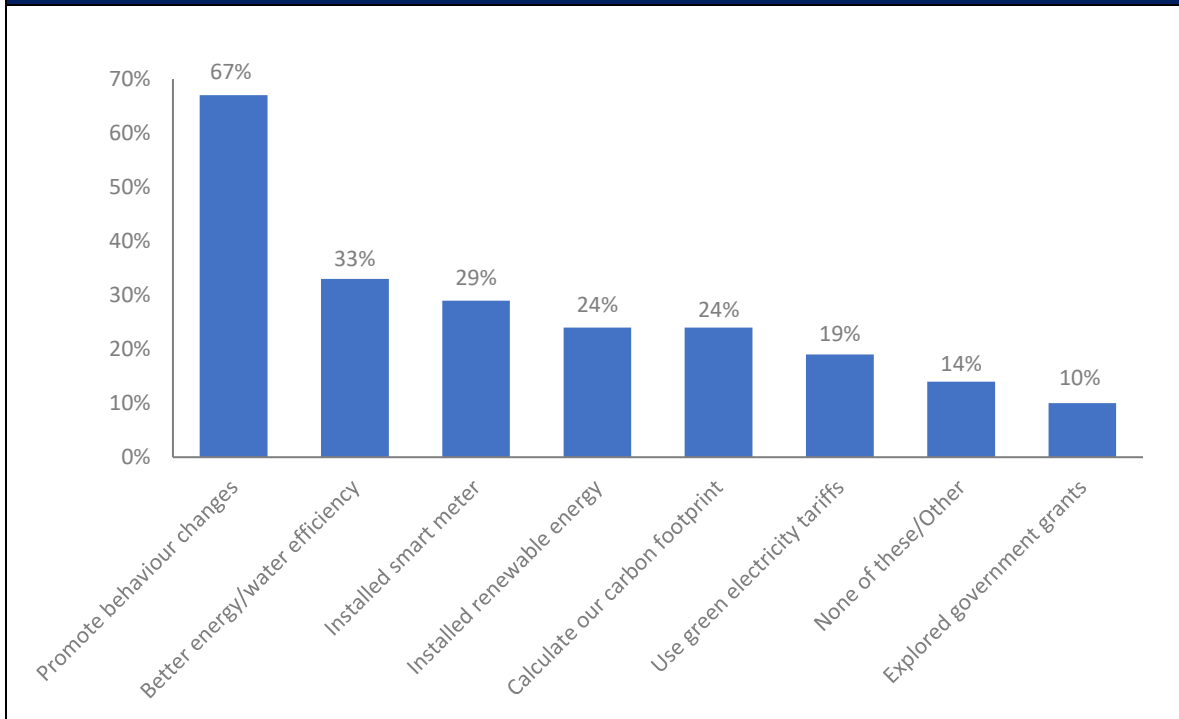
⁹ DESNZ (2023) DESNZ Public Attitudes Tracker: Net Zero and Climate Change: Spring 2023, UK.

Figure 13: What things do you and your family do to help reduce your energy and water use? (Choice of up to three answers) (Source: RBC Young People Survey)



These findings are also broadly reflected in Figure 13, from the Young Peoples’s Survey. 80% signal that they “Switch off lights when leaving”, 65% ‘Turn off the tap when brushing’ and 47% “Turn down heating”.

Figure 14: Do you do any of the following to reduce your organisations energy & water use? (Choice of up to 3 answers) (Source: RBC Business Survey)



According to responses from the Business Survey shown in Figure 14, “Promoting behaviour change” is the most common approach to reduce energy and water consumption (67%).

Compared with results from the Resident's Survey reflected in Figure 12, a lower percentage of businesses have installed a smart meter (29%), but a higher percentage have installed renewable energy (24%) and explored government grants (10%). 24% of the 21 respondents also indicated that they have "Calculated our carbon footprint", however it is unclear if this is with the intention of regularly tracking any improvements.

Respondents at Showmen's Guild detailed several initiatives they are looking into to reduce their environmental impact, including alternative fuels, digital payment systems, solar panels in their offices, and setting up a Zoom suite.

Business survey participants were explicitly asked "What would make it easier to lower energy use/use green energy?". Of 12 responses to this open question, 'Information and Education', 'Grant Funding', and "Energy Company Actions" were noted among the themes.

8. Reducing Borough-wide Waste

8.1 *Headline RBC Engagement Statistics*

62% of residents "donate to charity/reuse shops".

60% of young people "recycle paper, glass, and card".

53% of businesses consider "the sustainability ethos of the supplier".

8.2 *RBC Baseline Emissions and UK Context*

Although waste accounted for a relatively small 3% of borough-wide emissions in 2020¹⁰, behaviours related to minimising waste and consuming sustainably are among the most widely adopted in the UK. The DESNZ Public Attitudes Tracker Spring 2023 reveals that, nationally, 86% of respondents recycle household waste, and 79% seek to minimise the food they throw away¹¹.

Consumption decisions are often closely linked to waste, including choices surrounding food, clothing, electricals, and many other items. The origin of raw materials, transport of processed items, frequency of product uses, and how waste is disposed of all have emissions implications. Shifting these behaviours in favour of more sustainable practices, such as buying only what is required, purchasing locally, and recycling, can reduce emissions which originate from multiple sources in the supply chain, whilst building a circular economy and reducing virgin material demand.

¹⁰ Aether (2023) *Runnymede Climate Change Study: Council Estate and Area GHG Baseline*.

¹¹ DESNZ (2023) *DESNZ Public Attitudes Tracker: Net Zero and Climate Change: Spring 2023, UK*.

8.3 RBC Engagement Findings

Figure 15: Are you doing any of the following to reduce waste and consume sustainably? (Choice of up to three answers) (Source: RBC Resident Survey)

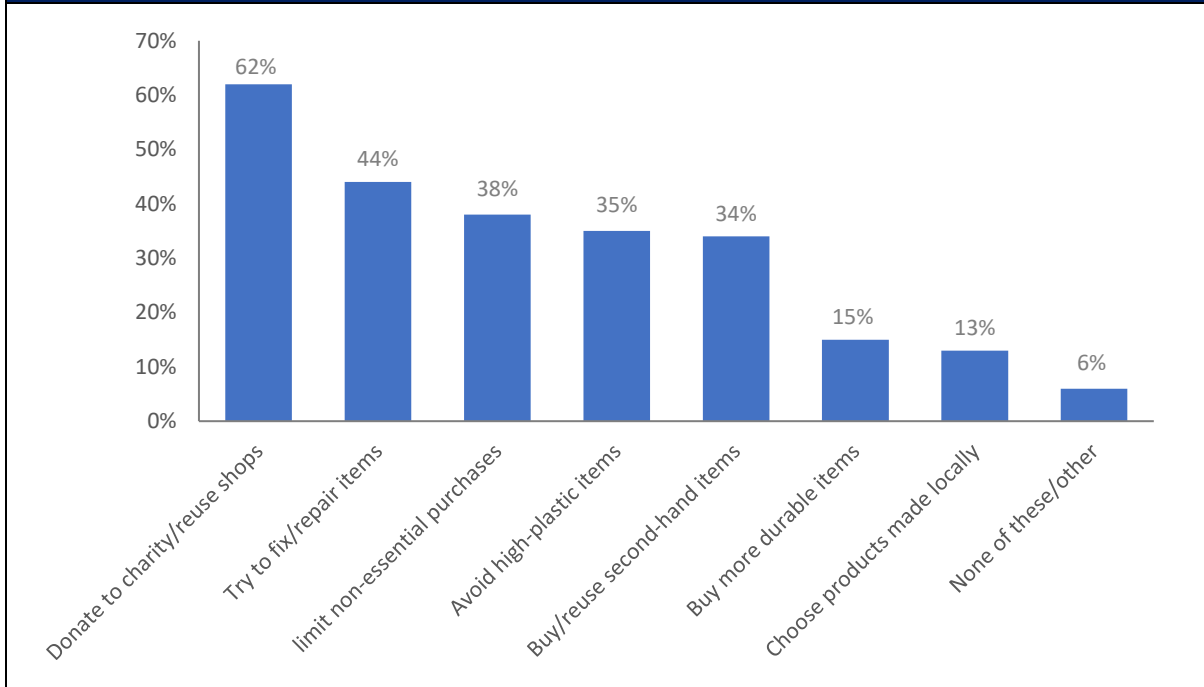
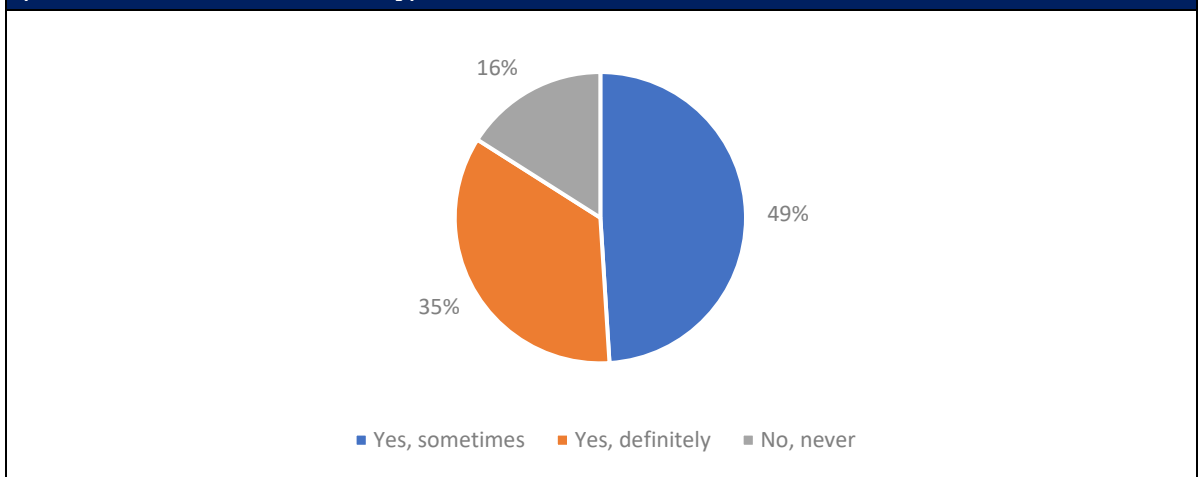


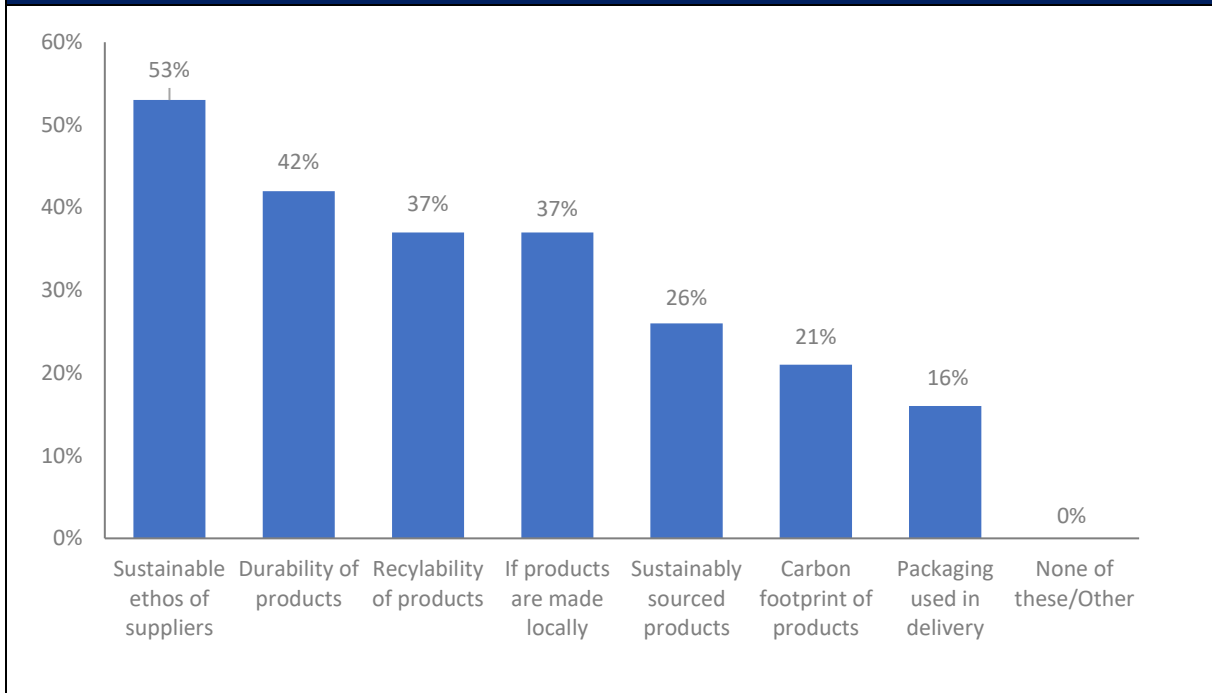
Figure 15 shows the results of 608 Residents responses to waste reduction and sustainable consumption behaviours. The most popular response is “Donate to charity/reuse shops”, selected by 62% of respondents, followed by “Try to fix/repair items”. By comparison, 34% indicated that they “Buy second-hand items”, with 13% “Choosing products made locally”. Participants of the Englefield Green Community Action Meeting discussed community fridge and community gardening initiatives, which combat food waste and enable local produce to be grown and shared within the surrounding area.

Figure 16: Do you think about the sustainability of services/orgs you spend money on? (Source: RBC Resident Survey)



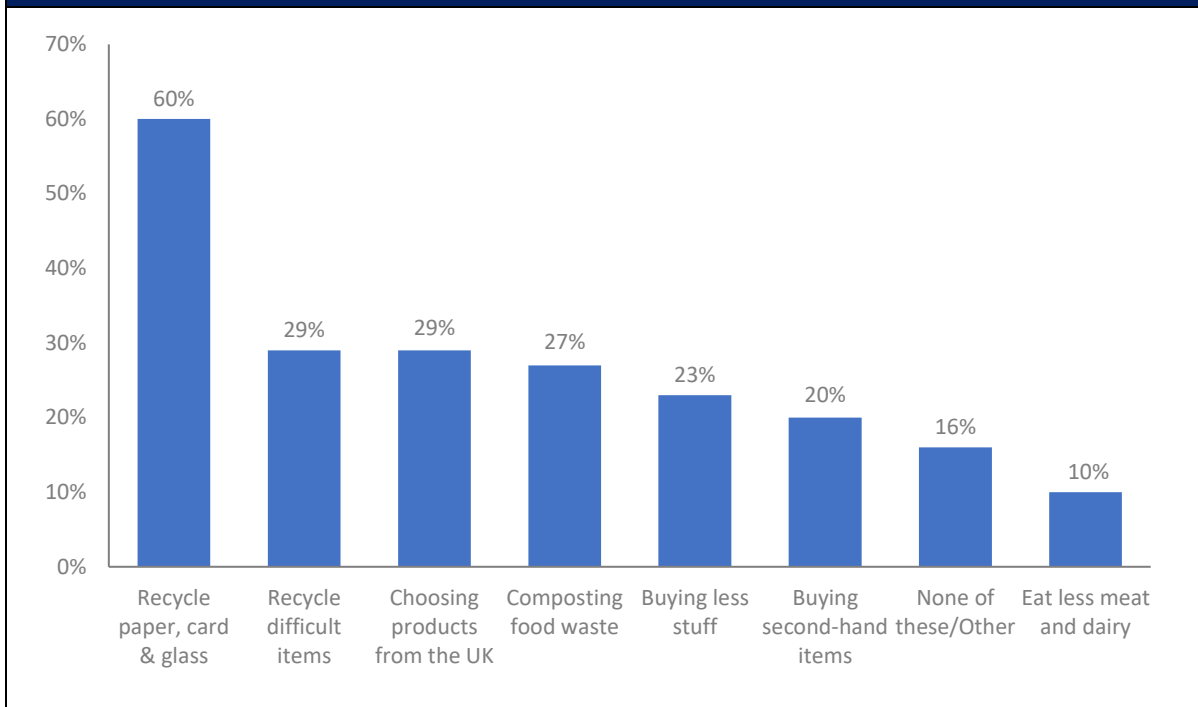
The majority of residents consider the sustainability of services and organisations they spend money on, as shown in Figure 16, with 35% responding “Yes, definitely” and 49% responding “Yes, sometimes”.

Figure 17: When making purchase decisions, do you consider any of the following? (Choice of up to 3 answers) (Source: RBC Business Survey)



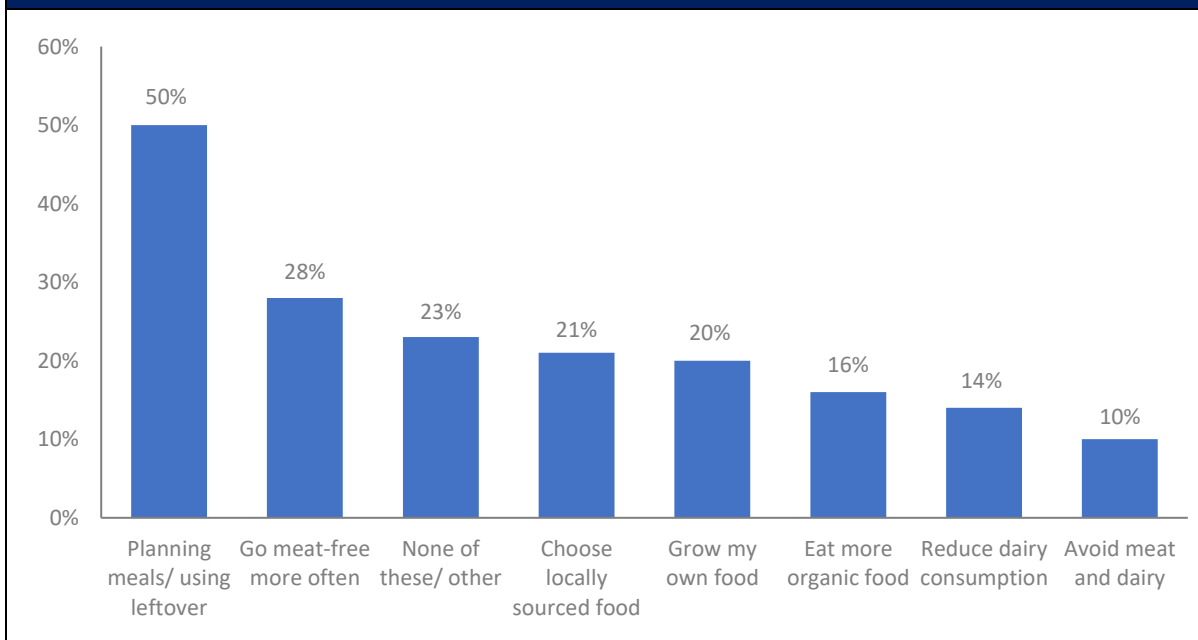
This focus on sustainability is similarly reflected in the Business Survey (Figure 17) where “Sustainable ethos of suppliers” was the most common response among business participants (53%) when asked what businesses consider during their purchase decisions. “Durability”, “Recyclability”, and “Locality” were also important features.

Figure 18: What things do you and your family do to help reduce waste and eat sustainably? (Choice of up to three answers) (Source: RBC Young People Survey)



Young People’s behaviours to reduce waste and eat sustainably are reflected in Figure 18. Recycling items at home, such as paper, card, and glass, was most popular with 60%. 29% recycle difficult items (those not recycled at home). “Eat less meat and dairy” was least selected with only 10%.

Figure 19: Have you made any changes to your food buying and eating habits? (Choice of up to three answers) (Source: RBC Resident Survey)



“Avoiding meat and dairy” was also an unpopular behavioural change amongst Resident’s Survey respondents, selected by 10% of 635 respondents reflected in Figure 19. “Planning meals/using leftovers” was the most common approach with 50% selecting this option. While this may reflect changes in response to the environment, it may equally reflect other priorities, such as the increased cost of living and the need to reduce food costs. 21% selected “Choose locally sourced food” and 20% selected “Grow my own food”.

Of the 23% that selected “None of these/Other”, 108 answered the follow-up question ‘What other changes have you made to your food buying and eating habits?’. 53 respondents indicated that no changes had been made, with “Buying less food” and “Buying cheaper food” noted in 14 and 15 responses, respectively, potentially reflecting the increased financial burdens being felt by households.

Supermarket representatives at the Addlestone Town Team Focus Group further indicated a commitment to reducing waste. This is achieved through donating surplus food directly through community groups and local charities, or through using food redistribution platforms such as Olio and Caboodle which enable connections with groups and volunteers.

9. Natural Environment & Biodiversity

9.1 *Headline RBC Engagement Statistics*

*“Protect more **wildlife areas**” was the favoured option for improving the natural environment among **young people**.*

*55% of residents believe “**Reducing littering**” would be the main driver of improved green space.*

*68% of businesses can “**Grow/plant trees on site**”.*

9.2 *RBC Baseline Emissions Context*

Green spaces and a healthy natural environment play a multitude of critical roles, including carbon sequestration and storage, improving attention and well-being among residents, and providing areas for biodiversity to thrive. The Runnymede Council Estate and Area GHG Baseline Report by Aether indicates that land use in the borough was responsible for sequestering, rather than emitting, 4.2ktCO₂e in 2020. The report notes that this is due to the presence of woodland and grassland areas across Runnymede which act as carbon sinks. While this value appears small relative to the borough wide emissions, it is equivalent to approximately 3 times the scope 1 and scope 2 emissions of RBC in 2020/21. In addition to ensuring these spaces exist, ensuring they are well maintained and managed is important to realising the full suite of benefits for humans and nature that these spaces can provide.

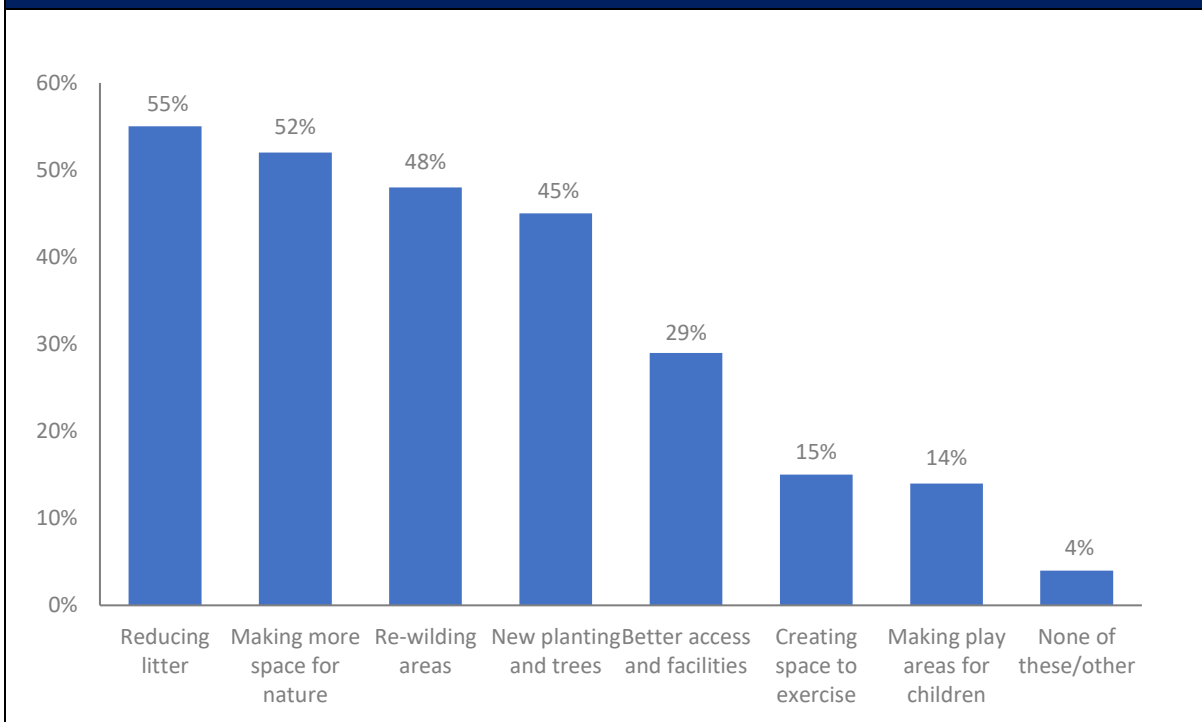
9.3 RBC Engagement Findings

Figure 20: How would you like Runnymede’s environment to be improved? (Ranked)
(Source: RBC Young People Survey)



Young people were asked to rank four options to indicate in which ways they would like to see the environment of Runnymede improved. The 425 responses are summarised in Figure 20. ‘Protect more wildlife areas’ ranked highest and was the ranked first by 185 (44%) of respondents, followed by ‘Improve our rivers and lakes’ selected by 102 respondents (24%). ‘More trees’ in both parks and streets were ranked below these. The results here may indicate a preference among young people for actions which support biodiversity and wildlife, over and above those which may support greater carbon sequestration.

Figure 21: What should be the main drivers in improving our green spaces? (Choice of up to three answers)
(Source: RBC Resident Survey)



In the Resident’s Survey, a similar question was asked related to improving green spaces in the borough, with the outcomes of 570 responses shown in Figure 21. While ‘Making more space for nature’ and ‘Rewilding areas’, answers (comparable to the favoured ‘Protect more wildlife areas’ response by young people) were chosen by 52% and 48% of residents respectively, the most frequently selected answer was ‘Reducing littering’ (55%). A large proportion (45%) of residents also selected ‘New planting and trees’ as a method to improve green spaces.

Figure 22: Could you help improve Runnymede’s environment by doing any of the following? (Choice of up to 3 answers) (Source: RBC Business Survey)

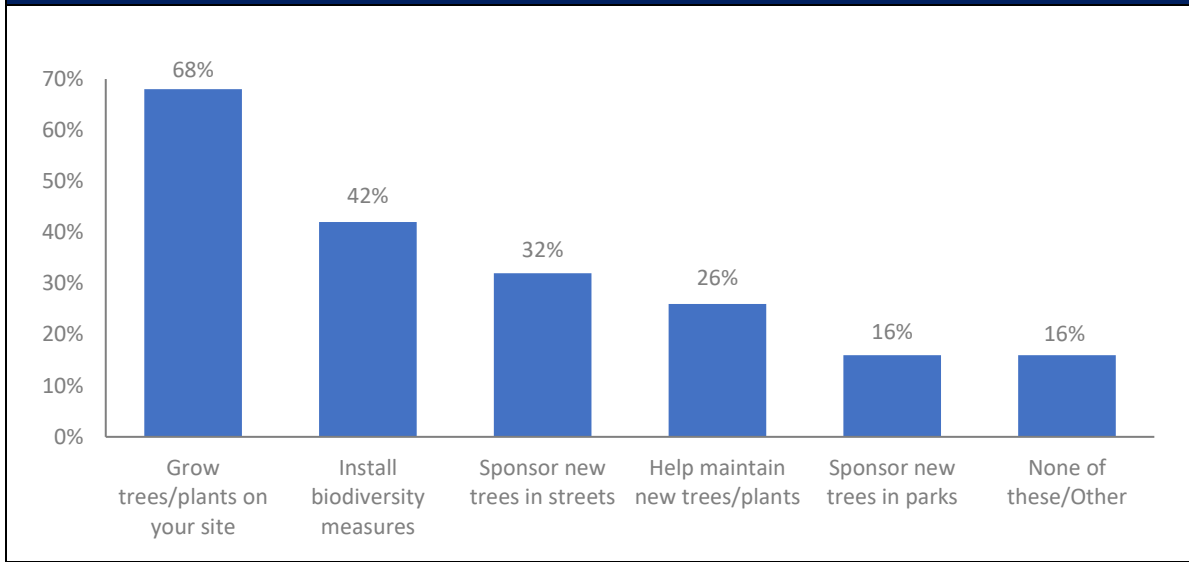


Figure 22 indicates that new planting could be supported by local businesses, with 68% stating that they “Could grow trees/plants on site”. “Installing biodiversity measures” and “Sponsor new trees in streets” were also popular measures that could be taken. This highlights the potential for synergies across multiple stakeholder groups in the borough moving forward. Running programs or events which allow residents and young people to work with businesses to plant trees on their private sites can realise a host of environmental and social benefits, including empowering communities, building community networks, carbon sequestration, and access to nature.

10. Barriers to Climate Change Action

10.1 Headline RBC Engagement Statistics

63% of businesses struggle to reduce emissions as “Green alternatives are **costly**”.

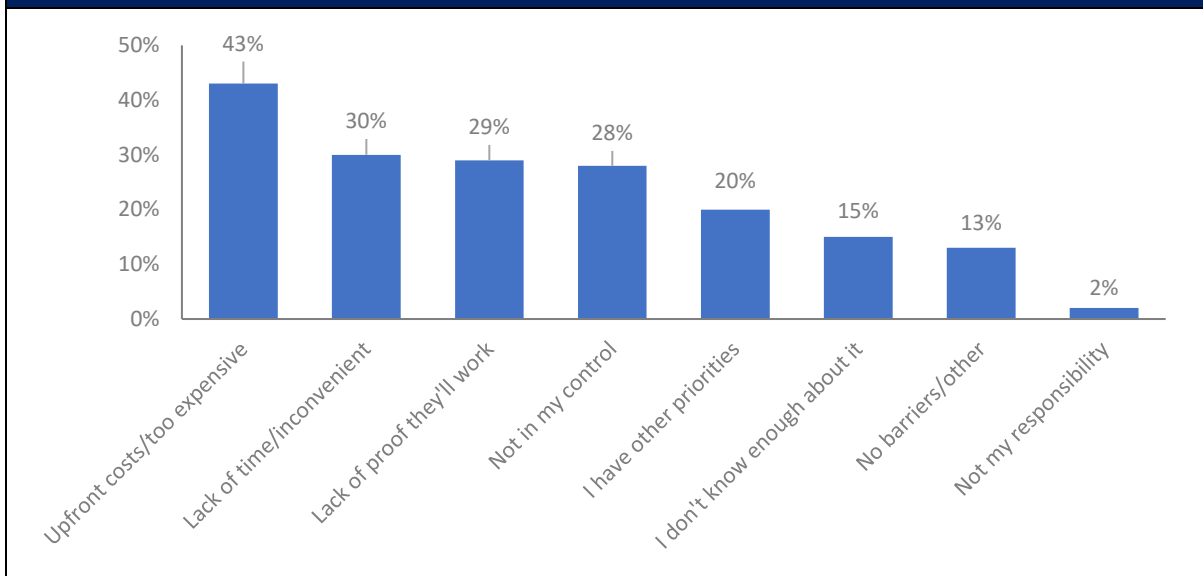
“**Upfront costs/too expensive**” make it difficult for **43%** of residents to take action.

42% of businesses “**Lack the resources to act**” on reducing emissions.

10.2 RBC Engagement Findings

It is evident from the surveys that many individuals and groups are either making behavioural changes, or are willing to do more, in response to climate change. However, there remain many barriers to further action. These barriers cover a wide range of practical and psychological limitations, including a lack of resources, alternative priorities, lack of necessary information, or limited motivation. Understanding the dominant processes preventing further action on climate change is crucial to establish and implement policies and projects which will help to change behaviour.

Figure 23: What makes it difficult to take some of the actions we've described? (Choice of up to three answers) (Source: RBC Resident Survey)



'Upfront costs/too expensive' was the most frequently selected difficulty preventing residents acting on energy emissions, food habits, and consumption patterns, selected by 43% of 587 respondents shown in Figure 23. This likely reflects the high initial outlay on large-scale infrastructural changes, such as installing renewables, which have a relatively greater impact on reducing emissions. Considering this, access to grants may be of particular value to local people. However, access to these grants was found to be challenging in some cases. Feedback from the Surrey Gypsy and Traveller Communities Forum indicated that applying for grants was especially difficult for these groups due to not having a fixed address. Similarly, respondents in the Chertsey Town Teams focus group indicated that funding from some programs was very restrictive and extremely prescribed criteria prevents access to financial support from those that may want to act.

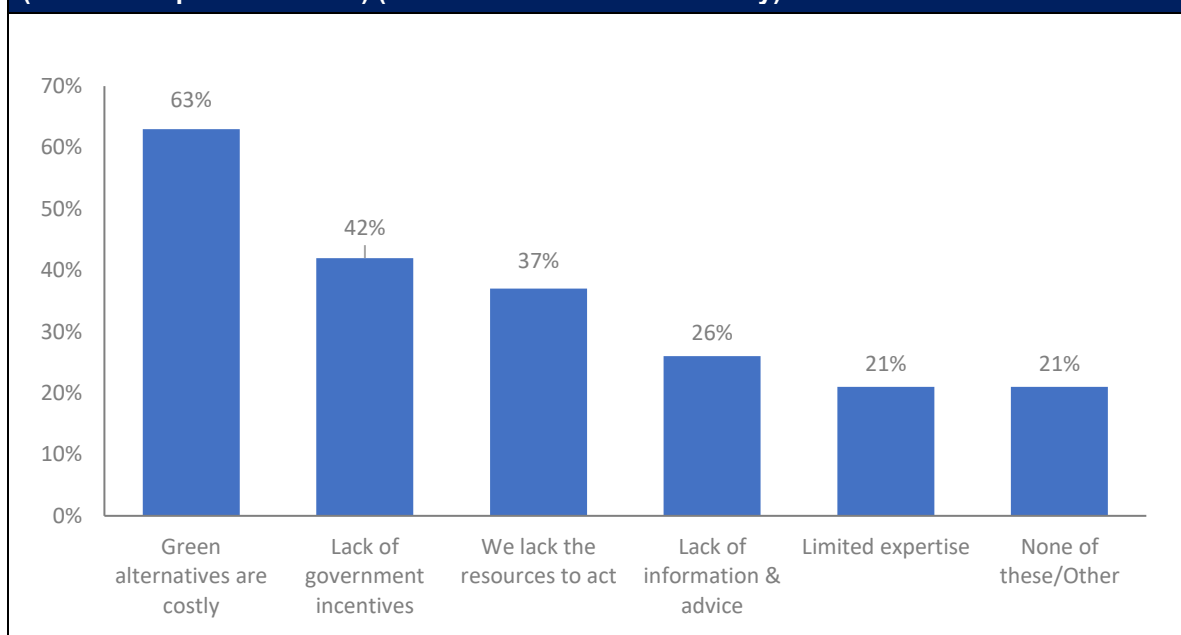
The Council could play a pivotal role, working with other organisations, to raise awareness of any opportunities that do arise and ensure that grants/financial support is available and accessible for widespread uptake of sustainable initiatives.

"Lack of time" and "I have other priorities" were selected by 30% and 20% of respondents, respectively in Figure 23, reflecting a need to ensure strategies seek co-benefits and fit within the daily lives of residents. One Chertsey Town Teams meeting participant described

how the planning approval for solar panels had taken longer than anticipated, leading them to miss the grant window. While this may be a difficult process to weigh up, the importance of a quick turnaround on these decisions is evident.

“Lack of proof they’ll work” and “I don’t know enough about it” responses, with scepticism around some proposed climate solutions such as EV cars mentioned during the Chertsey Town Team meeting, point to a lack of accurate or convincing information surrounding the benefits of certain behavioural changes. There may be some sectors where information is more crucial, such as that expressed during the Chertsey Community Action Meeting where a lack of awareness among residents on recycling locations and what can be recycled were key themes. Only 2% of respondents selected “Not my responsibility”.

Figure 24: What makes it difficult for your organisation to reduce your carbon emissions? (Choice of up to 3 answers) (Source: RBC Business Survey)



The expense barrier reflected by residents was similarly echoed by local businesses, as reflected in Figure 24. “Green alternatives are costly” was selected by 63% of respondents, and “Lack of government incentives” by 42% of respondents. This demonstrates the implications of green behaviours on businesses with a dominant focus on their finances.

Along a similar theme, a Business Runnymede Steering Group participant indicated that they had considered a shift to offering carbon offsetting services for their business activities but was concerned about losing business by highlighting this issue. Furthermore, respondents at Showmen’s Guild stated that while there are currently no EV lorries in their fleet, the greener models are more expensive and would need to come with incentives, such as reduced showground rental rates or VAT exemptions, or grants, if they are to be viable. This further reflects the dominant revenue motive among businesses, and how climate change actions are likely required to achieve co-benefits if to be widely adopted.

Referring to Figure 14, it is interesting that despite the cost limitations on businesses, only 10% have explored government grants. This points to a potential role for RBC in facilitating access to this information. During the Business Runnymede session, issues with getting planning approval for sustainable infrastructure, such as solar PV and heat pumps, were

also mentioned. Showmen's Guild highlighted further limitations in shifting to greener energy - due to the lack of electrical supply on showground sites, the community has stuck with generators and calor gas tanks which are suitable for regular travel.

Although "Lack of resources to act", "Lack of information" and "Limited expertise" were selected by comparably smaller percentages of businesses, illustrated in Figure 24, the responses still indicate that more support is needed. A respondent in the Addlestone Town Teams meeting indicated that a further barrier for some businesses is the need for Head Office approvals on decisions. Capacitating businesses to act and providing clear, regular information and access to experts on how they can act, are actions which RBC could adopt to support a sustainable transition.

11. Action Plan Priorities

11.1 Headline RBC Engagement Statistics

56% of businesses believe RBC should prioritise facilitating 'Access to Funds'.

Education in school was the most popular priority with young people.

'Improve travel and transport' was the most frequent priority for residents.

11.2 RBC Engagement Findings

The primary objective of the Council's 'Summer of Engagement on Climate Change' was to inform the RBC Climate Change Action Plan. By engaging local stakeholders in this process, the Action Plan can ensure these groups are consulted in decision-making and ensure the outputs are meaningful and stand the best opportunity of engaging those around the borough. While several possible actions have already been identified through exploring responses to questions on climate change attitudes, behaviours, and barriers, the following section reflects on explicit questions to all respondents on the RBC Action Plan and the priority areas for focus.

Figure 25: Which wider community actions should be prioritised in RBC’s Action Plan? (Choice of up to three answers) (Source: RBC Resident Survey)

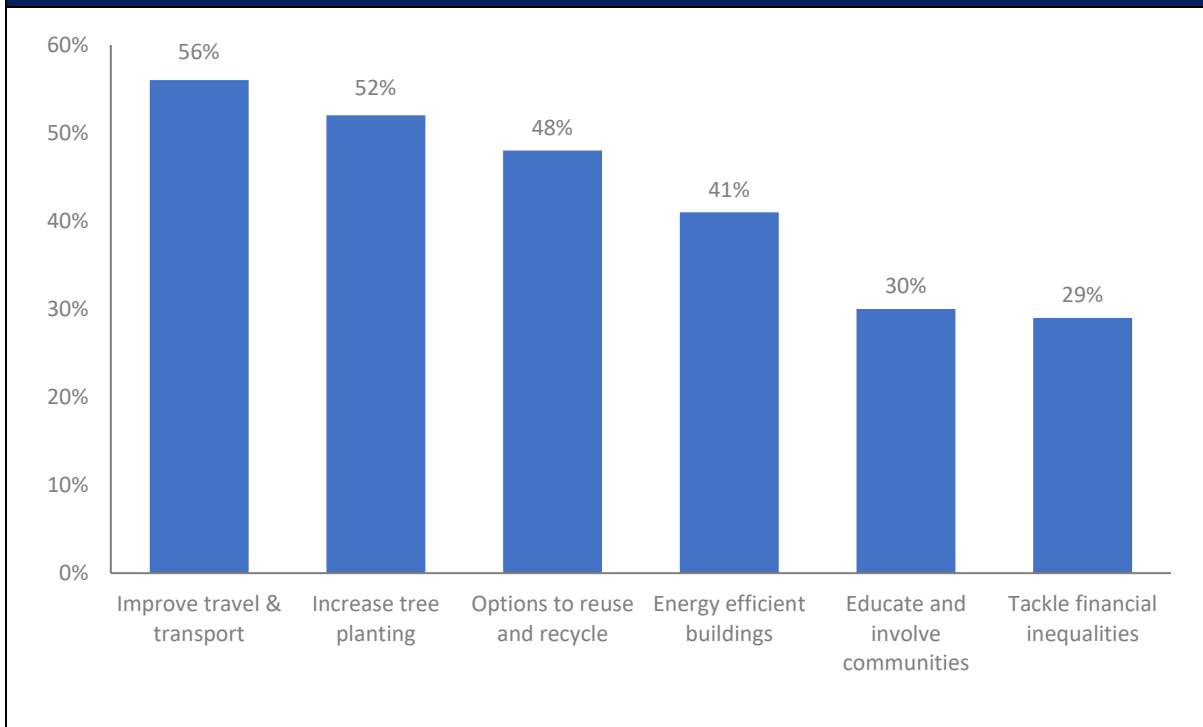
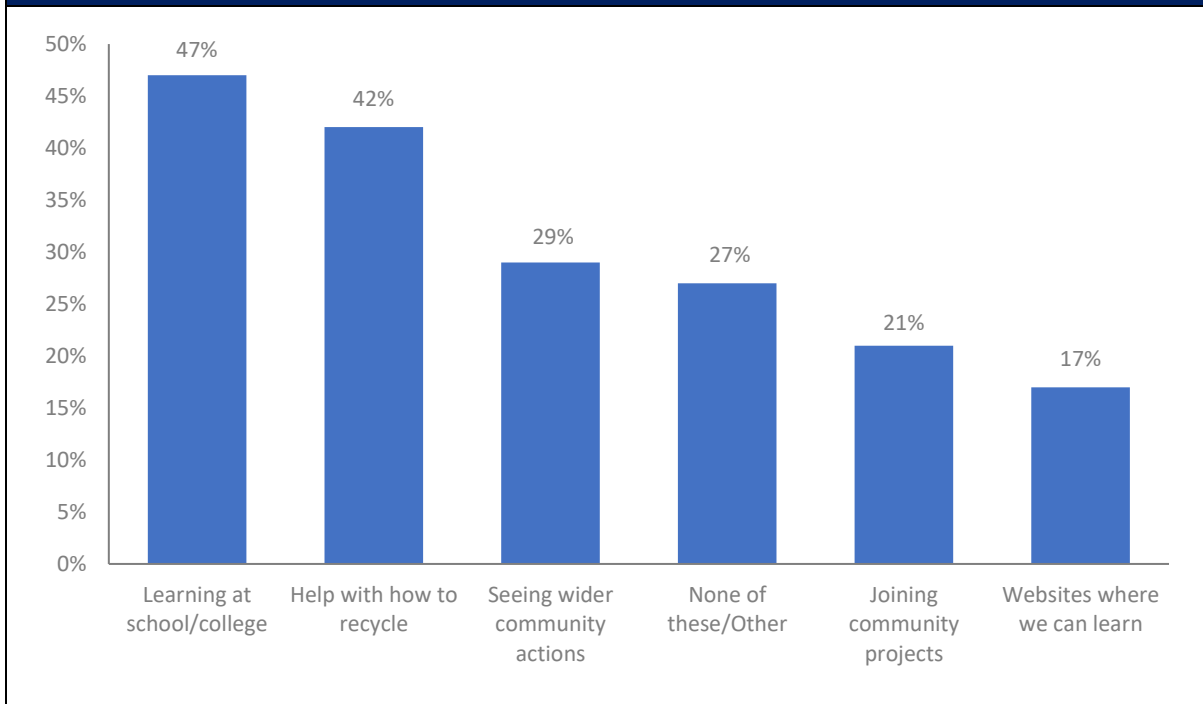


Figure 25 collates 547 responses from residents on actions to be prioritised in the RBC Action Plan. While it is evident that residents perceive multiple areas of focus, ‘Improve travel and transport’ (56%) and ‘Increase tree planting’ (52%) were the most frequently selected. Aligned to the theme of ‘Improve travel and transport’, feedback from Surrey Police representatives during the Business Runnymede Steering Group session identified a need to ensure storage facilities for sustainable transport (e.g., bicycles) are secure and reduce the risk of crime by working in collaboration with business, developers, and police.

Although, ‘Educate and involve communities’ (30%) and ‘Tackle financial inequalities’ (29%) were chosen least often, they were still considered to be important by a substantial number of respondents.

Community communication and engagement was a key theme in many meetings and focus groups discussions. During the Egham Resident’s Association meeting and Community Action Meeting in Egham Hythe, the importance of RBC signposting climate change initiatives and information was evident. However, caution needs to be taken to ensure communication with residents uses clear, non-technical language; demonstrates the collective benefits of individual actions to build motivation; and recognises the diversity of audiences that need to be engaged. Respondents in the Chertsey Community Action Meeting pointed to a need to understand the audience, communicate regularly e.g., at events and pop-ups, and getting out into the community as key features of successfully communicating actions and intentions with the borough.

Figure 26: What is most important to help you and your family tackle climate change? (Source: RBC Young People Survey)



A comparable question was asked of young people, with the 424 responses received summarised in Figure 26. Similar to the residents' responses, a range of priorities are deemed important, most notably 'Learning at school/college' and 'Help with how to recycle'. Both priorities fall into the broader category of 'Education and Information provision' which is a key focus for young people.

While this highlights potential knowledge gaps, it is very encouraging to see that there is a desire amongst young people to engage with climate change topics and learn more about them. Local college representatives at the Business Runnymede steering group emphasised the importance of the Council engaging with colleges and their students, and potentially delivering carbon literacy training to a younger audience.

With only 17% of young people selecting 'Websites where we can learn', there is an inferred preference from this data that in-person sessions with face-to-face engagement are valued over online information.

Figure 27: Which of these potential key actions do you think RBC should prioritise? (Choice of up to 4 answers) (Source: RBC Business Survey)

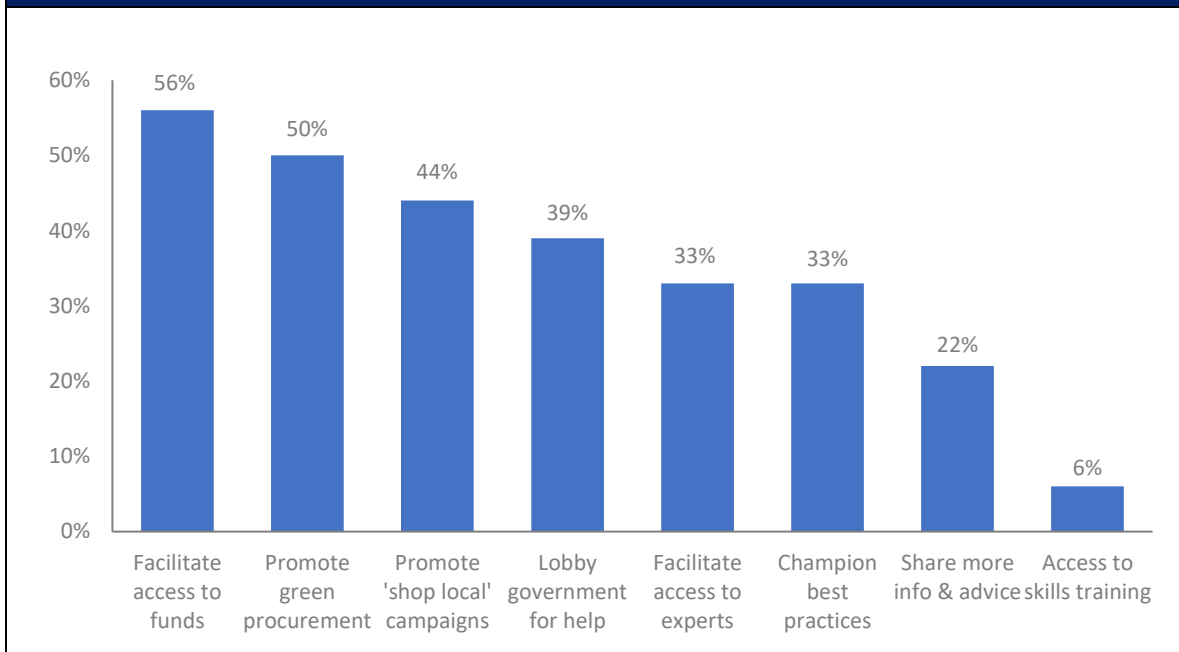


Figure 27 outlines the key priority action areas for RBC based on the Business Survey responses. Some responses follow the 'Education and Information provision' theme of young people, such as 'Facilitate access to experts'. This was a central theme of the Addlestone Town Teams focus group, where the potential RBC role of raising awareness among communities and businesses of platforms enabling the redistribution of surplus food, and more generally on climate change action, was evident.

Furthermore, those attending responded well to suggestions that the Council could create and share 'best practice' toolkits on initiatives such as community fridges, which could then be replicated in other areas of the borough.

Showmen's Guild respondents also showed support for further information and publicising green policies and grants which could then be shared on their own platforms. Of greater focus for businesses are 'Access to funds' selected by 56% of respondents. This follows from the dominant barriers for further action on climate change for business relating to lack of resources and finance to overcome potentially costly emissions reduction initiatives. Given the low percentage of businesses that have explored government grants (Figure 14), RBC could play an important role in raising awareness of such grant opportunities.

'Promote green procurement' was also a popular focus and is now supported by the new 'Procurement policy for Social Value' and 'Sustainable Procurement policy' implemented by RBC. Raising awareness of this among local businesses should be a focus to ensure they recognise the Council's ongoing commitments to empowering communities and the environment. This need for the Council to lead by example was also reflected in the Egham Residents Association meeting and Chertsey Community Action Meeting, where questions concerning the Council's new developments, potential emissions, and net zero ambitions were asked, and Chertsey Town Team meeting with a need to improve recycling facilities and facilitate the right infrastructure for action.

The final section of each survey sought qualitative responses on RBC Action Plan priorities. The key themes mentioned are detailed for the Resident’s Survey and Young People’s Survey in Figures 28 and 29. Both heavily reflect the priorities identified in Figure 25 and 26, reinforcing the key focus areas among these groups. Resident’s comments were most frequently associated with ‘Roadways, traffic, and cycling’, whereas ‘education and engagement’ and ‘school events’ were dominant themes among young people.

Figure 28: ‘Do you have other comments/suggestions/priorities for shaping RBC’s Action Plan?’ (Source: RBC Resident Survey)

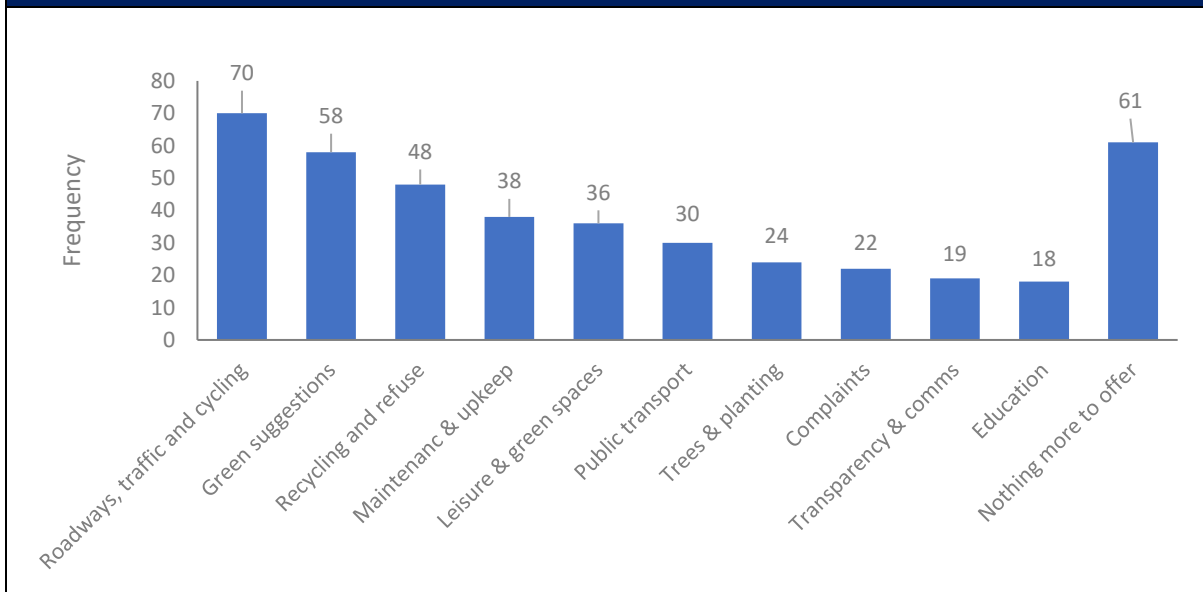
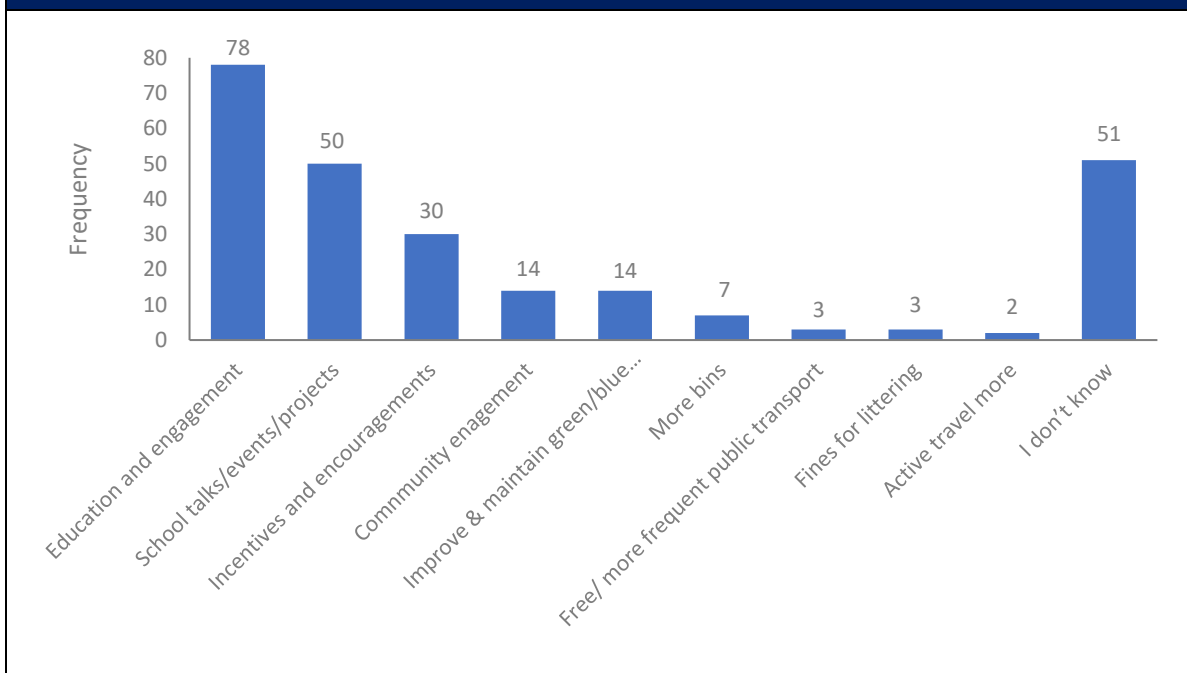


Figure 29: How could the Council work with young people more on climate change? (Source: RBC Young People Survey)



11.3 RBC Engagement Findings – Qualitative Responses

The following section reports on some of the raw responses from these qualitative questions on the RBC Action Plan and Council priorities, supplemented by feedback from focus groups and meetings across the borough, organised around key themes. As far as possible these themes are aligned to those already presented in this summary and with those proposed in the draft Climate Change Action Plan. The qualitative responses included do not serve as an exhaustive list of all comments received across the three surveys, but those selected are indicative of the key themes. The following coding indicates the comment source:

- (R) - Resident's Survey Response
- (Y) - Young People's Survey Response
- (B) - Business Survey
- (O) - Other engagement method (to be stated alongside the comment)

Climate Change Denial

A significant theme arising in the Resident's Survey was **climate change denial**. Several respondents stated that anthropogenic climate change is made-up, referenced with terms such as 'scam', 'propaganda' and 'con':

- *"Nothing because Co2 emissions are a scam being used to implement more Gov't control and taxation"* (R)
- *"Nothing, because it is a scam. Stop wasting our money"* (R)
- *"I don't - anthropogenic climate change is a con"* (R)
- *"The government are screwing everyone over so no one will afford utilities including water. Working families get no help at all. Everything comes at a massive cost. Screw climate change"* (R)
- *"Climate change so-called solutions make governments and corporations lots of money, and poor people poorer."* (R)

On occasion, information regarding greenhouse gas emissions or anthropogenic climate change was used to justify these perspectives:

- *"Nothing. Carbon emissions are not the problem there is only 0.04 percent carbon dioxide in the atmosphere. Scientific fact. Climate change is the biggest con perpetrated on mankind."* (R)
- *"Nothing at all. Carbon dioxide is the gas of life, without it we can't breathe and plants won't grow. Climate change is an evil scam. Stop the chemtrails and geo engineering."* (R)

Active and Sustainable Travel

Active travel and public transport were recurring themes among Resident's Survey respondents, acknowledging the importance of **sustainable transport**, but expressing concerns around difficulties in using it. Residents commented on issues concerning **reliability, convenience and cost** of public transport:

- *"Please improve public transport so it runs later. If we had a service like London. I would hardly ever use the car."* (R)

- *“Public transport is a joke in Surrey! £5 for 10 mins to Woking?! One bus every 30 mins???” (R)*
- *“To get people out of cars reduce public transport prices and improve the services.” (R)*
- *“Use of public transport/ bus in Egham is extremely unreliable and more expensive than in London!” (R)*
- *“Better public transport availability. Buses stop very early.” (R)*

Limited public transport has made many people feel like they need to maintain private vehicles. However, residents mentioned that to switch from petrol/diesel to more sustainable options, such as electric vehicles, there needs to be more **EV charging infrastructure**, alongside **planning/funding support** for their implementation:

- *“Install electric car charging points” (R)*
- *“With the drive towards electric vehicles there is a need for the infrastructure to support them. No where near enough accessible charging points. Until every public car parking space has a charging point the move to ban petrol vehicles is frankly ridiculous.” (R)*
- *“Most of the street had their front garden converted into a parking space a few years ago. We applied for it last year and were refused! We want to install an electric car charger asap and change our diesel car into an electric one.” (R)*
- *“Give more incentives to use fully electric vehicles. Follow Norway’s lead and make it beneficial to drive non-polluting and quiet vehicles. Currently electric charge points installed in Virginia Water useless as not dedicated to electric vehicle, limited parking for slow charge and too expensive.” (R)*

Many residents desire improved **cycling and walking infrastructure** to facilitate active and sustainable travel options. The lack of well-maintained and separated cycle networks were often cited as making cycling unsafe within the borough:

- *“A more effective, safer and efficient cycle path network.” (R)*
- *“Upgrade cycling facilities, cyclists use the 1st metre of a road, usually the worst maintained. More off road cycling like gravel paths.” (R)*
- *“NCN routes and cycle paths in borough are a disgrace and need to be avoided at all costs for safety reasons.” (R)*
- *“Better pedestrianisation of towns to encourage more people out of their cars. Better public transport. Better and more cycle and walking paths.” (R)*
- *“Maintenance of existing walking & cycling pathways will make of more likely that people will use these facilities. This should be prioritised ahead of or equivalent to any road maintenance programmes.” (R)*

Moving away from an explicit focus on active and sustainable transport, **Road maintenance** was also a recurring theme with many stating that the quality of the roads needs improvement:

- *“The roads quality is absolutely appalling, I hurt my back driving over potholes! Worst in the UK!” (R)*
- *“Fill in the POTHLES that we pay council tax for to help” (R)*
- *“Fix the POTHLES!” (R)*
- *“Get the infrastructure right first, the roads are in a terrible state, I often feel I’m looking down at the road to avoid potholes rather than looking ahead and behind at traffic”. (R)*

Reducing borough-wide Waste

Several respondents requested an improvement in **recycling and waste management** services. The focusses for improvement varied. Some wanted more recycling bins, while others wanted an expansion of the current items that are allowed to be recycled:

- *“More recycling bins for households”* (R)
- *“Better (actually have) refuse and recycling services for flats.”* (R)
- *“More recycling facilities to deal with items not currently recycled in Runnymede”* (R)
- *“I still don't know if I can recycle Tetra Pak, at the moment I'm collecting them and then driving them to a tip in Lyne.”* (R)
- *“Upgrade Lyne Recycling centre to at least include separate facilities for glass & different plastics”* (R)
- *“Offer a recycling service to businesses”* (B)
- *A major issue for gypsy and traveller communities is the lack of a fixed address, which means they are unable to sign up for local bin or recycling services* (O - Surrey Gypsy and Traveller Communities Forum)
- *Meeting discussed the lack of recycling facilities for businesses. Although respondents would like to be able to recycle their commercial waste on site or at events, they lack the infrastructure to do this, and private recycling services are deemed expensive* (O - Chertsey Town Teams Meeting).
- *Issues with recycling in flat shares and shared bin areas, which also raises problems for refuse collectors* (O - Chertsey Community Action Meeting).

Natural Environment and Biodiversity

Many respondents identified issues regarding green spaces, including various suggestions for how to best act on these concerns.

Residents and young people believe that there should be **more trees** planted, alongside a concurrent focus on **biodiversity** through programmes such as **rewilding** within the borough's green spaces:

- *“Please plant more trees, keep them green spaces green and encourage wildlife. Plant more wild flowers in the borders fir the bees”* (R)
- *“More rewilding/no mow areas/flowers for pollinators- coupled with better communications so that people don't complain about 'untidy' verges etc. Better use of council areas for nature (e.g., roundabouts.”* (R)
- *“Please do understand that tree planting is a very small part of maintaining our attempting to increase biodiversity. meadows, various grasslands, scrub land, natural regeneration through successional stages, wood pasture and parkland, hedgerows, cutting regimes, dead wood standing buried or piled are all important. Protecting existing established trees is more important than planting new ones.”* (R)
- *“Please consider leaving verges and areas of green space to rewild. This would reduce the cost of maintenance and letting grasses and plants to grow significantly improves the environment for a wildlife”.* (R)
- *“Plant more trees and protect more wildlife”* (Y)
- *“Plant more trees throughout public parks and around streets.”* (Y)
- *“Stop deforestation”* (Y)
- *“Stop hurting the environment”* (Y)

Building **new developments** on Green Belt land was another concern among residents. Many residents wanted to maintain the borough's green spaces rather than lose them to new housing developments. Residents also cited a **lack of infrastructure** to support the new developments:

- *"Stop building on green belt land."* (R)
- *"Stop building on green spaces around Chertsey. Trees are being taken down increasing flood liability. Local areas are being ruined, mass housing being erected while local services, roads, natural areas and facilities crumble."* (R)
- *"Stop building new homes especially on green sites - the area is overcrowded as it is with lots of building planned on the few remaining green spaces we have - this leads to terrible traffic and pollution as well as less green space - build new homes in less crowded/busy places or redevelop the large amounts of empty office spaces."* (R)
- *"Stop building on green belts! If building more houses, you need more schools more doctors and more dentists!"*. (R)
- *"Stop building on what was once green belt land that was moved to suite home building."* (R)

Several residents mentioned that they want green spaces such as **parks to be better maintained** and to host **better facilities**. However, some of these comments somewhat contradict requests to rewild green spaces:

- *"Sort out the children s paddling pools and facilities in local parks."* (R)
- *"Not very green having to drive to Runnymede pleasure park."* (R)
- *"Perhaps the RBC could clear roadside Kerbs of weeds and mow green spaces eg parks"* (R)
- *"Please look again at the park keeping the majority of parks and greenspaces have become an overgrown rubbish strewn mess."* (R)
- *"Please make our park areas more playable. Poorly kept parks, grass too long and too many weeds. Really devastated at such poor park areas, and public toilets are locked?!!!"*. (R)

Littering was also an identified issue, with mention of litter being seen across the borough in streets and green spaces:

- *"A program to deter people from littering...I think Runnymede is covered In Litter"* (R)
- *"Also, there is far too much litter thrown out of cars spoiling the roads and verges."* (R)
- *"More regular street cleaning and either bigger bins or more regular emptying of the existing ones in and around Egham is a lovely place but I see so much litter."* (R)
- *"Have more public recycle bins so there is less litter"*. (Y)
- *"More bins - less rubbish on floor"*. (Y)

However, there was a positive desire among young people to be involved in **solutions** on littering, engaging in volunteer litter picks or in environmental improvement groups:

- *"Volunteering and litter picking"*. (Y)
- *"Take trips to parks to litter pick"*. (Y)
- *"Litter picking"*. (Y)
- *"Maybe create some groups to help you improve the environment by picking up litter and other things"*. (Y)

Cost and Incentives

Many residents noted that **cost** was a significant barrier for reducing daily emissions, especially in the current climate with an ongoing cost of living crisis:

- *“Make it more affordable and accessible. Rent is already too expensive. Then there’s the taxes. For people like me who is not paid enough, I couldn’t care less if the world burns down due to climate change.”* (R)
- *“Reduce cost of public transport, reduce roadworks that cause traffic pollution”.* (R)
- *“None, cannot afford hybrid/electric car”.* (R)

Among young people, businesses and various meetings, a focus on **incentives and benefits** was seen as needed to encourage more involvement with climate change action and promote behavioural change:

- *“Create events that give out good rewards”.* (Y)
- *“Create free activities to help clean up the roads and areas with the promise of rewards to the highest achieving helper.”* (Y)
- *“Create jobs and clubs that will appeal to the eyes of young people and also grant rewards as this will encourage more to join and continue.”* (Y)
- *“Give them a reward for helping out and giving them chances to get out of school on help days”.* (Y)
- *“Give away free seeds to residents”.* (B)
- *“I’d hope that the current £2 bus scheme could continue in order to encourage public transport usage”.* (B)
- *Potential for voucher scheme for secondary school children to cycle to school, similar to a cycle to work scheme* (O - Runnymede Business Steering Group).
- *Incentives believed to be a key part of behaviour change* (O - Egham Residents Association).

A response in the Business Survey reflected the cost of action for the Council alongside residents and business, and a need to provide **co-benefits** from action:

- *“But really this is going to cost a lot of money but it is money we have to spend. The key is to make sure it creates smart opportunity for the local community and local businesses and not a dumb cost.”* (B)

Climate Change Education and Engagement

A key feature throughout all surveys was a need for education relating to climate change. Among the Resident’s Survey respondents, some were willing to reduce their emissions but **lacked the guidance** or the know-how to do so:

- *“Lack of education on some subjects”* (R)
- *“Lack of information”* (R)
- *“Greater awareness of sustainability / green issues and how small actions make a difference would really help. Relatively few people seem to consider what actions they could easily make part of their everyday activities.”* (R)
- *“By enhancing public discussions and showing with different approaches how small actions by each individual can have an impact if performed by the whole community”* (Y)

To address this issue, **education** was a frequent suggestion, with many residents and young people stating that education on climate change from a young age is especially important:

- *“Education from a young age about environmental effect on Their Future.” (R)*
- *“Education is an absolute priority - along with actively tackling miss-information & climate breakdown denial.” (R)*
- *“Education is key and start teaching children from a young age how important looking after our environment it.” (R)*
- *“Add more climate change awareness in school” (Y)*
- *“By going school to school educating people.” (Y)*
- *“By making lessons about climate change fun and interactive.” (Y)*
- *“Educate children about the negatives of climate change and what it’s doing to the world.” (Y)*
- *“Focus on the promoting of awareness by inviting in experts” (B)*

Among young people, there was an apparent preference for this education occurring **within schools**, and the **Council** coming into schools to talk about these topics:

- *“Come into schools for assemblies and talk about climate change and ways to prevent it.” (Y)*
- *“Come to schools and educate everyone about how we can stop or tackle climate change.” (Y)*
- *“Have a lesson every few weeks in school where a member of the council could talk to year groups individually about the progress they made on the environment in the past month. This way, we can see how much the council does and what we can do as well to help them out in the best way possible.” (Y)*

Alongside education, **community engagement** was a recurring theme, with residents and young people feeling they should be given the opportunity to contribute to the climate action taken within the borough. Furthermore, these groups wanted **support from the Council** in their own climate actions and creation of clubs/projects:

- *“Community involvement should not be instead of council action, but a supplement it” (R)*
- *“Education, engagement core to successful” (R)*
- *“We need to start thinking about what individuals and communities need to start doing in terms of adaptation and not just mitigation.” (R)*
- *“Involve community in how to improve local issues” (R)*
- *“Allow schools to do more talks with the council to allow views to be passed on as well as having more chances for young people to get out and do more things to help the community” (Y)*
- *“By setting up community events to teach young ones about climate change” (Y)*
- *“Create a club for children who want to tackle climate change.” (Y)*
- *“Create groups of young people to plant trees and learn about what climate change is and what we can do to help.” (Y)*
- *“They could start a teenage community challenge.” (Y)*
- *“Do community projects” (Y)*
- *Discussion topic focussed on previous initiatives where a skip was placed in a specific location for a period of time to combat fly tipping. Residents were made aware in advance, and this was often co-ordinated with litter picks in the surrounding area (O - Chertsey Community Action Meeting).*
- *A respondent indicated that loneliness in the borough is an issue, and that opportunities to engage with community initiatives presents potential co-benefits for both the environment and mental health (O - Community Action Meeting Egham Hythe)*

[Annex A – Survey Questions for RBC Residents, Young People, and Businesses \(designed by Built ID Ltd and hosted on their ‘Give my View’ platform\)](#)

Residents Survey Questions

Screen 1

1. Which area of Runnymede do you live in?

Addlestone & Rowtown / Ottershaw / Thorpe / Woodham & New Haw / Egham / Englefield Green / Longcross & Lyne / Chertsey / Virginia Water / None of these areas

Screen 2 – Quick Fact. Runnymede Borough Council (RBC) would love to hear about the positive steps communities are already taking to tackle climate change, but also explore some of the difficulties people are facing, so that we can understand how we can help.

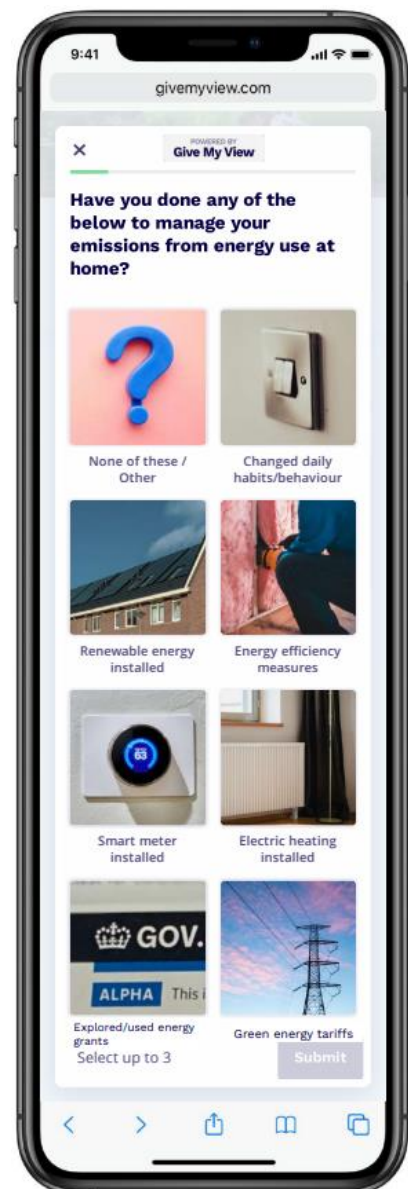
Screen 3

2. Which of these statements resonate most with you in relation to climate change? [Select up to 3]
- This is top priority for me
 - I contribute enough already
 - I worry about climate change
 - I worry about other things
 - A community effort is needed
 - Going ‘green’ is too expensive
 - Need more info on the topic
 - My actions make a difference

Screen 4

3. Have you done any of the below to manage your emissions from energy use at home?
- Energy efficiency measures
 - Electric heating installed
 - Renewable energy installed
 - Changed daily habits / behaviour
 - Smart meter installed
 - Green energy tariffs
 - Explored/used energy grants
 - None of these / other

Screen 5 – [If ‘other’ selected] What else do you do to reduce your carbon emissions at home?



Screen 6

4. Have you made any of these changes to your food buying and eating habits?
- Avoid meat and dairy
 - Meat-free more often
 - Reduce dairy consumption
 - Eat more organic food
 - Grow my own food
 - Choose locally sourced food
 - Planning meals/using leftovers
 - None of these/other

Screen 7 – [If 'other' selected] What other changes have you made to your food buying and eating habits?

Screen 8

5. Are you doing any of the following to help reduce waste and consume sustainably? [Select up to 3]
- Donate to charity/reuse shops
 - Try to repair/fix items
 - Choose products made locally
 - Buy/reuse second-hand items
 - Limit non-essential purchases
 - Avoid high-plastic items
 - Buy more durable items
 - None of these / other

Screen 9 [If 'other' selected] What else do you do to help reduce waste and consume sustainably?

Screen 10

6. Do you recycle items that can't be put in your recycling bin (e.g., plastic bags, batteries, electrical goods, wrapping paper)
- Yes / No / Sometimes

Screen 11

7. What makes it difficult to take some of the actions we've described? [Select up to 3]
- I have other priorities
 - Not my responsibility
 - Lack of proof they'll work
 - I don't know enough about it
 - Lack of time/inconvenient
 - Upfront costs / too expensive
 - Not in my control
 - No barriers/other



Screen 12 – [If ‘other’ selected] What makes it difficult to take some of the actions we’ve described

Screen 13

8. Are you taking any of the following actions to reduce emissions when travelling? [Select up to 3]
- I car share / use car club
 - I try to avoid flying
 - Take the bus/train where possible
 - Offset plane carbon emissions
 - I drive a hybrid/electric car
 - I walk as much as possible
 - I cycle where possible
 - None of these / other

Screen 14 – [If ‘other’ selected] What other actions to you take to reduce emissions when travelling?

Screen 15

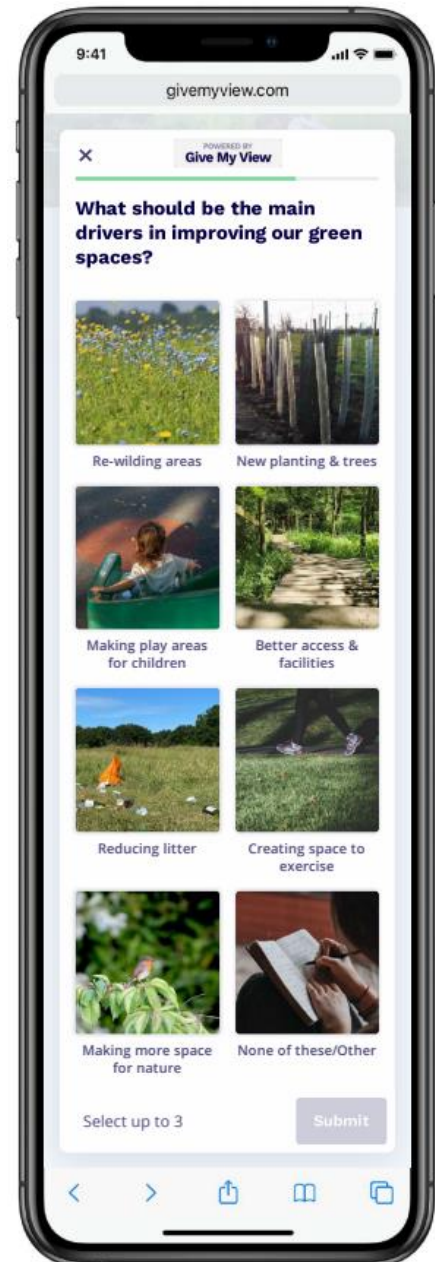
9. What makes it difficult for you to use more sustainable transport?
- Road safety
 - Lack of / poor quality infrastructure
 - Too expensive
 - Time constraints
 - Health / mobility concerns
 - I don’t know the options
 - Too unreliable
 - No barriers / other

Screen 16 – [If ‘other’ selected] What else makes it difficult to use more sustainable transport?

Screen 17

10. What should be the main drivers in improving our green spaces? [Select 3]
- Boosting biodiversity & nature
 - Ease of access
 - Spaces for mental health/wellbeing
 - Spaces children can play
 - Opportunities to exercise
 - Good places to meet others
 - Opportunities to cool down
 - More trees to store carbon

Screen 18 – What else should we do to improve our green spaces?



Screen 19

11. Do you think about the sustainability of services / organisations that you spend your money on?

- No, never
- Yes, definitely
- Yes, sometimes

Screen 20 – Quick fact: “RBC’s Climate Change Action Plan will contain steps to help reduce emissions as well as achieve cleaner air, green jobs, public health/biodiversity improvements. Your input will help them know what to prioritise.

Screen 21

12. Which wider community actions should be prioritised in RBC’s action plan?

- increase reuse and recycling
- make buildings more energy efficient
- improve active travel & public transport
- educate, involve and inform communities
- increase tree planting and improve biodiversity
- tackle financial inequalities

Screen 22

13. Do you have any other suggestions / comments / priorities for shaping RBC’s Action Plan?

Young People’s Survey (under 18s)

Screen 1

1. Which area of Runnymede do you live in? (or learn in, if you don’t live here!)

Addlestone & Rowtown / Ottershaw / Thorpe / Woodham & New Haw / Egham / Englefield Green / Longcross & Lyne / Chertsey / Virginia Water / None of these areas

Screen 2

Quick fact: Runnymede Borough Council (RBC) is on a mission to help address climate change.

This survey is for people aged under 18, but there are some rules about who can fill it in:

- **Under 13s:** we’ll send you a paper survey. Please ask a parent/guardian to contact climatechange@runnymede.gov.uk
- **13-18s:** go ahead, but please ask your guardian before you share your email.

Screen 3

1. How worried are you about climate change? [Slider vote: Not worried at all – Very worried]

Screen 4

2. What concerns you about climate change? [Select up to 3]

- Reliance on fossil fuels
- Overuse of plastics
- Too much going to landfills
- Transport pollution
- Lack of recycling
- Deforestation
- Too many emissions
- I’m not really concerned

Screen 5

3. Are you aware of what RBC is already doing to tackle climate change?

- Yes I am
- No, I am not
- I’m not sure

Screen 6

4. What things do you and your family do to help reduce your energy and water use? [Select up to 4]

- Turn off the tap when brushing
- Take shorter showers



- Turn the heating down
- Switch off lights when leaving
- Not use devices for too long
- Have solar panels on our roof
- Reuse the bath water
- None of these / other

Screen 7 – [If ‘other’] What else do you do to help reduce energy and water use?

Screen 8

5. What ways of getting around Runnymede do you and your family use the most? [Select up to 3]

- Bus
- Train
- Walking
- E-scooter / e-bike
- Electric vehicle
- Car / motorcycle
- Cycling
- Mobility scooter / wheelchair

Screen 9

6. What would help you use sustainable transport more often (e.g. buses/bikes/trains)? [Select up to 2]

- If the roads were safer
- Better walking routes
- More affordable tickets
- Better cycling routes
- More frequent/reliable buses
- None of these / other

Screen 10 – [If ‘other’] What stops you from using sustainable transport?

Screen 11

7. What things do you and your family do to help reduce waste and eat sustainably? [Select up to 3]

- Recycle difficult items
- Recycle paper, card & glass
- Composting food waste
- Choosing products from the UK
- Eating less meat & dairy
- Buying second-hand items
- Buying less stuff
- None of these / other



Screen 12

8. How would you like Runnymede's environment to be improved? [Highest priority – lowest priority]

- More trees & plants on streets
- More trees & plants in the parks
- Protect more wildlife areas
- Improve our rivers & lakes

Screen 13

9. What is most important to help you & your family tackle climate change? [Select up to 3]

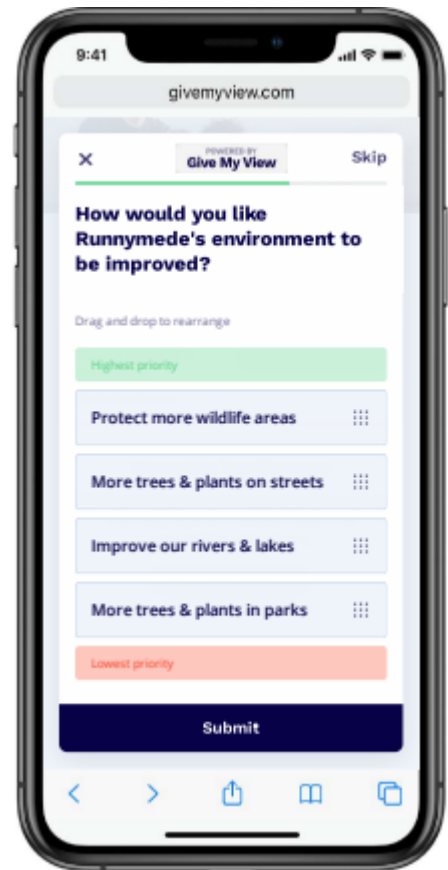
- Joining community projects
- Learning at school/college
- Websites where we can learn
- Help with how to recycle
- Seeing wider community actions
- None of these things/ other

Screen 14

10. How could the Council work with young people more on climate change? [2000 word limit]

Screen 15

11. Please let us know any other thoughts for RBC's Climate Change Action Plan? [2000 word limit]



Organisations Survey Questions

Screen 1

1. Which area of Runnymede do you operate in?

Addlestone & Rowtown / Ottershaw / Thorpe / Woodham & New Haw / Egham /
Englefield Green / Longcross & Lyne / Chertsey / Virginia Water / None of these areas

Screen 2

Quick Fact: Runnymede Borough Council (RBC) is developing an action plan containing a number of key actions, including those for partners in the wider community such as businesses and organisations, to help achieve net zero carbon emissions by 2050.

This survey needs to be completed by someone who's familiar with the challenges and opportunities the organisation faces in taking climate change action.

Screen 3

2. Do you support RBC's commitments to reach net zero carbon emissions?
 - Yes, fully supportive
 - Yes, fairly supportive
 - Not supportive
 - I need more info to decide

Screen 4 [If not supportive] It would be great to know why you feel this way, please do let us know. [Open text]

Screen 5

3. In regard to climate change, which of the following do you resonate with the most?
[Select up to 4]
 - It's a high priority for us
 - We have other priorities
 - We worry about business impact
 - We don't worry about impact
 - We have a responsibility here
 - We are not responsible

Screen 6

4. Do you do any of the following to reduce your organisation's energy & water use?
[Select up to 3]
 - Better energy/water efficiency
 - Installed smart meter
 - Installed renewable energy
 - Calculate our carbon footprint
 - Use green electricity tariffs
 - Explored government grants
 - Promote behaviour changes
 - None of these / other

Screen 7 – [If 'other'] What else do you do to reduce your organisation's energy & water use

Screen 8

5. What would make it easier to lower energy use/use green energy? [2000 word limit]

Screen 9

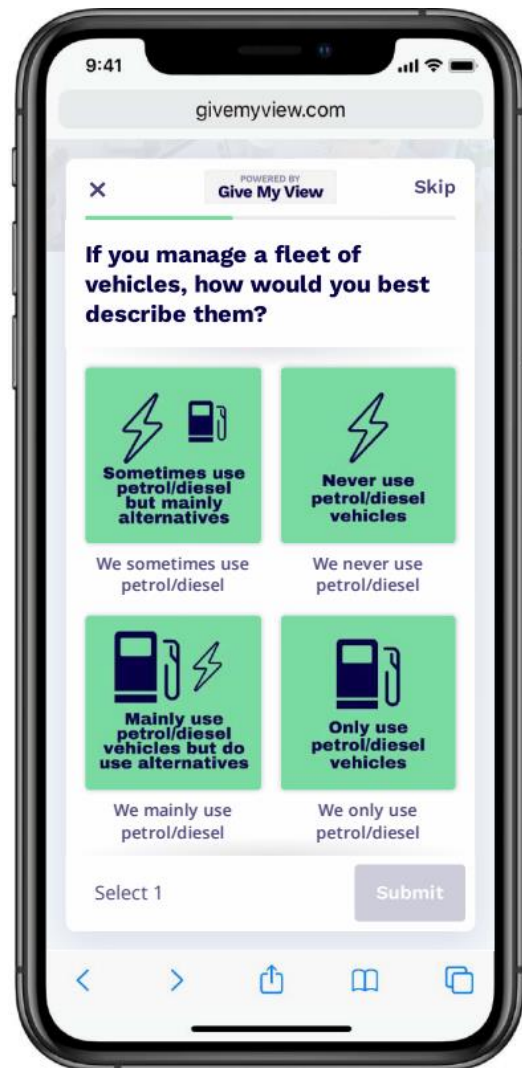
6. If you manage a fleet of vehicles, how would you best describe them? [Option to skip]
- Mainly use petrol/diesel vehicles
 - Mainly use petrol/diesel, but do use alternatives
 - Sometimes use petrol / diesel, but mainly use alternatives
 - Never use petrol / diesel vehicles

Screen 10

7. What are the modes of transport most used by your staff to get to work? [Select up to 4]
- Company electric/hybrid car
 - Private electric/hybrid car
 - Company petrol/diesel car
 - Private petrol/diesel car
 - Private car share
 - Walking / Cycle
 - Public transport
 - Car club

Screen 11

8. What would encourage staff to take more sustainable modes of transport? [2000 word limit]



Screen 12

9. When making purchase decisions, do you consider any of the following? [Select up to 3]
- Packaging used in delivery
 - Durability of products
 - Recyclability of products
 - If products are made locally
 - Sustainable ethos of suppliers
 - Sustainably sourced products
 - Carbon footprint of products
 - None of these / other

Screen 13

10. What would make it easier for your organisation to buy sustainably / reduce waste? [2000 word limit]

Screen 14

11. Could you help improve Runnymede's environment by doing any of the following?
(Yes/No)

- Grow trees/plants on your site
- Sponsor new trees in parks
- Sponsor new trees in streets
- Help maintain new trees/plants
- Apply biodiversity measures
- None of these / other

Screen 15

12. What else do you think you can do to help Runnymede's environment? [2000 words]

Screen 16

13. What makes it difficult for your organisation to reduce carbon emissions? [Select up to 3]

- Lack of information & advice
- We lack the resources to act
- Green alternatives are costly
- Limited expertise
- Lack of government incentives
- None of these / other

Screen 17

14. What else makes it difficult to reduce your organisations' carbon emissions?

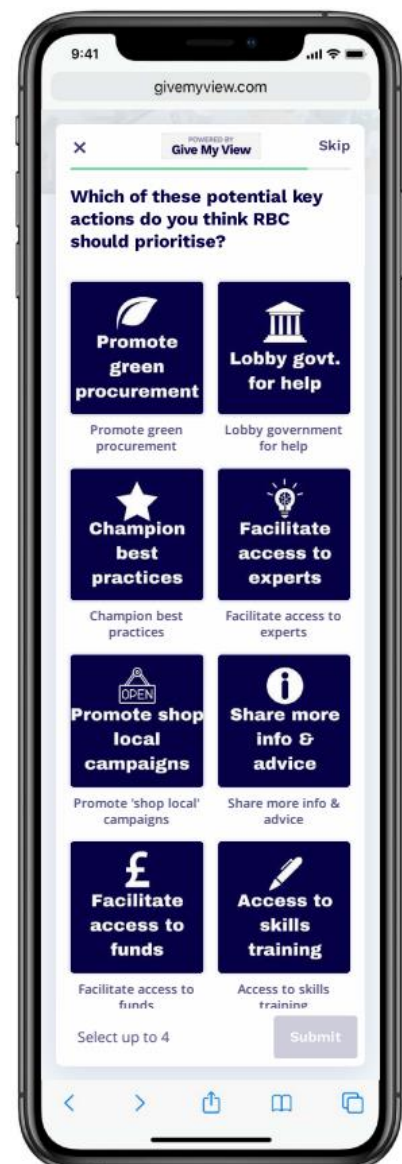
Screen 18

15. Which of these potential actions do you think RBC should prioritise? [Select up to 4]

- Facilitate access to funds
- Facilitate access to experts
- Champion best practices
- Access to green skills training
- Share more info & advice
- Promote green procurement
- Lobby govt. for help
- Promote 'shop local' campaigns

Screen 19

16. Do you have any other comments/suggestions/priorities for shaping RBC's action plan? [2000 word limit]



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can be obtained via the
above contact details.



Search: Runnymede Borough Council

Report title	Release of previously agreed funds to enable alteration to staffing structure in the Planning, Economy and Built Environment service
Report author	Ashley Smith – Corporate Head of Planning, Economy and Built Environment
Department	Development Management (Planning, Economy and Built Environment)
Exempt?	No
Exemption type	Not Applicable
Reasons for exemption	Not applicable

Purpose of report:

To resolve

Synopsis of report:

At the April 2023 Corporate Management Committee, the Council’s two Planning business units were merged to create a single business unit under a single Corporate Head of service.

As part of that process a sum of £20,000 was set aside to adjust some roles, responsibilities and salaries as a result of potential displaced work as a result of the reduction in size of the planning management team and additional functions taken on.

The paper seeks the release of part of this money to upgrade a post in the service to meet ongoing management need in the Planning team.

Recommendation(s):

(i) To resolve to release the sum of £9,844 from the £20,000 previously set aside at the CMC meeting of April 2023 to the Planning, Economy and Built Environment service for the purpose of upgrading a Career Grade Planner Post to an Assistant Development Manager Post.

1. Context and background of report

- 1.1 At the April 2023 Corporate Management Committee, it was resolved that the two Planning Business units of the Council were to be merged to create a single business unit under a single Corporate Head.
- 1.2 This generated a £70,000 saving from service budgets of which £50,000 was returned to the general fund and £20,000 was agreed to be set aside to adjust some roles, responsibilities and salaries as a result of potential displaced work and responsibilities as a result of the reduction in size of the planning, economy and built environment management team. The paper seeks to release part of this money to address this need.
- 1.3 The service wishes to upgrade a career grade planner post to an Assistant Development Manager post to ensure that it can continue to meet its statutory planning duties and alleviate potential pressure on a number of roles including the Development manager and Assistant Development Manager as a result of displaced work. The salary cost of the proposed upgrade is £9,844pa (inclusive of on-costs).

2. Report and, where applicable, options considered and recommended

- 2.1 The background to this item was set out in the CMC papers of April 2023. Following the decision of the committee at its April meeting, the Corporate Head of Development Management and Building Control took on a wider remit as the Corporate Head of Planning, Economy and Built Environment. Whilst this role still has significant oversight and involvement in Development Management activities, this is no longer the sole or primary focus of the role due to the wide portfolio now involved. It is identified that this has the potential to lead to displaced work and responsibilities in the current small Development Management service management team and if this is not addressed it has the potential to increase pressures on other staff members, in particular the Development Manager and Assistant Development Manager (DM). At the moment this situation has been manageable as the department is fortunate to have another Assistant Development Manager (ADM) on a fixed term basis until May 2024 who is paid for under a grant, however once this fixed term arrangement ends, the workload will become much less manageable and this may have a resultant impact on performance of the development management service and so needs to be addressed.

Option 1 – Upgrade a Career Grade Post to an Assistant Development Manager (The recommended option)

- 2.2 It is considered prudent to avoid this situation arising and so the preferred option is to upgrade a vacant career grade planner post to an ADM in order to avoid this management capacity problem arising. The cost of the grade increase on the post is £9,844pa (including uplift in on-costs). As set out previously this is not growth as the money had been set aside for this purpose out of savings previously provided by the service.
- 2.3 One of the Council's Principal Planning Officers left the Authority in August of this year (post F0060), and this vacant post is the one that would be upgraded to meet this need. An Assistant Development Manager's role is made up part of principal level case work and part of team and service management duties. This composite role of an ADM provides the best degree of capacity for management duties for the service without significantly impacting on casework capabilities or requiring additional growth in staffing numbers. As such this is the preferred option, compared to say recruiting to a purely management role or a Principal Planning Officer role. This option will ensure

that posts such as the Development Manager and existing ADM (DM) are not overloaded and maximizes the Council's chances of retaining team members in critical roles.

- 2.4 The Local Government Association Workforce survey 2022 found that Planners were by far the hardest occupation to retain and recruit to out of all Local Government occupations, with 63% of districts reporting difficulties recruiting planners and 48% difficulties retaining them.
- 2.5 As well as alleviating current pressures and pressures resulting from the merger, this ADM post will assist from both a recruitment and retention perspective and so has dual benefit, this post helps create a broader potential planning career path to planning staff at the Council. As a route in to planning management it creates the potential 'grow your own' opportunities for staff to develop the skills to move into more senior management posts in the organization in the future. The post is considered an attractive first step in to planning management both for our existing staff and for any staff who might be considering joining the Council.

Option 2 – Do nothing (Not the recommend option)

- 2.6 The other option available to the Committee is to not agree to the release of the funds, this may allow a further modest budgetary saving, however, would not realize the benefits set out above. The risks associated with this would be that there would not be sufficient capacity to meet the Council's needs, stress may arise in key posts and the Council may experience retention issues. If this arose this could have a significant impact upon the Council's planning performance and delivery ambitions. As such this is not the recommended option.

3. Policy framework implications

- 3.1 The recommendation allows the Council's planning services to meet their statutory and non- statutory objectives including the determination of planning applications and other similar functions.
- 3.2 The original merger was subject to a staff consultation in conjunction with HR. The post to be upgraded is currently vacant career grade post and as such no risk of redundancy or similar HR issues arise as a result of this proposed change. The post will be externally advertised and any individual either internal or external will be able to apply for the post.

4 Resource implications/Value for Money

- 4.1 As set out early in this report a sum of £20,000 has been set aside by CMC from the £70,000 saving provided by the service for this purpose. As a result, the proposal does not constitute growth and has been budgeted for out of savings previously provided.
- 4.2 The total cost of this proposal is £9,844pa and so is within the budget of £20,000pa set aside. Whether or not the remaining budget is required to meet the impacts on the wider services will continue to be assessed and considered as the new service continues to bed in, if it is needed a further paper will follow, if it is not required it would be released by the service to the general fund.
- 4.3 The benefits of this recommendation are set out in option 1 above as well as the risks that this mitigates.

5. Legal implications

- 5.1 The Committee has the authority to make variations to the establishment and release funds in accordance with its previous resolution.
- 5.2 Under the provisions of section 112 Local Government Act 1972 (LGA 1972) a local authority can appoint such officers as they think necessary for the proper discharge by the authority of such of their authority's functions as fall to be discharged by them. An officer appointed under the powers granted under section 112 LGA 1972 shall hold office on such reasonable terms and conditions, including conditions as to remuneration, as the authority appointing them think fit.

6. Equality implications

- 6.1 The vacancy would be advertised in accordance with the Council's usual procedures. Runnymede Borough Council is an equal opportunities employer that welcomes applications from all sections of the community.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 The Council's Planning, Economy and Built Environment service is a critical service in assisting with meeting these objectives. The proposal will ensure that the service has capacity in determining planning applications and its other functions, which includes the assessment of applications on environmental, sustainability and biodiversity grounds and upholding the relevant local and national policies in these areas.

8. Other implications (where applicable)

- 8.1 None

9. Timetable for Implementation

- 9.1 The post will be advertised at the start of January 2024 with a view ideally to having a candidate in place around the start of the new financial year. The salary budget for the post will be released by finance to the service on advertisement of the post. The paper seeks to have the budget released by CMC for this purpose, the formal alteration to the establishment list and the exact timing of when this occurs will be undertaken by the Chief Executive and Corporate Head in accordance with relevant Delegated Authority.

10. Conclusions

- 10.1 It is recommended that the sum of £9,844p.a. from the budgeted £20,000p.a. is released to the Planning, Economy and Built Environment Service for the reasons set out in the report.

11. Background papers

- CMC papers of April 2023.

12. Appendices

- N/A

Report title	Reserve Forces Policy
Report author	Tony Bryant
Department	Human Resources
Exempt?	No
Exemption type	“not applicable”.
Reasons for exemption	“not applicable”.

Purpose of report:

Please select one of the following and delete the remaining options.

- **To recommend to full Council**

Synopsis of report:

In order to be part of the Gold Award Alumni Group of the Armed Forces Covenant we needed to make some amendments to our current policy. In particular, we need to provide support to for Civilian Instructors who support the relevant Cadet Forces to enable them to attend Annual Camp. We have also taken the opportunity to clarify the position regarding mobilisation.

Recommendation(s):

That the Corporate Management Committee recommend the revised policy be adopted by the Full Council.

1. Context and background of report

1.1 Runnymede has a history of being supportive of our reserve forces.

2. Report and, where applicable, options considered and recommended

2.1 In a changing international environment it is an appropriate time to update this policy.

3. Policy framework implications

3.1 Currently the numbers this policy directly effects is small but it is hoped that by making these changes Runnymede becomes a more attractive option for veterans.

4 Resource implications/Value for Money (where applicable) (Have you consulted finance?)

4.1 Where applicable give resource implications of suggested course of action: -

- At this time we do not believe we have anyone who will directly benefit from these changes.

5. Legal implications

- 5.1 The changes to the policy do not positively or adversely impact on our legal obligations. The Reserve Forces (Safeguard of Employment) Act 1985, provides protection for a Reservist by making it unlawful for their contract of employment to be terminated without their consent solely or mainly because they have a liability to be mobilised.

6. Equality implications

- 6.1 By encouraging veterans to see Runnymede as a positive place to work will only enhance diversity and inclusion.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 No implications

8. Risk Implications

- 8.1 At this time the very small number of people who would benefit from the policy are very unlikely to create a risk of loss of resource that would materially impact on services.

9. Other implications (where applicable)

- 9.1 None

10. Timetable for Implementation

- 10.1 Effective from 1st December 2023

11. Background papers

- Policy attached

Runnymede Borough Council

Reserve Forces Policy

November 2023



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Supporting the Reserve Forces

Purpose

Runnymede Borough Council is committed to supporting employees who volunteer as reservists for the Army Reserve, Cadet Force Adult Volunteers, Royal Auxiliary Air Force, Royal Marine Reserves and Royal Navy Reserves. The Council acknowledges that the training reservists receive provides skills and abilities that are of benefit to the individual and the employer.

This policy is designed to define our obligations towards employees who are members of the Reserve Forces. It outlines provisions for the annual commitment, notification and mobilisation requirements and stipulates that employees will not be disadvantaged or discriminated against as a result of their role as a Reservist.

Provisions

There are four main ways in which the Council can offer support:-

- To allow special paid leave for annual reservists' training
- To be supportive to employees who are mobilised by the Ministry of Defence
- To allow 5 days paid leave for Cadet Force Adult Volunteers, to attend the annual camp. To ensure that reservists are not disadvantaged by their role as reservists

Responsibilities of the Employee

Reservists are required to inform their employer that they are a member of the Reserve Forces and which specific force they belong to so that they can receive the appropriate level of support. This also helps in planning cover, when needed.

Reservists also need to grant permission for the Ministry of Defence to write directly to their employer to ensure they are aware that the employee is a reservist and what rights, obligations and benefits apply ce. It is the responsibility of reservists to notify the MOD of any changes in circumstances (e.g., change of employer or leaving the Reserve force).

As a general principle, the reservist needs to keep their manager informed about any required training which may involve absence from work or if they anticipate being mobilised on to active duty by the Ministry of Defence to enable the employer to plan coverage in good time.

When notified of the dates when their annual training is to occur, the employee concerned needs to submit a written request to their line manager three months in advance explaining

the nature of the leave requested, and the start and finishing dates of the special leave required.

Special Leave

Reservists

Reservists are required to attend annual continuous periods of training lasting up to 10 days. The Council will take a supportive approach to reservists who need time off to attend their annual training and will grant up to 10 working days paid special leave, subject to being given adequate notice of this leave by the employee so that cover can be arranged, as required. If an employee serves in a reserve force with a higher annual commitment, further leave may potentially be granted on a paid or unpaid basis, subject to the needs of the service.

Cadet Force Adult Volunteers

Cadet Force Adult Volunteers (CFAV's) help instruct and advise Sea, Army or Air Cadets in their free time, usually at weekly training sessions. They work with other Adult Volunteers to deliver a programme of activities for young people ages 10 to 20 (depending on the Cadet Force). CFAV's are not subject to military call up.

Runnymede Borough Council will grant CFAV's up to 5 working days paid special leave to attend the annual camp in the summer. Employees who volunteer as a CFAV, who would like to attend the camp and utilise this provision, must provide their manager with as much notice as possible so that cover can be arranged as required.

Where an individual Volunteer is responsible for camp planning which may involve site visits. Further paid leave to a maximum of three days may be granted, this will be subject to operational circumstances. Employees in a Cadet Force with a higher annual commitment may potentially be granted additional leave on a paid or unpaid basis, subject to the needs of the service. For example, preparatory administration ahead of an annual camp

Responsibilities of the Manager

On receipt of a request for time off for annual training or to attend the annual summer camp, the manager should arrange cover for the absence, as required, and confirm approval of the dates and payment of the leave concerned. The dates of the special absence should be recorded and held by the manager.

Mobilisation

From time to time, reservists may be mobilised to support the regular forces. Typically, this may be for three, six, or nine months but not normally longer than 12 months. Runnymede Borough Council is open to mobilisation periods exceeding 12 months within the context of balancing the needs of the individual with the needs of the MOD and Runnymede Borough Council.

The Reservists will be paid by the Ministry of Defence when they are called up for active duty. Leave for mobilisation is therefore not paid by the employer. In essence, the reservist is given unpaid leave of absence and time spent on mobilisation is counted as continuous service with the Council.

Where such circumstances arise, employers can claim various allowances to contribute towards the costs of covering for reservists. These are as follows:-

One off costs

- Agency fees or advertising costs to recruit a replacement
- A period of handover and takeover costs, 5 days before and after mobilisation.
- 75% of the cost of specialist clothing for the replacement (up to £300)
- Training costs for the replacement during the reservist's mobilisation (up to £2,000)

Recurring Costs

- Costs of temporary replacement (by the amount that such costs exceed the earnings of the reservist)
- Overtime costs if other employees work overtime to cover the work of the reservist

The maximum claim available is £110 per day. Applications for these costs must be made to the MOD within 4 weeks of the termination of the full-time Reservist's service. Costs can be claimed for as they arise, you do not have to claim for everything at once. Managers should speak to their designated HR Business Partner regarding the submission of any claims.

The Council would normally release the reservist to report for duty unless there were exceptional circumstances. In such a circumstance, a manager must seek the approval of the Chief Executive to apply for an exemption, deferral, or revocation if the Reservist's absence would cause serious harm to service delivery. It is anticipated that this would only occur in exceptional circumstances. For further assistance in these circumstances managers should contact their designated HR Business Partner at the earliest opportunity.

Reservists should be encouraged to take accrued leave prior to mobilisation and do not normally accrue leave during their period of mobilisation, receiving instead accrued leave entitlement from the MOD which they will receive as post-operational paid leave.

A Reservist's employment cannot be terminated on the grounds of their military duties or their liability to be mobilised. To do so would be a criminal offence under Section 17 of The Reserve Forces (Safeguarding of Employment) Act 1985. Normally the Reservist would be re-instated in their former role upon their return, and if not, to a mutually acceptable role on the same terms and conditions prior to mobilisation.

The Council will continue to treat the contracts of employment of employees mobilised for Reserve Service as operable throughout the period of such service and there will be no loss of continuous service or service-related benefits.

Review

This is intended as a statement of the policy of Runnymede Borough Council and does not form part of the employee's contract or have contractual effect. This policy may be reviewed, changed, or updated, as required or, if necessary, withdrawn at the discretion of the authority.

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Search: Runnymede Borough Council

Report title	Corporate Management Committee Proposed Fees and Charges 2024/25
Report author	Samantha Cooper / Amanda Fahey
Department	Financial Services / Corporate
Exempt?	No
Exemption type	not applicable
Reasons for exemption	not applicable

Purpose of report:
For approval

Synopsis of report:
To set out the context and rationale for changes to fees and charges for the next financial year for the services managed by this committee and to recommend that the proposed fees and charges are adopted as set out.

Recommendation(s):
The proposed fees and charges as set out in Appendix 'X' are approved to be effective from the dates within the appendix or as soon as practical thereafter.

1. Context and background of report

- 1.1 The annual review of charges is an important part of the overall budget setting process and the policy framework for service provision in general.
- 1.2 Whilst the Council's Constitution places initial fee setting with each service committee, it also provides delegated authority to Officers to alter fees, charges and prices without reference to a Committee, in order to respond to market conditions, new needs, changes in tax rates, and so on.

2. Report and, where applicable, options considered and recommended

Methodology

- 2.1 As part of the budget setting process, Service Managers are requested to review their charges each year. Members have previously agreed that officers put forward recommended increases based on:
 - Current market conditions

- Local competition
- The likely yield of any fee increase
- On-going savings targets and revenue reduction programmes

Members have accepted that in some service areas it may not be possible to significantly increase fees, and in others it may be necessary to decrease them to stimulate demand, however an average of 5% for discretionary locally set charges should be aimed for as the financial plans of the Council assume at least an inflationary increase.

- 2.2 This report reviews current levels of fees and charges, with a view to helping to balance next year's budget and is a key strand of the Council's Medium Term Financial Strategy.
- 2.3 The fees and charges proposed by service managers for next year are set out at Appendix "X". The appendix includes a Yield column showing the next year's budget for each charge/group of charges, so that Members can estimate the financial implications of any price rises.

Local Land Charges Changes

- 2.4 The aim is to recover the full cost of operating the Land Charges service by breaking even over each three-year period, while having due regard to pricing in the market from competitors. The account has been in deficit for the last three years and it is estimated it will be in deficit for 2023/24. By increasing fees between 7.69 – 28.57% it is estimated this will reduce the deficit from 2024/25.
- 2.5 Every local authority is required to migrate its Local Land Charges register service to His Majesty's Land Registry (HMLR). HMLR has escalated its migration programme and has allocated Runnymede for migration in 2024/25. Once the migration has completed Runnymede will no longer receive income from LLC1 fees, this will result in the loss of income of £50,000 pa.

Council Tax and Business Rates – Court costs

- 2.5 The setting of Council Tax and Business Rates court costs are governed by Regulation 34(7) of the Council Tax (Administration and Enforcement) Regulations 1992 and Regulation 12(6) of the Non-Domestic Rating (Collection etc) Regulations 1989. The fees are required to be set at no greater than cost recovery, including officer time, and must be reasonably incurred and genuinely attributable to the enforcement process. While these costs are likely to increase due to inflationary pressures on the Council, the ability to pay of those affected by these charges will also be highly impacted. Any increase in costs will impact on those most struggling to pay, whether that be for Council Tax or Business Rates. Runnymede have not increased their portion of the court these costs since April 2009 and have been subsidising the actual costs for many years to try to reduce the impact of increased costs during the pandemic and economic climate. Increasing the fees towards the cost recovery method set out in regulations, avoids cross subsidisation by other taxpayers, meaning that only those who have failed to pay sums due, and have not engaged with the Council for support with payment where appropriate, will be paying for these avoidable costs.
- 2.6 A breakdown of the proposed fee is required to be submitted to the Court, who will consider whether the sum sought is reasonable based on the information provided

Freedom on Information/Environmental Information Request

- 2.7 As per the Regulator, the cost limit for Freedom of Information requests is calculated at a flat rate of £25 per hour of work. For central government departments the cost limit is £600 (24 hours of work). For all other public authorities, the cost limit is £450 (18 hours of work). The staff hourly rate for Environmental Information requests was set at £25 per hour. These fees have not been increased since they were introduced in April 2019.

Corporate Properties

- 2.8 This committee includes the fees and charges for garages. The fees for garage rents are to be increased by 35 pence per week if included with a council property and 40p pence for private rental, plus VAT where appropriate. This is a small increase to reflect increasing costs of maintenance but lower than inflation as demand for these garages is steadily decreasing as the stock ages and is sensitive to price increases, any higher would likely lead to a loss of sales.

Other Corporate Property fees and charges are to increase by 5% in line with general inflation expectations.

Civic Centre

- 2.9 The accommodation fees have increased by approximately 5%. Rooms are often booked to capacity by Runnymede and Surrey County Council staff, there is minimal opportunity to rent to third parties.

Sale of Agendas and Civic Publications

- 2.10 These fees have increased by 90%, this reflects the increased cost of printing.

3. Policy framework implications

- 3.1 There will be a number of instances of specific policies within specific services which require fees and charges to be levied in respect of various activities. Some of these will be discretionary and some statutory. In considering this report and reviewing its individual fees and charges, the Council is complying with the requirements of these policies.

4 Resource implications/Value for Money (where applicable)

- 4.1 At the start of the 2023/24 financial year, the Council had an ongoing budget deficit estimated to be £5.2m by the end of 2026/27 that needed to be addressed. This included an assumption that fees and charges would increase by 2% each year. The setting of fees and charges is an important tool in helping to address this situation and maximising income from services should be a priority.
- 4.2 In setting fees and charges there is a fine balance to be struck between trying to recover the cost of running services and not alienating our customers by making the charges unaffordable. In undertaking their reviews managers must balance these risks whilst at the same time trying to generate additional income to contribute

towards the Council's ongoing budget deficit. Consideration should also be given to the cost of pay-to-use services, so that those choosing not to avail themselves of those services, are not carrying the burden, through taxation, of subsidised services for others.

- 4.3 Once agreed, the fees and charges will be included as part of the 2024-25 budget and the effects of any increases/reductions in the charges will be incorporated into the figures for the appropriate service areas.

5. Legal implications

- 5.1 Where the status of a charge is marked as 'statutory' the Council is required under the law to levy a fee. Where the status is given as 'discretionary' the Council may amend the fee charged or choose to make no charge for the service.

6. Equality implications

- 6.1 Where any major changes to the structure of any charging regime are proposed, an Equality Impact Assessment will have been completed by the relevant Budget Manager.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 The annual setting of existing fees and charges has no environmental, sustainability or biodiversity implications. Any change to a structure or the inclusion of new charges that have any such implications will be set out in a separate report to Committee.

8. Timetable for Implementation

- 8.1 The proposed fees and charges will not take effect until 1 April 2024 or as soon as practical thereafter unless a different date is set out in the Appendix.

9. Background papers

- None

10. Appendices

- Proposed Fees & Charges for 2024-25

Fees and charges

Fees and charges

Corporate and Business Services

	Charge Status	From April 2023 £	From April 2024 £	% Increase	Yield £	VAT treatment	
Register of Electors							
Sale of Register of Electors - published full registers - charges set by legislation							
Data format	Statutory	20.00	20.00	0.00%	1,500	Outside Scope	
plus for every 1,000 entries or part thereof	Statutory	1.50	1.50	0.00%		Outside Scope	
Printed paper format	Statutory	10.00	10.00	0.00%		Outside Scope	
plus for every 1,000 entries or part thereof	Statutory	5.00	5.00	0.00%		Outside Scope	
Sale of Overseas register of Electors - published full registers - charges set by legislation							
Data format	Statutory	20.00	20.00	0.00%		Outside Scope	
plus for every 100 entries or part thereof	Statutory	1.50	1.50	0.00%		Outside Scope	
Printed paper format	Statutory	10.00	10.00	0.00%		Outside Scope	
plus for every 100 entries or part thereof	Statutory	5.00	5.00	0.00%		Outside Scope	
Sale of Register of Electors - marked registers - charges set by legislation							
Data format	Statutory	20.00	20.00	0.00%		Outside Scope	
plus for every 1,000 entries or part thereof	Statutory	1.00	1.00	0.00%		Outside Scope	
Printed paper format	Statutory	10.00	10.00	0.00%		Outside Scope	
plus for every 1,000 entries or part thereof	Statutory	2.00	2.00	0.00%		Outside Scope	
Sale of Register of Electors - published edited registers - charges set by legislation							
Data format	Statutory	20.00	20.00	0.00%		Outside Scope	
plus for every 1,000 entries or part thereof	Statutory	1.50	1.50	0.00%	Outside Scope		
Printed paper format	Statutory	10.00	10.00	0.00%	Outside Scope		
plus for every 1,000 entries or part thereof	Statutory	5.00	5.00	0.00%	Outside Scope		

Fees and charges

Corporate and Business Services

	Charge Status	From April 2023 £	From April 2024 £	% Increase	Yield £	VAT treatment
<u>Local land charges search fees</u>						
Personal search - charge set by the Lord Chancellor	Statutory	Nil	Nil	-	] nil	Outside Scope
Each extra taxable assessment - charge set by the Lord Chancellor	Statutory	Nil	Nil	-		Outside Scope
LLC 1 Search form:- (to be transferred to HMLR from 2024)						
Commercial	Discretionary	50.00	55.00	10.00%	] 25,000	Outside Scope
Residential	Discretionary	50.00	55.00	10.00%		Outside Scope
Each extra taxable assessment	Discretionary	10.00	11.00	10.00%		Outside Scope
Search any one part of the register	Discretionary	12.00	13.00	8.33%		Outside Scope
CON 29 enquiry form:-						
Commercial	Discretionary	260.00	300.00	15.38%	] 174,000	Standard
Residential	Discretionary	205.00	270.00	31.71%		Standard
Each extra taxable assessment	Discretionary	30.00	36.00	20.00%		Standard
Optional part II enquiry	Discretionary	21.00	27.00	28.57%		Standard
Additional enquiry	Discretionary	42.00	45.00	7.14%		Standard
General:-						
Copy Search	Discretionary	12.00	15.00	25.00%	] 300	Standard
Copy of legal agreement (including plans)	Discretionary	39.00	42.00	7.69%		Standard
<u>Council Tax</u>						
Court costs	Statutory	94.50	105.00	11.11%	165,000	Outside Scope
<u>Business Rates</u>						
Court costs	Statutory	135.50	150.00	10.70%	4,000	Outside Scope
<u>Other charges (VAT charged where applicable)</u>						
Freedom of information/Environmental Information regulations - staff time per hour	Discretionary	25.00	25.00	0.00%	] 0	Standard
Data Protection Subject Access Request - per request - charges set by legislation	Statutory					Outside Scope
Provision of photocopies of documents under the Local Government (Access to Information Act 1986) (per page)	Discretionary	0.30	0.30	0.00%		Standard
Provision of photocopies generally						
- Printing/copying A4 documents (per page)	Discretionary	0.30	0.30	0.00%		Standard
- Printing/copying A3 documents (per page)	Discretionary	0.40	0.40	0.00%	Standard	

Fees and charges

Corporate and Business Services

	Charge Status	From April 2023 £	From April 2024 £	% Increase	Yield £	VAT treatment
Corporate Properties						
Garage rentals (per week)						
If included with house	Discretionary	14.00	14.35	2.50%	702,000	Outside Scope
Private rental	Discretionary	16.80	17.20	2.38%		Standard
Sale of property enquiries - refundable if sale proceeds	Discretionary	1,080.00	1,134.00	5.00%	nil	Standard
Completion of Leasehold Property Enquiries	Discretionary	500.00	525.00	5.00% *		Standard
Disposal of Council Land (at 3rd party's request) (whether sale completes or not)	Discretionary	1,000.00	1,050.00	5.00% *		Standard
Grant of Consent to Alter/Sub let or other consent under a lease	Discretionary	750.00	790.00	5.33% *		Standard
Grant of Licence (<3 months/low risk/not for sales activity)	Discretionary	150.00	158.00	5.33% *		Standard
Grant of Licence (3-12 months/low risk/not for sales activity)	Discretionary	300.00	315.00	5.00% *		Standard
Grant of Licence (Any duration/high risk/sales)	Discretionary	750.00	790.00	5.33% *		Standard
Grant of Easement or Wayleave to statutory undertaker	Discretionary	300.00	315.00	5.00%		Standard
Grant of Easement other than to statutory undertaker (whether completes or not)	Discretionary	500.00	525.00	5.00% *		Standard
Preparation of Schedule of Dilapidations	Discretionary	1,000.00	1,050.00	5.00% *		Standard
Grant of Deed of Surrender (not including surrender premium)	Discretionary	1,000.00	1,050.00	5.00% *		Standard
Grant of Alteration/Release from Covenant (whether granted or not)	Discretionary	1,000.00	1,050.00	5.00% *		Standard

* Concessionary rate applies to registered charities and community groups in the local community (25% discount).

Civic Centre accommodation charges

Council Chamber	Community use per hour	Discretionary	43.20	45.35	4.98%	0	Standard
	Semi commercial use per hour	Discretionary	86.40	90.70	4.98%		Standard
	Commercial use per hour	Discretionary	129.60	136.10	5.02%		Standard
Committee Room	Community use per hour	Discretionary	21.60	22.70	5.09%	0	Standard
	Semi commercial use per hour	Discretionary	43.20	45.40	5.09%		Standard
	Commercial use per hour	Discretionary	64.80	68.00	4.94%		Standard
Foyer/Meeting Rooms/Members Room	Community use per hour	Discretionary	10.80	11.30	4.63%	0	Standard
	Semi commercial use per hour	Discretionary	21.60	22.70	5.09%		Standard
	Commercial use per hour	Discretionary	32.40	34.00	4.94%		Standard
Out of hours reception cover	per hour	Discretionary	43.20	45.40	5.09%		Standard

Sale of agendas and civic publications

Sale of copy agendas per annum						
Residents groups etc. - All Committees	Discretionary	136.00	258.40	90.00%	0	Outside Scope
Residents groups etc. - individual main Committee only (except Planning)	Discretionary	38.00	72.20	90.00%		Outside Scope
Residents groups etc. - Planning Committee only	Discretionary	113.00	214.70	90.00%		Outside Scope

Commercial organisations - All Committees	Discretionary	539.00	1024.10	90.00%	}	Outside Scope	
Commercial organisations - Individual Main Committee only (except Planning)	Discretionary	119.00	226.10	90.00%		Outside Scope	
Commercial organisations - Planning Committee only	Discretionary	350.00	665.00	90.00%		Outside Scope	
Sale of copy agendas - Individual copies	Discretionary	3.80	7.22	90.00%		0	Outside Scope
Sale of copy minute book							
Residents groups etc. - per annum	Discretionary	56.70	107.73	90.00%			Outside Scope
Residents groups etc. - per individual copy	Discretionary	10.20	19.38	90.00%			Outside Scope
Commercial organisations - per annum	Discretionary	194.40	369.36	90.00%			Outside Scope
Commercial organisations - per individual copy	Discretionary	49.70	94.43	90.00%		Outside Scope	

Report title	Council Tax Support Scheme 2024/25
Report author	Linda Norman Corporate Head of Customer, Digital & Collection Services
Department	Housing Benefits
Exempt?	No
Exemption type	not applicable
Reasons for exemption	not applicable

Purpose of report:

- **To recommend to full Council Runnymede’s Council Tax Support scheme for 2024/25**

Synopsis of report:

Review of the 2023/24 Council Tax support scheme for those of working age, ensuring it remains up to date, relevant, cost effective and incorporates the continuing migration to Universal Credit for Runnymede’s residents.

To demonstrate that the existing Council Tax Support scheme has delivered members expectations of a simplified scheme making it easier for the Council’s most vulnerable residents to receive financial assistance towards their Council Tax liability.

Recommendation(s):

The Committee to approve to full Council the continuation of the current Council Tax Support scheme for 2024/25 financial year which includes the provision to automatically apply the legislative changes for the annual uprating of the prescribed applicable amounts for 2024/25 financial year as set by the Department of Work and Pensions (DWP).

1. Context and background of report

- 1.1 In April 2013 Council Tax Benefit was replaced by a prescribed Council Tax Support (CTS) scheme for those of pension age. The prescribed scheme ensured that pensioners were not affected, at all, by the reduction in funding for CTS.
- 1.2 Each local authority was then required to adopt its own locally designed and funded scheme for Working Age customers.
- 1.3 Any changes to the Housing Benefit regulations will be considered and where appropriate reflected in this Council Tax Support Scheme.
- 1.4 Previous local schemes omitted the requirement to allow changes to be made to reflect amendments to legislation. This meant legislative changes had to be delivered through Sec13a Council Tax regulations for local discounts where the total cost would then be borne by the Council. The 2023/24 scheme includes delegated authority to the Assistant Chief Executive (Sec 151) in consultation with the Chair of the Corporate Management Committee to ensure legislative changes including annual uprating amounts can be implemented in a timely manner.

- 1.5 If a local authority wishes to make fundamental changes to its Council Tax Support scheme, it needs to consult the public and other affected groups. The scheme also needs to be approved by full Council by 11th March of the preceding financial year.
- 1.6 Annual reviews will continue to be undertaken to ensure the scheme remains compliant, affordable and continues to support our most vulnerable residents.
- 1.7 Should any residents not qualify and need assistance on hardship grounds, the Council can remit Council Tax under Section 13A of the Local Government Finance Act 1992, taking into consideration the impact on all taxpaying residents.

2. Report and, where applicable, options considered and recommended

2.1 In November 2022, following public consultation, the Council approved a revised CTS scheme to be introduced from 1st April 2023.

2.2 The new scheme made some changes to make administration easier and to make best use of Universal Credit data shared by the Department for Work and Pensions (DWP) to make it easier to grant the support someone is entitled to.

2.3 When the council tax bills were issued in March 2023, the Council awarded around £4.05 million in CTS, shown in the tables below:

TABLE 1

Claimant Group	Number of Claims	Total Annual Award.
Pensioners	1,379	£1,984,714
Vulnerable / Disabled Claimants	966	£1,384,310
Working Age Other	593	£687,915
Totals	2,938	£4,056,939

2.4 In comparison, the figure in February 2022 was around £4.1 million in CTS, shown in the table below:

TABLE 2

Claimant Group	Number of Claims	Total Annual Award.
Pensioners	1,437	£2,000,168
Vulnerable / Disabled Claimants	892	£1,233,734
Working Age & Employed	65	£65,650
Working Age Other	674	£789,234
Totals	3,068	£4,088,786

2.5 Current expenditure on the CTS scheme for the financial year 2023/24 is £4,106,199 with around 3,040 claims in payment.

2.6 The Department for Levelling Up, Housing & Communities (DLUCH), are responsible for The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations. This statutory instrument prescribes the rules for calculating entitlement for pension age CTS claims.

It may also prescribe some aspects of the working age schemes.

2.7 Every December, the premiums, personal allowances and some deductions that someone is entitled to are uprated by statutory instrument for pension age residents by the DWP. This is to ensure that vulnerable customers are not excluded from financial support through small increases in various allowances.

2.8 It has always been the intention that this annual uprating of prescribed amounts for pensioners, would also be applied to Runnymede's CTS Scheme for working age residents so the amounts mirror those in the prescribed regulations where appropriate or uses the Housing Benefit rates. This ensures that both schemes follow the same rules for calculating support whether it is for housing costs or Council Tax liability.

2.9 Each year, the Council is required to review their local CTS scheme prior to 11 March of the following year to consider whether the existing scheme remains affordable, efficient and continues

to support vulnerable customers. The current scheme was introduced on 1st April 2023, with the following aims:

- To stabilise entitlement for those in receipt of Universal Credit by ignoring changes of £3.25 or less in weekly entitlement.
- To use Universal Credit data to assess entitlement without the need for a separate application
- To introduce flat rate non-dependent deductions for claimants in receipt of Universal Credit.
- To remove the additional earnings disregard for those in receipt of Universal Credit.
- To reduce the minimum weekly entitlement from £10 to £5 for all working age groups.
- To align the scheme with Housing Benefit uprating annually and with any future legislative changes.
- To disregard local welfare payments for all working age groups

2.10 These amendments that were introduced in April 2023 are maintaining a significant level of protection for a high number of vulnerable residents whilst ensuring that the Council does not overspend against the CTS budget especially in the current economic crisis and rising cost of living.

2.11 Claims for both Council Tax Support and Housing Benefit are being processed much faster, due to the use of UC data in the assessment of CTS. New claims processing times have fallen from 27 days to less than 19 days and changes being made in less than 3 days which ensures vulnerable residents receive support much earlier under the current scheme.

2.12 Around 360 fewer notifications have been issued since April 2023 and fewer council tax bills have been amended which ensures Council Tax instalments remain stable and payment plans are achievable as they are not constantly changing every time there is a small change within UC entitlement.

2.13 The current scheme is transparent and easy to understand and has resulted in a small reduction in calls on CTS enquiries which has enabled the team to change focus prioritizing the administration of the various tranches of the Household Support Fund for those in most need.

2.14 In addition, there have been no formal appeals or challenges against the scheme for the period 1 April 2023 to 30 September 2023 which suggests that customers are satisfied with the scheme in its current format.

2.15 The Council also has a Council Tax Discretionary Hardship policy which will provide short term help to alleviate financial hardship to support those residents who may not qualify for Council Tax Support. Approximately £11k has been paid in additional support for Council Taxpayers 2023/24 year.

3. Policy framework implications

3.1 The Corporate Plan includes in its overarching strategies; Health & Wellbeing and Community Engagement. The Council is committed to supporting vulnerable residents particularly through the current cost of living crisis and by maintaining the current CTS scheme for a further year will ensure continued support for the Council's most vulnerable residents in an affordable and efficient manner.

4 Resource implications/Value for Money (where applicable) (Have you consulted finance?)

4.1 A full years data is not currently available as the scheme has only been in place since April 2023. However, early indicators are:

- The introduction of the £5 minimum entitlement for all working age groups was estimated to increase annual CTS expenditure of £50,000 per year. Current expenditure on this parameter has increased to £10,000.
- The actual overall spend for the first six months has increased by around £17,400 which is within the parameters expected.
- Overall expenditure may increase over the next six months depending on the current economic climate and officers will continue to monitor this to ensure the estimated budget for CTS remains achievable.

5. Legal implications (Have you consulted legal?)

- 5.1 When Council Tax Support was introduced, local authorities were obliged to have a scheme in place by the 11th March preceding the start of the following financial year.
- 5.2 Following a public and stakeholder consultation, Corporate Management Committee at the November 22 meeting recommended to full Council the current CTS scheme be adopted and implemented for 2023/24. This was approved at the full Council meeting in December 2022.
- 5.3 Schedule 1A, paragraph 5 of the Local Government Finance Act 1992 states:
- For each financial year, each billing authority must consider whether to revise its scheme or to replace it with another scheme
- 5.4 In addition to any local variations, each year the Government issues regulations amending the default scheme. Amendments in respect of pensioners must be incorporated into any local scheme. Whether these amendments need to be included in a local scheme for working age residents are for each local authority to decide. Delegated Authority to the Chief Financial Officer was approved by in December 22 to enable any legislative changes to be reflected in the current scheme.
- 5.5 Where local authorities decide to amend/revise their local scheme, as part of that review, formal consultation with stakeholders must be undertaken. Following the 2023/24 review it is recommended to maintain the existing scheme for a further year and therefore a formal consultation is not required. However, the decision to maintain or revise a CTS scheme still requires Full Council approval.

6. Equality implications (Have you consulted Emmanuel Alozie?)

- 6.1 Councillors need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty, as set out in Section 149 of the Equality At 2010, as part of the decision-making process. The three aims the authority must have due regard for are:
- eliminate discrimination, harassment and victimisation
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - foster good relations between persons who share a relevant protected characteristic
- 6.2 The Council must pay due regard to any obvious risk of such discrimination arising from the decision before them. There is no prescribed manner in how the equality duty must be exercised though producing an EIA is the most usual method. An EIA for 2023/24 scheme has been completed, and as the fundamental elements of the scheme are unchanged it remains relevant.
- 6.3 An EIA was presented to the Council meeting of 8th December 2022. If it is apparent that CTS policy would have an adverse effect on equality, then adjustments should be made to seek to reduce that effect and this is known as mitigation. The options and proposals consulted on in 2023/24 CTS scheme have gone some way to help mitigate the impact on vulnerable groups.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 The stabilisation of CTS entitlement has led to a reduction in printing and postage costs, as has the use of Universal Credit data. This has meant a reduction in calls from customers around CTS information and evidence and enabled the team to focus on administering other important grants.

8. Other implications (where applicable)

- 8.1 There are none

9. Timetable for Implementation

- 9.1 1 April 2024

10. Conclusions

- 10.1 The new CTS scheme implemented from 1 April 2023 has delivered everything members expected from the changes but within a cost that the Council can afford.

- 10.2 The Council is able to administer the scheme in a very efficient manner eliminating the requirement for separate formal applications which has resulted in a significant reduction in times from 27 days to 19 days for new claims. The legislative requirement is to process new claims within 28 days.
- 10.3 Processing changes in circumstances has also improved with a reduction to 3 days from 9 days bringing the Council in line with national benchmarking requirements. These improved processing times means that the Council can get support to those who need it when they need it.
- 10.4 An unexpected benefit of the scheme has created capacity within the team to administer the much-needed Household Support Fund (Tranche 4).
- 345 households have received approximately £90k of this funding to date.
- 10.5 . Should members wish to consider fundamental changes to the existing scheme for 25/26 year, a formal consultation is required with all stakeholders and as such, the annual review will commence in July 2024 when a more detailed analysis of the 23/24 data will be available.

11. Background papers

- There are none

12. Appendices

Appendix 1 – Council Tax Support Scheme Working Age

Appendix 2 – Council Tax Support Scheme Pensioners



The Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) 2024-25

This document/publication is also available on our website at:

www.runnymede.gov.uk

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The Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) 2023-24

Approved and Made by Council

8 December 2022

Coming into effect

1 April 2023

Runnymede Borough Council makes the following Scheme in exercise of the functions -

- (a) conferred by sections 13A(1)(a), 13A(2), 13A(3) and Schedule 1A to the Local Government Finance Act 1992 and all other enabling powers,
- (b) pursuant to Regulations made under section 113(1) and (2) to the 1992 Act and paragraph 2 of Schedule 1A to the Local Government Finance Act 2012 and
- (c) in accordance with Parts 1 to 3 and Schedules 7 to 8 of The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.

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1.0 Introduction¹

From 1 April 2013, council tax support in the form of council tax benefit was abolished by Central Government. It became the duty of each local authority in England to have localised council tax support, in the form of a council tax reduction.

The enabling provisions are contained in section 10 of the Local Government Finance Act 2012 (the “2012 Act”), which substitutes section 13A of the Local Government Finance Act 1992 (the “1992 Act”), and Schedule 4, which inserts Schedule 1A into the 1992 Act.

The detail of the elements which must be included in local council tax reductions schemes are included in The Council Tax Reduction Schemes (Prescribed Requirements Scheme) (England) Regulations 2012 SI 2885 (the “Prescribed Requirements”).

1.1 Annual Review of Council Tax Reduction Scheme

For each financial year, the authority must consider whether to revise its scheme or to replace it with another scheme. The authority must make any revision to its scheme, or any replacement scheme, no later than 11 March in the financial year preceding that for which the revision or replacement scheme is to have effect.

Having given full consideration to the Council Tax Reduction scheme adopted by the Council in April 2013, and subsequently amended, and following an extensive public consultation, the authority has decided to implement a replacement Council Tax Reduction scheme for 2023. The scheme adopted by the Council shall be subject to provisions contained in the Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022 and legislation relating to the annual uprating of applicable amounts in accordance with those set for housing benefit under delegated authority of the Chief Financial Officer.

1.2 Replacement Council Tax Reduction Scheme 2023

1.2.1 Prescribed Statutory Requirements

The authority sets out in Chapter 1, Parts 1 - 9, the statutory provisions that must apply to all applicants for a reduction in accordance with the Prescribed Requirements Parts 1 to 3 and Schedules 7 to 8.

1.2.2 Local Scheme Requirements

Subject to local amendments to paragraphs 14, 37, 38, 39, 40, 42, 42A, 44, 46, 47 to 49A, 52, 52A, 54, 54A, 54B, 106 and Schedules 2 and 3;

Chapter 2 - Parts 10 to 23 and Schedules 1 to 4 set out the provisions of the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012 (the “Default Scheme”), which the authority has adopted within its scheme.

1.3 Pensioners

The Government has said that local authorities must protect pensioners at the same level of support as the council tax benefit scheme and has prescribed a local scheme for pensioners with national rules.

¹ Section 13A LGFA 1992 as substituted by section 10 LGFA 2012

This means that the authority has no discretion over the method or level of support provided to pensioners in accordance with the Prescribed Requirements, Parts 1 to 3, Schedules 1 to 6 and Schedules 7 to 8 where they apply to Pensioners.

This document therefore concentrates on the local council tax reduction scheme for persons who are not pensioners; the scheme for pensioners is to be found in The Runnymede Borough Council (Council Tax Reduction Scheme) (Pensioners) 2014.

1.4 Work Incentives

The authority's scheme is required to meet the basic requirements of encouraging and incentivising work. The Government does not prescribe by regulation how the authority provides for work incentives in its scheme; it is for the authority to decide how best to provide work incentives for its individual communities.

Runnymede Borough Council has adopted the extended reduction rules. An extended reduction of four weeks of maximum council tax reduction is applied when a person on certain qualifying income-related and contributory benefits goes into work.

1.5 Vulnerability

The Government does not prescribe by regulation which class of person(s) is deemed as vulnerable, it is for the authority to decide, having regard to its duties under the Acts referred to below.

In making its scheme, Runnymede Borough Council has paid due regard to the -

- Equality Act 2010, public sector equality duties with regard to –
 - age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation, and
- Child Poverty Act 2010, the duty to mitigate the effects of child poverty, and
- Disabled Persons (Services, Consultation and Representation) Act 1986, and
- Chronically Sick and Disabled Persons Act 1970, the duties relating to the welfare needs of disabled people, and
- Housing Act 1996, the duty to prevent homelessness, and
- Armed Forces Covenant, to recognise what our Armed Forces do for us, especially the injured and the bereaved

The Default Scheme, which Runnymede Borough Council has adopted as its local scheme with local variations has been written with due regard to all of the above acts.

The council has also decided to retain the 100% local scheme disregard for all types of war pensions from the council tax benefit scheme.

1.6 Not Used

2.0 Matters to be included²

2.1 A scheme must state the classes of person who are to be entitled to a reduction under the scheme.

2.2 The classes may be determined by reference to, in particular -

- (a) the income of any person liable to pay council tax to the authority in

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners)
respect of a dwelling;

- (b) the capital of any such person;
 - (c) the income and capital of any other person who is a resident of the dwelling;
 - (d) the number of dependants of any person within paragraph (a) or (c);
 - (e) whether the person has made an application for the reduction.
- 2.3 A scheme must set out the reduction to which persons in each class are to be entitled; and different reductions may be set out for different classes.
- 2.4 A scheme must state -
- (a) classes of person which must or must not be included in a scheme;
 - (b) reductions, including minimum or maximum reductions, which must be applicable to persons in stated classes;
 - (c) requirements which must be met by the procedure mentioned in 2.5
- 2.5 A scheme must state the procedure by which a person may apply for a reduction under the scheme.
- 2.6 A scheme must state the procedure by which a person can make an appeal against any decision of the authority which affects -
- (a) the person's entitlement to a reduction under the scheme, or
 - (b) the amount of any reduction to which the person is entitled.
- 2.7 Subject to compliance with the Prescribed Requirements, a scheme may make provision that is equivalent to provisions made or capable of being made under -
- (a) sections 131 to 133 of the Social Security Contributions and Benefits Act 1992 (council tax benefit);
 - (b) sections 134 to 137 of that Act (general provisions about income-related benefits) so far as applying in relation to council tax benefit;
 - (c) section 1 of the Social Security Administration Act 1992 (entitlement to benefit dependent on claim) so far as applying in relation to council tax benefit;
 - (d) section 6 of that Act (regulations about council tax benefit administration),
 - (e) as it had effect on the day on which the 2012 Act was passed and with such modifications as the authority thinks fit.
- 2.8 In exercising any function relating to its scheme, the authority must have regard to any guidance issued by the Secretary of State

² Sch 1A LGFA 1992 as inserted by Sch 4 LGFA 2012

Chapter 1 - Prescribed Statutory Requirements

Part 1 - Introduction

1. Citation, amendment and application

(1) This scheme may be cited as The Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) 2023 and comes into effect on 1st April 2023.

(2) This scheme applies in relation to the billing authority in England known as Runnymede Borough Council and references in this scheme to “the authority” shall be to Runnymede Borough Council unless the context otherwise requires.

(3) If this scheme omits or is inconsistent with any of the requirements relating to persons who are not pensioners contained in The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (including any re-enactment or amendments thereof), the scheme shall be construed in such a way as to correct the omission or inconsistency.

Part 2 - Interpretation

2. Interpretation³

(1) In this scheme -

“the 1992 Act” means the Local Government Finance Act 1992;

“the 2012 Act” means Local Government Finance Act 2012;

“Abbeyfield Home” means an establishment run by the Abbeyfield Society including all bodies corporate or unincorporated which are affiliated to that society;

“adoption leave” means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996

“adult disability payment” has the meaning given in regulation 2 of the DAWAP Regulations;

“AFIP” means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004;

“applicable amount” means the amount calculated in accordance with part 11 and schedule 1

“applicant” means a person who has made an application;

“application” means an application for a reduction under a scheme;

“assessment period” means -

- (a) In relation to the earnings of an employed earner, in accordance with paragraph 53 for the purpose of calculating the weekly earnings of the applicant, or
- (b) in relation to the earnings of a self-employed earner, in accordance with paragraph 54 for the purpose of calculating the weekly earnings of the applicant; or
- (c) in relation to any other income, in accordance with paragraph 55 for the purpose of calculating the weekly income of the applicant;

³ Reg 2, SI 2012/2885

“attendance allowance” means -

- (a) an attendance allowance under Part 3 of the SSCBA
- (b) an increase of disablement pension under section 104 or 105 of that Act;
- (c) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or;
- (d) any payment based on need for attendance which is paid as part of a war disablement pension;

“the authority” means the billing authority that is Runnymede Borough Council to whose area a scheme has effect by virtue of paragraph 4(6) of Schedule 1A to the 1992 Act;

“basic rate” has the meaning given by the Income Tax Act 2007⁴;

“the benefit Acts” means the SSCBA, the Jobseekers Act 1995, the State Pension Credit Act 2002 and the Welfare Reform Act 2007;

“board and lodging accommodation” means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

“care home” has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by Schedule 12, Paragraph 2 of the Public Services Reform (Scotland) Act 2010 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of Article 10 of that Order;

“the Caxton Foundation” means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;

“child” means a person under the age of 16;

“child benefit” has the meaning given by section 141 of the SSCBA;

“child disability payment” has the meaning given by regulation 2 of the DACYP Regulations;”;

“child tax credit” means a child tax credit under section 8 of the Tax Credits Act 2002;

“close relative” means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

“concessionary payment” means a payment made under arrangements made by the Secretary of State with the consent of the Treasury which is charged either to the National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit or tax credits under the benefit Acts or the Tax Credits Act 2002 are charged;

“contributory employment and support allowance” means a contributory allowance under Part 1 of the Welfare Reform Act 2007;

⁴ 2007 c. 3; section 989 defines basic rate by reference to section 6(2). Section 6(2) was amended by section 5 of the Finance Act 2008 (c. 9) and section 6 of, and paragraphs 1 and 2 of part 1 of Schedule 2 to, the Finance Act 2009 (c. 10).

“council tax benefit” means council tax benefit under Part 7 of the SSCBA;

“couple” has the meaning given by paragraph 4;

“the DACYP Regulations” means the Disability Assistance for Children and Young People (Scotland) Regulations 2021(4);”;

“the DAWAP Regulations” means the Disability Assistance for Working Age People (Scotland) Regulations 2022(4);

“Default Scheme Regulations” means the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 20125;

“designated office” means the office of an authority designated by it for the receipt of applications -

- (a) by notice upon or with a form supplied by it for the purpose of making an application;
- (b) by reference upon or with such a form to some other document from it and sent by electronic means or otherwise on application and without charge; or
- (c) by any combination of the provisions set out in paragraphs (a) and (b);

“disability living allowance” means a disability living allowance under section 71 of the SSCBA;

“earned income” means combined Self-employed and employed earnings;

“earnings” has the meaning given by paragraph 57 or 59 as the case may be;

“the Eileen Trust” means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

“electronic communication” has the same meaning as in section 15(1) of the Electronic Communications Act 2000;

“employed earner” is to be construed in accordance with section 2(1)(a) of the SSCBA and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

“employment zone” means an area within Great Britain designated for the purposes of section 60 of the Welfare Reform and Pensions Act 1999 and an “employment zone programme” means a programme established for such an area or areas designed to assist claimants for a jobseeker’s allowance to obtain sustainable employment;

“enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;

“extended reduction (qualifying income-related benefit)” means a reduction under this scheme for which a person is eligible under Part 20;

“extended reduction period” means the period for which a person is in receipt of an extended reduction in accordance with paragraph 92, 97 and 101;

“extended reduction (qualifying contributory benefits)” means a reduction under this scheme for which a person is eligible in accordance with Part 20;

“family” has the meaning given by paragraph 6;

“the Fund” means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a

⁵ SI 2012/2886

10th April 1992;

““Grenfell Tower support payment” means a payment made to a person because that person was affected by the fire on 14th June 2017 at Grenfell Tower, or a payment to the personal representative of such a person—

- (a) from the £5 million fund announced on 16th June 2017 for the benefit of certain persons affected by the fire on 14th June at Grenfell Tower and known as the Grenfell Tower Residents’ Discretionary Fund;
- (b) by the Royal Borough of Kensington and Chelsea; or
- (c) by a registered charity;”;

“guarantee credit” is to be construed in accordance with sections 1 and 2 of the State Pension Credit Act 2002;

“a guaranteed income payment” means a payment made under article 15(1)(c) or 29(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;

“historical child abuse payment” means a payment made under—

- (a) Part 1 of the Historical Institutional Abuse (Northern Ireland) Act 2019(5);
- (b) Part 4 of the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021(6);”;

“housing benefit” means housing benefit under Part 7 of the SSCBA;

“housing costs element” has the meaning given by regulation 21 of the Universal Credit Regulations 2012;

“an income-based jobseeker’s allowance” and “a joint-claim jobseeker’s allowance” have the meanings given by the Jobseekers Act 1995 by virtue of section 1(4) of that Act;

“income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

“independent hospital” -

- (a) in England means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;
- (b) in Wales has the meaning given by section 2 of the Care Standards Act 2000; and
- (c) in Scotland means an independent health care service as defined by section 10F of the National Health Service (Scotland) Act 1978;

“the Independent Living Fund (2006)” means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

“invalid carriage or other vehicle” means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

“local Welfare Support payments” means any local welfare provision payments funded by central government

“the London Bombings Relief Charitable Fund” means the company limited by guarantee (number 5505072), and registered charity of that name established on 11th

July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;

“lone parent” means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

“the Macfarlane (Special Payments) Trust” means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

“the Macfarlane (Special Payments) (No 2) Trust” means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia and other beneficiaries;

“the Macfarlane Trust” means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

“main phase employment and support allowance” means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) of the Welfare Reform Act 2007;

“maternity leave” means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

“maximum council tax reduction” means the amount determined in accordance with paragraph 47;

“member of a couple” means a member of a married or unmarried couple;

“MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

“mobility supplement” means a supplement to which paragraph 13 of Schedule 3 refers;

“mover” means an applicant who changes the dwelling in which the applicant is resident, and in respect of which the applicant is liable to pay council tax, from a dwelling in the area of one authority to a dwelling in the area of a second authority;

“net earnings” means such earnings as are calculated in accordance with paragraph 58 (calculation of net earnings of employed earners);

“net profit” means such profit as is calculated in accordance with paragraph 67 (calculation of net profit of self-employed earners);

“new dwelling” means, for the purposes of the definition of “second authority” and paragraphs 94 and 99 the dwelling to which an applicant has moved, or is about to move, in which the applicant will be resident;

“non-dependant” has the meaning given by paragraph 9;

“occasional assistance” means any payment or provision made by a local authority, the Welsh Ministers or the Scottish Ministers for the purposes of—

(a) meeting, or helping to meet an immediate short-term need—

(i) arising out of an exceptional event or exceptional circumstances, or

- (ii) that needs to be met to avoid a risk to the well-being of an individual, and
- (b) enabling qualifying individuals to establish or maintain a settled home, and—
 - (i) “local authority” has the meaning given by section 270(1) of the Local Government Act 1972; and
 - (ii) “qualifying individuals” means individuals who have been, or without the assistance might otherwise be—
 - (aa) in prison, hospital, an establishment providing residential care or other institution, or
 - (bb) homeless or otherwise living an unsettled way of life;

and “local authority” means a local authority in England within the meaning of the Local Government Act 1972;

“occupational pension” means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

“occupational pension scheme” has the same meaning as in section 1 of the Pension Schemes Act 1993

“parental bereavement leave” means leave under section 80EA of the Employment Rights Act 1996(6);

“partner”, in relation to a person, means -

- (a) where that person is a member of a couple, the other member of that couple;
- (b) subject to paragraph (c), where that person is polygamously married to two or more members of his household, any such member to whom he is married; or
- (c) where that person is polygamously married and has an award of universal credit with the other party to the earliest marriage that still subsists, that other party to the earliest marriage;

“paternity leave” means a period of absence from work on ordinary paternity leave by virtue of section 80A or 80B of the Employment Rights Act 1996 or on additional paternity leave by virtue of section 80AA or 80BB of that Act;

“pension fund holder” means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers or scheme administrators, as the case may be, of the scheme concerned;

“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995;

“pensioner” has the meaning given by paragraph 3(a);

“person on income support” means a person in receipt of income support;

“person treated as not being in Great Britain” has the meaning given by paragraph 12;

“person who is not a pensioner” has the meaning given by paragraph 3(b);

“personal independence payment” has the meaning given by Part 4 of the Welfare Reform Act 2012;

“personal pension scheme” means -

- (a) a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993;

(b) an annuity contract or trust scheme approved under section 620 or 621 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) of that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 to the Finance Act 2004;

(c) a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;

“policy of life insurance” means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;

“polygamous marriage” means any marriage to which paragraph 5 applies;

“qualifying age for state pension credit” means (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002) -

(a) in the case of a woman, pensionable age; or

(b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

“prescribed requirements” means The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

“qualifying contributory benefit” means -

(a) severe disablement allowance;

(b) incapacity benefit;

(c) contributory employment and support allowance;

“qualifying income-related benefit” means -

(a) income support;

(b) income-based jobseeker’s allowance;

(c) income-related employment and support allowance;

“qualifying person” means—

(a) a person in respect of whom payment has been made from the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, the Windrush Compensation Scheme or the London Bombings Relief Charitable Fund; or

(b) a person who has received a Grenfell Tower support payment;”or

(c) “a historical child abuse payment or a Windrush payment”;

“reduction week” means a period of seven consecutive days beginning with a Monday and ending with a Sunday;

“relative” means a close relative, grandparent, grandchild, uncle, aunt, nephew or niece;

“relevant week”, in relation to any particular day, means the week within which the day in question falls;

“remunerative work” has the meaning given by paragraph 10;

“rent” means “eligible rent” to which regulation 12 of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 refer,

less any deductions in respect of non-dependants which fall to be made under paragraph 48 (non-dependant deductions);

“savings credit” is to be construed in accordance with sections 1 and 3 of the State Pension Credit Act 2002;

“scheme” means council tax reduction scheme

“second authority” means the authority to which a mover is liable to make payments for the new dwelling;

“self-employed earner” is to be construed in accordance with section 2(1)(b) of the SSCBA;

“self-employment route” means assistance in pursuing self-employed earner’s employment whilst participating in -

- (a) an employment zone programme;
- (b) a programme provided by or under arrangements made pursuant to section 2 of the Employment and Training Act 1973 (functions of the Secretary of State) or section 2 of the Enterprise and New Towns (Scotland) Act 1990 (functions in relation to training for employment, etc.); or
- (c) a scheme prescribed in regulation 3 of the Jobseeker’s Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013

“service user group” means a group of individuals that is consulted by or on behalf of -

- (a) a Health Board, Special Health Board or the Agency in consequence of a function under section 2B of the National Health Service (Scotland) Act 1978,
- (b) a landlord authority in consequence of a function under section 105 of the Housing Act 1985,
- (c) a public authority in Northern Ireland in consequence of a function under section 49A of the Disability Discrimination Act 1995,
- (d) a public authority in consequence of a function relating to disability under section 49 of the Equality Act 2010;
- (e) a best value authority in consequence of a function under section 3 of the Local Government Act 1999,
- (f) a local authority landlord or registered social landlord in consequence of a function under section 53 of the Housing (Scotland) Act 2001,
- (g) a relevant English body or a relevant Welsh body in consequence of a function under section 242 of the National Health Service Act 2006,
- (h) a Local Health Board in consequence of a function under section 183 of the National Health Service (Wales) Act 2006,
- (i) the Care Quality Commission in exercise of a function under section 4 or 5 of the Health and Social Care Act 2008,
- (j) the regulator or a private registered provider of social housing in consequence of a function under section 98, 193 or 196 of the Housing and Regeneration Act 2008, or
- (k) a public or local authority in Great Britain in consequence of a function conferred under any other enactment,

for the purposes of monitoring and advising on a policy of that body or authority which affects or may affect persons in the group, or of monitoring or advising on services provided by that body or authority which are used (or may potentially be used) by those persons;

“single applicant” means an applicant who neither has a partner nor is a lone parent;

“the Skipton Fund” means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme’s provisions;

“sports award” means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc Act 1993 out of sums allocated to it for distribution under that section;

“the SSCBA” means the Social Security Contributions and Benefits Act 1992;

“state pension credit” means state pension credit under the State Pension Credit Act 2002;

“statutory parental bereavement pay” means a payment to which a person is entitled in accordance with section 171ZZ6 of the Social Security Contribution and Benefits Act 1992(7);

“student” has the meaning given by paragraph 77;

“tax year” means a period beginning with 6th April in one year and ending with 5th April in the next;

“training allowance” means an allowance (whether by way of periodical grants or otherwise) payable -

(a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise, the Young People’s Learning Agency for England, the Chief Executive of Skills Funding or the Welsh Ministers;

(b) to a person for his maintenance or in respect of a member of his family; and

(c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, that department or approved by that department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers, but it does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the Employment and Training Act 1973, or is training as a teacher;

“the Trusts” (except where the context otherwise requires) means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No 2) Trust and “Trustees” is to be construed accordingly;

“universal credit” has the meaning given by section 1 of the Welfare Reform Act 2012

“uprating Act” means the Welfare Benefit Uprating Act 2013, as amended and the Welfare Benefits Uprating Order 2015 as amended

“voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

“week” means a period of seven days beginning with a Monday;

“war disablement pension” means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income

Tax (Earnings and Pensions) Act 2003;

“war pension” means a war disablement pension, a war widow’s pension or a war widower’s pension;

“war widow’s pension” means any pension or allowance payable to a woman as a widow or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person

“war widower’s pension” means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

“water charges” means -

(a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,

(b) as respects Scotland, any water and sewerage charges established by Scottish Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002,

in so far as such charges are in respect of the dwelling which a person occupies as his home;

“the Windrush Compensation Scheme” means—

(a) the scheme of that name⁽⁸⁾ operated by the Secretary of State for the purpose of compensating individuals who have suffered loss in connection with being unable to demonstrate their lawful status in the United Kingdom; and (b) the policy entitled “Windrush Scheme: Support in urgent and exceptional circumstances”⁽⁹⁾ which was operated by the Secretary of State for the purpose of compensating individuals who, for urgent and exceptional reasons, required support in advance of the scheme referred to in paragraph (a) of this definition becoming operational;

“Windrush payment” means a payment made under the Windrush Compensation Scheme (Expenditure) Act 2020⁽⁷⁾;

“working tax credit” means a working tax credit under section 10 of the Tax Credits Act 2002;

“young person” means a person who falls within the definition of qualifying young person in section 142 of the SSCBA.

(2) In this scheme, where an amount is to be rounded to the nearest penny, a fraction of a penny must be disregarded if it is less than half a penny and must otherwise be treated as a whole penny.

(3) For the purpose of this scheme, a person is on an income-based jobseeker’s allowance on any day in respect of which an income-based jobseeker’s allowance is payable to him and on any day -

(a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker’s allowance but where the allowance is not because of a reduction paid in accordance with Section 26 or Section 27 of the Welfare Reform Act 2012; or

(b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income-based jobseeker’s allowance is payable to him or would be payable to him but for Section 26 or Section 27 of the Welfare reform Act 2012; or

(c) in respect of which an income-based jobseeker's allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).

(4) For the purposes of this scheme, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support allowance is payable to him and on any day -

(a) in respect of which he satisfies the conditions for entitlement to an income-related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act (disqualification); or

(b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act (employment and support allowance supplementary provisions) and which falls immediately before a day in respect of which an income-related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.

(5) For the purposes of this scheme, two persons shall be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.

(6) In this scheme, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).

3. Application of scheme: pensioners and persons who are not pensioners⁶

(1) In this scheme a person is -

(a) a "pensioner" if -

(i) he has attained the qualifying age for state pension credit; and

(ii) he is not, or, if he has a partner, his partner is not -

(aa) a person on income support, on an income-based jobseeker's allowance or on an income-related employment and support allowance; or

(bb) a person with an award of universal credit; and

(b) a "person who is not a pensioner" if -

(i) he has not attained the qualifying age for state pension credit; or

(ii) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is -

(aa) a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or

(bb) a person with an award of universal credit.

(2) For the purposes of sub-paragraph (a)(ii)(bb) and (b)(iii)(bb) in paragraph (1) an award of universal credit is to be disregarded during the relevant period.

(3) In this regulation -

"assessment period" has the same meaning as in the Universal Credit Regulations 2013;

"relevant period" means the period beginning with the day on which P and each partner of P has attained the qualifying age for state pension credit and ending with the day on which the last assessment period for universal credit ends."

4. Meaning of “couple”⁷

(1) In this scheme “couple” means -

- (a) a man and woman who are married to each other and are members of the same household;
- (b) a man and woman who are not married to each other but are living together as if they were a married couple or civil partners ;
- (c) two people of the same sex who are civil partners of each other and are members of the same household; or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.

(2) Two people of the same sex are to be treated as living together as if they were civil partners if, and only if, they would be treated as living together as husband and wife were they of opposite sexes.

5. Polygamous marriages⁸

This paragraph applies to any case where -

- (a) a person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy; and
 - (b) either party to the marriage has for the time being any spouse additional to the other party.
- (2) For the purposes of paragraph 4 neither party to the marriage is to be taken to be a member of a couple.

6. Meaning of “family”⁹

(1) In this scheme “family” means -

- (a) a couple;
 - (b) a couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person; or
 - (c) a person who is not a member of a couple and a member of the same household for whom that person is responsible and who is a child or a young person.
- (2) The references to a child or young person in sub-paragraph (1)(b) and (c) include a child or young person in respect of whom section 145A of the SSCBA applies for the purposes of entitlement to child benefit, but only for the period prescribed under section 145A(1).
- (3) The references to a young person in paragraph (1)(b) and (c) do not include a young person who is -
- (a) on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance; or
 - (b) a person to whom section 6 of the Children (Leaving Care) Act 2000 (exclusion from benefits) applies.

⁷ Reg 4, SI 2012/2885

7. Circumstances in which a person is to be treated as responsible or not responsible for another¹⁰

(1) A person is to be treated as responsible for a child or young person who is normally living with him, including a child or young person to whom paragraph 6(2) applies.

(2) Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person must be treated for the purposes of sub-paragraph (1) as normally living with -

- (a) the person who is receiving child benefit in respect of that child or young person, or
- (b) if there is no such person—
 - (i) where only one claim for child benefit has been made in respect of him, the person who made that claim, or
 - (ii) in any other case the person who has the primary responsibility for him.

(3) For the purposes of this scheme, a child or young person is the responsibility of only one person in any reduction week and any person other than the one treated as responsible for the child or young person under this regulation is to be treated as not so responsible.

8. Households¹¹

(1) Subject to sub-paragraphs (2) and (3), an applicant and any partner and, where the applicant or his partner is treated, by virtue of paragraph 7, as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.

(2) A child or young person is not to be treated as a member of the applicant's household where he is -

- (a) placed with the applicant or his partner by a local authority under section 22C or 23(2)(a) of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act, or in Scotland boarded out with the applicant or his partner under a relevant enactment; or
- (b) placed, or in Scotland boarded out, with the applicant or his partner prior to adoption; or
- (c) placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009 or the Adoption (Northern Ireland) Order 1987.

(3) Subject to sub paragraph (4), sub paragraph (1) does not apply to a child or young person who is not living with the applicant and who -

- (a) is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or
- (b) has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
- (c) has been placed for adoption in accordance with the Adoption and Children Act

2002 or the Adoption Agencies (Scotland) Regulations 2009.

(4) The authority must treat a child or young person to whom sub-paragraph (3)(a) applies as being a member of the applicant's household in any reduction week where -

(a) that child or young person lives with the applicant for part or all of that reduction week; and

(b) the authority considers that it is reasonable to do so taking into account the nature and frequency of that child's or young person's visits.

(5) In this paragraph "relevant enactment" means -

(a) the Army Act 1955;

(b) the Air Force Act 1955;

(c) the Naval Discipline Act 1957;

(d) the Matrimonial Proceedings (Children) Act 1958;

(e) the Social Work (Scotland) Act 1968;

(f) the Family Law Reform Act 1969;

(g) the Children and Young Persons Act 1969;

(h) the Matrimonial Causes Act 1973;

(i) the Children Act 1975;

(j) the Domestic Proceedings and Magistrates' Courts Act 1978;

(k) the Adoption and Children (Scotland) Act 2007;

(l) the Family Law Act 1986;

(m) the Children Act 1989;

(n) the Children (Scotland) Act 1995; and

(o) the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

9. Non-dependants¹²

(1) In this scheme, "non-dependant" means any person, except someone to whom sub-paragraph (2) applies, who normally resides with an applicant or with whom an applicant normally resides.

(2) This paragraph applies to -

(a) any member of the applicant's family;

(b) if the applicant is polygamously married –

(i) where the applicant has (alone or jointly with his partner) any ward of universal credit, any (aa) party to such a marriage other than the applicant's partner; and (bb) any child or young person who is a member of his household and for whom he or his partner or another party to the polygamous marriage is responsible; or

(ii) in any other case, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible

(c) a child or young person who is living with the applicant but who is not a member of his household by virtue of regulation 8 (households);

(d) subject to sub-paragraph (3), any person who, with the applicant, is jointly and severally liable to pay council tax in respect of a dwelling for any day under section 6

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners)
or 7 of the 1992 Act (persons liable to pay council tax);

(e) subject to sub-paragraph (3), any person who is liable to make payments on a commercial basis to the applicant or the applicant's partner in respect of the occupation of the dwelling;

(f) a person who lives with the applicant in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the applicant or his partner for the services provided by that person.

(3) Excepting persons to whom sub-paragraph (2)(a) to (c) and (f) refer, a person to whom any of the following paragraphs applies is a non-dependant -

(a) a person who resides with the person to whom he is liable to make payments in respect of the dwelling and either -

(i) that person is a close relative of his or his partner; or

(ii) the tenancy or other agreement between them is other than on a commercial basis;

(b) a person whose liability to make payments in respect of the dwelling appears to the authority to have been created to take advantage of a scheme except someone who was, for any period within the eight weeks prior to the creation of the agreement giving rise to the liability to make such payments, otherwise liable to make payments of rent in respect of the same dwelling;

(c) a person who becomes jointly and severally liable with the applicant for council tax in respect of a dwelling and who was, at any time during the period of eight weeks prior to his becoming so liable, a non-dependant of one or more of the other residents in that dwelling who are so liable for the tax, unless the change giving rise to the new liability was not made to take advantage of a scheme.

10. Remunerative work¹³

(1) Subject to the following provisions, a person must be treated for the purposes as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.

(2) Subject to sub-paragraph (3), in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard must be had to the average of hours worked over -

(a) if there is a recognisable cycle of work, the period of one complete cycle, including, where the cycle involves periods in which the person does not work, those periods but disregarding any other absences;

(b) in any other case, the period of 5 weeks immediately prior to the date of application, or such other length of time as may, in the particular case, enable the person's weekly average hours of work to be determined more accurately.

(3) Where, for the purposes of sub paragraph (2)(a), a person's recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work must be disregarded in establishing the average hours for which he is engaged in work.

(4) Where no recognisable cycle has been established in respect of a person's work, regard must be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.

(5) A person must be treated as engaged in remunerative work during any period for

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) which he is absent from work referred to in sub paragraph (1) if the absence is either without good cause or by reason of a recognised, customary or other holiday.

(6) A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week must be treated as not being in remunerative work in that week.

(7) A person must not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave or adoption leave, shared parental leave, parental bereavement leave or is absent from work because he is ill.

(8) A person must not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which -

- (a) a sports award has been made, or is to be made, to him; and
- (b) no other payment is made or is expected to be made to him.

Part 3 - Prescribed classes of persons

11. Pensioners¹⁴

(1) Pensioners are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and who are included in the authority's scheme under The Runnymede Borough Council (Council Tax Reduction Scheme) (Pensioners) 2014.

12. Persons treated as not being in Great Britain¹⁵

(1) Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.

(2) Except where a person falls within sub-paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.

(3) A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless the person has a right to reside in one of those places.

(4) For the purposes of sub-paragraph (3), a right to reside does not include a right which exists by virtue of, or in accordance with—

(a) regulation 13 of the Immigration (European Economic Area) Regulations 2016;

(b) regulation 16 of the EEA Regulations¹⁷, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph (5) of that regulation.

¹⁴ Reg 11, SI 2012/2885

¹⁵ Reg 12, SI 2012/2885

¹⁶ Reg 13 of the 2006 regulations replaced by Reg 13 of the 2016 regulations

¹⁷ Reg 15A was inserted by reg 3 of, and paragraph 9 of Schedule 1 to, S.I. 2012/1547; paragraph (4A) was inserted by regulation 2 of, and paragraph 3 of the Schedule to, S.I. 2012/2560

¹⁸ A consolidated version of this Treaty was published in the Official Journal on 30.3.2010 C 83

19 Reg 6(2) was amended by regulation 5 of, and paragraph 3 of Schedule 2 to, S.I. 2011/544.

(4A) For the purposes of paragraph (3), a right to reside does not include a right which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971(10) by virtue of—

(a) article 3 (grant of leave to EEA and Swiss nationals) of the Immigration (European Economic Area Nationals) (EU Exit) Order 2019(11) made under section 3A of that Act;

(b) Appendix EU to the immigration rules made under section (2) of that Act; or

(c) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act.”

(5) A person falls within this paragraph if the person is—

(za) a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971(8), where such leave is granted by virtue of—

(i) the Afghan Relocations and Assistance Policy; or

(ii) the previous scheme for locally-employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme);

(zb) a person in Great Britain not coming within sub-paragraph (za) or (e)(iv) who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021;

(a) a qualified person for the purposes of regulation 6 of the EEA Regulations¹⁹ as a worker or a self-employed person;

(b) a family member of a person referred to in sub-paragraph (a) within the meaning of regulation 7(1)(a), (b) or (c) of the EEA Regulations;

(c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;

(d) a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967;

(e) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971 **(b)**

(zc) a person in Great Britain who was residing in Ukraine immediately before 1st January 2022, left Ukraine in connection with the Russian invasion which took place on 24th February 2022 and—

(i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;

(ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or

(iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;

(f) a person who has humanitarian protection granted under those rules; or

(g) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom.

(h) In receipt of income support, or on an income-related employment and support allowance; or

(ha) in receipt of an income-based jobseeker's allowance and has a right to reside other than a right to reside falling within paragraph (4);

(6) A person falls within this paragraph if the person is a Crown servant or member of Her Majesty's forces posted overseas.

(7) A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.

(8) In this scheme -

"claim for asylum" has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;

"Crown servant" means a person holding an office or employment under the Crown;

"EEA Regulations" means the Immigration (European Economic Area) Regulations 2016(12); and

"Her Majesty's forces" has the same meaning as in the Armed Forces Act 2006

13. Persons subject to immigration control²⁰

(1) Persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in an authority's scheme.

(2) "Person subject to immigration control" has the same meaning as in section 115(9) of the Immigration and Asylum Act 1999.

Part 4 - Procedural Matters

14. Procedure by which a person may apply for a reduction under the authority's scheme²¹

²⁰ Reg 13, SI 2012/2885 SI 2022/44/

²¹ Sch 7 part 1 SI 2012/2885

(1) Sub-paragraphs (2) to (11) apply to an application made under the authority's scheme.

(2) An application may be made -

(a) in writing,

(b) by means of an electronic communication in accordance with Part 5

(c) A form supplied through the DWP may be accepted in applying for Council Tax Support but the local authority may require additional application forms completed as they see fit in individual circumstances

(3) An application which is made in writing must be made to the designated office of the authority on a properly completed form.

(4) The form can be downloaded from the authority's website (www.Runnymede.gov.uk) or a copy obtained from the authority's offices at Civic Centre, Station Road, Addlestone,

(5) Where an application made in writing is defective because -

- (a) it was made on the form supplied for the purpose but that form is not accepted by the authority as being properly completed; or
- (b) it was made in writing but not on the form approved for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence,

the authority may, in a case to which sub-paragraph (5)(a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (5)(b) applies, supply the applicant with the approved form or request further information and evidence.

(6) An application made on a form provided by the authority is properly completed if it is completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.

(7) If an application made by electronic communication is defective the authority must provide the person making the application with an opportunity to correct the defect.

(8) An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.

15. Procedure by which a person may appeal against certain decisions of the authority²²

(1) A person who is aggrieved by a decision of the authority which affects -

- (a) the person's entitlement to a reduction under its scheme, or
- (b) the amount of any reduction to which that person is entitled,

may serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.

(2) The authority must -

- (a) consider the matter to which the notice relates;
- (b) notify the aggrieved person in writing -
 - (i) that the ground is not well founded, giving reasons for that belief; or
 - (ii) that steps have been taken to deal with the grievance, stating the steps taken.

(3) Where, following notification under sub-paragraph (2)(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with sub-paragraph (2)(b) within two months of the service of his notice, he may appeal to a valuation tribunal under section 16 of the 1992 Act.

16. Procedure for applying for a discretionary reduction²³

(1) An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act must be made -

- (a) in writing,
- (b) by means of an electronic communication in accordance with Part 5 : or

(c) where the authority has published a telephone number for the purpose of receiving such applications, by telephone.

(2) Where—

(a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and

(b) a person in that class would otherwise be entitled to a reduction under its scheme, that person's application for a reduction under the authority's scheme may also be treated as an application for a reduction under section 13A(1)(c).

17. Provision for all applicants: Homes for Ukraine scheme

17.—(1) A scheme must include provision that any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—

- (a) an applicant's entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.

(2) In this regulation—

“the Homes for Ukraine scheme” means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022(5).

Part 5 - Electronic Communication

18. Interpretation²⁴

In this part -

“information” includes an application, a certificate, notice or other evidence; and

“official computer system” means a computer system maintained by or on behalf of the authority for sending, receiving, processing or storing of any information.

19. Conditions for the use of electronic communication

(1) The authority may use an electronic communication in connection with applications for, and awards of, council tax reductions under its scheme.

(2) A person other than that authority may use an electronic communication in connection with the matters referred to in sub-paragraph (1) if the conditions specified in sub-paragraphs (3) to (6) are satisfied.

(3) The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority

(4) The second condition is that the person uses an approved method of -

- (a) authenticating the identity of the sender of the communication;
- (b) electronic communication;
- (c) authenticating any application or notice delivered by means of an electronic communication; and
- (d) subject to sub-paragraph (7), submitting to the authority any information.

(5) The third condition is that any information sent by means of an electronic communication is in a form approved for the purposes of this part.

(6) The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.

²³ Sch 7 part 3, SI 2012/2885

²⁴ Paras 17.
- 23, Sch 7 part 4, SI 2012/2885

(7) Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.

(8) In this paragraph “approved” means approved by means of a direction given by the Chief Executive of the authority for the purposes of this Part.

20. Use of intermediaries

The authority may use intermediaries in connection with -

- (a) the delivery of any information by means of an electronic communication; and
- (b) the authentication or security of anything transmitted by such means,

and may require other persons to use intermediaries in connection with those matters.

21. Effect of delivering information by means of electronic communication

(1) Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of the authority’s scheme on the day the conditions imposed -

- (a) by this part; and
- (b) by or under an enactment,

are satisfied.

(2) The authority may, determine that any information is to be treated as delivered on a different day (whether earlier or later) from the day provided for in sub-paragraph (1).

(3) Information may not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

22. Proof of identity of sender or recipient of information

If it is necessary to prove, for the purpose of any legal proceedings, the identity of -

- (a) the sender of any information delivered by means of an electronic communication to an official computer system; or
- (b) the recipient of any such information delivered by means of an electronic communication from an official computer system,

the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

23. Proof of delivery of information

(1) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this is presumed to have been the case where -

- (a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or
- (b) any such information has been delivered by the relevant authority, if the delivery of that information has been recorded on an official computer system.

(2) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information this is presumed not to be the case, if that information delivered to the relevant

authority has not been recorded on an official computer system.

(3) If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt is presumed to be that recorded on an official computer system.

24. Proof of content of information

If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content is presumed to be that recorded on an official computer system.

Part 6 - Extended Reductions: Movers²⁵

25. Extended reductions: movers into an authority's area

Where—

(a) an application is made to the authority for a reduction under this scheme, and (b) the applicant or the partner of the applicant, is in receipt of an extended reduction from—

- (i) another billing authority in England; or
- (ii) a billing authority in Wales,

the current authority must reduce any reduction to which the applicant is entitled under this scheme by the amount of that extended reduction

Part 7 - Applications

26. Making an application²⁶

(1) In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines.

(2) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and -

(a) a deputy has been appointed by the Court of Protection with power to apply, or as the case may be, receive benefit on his behalf; or

(b) in Scotland, his estate is being administered by a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise, that deputy, judicial factor, guardian or attorney, as the case may be, may make an application on behalf of that person.

²⁵ Sch 8 part 1 SI 2012/2885

²⁶ Sch 8(5) SI 2012/2885

(3) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, the authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under the authority's scheme and to receive and deal on his behalf with any sums payable to him.

(4) Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).

(5) Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (5) -

- (a) it may at any time revoke the appointment;
- (b) the person appointed may resign his office after having given 4 weeks notice in writing to the authority of his intention to do so;
- (c) any such appointment terminates when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).

(6) Anything required by this scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge to the authority for any sum paid.

(7) The authority must -

- (a) inform any person making an application of the duty imposed by paragraph 29(1)(a);
- (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and
- (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

27. Date on which an application is made²⁷

(1) Subject to sub-paragraph (7), the date on which an application is made is -

(a) in a case where -

(i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and

(ii) the application for a reduction is made within one month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,

the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;

(b) in a case where -

(i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,

(ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and

(iii) the application for a reduction is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(c) in a case where -

(iv) an applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under an authority's scheme, and

(v) the applicant makes an application for a reduction under that scheme within one month of the date of the death or the separation,

the date of the death or separation;

(d) except where paragraph (c) is satisfied, in a case where a properly completed application is received within one month, or such longer period as the authority considers reasonable, of the date on which an application form was issued to the applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;

(e) in any other case, the date on which an application is received at the designated office.

(2) For the purposes only of sub-paragraph (1)(a) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under -

(a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or

(b) not used

²⁷ Sch 8(4) SI 2012/2885

- (3) Where the defect referred to in paragraph 14(10) (applications by telephone) -
- (a) is corrected within one month, or such longer period as the authority considers reasonable, of the date the authority last drew attention to it the authority must treat the application as if it had been duly made in the first instance;
 - (b) is not corrected within one month, or such longer period as the authority considers reasonable, of the date the authority last drew attention to it, the authority must treat the application as if it had been duly made in the first instance where it considers it has sufficient information to decide the application.
- (4) An authority must treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.
- (5) The conditions are that -
- (a) where paragraph 14(5)(a) (incomplete form) applies, the authority receives at its designated office the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority may consider reasonable; or
 - (b) where paragraph 14(5)(b) (application not on approved form or further information requested by authority) applies -
 - (i) the approved form sent to the applicant is received at the designated office properly completed within one month of it having been sent to him; or, as the case may be,
 - (ii) the applicant supplies whatever information or evidence was requested under paragraph 14(5) within one month of the request, or,in either case, within such longer period as the authority may consider reasonable; or
 - (c) where the authority has requested further information, the authority receives at its designated office the properly completed application or the information requested to complete it within one month of the request or within such longer period as the authority considers reasonable.
- (6) Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to the authority but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under this scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority must treat the application as having been made on the day on which the liability for the tax arises.
- (7) Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under this scheme in the reduction week immediately following the date of his application but the authority is of the opinion that unless there is a change of circumstances he will be entitled to a reduction under its scheme for a period beginning not later than—
- (a) in the case of an application made by a person who has attained, or whose partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit,
the seventeenth reduction week following the date on which the application is made, or
 - (b) in the case of an application made by a person who is not a pensioner, the

thirteenth reduction week following the date on which the application is made, the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.

(8) In this paragraph “appropriate DWP office” means an office of the Department for Work and Pensions dealing with state pension credit or an office which is normally open to the public for the receipt of claims of income support, a job seekers allowance, employment and support allowance or Universal Credit.

28. Information and evidence²⁸

(1) Subject to sub-paragraph (3), a person who makes an application for a reduction under the authority’s scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.

(2) This sub-paragraph is satisfied in relation to a person if -

(a) the application is accompanied by -

- (i) a statement of the person’s national insurance number and information or evidence establishing that that number has been allocated to the person; or
- (ii) information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or

(b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by -

- (i) evidence of the application for a national insurance number to be so allocated; and
- (ii) the information or evidence enabling it to be so allocated.

(3) Sub-paragraph (2) does not apply -

(a) in the case of a child or young person in respect of whom an application for a reduction is made;

(b) to a person who -

- (i) is a person treated as not being in Great Britain for the purposes ;
- (ii) is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and
- (iii) has not previously been allocated a national insurance number.

(4) Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under the authority’s scheme has been awarded, must furnish such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by the authority in order to determine that person’s entitlement to, or continuing entitlement to a reduction under its scheme and must do so within one month of the authority requiring him to do so or such longer period as the authority may consider reasonable.

(5) Nothing in this paragraph requires a person to furnish any certificates, documents, information or evidence relating to which sub-paragraph (7) applies;

(6) Where the authority makes a request under sub-paragraph (4), it must -

(a) inform the applicant or the person to whom a reduction under its scheme has been awarded of his duty under paragraph 29 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and

(b) without prejudice to the extent of the duty owed under paragraph 29, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which must be notified.

(7) This sub-paragraph applies to any of the following payments -

(a) a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund;

(b) a payment which is disregarded under paragraph 16 of Schedule 3 (payments made under certain trusts and certain other payments), other than a payment under the Independent Living Fund (2006);

(c) a payment which is disregarded under paragraph 48(9).

(8) Where an applicant or a person to whom a reduction under the authority's scheme has been awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following information²⁹ -

(a) the name and address of the pension fund holder;

(b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.

29. Amendment and withdrawal of application³⁰

(1) A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the designated office.

(2) Any application amended in accordance with sub-paragraph (1) will be treated as if it had been amended in the first instance.

(3) A person who has made an application may withdraw it at any time before a decision has been made on it by notice to the offices of the authority.

(4) Any notice of withdrawal given in accordance with sub-paragraph (3) has effect when it is received.

²⁹ For provisions requiring a pension fund holder to provide information to the billing authority see regulations under section 14A of the Local Government Finance Act 1992

30. Duty to notify changes of circumstances³¹

(1) Subject to sub-paragraphs (3), (6) and (7), an applicant (or any person acting on his behalf) must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time -

(a) between the making of an application and a decision being made on it, or

(b) after the decision is made (where the decision is that the applicant is entitled to a reduction under this authority's scheme) including at any time while the applicant is in receipt of such a reduction.

(2) The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under the authority's scheme (a "relevant change of circumstances") by giving notice to the authority -

(a) in writing; or

(b) by telephone in any case or class of case where the authority determines that notice may be given by telephone; or

(c) by any other means which the authority agrees to accept in any particular case, within a period of 21 days beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.

(3) The duty imposed on a person by sub-paragraph (1) does not extend to notifying -

(a) changes in the amount of council tax payable to the authority;

(b) changes in the age of the applicant or that of any member of his family;

(c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under the authority's scheme to which he is entitled, other than the cessation of that entitlement to the benefit.

(4) For the purposes of sub-paragraph (3)(c) "relevant benefit" means income support, an income-based jobseeker's allowance or an income-related employment and support allowance or universal credit.

(5) Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer such a person because he has ceased to be a child or young person.

PART 8 - Decisions by an authority

31. Decision by authority³²

The authority must make a decision on an application under its scheme within 14 days of paragraphs 26 and 27 being satisfied, or as soon as reasonably practicable thereafter.

32. Notification of decision³³

(1) The authority must notify in writing any person affected by a decision made by it under its scheme -

(a) in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;

(b) in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.

(2) Where the decision is to award a reduction the notification under sub-paragraph (1) must include a statement -

(a) informing the person affected of the duty imposed by paragraph 29;

(b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and

(c) setting out the circumstances a change in which might affect entitlement to the reduction or its amount.

(3) Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.

(4) In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in the authority's scheme relating to the procedure for making an appeal.

(5) A person affected to whom the authority sends or delivers a notification of decision may, within one month of the date of the notification of that decision request in writing the authority to provide a written statement setting out the reasons for its decision on any matter set out in the notice.

(6) The written statement referred to in sub-paragraph (2) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.

(7) For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under its scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (6).

(8) This paragraph applies to -

(a) the applicant;

(b) in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act -

(i) a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or

³² Sch 8(11) SI 2012/2885

(ii) in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on the person's behalf; or

(iii) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,

(c) a person appointed by an authority under paragraph 25(3);

PART 9 - Award or payment of reduction

33. Payment where there is joint and several liability

(1) Where—

(a) a person is entitled to a reduction under this scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year;

(b) the person entitled to the reduction is jointly and severally liable for the council tax; and

(c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers would be inappropriate,

it may make a payment to him of the amount of the reduction to which he is entitled, rounded where necessary to the nearest penny.

(2) Subject to sub-paragraph (3) any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.

(3) Where a person other than a person who is entitled to a reduction under this scheme made the application and that first person is a person acting pursuant to an appointment under paragraph 25(3) or is treated as having been so appointed by virtue of paragraph 25(4), the amount of the reduction may be paid to that person

34. 35. Not used.

Chapter 2 - Local Scheme Requirements

Part 10 - Classes of person entitled to a reduction under this scheme

36. Classes of person entitled to a reduction under this scheme³⁵

(1) The classes of person described in paragraphs 37 to 38 are in relation to a person who is not pensioner and are entitled to a reduction under this scheme.

(2) In those paragraphs, references to the applicant's income or capital include, in a case where that income or capital cannot accurately be determined, references to the applicant's estimated income or capital.

37. Class D: persons who are not pensioners whose income is equal to or less than the applicable amount

On any day class D consists of any person who is not a pensioner -

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 40 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) whose income (if any) for the relevant week is equal to or less than his applicable amount;
- (f) who has made an application, or is treated as having made an application, for a reduction under this scheme; and
- (g) who does not possess capital of more than £16,000

38. Class E: persons who are not pensioners whose income is greater than the applicable amount³⁷

On any day class E consists of any person who is not a pensioner-

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 40 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person not entitled to a reduction under this scheme;
- (e) whose income for the relevant week is greater than his applicable amount;
- (f) in respect of whom amount A exceeds amount B where -
 - (i) amount A is the maximum council tax reduction in his case; and

³⁵ Reg. 12, SI 2012/2886

- (ii) amount B is 20 per cent of the difference between his income for the relevant week and his applicable amount;
- (g) who has made an application, or is treated as having made an application, for a reduction under this scheme; and
- (h) who does not possess capital of more than £16,000

39. Class F - Not used³⁸

40. Periods of absence from a dwelling³⁹

(1) A person is not absent from a dwelling in relation to any day which falls within a period of temporary absence from that dwelling.

(2) In sub-paragraph (1), a “period of temporary absence” means -

a) a period of absence not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation in Great Britain where and for so long as -

- (i) the person resides in that accommodation;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
- (iii) that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,

where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;

(b) subject to subparagraph (2B), a period of absence within Great Britain not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as -

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
- (iii) that period is unlikely to exceed 13 weeks;

(c) subject to sub-paragraph (2D), a period of absence within Great Britain not exceeding 52 weeks, beginning with the first whole day of that absence, where and for so long as -

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let;
- (iii) the person is a person to whom sub-paragraph (3) applies; and
- (iv) the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period, and

(d) subject to sub-paragraphs (2F), (3C), (3E) and (3G) and where sub-paragraph (2E) applies, a period of absence outside Great Britain not exceeding 4 weeks, beginning with the first day of that absence from Great Britain where and for so long as—

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resides is not let or sub-let; and
- (iii) the period of absence from Great Britain is unlikely to exceed 4 weeks.;

(2A) The period of 13 weeks referred to in sub-paragraph (2)(b) shall run or continue to run during any period of absence from Great Britain.

(2B) Where—

- (a) a person returns to Great Britain after a period of absence from Great Britain (period A);
- (b) that person has been absent from the dwelling, including any absence within Great Britain, for less than 13 weeks beginning with the first day of absence from that dwelling; and
- (c) at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence, then any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(b).

(2C) The period of 52 weeks referred to in sub-paragraph (2)(c) shall run or continue to run during any period of absence from Great Britain.

(2D) Where —

- (a) a person returns to Great Britain after a period of absence from Great Britain (period A);
- (b) that person has been absent from the dwelling, including any absence within Great Britain, for less than 52 weeks beginning with the first day of absence from that dwelling; and
- (c) at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence, then, any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(c).

(2E) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(2F) If the temporary absence referred to in sub-paragraph (2)(d) is in connection with the death of—

- (a) the person's partner or a child or young person for whom the person or the person's partner is responsible;
 - (b) the person's close relative;
 - (c) the close relative of the person's partner; or
 - (d) the close relative of a child or young person for whom the person or the person's partner is responsible,
- then the period of 4 weeks in the opening words of sub-paragraph (2)(d) may be extended by up to 4 further weeks if the relevant authority considers it unreasonable to expect the person to return to Great Britain within the first 4 weeks (and the reference in subparagraph (iii) of that paragraph to a period of 4 weeks shall, where the period is extended, be taken as referring to the period as so extended).;

(3) This sub-paragraph applies to a person who -

- (a) is a person to whom sub-paragraph (3A) applies
 - (i) in a dwelling, other than the dwelling referred to in sub-paragraph (1), or
 - (ii) in premises approved under section 13 of the Offender Management Act 2007, or is detained in custody pending sentence upon conviction;
- (b) is resident in a hospital or similar institution as a patient;
- (c) is undergoing, or whose partner or dependent child is undergoing, medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;

- (d) is following a training course;
- (e) is undertaking medically approved care of a person;
- (f) is undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care or medical treatment;
- (g) is receiving medically approved care provided in accommodation other than residential accommodation;
- (h) is a student;
- (i) is receiving care provided in residential accommodation and is not a person to whom sub-paragraph (2)(a) applies; or
- (j) has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.

(3A) This sub-paragraph applies to a person ("P") who is—

- (a) detained in custody on remand pending trial;
- (b) detained pending sentence upon conviction; or
- (c) as a condition of bail required to reside—
 - (i) in a dwelling, other than a dwelling P occupies as P's home; or
 - (ii) in premises approved under section 13 of the Offender Management Act 2007, and who is not also detained in custody following sentence upon conviction.

(3B) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a member of Her Majesty's forces posted overseas, a mariner or a continental shelf worker;
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3C) Where sub-paragraph (3B) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let;
- (c) the period of absence from Great Britain is unlikely to exceed 26 weeks.

(3D) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a person described in any of paragraphs (b), (c), (g) or (j) of subparagraph (3);
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3E) Where sub-paragraph (3D) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let;
- (c) the period of absence is unlikely to exceed 26 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.

(3F) This sub-paragraph applies where—

- (a) a person is temporarily absent from Great Britain;
- (b) the person is a person described in any of paragraphs (a), (d), (e), (f), (h) or (i) of subparagraph (3);
- (c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3G) Where sub-paragraph (3F) applies, a period of absence from Great Britain not exceeding 4 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

- (a) the person intends to return to the dwelling;
- (b) the part of the dwelling in which he usually resided is not let or sub-let; (c) the period of absence is unlikely to exceed 4 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.

(4) This sub-paragraph applies to a person who is -

- (a) detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983, or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995) or, in Northern Ireland, under Article 4 or 12 of the Mental Health (Northern Ireland) Order 1986; and
- (b) on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952(86) or the Prisons (Scotland) Act 1989(87).

(5) Where sub-paragraph (4) applies to a person, then, for any day when he is on temporary release -

- (a) if such temporary release was immediately preceded by a period of temporary absence under sub-paragraph (2)(b) or (c), he must be treated, for the purposes of sub-paragraph (1), as if he continues to be absent from the dwelling, despite any return to the dwelling;
- (b) for the purposes of sub-paragraph (3)(a), he must be treated as if he remains in detention;
- (c) if he does not fall within paragraph (a), he is not to be considered to be a person who is liable to pay council tax in respect of a dwelling of which he is a resident.

(6) In this paragraph -

“continental shelf worker” means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any of the activities mentioned in section 11(2) of the Petroleum Act 1998;

“designated area” means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964 as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;

“mariner” means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel, where—

- (a) the employment in that capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and
- (b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage;

“medically approved” means certified by a medical practitioner;

“member of Her Majesty’s forces posted overseas” means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006), who is absent from the main dwelling because the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty’s regular forces or reserve forces; and

“patient” means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution;

“prescribed area” means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State, or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998;

“residential accommodation” means accommodation which is provided in -

- (a) a care home;
- (b) an independent hospital;
- (c) an Abbeyfield Home; or
- (d) an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;

41. Classes of person excluded from this scheme⁴⁰

The classes of person described in paragraph 12, 13, 42, 42A and 43 are not entitled to a reduction under this scheme.

42. Class of person excluded from this scheme: capital limit⁴¹

(1) Except where sub-paragraph (3) applies, the class of person described in this paragraph consists of any person whose capital exceeds £10,000;

(2) Where sub-paragraph (3) applies the class of person described in this paragraph consists of any person whose capital exceeds £16,000.

(3) This paragraph applies where the applicant, or any partner, receives an enhanced disablement premium or severe disablement premium or Universal Credit Limited Capability for Work in accordance with Employment and Support Allowance regulations 2008 or has a dependant in receipt of a disabled child premium.

(4) Subject to paragraph 52, capital for the purposes of sub-paragraph (1) is to be calculated in accordance with Part 17.

42A. Class of person excluded from this scheme: valuation band F, G and H

The class or person described in paragraph consists of any person whose liability for Council Tax is in respect of a chargeable dwelling which falls within valuation band F, G or H in accordance with section 5 of the 1992 Act.

Where the eligible council tax has been reduced from Band F to E under section 13 of the 1992 Act, then there will be an entitlement to Council Tax Support.

43. Class of person excluded from this scheme: students⁴²

The class of person described in this paragraph consists of any student to whom paragraph 79(1) applies.

⁴⁰ Reg. 20, SI 2012/2886 - amended

⁴¹ Reg. 23, SI 2012/2886

⁴² Reg. 24, SI 2012/2886

⁴³ Reg. 26, SI 2012/2886 - amended

Part 11 - Applicable amounts

44. Applicable amounts

Subject to paragraphs 45 and 46, the applicable amount for a week is the aggregate

(1) of such of the following amounts as may apply in his case -

- (a) an amount in respect of himself or, if he is a member of a couple, an amount in respect of both of them, determined in accordance with paragraph 1 of Schedule 1;
- (b) an amount in respect of any child or young person who is a member of his family, determined in accordance with paragraph 2 of Schedule 1;
- (c) if he is a member of a family of which at least one member is a child or young person, an amount determined in accordance with Part 2 of Schedule 1 (family premium);
- (d) the amount of any premiums which may be applicable to him, determined in accordance with Parts 3 and 4 of Schedule 1 (premiums);
- (e) the amount of either the –
 - (i) work-related activity component; or
 - (ii) support component,

which may be applicable to him in accordance with Part 5 of Schedule 1 (the components);

(f) the amount of any transitional addition which may be applicable to him in accordance with Parts 7 and 8 of Schedule 1 (transitional addition).

(2) The right to prescribe the amounts of applicable amounts conferred by subparagraph (1) includes the right by the authority to set the amounts in accordance with the annual uprating of applicable amounts, to take effect at the beginning of each financial year.

(3) In Schedule 1 -

“additional spouse” means a spouse by the party to the marriage who is additional to the party to the marriage;

“converted employment and support allowance” means an employment and support allowance which is not income-related and to which a person is entitled as a result of a conversion decision within the meaning of the Employment and Support Allowance (Existing Awards) Regulations 2008

“patient” means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005

45. Polygamous marriages⁴⁴

(1) This paragraph applies where an applicant who is not a pensioner is a member of a polygamous marriage, and does not have (alone or jointly with a party to a marriage), an award of universal credit.

⁴⁴ Reg. 27, SI 2012/2886

(2) The applicable amount for a week of an applicant where this paragraph applies is the aggregate of such of the following amounts as may apply in his case -

- (a) the amount applicable to him and one of his partners determined in accordance with paragraph 1(3) of Schedule 1 as if he and that partner were a couple;
- (b) an amount equal to the difference between the amounts specified in sub-paragraphs (3) and (1)(b) of paragraph 1 of that Schedule in respect of each of his other partners;
- (c) an amount determined in accordance with paragraph 2 of that Schedule (main phase employment and support allowance) in respect of any child or young person for whom he or a partner of his is responsible and who is a member of the same household;
- (d) if he or another partner of the polygamous marriage is responsible for a child or young person who is a member of the same household, the amount specified in Part 2 of that Schedule (family premium);
- (e) the amount of any premiums which may be applicable to him determined in accordance with Parts 3 and 4 of that Schedule (premiums);
- (f) the amount of either the—
 - (i) work-related activity component; or
 - (ii) support component,which may be applicable to him in accordance with Parts 5 and 6 of that Schedule (the components);
- (g) the amount of any transitional addition which may be applicable to him in accordance with Parts 7 and 8 of that Schedule (transitional addition).

46. Applicable amount: persons who have an award of universal credit⁴⁵

(1) Subject to sub-paragraph (2), in determining the applicable amount for a week of an applicant -

- a) who has, or
- (b) who (jointly with his partner) has, an award of universal credit, the authority may use the calculation or estimate of the maximum amount of the applicant, or the applicant and his partner jointly (as the case may be), less the Housing Element, subject to the adjustment described in sub-paragraph (3).

(2) In determining the applicable amount for a week of an applicant who is a member of a polygamous marriage, the fact that two people are husband and wife is to be disregarded if—

- (a) one of them is a party to an earlier marriage that still subsists; and
- (b) the other party to that earlier marriage is living in the same household.

(3) The adjustment referred to in sub-paragraph (1) is to multiply the maximum amount by 12 and divide the product by 52

(4) In this paragraph “maximum amount” means the maximum amount calculated by the Secretary of State in accordance with section 8(2) of the Welfare Reform Act 2012.

Part 12 - Maximum council tax reduction

47. Maximum council tax reduction under this scheme

(1) Except where sub-paragraph (5) applies, subject to sub-paragraphs (6) to (8), the amount of a person's maximum Council Tax reduction in respect of a day is 80 per cent of the amount A/B where—

(a) subject to sub-paragraphs (2) and (3), A is the amount set by the authority as the Council Tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any other discount which may be appropriate to that dwelling under the 1992 Act; and

(b) B is the number of days in that financial year,

(c) less any deductions in respect of non-dependants which fall to be made under paragraph 48 (non-dependant deductions: persons who are not pensioners).

(2) The amount A in sub-paragraph (1) (a) for a dwelling that has a Council Tax band higher than Band D shall be limited, for all working age applicants, to the amount for a Band D dwelling for the relevant financial year.

(3) Where the amount A is limited to Band D, any other discounts appropriate to the dwelling shall also be limited to the equivalent amounts for a Band D dwelling for the relevant financial year.

(4) Sub-paragraph (5) applies where the applicant, or any partner, receives an enhanced disablement premium or severe disablement premium or Universal Credit Limited Capability for Work in accordance with Employment and Support Allowance regulations 2008 or has a dependant in receipt of a disabled child premium.

(5) Where sub-paragraph (4) applies, subject to sub-paragraphs (6) to (8), the amount of a person's maximum Council Tax reduction in respect of a day is 90 per cent of the amount A/B where –

(a) A is the amount set by the authority as the Council Tax for the relevant financial year in respect of the dwelling in which he is resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and

(b) B is the number of days in that financial year,

(c) Less any deductions in respect of non-dependants which fall to be made under paragraph 48 (non-dependant deductions: persons who are not pensioners)

(6) In calculating a person's maximum Council Tax reduction under this scheme any reduction in the amount that person is liable to pay in respect of Council Tax, which is made in consequence of any enactment in, or made under, the 1992 Act (other than a reduction under this scheme), is to be taken into account.

(7) Subject to sub-paragraph (8), where an applicant is jointly and severally liable for Council Tax in respect of a dwelling in which he is resident with one or more other persons, in determining the maximum Council Tax reduction in his case in accordance with sub-paragraphs (1), and sub-paragraphs (2) and (3) if applicable, the amount A is to be divided by the number of persons who are jointly and severally liable for that tax.

(8) Where an applicant is jointly and severally liable for Council Tax in respect of a dwelling with only his partner, sub-paragraph (7) does not apply in his case.

(9) The reference in sub-paragraph (7) to a person with whom an applicant is jointly and severally liable for Council Tax does not include a student to whom paragraph 74(1) applies.

(10) In this paragraph “relevant financial year” means, in relation to any particular day, the financial year within which the day in question falls.

48. Non-dependant deduction⁴⁷

(1) Subject to the following provisions of this paragraph, the non-dependant deduction in respect of a day referred to in paragraph 47 will equate to the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 as amended by the Government, except for those working age individuals (or partner) who have been assessed by the Secretary for State for Work and Pensions (DWP) for Universal Credit. The rate is -

(a) in respect of a non-dependant aged 18 or over in remunerative work, £14.15 x 1/7;

(b) in respect of a non-dependant aged 18 or over to whom sub-paragraph (a) does not apply, £4.60 x 1/7.

(2) In the case of a non-dependant aged 18 or over to whom sub-paragraph (1)(a) applies, where it is shown to the appropriate authority that his normal gross weekly income is -

(a) less than £236.00, the non-dependant deduction to be made under this paragraph is the amount specified in sub-paragraph (1)(b);

(b) not less than £236.00 but less than £410.00, the non-dependant deduction to be made under this paragraph is £9.40;

(c) not less than £410.00 but less than £511.00, the non-dependant deduction to be made under this paragraph is £11.80.

(2A) for all working age individuals (or partner) who have been assessed by the Secretary for State for Work and Pensions (DWP) for Universal Credit. the rate is –

(a) in respect of a non-dependant aged 18 or over not in remunerative work, £5.00 x 1/7;

(b) in respect of a non-dependant aged 18 or in remunerative work, £10.00 x 1/7;

(3) Only one non-dependant deduction is to be made under this paragraph in respect of a couple or, as the case may be, members of a polygamous marriage (other than where there is an award of universal credit) and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other member, the higher amount is to be deducted.

(4) In applying the provisions of sub-paragraph (2) in the case of a couple or, as the case may be, a polygamous marriage, regard must be had, for the purpose of that paragraph, to the couple's or, as the case may be, all members of the polygamous marriage's joint weekly gross income.

(5) Where in respect of a day -

(a) a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;

(b) other residents in that dwelling (the liable persons) have joint and several liability

(c) for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 of the 1992 Act (liability of spouses and civil partners); and

(d) the person to whom sub-paragraph (a) refers is a non-dependant of two or more of the liable persons,

the non-dependant deduction in respect of that non-dependant must be apportioned equally between those liable persons.

(6) No non-dependant deduction is to be made in respect of any non-dependants occupying an applicant's dwelling if the applicant or his partner is -

(a) blind or treated as blind by virtue of paragraph 10 of Schedule 1 (additional condition for the disability premium); or

(b) receiving in respect of himself -

(i) attendance allowance, or would be receiving that allowance but for -

(aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or

(bb) an abatement as a result of hospitalisation; or

(ii) the care component of the disability living allowance, or would be receiving that component but for -

(aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or

(bb) an abatement as a result of hospitalisation; or

(iii) the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients); or

(iv) an AFIP, or would be receiving that payment but for a suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allows for a suspension because a person is undergoing medical treatment in a hospital or similar institution

(7) No non-dependant deduction is to be made in respect of a non-dependant if -

(a) although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or

(b) he is in receipt of a training allowance paid in connection with youth training established under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or

(c) he is a full-time student within the meaning of Part 18 (students); or

(d) he is not residing with the applicant because he has been a patient for a period in excess of 52 weeks, and for these purposes -

(i) "patient" has the meaning given in paragraph 40(6), and

(ii) where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he is to be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods.

(8) No non-dependant deduction is to be made in respect of a non-dependant -

(a) who is on income support, state pension credit, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit; or

(b) to whom Schedule 1 to the 1992 Act applies (persons disregarded for purposes of

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) discount) but this paragraph does not apply to a non-dependant who is a student to whom paragraph 4 of that Schedule refers.

(9) In the application of sub-paragraph (2) there is to be disregarded from the non-dependant's gross weekly income -

(a) any attendance allowance, disability living allowance, personal independence or an AFIP payment received by him;

(b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006); which, had his income fallen to be calculated under paragraph 60 (calculation of income other than earnings), would have been disregarded under paragraph 28 of Schedule 3 (income in kind); and

(c) any payment which, had his income fallen to be calculated under paragraph 60 (Calculation of income other than earnings), would have been disregarded under paragraph 41 of Schedule 3 (payments made under certain trusts and certain other payments).

(10) The right to prescribe the amounts of non-dependant deduction conferred by sub-paragraphs (1), (2) and (2A) includes the right by the authority to set the amounts annually to take effect at the beginning of each financial year

PART 13 - Not used

PART 14 - Amount of reduction

49. Amount of reduction under this scheme: classes D to E⁴⁸

(1) Where a person is entitled to a reduction under this scheme in respect of a day, the amount of the reduction to which he is entitled is as follows.

(2) Subject to paragraph 49A, where the person falls within paragraph 37 (class D), that amount is the amount which is the maximum council tax reduction under paragraph 47(1) in respect of the day in the applicant's case,

(3) Subject to paragraph 49A, where the person falls within paragraph 38 (class E), that amount is the amount found by deducting amount B from amount A, where "amount A" and "amount B" have the meanings given in paragraph 38(f)

49A. Minimum amount of reduction under this scheme

(1) Where a person is entitled to a reduction under this scheme it shall not be awarded where the amount to which a person would otherwise be entitled is less than £5.00 per reduction week.

PART 15 - Income and capital - General

50. Calculation of income and capital: applicant's family and polygamous marriages⁴⁹

(1) The income and capital of -

(a) an applicant; and

(b) any partner of that applicant,

is to be calculated in accordance with the provisions of this Part, Part 16 and Part 17

(2) The income and capital of any partner of the applicant is to be treated as income

and capital of the applicant, and in this Part any reference to the applicant applies equally to any partner of that applicant.

(3) Except where paragraph 52 (income and capital where there is an award of universal credit) applies, where an applicant or the partner of an applicant is married polygamously to two or more members of his household -

(a) the applicant must be treated as possessing capital and income belonging to each such member; and

(b) the income and capital of that member is to be calculated in accordance with the following provisions of this Part in like manner as for the applicant.

51. Circumstances in which income and capital of non-dependant is to be treated as the applicant's⁵⁰

(1) Sub-paragraph (2) applies where it appears to the authority that a non-dependant and an applicant have entered into arrangements in order to take advantage and the non-dependant has more income and capital than the applicant.

(2) Except where -

(a) the applicant is a pensioner and is on a guarantee credit, or

(b) the applicant is not a pensioner and is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance,

the authority must treat the applicant as possessing income and capital belonging to that non-dependant and, in such a case, any income and capital which the applicant does possess is to be disregarded.

(3) Where an applicant is treated as possessing income and capital belonging to a non-dependant under sub-paragraph (2) the income and capital of that non-dependant must be calculated in accordance with the following provisions of this Part in like manner as for the applicant and, except where the context otherwise requires, any reference to the "applicant" is to be construed for the purposes of this Part as if it were a reference to that non-dependant.

52. Income and capital where there is an award of universal credit⁵¹

(1) In determining the income of an applicant -

(a) who has, or

(b) who (jointly with his partner) has,

an award of universal credit the authority must, subject to the following provisions of this paragraph, use the calculation or estimate of the amount of the income of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit—the monthly Universal Credit payment.

(2) The authority must adjust the amount of the income referred to in sub-paragraph (1) by multiplying the amount of the award by 12 and dividing the product by 52.

(3) The authority may only adjust the amount of the income as adjusted in accordance with sub-paragraph (2) so far as necessary to take into account—

⁴⁹ Reg. 33, SI 2012/2886

⁵⁰ Reg. 34, SI 2012/2886

(a) the amount of the award of universal credit, determined in accordance with sub-paragraph, less the Housing Element (4);

(b) paragraph 51 (circumstances in which income and capital of non-dependant is to be treated as applicant's), if the authority determines that the provision applies in the applicant's case;

(c) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act (power of billing authority to reduce amount of council tax payable).

(4) The amount for the award of universal credit to be taken into account for the purposes of sub-paragraph (3)(a) is to be determined by multiplying the amount of the award of universal credit by 12 and dividing the product by 52.

(5) Paragraph 51 (income and capital of non-dependant to be treated as applicant's) applies for the purpose of determining any adjustments which fall to be made to the figure for income under sub-paragraph (3).

(6) In determining the capital of an applicant—

(a) who has, or

(b) who (jointly with his partner) has,

an award of universal credit, the authority must use the calculation or estimate of the capital of the applicant, or the applicant and his partner jointly (as the case may be), made by the Secretary of State for the purpose of determining the award of universal credit.

52A – Treatment of deductions from Universal credit

(1) For the avoidance of doubt, the following deductions made from Universal Credit will still be included as part of a person's Universal Credit income for Council Tax Support assessment purposes:

- Budgeting advance
- Child support maintenance
- Council Tax liability arrears
- Court fines
- DWP admin penalties
- DWP civil penalties
- DWP normal overpayment
- DWP fraud overpayment
- Electricity arrears
- Eligible loan arrears
- First month advance (unless the advance has already been used as income for an earlier period)
- Flat rate maintenance
- Fraud penalty
- Gas arrears
- Hardship payment (unless it has been used as income for an earlier period)
- HB admin penalties
- HB civil penalties
- HB fraud overpayment
- HB normal overpayment
- Integration loan arrears
- Managed non-monthly payment
- Managed payment to landlord
- Managed split payment
- Manual landlord payment
- Manual non-monthly payment
- Mortgage interest arrears

- Owner service charge arrears
- Rent arrears
- Short-term advance (unless we have included the advance as income or an earlier period)
- Social fund
- Tax Credit fraud overpayment
- Tax Credit normal overpayment
- Water arrears

(2) The following deductions made from Universal Credit will not be counted as income within the assessment of a person's Council Tax Support:

- Benefit cap reduction
- Conditionality sanction
- First month advance (if we have already used it as income in an earlier assessment period)
- Hardship payment (if we have already used it as income in an earlier assessment period)
- Short-term advance (if we have already used it as income in an earlier assessment period)

Part 16 - Income; persons who do not have an award of universal credit

53. Average weekly earnings of employed earners⁵²

(1) Where the income of an applicant consists of earnings from employment as an employed earner his average weekly earnings must be estimated by reference to his earnings from that employment -

over a period immediately preceding the reduction week in which the application is made or treated as made and being a period of -

5 weeks, if he is paid weekly; or

2 months, if he is paid monthly; or

Whether or not sub-paragraph (a)(i) or (ii) applies, where an applicant's earnings fluctuate, over such other period preceding the reduction week in which the application is made or treated as made as may, in any particular case, enable his average weekly earnings to be estimated more accurately.

(2) Where the applicant has been in his employment for less than the period specified in sub-paragraph (1)(a)(i) or (ii) -

(a) if he has received any earnings for the period that he has been in that employment and those earnings are likely to represent his average weekly earnings from that employment his average weekly earnings must be estimated by reference to those earnings;

(b) in any other case, the authority must estimate the applicant's average weekly earnings⁵³.

(3) Where the amount of an applicant's earnings changes the authority must estimate his average weekly earnings by reference to his likely earnings from the employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period must not in any case exceed 52 weeks.

(a) For the purposes of this paragraph the applicant's earnings are to be calculated in accordance with paragraph 57 (earnings of employed earners) and 58 (calculation of net earnings of employed earners).

54. Average weekly earnings of self-employed earners⁵⁴

(1) Where the income of an applicant consists of earnings from employment as a self-employed earner his average weekly earnings must be estimated by reference to his earnings from that employment over such period as is appropriate in order that his average weekly earnings may be estimated accurately but the length of the period must not in any case exceed a year.

(2) For the purposes of this paragraph the applicant's earnings must be calculated in accordance with paragraph 59 (earnings of self-employed earners), 67 (calculation of net profit of self-employed earners) and 68 (calculation of deduction of tax and contributions of self-employed earners).

(3) Subject to paragraphs 59, 67 and 68, where, in any assessment period, a claimant is in gainful self-employment (see regulation 54B) and the claimant's earned income in respect of that assessment period is less than the minimum income floor, the claimant is to be treated as having earned income equal to the minimum income floor.

(4) The "minimum income floor" is the amount that a person of the same age as the claimant would be paid for thirty-five hours or in the case of a lone parent twenty hours work per week at the hourly rate applicable under Regulation 4 of the National Minimum Wage Regulations 2015 (as amended and in force on 1 January preceding this scheme's effective start date) minus-

(a) an amount that the Council considers appropriate to take account of any income tax or national insurance contributions for which the person would be liable in respect of the assessment period if they had earned income of that amount.

(5) Paragraph (3) does not apply where—

(a) the assessment period falls within a start-up period or is the assessment period in which a start-up period begins or ends

54A Start-up Period

(1) A "start-up period" is a period of 12 months and applies from the beginning of the assessment period in which the Council determines that a claimant is in gainful self-employment where—

(a) the claimant has begun to carry on the trade, profession or vocation which is their main employment in the 12 months preceding the beginning of that assessment period; and

(b) the claimant is taking active steps to increase their earnings from that employment.

(2) But no start-up period may apply in relation to a claimant where a start-up period has previously applied in relation to that claimant, whether in relation to the current award or any previous award of Local Council Tax Support, unless that previous start-up period—

(a) began more than 5 years before the beginning of assessment period referred to in paragraph (1); and

(b) applied in relation to a different trade, profession or vocation which the claimant has ceased to carry on.

(3) The Council may terminate a start-up period at any time if the person is no longer in gainful self-employment or is no longer taking the steps referred to in paragraph (1)(b).

54B Meaning of “gainful self-employment”

(1) A claimant is in gainful self-employment for the purposes of regulations 54 and 54A where the Council has determined that—

- (a) the claimant is carrying on a trade, profession or vocation as their main employment;
- (b) their earnings from that trade, profession or vocation are self-employed earnings; and
- (c) the trade, profession or vocation is organised, developed, regular and carried on in expectation of profit.

55. Average weekly income other than earnings⁵⁵

(1) The income of an applicant which does not consist of earnings must, except where sub-paragraph (2) applies, be estimated over such period as is appropriate in order that his average weekly income may be estimated accurately but the length of the period must not in any case exceed 52 weeks; and nothing in this paragraph authorises the authority to disregard any such income other than that specified in Schedule 3 (sums disregarded in the calculation of income other than earnings).

(2) The period over which any benefit under the benefit Acts is to be taken into account is to be the period in respect of which that benefit is payable.

(3) For the purposes of this paragraph income other than earnings is to be calculated in accordance with paragraph 60 (calculation of income other than earnings) .

56. Calculation of weekly income of employed earners⁵⁶

(1) For the purposes of paragraph 53 (average weekly earnings of employed earners), 55 (average weekly income other than earnings) and 65 (calculation of average weekly income from tax credits), where the period in respect of which a payment is made -

- (a) does not exceed a week, the weekly amount is to be the amount of that payment;
- (b) exceeds a week, the weekly amount is to be determined -
 - (i) in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - (ii) in any other case, by dividing the amount of the payment by the number equal to the number of days in the period to which it relates and multiplying the product by 7.

(2) For the purposes of paragraph 53 (average weekly earnings of self-employed earners) the weekly amount of earnings of an applicant is to be determined by dividing his earnings over the assessment period by the number equal to the number of days in that period and multiplying the product by 7.

57. Earnings of employed earners⁵⁷

(1) Subject to sub-paragraph (2), “earnings”, in the case of employment as an employed earner of a person means any remuneration or profit derived from that employment and includes –

- (a) any bonus or commission;
- (b) any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;

⁵³ Powers in section 14A of the LGFA 1992 may be used to confer power to require employers to provide information for these purposes.

- (c) any payment in lieu of notice or any lump sum payment intended as compensation for the loss of employment but only in so far as it represents loss of income;
 - (d) any holiday pay except any payable more than 4 weeks after termination or interruption of the employment;
 - (e) any payment by way of a retainer;
 - (f) any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of -
 - (i) travelling expenses incurred by the applicant between his home and place of employment;
 - (ii) expenses incurred by the applicant under arrangements made for the care of a member of his family owing to the applicant's absence from home;
 - (g) any award of compensation made under section 112(4) or 117(3)(a) of the Employment Rights Act 1996 (remedies and compensation for unfair dismissal);
 - (h) any payment or remuneration made under section 28, 34, 64, 68 or 70 of the Employment Rights Act 1996 (right to guarantee payments, remuneration on suspension on medical or maternity grounds, complaints to employment tribunals);
 - (i) any such sum as is referred to in section 112 of the SSCBA (certain sums to be earnings for social security purposes)
 - (j) any statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, or a corresponding payment under any enactment having effect in Northern Ireland;
 - (k) any remuneration paid by or on behalf of an employer to the applicant who for the time being is on maternity leave, paternity leave or adoption leave or is absent from work because he is ill;
 - (l) the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001.
- (2) Earnings does not include -
- (a) subject to sub-paragraph (3), any payment in kind;
 - (b) any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment;
 - (c) any occupational pension;
 - (d) any payment in respect of expenses arising out of the applicant's participation in a service user group.
- (3) Sub-paragraph (2)(a) does not apply in respect of any non-cash voucher referred to in sub-paragraph (1)(l).

58. Calculation of net earnings of employed earners⁵⁸

- (1) For the purposes of paragraph 53 (average weekly earnings of employed earners), the earnings of an applicant derived or likely to be derived from employment as an employed earner to be taken into account must, subject to sub-paragraph (2), be his

net earnings.

(2) There is to be disregarded from an applicant's net earnings, any sum, where applicable, specified in paragraphs 1 to 16 of Schedule 2 (sums disregarded in the calculation of earnings).

(3) For the purposes of sub - paragraph (1) net earnings must, except where sub-paragraph (6) applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less -

(a) any amount deducted from those earnings by way of -

(i) income tax;

(ii) primary Class 1 contributions under the SSCBA;

(b) one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;

(c) one-half of the amount calculated in accordance with sub-paragraph (5) in respect of any qualifying contribution payable by the applicant; and where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, statutory paternity pay or statutory adoption pay, any amount deducted from those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the SSCBA.

(4) In this paragraph "qualifying contribution" means any sum which is payable periodically as a contribution towards a personal pension scheme.

(5) The amount in respect of any qualifying contribution is to be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying contribution is to be determined -

(a) where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;

(b) in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.

(6) Where the earnings of an applicant are estimated under paragraph 53(2)(b) (average weekly earnings of employed earners), his net earnings is to be calculated by taking into account those earnings over the assessment period, less -

(a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal relief deductible under this paragraph is to be calculated on a pro rata basis;

(b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and

(c) one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme, if the earnings so estimated were actual earnings.

59. Earnings of self-employed earners⁵⁹

(1) Subject to sub-paragraph (2), “earnings”, in the case of employment as a self-employed earner of a person means the gross income of the employment.

(2) “Earnings” does not include any payment to which paragraph 31 or 32 of Schedule 3 refers (payments in respect of a person accommodated with the applicant under arrangements made by a local authority or voluntary organisation and payments made to the applicant by a health authority, local authority or voluntary organisation in respect of persons temporarily in the applicant’s care) nor does it include any sports award.

(3) This sub-paragraph applies to -

(a) royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trade mark; or

(b) any payment in respect of any -

(i) book registered under the Public Lending Right Scheme 1982; or

(ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982,

where the applicant is the first owner of the copyright, design, patent or trade mark, or an original contributor to the book or work concerned.

(4) Where the applicant’s earnings consist of any items to which sub-paragraph (3) applies, those earnings must be taken into account over a period equal to such number of weeks as is equal to the number obtained (and any fraction is to be treated as a corresponding fraction of a week) by dividing the earnings by -

(a) the amount of reduction under this scheme to which the applicant would have been entitled had the payment not been made, plus

(b) an amount equal to the total of the sums which would fall to be disregarded from the payment under Schedule 2 (sums disregarded in the calculation of earnings: persons) as appropriate in the applicant’s case.

60. Calculation of income other than earnings⁶⁰

(1) For the purposes of paragraph 55 (average weekly income other than earnings: persons), the income of an applicant which does not consist of earnings to be taken into account must, subject to sub-paragraphs (2) to (8), be his gross income and any capital treated as income under paragraph 61 (capital treated as income).

(2) There is to be disregarded from the calculation of an applicant’s gross income under sub-paragraph (1), any sum, where applicable, specified in Schedule 3.

(3) Where the payment of any benefit under the benefit Acts is subject to any deduction by way of recovery the amount to be taken into account under sub-paragraph (1) must be the gross amount payable.

(4) Where the applicant or, where he is a member of a couple, his partner is receiving a contributory employment and support allowance and that benefit has been reduced under regulation 63 of the Employment and Support Allowance Regulations 2008), the amount of that benefit to be taken into account is the amount as if it had not been reduced.

(5) Where an award of any working tax credit or child tax credit under the Tax Credits Act 2002 is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under sub-paragraph (1) is to be the amount of working tax credit or child tax credit awarded less the amount of that deduction.

(6) Sub-paragraphs (7) and (8) apply where -

- (a) a relevant payment has been made to a person in an academic year; and
- (b) that person abandons, or is dismissed from, his course of study before the payment to him of the final instalment of the relevant payment.

(7) Where a relevant payment is made quarterly, the amount of a relevant payment to be taken into account for the assessment period for the purposes of sub-paragraph (1) in respect of a person to whom sub-paragraph (6) applies, is to be calculated by applying the formula—

$$(A - (B \times C)) / D$$

where -

A = the total amount of the relevant payment which that person would have received had he remained a student until the last day of the academic term in which he abandoned, or was dismissed from, his course, less any deduction under paragraph 85(5) (treatment of student loans);

B = the number of reduction weeks from the reduction week immediately following that which includes the first day of that academic year to the reduction week which includes the day on which the person abandoned, or was dismissed from, his course;

C = the weekly amount of the relevant payment, before the application of the £10 disregard, which would have been taken into account as income under paragraph 85(2) (treatment of student loans) had the person not abandoned or been dismissed from, his course and, in the case of a person who was not entitled to a reduction under this scheme immediately before he abandoned or was dismissed from his course, had that person, at that time, been entitled to housing benefit;

D = the number of reduction weeks in the assessment period.

(8) Where a relevant payment is made by two or more instalments in a quarter, the amount of a relevant payment to be taken into account for the assessment period for the purposes of sub-paragraph (1) in respect of a person to whom sub-paragraph (6) applies, is to be calculated by applying the formula in sub-paragraph (7) but as if -

A = the total amount of relevant payments which that person received, or would have received, from the first day of the academic year to the day the person abandoned the course, or was dismissed from it, less any deduction under paragraph 85(5) (treatment of student loans).

(9) In this paragraph -

“academic year” and “student loan” have the same meanings as in Part 18 (students);

“assessment period” means -

- (a) in a case where a relevant payment is made quarterly, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes the last day of the last quarter for which an instalment of the relevant payment was payable to that person;

- (b) in a case where the relevant payment is made by two or more instalments in a quarter, the period beginning with the reduction week which includes the day on which the person abandoned, or was dismissed from, his course and ending with the reduction week which includes -

- (i) the day immediately before the day on which the next instalment of the relevant payment would have been due had the payments continued; or

- (ii) the last day of the last quarter for which an instalment of the relevant payment was payable to that person,

whichever of those dates is earlier;

“quarter” in relation to an assessment period means a period in that year beginning on -

- (c) 1st January and ending on 31st March;
- (d) 1st April and ending on 30th June;
- (e) 1st July and ending on 31st August; or
- (f) 1st September and ending on 31st December;

“relevant payment” means either a student loan or an amount intended for the maintenance of dependants referred to in paragraph 80(7) (calculation of grant income) or both.

(10) For the avoidance of doubt there must be included as income to be taken into account under sub-paragraph (1) -

- (a) any payment to which paragraph 57(2) (payments not earnings) applies; or
- (b) in the case of an applicant who is receiving support under section 95 or 98 of the Immigration and Asylum Act 1999 including support provided by virtue of regulations made under Schedule 9 to that Act, the amount of such support provided in respect of essential living needs of the applicant and his dependants (if any) as is specified in regulations made under paragraph 3 of Schedule 8 to the Immigration and Asylum Act 1999.

61. Capital treated as income⁶¹

(1) Any capital payable by instalments which are outstanding at the date on which the application is made or treated as made, or, at the date of any subsequent revision or supersession, must, if the aggregate of the instalments outstanding and the amount of the applicant's capital otherwise calculated in accordance with Part 17 exceed £6,000, be treated as income.

(2) Any payment received under an annuity is to be treated as income.

(3) Any earnings to the extent that they are not a payment of income is to be treated as income.

(4) Any Career Development Loan paid pursuant to section 2 of the Employment and Training Act 1973 is to be treated as income.

(5) Where an agreement or court order provides that payments must be made to the applicant in consequence of any personal injury to the applicant and that such payments are to be made, wholly or partly, by way of periodic payments, any such periodic payments received by the applicant (but not a payment which is treated as capital by virtue of this Part), is to be treated as income.

62. Notional income⁶²

(1) An applicant who is not a pensioner is to be treated as possessing income of which he has deprived himself for the purpose of securing entitlement to a reduction under a council tax reduction scheme or increasing the amount of the reduction.

(2) Except in the case of -

- (a) a discretionary trust;

⁶¹ Reg. 55, SI 2012/2886

⁶² Reg. 56, SI 2012/2886

- (b) a trust derived from a payment made in consequence of a personal injury;
- (c) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund where the applicant has not attained the qualifying age for state pension credit;
- (d) any sum to which paragraph 50(2)(a) of Schedule 4 (capital disregard) applies which is administered in the way referred to in paragraph 50(1)(a);
- (e) any sum to which paragraph 51(a) of Schedule 4 refers;
- (f) rehabilitation allowance made under section 2 of the Employment and Training Act 1973;
- (g) child tax credit;
- (h) working tax credit, or
- (i) any sum to which sub-paragraph (11) applies,
- (j) working tax credit, or
- (k) working tax credit, or
- (l) working tax credit, or
- (m) any sum to which sub-paragraph (11) applies,

any income which would become available to the applicant upon application being made, but which has not been acquired by him, is to be treated as possessed by the applicant but only from the date on which it could be expected to be acquired were an application made.

(3) Any payment of income, other than a payment of income specified in sub-paragraph (4), made -

(a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) must, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;

(b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) must, where it is not a payment referred to in sub-paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;

(c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of that family) must be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.

(4) Sub-paragraph (3) does not apply in respect of a payment of income made -

(a) under or by the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust, the Fund, the Eileen Trust,

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners)
MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006);

(b) pursuant to section 19(1)(a) of the Coal Industry Act 1994 (concessionary coal);

(c) pursuant to section 2 of the Employment and Training Act 1973 in respect of a person's participation -

(i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996;

(ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;

(iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;

(iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or

(v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;

(d) in respect of a person's participation in the Work for Your Benefit Pilot Scheme;

(e) in respect of a person's participation in the Mandatory Work Activity Scheme;

(f) in respect of an applicant's participation in a scheme prescribed in regulation 3 of the Jobseekers Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;

(g) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where -

(i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;

(ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and

(iii) the person referred to in sub-paragraph (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

(5) Where an applicant is in receipt of any benefit under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority must treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority selects, to the date on which the altered rate is to take effect.

(6) Subject to sub-paragraph (7), where -

(a) an applicant performs a service for another person; and

(b) that person makes no payment of earnings or pays less than that paid for a comparable employment in the area,

the authority must treat the applicant as possessing such earnings (if any) as is reasonable for that employment unless the applicant satisfies the authority that the means of that person are insufficient for him to pay or to pay more for the service.

(7) Sub-paragraph (6) does not apply -

(a) to an applicant who is engaged by a charitable or voluntary organisation or who is a

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners)
volunteer if the authority is satisfied in any of those cases that it is reasonable for him to provide those services free of charge; or

- (b) in a case where the service is performed in connection with -
- (i) the applicant's participation in an employment or training programme in accordance with regulation 19(1)(q) of the Jobseeker's Allowance Regulations 1996, other than where the service is performed in connection with the applicant's participation in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations; or
 - (ii) the applicant's or the applicant's partner's participation in an employment or training programme as defined in regulation 19(3) of those Regulations for which a training allowance is not payable or, where such an allowance is payable, it is payable for the sole purpose of reimbursement of travelling or meal expenses to the person participating in that programme; or
- (c) to an applicant who is participating in a work placement approved by the Secretary of State (or a person providing services to the Secretary of State) before the placement starts.

(8) In sub-paragraph (7)(c) "work placement" means practical work experience which is not undertaken in expectation of payment.

(9) Where an applicant is treated as possessing any income under any of sub-paragraphs (1) to (8), the foregoing provisions of this Part apply for the purposes of calculating the amount of that income as if a payment had actually been made and as if it were actual income which he does possess.

(10) Where an applicant is treated as possessing any earnings under sub-paragraph (6) the foregoing provisions of this Part apply for the purposes of calculating the amount of those earnings as if a payment had actually been made and as if they were actual earnings which he does possess except that paragraph 56(3) (calculation of net earnings of employed earners) do not apply and his net earnings are to be calculated by taking into account those earnings which he is treated as possessing, less -

- (a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances; but, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal relief deductible under this paragraph is to be calculated on a pro rata basis;
- (b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and
- (c) one-half of any sum payable by the applicant by way of a contribution towards an occupational or personal pension scheme.

(11) Sub-paragraphs (1), (2), (3) and (6) do not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant's participation in a service user group.

63. Calculation of income on a weekly basis⁶³

(1) Subject to paragraph 66 (disregard of changes in tax, etc.), the income of an applicant is to be calculated on a weekly basis -

- (a) by estimating the amount which is likely to be his average weekly income in accordance with this Part;

(b) not used

(c) deducting from the sum of sub-paragraph (a) any relevant child care charges to which paragraph 64 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in sub-paragraph (2) are met, from those earnings plus whichever credit specified in paragraph (b) of that sub-paragraph is appropriate, up to a maximum deduction in respect of the applicant's family of whichever of the sums specified in sub-paragraph (3) applies in his case.

(2) The conditions of this paragraph are that -

(a) the applicant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in sub-paragraph (3) otherwise applies in his case; and

(b) that applicant or, if he is a member of a couple either the applicant or his partner, is in receipt of either working tax credit or child tax credit.

(3) The maximum deduction to which sub-paragraph (1)(c) above refers is to be -

(a) where the applicant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week;

(b) where the applicant's family includes more than one child in respect of whom relevant child care charges are paid, £300 per week.

64. Treatment of child care charges⁶⁴

(1) This paragraph applies where an applicant (within the meaning in this paragraph) is incurring relevant child care charges and -

(a) is a lone parent and is engaged in remunerative work;

(b) is a member of a couple both of whom are engaged in remunerative work; or

(c) is a member of a couple where one member is engaged in remunerative work and the other -

(i) is incapacitated;

(ii) is an in-patient in hospital; or

(iii) is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).

(2) For the purposes of sub-paragraph (1) and subject to sub-paragraph (4), a person to whom sub-paragraph (3) applies must be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he -

(a) is paid statutory sick pay;

(b) is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the SSCBA;

(c) is paid an employment and support allowance;

(d) is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support (General) Regulations 1987; or

(e) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

(3) This paragraph applies to a person who was engaged in remunerative work immediately before -

(a) the first day of the period in respect of which he was first paid statutory sick pay,

short- term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or

(b) the first day of the period in respect of which earnings are credited, as the case may be.

(4) In a case to which sub-paragraph (2)(d) or (e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.

(5) Relevant child care charges are those charges for care to which sub-paragraphs (6) and (7) apply, and are to be calculated on a weekly basis in accordance with sub-paragraph (10).

(6) The charges are paid by the applicant for care which is provided -

(a) in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or

(b) in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.

(7) The charges are paid for care which is provided by one or more of the care providers listed in sub-paragraph (8) and are not paid -

(a) in respect of the child's compulsory education;

(b) by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with sub-paragraph 7 (circumstances in which a person is treated as responsible or not responsible for another); or

(c) in respect of care provided by a relative of the child wholly or mainly in the child's home.

(8) The care to which sub-paragraph (7) refers may be provided -

(a) out of school hours, by a school on school premises or by a local authority -

(i) for children who are not disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or

(ii) for children who are disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or

(b) by a child care provider approved in accordance with the Tax Credit (New Category of Child Care Provider) Regulations 1999; or

(c) by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or

(d) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010; or

(e) by -

(i) persons registered under section 59(1) of the Public Services Reform (Scotland) Act 2010; or

(ii) local authorities registered under section 83(1) of that Act,

where the care provided is child minding or day care of children within the meaning of that Act; or

(f) by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002; or

(g) by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or

(h) by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or

(i) by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or

(j) by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of "childcare" for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or

(k) by a foster parent or kinship carer under the Fostering Services Regulations 2002, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering or kinship carer is looking after; or

(l) by a provider of personal care within the meaning of paragraph 1 of Schedule 1 to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and being a regulated activity prescribed by those Regulations; or

(m) by a person who is not a relative of the child wholly or mainly in the child's home.

(9) In sub-paragraphs (6) and (8)(a), "the first Monday in September" means the Monday which first occurs in the month of September in any year.

(10) Relevant child care charges must be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.

(11) ⁶⁵ For the purposes of sub-paragraph (1)(c) the other member of a couple is incapacitated where -

(a) the applicant's applicable amount includes a disability premium on account of the other member's incapacity or the support component or the work-related activity component on account of his having limited capability for work;

(b) the applicant's applicable amount would include a disability premium on account of the other member's incapacity but for that other member being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;

(c) the applicant's applicable amount would include the support component or the work-related activity component on account of the other member having limited capability for work but for that other member being treated as not having limited capability for work by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008;

(d) he is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;

(e) he has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;

(f) there is payable in respect of him one or more of the following pensions or allowances -

(i) long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the SSCBA;

(ii) attendance allowance under section 64 of the SSCBA;

(iii) severe disablement allowance under section 68 of the SSCBA;

(iv) disability living allowance under section 71 of the SSCBA;

(v) personal independence payment;

(vi) an AFIP;

(vii) increase of disablement pension under section 104 of the SSCBA;

(viii) a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under sub-paragraph (ii), (iv), (v), (vi) or (vii) above;

(ix) main phase employment and support allowance;

(g) a pension or allowance to which sub-paragraph (vii) or (viii) of sub-paragraph (f) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this article means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005;

(h) an attendance allowance under section 64 of the SSCBA or disability living allowance under section 71 of that Act would be payable to that person but for -

(i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or

(ii) an abatement as a consequence of hospitalisation;

(i) the daily living component of personal independence payment would be payable to that person but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);

(j) an AFIP would be payable to that person but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution

(k) sub-paragraph (f), (g), (h) or (i) would apply to him if the legislative provisions referred to in those sub-paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or

(l) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.

(12) For the purposes of sub-paragraph (11), once sub-paragraph (11)(d) applies to the person, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph shall, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable, or is treated as remaining incapable, of work.

(13) For the purposes of sub-paragraph (11), once sub-paragraph (11)(e) applies to the person, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter apply to him for so long as he has, or is treated as having, limited capability for work.

(14) For the purposes of sub-paragraphs (6) and (8)(a), a person is disabled if he is a person -

(a) to whom an attendance allowance or the care component of disability allowance is payable or would be payable but for -

(i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or

(ii) an abatement as a consequence of hospitalisation;

(b) to whom the daily living component of personal independence payment is payable or would be payable but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);

(c) who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(d) who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.

(15) For the purposes of sub-paragraph (1) a person on maternity leave, paternity leave or adoption leave is to be treated as if she is engaged in remunerative work for the period specified in sub-paragraph (16) ("the relevant period") provided that -

(a) in the week before the period of maternity leave, paternity leave or adoption leave began she was in remunerative work;

(b) the applicant is incurring relevant child care charges within the meaning of sub-paragraph (5); and

(c) he is entitled to either statutory maternity pay under section 164 of the SSCBA, ordinary statutory paternity pay by virtue of section 171ZA or 171ZB of that Act, additional statutory paternity pay by virtue of section 171ZEA or 171ZEB of that Act, statutory adoption pay by of section 171ZL of that Act, maternity allowance under section 35 of that Act or qualifying support.

(16) For the purposes of sub-paragraph (15) the relevant period begins on the day on which the person's maternity, paternity leave or adoption leave commences and ends on -

- (a) the date that leave ends;
- (b) if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support (if relevant), statutory maternity pay, ordinary or additional statutory paternity pay or statutory adoption pay ends, the date that entitlement ends; or
- (c) if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay, ordinary or additional statutory paternity pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credit ends, whichever occurs first.

(17) In sub-paragraphs (15) and (16) -

- (a) "qualifying support" means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support (General) Regulations 1987; and
- (b) "child care element" of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act 2002 (child care element).

(18) In this paragraph "applicant" does not include an applicant -

- (a) who has, or
- (b) who (jointly with his partner) has, an award of universal credit.

65. Calculation of average weekly income from tax credits

- (1) This paragraph applies where an applicant receives a tax credit.
- (2) Where this paragraph applies, the period over which a tax credit is to be taken into account is the period set out in sub-paragraph (3).
- (3) Where the instalment in respect of which payment of a tax credit is made is -
 - (a) a daily instalment, the period is 1 day, being the day in respect of which the instalment is paid;
 - (b) a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;
 - (c) a two weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;
 - (d) a four weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.
- (4) For the purposes of this paragraph "tax credit" means child tax credit or working tax credit.

66. Disregard of changes in tax and contributions etc.

In calculating the applicant's income the authority may disregard any legislative change-

- (a) in the basic or other rates of income tax;
- (b) in the amount of any personal tax relief;
- (c) in the rates of social security contributions payable under the SSCBA or in the

lower earnings limit or upper earnings limit for Class 1 contributions under that Act, the lower or upper limits applicable to Class 4 contributions under that Act or the amount specified in section 11(4) of that Act (small earnings exception in relation to Class 2 contributions);

(d) in the amount of tax payable as a result of an increase in the weekly rate of Category A, B, C or D retirement pension or any addition thereto or any graduated pension payable under the SSCBA;

(e) in the maximum rate of child tax credit or working tax credit,

for a period not exceeding 30 reduction weeks beginning with the reduction week immediately following the date from which the change is effective.

67. Calculation of net profit of self-employed earners⁶⁸

(1) For the purposes of paragraphs 54 (average weekly earnings of self-employed earners) and 63 (calculation of income on a weekly basis) the earnings of an applicant to be taken into account must be -

(a) in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;

(b) in the case of a self-employed earner who is a pensioner whose employment is carried on in partnership, his share of the net profit derived from that employment, less -

(i) an amount in respect of income tax and of social security contributions payable under the SSCBA calculated in accordance with paragraph 68 (deduction of tax and contributions of self-employed earners); and

(ii) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium;

(c) in the case of a self-employed earner whose employment is carried on in partnership or is that of a share fisherman within the meaning of the Social Security (Mariners' Benefits) Regulations 1975, his share of the net profit derived from that employment, less -

(i) an amount in respect of income tax and of social security contributions payable under the SSCBA calculated in accordance with paragraph 68 (deduction of tax and contributions for self-employed earners); and

(ii) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.

(2) There must be disregarded from the net profit of an applicant, any sum, where applicable, specified in paragraphs 1 to 16 of Schedule 2 (sums disregarded in the calculation of earnings).

(3) For the purposes of sub-paragraph (1)(a) the net profit of the employment must, except where paragraph (9) applies, be calculated by taking into account the earnings of the employment over the assessment period less -

(a) subject to sub-paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of that employment;

(b) an amount in respect of -

(i) income tax; and

(ii) social security contributions payable under the SSCBA, calculated in accordance with paragraph 68 (deduction of tax and contributions for self-employed earners); and

(c) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.

(4) For the purposes of sub-paragraph (1)(b) the net profit of the employment is to be calculated by taking into account the earnings of the employment over the assessment period less, subject to sub-paragraphs (5) to (8), any expenses wholly and exclusively incurred in that period for the purposes of the employment.

(5) Subject to sub-paragraph (6), no deduction is to be made under sub-paragraphs (3)(a) or (4), in respect of -

- (a) any capital expenditure;
- (b) the depreciation of any capital asset;
- (c) any sum employed or intended to be employed in the setting up or expansion of the employment;
- (d) any loss incurred before the beginning of the assessment period;
- (e) the repayment of capital on any loan taken out for the purposes of the employment;
- (f) any expenses incurred in providing business entertainment; and
- (g) in the case of an applicant who is not a pensioner, any debts, except bad debts proved to be such, but this paragraph does not apply to any expenses incurred in the recovery of a debt.

(6) A deduction is to be made under sub-paragraphs (3)(a) or (4) in respect of the repayment of capital on any loan used for -

- (a) the replacement in the course of business of equipment or machinery; or
- (b) the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.

(7) The authority must refuse to make a deduction in respect of any expenses under sub-paragraphs (3)(a) or (4) where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.

(8) For the avoidance of doubt -

- (a) a deduction must not be made under sub-paragraphs (3)(a) or (4) in respect of any sum unless it has been expended for the purposes of the business;
- (b) a deduction must be made thereunder in respect of—
 - (i) the excess of any value added tax paid over value added tax received in the assessment period;
 - (ii) any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
 - (iii) any payment of interest on a loan taken out for the purposes of the employment.

(9) Where an applicant is engaged in employment as a child minder the net profit of the employment is to be one-third of the earnings of that employment, less -

- (a) an amount in respect of -
 - (i) income tax; and
 - (ii) social security contributions payable under the SSCBA,

calculated in accordance with paragraph 68 (deduction of tax and contributions for self-employed earners); and

- (b) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium.

(10) For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments must not be offset against his earnings in any other of his employments.

(11) The amount in respect of any qualifying premium is to be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying premium must be determined -

(a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and dividing the product by 365;

(b) in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.

(12) In this paragraph, "qualifying premium" means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of application.

68. Calculation of deduction of tax and contributions of self-employed earners⁶⁹

(1) The amount to be deducted in respect of income tax under paragraph 67(1)(b)(i), (3)(b)(i) or (9)(a)(i) (calculation of net profit of self-employed earners) must be calculated -

(a) on the basis of the amount of chargeable income, and

(b) as if that income were assessable to income tax at the basic rate of tax applicable to the assessment period less only the personal relief to which the applicant is entitled under sections 35 to 37 of the Income Tax Act 2007 (personal allowances) as is appropriate to his circumstances.

(2) But, if the assessment period is less than a year, the earnings to which the basic rate of tax is to be applied and the amount of the personal reliefs deductible under this paragraph must be calculated on a pro rata basis.

(3) The amount to be deducted in respect of social security contributions under paragraph 67(1)(b)(i), (3)(b)(ii) or (9)(a)(ii) is the total of -

(a) the amount of Class 2 contributions payable under section 11(1) or, as the case may be, 11(3) of the SSCBA at the rate applicable to the assessment period except where the applicant's chargeable income is less than the amount specified in section 11(4) of that Act (small earnings exception) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year must be reduced pro rata; and

(b) the amount of Class 4 contributions (if any) which would be payable under section 15 of the SSCBA (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits must be reduced pro rata.

(4) In this paragraph "chargeable income" means -

(a) except where sub-paragraph (b) applies, the earnings derived from the employment less any expenses deducted under sub-paragraph (3)(a) or, as the case may be, (5) of paragraph 67;

(b) in the case of employment as a child minder, one-third of the earnings of that employment.

Part 17 - Capital; persons who do not have an award of universal credit

69. Calculation of capital⁷⁰

(1) The capital of an applicant to be taken into account must be, subject to sub-paragraph (2), the whole of his capital calculated in accordance with this Part and any income treated as capital under paragraph 70 (income treated as capital).

(2) There must be disregarded from the calculation of an applicant's capital under sub-paragraph (1), any capital, where applicable, specified in Schedule 4.

(3) In the case of an applicant who is a pensioner, his capital is to be treated as including any payment made to him by way of arrears of -

- (a) child tax credit;
- (b) working tax credit;
- (c) state pension credit,

if the payment was made in respect of a period for the whole or part of which a reduction under this scheme was allowed before those arrears were paid.

(4) The capital of a child or young person who is a member of the family of an applicant who is not a pensioner must not be treated as capital of the applicant.

70. Income treated as capital⁷¹

(1) Not used

(2) Any bounty derived from employment to which paragraph 9 of Schedule 2 (sums disregarded in the calculation of earnings applies and paid at intervals of at least one year is to be treated as capital.

(3) Any amount by way of a refund of income tax deducted from profits or emoluments chargeable to income tax under Schedule D or E is to be treated as capital.

(4) Any holiday pay which is not earnings under paragraph 57(1)(d) (earnings of employed earners) is to be treated as capital.

(5) Except any income derived from capital disregarded under paragraphs 4, 5, 7, 11, 17, 30 to 33, 50 or 51 of Schedule 4 (capital disregards), any income derived from capital is to be treated as capital but only from the date it is normally due to be credited to the applicant's account.

(6) In the case of employment as an employed earner, any advance of earnings or any loan made by the applicant's employer is to be treated as capital.

(7) Any charitable or voluntary payment which is not made or due to be made at regular intervals, other than a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Independent Living Fund (2006) or the London Bombings Charitable Relief Fund, is to be treated as capital.

(8) There is to be treated as capital the gross receipts of any commercial activity carried on by a person in respect of which assistance is received under the self-employment route, but only in so far as those receipts were payable into a special account during the period in which that person was receiving such assistance.

⁷⁰ Reg. 63, SI 2012/2886

(9) Any arrears of subsistence allowance which are paid to an applicant as a lump sum must be treated as capital.

(10) Any arrears of working tax credit or child tax credit must be treated as capital.

71. Calculation of capital in the United Kingdom⁷²

Capital which an applicant possesses in the United Kingdom is to be calculated at its current market or surrender value less -

- (a) where there would be expenses attributable to the sale, 10 per cent; and
- (b) the amount of any encumbrance secured on it.

72. Calculation of capital outside the United Kingdom⁷³

Capital which an applicant possesses in a country outside the United Kingdom must be calculated -

- (a) in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value;
- (b) in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer;
- (c) less, where there would be expenses attributable to sale, 10 per cent and the amount of any encumbrances secured on it.

73. Notional capital⁷⁴

(1) An applicant is to be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to a reduction or increasing the amount of that reduction except to the extent that that capital is reduced in accordance with paragraph 74 (diminishing notional capital rule).

(2) Except in the case of -

- (a) a discretionary trust; or
- (b) a trust derived from a payment made in consequence of a personal injury; or
- (c) any loan which would be obtained only if secured against capital disregarded under Schedule 4; or
- (d) a personal pension scheme, occupational pension scheme or a payment made by the Board of the Pension Protection Fund; or
- (e) any sum to which paragraph 50(2)(a) of Schedule 4 (capital disregards) applies which is administered in the way referred to in paragraph 50(1)(a); or
- (f) any sum to which paragraph 51(a) of Schedule 4 refers; or
- (g) child tax credit; or
- (h) working tax credit,

any capital which would become available to the applicant upon application being made, but which has not been acquired by him, is to be treated as possessed by him but only from the date on which it could be expected to be acquired were an application made.

⁷² Reg. 65, SI 2012/2886

⁷³ Reg. 66, SI 2012/2886

⁷⁴ Reg. 67, SI 2012/2886

- (3) Any payment of capital, other than a payment of capital specified in sub-paragraph (4), made -
- (a) to a third party in respect of a single applicant or a member of the family (but not a member of the third party's family) must, where that payment is a payment of an occupational pension, a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund, be treated as possessed by that single applicant or, as the case may be, by that member;
 - (b) to a third party in respect of a single applicant or in respect of a member of the family (but not a member of the third party's family) must, where it is not a payment referred to in sub-paragraph (a), be treated as possessed by that single applicant or by that member to the extent that it is used for the food, ordinary clothing or footwear, household fuel or rent of that single applicant or, as the case may be, of any member of that family or is used for any council tax or water charges for which that applicant or member is liable;
 - (c) to a single applicant or a member of the family in respect of a third party (but not in respect of another member of the family) must be treated as possessed by that single applicant or, as the case may be, that member of the family to the extent that it is kept or used by him or used by or on behalf of any member of the family.
- (4) Sub-paragraph (3) does not apply in respect of a payment of capital made -
- (a) under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation, or the London Bombings Relief Charitable Fund;
 - (b) pursuant to section 2 of the Employment and Training Act 1973 in respect of a person's participation—
 - (i) in an employment programme specified in regulation 75(1)(a)(ii) of the Jobseeker's Allowance Regulations 1996;
 - (ii) in a training scheme specified in regulation 75(1)(b)(ii) of those Regulations;
 - (iii) in the Intense Activity Period specified in regulation 75(1)(a)(iv) of those Regulations;
 - (iv) in a qualifying course within the meaning specified in regulation 17A(7) of those Regulations; or
 - (v) in the Flexible New Deal specified in regulation 75(1)(a)(v) of those Regulations;
 - (c) in respect of a person's participation in the Work for Your Benefit Pilot Scheme;
 - (d) in respect of a person's participation in the Mandatory Work Activity Scheme;
 - (e) in respect of an applicant's participation in a scheme prescribed in regulation 3 of the Jobseekers Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013;
 - (f) under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where -
 - (i) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;
 - (ii) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and

(iii) the person referred to in sub-paragraph (i) and any member of his family does not possess, or is not treated as possessing, any other income apart from that payment.

(5) Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case -

(a) the value of his holding in that company must, notwithstanding paragraph 69 (calculation of capital) be disregarded; and

(b) he must, subject to sub-paragraph (6), be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this Part apply for the purposes of calculating that amount as if it were actual capital which he does possess.

(6) For so long as the applicant undertakes activities in the course of the business of the company, the amount which he is treated as possessing under sub-paragraph (5) is to be disregarded.

(7) Where an applicant is treated as possessing capital under any of sub-paragraphs (1), (2) or (3) the foregoing provisions of this Part apply for the purposes of calculating its amount as if it were actual capital which he does possess.

74. Diminishing notional capital rule⁷⁵

(1) Where an applicant is treated as possessing capital under paragraph 73(1) (notional capital), the amount which he is treated as possessing -

(a) in the case of a week that is subsequent to -

(i) the relevant week in respect of which the conditions set out in sub-paragraph (2) are satisfied; or

(ii) a week which follows that relevant week and which satisfies those conditions,

is to be reduced by an amount determined under sub-paragraph (3);

(b) in the case of a week in respect of which sub-paragraph (1)(a) does not apply but where -

(i) that week is a week subsequent to the relevant week; and

(ii) that relevant week is a week in which the condition in sub-paragraph (4) is satisfied,

is to be reduced by the amount determined under paragraph (5).

(2) This paragraph applies to a reduction week or part-week, where the applicant satisfies the conditions that -

(a) he is in receipt of a reduction in council tax under this scheme; and

(b) but for paragraph 73(1), he would have received a greater reduction in council tax under this scheme in that week.

(3) In a case to which sub-paragraph (2) applies, the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(a) is equal to the aggregate of -

(a) an amount equal to the additional amount of the reduction in council tax to which sub-paragraph (2)(b) refers;

⁷⁵ Reg. 69, SI 2012/2886

(b) where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of that benefit to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 49(1) of the Housing Benefit Regulations 2006 (notional capital);

(c) where the applicant has also claimed income support, the amount of income support to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 51(1) of the Income Support (General) Regulations 1987 (notional capital);

(d) where the applicant has also claimed a jobseeker's allowance, the amount of an income-based jobseeker's allowance to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 113 of the Jobseeker's Allowance Regulations 1996 (notional capital); and

(e) where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the whole or part of the reduction week to which sub-paragraph (2) refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).

(4) Subject to sub-paragraph (7), for the purposes of sub-paragraph (1)(b) the condition is that the applicant is not a pensioner and would have been entitled to a reduction in council tax in the relevant week but for paragraph 73(1).

(5) In such a case the amount of the reduction in the amount of capital he is treated as possessing must be equal to the aggregate of -

(a) the amount of council tax benefit to which the applicant would have been entitled in the relevant week but for paragraph 73(1);

(b) if the applicant would, but for regulation 49(1) of the Housing Benefit Regulations 2006, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the benefit week which includes the last day of the relevant week, the amount which is equal to -

(i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or

(ii) in any other case, the amount equal to the additional amount of housing benefit to which he would have been entitled;

(c) if the applicant would, but for regulation 51(1) of the Income Support (General) Regulations 1987, have been entitled to income support in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled;

(d) if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations 1996, have been entitled to an income-based jobseeker's allowance in respect of the benefit week, within the meaning of regulation 1(3) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled; and

(e) if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled.

(6) But if the amount mentioned in sub-paragraph (a), (b), (c), (d) or (e) of sub-paragraph (5) (“the relevant amount”) is in respect of a part-week, the amount that is to be taken into account under that sub-paragraph is to be determined by -

(a) dividing the relevant amount by the number equal to the number of days in that part- week, and

(b) multiplying the result of that calculation by 7.

(7) The amount determined under sub-paragraph (5) is to be re-determined under the appropriate sub-paragraph if the applicant makes a further application for a reduction in council tax and the conditions in sub-paragraph (8) are satisfied, and in such a case -

(a) sub-paragraphs (a) to (e) of sub-paragraph (5) apply as if for the words “relevant week” there were substituted the words “relevant subsequent week”; and

(b) subject to sub-paragraph (9), the amount as re-determined has effect from the first week following the relevant subsequent week in question.

(8) The conditions are that -

(a) a further application is made 26 or more weeks after -

(i) the date on which the applicant made an application for a reduction in council tax in respect of which he was first treated as possessing the capital in question under paragraph 73(1);

(ii) in a case where there has been at least one re-determination in accordance with sub-paragraph (7), the date on which he last made an application for a reduction in council tax which resulted in the weekly amount being re-determined, or

(iii) the date on which he last ceased to be entitled to a reduction under this scheme,

whichever last occurred; and

(b) the applicant would have been entitled to a reduction in council tax under this scheme but for paragraph 73(1).

(9) The amount as re-determined pursuant to sub-paragraph (7) must not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount must continue to have effect.

(10) For the purposes of this paragraph “part-week” -

(a) in relation to an amount mentioned in sub-paragraph (5)(a), means a period of less than a week for which a reduction in council tax under this scheme is allowed;

(b) in relation to an amount mentioned in sub-paragraph (5)(b), means a period of less than a week for which housing benefit is payable;

(c) in relation to an amount mentioned in sub-paragraph (5)(c), (d) or (e), means—

(i) a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker’s allowance is payable; and

(ii) any other period of less than a week for which it is payable;

“relevant week” means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of paragraph 73(1) -

(a) was first taken into account for the purpose of determining his entitlement to a reduction; or

(b) was taken into account on a subsequent occasion for the purpose of determining or re- determining his entitlement to a reduction on that subsequent

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners)
occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, a reduction,

and where more than one reduction week is identified by reference to sub-paragraphs (a) and (b) of this definition, the later or latest such reduction week or, as the case may be, the later or latest such part-week is the relevant week;

“relevant subsequent week” means the reduction week or part-week which includes the day on which the further application or, if more than one further application has been made, the last such application was made.

75. Capital jointly held⁷⁶

Except where an applicant possesses capital which is disregarded under paragraph 73(7) (notional capital), where an applicant and one or more persons are beneficially entitled in possession to any capital asset they must be treated, in the absence of evidence to the contrary, as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this Part apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess.

76. Calculation of tariff income from capital: persons who are not pensioners

The capital of an applicant who is not a pensioner, calculated in accordance with this Part, is to be treated as if it were a weekly income of –

- (a) £1 for each £250 in excess of £6,000 but not exceeding £10,000;
- (b) £1 for any excess which is not a complete £250.

Part 18 - Students - General

77. Interpretation⁷⁸

(1) In this Part -

“academic year” means the period of twelve months beginning on 1st January, 1st April, 1st July or 1st September according to whether the course in question begins in the winter, the spring, the summer or the autumn respectively but if students are required to begin attending the course during August or September and to continue attending through the autumn, the academic year of the course is to be considered to begin in the autumn rather than the summer;

“access funds” means -

- (a) grants made under section 68 of the Further and Higher Education Act 1992 for the purpose of providing funds on a discretionary basis to be paid to students;

⁷⁶ Reg. 70, SI 2012/2886

⁷⁷ Reg. 72, SI 2012/2886 – not used

⁷⁸ Reg. 73, SI 2012/2886

(b) grants made under sections 73(a) and (c) and 74(1) of the Education (Scotland) Act 1980;

(c) grants made under Article 30 of the Education and Libraries (Northern Ireland) Order 1993 or grants, loans or other payments made under Article 5 of the Further

Education (Northern Ireland) Order 1997 in each case being grants, or grants, loans or other payments as the case may be, for the purpose of assisting students in financial difficulties;

(d) discretionary payments, known as “learner support funds”, which are made available to students in further education by institutions out of funds provided by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding under sections 100 and 101 of the Apprenticeships, Skills, Children and Learning Act 2009; or

(e) Financial Contingency Funds made available by the Welsh Ministers;

“college of further education” means a college of further education within the meaning of Part 1 of the Further and Higher Education (Scotland) Act 1992;

“contribution” means-

(a) any contribution in respect of the income of a student or any person which the Secretary of State, the Scottish Ministers or an education authority takes into account in ascertaining the amount of a student’s grant or student loan; or

(b) any sums, which in determining the amount of a student’s allowance or bursary in Scotland under the Education (Scotland) Act 1980, the Scottish Ministers or education authority takes into account being sums which the Scottish Ministers or education authority considers that it is reasonable for the following persons to contribute towards the holder’s expenses -

(i) the holder of the allowance or bursary;

(ii) the holder’s parents;

(iii) the holder’s parent’s spouse, civil partner or a person ordinarily living with the holder’s parent as if he or she were the spouse or civil partner of that parent; or

(iv) the holder’s spouse or civil partner;

“course of study” means any course of study, whether or not it is a sandwich course and whether or not a grant is made for attending or undertaking it;

“covenant income” means the gross income payable to a full-time student under a Deed of Covenant by his parent;

“education authority” means a government department, a local authority as defined in section 579 of the Education Act 1996 (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986, any body which is a research council for the purposes of the Science and Technology Act 1965 or any analogous government department, authority, board or body, of the Channel Islands, Isle of Man or any other country outside Great Britain;

“full-time course of study” means a full-time course of study which -

(a) is not funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers or a full-time course of study which is not funded in whole or in part by the

Scottish Ministers at a college of further education or a full-time course of study which is a course of higher education and is funded in whole or in part by the Scottish Ministers;

(b) is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002, the Chief Executive of Skills Funding or by the Welsh Ministers if it involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out—

(i) in the case of a course funded by the Secretary of State under section 14 of the Education Act 2002 or the Chief Executive of Skills Funding, in the student's learning agreement signed on behalf of the establishment which is funded by either of those persons for the delivery of that course; or

(ii) in the case of a course funded by the Welsh Ministers, in a document signed on behalf of the establishment which is funded by that Council for the delivery of that course; or

(c) is not higher education and is funded in whole or in part by the Scottish Ministers at a college of further education and involves—

(i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or

(ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

“full-time student” means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

“grant” (except in the definition of “access funds”) means any kind of educational grant or award and includes any scholarship, studentship, exhibition, allowance or bursary but does not include a payment from access funds or any payment to which paragraph 16 of Schedule 3 or paragraph 55 of Schedule 4 applies;

“grant income” means—

(a) any income by way of a grant;

(b) any contribution whether or not it is paid;

“higher education” means higher education within the meaning of Part 2 of the Further and Higher Education (Scotland) Act 1992;

“last day of the course” means—

(a) in the case of a qualifying course, the date on which the last day of that course falls or the date on which the final examination relating to that course is completed, whichever is the later;

(b) in any other case, the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

“period of study” means—

(a) in the case of a course of study for one year or less, the period beginning with the start of the course and ending with the last day of the course;

(b) in the case of a course of study for more than one year, in the first or, as the case may be, any subsequent year of the course, other than the final year of the course, the period beginning with the start of the course or, as the case may be, that year's start and ending with either—

(i) the day before the start of the next year of the course in a case where the student's grant or loan is assessed at a rate appropriate to his studying throughout the year or, if he does not have a grant or loan, where a loan would have been assessed at such a rate had he had one; or

(ii) in any other case, the day before the start of the normal summer vacation appropriate to his course;

(c) in the final year of a course of study of more than one year, the period beginning with that year's start and ending with the last day of the course;

"periods of experience" means periods of work experience which form part of a sandwich course;

"qualifying course" means a qualifying course as defined for the purposes of Parts 2 and 4 of the Jobseeker's Allowance Regulations 1996;

"sandwich course" has the meaning prescribed in regulation 2(9) of the Education (Student Support) Regulations 2008, regulation 4(2) of the Education (Student Loans) (Scotland) Regulations 2007 or regulation 2(10) of the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009, as the case may be;

"standard maintenance grant" means—

(a) except where sub-paragraph (b) or (c) applies, in the case of a student attending or undertaking a course of study at the University of London or an establishment within the area comprising the City of London and the Metropolitan Police District, the amount specified for the time being in paragraph 2(2)(a) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 ("the 2003 Regulations") for such a student;

(b) except where sub-paragraph (c) applies, in the case of a student residing at his parent's home, the amount specified in sub-paragraph (3) thereof;

(c) in the case of a student receiving an allowance or bursary under the Education (Scotland) Act 1980, the amount of money specified as "standard maintenance allowance" for the relevant year appropriate for the student set out in the Student Support in Scotland Guide issued by the Student Awards Agency for Scotland, or its nearest equivalent in the case of a bursary provided by a college of further education or a local education authority;

(d) in any other case, the amount specified in paragraph 2(2) of Schedule 2 to the 2003 Regulations other than in sub-paragraph (a) or (b) thereof;

"student" means a person, other than a person in receipt of a training allowance, who is attending or undertaking—

(a) a course of study at an educational establishment; or

(b) a qualifying course;

"student loan" means a loan towards a student's maintenance pursuant to any regulations made under section 22 of the Teaching and Higher Education Act 1998, section 73 of the Education (Scotland) Act 1980 or Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 and includes, in Scotland, a young student's bursary paid under regulation 4(1)(c) of the Students' Allowances (Scotland) Regulations 2007.

(2) For the purposes of the definition of "full-time student" in sub-paragraph (1), a person must be regarded as attending or, as the case may be, undertaking a full-time course of study or as being on a sandwich course —

(a) subject to sub-paragraph (3), in the case of a person attending or undertaking a part of a modular course which would be a full-time course of study for the purposes of this Part, for the period beginning on the day on which that part of the course starts and

ending—

(i) on the last day on which he is registered with the educational establishment as attending or undertaking that part as a full-time course of study; or

(ii) on such earlier date (if any) as he finally abandons the course or is dismissed from it;

(b) in any other case, throughout the period beginning on the date on which he starts attending or undertaking the course and ending on the last day of the course or on such earlier date (if any) as he finally abandons it or is dismissed from it.

(3) For the purposes of sub-paragraph (a) of sub-paragraph (2), the period referred to in that paragraph includes—

(a) where a person has failed examinations or has failed successfully to complete a module relating to a period when he was attending or undertaking a part of the course as a full-time course of study, any period in respect of which he attends or undertakes the course for the purpose of retaking those examinations or that module;

(b) any period of vacation within the period specified in that paragraph or immediately following that period except where the person has registered with the educational establishment to attend or undertake the final module in the course and the vacation immediately follows the last day on which he is required to attend or undertake the course.

(4) In sub-paragraph (2), “modular course” means a course of study which consists of two or more modules, the successful completion of a specified number of which is required before a person is considered by the educational establishment to have completed the course.

78. Treatment of students⁷⁹

This scheme has effect in relation to students subject to paragraph 43 (class of person excluded from this scheme: students) and the following provisions of this Part.

79. Students who are excluded from entitlement to a council tax reduction under this scheme⁸⁰

(1) The students who are excluded from entitlement to a reduction under this scheme are, subject to sub-paragraphs (2) and (7)—

(a) full-time students, and

(b) students who are persons treated as not being in Great Britain.

(2) Sub-paragraph (1)(b) does not apply to a student—

(a) who is a person on income support, an income-based jobseeker’s allowance or an income-related employment and support allowance;

(b) who is a lone parent;

(c) whose applicable amount would, but for this paragraph, include the disability premium or severe disability premium;

(d) whose applicable amount would include the disability premium but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;

(e) who is, or is treated as, incapable of work and has been so incapable, or has

⁷⁹ Reg. 74, SI 2012/2886

⁸⁰ Reg. 75, SI 2012/2886

been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;

(f) who has, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 for a continuous period of not less than 196 days, and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;

(g) who has a partner who is also a full-time student, if he or that partner is treated as responsible for a child or young person;

(h) who is a single applicant with whom a child is placed by a local authority or voluntary organisation within the meaning of the Children Act 1989 or, in Scotland, boarded out within the meaning of the Social Work (Scotland) Act 1968;

(i) who is—

(i) aged under 21 and whose course of study is not a course of higher education, or

(ii) aged 21 and attained that age during a course of study which is not a course of higher education, or

(iii) a qualifying young person or child within the meaning of section 142 of the SSCBA (child and qualifying young person);

(j) in respect of whom—

(i) a supplementary requirement has been determined under paragraph 9 of Part 2 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003;

(ii) a payment has been made by virtue of regulations made under the Teaching and Higher Education Act 1998;

(iii) a grant has been made under regulation 38 of the Education (Student Support) Regulations 2011 or under regulation 14 of the Education (Student Support) Regulations (Northern Ireland) 2002; or

(iv) a supplementary requirement has been determined under paragraph 9 of Schedule 6 to the Students Awards Regulations (Northern Ireland) 2003 or a payment has been made under Article 50(3) of the Education and Libraries (Northern Ireland) Order 1986,

on account of his disability by reason of deafness.

(3) Sub-paragraph (2)(i)(ii) only applies to an applicant until the end of the course during which the applicant attained the age of 21.

(4) For the purposes of sub-paragraph (2), once sub-paragraph (2)(e) applies to a full-time student, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that sub-paragraph must, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately

thereafter apply to him for so long as he remains incapable or is treated as remaining incapable, of work.

(5) In sub-paragraph (2)(i) the reference to a course of higher education is a reference to a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.

(6) A full-time student to whom sub-paragraph (i) of sub-paragraph (2) applies must be treated as satisfying that sub-paragraph from the date on which he made a request for the supplementary requirement, allowance, bursary or payment as the case may be.

(7) Sub-paragraph (1)(b) does not apply to a full-time student for the period specified in sub-paragraph (8) if—

(a) at any time during an academic year, with the consent of the relevant educational establishment, he ceases to attend or undertake a course because he is—

- (i) engaged in caring for another person; or
- (ii) ill;

(b) he has subsequently ceased to be engaged in caring for that person or, as the case may be, he has subsequently recovered from that illness; and

(c) he is not eligible for a grant or a student loan in respect of the period specified in sub-paragraph (8).

(8) The period specified for the purposes of sub-paragraph (7) is the period, not exceeding one year, beginning on the day on which he ceased to be engaged in caring for that person or, as the case may be, the day on which he recovered from that illness and ending on the day before—

- (a) the day on which he resumes attending or undertaking the course; or
 - (b) the day from which the relevant educational establishment has agreed that he may resume attending or undertaking the course,
- whichever first occurs.

Part 19 - Student Income

80. Calculation of grant income⁸¹

(1) The amount of a student's grant income to be taken into account in assessing his income must, subject to sub-paragraphs (2) and (3), be the whole of his grant income.

(2) There must be excluded from a student's grant income any payment—

- (a) intended to meet tuition fees or examination fees;
- (b) in respect of the student's disability;
- (c) intended to meet additional expenditure connected with term time residential study away from the student's educational establishment;
- (d) on account of the student maintaining a home at a place other than that at which he resides during his course;
- (e) on account of any other person but only if that person is residing outside the United Kingdom and there is no applicable amount in respect of him;
- (f) intended to meet the cost of books and equipment;

⁸¹ Reg. 76, SI 2012/2886

- (g) intended to meet travel expenses incurred as a result of his attendance on the course;
 - (h) intended for the child care costs of a child dependant;
 - (i) of higher education bursary for care leavers made under Part 3 of the Children Act 1989.
- (3) Where a student does not have a student loan and is not treated as possessing such a loan, there must be excluded from the student's grant income—
- (a) the sum of £303 per academic year in respect of travel costs; and
 - (b) the sum of £390 per academic year towards the costs of books and equipment, whether or not any such costs are incurred.
- (4) There must also be excluded from a student's grant income the grant for dependants known as the parents' learning allowance paid pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998 or section 22 of the Teaching and Higher Education Act 1998.
- (5) Subject to sub-paragraphs (6) and (7), a student's grant income must be apportioned—
- (a) subject to sub-paragraph (8), in a case where it is attributable to the period of study, equally between the weeks in that period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period of study and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study;
 - (b) in any other case, equally between the weeks in the period beginning with the reduction week, the first day of which coincides with, or immediately follows, the first day of the period for which it is payable and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period for which it is payable.
- (6) Any grant in respect of dependants paid under section 63(6) of the Health Services and Public Health Act 1968 (grants in respect of the provision of instruction to officers of hospital authorities) and any amount intended for the maintenance of dependants under Part 3 of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 must be apportioned equally over the period of 52 weeks or, if there are 53 reduction weeks (including part-weeks) in the year, 53.
- (7) In a case where a student is in receipt of a student loan or where he could have acquired a student loan by taking reasonable steps but had not done so, any amount intended for the maintenance of dependants to which neither sub-paragraph (6) nor paragraph 84(2) (other amounts to be disregarded) applies, must be apportioned over the same period as the student's loan is apportioned or, as the case may be, would have been apportioned.
- (8) In the case of a student on a sandwich course, any periods of experience within the period of study must be excluded and the student's grant income must be apportioned equally between the weeks in the period beginning with the reduction week, the first day of which immediately follows the last day of the period of experience and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the period of study.

81. Calculation of covenant income where a contribution is assessed⁸²

(1) Where a student is in receipt of income by way of a grant during a period of study and a contribution has been assessed, the amount of his covenant income to be taken into account for that period and any summer vacation immediately following must be the whole amount of the covenant income less, subject to sub-paragraph (3), the amount of the contribution.

(2) The weekly amount of the student's covenant must be determined—

(a) by dividing the amount of income which falls to be taken into account under sub-paragraph (1) by 52 or 53, whichever is reasonable in the circumstances; and

(b) by disregarding £5 from the resulting amount.

(3) For the purposes of sub-paragraph (1), the contribution must be treated as increased by the amount (if any) by which the amount excluded under paragraph 80(2)(g) (calculation of grant income) falls short of the amount specified in paragraph 7(2) of Schedule 2 to the Education (Mandatory Awards) Regulations 2003 (travel expenditure).

82. Covenant income where no grant income or no contribution is assessed⁸³

(1) Where a student is not in receipt of income by way of a grant the amount of his covenant income must be calculated as follows -

(a) any sums intended for any expenditure specified in paragraph 80(2)(a) to (e) (calculation of grant income) necessary as a result of his attendance on the course must be disregarded;

(b) any covenant income, up to the amount of the standard maintenance grant, which is not so disregarded, must be apportioned equally between the weeks of the period of study;

(c) there must be disregarded from the amount so apportioned the amount which would have been disregarded under paragraph 80(2)(f) and (3) (calculation of grant income) had the student been in receipt of the standard maintenance grant; and

(d) the balance, if any, must be divided by 52 or 53 whichever is reasonable in the circumstances and treated as weekly income of which £5 must be disregarded.

(2) Where a student is in receipt of income by way of a grant and no contribution has been assessed, the amount of his covenanted income must be calculated in accordance with sub- paragraphs (a) to (d) of sub-paragraph (1), except that—

(a) the value of the standard maintenance grant must be abated by the amount of such grant income less an amount equal to the amount of any sums disregarded under paragraph 80(2)(a) to (e); and

(b) the amount to be disregarded under sub-paragraph (1)(c) must be abated by an amount equal to the amount of any sums disregarded under paragraph 80(2)(f) and (g) and (3).

83. Relationship with amounts to be disregarded under Schedule 3⁸⁴

No part of a student's covenant income or grant income is to be disregarded under

⁸² Reg. 77, SI 2012/2886

paragraph 19 of Schedule 3 (disregard of certain charitable and voluntary etc. payments).

84. Other amounts to be disregarded⁸⁵

(1) For the purposes of ascertaining income other than grant income, covenant income and loans treated as income in accordance with paragraph 85 (treatment of student loans), any amounts intended for any expenditure specified in paragraph 80(2) (calculation of grant income), necessary as a result of his attendance on the course must be disregarded.

(2) But sub-paragraph (1) applies only if, and to the extent that, the necessary expenditure exceeds or is likely to exceed the amount of the sums disregarded under paragraph 80(2) or (3), 81(3), 82(1)(a) or (c) or 85(5) (calculation of grant income, covenant income and treatment of student loans) on like expenditure.

85. Treatment of student loans⁸⁶

(1) A student loan is to be treated as income.

(2) In calculating the weekly amount of the loan to be taken into account as income—

(a) in respect of a course that is of a single academic year's duration or less, a loan which is payable in respect of that period is to be apportioned equally between the weeks in the period beginning with—

(i) except in a case where sub-paragraph (ii) applies, the reduction week, the first day of which coincides with, or immediately follows, the first day of the single academic year;

(ii) where the student is required to start attending the course in August or where the course is less than an academic year's duration, the reduction week, the first day of which coincides with, or immediately follows, the first day of the course,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

(b) in respect of an academic year of a course which starts other than on 1st September, a loan which is payable in respect of that academic year is to be apportioned equally between the weeks in the period—

(i) beginning with the reduction week, the first day of which coincides with or immediately follows, the first day of that academic year, and

(ii) ending with the reduction week, the last day of which coincides with or immediately precedes, the last day of that academic year,

but excluding any reduction weeks falling entirely within the quarter during which, in the opinion of the authority, the longest of any vacation is taken and for the purposes of this paragraph, "quarter" has the same meaning as for the purposes of the Education (Student Support) Regulations 2005;

(c) in respect of the final academic year of a course (not being a course of a single year's duration), a loan which is payable in respect of that final academic year is to be apportioned equally between the weeks in the period beginning with—

(i) except in a case where sub-paragraph (ii) applies, the reduction week, the

first day of which coincides with, or immediately follows, the first day of that academic year;

(ii) where the final academic year starts on 1st September, the reduction week, the first day of which coincides with, or immediately follows, the earlier of 1st September or the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of the course;

(d) in any other case, the loan is to be apportioned equally between the weeks in the period beginning with the earlier of—

(i) the first day of the first reduction week in September; or

(ii) the reduction week, the first day of which coincides with, or immediately follows the first day of the autumn term,

and ending with the reduction week, the last day of which coincides with, or immediately precedes, the last day of June,

and, in all cases, from the weekly amount so apportioned £10 is to be disregarded.

(3) A student is to be treated as possessing a student loan in respect of an academic year where—

(a) a student loan has been made to him in respect of that year; or

(b) he could acquire such a loan in respect of that year by taking reasonable steps to do so.

(4) Where a student is treated as possessing a student loan under sub-paragraph (3), the amount of the student loan to be taken into account as income must be, subject to sub-paragraph (5)—

(a) in the case of a student to whom a student loan is made in respect of an academic year, a sum equal to—

(i) the maximum student loan he is able to acquire in respect of that year by taking reasonable steps to do so; and

(ii) any contribution whether or not it has been paid to him;

(b) in the case of a student to whom a student loan is not made in respect of an academic year, the maximum student loan that would be made to the student if—

(i) he took all reasonable steps to obtain the maximum student loan he is able to acquire in respect of that year; and

(ii) no deduction in that loan was made by virtue of the application of a means test.

(5) There must be deducted from the amount of income taken into account under sub-paragraph (4)—

(a) the sum of £303 per academic year in respect of travel costs; and

(b) the sum of £390 per academic year towards the cost of books and equipment, whether or not any such costs are incurred.

(6) A loan for fees, known as a fee loan or a fee contribution loan, made pursuant to regulations made under Article 3 of the Education (Student Support) (Northern Ireland) Order 1998, section 22 of the Teaching and Higher Education Act 1998 or section 73(f) of the Education (Scotland) Act 1980, shall be disregarded as income

86. Treatment of payments from access funds⁸⁷

- (1) This paragraph applies to payments from access funds that are not payments to which paragraph 89(2) or (3) (income treated as capital) applies.
- (2) A payment from access funds, other than a payment to which sub-paragraph (3) applies, must be disregarded as income.
- (3) Subject to sub-paragraph (4) of this paragraph and paragraph 40 of Schedule 3 (disregards in the calculation of income other than earnings) -
- (a) any payments from access funds which are intended and used for an item of food, ordinary clothing or footwear, household fuel, or rent of a single applicant or, as the case may be, of the applicant or any other member of his family, and
- (b) any payments from access funds which are used for any council tax or water charges for which that applicant or member is liable,
- must be disregarded as income to the extent of £20 per week.
- (4) Where a payment from access funds is made—
- (a) on or after 1st September or the first day of the course, whichever first occurs, but before receipt of any student loan in respect of that year and that payment is intended for the purpose of bridging the period until receipt of the student loan; or
- (b) before the first day of the course to a person in anticipation of that person becoming a student,
- that payment must be disregarded as income.

87. Disregard of contribution⁸⁸

Where the applicant or his partner is a student and, for the purposes of assessing a contribution to the student's grant or student loan, the other partner's income has been taken into account, an amount equal to that contribution must be disregarded for the purposes of assessing that other partner's income.

88. Further disregard of student's income⁸⁹

Where any part of a student's income has already been taken into account for the purposes of assessing his entitlement to a grant or student loan, the amount taken into account must be disregarded in assessing that student's income.

89. Income treated as capital⁹⁰

- (1) Any amount by way of a refund of tax deducted from a student's covenant income must be treated as capital.
- (2) An amount paid from access funds as a single lump sum must be treated as capital.
- (3) An amount paid from access funds as a single lump sum which is intended and used for an item other than food, ordinary clothing or footwear, household fuel or rent, or which is used for an item other than any council tax or water charges for which that applicant or member is liable, must be disregarded as capital but only for a period of 52 weeks from the date of the payment.

⁸⁷ Reg. 82, SI 2012/2886

⁸⁸ Reg. 83, SI 2012/2886

90. Disregard of changes occurring during summer vacation⁹¹

In calculating a student's income the authority must disregard any change in the standard maintenance grant, occurring in the recognised summer vacation appropriate to the student's course, if that vacation does not form part of his period of study from the date on which the change occurred to the end of that vacation.

Part 20 - Extended Reductions

91. Extended reductions (qualifying income-related benefits)⁹²

(1) An applicant who is entitled to a reduction under this scheme by virtue of falling within any of the classes D to E is be entitled to an extended reduction where—

(a) the applicant or the applicant's partner was entitled to a qualifying income-related benefit;

(b) entitlement to a qualifying income-related benefit ceased because the applicant or the applicant's partner—

(i) commenced employment as an employed or self-employed earner;

(ii) increased their earnings from such employment; or

(iii) increased the number of hours worked in such employment,

and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more; and

(c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying income-related benefit, jobseeker's allowance or a combination of those benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying income-related benefit ceased.

(2) For the purpose of sub-paragraph (1)(c), an applicant or an applicant's partner is to be treated as having been entitled to and in receipt of a qualifying income-related benefit or jobseeker's allowance during any period of less than five weeks in respect of which the applicant or the applicant's partner was not entitled to any of those benefits because the applicant or the applicant's partner was engaged in remunerative work as a consequence of their participation in an employment zone programme.

(3) For the purpose of this paragraph, where an applicant or an applicant's partner is entitled to and in receipt of joint-claim jobseeker's allowance they must be treated as being entitled to and in receipt of jobseeker's allowance.

(4) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within any of the classes D to E where—

(a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;

(b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying income-related benefit ceased, or in the preceding week; and

(c) entitlement to the qualifying income-related benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).

(5) This paragraph does not apply where, on the day before an applicant's entitlement to income support ceased, regulation 6(5) of the Income Support (General) Regulations

92. Duration of extended reduction period: (qualifying income-related benefits)⁹³

(1) Where an applicant is entitled to an extended reduction, the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying income-related benefit.

(2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying income-related benefit on the day immediately following the last day of entitlement to that benefit.

(3) The extended reduction period ends—

(a) at the end of a period of four weeks; or

(b) on the date on which the applicant to whom the extended reduction is payable has no liability for council tax, if that occurs first.

93. Amount of extended reduction: (qualifying income-related benefits)⁹⁴

(1) For any week during the extended reduction period the amount of the extended reduction to which an applicant is entitled is to be the higher of—

(a) the amount of the reduction under this scheme to which the applicant was entitled by virtue of falling within any of the classes D to E in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying income-related benefit;

(b) the amount of reduction under this scheme to which the applicant would be entitled by virtue of falling within any of the classes D to E for any reduction week during the extended reduction period, if paragraph 91 (extended reductions: qualifying income-related benefits) did not apply to the applicant; or

(c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of falling within any of the classes D to E, if paragraph 91 did not apply to the applicant.

(2) Sub-paragraph (1) does not apply in the case of a mover.

(3) Where an applicant is in receipt of an extended reduction under this paragraph and the applicant's partner makes an application for a reduction under this scheme, no amount of reduction under this scheme is to be awarded by the authority during the extended reduction period.

94. Extended reductions—movers: (qualifying income-related benefits)⁹⁵

(1) This paragraph applies—

(a) to a mover; and

(b) from the Monday following the day of the move.

(2) The amount of the extended reduction awarded from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of

⁹³ Reg. 96, SI 2012/2886

reduction under this scheme to which the mover would have been entitled had they, or their partner, not ceased to be entitled to a qualifying income-related benefit.

(3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction may take the form of a payment from this authority to—

- (a) the second authority; or
- (b) the mover directly.

95. Relationship between extended reduction and entitlement to reduction by virtue of classes D to E⁹⁶

(1) Where an applicant's entitlement to a reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying income-related benefit in the circumstances listed in paragraph 91(1)(b), that entitlement does not cease until the end of the extended reduction period.

(2) Paragraphs 102 and 103 do not apply to any extended reduction payable in accordance with paragraph 91(1)(a) or 94(2) (amount of extended reduction—movers)

96. Extended reductions (qualifying contributory benefits)⁹⁷

(1) An applicant who is entitled to a reduction under this scheme by virtue of falling within classes D to E is entitled to an extended reduction (qualifying contributory benefits) where—

- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
- (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner—

- (i) commenced employment as an employed or self-employed earner;
- (ii) increased their earnings from such employment; or
- (iii) increased the number of hours worked in such employment,

and that employment is or, as the case may be, those increased earnings or increased number of hours are expected to last five weeks or more;

(c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and

(d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.

(2) An applicant must be treated as entitled to a reduction under this scheme by virtue of falling within classes D to E where—

- (a) the applicant ceased to be entitled to a reduction under this scheme because the applicant vacated the dwelling in which the applicant was resident;
- (b) the day on which the applicant vacated the dwelling was either in the week in which

⁹⁶ Reg. 99 SI 2012/2886

entitlement to a qualifying contributory benefit ceased, or in the preceding week; and
(c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).

97. Duration of extended reduction period (qualifying contributory benefits)⁹⁸

(1) Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.

(2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.

(3) The extended reduction period ends—

(a) at the end of a period of four weeks; or

(b) on the date on which the applicant entitled to the extended reduction (qualifying contributory benefits) has no liability for council tax, if that occurs first.

98. Amount of extended reduction (qualifying contributory benefits)⁹⁹

(1) For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) payable to an applicant is to be the greater of—

(a) the amount of reduction under this scheme to which the applicant was entitled by virtue of falling within classes D to E in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;

(b) the amount of reduction under this scheme to which the applicant would be entitled by virtue of falling within classes D to E for any reduction week during the extended reduction period, if paragraph 96 (extended reductions (qualifying contributory benefits)) did not apply to the applicant; or

(c) the amount of reduction under this scheme to which the applicant's partner would be entitled by virtue of falling within classes D to E, if paragraph 96 did not apply to the applicant.

(2) Sub-paragraph (1) does not apply in the case of a mover.

(3) Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this paragraph and the applicant's partner makes an application for a reduction under this scheme, no amount of reduction may be allowed by the appropriate authority during the extended reduction period.

99. Extended reductions (qualifying contributory benefits) - movers¹⁰⁰

(1) This paragraph applies—

(a) to a mover; and

(b) from the Monday following the day of the move.

⁹⁸ Reg. 101, SI 2012/2886

⁹⁹ Reg. 102, SI 2012/2886

(2) The amount of the extended reduction (qualifying contributory benefit) payable from the Monday from which this paragraph applies until the end of the extended reduction period is to be the amount of reduction under this scheme which was awarded to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

(3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to—

- (a) the second authority; or
- (b) the mover directly.

100. Relationship between extended reduction (qualifying contributory benefits) and entitlement to reduction by virtue of classes D to E ¹⁰¹

(1) Where an applicant's reduction under this scheme would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 91(1)(b), that reduction does not cease until the end of the extended reduction period.

(2) Paragraphs 102 and 103 do not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 96(1)(a) or 98(2) (amount of extended reduction—movers

101. Extended reductions: applicant moving into the authority's area

Paragraph 24 has effect

Part 21 - When entitlement begins and change of circumstances

102. Date on which entitlement begins¹⁰²

(1) Subject to sub-paragraph (2), any person by whom or in respect of whom an application for a reduction under this scheme is made and who is otherwise entitled to that reduction is so entitled from the reduction week following the date on which that application is made or is treated as made.

(2) Where a person is otherwise entitled to a reduction under this scheme and becomes liable for the first time for the authority's council tax in respect of a dwelling of which he is a resident in the reduction week in which his application is made or is treated as made, he is so entitled from that reduction week.

103. Date on which change of circumstances is to take effect¹⁰³

(1) Except in cases where paragraph 66 (disregard of changes in tax, contributions, etc.) applies and subject to the following provisions of this paragraph and paragraph 104, a change of circumstances which affects entitlement to, or the amount of, a reduction under this scheme ("change of circumstances"), takes effect from the first day of the reduction week following the date on which the change actually occurs.

(2) Where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs is the day immediately following the last day of entitlement to that benefit

(3) Subject to sub-paragraph (4), where the change of circumstances is a change in the amount of council tax payable, it takes effect from the day on which it actually occurs.

(4) Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under section 11 or 11A of that Act, it takes effect from the day on which the change in amount has effect.

(5) Where the change of circumstances is as a result of an amendment to this scheme it shall take effect from the date on which the amendment to this scheme takes effect.

(6) Where the change of circumstances is the applicant's acquisition of a partner, the change takes effect on the day on which the acquisition takes place.

(7) Where the change of circumstances is the death of an applicant's partner or their separation, it takes effect on the day the death or separation occurs.

(8) If two or more changes of circumstances occurring in the same reduction week would, but for this paragraph, take effect in different reduction weeks in accordance with sub-paragraphs (1) to (7) they take effect from the day to which the appropriate sub-paragraph from (3) to (7) above refers, or, where more than one day is concerned, from the earlier day.

(9) Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the SSCBA, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances takes effect from the first day on which such income, had it been paid in that period at intervals appropriate to

¹⁰² Reg. 106, SI 2012/2886 ¹⁰³ Reg. 107, SI 2012/2886, para (10 - (13) applicable to pensioners only - omitted

that income, would have fallen to be taken into account for the purposes of this scheme.

(10) Without prejudice to sub-paragraph (9), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances takes effect from the first day on which such income, had it been timeously paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of this scheme.

103A. Tolerance for changes in circumstances for working age claimants

(1) Where any change of circumstances occurs which would result in an increase or decrease in a working-age individuals (or partner) who have been assessed by the Secretary for State for Work and Pensions (DWP) for Universal Credit. claimant's entitlement of less than £3.25 per week, no change in council tax reduction will be effected until such time as the total changes cumulatively amount to at least £3.25 per week. Where this occurs, the change will be effective from the date of the last change.

104. Date on which an advantageous change of circumstances is to take effect

For the purposes of determining the date on which a change of circumstances is to take effect in accordance with paragraph 103(1), in a case where -

(a) the change of circumstances is of a kind that is required to be notified under this scheme, and

(b) that change of circumstances is notified more than one month after it occurs, or such longer period as may be allowed under paragraph 105; and

(c) the change of circumstances increases the amount of the reduction to which a person is entitled under this scheme,

the date of notification of the change of circumstances is treated as the date on which the change of circumstances occurred

105. Late notification of a change of circumstances

(1) A longer period of time may be allowed for the notification of an advantageous change of circumstances where the authority is satisfied -

(a) that as a result of exceptional circumstances it was not practicable for the applicant to notify the change of circumstances within one month of the change occurring; and

(b) the application for a late change of circumstances is made within 13 months of the on which the change actually occurred

(2) In deciding whether it is reasonable to grant the application, the authority shall have regard to the principle that the greater the amount of time that has elapsed between the date that is one month after the change of circumstances occurred and the date the change of circumstances is notified to the authority, the more compelling should be the special circumstances on which the application is based

(3) In determining whether it is reasonable to grant an application, no account shall be taken that the applicant was unaware of, or misunderstood, the law applicable to his case (including ignorance or misunderstanding of the time limits imposed by this scheme)

106. Back-dating of applications¹⁰⁴

(1) Where an applicant—

- (a) makes an application under this scheme which includes (or which he subsequently requests should include) a period before the application is made; and
- (b) from a day in that period, up to the date he made the application (or subsequently requested that the application should include a past period), the applicant had continuous good cause for failing to make an application (or request that the application should include that period), the application is to be treated as made on the date determined in accordance with sub-paragraph (2).

(2) That date is the latest of—

- (a) the first day from which the applicant had continuous good cause;
- (b) the day three calendar months before the date the application was made;
- (c) the day three calendar months before the date when the applicant requested that the application should include a past period.

¹⁰⁴ Reg. 112, SI 2012/2886

Part 22 - Changes in the amount of reduction

107. Adjustments to the amount of reduction

- (1) For working-age individuals (or partner) who have been assessed by the Secretary for State for Work and Pensions (DWP) for Universal Credit, a change of circumstances [change of income] resulting in a change in entitlement to council tax reduction of £3.25 a week or less is not implemented.
- (2) For working-age individuals (or partner) who have been assessed by the Secretary for State for Work and Pensions (DWP) for entitlement to Universal Credit and a change of circumstances [change of income] has taken place resulting in a change in entitlement to council tax reduction of £3.25 a week or less then there shall be no change to the level of council tax reduction awarded.
- (3) Where, due to a change of circumstances or other correction, the amount of reduction that an applicant is entitled to is adjusted, the authority will issue a revised Demand Notice and adjust payments of council tax liability in accordance with regulation 24 of the Council Tax (Administration & Enforcement) Regulations 1992.

Part 23 - Other Matters

108. Transitional Provision - procedural matters

- (1) Any person who, on the date this scheme comes into effect, has an existing reduction under the authority's 2013 scheme, is treated as having made an application for a council tax reduction under this scheme on that date
- (2) Any person who, before the date this scheme comes into effect, has made an application for a reduction under the 2013 scheme, which on the date this scheme comes into effect has not been decided, is treated as having made an application for a reduction under this scheme on that date
- (3) The date this scheme comes into effect is the date in accordance with paragraph 1

Schedule 1 - Applicable Amounts¹⁰⁵

Part 1 - Personal Allowances

1. The amounts specified in column (2) below in respect of each person or couple specified in column (1) shall be the amounts specified for the purposes of paragraphs 44(1)(a) and 45(1)(a) and (b)—

Column (1) - Person or couple	Column (2) - Amount
(1) A single claimant who -	(1)
(a) Is entitled to main phase employment and support allowance	(a) £84.80
(b) Is aged not less than 25	(b) £84.80
(c) Is aged not less than 18 but less than 25	(c) £67.20
(2) Lone Parent	(2) £84.80
(3) Couple	(3) £133.30

2. For the purposes of paragraph 1 of this Schedule an applicant is entitled to main phase employment and support allowance if—

- (a) paragraph 18 of this Schedule is satisfied in relation to the applicant; or
- (b) the applicant is entitled to a converted employment and support allowance.

3. (1) The amounts specified in column (2) below in respect of each person specified in column (1) are, for the relevant period specified in column (1), be the amounts specified for the purposes of paragraphs 44(1)(b) and 45(1)(c)

(2) In column (1) of the table in sub-paragraph (1), “the first Monday in September” means the Monday which first occurs in the month of September in any year.

Column (1) - Child or young person	Column (2) - Amount
Person in respect of the period -	
(a) beginning on that person’s date of birth and ending on the day preceding the first Monday in September following that person’s sixteenth birthday;	£77.78
(b) beginning on the first Monday in September following that person’s sixteenth birthday and ending on the day preceding that person’s twentieth birthday	£77.78

¹⁰⁵ Sch 3, SI 2012/2886

Part 2 - Family premium

4. (1) The amount for the purposes of paragraphs 44(1)(c) and 45(1)(d) in respect of a family of which at least one member is a child or young person shall be—

- (a) where the applicant is a lone parent to whom sub-paragraph (2) applies, £22.20;
- (b) in any other case, £18.53.

(2) The amount in sub-paragraph (1)(a) shall be applicable to a lone parent—

(a) who was entitled to council tax benefit on 5th April 1998 and whose applicable amount on that date included the amount applicable under paragraph 3(1)(a) of Schedule 1 to the Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 as in force on that date; or

(b) on becoming entitled to council tax benefit where that lone parent—

- (i) had been treated as entitled to that benefit in accordance with sub-paragraph (3) as at the day before the date of claim for that benefit; and
- (ii) was entitled to housing benefit as at the date of claim for council tax benefit or would have been entitled to housing benefit as at that date had that day not fallen during a rent free period as defined in regulation 81 of the Housing Benefit Regulations 2006,

and in respect of whom, all of the conditions specified in sub-paragraph (3) have continued to apply.

(3) The conditions specified for the purposes of sub-paragraph (2) are that, in respect of the period commencing on 6th April 1998—

(a) the applicant has not ceased to be entitled, or has not ceased to be treated as entitled, to:

- (i) council tax benefit (in relation to the period prior to 1st April 2013), and
- (ii) a reduction under this scheme (in relation to the period commencing on 1st April 2020);

(b) the applicant has not ceased to be a lone parent;

(c) where the applicant was entitled to income support or to an income-based jobseeker's allowance on 5th April 1998, he has continuously, since that date, been entitled to income support, an income-based jobseeker's allowance or income-related employment and support allowance or a combination of those benefits;

(d) where the applicant was not entitled to income support or to an income-based jobseeker's allowance on 5th April 1998, he has not become entitled to income support, an income-based jobseeker's allowance or an income-related employment and support allowance; and

(e) a premium under paragraph 9 or a component under paragraph 21 or 22 has not become applicable to the applicant.

(4) For the purposes of sub-paragraphs (2)(b)(i) and (3)(a), an applicant is to be treated as entitled to council tax benefit during any period where he was not, or had ceased to be, so entitled and—

(a) throughout that period, he had been awarded housing benefit and his applicable amount on that date included the amount applicable under paragraph 3(1)(a) of Schedule 3 to the Housing Benefit Regulations 2006 as in force on that date (lone parent rate of family premium); or

(b) he would have been awarded housing benefit during that period had that period not been a rent free period as defined in regulation 81 of the Housing

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4A The amount in sub-paragraph (1)(b) shall be applicable where a person who, on 31 March 2020, is liable to pay council tax at a reduced rate by virtue of a council tax reduction under The Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) 2013 scheme, and is

(a) a member of a family of which at least one member is a child or young person; or
(b) a partner in a polygamous marriage, where he or she, or another partner of the polygamous marriage, is responsible for a child or young person who is a member of the same household.

(6) Paragraph (5) does not apply if—

(a) sub-paragraph (a) or (b) of that paragraph ceases to apply; or
(b) the person makes a new application for a reduction under The Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) 2013 scheme or later.

Part 3 - Premiums

5. Except as provided in paragraph 6 of this Schedule, the premiums specified in Part 4 are, for the purposes of paragraphs 44(1)(d) and 45(1)(e), be applicable to an applicant who satisfies the condition specified in paragraphs 9 to 14 of this Schedule in respect of that premium.

6. Subject to paragraph 7 of this Schedule, where an applicant satisfies the conditions in respect of more than one premium in this Part of this Schedule, only one premium is applicable to him and, if they are different amounts, the higher or highest amount applies.

7. The following premiums, namely—

- (a) a severe disability premium to which paragraph 11;
- (b) an enhanced disability premium to which paragraph 12;
- (c) a disabled child premium to which paragraph 13; and
- (d) a carer premium to which paragraph 14,

may be applicable in addition to any other premium which may apply under this Schedule.

8.—(1) Subject to sub-paragraph (2), for the purposes of this Part of this Schedule, once a premium is applicable to an applicant under this Part, a person is to be treated as being in receipt of any benefit for—

(a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, any period during which, apart from the provisions of those Regulations, he would be in receipt of that benefit; and

(b) any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the Employment and Training Act 1973 or by Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990 for any period during which he is in receipt of a training allowance.

(2) For the purposes of the carer premium under paragraph 14, a person is to be treated as being in receipt of carer's allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment

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payable under Part 4 of the Welfare Reform Act 2012, the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations; the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012; the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or an AFIP.

Disability premium

9. The condition is that—

- (a) where the applicant is a single applicant or a lone parent, he has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10 is satisfied; or
- (b) where the applicant has a partner, either—
 - (i) the applicant has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10(1)(a) or (b) is satisfied by him; or
 - (ii) his partner has not attained the qualifying age for state pension credit and the additional condition specified in paragraph 10(1)(a) is satisfied by his partner.

Additional condition for the disability premium

10.—(1) Subject to sub-paragraph (2) and paragraph 8, the additional condition referred to in paragraph 9 is that either—

- (a) the applicant or, as the case may be, his partner—
 - (i) is in receipt of one or more of the following benefits: attendance allowance, disability living allowance, personal independence payment, and AFIP, the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002, mobility supplement, long-term incapacity benefit under Part 2 of the SSCBA or severe disablement allowance under Part 3 of that Act but, in the case of long-term incapacity benefit or severe disablement allowance, only where it is paid in respect of him; or
 - (ii) was in receipt of long-term incapacity benefit under Part 2 of the SSCBA when entitlement to that benefit ceased on account of the payment of a retirement pension under that Act and the applicant has since remained continuously entitled to
 - (aa) council tax benefit in relation to the period prior to 1st April 2013 and,
 - (bb) a reduction under this scheme (in relation to the period commencing on 1st April 2020), and
- if the long-term incapacity benefit was payable to his partner, the partner is still a member of the family; or
- (iii) was in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended in accordance with regulations made under section 113(2) of the SSCBA or otherwise abated as a consequence of the applicant or his partner becoming a patient within the meaning of paragraph 64(11)(i) (treatment of child care charges); or
- (iv) was in receipt of personal independence payment, but payment of that benefit has been suspended in accordance with section 86 of the Welfare

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Reform Act 2012 as a consequence of the applicant becoming a patient within the meaning of paragraph 64(11)(i) (treatment of child care charges); or

(v) was in receipt of an AFIP, but payment has been suspended in accordance with any terms of the armed and reserve forces compensation scheme which allow for suspension because a person is undergoing medical treatment in a hospital or similar institution; or

(vi) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972; or

(vii) is blind and in consequence registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(b) the applicant—

(i) is, or is treated as, incapable of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work); and

(ii) has been incapable, or has been treated as incapable, of work for a continuous period of not less than—

(aa) in the case of an applicant who is terminally ill within the meaning of section 30B(4) of the SSCBA, 196 days;

(bb) in any other case, 364 days.

(2) For the purposes of sub-paragraph (1)(a)(vii), a person who has ceased to be registered as blind on regaining his eyesight is nevertheless to be treated as blind and as satisfying the additional condition set out in that paragraph for a period of 28 weeks following the date on which he ceased to be so registered.

(3) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to an applicant by virtue of his satisfying the additional condition specified in that provision, if he then ceases, for a period of 8 weeks or less, to be treated as incapable of work or to be incapable of work he is, on again becoming so incapable of work, immediately thereafter to be treated as satisfying the condition in sub-paragraph (1)(b).

(4) For the purposes of sub-paragraph (1)(b), once the disability premium is applicable to an applicant by virtue of his satisfying the additional condition specified in that provision, he is to continue to be treated as satisfying that condition for any period spent by him in undertaking a course of training provided under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.

(5) For the purposes of sub-paragraph (1)(b), where any two or more periods of incapacity are separated by a break of not more than 56 days, those periods are to be treated as one continuous period.

(6) For the purposes of this paragraph, a reference to a person who is or was in receipt of long-term incapacity benefit includes a person who is or was in receipt of short-term incapacity benefit at a rate equal to the long-term rate by virtue of section 30B(4)(a) of the Act (short-term incapacity benefit for a person who is terminally ill), or who would be or would have been in receipt of short-term incapacity benefit at such a rate but for the

fact that the rate of short-term incapacity benefit already payable to him is or was equal to or greater than the long-term rate.

(7) In the case of an applicant who is a welfare to work beneficiary (a person to whom regulation 13A(1) of the Social Security (Incapacity for Work) (General) Regulations 1995 applies, and who again becomes incapable of work for the purposes of Part 12A of the SSCBA)—

- (a) the reference to a period of 8 weeks in sub-paragraph (3); and
- (b) the reference to a period of 56 days in sub-paragraph (5),

In each case is to be treated as a reference to a period of 104 weeks.

(8) The applicant is not entitled to the disability premium if he has, or is treated as having, limited capability for work.

Severe disability premium

11. (1) The condition is that the applicant is a severely disabled person.

(2) For the purposes of sub-paragraph (1), an applicant is to be treated as being a severely disabled person if, and only if—

(a) in the case of a single applicant, a lone parent or an applicant who is treated as having no partner in consequence of sub-paragraph (3)—

(i) he is in receipt of—

- (aa) attendance allowance;
- (bb) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
- (cc) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
- (dd) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
- (ee) an AFIP; and

(b) in the case of an applicant who has a partner—

(i) the applicant is in receipt of—

- (aa) attendance allowance;
- (bb) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
- (cc) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
- (dd) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
- (ee) an AFIP;

and either a person is entitled to and in receipt of a carer's allowance in respect of caring for only one of a couple or, in the case of a polygamous marriage, for one or more but not all the partners of the marriage, or as the case may be, no person is entitled to and in receipt of such an allowance in respect of caring for either member of a couple or any partner of a polygamous marriage.

(3) Where an applicant has a partner who does not satisfy the condition in sub-paragraph (2)(b)(ii), and that partner is blind or is treated as blind within the meaning of paragraph 10(1)(a)(v) and (2), that partner is to be treated for the purposes of sub-paragraph (2)(b)(ii) as if he were not a partner of the applicant.

(4) For the purposes of sub-paragraph (2)(a)(ii) and (2)(b)(iii) no account is to be taken of—

(a) a person receiving attendance allowance, or disability living allowance by virtue of the care component at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012 ; or

(b) a person who is blind or is treated as blind within the meaning of paragraph 10(1)(a)(v) and (2).

(5) for the purposes of sub-paragraph (2)(b) a person is to be treated -

(a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA or the daily living component of personal independence payment payable at either rate under Part 4 of the Welfare Reform Act 2012, or an AFIP, if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;

(b) as being entitled to and in receipt of a carer's allowance if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt.

(6) For the purposes of sub-paragraph (2)(a)(iii) and (2)(b), no account is to be taken of an award of carer's allowance to the extent that payment of such an award is back-dated for a period before the date on which the award is first paid.

(a) a person receiving—

(i) attendance allowance;

(ii) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;

(iii) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;

(iv) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations;

or

(v) an AFIP; or

(7) In sub-paragraph (2)(a)(iii) and (b), references to a person being in receipt of a carer's allowance include references to a person who would have been in receipt of that allowance but for the application of a restriction under section 6B or 7 of the Social Security Fraud Act 2001 (loss of benefit provisions).

(ba) as being in receipt of the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations, if they would, but for payment ceasing by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of those Regulations, be so in receipt;

Enhanced disability premium

(f) The condition is that —

(f) that the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA or but for an abatement as a consequence of hospitalisation, be payable at the highest rate prescribed under section 73(2) of that Act;

(aa) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations;

(ab) the daily living component of adult disability payment is payable, or has

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ceased to be payable by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of the DAWAP Regulations, at the enhanced rate in accordance with regulation 5 of those Regulations;

(g) (as the case may be) the daily living component of personal independence payment is, or would, but for a suspension of payment in accordance with regulations under section 86 of the Welfare Reform Act 2012, be payable at the enhanced rate under section 78(2) of that Act, in respect of a child or young person who is a member of the applicant's family or

(h) An AFIP is payable

(g) Where the condition in sub-paragraph (1) ceases to be satisfied because of the death of a child or young person, the condition is that the applicant or partner is entitled to child benefit in respect of that person under section 145A of the SSCBA (entitlement after death of child or qualifying young person).

Disabled child premium

12. The condition is that a child or young person for whom the applicant or a partner of his is responsible and who is a member of the applicant's household—

(a) is in receipt of disability living allowance or personal independence payment or is no longer in receipt of such allowance because he is a patient, provided that the child or young person continues to be a member of the family; or

(b) is blind or treated as blind within the meaning of paragraph 10; or

(c) is a child or young person in respect of whom section 145A of the SSCBA (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the applicant's applicable amount immediately before the death of that child or young person, or ceased to be included in the applicant's applicable amount because of that child or young person's death.

(d) is a young person who is in receipt of adult disability payment or who would, but for payment ceasing by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of the DAWAP Regulations be so in receipt, provided that the young person continues to be a member of the family; or

(e) is a young person who is in receipt of an AFIP.

Carer premium

13. (1) The condition is that the applicant or his partner is, or both of them are, entitled to a carer's allowance under section 70 of the SSCBA.

(2) Where a carer premium is awarded but—

(a) the person in respect of whose care the carer's allowance has been awarded dies; or

(b) in any other case the person in respect of whom a carer premium has been awarded ceases to be entitled to a carer's allowance,

the condition for the award of the premium is to be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3).

(3) The relevant date for the purposes of sub-paragraph (2) is—

(a) where sub-paragraph (2)(a) applies, the Sunday following the death of the person in respect of whose care a carer's allowance has been awarded or the date of death if the death occurred on a Sunday;

(b) in any other case, the date on which the person who has been entitled to a

carer's allowance ceases to be entitled to that allowance.

(4) Where a person who has been entitled to a carer's allowance ceases to be entitled to that allowance and makes an application for a reduction, the condition for the award of the carer premium is to be treated as satisfied for a period of eight weeks from the date on which—

- (a) the person in respect of whose care the carer's allowance has been awarded dies; or
- (b) in any other case, the person who has been entitled to a carer's allowance ceased to be entitled to that allowance.

Persons in receipt of concessionary payments

14. For the purpose of determining whether a premium is applicable to a person under paragraphs 10 to 14 of this Schedule, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs is to be treated as if it were a payment of that benefit.

Persons in receipt of benefit for another

15. For the purposes of this Part of this Schedule, a person is to be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and is to be so regarded only for any period in respect of which that benefit is paid.

Part 4 - Amounts of premiums specified in Part 3

17. Premium	Amount
(1) Disability Premium—	(1)
(a) where the applicant satisfies the condition in paragraph 9(a);	(a) £39.85
(b) where the applicant satisfies the condition in paragraph 9(b).	(c) £56.80
(2) Severe Disability Premium	
(a) where the applicant satisfies the condition in paragraph 11(2)(a);	
(b) where the applicant satisfies the condition in paragraph 11(2)(b)—	(4) Carer Premium
(i) in a case where there is someone in receipt of a carer's allowance or if he or any partner satisfies that condition only by virtue of paragraph 11(5);	
(ii) in a case where there is no-one in receipt of such an allowance	
(3) Disabled Child Premium	

(2)

(a) £76.40

(b)(i) £76.40

(b)(ii) £152.80

(5) £74.69 in respect of each child or Young person in respect of whom the condition specified in paragraph 13 of Part 3 of this Schedule is satisfied

(4) £42.75 in respect of each person who satisfies the condition specified in paragraph 14.

- (5) Enhanced Disability Premium (5)
- (a) £30.17 in respect of each child or young person in respect of whom the conditions specified in paragraph 12 are satisfied
 - (b) £19.55 in respect of each person who is neither -
 - (i) a child or a young person; nor
 - (ii) a member of a couple or a polygamous marriage,In respect of whom the conditions specified in paragraph 12 are satisfied
 - (c) £27.90 where the applicant is a member of a couple or a polygamous marriage and the conditions specified in paragraph 12 are satisfied in respect of a member of that couple or polygamous marriage

Part 5 - The Components

18. Subject to paragraph 20 of this Schedule the applicant is entitled to one, but not both, of the components in paragraph 21 or 22 of this Schedule if—

- (a) the applicant or the applicant's partner has made a claim for employment and support allowance;
- (b) the Secretary of State has decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work or limited capability for work-related activity; and
- (c) either—
 - (i) the assessment phase as defined in section 24(2) of the Welfare Reform Act has ended; or
 - (ii) regulation 7 of the Employment and Support Allowance Regulations 2008 (circumstances where the condition that the assessment phase has ended before entitlement to the support component or the work related activity component arises does not apply) applies.

19. Subject to paragraph 20, the applicant is entitled to one, but not both, of the components in paragraphs 21 and 22 if the applicant or his partner is entitled to a converted employment and support allowance.

20. (1) The applicant has no entitlement under paragraph 21 or 22 if the applicant is entitled to the disability premium under paragraphs 9 and 10.

(2) Where the applicant and the applicant's partner each satisfies paragraph 21 or 22, the component to be included in the applicant's applicable amount is that which relates to the applicant.

The work-related activity component

21. The applicant is entitled to the work-related activity component if the Secretary of

State has decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work.

The support component

22. The applicant is entitled to the support component if the Secretary of State has decided that the applicant or the applicant's partner has, or is to be treated as having, limited capability for work-related activity.

Part 6 - Amount of components

23. The amount of the work-related activity component is £33.70

24. The amount of the support component is £44.70

Part 7 - Transitional Addition

25. (1) The applicant is entitled to the transitional addition calculated in accordance with paragraph 28 where the applicant or the applicant's partner ("the relevant person")—

- (a) is entitled to a converted employment and support allowance; or
- (b) is appealing a conversion decision as described in regulation 5(2)(b) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2008 and—
 - (i) is treated as having limited capability for work by virtue of regulation 30 of the Employment and Support Allowance Regulations 2008 as modified by the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2008; and
 - (ii) is not in receipt of an income-related employment and support allowance, unless the amount of the transitional addition calculated in accordance with paragraph 28 would be nil.

(2) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following—

- (a) the reduction of the transitional addition to nil in accordance with paragraph 29;
- (b) the termination of the applicant's award of reduction under this scheme;
- (c) the relevant person ceasing to meet the requirements of sub-paragraph (1)(a) or (b), as the case may be;
- (d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support;
- (e) 5th April 2020.

26. (1) This paragraph applies where—

(a) the applicant's entitlement to a transitional addition ends, by virtue of the termination of the applicant's award of reduction, under—

- (i) paragraph 25(2)(b);
- (ii) paragraph (3)(b); or
- (iii) paragraph 27(3)(b).

(b) within 12 weeks of that termination but before 5th April 2020 the applicant

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners)
again becomes entitled to a reduction under this scheme;

(c) in the reduction week in which the applicant again becomes entitled to a reduction under this scheme the relevant person is entitled to an employment and support allowance which is not income-related; and

(d) at the date on which the applicant again becomes entitled to a reduction under this scheme, neither the applicant nor the applicant's partner is entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support.

(2) Where this paragraph applies, the applicant is entitled, with effect from the day on which the applicant again becomes entitled to a reduction under this scheme, to a transitional addition of the amount of the transitional addition that would have applied had the applicant's entitlement to a transitional addition not ended (but taking account of the effect which any intervening change of circumstances would have had by virtue of paragraph 29, unless the amount of the transitional addition would be nil.

(3) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following—

(a) the reduction of the transitional addition to nil in accordance with paragraph 29;

(b) the termination of the applicant's award of a reduction under this scheme;

(c) the relevant person no longer being entitled to the employment and support allowance referred to in sub-paragraph (1)(c);

(d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support;

(e) 5th April 2020.

27. (1) This paragraph applies where—

(a) the applicant's entitlement to a transitional addition ends, by virtue of the relevant person ceasing to be entitled to an employment and support allowance, under—

(i) paragraph 25(2)(c);

(ii) paragraph 26(3)(c); or

(iii) paragraph (3)(c);

(b) before 5th April 2020 the relevant person again becomes entitled to an employment and support allowance which is not income-related;

(c) at the date on which the relevant person again becomes entitled to an employment support allowance which is not income-related regulation 145(1) of the Employment and Support Allowance Regulations 2008 applies to the relevant person; and

(d) at the date on which the relevant person again becomes entitled to an employment support allowance which is not income-related, neither the applicant nor the applicant's partner is entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support.

(2) Where this paragraph applies, the applicant is entitled, with effect from the day that the relevant person's entitlement to employment and support allowance takes effect for the purposes of a reduction under this scheme, to a transitional addition of the amount of the transitional addition that would have applied had the applicant's entitlement to a transitional addition not ended (but taking account of the effect which any intervening change of circumstances would have had by virtue of paragraph 29, unless the amount of the transitional addition would be nil.

(3) The applicant's entitlement to a transitional addition by virtue of this paragraph ends on any of the following—

- (a) the reduction of the transitional addition to nil in accordance with paragraph 29;
- (b) the termination of the applicant's award of a reduction under this scheme;
- (c) the relevant person no longer being entitled to the employment and support allowance referred to in sub-paragraph (1)(b);
- (d) the applicant or the applicant's partner becoming entitled to an income-related employment and support allowance, an income-based jobseeker's allowance or income support;
- (e) 5th April 2020.

Part 8 - Amount of Transitional Addition

28. (1) Subject to paragraph 29, the amount of the transitional addition is the amount by which Amount A exceeds Amount B.

(2) Where a conversion decision as described in regulation 5(2)(a) of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010 ("the 2010 Regulations") is made in respect of the relevant person -

- (a) Amount A is the basic amount that would have applied on the day that decision took effect had that decision not been made; and
- (b) Amount B is the basic amount that applied on that day as a result of that decision.

(3) Where the relevant person is appealing a conversion decision as described in regulation 5(2)(b) of the 2010 Regulations and is treated as having limited capability for work by virtue of regulation 30 of the Employment and Support Allowance Regulations 2008 as modified by the 2010 Regulations—

- (a) Amount A is the basic amount that would have applied on the day the relevant person was first treated as having limited capability for work if the relevant person had not been so treated; and
- (b) Amount B is the basic amount that applied on that day as a result of the relevant person being so treated.

(4) In this paragraph and paragraph 29, "basic amount" means the aggregate of such amounts as may apply in the applicant's case in accordance with paragraph 44(1)(a) to (e) or paragraph 45(1)(a) to (f) .

29. (1) Subject to sub-paragraph (2), where there is a change of circumstances which leads to an increase in the applicant's basic amount, the transitional addition that applies immediately before the change of circumstances must be reduced by the amount by which Amount C exceeds Amount D.

(2) If Amount C exceeds Amount D by more than the amount of the transitional addition that applies immediately before the change of circumstances, that transitional addition must be reduced to nil.

- (3) Amount C is the basic amount that applies as a result of the increase.
- (4) Amount D is the basic amount that applied immediately before the increase.

SCHEDULE 2¹⁰⁶ - Sums disregarded in the calculation of earnings

1. In the case of an applicant who has been engaged in remunerative work as an employed earner or, had the employment been in Great Britain, would have been so engaged—

(a) where—

- (i) the employment has been terminated because of retirement; and
- (ii) on retirement he is entitled to a retirement pension under the Act, or is not so entitled solely because of his failure to satisfy the contribution conditions,

any earnings paid or due to be paid in respect of that employment, but only for a period commencing on the day immediately after the date on which the employment was terminated;

(b) where before the first day of entitlement to a reduction under this scheme the employment has been terminated otherwise than because of retirement, any earnings paid or due to be paid in respect of that employment except—

(i) any payment of the nature described in—

- (aa) paragraph 57(1)(e) (retainer), or
- (bb) section 28, 64 or 68 of the Employment Rights Act 1996 (guarantee payments, suspension from work on medical or maternity grounds); and

(ii) any award, sum or payment of the nature described in—

- (aa) paragraph 57(1)(g) or (i), (compensation etc. relating to employment); or
- (bb) section 34 or 70 of the Employment Rights Act 1996 (guarantee payments and suspension from work: complaints to employment tribunals),

including any payment made following the settlement of a complaint to an employment tribunal or of court proceedings;

(c) where before the first day of entitlement to a reduction under this scheme—

- (i) the employment has not been terminated, but
- (ii) the applicant is not engaged in remunerative work,

any earnings paid or due to be paid in respect of that employment except any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii)(bb) of this Schedule or paragraph 57(1)(j) (statutory sick pay etc.);

2. In the case of an applicant who, before the first day of entitlement to a reduction under this scheme—

(a) has been engaged in part-time employment as an employed earner or, where the employment has been outside Great Britain, would have been so engaged had the employment been in Great Britain; and

(b) has ceased to be engaged in that employment, whether or not that employment

¹⁰⁶ Sch 7, SI 2012/2886

has been terminated,

any earnings paid or due to be paid in respect of that employment except—

(i) where that employment has been terminated, any payment of the nature described in paragraph 1(b)(i) or (ii)(bb) of this Schedule;

(ii) where that employment has not been terminated, any payment or remuneration of the nature described in paragraph 1(b)(i) or (ii)(bb) of this Schedule or paragraph 57(1)(j).

3. In the case of an applicant who has been engaged in remunerative work or part-time employment as a self-employed earner or, had the employment been in Great Britain, would have been so engaged and who has ceased to be so employed, from the date of the cessation of his employment, any earnings derived from that employment except earnings to which paragraph 59(3) and (4) (earnings of self-employed earners) apply.

4. (1) In a case to which this paragraph applies and paragraph 5 does not apply, £20; but notwithstanding paragraph 50 (calculation of income and capital: applicant's family and polygamous marriages) if this paragraph applies to an applicant it shall not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £20.

(2) This paragraph applies where the applicant's applicable amount includes an amount by way of the disability premium, severe disability premium, work-related activity component or support component under Schedule 1 (applicable amounts).

(3) This paragraph applies where—

(a) the applicant is a member of a couple and his applicable amount includes an amount by way of the disability premium under Schedule 1; and

(b) he or his partner has not attained the qualifying age for state pension credit and at least one is engaged in employment.

5. In a case where the applicant is a lone parent, £25.

6. (1) In a case to which neither paragraph 4 nor paragraph 5 applies to the applicant and, subject to sub-paragraph (2), where the applicant's applicable amount includes an amount by way of the carer premium under Schedule 1 (applicable amounts), £20 of the earnings of the person who is, or at any time in the preceding eight weeks was, in receipt of carer's allowance or treated in accordance with paragraph 14(2) of that Schedule as being in receipt of carer's allowance.

(2) Where the carer premium is awarded in respect of the applicant and of any partner of his, their earnings must for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) must not exceed £20 of the aggregated amount.

7. Where the carer premium is awarded in respect of an applicant who is a member of a couple and whose earnings are less than £25, but is not awarded in respect of the other member of the couple, and that other member is engaged in an employment—

(a) specified in paragraph 9(1), so much of the other member's earnings as would not when aggregated with the amount disregarded under paragraph 6 exceed £20;

(b) other than one specified in paragraph 9(1), so much of the other member's earnings from such other employment up to £10 as would not when aggregated with the amount disregarded under paragraph 6 exceed £20.

8. In a case where paragraphs 4, 6, 7 and 9 do not apply to the applicant and he is one of a couple and a member of that couple is in employment, £10; but, notwithstanding paragraph 50 (calculation of income and capital: applicant's family and polygamous

Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) marriages), if this paragraph applies to an applicant it must not apply to his partner except where, and to the extent that, the earnings of the applicant which are to be disregarded under this paragraph are less than £10.

9. (1) In a case where paragraphs 4, 6, 7 and 9 do not apply to the applicant, £20 of earnings derived from one or more employments as—

- (a) a part-time fire-fighter employed by a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;
- (b) a part-time fire-fighter employed by a fire and rescue authority (as defined in section 1A of the Fire (Scotland) Act 2005) or a joint fire and rescue board constituted by an amalgamation scheme made under section 2(1) of that Act;
- (c) an auxiliary coastguard in respect of coast rescue activities;
- (d) a person engaged part-time in the manning or launching of a life boat;
- (e) a member of any territorial or reserve force prescribed in Part I of Schedule 6 to the Social Security (Contributions) Regulations 2001;

but, notwithstanding paragraph 50 (calculation of income and capital: applicant's family and polygamous marriages), if this paragraph applies to an applicant it shall not apply to his partner except to the extent specified in sub-paragraph (2).

(2) If the applicant's partner is engaged in employment—

- (a) specified in sub-paragraph (1), so much of his earnings as would not in aggregate with the amount of the applicant's earnings disregarded under this paragraph exceed £20;
- (b) other than one specified in sub-paragraph (1), so much of his earnings from that employment up to £10 as would not in aggregate with the applicant's earnings disregarded under this paragraph exceed £20.

10. Where the applicant is engaged in one or more employments specified in paragraph 9(1), but his earnings derived from such employments are less than £20 in any week and he is also engaged in any other employment, so much of his earnings from that other employment, up to £5 if he is a single applicant, or up to £10 if he has a partner, as would not in aggregate with the amount of his earnings disregarded under paragraph 9 exceed £20.

11. In a case to which none of the paragraphs 4 to 10 applies, £5.

12. (1) Where—

- (a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;
- (b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and
- (c) paragraph 14 does not apply,

the amount specified in sub-paragraph (7) ("the specified amount").

(2) Where this paragraph applies, paragraphs 4 to 11 do not apply; but in any case where the applicant is a lone parent, and the specified amount would be less than the amount specified in paragraph 5, then paragraph 5 applies instead of this paragraph.

(3) Notwithstanding paragraph 50 (calculation of income and capital: applicant's family and polygamous marriages), if sub-paragraph (1) applies to one member of a couple ("A") it does not apply to the other member of that couple ("B") except to the extent provided in sub-paragraph (4).

(4) Where A's earnings are less than the specified amount, there must also be disregarded so much of B's earnings as would not when aggregated with A's earnings exceed the specified amount; but the amount of B's earnings which may be disregarded under this sub-paragraph is limited to a maximum of £20 unless the Secretary of State is satisfied that B is also undertaking exempt work.

(5) This sub-paragraph applies to a person who is—

- (a) in receipt of a contributory employment and support allowance;
- (b) in receipt of incapacity benefit;
- (c) in receipt of severe disablement allowance; or
- (d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

(6) "Exempt work" means work of the kind described in—

- (a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations 2008; or (as the case may be)
- (b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,

and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.

(7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt (or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).

13. Any amount or the balance of any amount which would fall to be disregarded under paragraph 23 or 24 of Schedule 3 had the applicant's income which does not consist of earnings been sufficient to entitle him to the full disregard thereunder.

14. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, his earnings.

15. Any earnings derived from employment, which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings.

16. Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting that payment into Sterling.

17. Any earnings of a child or young person.

18. (1) In a case where the applicant is not a working-age individual (or partner) who have been assessed by the Secretary for State for Work and Pensions (DWP) for Universal Credit; and is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under paragraphs 4 to 12 must be increased by £17.10.

(2) The conditions of this sub-paragraph are that—

- (a) the applicant, or if he is a member of a couple, either the applicant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 applies; or

- (b) the applicant—
- (i) is, or if he is a member of a couple, at least one member of that couple is aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or
 - (ii) is a member of a couple and—
 - (aa) at least one member of that couple, is engaged in remunerative work for on average not less than 16 hours per week; and
 - (bb) his applicable amount includes a family premium under paragraph 4 of Schedule 1; or
 - (iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or
 - (iv) is, or if he is a member of a couple, at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and—
 - (aa) the applicant's applicable amount includes a disability premium under paragraph 9, the work-related activity component under paragraph 21 or the support component under paragraph 22 of Schedule 1 respectively;
 - (bb) where he is a member of a couple, at least one member of that couple satisfies the qualifying conditions for the disability premium or either of the components referred to in sub-paragraph (aa) above and is engaged in remunerative work for on average not less than 16 hours per week; or
- (c) the applicant is, or if he has a partner, one of them is, a person to whom regulation 18(3) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 (eligibility for 50 plus element) applies, or would apply if an application for working tax credit were to be made in his case.
- (3) The following are the amounts referred to in sub-paragraph (1)—
- (a) the amount calculated as disregardable from the applicant's earnings under paragraphs 4 to 12 of this Schedule;
 - (b) the amount of child care charges calculated as deductible under paragraph 63(1)(c); and
 - (c) £17.10
- (4) The provisions of paragraph 10 (remunerative work) is to apply in determining whether or not a person works for on average not less than 30 hours per week, but as if the reference to 16 hours in sub-paragraph (1) of that paragraph were a reference to 30 hours.
- 19.** In this Schedule "part-time employment" means employment in which the person is engaged on average for less than 16 hours a week.

SCHEDULE 3¹⁰⁷ - Sums disregarded in the calculation of income other than earnings

1. Any payment made to the applicant in respect of any childcare, travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Work for Your Benefit Pilot Scheme.
2. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme.
3. Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in a scheme prescribed in regulation 3 of the Jobseekers Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013.
4. Any amount paid by way of tax on income which is to be taken into account under paragraph 60 (calculation of income other than earnings).
5. Any payment in respect of any expenses incurred or to be incurred by an applicant who is—
 - (a) engaged by a charitable or voluntary organisation, or
 - (b) a volunteer,if he otherwise derives no remuneration or profit from the employment and is not to be treated as possessing any earnings under paragraph 62(5) (notional income).
6. Any payment in respect of expenses arising out of the applicant's participation in a service user group.
7. In the case of employment as an employed earner, any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment.
8. Where an applicant is on income support, an income-based jobseeker's allowance or an income-related employment and support allowance, the whole of his income.
9. Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act and his partner is on an income-based jobseeker's allowance, the whole of the applicant's income.
10. Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No. 3) Regulations 1999 as in force at that date, the whole of his income.
11. Any disability living allowance or personal independence payment, or an AFIP.
12. Any concessionary payment made to compensate for the non-payment of—
 - (a) any payment specified in paragraph 11 or 14;
 - (b) income support;
 - (c) an income-based jobseeker's allowance;
 - (d) an income-related employment and support allowance.
13. Any mobility supplement under article 20 of the Naval, Military and Air

¹⁰⁷ Sch 8, SI 2012/2886

Forces Etc. (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.

14. Any attendance allowance.

15. Any payment to the applicant as holder of the Victoria Cross or of the George Cross or any analogous payment.

16. (1) Any payment—

(a) by way of an education maintenance allowance made pursuant to—

(i) regulations made under section 518 of the Education Act 1996 (payment of school expenses; grant of scholarships etc.);

(ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980 (power to assist persons to take advantage of educational facilities);

(iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;

(b) corresponding to such an education maintenance allowance, made pursuant to—

(i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and the Welsh Ministers to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or

(ii) regulations made under section 181 of that Act; or

(c) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.

(2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to—

(a) regulations made under section 518 of the Education Act 1996;

(b) regulations made under section 49 of the Education (Scotland) Act 1980; or

(c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992,

in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

17. Not used.

18. (1) Any payment made pursuant to section 2 of the 1973 Act or section 2 of the Enterprise and New Towns (Scotland) Act 1990 except a payment—

(a) made as a substitute for income support, a jobseeker's allowance, incapacity benefit, severe disablement allowance or an employment and support allowance;

(b) of an allowance referred to in section 2(3) of the Employment and Training Act 1973 or section 2(5) of the Enterprise and New Towns (Scotland) Act 1990; or

(c) intended to meet the cost of living expenses which relate to any one or more of the items specified in sub-paragraph (2) whilst an applicant is participating in an education, training or other scheme to help him enhance his employment prospects unless the payment is a Career Development Loan paid pursuant to section 2 of the 1973 Act and the period of education or training or the scheme, which is supported by that loan, has

been completed.

(2) The items specified in this sub-paragraph for the purposes of sub-paragraph (1)(c) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

19. (1) Subject to sub-paragraph (2), any of the following payments—

- (a) a charitable payment;
- (b) a voluntary payment;
- (c) a payment (not falling within sub-paragraph (a) or (b) above) from a trust whose funds are derived from a payment made in consequence of any personal injury to the applicant;
- (d) a payment under an annuity purchased—
 - (i) pursuant to any agreement or court order to make payments to the applicant; or
 - (ii) from funds derived from a payment made,

in consequence of any personal injury to the applicant; or

(e) a payment (not falling within sub-paragraphs (a) to (d)) received by virtue of any agreement or court order to make payments to the applicant in consequence of any personal injury to the applicant.

(2) Sub-paragraph (1) does not apply to a payment which is made or due to be made by—

- (a) a former partner of the applicant, or a former partner of any member of the applicant's family; or
- (b) the parent of a child or young person where that child or young person is a member of the applicant's family.

20. Any of the following, namely—

- (a) a war disablement pension; and
- (b) a war widow's pension or war widower's pension;
- (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
- (d) a guaranteed income payment;
- (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
- (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
- (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

21. Subject to paragraph 40, £15 of any—

- (a) widowed mother's allowance paid pursuant to section 37 of the SSCBA;

(b) widowed parent's allowance paid pursuant to section 39A of the SSCBA.

22. (1) Any income derived from capital to which the applicant is or is treated under paragraph 75 (capital jointly held) as beneficially entitled but, subject to sub-paragraph (2), not income derived from capital disregarded under paragraphs 4, 5, 7, 11, 17 or 30 to 33 of Schedule 4.

(2) Income derived from capital disregarded under paragraphs 5, 7 or 30 to 33 of Schedule 4 but only to the extent of—

(a) any mortgage repayments made in respect of the dwelling or premises in the period during which that income accrued; or

(b) any council tax or water charges which the applicant is liable to pay in respect of the dwelling or premises and which are paid in the period during which that income accrued.

(3) The definition of "water charges" in paragraph 2(1) (interpretation) applies to sub-paragraph (2) of this paragraph with the omission of the words "in so far as such charges are in respect of the dwelling which a person occupies as his home".

23. Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the purposes of calculating—

(a) under, or pursuant to regulations made under powers conferred by section 22 of the Teaching and Higher Education Act 1998, that student's award;

(b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or

(c) the student's student loan,

an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

24. (1) Where the applicant is the parent of a student aged under 25 in advanced education who either—

(a) is not in receipt of any award, grant or student loan in respect of that education; or

(b) is in receipt of an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980,

and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 23 an amount specified in sub-paragraph (2) in respect of each week during the student's term.

(2) For the purposes of sub-paragraph (1), the amount must be equal to—

(a) the weekly amount of the payments; or

(b) the amount by way of a personal allowance for a single applicant under 25 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b),

whichever is less.

25. Any payment made to the applicant by a child or young person or a non-dependant.

26. Where the applicant occupies a dwelling as his home and the dwelling is also occupied by a person other than one to whom paragraph 25 or 27 refers and there is a contractual liability to make payments to the applicant in respect of the occupation of the dwelling by that person or a member of his family—

(a) where the aggregate of any payments made in respect of any one week in respect of the occupation of the dwelling by that person or a member of his family, or by that person and a member of his family, is less than £20, the whole of that amount; or

(b) where the aggregate of any such payments is £20 or more per week, £20.

27. Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for which such accommodation is provided for the whole or any part of a week, equal to—

(a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20, 100 per cent of such payments;

(b) where the aggregate of any such payments exceeds £20, £20 and 50 per cent of the excess over £20.

28. (1) Any income in kind, except where article 60(11)(b) (provision of support under section 95 or 98 of the Immigration and Asylum Act 1999 in the calculation of income other than earnings) applies.

(2) The reference in sub-paragraph (1) to “income in kind” does not include a payment to a third party made in respect of the applicant, which is used by the third party to provide benefits in kind to the applicant.

29. Any income which is payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.

30. (1) Any payment made to the applicant in respect of a person who is a member of his family—

(a) pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002 or in accordance or with a scheme approved by the Scottish Ministers under section 71 of the Adoption and Children (Scotland) Act 2007 (schemes for payments of allowances to adopters) or in accordance with an adoption allowance scheme made under section 71 of the Adoption and Children (Scotland) Act 2007 (adoption allowances schemes);

(b) which is a payment made by a local authority in pursuance of section 15(1) of, and paragraph 15 of Schedule 1 to, the Children Act 1989 (local authority contribution to a child’s maintenance where the child is living with a person as a result of a residence order) or in Scotland section 50 of the Children Act 1975 (payments towards maintenance of children);

(c) which is a payment made by an authority, as defined in Article 2 of the Children (Northern Ireland) Order 1995, in pursuance of Article 15 of, and paragraph 17 of Schedule 1 to, that Order (contribution by an authority to child’s maintenance);

(d) in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services);

(2) Any payment, other than a payment to which sub-paragraph (1)(a) applies,

made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.

31. Any payment made to the applicant with whom a person is accommodated by virtue of arrangements made—

(a) by a local authority under—

(i) section 23(2)(a) of the Children Act 1989 (provision of accommodation and maintenance for a child whom they are looking after),

(ii) section 26 of the Children (Scotland) Act 1995 (manner of provision of accommodation to child looked after by local authority), or

(iii) regulations 33 or 51 of the Looked After Children (Scotland) Regulations 2009 (fostering and kinship care allowances and fostering allowances); or

(b) by a voluntary organisation under section 59(1)(a) of the Children Act 1989 (provision of accommodation by voluntary organisations).

32. Any payment made to the applicant or his partner for a person (“the person concerned”), who is not normally a member of the applicant’s household but is temporarily in his care, by—

(a) a health authority;

(b) a local authority but excluding payments of housing benefit made in respect of the person concerned;

(c) a voluntary organisation;

(d) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;

(e) a clinical commissioning group established under Section 10 of the Health and Social Care Act 2012; or

(f) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006.

33. Any payment made by a local authority in accordance with section 17, 23B, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or section 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).

34. (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 23C of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities’ duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person (“A”) which A passes on to the applicant.

(2) Sub-paragraph (1) applies only where A—

(a) was formerly in the applicant’s care, and

(b) is aged 18 or over, and

(c) continues to live with the applicant.

35. (1) Subject to sub-paragraph (2), any payment received under an insurance policy taken out to insure against the risk of being unable to maintain repayments—

(a) on a loan which is secured on the dwelling which the applicant occupies as his home; or

(b) under a regulated agreement as defined for the purposes of the Consumer Credit Act 1974) or under a hire-purchase agreement or a conditional sale agreement as defined for the purposes of Part 3 of the Hire-Purchase Act 1964.

(2) A payment referred to in sub-paragraph (1) is only to be disregarded to the extent that the payment received under that policy does not exceed the amounts, calculated on a weekly basis, which are used to—

(a) maintain the repayments referred to in sub-paragraph (1)(a) or, as the case may be, (1)(b); and

(b) meet any amount due by way of premiums on—

(i) that policy; or

(ii) in a case to which sub-paragraph (1)(a) applies, an insurance policy taken out to insure against loss or damage to any building or part of a building which is occupied by the applicant as his home and which is required as a condition of the loan referred to in sub-paragraph (1)(a).

36. Any payment of income which by virtue of paragraph 70 (income treated as capital) is to be treated as capital.

37. Any -

(a) social fund payment made pursuant to Part 8 of the SSCBA (the Social Fund); or

(b) Local Welfare Support; or

(c) occasional assistance.

38. Any payment under Part 10 of the SSCBA (Christmas bonus for pensioners).

39. Where a payment of income is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.

40. The total of an applicant's income or, if he is a member of a family, the family's income and the income of any person which he is treated as possessing under paragraph 50(3) (calculation of income and capital: applicant's family and polygamous marriages) to be disregarded under paragraphs 81(2)(b) and 82(1)(d) (calculation of covenant income where a contribution assessed, covenant income where no grant income or no contribution is assessed), paragraph 85(2) (treatment of student loans), paragraph 86(3) (treatment of payments from access funds) and paragraph 21 of this schedule shall in no case exceed £20 per week.

41. (1) Any payment made under or by any of the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

(a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;

(b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or

(c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either—

- (i) to that person's parent or step-parent, or
- (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(5) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and

(b) the payment is made either—

- (i) to that person's parent or step-parent, or
- (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(6) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any income which derives from any payment of income or capital made under or deriving from any of the Trusts.

(7) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts shall be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation and the London Bombings Relief Charitable Fund.

- 42.** Any housing benefit.
- 43.** Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.
- 44.** Any payment to a juror or witness in respect of attendance at a court other than compensation for loss of earnings or for the loss of a benefit payable under the benefit Acts.
- 45.** Any payment in consequence of a reduction of council tax under section 13 of the 1992 Act or further reduction under section 13A of the 1992 Act (reduction of liability for council tax).
- 46.** (1) Any payment or repayment made—
- (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
 - (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
 - (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies).
- (2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers which is analogous to a payment or repayment mentioned in sub-paragraph (1).
- 47.** Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins).
- 48.** Any payment made by either the Secretary of State for Justice or by the Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody.
- 49.** (1) Where an applicant's applicable amount includes an amount by way of family premium, £15 of any payment of maintenance, other than child maintenance, whether under a court order or not, which is made or due to be made by the applicant's former partner, or the applicant's partner's former partner.
- (2) For the purpose of sub-paragraph (1) where more than one maintenance payment falls to be taken into account in any week, all such payments must be aggregated and treated as if they were a single payment.
- (3) A payment made by the Secretary of State in lieu of maintenance must, for the purpose of sub-paragraph (1), be treated as a payment of maintenance made by a person specified in sub-paragraph (1).
- 50.** (1) Any payment of child maintenance made or derived from a liable relative where the child or young person in respect of whom the payment is made is a member of the applicant's family, except where the person making the payment is the applicant or the applicant's partner.
- (2) In sub-paragraph (1)-

“child maintenance” means any payment towards the maintenance of a child or young

person, including any payment made voluntarily and payments made under-

- (a) The Child Support Act 1991(a);
- (b) the Child Support (Northern Ireland) Order 1991;
- (c) a court order;
- (d) a consent order;
- (e) a maintenance agreement registered for execution in the Books of Council and Session or the sheriff court books;

“liable relative” means a person listed in regulation 54 (interpretation) of the Income Support (General) Regulations 1987, other than a person falling within sub-paragraph (d) of that definition.

51. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.

52. Any guardian's allowance.

53. (1) If the applicant is in receipt of any benefit under Part 2, 3 or 5 of the SSCBA, any increase in the rate of that benefit arising under Part 4 (increases for dependants) or section 106(a) (unemployability supplement) of that Act, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.

(2) If the applicant is in receipt of any pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006, any increase in the rate of that pension or allowance under that Order, where the dependant in respect of whom the increase is paid is not a member of the applicant's family.

54. Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.

55. In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983 (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.

56. (1) Any payment which is—

(a) made under any of the Dispensing Instruments to a widow, widower or surviving civil partner of a person—

(i) whose death was attributable to service in a capacity analogous to service as a member of the armed forces of the Crown; and

(ii) whose service in such capacity terminated before 31st March 1973; and

(b) equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006.

(2) In this paragraph “the Dispensing Instruments” means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).

57. Any council tax support to which the applicant is entitled.

58. Except in a case which falls under sub-paragraph (1) of paragraph 18 of Schedule 2, where the applicant is a person who satisfies any of the conditions of sub-paragraph (2) of that paragraph, any amount of working tax credit up to £17.10.

59. Any payment made under section 15 of the Social Care (Self-directed Support) (Scotland) Act 2013, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care) or under regulations made under section 57 of the Health and Social Care Act 2001 (direct payments).

60. (1) Subject to sub-paragraph (2), in respect of a person who is receiving, or who has received, assistance under the self-employment route, any payment to that person—

(a) to meet expenses wholly and necessarily incurred whilst carrying on the commercial activity;

(b) which is used or intended to be used to maintain repayments on a loan taken out by that person for the purpose of establishing or carrying on the commercial activity, in respect of which such assistance is or was received.

(2) Sub-paragraph (1) applies only in respect of payments which are paid to that person from the special account.

61. (1) Any payment of a sports award except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).

(2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.

(3) For the purposes of sub-paragraph (2) “food” does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.

62. Where the amount of subsistence allowance paid to a person in a reduction week exceeds the amount of income-based jobseeker’s allowance that person would have received in that reduction week had it been payable to him, less 50p, that excess amount.

63. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise.

64. Any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001.

65. (1) Any payment made by a local authority or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) “local authority” includes, in England, a county council.

66. Any payment of child benefit.

SCHEDULE 4¹⁰⁸ - Capital disregards

- 1.** Any payment made to the applicant in respect of any child care, travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Work for Your Benefit Scheme but only for 52 weeks beginning with the date of receipt of the payment.
- 2.** Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in the Mandatory Work Activity Scheme but only for 52 weeks beginning with the date of receipt of the payment.
- 3.** Any payment made to the applicant in respect of any travel or other expenses incurred, or to be incurred, by him in respect of his participation in a scheme prescribed in regulation 3 of the Jobseekers Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations 2013.
- 4.** The dwelling together with any garage, garden and outbuildings, normally occupied by the applicant as his home including any premises not so occupied which it is impracticable or unreasonable to sell separately, but, notwithstanding paragraph 50 (calculation of income and capital of members of applicant's family and of a polygamous marriage), only one dwelling shall be disregarded under this paragraph.
- 5.** Any premises acquired for occupation by the applicant, which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
- 6.** Any sum directly attributable to the proceeds of sale of any premises formerly occupied by the applicant as his home which is to be used for the purchase of other premises intended for such occupation within 26 weeks of the date of sale or such longer period as is reasonable in the circumstances to enable the applicant to complete the purchase.
- 7.** Any premises occupied in whole or in part—
 - (a) by a partner or relative of a single applicant or any member of the family as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
 - (b) by the former partner of the applicant as his home; but this provision does not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.
- 8.** Where an applicant is on income support or an income-related employment and support allowance or jobseekers allowance (income based), the whole of his capital.
- 9.** Where the applicant is a member of a joint-claim couple for the purposes of the Jobseekers Act 1995 and his partner is on income-based jobseeker's allowance, the whole of the applicant's capital
- 10.** Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.
- 11.** (1) The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner, or if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

¹⁰⁸ Sch 10, SI 2012/2886

(2) The assets of any business owned in whole or in part by the applicant where—

(a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but

(b) he intends to become engaged or, as the case may be, re-engaged as a self-employed earner in that business as soon as he recovers or is able to become engaged or re-engaged in that business,

for a period of 26 weeks from the date on which the application for a reduction under this scheme is made, or is treated as made, or, if it is unreasonable to expect him to become engaged or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

(3) In the case of a person who is receiving assistance under the self-employment route, the assets acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is being received.

(4) In the case of a person who has ceased carrying on the commercial activity in respect of which assistance was received as specified in sub-paragraph (3), the assets relating to that activity for such period as may be reasonable in the circumstances to allow for disposal of any such asset.

12. (1) Subject to sub-paragraph (2), any arrears of, or any concessionary payment made to compensate for arrears due to the non-payment of—

(a) any payment specified in paragraphs 11, 13 or 14 of Schedule 3;

(b) an income-related benefit under Part 7 of the SSCBA;

(c) an income-based jobseeker's allowance;

(d) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;

(e) working tax credit and child tax credit;

(f) an income-related employment and support allowance,

but only for a period of 52 weeks from the date of the receipt of arrears or of the concessionary payment.

(2) In a case where the total of any arrears and, if appropriate, any concessionary payment referred to in sub-paragraph (1) relating to one of the specified payments, benefits or allowances amounts to £5,000 or more (referred to in this sub-paragraph and in sub-paragraph (3) as "the relevant sum") and is—

(a) paid in order to rectify or to compensate for, an official error as defined in regulation 1(2) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001; and

(b) received by the applicant in full on or after 14th October 2001,

sub-paragraph (1) has effect in relation to such arrears or concessionary payment either for a period of 52 weeks from the date of receipt, or, if the relevant sum is received in its entirety during the period of an award of a reduction under this scheme, for the remainder of that period if that is a longer period.

(3) For the purposes of sub-paragraph (2), "the period of an award of a reduction under this scheme" means—

(a) the award in which the relevant sum is first received (or the first part thereof where it is paid in more than one instalment); and

(b) where that award is followed by one or more further awards which, or each of which, begins immediately after the end of the previous award, such further award provided that for that further award the applicant—

- (i) is the person who received the relevant sum; or
- (ii) is the partner of the person who received the relevant sum, or was that person's partner at the date of his death.

13. Any sum—

- (a) paid to the applicant in consequence of damage to, or loss of the home or any personal possession and intended for its repair or replacement; or
- (b) acquired by the applicant (whether as a loan or otherwise) on the express condition that it is to be used for effecting essential repairs or improvement to the home, which is to be used for the intended purpose, for a period of 26 weeks from the date on which it was so paid or acquired or such longer period as is reasonable in the circumstances to effect the repairs, replacement or improvement.

14. Any sum—

- (a) deposited with a housing association as defined in section 1(1) of the Housing Associations Act 1985 as a condition of occupying the home;
- (b) which was so deposited and which is to be used for the purchase of another home, for the period of 26 weeks or such longer period as may be reasonable in the circumstances to enable the applicant to complete the purchase.

15. Any personal possessions, except those which have been acquired by the applicant with the intention of reducing his capital in order to secure entitlement to a reduction under this scheme or to increase the amount of that reduction.

16. The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.

17. Where the funds of a trust are derived from a payment made in consequence of any personal injury to the applicant or applicant's partner, the value of the trust fund and the value of the right to receive any payment under that trust.

18. (1) Any payment made to the applicant or the applicant's partner in consequence of any personal injury to the applicant or, as the case may be, the applicant's partner.

(2) But sub-paragraph (1)—

- (a) applies only for the period of 52 weeks beginning with the day on which the applicant first receives any payment in consequence of that personal injury;
- (b) does not apply to any subsequent payment made to him in consequence of that injury (whether it is made by the same person or another);
- (c) ceases to apply to the payment or any part of the payment from the day on which the applicant no longer possesses it;
- (d) does not apply to any payment from a trust where the funds of the trust are derived from a payment made in consequence of any personal injury to the applicant.

(3) For the purposes of sub-paragraph (2)(c), the circumstances in which an applicant no longer possesses a payment or a part of it include where the applicant has used a payment or part of it to purchase an asset.

(4) References in sub-paragraphs (2) and (3) to the applicant are to be construed as including references to his partner (where applicable).

- 19.** The value of the right to receive any income under a life interest or from a life rent.
- 20.** The value of the right to receive any income which is disregarded under paragraph 15 of Schedule 2 or paragraph 29 of Schedule 3.
- 21.** The surrender value of any policy of life insurance.
- 22.** Where any payment of capital falls to be made by instalments, the value of the right to receive any outstanding instalments.
- 23.** Any payment made by a local authority in accordance with section 17, 22A – 22F, 23C or 24A of the Children Act 1989 or, as the case may be, section 12 of the Social Work (Scotland) Act 1968 or sections 22, 29 or 30 of the Children (Scotland) Act 1995 (provision of services for children and their families and advice and assistance to certain children).
- 24.** (1) Subject to sub-paragraph (2), any payment (or part of a payment) made by a local authority in accordance with section 22A – 22F of the Children Act 1989 or section 29 of the Children (Scotland) Act 1995 (local authorities' duty to promote welfare of children and powers to grant financial assistance to persons in, or formerly in, their care) to a person ("A") which A passes on to the applicant.
- (2) Sub-paragraph (1) applies only where A—
- (a) was formerly in the applicant's care, and
- (b) is aged 18 or over, and
- (c) continues to live with the applicant.
- 25.** Any -
- (a) social fund payment made pursuant to Part 8 of the SSCBA (the social fund); or
- (b) Local Welfare Support; or
- (c) occasional assistance.
- 26.** Any refund of tax which falls to be deducted under section 369 of the Income and Corporation Taxes Act 1988 (deduction of tax from certain loan interest) on a payment of relevant loan interest for the purpose of acquiring an interest in the home or carrying out repairs or improvements to the home.
- 27.** Any capital which by virtue of paragraph 61(capital treated as income) or paragraph 85 (treatment of student loans) is to be treated as income.
- 28.** Where any payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 29.** (1) Any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Independent Living Fund (2006), the Skipton Fund, the Caxton Foundation or the London Bombings Relief Charitable Fund.
- (2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—
- (a) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a

member and who is a member of the applicant's family.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person which derives from a payment made under or by any of the Trusts to which sub-paragraph (1) refers and which is made to or for the benefit of—

- (a) the person who is suffering from haemophilia or who is a qualifying person;
- (b) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
- (c) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family.

(4) Sub-paragraph (3) does not apply if—

- (a) the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced, or
- (b) where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death.

(5) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

- (a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
- (b) the payment is made either—
 - (i) to that person's parent or step-parent; or
 - (ii) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,

but only for a period from the date of the payment until the end of two years from that person's death.

(6) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which sub-paragraph (1) refers, where—

- (a) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child or young person who was or had been a member of his family; and
- (b) the payment is made either—
 - (i) to that person's parent or step-parent; or
 - (ii) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,

but only for a period of two years from the relevant date.

(7) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any capital resource which derives from any payment of income or

capital made under or deriving from any of the Trusts.

(8) For the purposes of sub-paragraphs (2) to (6), any reference to the Trusts is to be construed as including a reference to the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, and the London Bombings Relief Charitable Fund.

30. (1) Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from, or dissolution of his civil partnership with, his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.

(2) In this paragraph “dwelling” includes any garage, garden and outbuildings, which were formerly occupied by the applicant as his home and any premises not so occupied which it is impracticable or unreasonable to sell separately, in particular, in Scotland, any croft land on which the dwelling is situated.

31. Any premises where the applicant is taking reasonable steps to dispose of those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.

32. Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.

33. Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.

34. Any payment made by the Secretary of State to compensate for the loss (in whole or in part) of entitlement to housing benefit.

35. The value of the right to receive an occupational or personal pension.

36. The value of any funds held under a personal pension scheme.

37. The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.

38. Any payment in kind made by a charity or under or by the Trusts, the Fund, MFET Limited, the Skipton Fund, the Caxton Foundation or the Independent Living Fund (2006).

39. Any payment made pursuant to section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990, but only for the period of 52 weeks beginning on the date of receipt of the payment.

40. Any payment in consequence of a reduction of council tax under section 13A of the 1992 Act (reduction of liability for council tax), but only for a period of 52 weeks from the date of the receipt of the payment.

41. Any grant made in accordance with a scheme made under section 129 of the Housing Act 1988 or section 66 of the Housing (Scotland) Act 1988 (schemes for payments to assist local housing authority and local authority tenants to obtain other

accommodation) which is to be used—

- (a) to purchase premises intended for occupation as his home; or
- (b) to carry out repairs or alterations which are required to render premises fit for occupation as his home,

for a period of 26 weeks from the date on which he received such a grant or such longer period as is reasonable in the circumstances to enable the purchase, repairs or alterations to be completed and the applicant to commence occupation of those premises as his home.

42. Any arrears of supplementary pension which is disregarded under paragraph 54 of Schedule 3 (sums to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 55 or 56 of that Schedule, but only for a period of 52 weeks from the date of receipt of the arrears.

43. (1) Any payment or repayment made—

- (a) as respects England, under regulation 5, 6 or 12 of the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003 (travelling expenses and health service supplies);
- (b) as respects Wales, under regulation 5, 6 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007 (travelling expenses and health service supplies);
- (c) as respects Scotland, under regulation 3, 5 or 11 of the National Health Service (Travelling Expenses and Remission of Charges) (Scotland) (No. 2) Regulations 2003 (travelling expenses and health service supplies),

but only for a period of 52 weeks from the date of receipt of the payment or repayment.

(2) Any payment or repayment made by the Secretary of State for Health, the Scottish Ministers or the Welsh Ministers which is analogous to a payment or repayment mentioned in sub-paragraph (1), but only for a period of 52 weeks from the date of receipt of the payment or repayment.

44. Any payment made to such persons entitled to receive benefits as may be determined by or under a scheme made pursuant to section 13 of the Social Security Act 1988 in lieu of vouchers or similar arrangements in connection with the provision of those benefits (including payments made in place of healthy start vouchers, milk tokens or the supply of vitamins), but only for a period of 52 weeks from the date of receipt of the payment.

45. Any payment made under Part 8A of the SSCBA (entitlement to health in pregnancy grant).

46. Any payment made either by the Secretary of State for Justice or by Scottish Ministers under a scheme established to assist relatives and other persons to visit persons in custody, but only for a period of 52 weeks from the date of the receipt of the payment.

47. Any payment (other than a training allowance) made, whether by the Secretary of State or any other person, under the Disabled Persons (Employment) Act 1944 to assist disabled persons to obtain or retain employment despite their disability.

48. Any payment made by a local authority under section 3 of the Disabled Persons (Employment) Act 1958 to home workers assisted under the Blind Home Workers' Scheme.

49. Omitted

- 50.** (1) Any sum of capital to which sub-paragraph (2) applies and—
- (a) which is administered on behalf of a person by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998 or by the Court of Protection;
 - (b) which can only be disposed of by order or direction of any such court; or
 - (c) where the person concerned is under the age of 18, which can only be disposed of by order or direction prior to that person attaining age 18.
- (2) This sub-paragraph applies to a sum of capital which is derived from—
- (a) an award of damages for a personal injury to that person; or
 - (b) compensation for the death of one or both parents where the person concerned is under the age of 18.
- 51.** Any sum of capital administered on behalf of a person in accordance with an order made under section 13 of the Children (Scotland) Act 1995, or under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules, where such sum derives from—
- (a) award of damages for a personal injury to that person; or
 - (b) compensation for the death of one or both parents where the person concerned is under the age of 18.
- 52.** Any payment to the applicant as holder of the Victoria Cross or George Cross.
- 53.** In the case of a person who is receiving, or who has received, assistance under the self-employment route, any sum of capital which is acquired by that person for the purpose of establishing or carrying on the commercial activity in respect of which such assistance is or was received but only for a period of 52 weeks from the date on which that sum was acquired.
- 54.** (1) Any payment of a sports award for a period of 26 weeks from the date of receipt of that payment except to the extent that it has been made in respect of any one or more of the items specified in sub-paragraph (2).
- (2) The items specified for the purposes of sub-paragraph (1) are food, ordinary clothing or footwear, household fuel or rent of the applicant or, where the applicant is a member of a family, any other member of his family, or any council tax or water charges for which that applicant or member is liable.
- (3) For the purposes of sub-paragraph (2) “food” does not include vitamins, minerals or other special dietary supplements intended to enhance the performance of the person in the sport in respect of which the award was made.
- 55.** (1) Any payment—
- (a) by way of an education maintenance allowance made pursuant to—
 - (i) regulations made under section 518 of the Education Act 1996;
 - (ii) regulations made under section 49 or 73(f) of the Education (Scotland) Act 1980;
 - (iii) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992;
 - (b) corresponding to such an education maintenance allowance, made pursuant to—
 - (i) section 14 or section 181 of the Education Act 2002 (power of Secretary of State and the Welsh Ministers to give financial assistance for purposes related to education or childcare, and allowances in respect of education or training); or
 - (ii) regulations made under section 181 of that Act; or

(c) in England, by way of financial assistance made pursuant to section 14 of the Education Act 2002.

(2) Any payment, other than a payment to which sub-paragraph (1) applies, made pursuant to—

- (a) regulations made under section 518 of the Education Act 1996;
 - (b) regulations made under section 49 of the Education (Scotland) Act 1980; or
 - (c) directions made under section 73ZA of the Education (Scotland) Act 1980 and paid under section 12(2)(c) of the Further and Higher Education (Scotland) Act 1992,
- in respect of a course of study attended by a child or a young person or a person who is in receipt of an education maintenance allowance or other payment made pursuant to any provision specified in sub-paragraph (1).

56. In the case of an applicant participating in an employment zone programme, any discretionary payment made by an employment zone contractor to the applicant, being a fee, grant, loan or otherwise, but only for the period of 52 weeks from the date of receipt of the payment.

57. Any arrears of subsistence allowance paid as a lump sum but only for the period of 52 weeks from the date of receipt of the payment.

58. Where an ex-gratia payment of £10,000 has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or interment of—

- (a) the applicant;
- (b) the applicant's partner;
- (c) the applicant's deceased spouse or deceased civil partner; or
- (d) the applicant's partner's deceased spouse or deceased civil partner,

by the Japanese during the Second World War, £10,000.

59. (1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or a member of an applicant's family who is—

- (a) a diagnosed person;
- (b) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
- (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
- (d) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death.

(2) Where a trust payment is made to—

- (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
- (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending two years after that date;
- (c) a person referred to in sub-paragraph (1)(d), that sub-paragraph applies for the period beginning on the date on which the trust payment is made and ending—

- (i) two years after that date; or

(ii) on the day before the day on which that person—

- (aa) ceases receiving full-time education; or
- (bb) attains the age of 20,

whichever is the latest.

(3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or a member of an applicant's family who is—

- (a) the diagnosed person's partner or the person who was the diagnosed person's partner at the date of the diagnosed person's death;
- (b) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death; or
- (c) a member of the diagnosed person's family (other than his partner) or a person who was a member of the diagnosed person's family (other than his partner) at the date of the diagnosed person's death,

but only to the extent that such payments do not exceed the total amount of any trust payments made to that person.

(4) Where a payment as referred to in sub-paragraph (3) is made to—

- (a) a person referred to in sub-paragraph (3)(a), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending on the date on which that person dies;
- (b) a person referred to in sub-paragraph (3)(b), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending two years after that date; or
- (c) person referred to in sub-paragraph (3)(c), that sub-paragraph applies for the period beginning on the date on which that payment is made and ending—

(i) two years after that date; or

(ii) on the day before the day on which that person—

- (aa) ceases receiving full-time education; or
- (bb) attains the age of 20,

whichever is the latest.

(5) In this paragraph, a reference to a person—

- (a) being the diagnosed person's partner;
- (b) being a member of a diagnosed person's family;
- (c) acting in place of the diagnosed person's parents,

at the date of the diagnosed person's death includes a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home, an Abbeyfield Home or an independent hospital on that date.

(6) In this paragraph—

“diagnosed person” means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeld-Jakob disease;

“relevant trust” means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeld-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;

“trust payment” means a payment under a relevant trust.

60. The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant’s partner, the applicant’s deceased spouse or deceased civil partner or the applicant’s partner’s deceased spouse or deceased civil partner—

- (a) was a slave labourer or a forced labourer;
- (b) had suffered property loss or had suffered personal injury; or
- (c) was a parent of a child who had died, during the Second World War.

61. (1) Any payment made by a local authority, or by the Welsh Ministers, to or on behalf of the applicant or his partner relating to a service which is provided to develop or sustain the capacity of the applicant or his partner to live independently in his accommodation.

(2) For the purposes of sub-paragraph (1) “local authority” includes in England a county council.

62. Any payment made under regulations made under section 57 of the Health and Social Care Act 2001 or under section 15 of the Social Care (self-directed Support) (Scotland) Act 2013, or under sections 12A to 12D of the National Health Service Act 2006 (direct payments for health care).

63. Any payment made to the applicant pursuant to regulations under section 2(6)(b), 3 or 4 of the Adoption and Children Act 2002.

64. Any payment made to the applicant in accordance with regulations made pursuant to section 14F of the Children Act 1989 (special guardianship support services).

**The Runnymede Borough Council
(Council Tax Reduction Scheme)
(Persons who are not Pensioners)
2023/24**

Approved uprating by Chief Financial Officer

Coming into effect

1 April 2023

Date 3 March 2022

Cllr. Tom Gracey
Leader of the Council
Runnymede Borough Council



The Runnymede Borough Council (Council Tax Reduction Scheme) (Pensioners) 2024-25

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www.runnymede.gov.uk

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The Runnymede Borough Council (Council Tax Reduction Scheme) (Pensioners) 2024-25

Approved and Made by Council

3 March 2022

Coming into effect

1 April 2023

Runnymede Borough Council makes the following Scheme in exercise of the functions -

(a) conferred by sections 13A(1)(a), 13A(2), 13A(3) and Schedule 1A to the Local Government Finance Act 1992 and all other enabling powers,

(b) pursuant to Regulations made under section 113(1) and (2) to the 1992 Act and paragraph 2 of Schedule 1A to the Local Government Finance Act 2012 and

(c) in accordance with Parts 1 to 3 and Schedules 7 to 8 of The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.

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1.0 Introduction¹

From 1 April 2013, council tax support in the form of council tax benefit was abolished by Central Government. It is the duty of each local authority in England to have a localised council tax support scheme, in the form of a council tax reduction.

The Government has said that local authorities must protect pensioners at the same level of support as the council tax benefit scheme and has prescribed a national local scheme for pensioners that provide the same outcomes as council tax benefit.

This document sets out the council tax reduction scheme for pensioners; the scheme for persons who are not pensioners is to be found in The Runnymede Borough Council (Council Tax Reduction Scheme) (Persons who are not Pensioners) 2024-25.

2.0 Prescribed Requirements

Runnymede Borough Council makes this Scheme -

- (a) in exercise of the functions conferred by sections 13A(1)(a), 13A(2), 13A(3) and Schedule 1A to the Local Government Finance Act 1992 and all other enabling powers,
- (b) pursuant to Regulations made under section 113(1) and (2) of the 1992 Act and paragraph 2 of Schedule 1A to the Local Government Finance Act 2012, and
- (c) in accordance with Parts 1 to 3 and Schedules 1 to 8 of The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, omitting any provisions that apply to persons who are not pensioners

¹ Section 13A LGFA 1992 as substituted by section 10 LGFA 2012

Part 1 - General matters applicable to all applicants

1. Citation, commencement and application

(1) This scheme may be cited as The Runnymede Borough Council (Council Tax Reduction Scheme) (Pensioners) 2024-25 and comes into effect on 1st April 2023.

(2) This scheme applies in relation to the billing authority in England known as Runnymede Borough Council and references in this scheme to “an authority” and “the authority” shall be to Runnymede Borough Council unless the context otherwise requires.

(3)) If this scheme omits or is inconsistent with any of the requirements relating to pensioners contained in The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (including any re-enactment or amendments thereof) the scheme shall be construed in such a way as to correct the omission or inconsistency.

2. Interpretation

(1) In this scheme -

“the 1992 Act” means the Local Government Finance Act 1992;

“Abbeyfield Home” means an establishment run by the Abbeyfield Society including all bodies corporate or unincorporated which are affiliated to that society;

“adoption leave” means a period of absence from work on ordinary or additional adoption leave by virtue of section 75A or 75B of the Employment Rights Act 1996;

“adult disability payment” has the meaning given in regulation 2 of the DAWAP Regulations;

“AFIP” means an armed forces independence payment payable in accordance with an armed and reserve forces compensation scheme established under section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004;

“alternative maximum council tax reduction” means the amount determined in accordance with Part 4 of Schedule 1 and Schedule 3;

“applicable amount” means the amount calculated in accordance with paragraph 6 of Schedule 1 and Schedule 2;

“applicant” means a person who has made an application;

“application” means an application for a reduction under this scheme;

“approved blood scheme” means a scheme established or approved by the Secretary of State, or trust established with funds provided by the Secretary of State, for the purpose of providing compensation in respect of a person having been infected from contaminated blood products;

“assessment period” means -

(a) in relation to the earnings of a self-employed earner, the period determined in accordance with paragraph 20 of Schedule 1 for the purpose of calculating the weekly earnings of the applicant; or

(b) in relation to any other income, the period determined in accordance with paragraph 17 of Schedule 1 for the purpose of calculating the weekly income of the

applicant;

“attendance allowance” means -

- (a) an attendance allowance under Part 3 of the SSCBA;
- (b) an increase of disablement pension under section 104 or 105 of that Act;
- (c) a payment by virtue of article 14, 15, 16, 43 or 44 of the Personal Injuries (Civilians) Scheme 1983 or any analogous payment; or;
- (d) any payment based on need for attendance which is paid as part of a war disablement pension;

“basic rate” has the meaning given by the Income Tax Act 2007²;

“the benefit Acts” means the SSCBA, the Jobseekers Act 1995, the State Pension Credit Act 2002 and the Welfare Reform Act 2007;

“board and lodging accommodation” means accommodation provided to a person or, if he is a member of a family, to him or any other member of his family, for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which both are cooked or prepared (by a person other than the person to whom the accommodation is provided or a member of his family) and are consumed in that accommodation or associated premises;

“care home” has the meaning given by section 3 of the Care Standards Act 2000 and in Scotland means a care home service within the meaning given by section 2(3) of the Regulation of Care (Scotland) Act 2001 and in Northern Ireland means a nursing home within the meaning of Article 11 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 or a residential care home within the meaning of Article 10 of that Order;

“the Caxton Foundation” means the charitable trust of that name established on 28th March 2011 out of funds provided by the Secretary of State for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with its provisions;

“child” means a person under the age of 16;

“child benefit” has the meaning given by section 141 of the SSCBA;

“child disability payment” has the meaning given by regulation 2 of the DACYP Regulations;”

“child tax credit” means a child tax credit under section 8 of the Tax Credits Act 2002;

“close relative” means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;

“concessionary payment” means a payment made under arrangements made by the Secretary of State with the consent of the Treasury which is charged either to the National Insurance Fund or to a Departmental Expenditure Vote to which payments of benefit or tax credits under the benefit Acts or the Tax Credits Act 2002 are charged;

“contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act 2007(d) as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act (2012)(e) that remove references to an income-related allowance and a contributory allowance under Part 1 of the Welfare Reform Act 2007 as that Part has effect apart from these provisions;

“council tax benefit” means council tax benefit under Part 7 of the SSCBA;

“couple” has the meaning given by paragraph 4;

“the DACYP Regulations” means the Disability Assistance for Children and

Young People (Scotland) Regulations 2021(4);”

“the DAWAP Regulations” means the Disability Assistance for Working Age People (Scotland) Regulations 2022(4);

“Default Scheme Regulations” means the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012³;

² 2007 c. 3; section 989 defines basic rate by reference to section 6(2). Section 6(2) was amended by section 5 of the Finance Act 2008 (c. 9) and section 6 of, and paragraphs 1 and 2 of part 1 of Schedule 2 to, the Finance Act 2009 (c. 10).

³ SI 2012/2886

“designated office” means the office of an authority designated by it for the receipt of applications -

- (a) by notice upon or with a form supplied by it for the purpose of making an application;
- (b) by reference upon or with such a form to some other document from it and sent by electronic means or otherwise on application and without charge; or
- (c) by any combination of the provisions set out in paragraphs (a) and (b);

“disability living allowance” means a disability living allowance under section 71 of the SSCBA;

“earnings” has the meaning given by paragraph 18, 20 or 21 of Schedule 1 as the case may be;

“the Eileen Trust” means the charitable trust of that name established on 29th March 1993 out of funds provided by the Secretary of State for the benefit of persons eligible for payment in accordance with its provisions;

“electronic communication” has the same meaning as in section 15(1) of the Electronic Communications Act 2000;

“employed earner” is to be construed in accordance with section 2(1)(a) of the SSCBA and also includes a person who is in receipt of a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay or statutory maternity pay;

“enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament or the National Assembly for Wales;

“extended reduction” means a reduction under a scheme for which a person is eligible under Part 7 of Schedule 1;

“extended reduction period” means the period for which a person is in receipt of an extended reduction in accordance with paragraph 39 of Schedule 1;

“extended reduction (qualifying contributory benefits)” means a reduction under Schedule 1 by which a person is eligible pursuant to paragraph 38 or 41 of Schedule 1;

“family” has the meaning given by paragraph 6;

“the Fund” means moneys made available from time to time by the Secretary of State for the benefit of persons eligible for payment in accordance with the provisions of a scheme established by the Secretary of State on 24th April 1992 or, in Scotland, on 10th April 1992;

“Grenfell Tower support payment” means a payment made to a person because that person was affected by the fire on 14th June 2017 at Grenfell Tower, or a

payment to the personal representative of such a person—

- (a) from the £5 million fund announced on 16th June 2017 for the benefit of certain persons affected by the fire on 14th June at Grenfell Tower and known as the Grenfell Tower Residents' Discretionary Fund;
- (b) by the Royal Borough of Kensington and Chelsea; or
- (c) by a registered charity;”;

“guarantee credit” is to be construed in accordance with sections 1 and 2 of the State Pension Credit Act 2002;

“a guaranteed income payment” means a payment made under article 15(1)(c) or 29(1)(a) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011;

“historical child abuse payment” means a payment made under—

- (a) Part 1 of the Historical Institutional Abuse (Northern Ireland) Act 2019(5);
- (b) Part 4 of the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Act 2021(6);”

“housing benefit” means housing benefit under Part 7 of the SSCBA;

“an income-based jobseeker’s allowance” and “a joint-claim jobseeker’s allowance” have the meanings given by section 1(4) of the Jobseekers Act 1995;

“income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act 2007;

“independent hospital” -

- (a) in England means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;
- (b) in Wales has the meaning given by section 2 of the Care Standards Act 2000; and
- (c) in Scotland means an independent health care service as defined by section 10F of the National Health Service (Scotland) Act 1978;

“the Independent Living Fund (2006)” means the Trust of that name established by a deed dated 10th April 2006 and made between the Secretary of State for Work and Pensions of the one part and Margaret Rosemary Cooper, Michael Beresford Boyall and Marie Theresa Martin of the other part;

“invalid carriage or other vehicle” means a vehicle propelled by a petrol engine or by electric power supplied for use on the road and to be controlled by the occupant;

“the London Bombings Relief Charitable Fund” means the company limited by guarantee (number 5505072), and registered charity of that name established on 11th July 2005 for the purpose of (amongst other things) relieving sickness, disability or financial need of victims (including families or dependants of victims) of the terrorist attacks carried out in London on 7th July 2005;

“the London Emergencies Trust” means the company of that name (number 09928465) incorporated on 23rd December 2015 and registered charity of that name (number 1172307) established on 28th March 2017;

“lone parent” means a person who has no partner and who is responsible for and a member of the same household as a child or young person;

“the Macfarlane (Special Payments) Trust” means the trust of that name, established on 29th January 1990 partly out of funds provided by the Secretary of State, for the benefit of certain persons suffering from haemophilia;

“the Macfarlane (Special Payments) (No 2) Trust” means the trust of that name, established on 3rd May 1991 partly out of funds provided by the Secretary of State, for

the benefit of certain persons suffering from haemophilia and other beneficiaries;

“the Macfarlane Trust” means the charitable trust, established partly out of funds provided by the Secretary of State to the Haemophilia Society, for the relief of poverty or distress among those suffering from haemophilia;

“main phase employment and support allowance” means an employment and support allowance where the calculation of the amount payable in respect of the applicant includes a component under section 2(1)(b) or 4(2)(b) of the Welfare Reform Act 2007 or the applicant is a member of the work-related activity group;

“maternity leave” means a period during which a woman is absent from work because she is pregnant or has given birth to a child, and at the end of which she has a right to return to work either under the terms of her contract of employment or under Part 8 of the Employment Rights Act 1996;

“maximum council tax reduction” means the amount determined in accordance with paragraph 7 of Schedule 1;

“member of a couple” means a member of a married or unmarried couple;

“member of the work-related activity group” means a person who has or is treated as having limited capability for work under either—

(a) Part 5 of the Employment and Support Allowance Regulations 2008 other than by virtue of regulation 30 of those Regulations; or

(b) Part 4 of the Employment and Support Regulations 2013 other than by virtue of regulation 26 of the those Regulations;

“MFET Limited” means the company limited by guarantee (number 7121661) of that name, established for the purpose in particular of making payments in accordance with arrangements made with the Secretary of State to persons who have acquired HIV as a result of treatment by the NHS with blood or blood products;

“mobility supplement” means a supplement to which paragraph 5(1)(a)(v) of Schedule 4 refers;

“mover” means an applicant who changes the dwelling in which the applicant is resident, and in respect of which the applicant is liable to pay council tax, from a dwelling in the area of one authority to a dwelling in the area of a second authority;

“the National Emergencies Trust” means the registered charity of that name (number 1182809) established on 28th March 2019;”;

“net earnings” means such earnings as are calculated in accordance with paragraph 19 of Schedule 1;

“net profit” means such profit as is calculated in accordance with paragraph 29 of Schedule 1;

“new dwelling” means, for the purposes of the definition of “second authority” and paragraph 41 of Schedule 1, the dwelling to which an applicant has moved, or is about to move, in which the applicant will be resident;

“non-dependant” has the meaning given by paragraph 9;

“occupational pension” means any pension or other periodical payment under an occupational pension scheme but does not include any discretionary payment out of a fund established for relieving hardship in particular cases;

“parental bereavement leave” means leave under section 80EA of the Employment Rights Act 1996(6);”;

“statutory parental bereavement pay” means a payment to which a person is entitled in accordance with section 171ZZ6 of the Social Security Contribution and Benefits Act 1992(7);”;

“partner”, in relation to a person, means -

- (a) where that person is a member of a couple, the other member of that couple; or
- (b) where that person is polygamously married to two or more members of his household, any such member to whom he is married;

“paternity leave” means a period of absence from work on ordinary paternity leave by virtue of section 80A or 80B of the Employment Rights Act 1996 or on additional paternity leave by virtue of section 80AA or 80BB of that Act;

“pension fund holder” means with respect to a personal pension scheme or an occupational pension scheme, the trustees, managers or scheme administrators, as the case may be, of the scheme concerned;

“pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995;

“pensioner” has the meaning given by paragraph 3(a);

“person on income support” means a person in receipt of income support;

“person treated as not being in Great Britain” has the meaning given by paragraph 12;

“person who is not a pensioner” has the meaning given by paragraph 3(b);

“personal independence payment” has the meaning given by Part 4 of the Welfare Reform Act 2012;

“personal pension scheme” means -

- (a) a personal pension scheme as defined by section 1 of the Pension Schemes Act 1993;
- (b) an annuity contract or trust scheme approved under section 620 or 621 of the Income and Corporation Taxes Act 1988 or a substituted contract within the meaning of section 622(3) of that Act which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(f) of Schedule 36 to the Finance Act 2004;
- (c) a personal pension scheme approved under Chapter 4 of Part 14 of the Income and Corporation Taxes Act 1988 which is treated as having become a registered pension scheme by virtue of paragraph 1(1)(g) of Schedule 36 to the Finance Act 2004;

“policy of life insurance” means any instrument by which the payment of money is assured on death (except death by accident only) or the happening of any contingency dependent on human life, or any instrument evidencing a contract which is subject to payment of premiums for a term dependent on human life;

“polygamous marriage” means any marriage to which paragraph 5 applies;

“qualifying age for state pension credit” means (in accordance with section 1(2)(b) and (6) of the State Pension Credit Act 2002) -

- (a) in the case of a woman, pensionable age; or
- (b) in the case of a man, the age which is pensionable age in the case of a woman born on the same day as the man;

“qualifying contributory benefit” means -

- (a) severe disablement allowance;
- (b) incapacity benefit;
- (c) contributory employment and support allowance;

“qualifying income-related benefit” means -

- (a) income support;
- (b) income-based jobseeker’s allowance;
- (c) income-related employment and support allowance;

“qualifying course” means a qualifying course as defined for the purposes of Parts 2 and 4 of the Job Seeker’s Allowance Regulations 1996;

“qualifying person” means—

(a) a person in respect of whom a Grenfell Tower support payment has been made or the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, the Windrush Compensation Scheme, The National Emergencies trust or the London Bombings Relief Charitable Fund, a historical child abuse payment or a Windrush payment;.

“reduction week” means a period of seven consecutive days beginning with a Monday and ending with a Sunday;

“relative” means a close relative, grandparent, grandchild, uncle, aunt, nephew or niece;

“relevant week”, in relation to any particular day, means the week within which the day in question falls;

“remunerative work” has the meaning given by paragraph 10;

“rent” means “eligible rent” to which regulation 12 of the Housing Benefit (Persons who have acquired the qualifying age for state pension credit) Regulations 2006 refer, less any deductions in respect of non-dependants which fall to be made under paragraph 8 of Schedule 1 (non-dependant deductions);

“savings credit” is to be construed in accordance with sections 1 and 3 of the State Pension Credit Act 2002;

“Scottish basic rate” means the rate of income tax of that name calculated in accordance with section 6A of the Income Tax Act 2007(e);

“the Scottish Infected Blood Support Scheme” means the scheme of that name administered by the Common Services Agency (constituted under section 10 of the National Health Service (Scotland) Act 1978(b));

“Scottish taxpayer” has the same meaning as in Chapter 2 of Part 4A of the Scotland Act 1998(f);

“second authority” means the authority to which a mover is liable to make payments for the new dwelling;

“self-employed earner” is to be construed in accordance with section 2(1)(b) of the SSCBA;

“single applicant” means an applicant who neither has a partner nor is a lone parent;

“the Skipton Fund” means the ex-gratia payment scheme administered by the Skipton Fund Limited, incorporated on 25th March 2004, for the benefit of certain persons suffering from hepatitis C and other persons eligible for payment in accordance with the scheme’s provisions;

“sports award” means an award made by one of the Sports Councils named in section 23(2) of the National Lottery etc Act 1993 out of sums allocated to it for distribution under that section;

“the SSCBA” means the Social Security Contributions and Benefits Act 1992;

“state pension credit” means state pension credit under the State Pension Credit Act 2002;

“student” means a person, other than a person in receipt of a training allowance, who is attending or undertaking -

(a) a course of study at an educational establishment; or

(b) a qualifying course;

“tax year” means a period beginning with 6th April in one year and ending with 5th April in the next;

“training allowance” means an allowance (whether by way of periodical grants or otherwise) payable -

(a) out of public funds by a Government department or by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise, the Chief Executive of Skills Funding or the Welsh Ministers;

(b) to a person for his maintenance or in respect of a member of his family; and

(c) for the period, or part of the period, during which he is following a course of training or instruction provided by, or in pursuance of arrangements made with, that department or approved by that department in relation to him or so provided or approved by or on behalf of the Secretary of State, Skills Development Scotland, Scottish Enterprise or Highlands and Islands Enterprise or the Welsh Ministers,

but it does not include an allowance paid by any Government department to or in respect of a person by reason of the fact that he is following a course of full-time education, other than under arrangements made under section 2 of the Employment and Training Act 1973, or is training as a teacher;

“the Trusts” (except where the context otherwise requires) means the Macfarlane Trust, the Macfarlane (Special Payments) Trust and the Macfarlane (Special Payments) (No 2) Trust and “Trustees” is to be construed accordingly;

“universal credit” has the meaning given by section 1 of the Welfare Reform Act 2012;

“voluntary organisation” means a body, other than a public or local authority, the activities of which are carried on otherwise than for profit;

“war disablement pension” means any retired pay or pension or allowance payable in respect of disablement under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003;

“war pension” means a war disablement pension, a war widow’s pension or a war widower’s pension;

“war widow’s pension” means any pension or allowance payable to a woman as a widow or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person

“war widower’s pension” means any pension or allowance payable to a man as a widower or to a surviving civil partner under an instrument specified in section 639(2) of the Income Tax (Earnings and Pensions) Act 2003 in respect of the death or disablement of any person;

“water charges” means -

(a) as respects England and Wales, any water and sewerage charges under Chapter 1 of Part 5 of the Water Industry Act 1991,

(b) as respects Scotland, any water and sewerage charges established by Scottish

Water under a charges scheme made under section 29A of the Water Industry (Scotland) Act 2002,

in so far as such charges are in respect of the dwelling which a person occupies as his home;

“the We Love Manchester Emergency Fund” means the registered charity of that name (number 1173260) established on 30th May 2017;

“the Windrush Compensation Scheme” means—

(a) the scheme of that name(8) operated by the Secretary of State for the purpose of compensating individuals who have suffered loss in connection with being unable to demonstrate their lawful status in the United Kingdom; and

(b) the policy entitled “Windrush Scheme: Support in urgent and exceptional circumstances”(9) which was operated by the Secretary of State for the purpose of compensating individuals who, for urgent and exceptional reasons, required support in advance of the scheme referred to in paragraph (a) of this definition becoming operational;”

“Windrush payment” means a payment made under the Windrush Compensation Scheme (Expenditure) Act 2020(7);

“working tax credit” means a working tax credit under section 10 of the Tax Credits Act 2002;

“young person” means a person who falls within the definition of qualifying young person in section 142 of the SSCBA.

(2) In this scheme, where an amount is to be rounded to the nearest penny, a fraction of a penny must be disregarded if it is less than half a penny and must otherwise be treated as a whole penny.

(3) For the purpose of this scheme, a person is on an income-based jobseeker’s allowance on any day in respect of which an income-based jobseeker’s allowance is payable to him and on any day -

(a) in respect of which he satisfies the conditions for entitlement to an income-based jobseeker’s allowance but where the allowance is not paid because of a reduction in accordance with section 19 or 19A or regulations made under section 17A of the Jobseekers Act 1995(circumstances in which a jobseeker’s allowance is not payable); or

(b) which is a waiting day for the purposes of paragraph 4 of Schedule 1 to that Act and which falls immediately before a day in respect of which an income-based jobseeker’s allowance is payable to him or would be payable to him but for section 19 or 19A or regulations made under section 17A or 19B of that Act;

(c) in respect of which an income-based jobseeker’s allowance would be payable but for a restriction imposed pursuant to section 6B, 7, 8 or 9 of the Social Security Fraud Act 2001 (loss of benefit provisions).

(4) For the purposes of this scheme, a person is on an income-related employment and support allowance on any day in respect of which an income-related employment and support allowance is payable to him and on any day -

(a) in respect of which he satisfies the conditions for entitlement to an income-related employment and support allowance but where the allowance is not paid in accordance with section 18 of the Welfare Reform Act 2007 (disqualification); or

(b) which is a waiting day for the purposes of paragraph 2 of Schedule 2 to that Act

and which falls immediately before a day in respect of which an income-related employment and support allowance is payable to him or would be payable to him but for section 18 of that Act.

(5) For the purposes of this scheme, two persons shall be taken to be estranged only if their estrangement constitutes a breakdown of the relationship between them.

(6) In this scheme, references to any person in receipt of state pension credit includes a person who would be in receipt of state pension credit but for regulation 13 of the State Pension Credit Regulations 2002 (small amounts of state pension credit).

(7) In this scheme, references to a person in class A, B or C (as the case may be) is a reference to Class A, B, or C described in paragraphs 2 to 4 of Schedule 1.

(8) References in these Regulations to an applicant participating as service user are to-

(a) a person who is being consulted by or on behalf of-

- (i) a body which has a statutory duty to provide services in the field of health, social care or social housing; or
- (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such services,

In their capacity as a user, potential user, carer of a user or person otherwise affected by the provision of those services;

(aa) a person who is being consulted by or on behalf of-

- (i) the Secretary of State in relation to any of the Secretary of State's functions in the field of social security or child support or under section 2 of the Employment and Training Act 1973(d); or
- (ii) a body which conducts research or undertakes monitoring for the purpose of planning or improving such functions, in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person; or

(b) The carer of a person consulted as described in sub-paragraph (a) or (aa) where the carer is not being consulted as described in that sub-paragraph.

3. Meaning of “pensioner” and “person who is not a pensioner”

(1) In this scheme a person is -

(a) a “pensioner” if -

- (i) he has attained the qualifying age for state pension credit; and
- (ii) he is not and if he has a partner, his partner is not -

(aa) a person on income support, on an income-based jobseeker's allowance or on an income-related employment and support allowance; or

(bb) a person with an award of universal credit; and

(b) a “person who is not a pensioner” if -

(iii) he has not attained the qualifying age for state pension credit; or

(iv) he has attained the qualifying age for state pension credit and he, or if he has a partner, his partner, is -

(aa) a person on income support, on income-based jobseeker's allowance or an income-related employment and support allowance; or

(bb) a person with an award of universal credit.

(2) For the purposes of sub-paragraphs (a)(ii)(bb) and (b)(ii)(bb) in paragraph (1) an award of universal credit is to be disregarded during the relevant period.

(3) In this regulation—

“assessment period” has the same meaning as in the Universal Credit Regulations 2013(5);

“relevant period” means the period beginning with the day on which P and each partner of P has attained the qualifying age for state pension credit and ending with the day on which the last assessment period for universal credit ends.”.

4. Meaning of “couple”

(1) In this scheme “couple” means -

(a) a man and woman who are married to each other and are members of the same household;

(b) a man and woman who are not married to each other but are living together as if they were a married couple or civil partners;

(c) two people of the same sex who are civil partners of each other and are members of the same household; or

(d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.

(2) Two people of the same sex are to be treated as living together as if they were civil partners if, and only if, they would be treated as living together as husband and wife were they of the opposite sex.

5. Polygamous marriages

This paragraph applies to any case where -

(a) a person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy; and

(b) either party to the marriage has for the time being any spouse additional to the other party.

(2) For the purposes of paragraph 4 neither party to the marriage is to be taken to be a member of a couple.

6. Meaning of “family”

(1) In this scheme “family” means -

(a) a couple;

(b) a couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person; or

(c) a person who is not a member of a couple and a member of the same household for whom that person is responsible and who is a child or a young person.

(2) The references to a child or young person in sub-paragraph (1)(b) and (c) include a child or young person in respect of whom section 145A of the SSCBA applies for the purposes of entitlement to child benefit, but only for the period prescribed under section 145A(1).

(3) The references to a young person in sub-paragraph (1)(b) and (c) do not include a young person who is -

- (a) on income support, an income-based jobseeker's allowance or an income-related employment and support allowance;
- (b) a person to whom section 6 of the Children (Leaving Care) Act 2000 (exclusion from benefits) applies; or
- (c) entitled to an award of universal credit.

7. Circumstances in which a person is to be treated as responsible or not responsible for another

(1) A person is to be treated as responsible for a child or young person who is normally living with him, including a child or young person to whom paragraph 6(2) applies.

(2) Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household he is living in, the child or young person must be treated for the purposes of paragraph (1) as normally living with -

- (a) the person who is receiving child benefit in respect of that child or young person, or
- (b) if there is no such person—
 - (i) where only one claim for child benefit has been made in respect of him, the person who made that claim, or
 - (ii) in any other case the person who has the primary responsibility for him.

(3) For the purposes of this scheme a child or young person is the responsibility of only one person in any reduction week and any person other than the one treated as responsible for the child or young person under this regulation is to be treated as not so responsible.

8. Households

(1) Subject to sub-paragraphs (2) and (3), an applicant and any partner and, where the applicant or his partner is treated, by virtue of paragraph 7, as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household notwithstanding that any of them is temporarily absent from that household.

(2) A child or young person is not to be treated as a member of the applicant's household where he is -

- (a) placed with the applicant or his partner by a local authority under section 22C or 23(2)(a) of the Children Act 1989 or by a voluntary organisation under section 59(1)(a) of that Act or section 81(2) of the Social Services and Well-being (Wales) Act 2014 (ways in which looked after children are to be accommodated and maintained)(c) or in Scotland boarded out or placed with the applicant or his partner under a relevant enactment; or
- (b) placed, or in Scotland boarded out, with the applicant or his partner prior to adoption; or
- (c) placed for adoption with the applicant or his partner in accordance with the Adoption and Children Act 2002, the Adoption Agencies (Scotland) Regulations 2009 or the Adoption (Northern Ireland) Order 1987.

(3) Subject to sub paragraph (4), sub paragraph (1) does not apply to a child or young person who is not living with the applicant and who -

- (a) is being looked after by, or in Scotland is in the care of, a local authority under a relevant enactment; or

- (b) has been placed, or in Scotland boarded out, with a person other than the applicant prior to adoption; or
- (c) has been placed for adoption in accordance with the Adoption and Children Act 2002 or the Adoption Agencies (Scotland) Regulations 2009.
- (4) The authority must treat a child or young person to whom sub paragraph (3)(a) applies as being a member of the applicant's household in any reduction week where -
 - (a) that child or young person lives with the applicant for part or all of that reduction week; and
 - (b) the authority considers that it is reasonable to do so taking into account the nature and frequency of that child's or young person's visits.
- (5) In this paragraph "relevant enactment" means -
 - (a) the Army Act 1955;
 - (b) the Air Force Act 1955;
 - (c) the Naval Discipline Act 1957;
 - (d) the Matrimonial Proceedings (Children) Act 1958;
 - (e) the Social Work (Scotland) Act 1968;
 - (f) the Family Law Reform Act 1969;
 - (g) the Children and Young Persons Act 1969;
 - (h) the Matrimonial Causes Act 1973;
 - (i) the Children Act 1975;
 - (j) the Domestic Proceedings and Magistrates' Courts Act 1978;
 - (k) the Adoption and Children (Scotland) Act 2007;
 - (l) the Family Law Act 1986;
 - (m) the Children Act 1989;
 - (n) the Children (Scotland) Act 1995;
 - (na) the Children's Hearings (Scotland) Act 2011(c); and
 - (o) the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

9. Non-dependants

- (1) In this scheme, "non-dependant" means any person, except someone to whom sub-paragraph (2) applies, who normally resides with an applicant or with whom an applicant normally resides.
- (2) This paragraph applies to -
 - (a) any member of the applicant's family;
 - (b) if the applicant is polygamously married, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;
 - (c) a child or young person who is living with the applicant but who is not a member of his household by virtue of regulation 8 (households);
 - (d) subject to sub - paragraph (3), any person who, with the applicant, is jointly and severally liable to pay council tax in respect of a dwelling for any day under section 6 or 7 of the 1992 Act (persons liable to pay council tax);

(e) subject to paragraph (3), any person who is liable to make payments on a commercial basis to the applicant or the applicant's partner in respect of the occupation of the dwelling;

(f) a person who lives with the applicant in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the applicant or his partner for the services provided by that person.

(3) Excepting persons to whom sub-paragraph (2)(a) to (c) and (f) refer, a person to whom any of the following sub-paragraphs applies is a non-dependant—

(a) a person who resides with the person to whom he is liable to make payments in respect of the dwelling and either—

(i) that person is a close relative of his or his partner; or

(ii) the tenancy or other agreement between them is other than on a commercial basis;

(b) a person whose liability to make payments in respect of the dwelling appears to the authority to have been created to take advantage of a scheme except someone who was, for any period within the eight weeks prior to the creation of the agreement giving rise to the liability to make such payments, otherwise liable to make payments of rent in respect of the same dwelling;

(c) a person who becomes jointly and severally liable with the applicant for council tax in respect of a dwelling and who was, at any time during the period of eight weeks prior to his becoming so liable, a non-dependant of one or more of the other residents in that dwelling who are so liable for the tax, unless the change giving rise to the new liability was not made to take advantage of a scheme.

10. Remunerative work

(1) Subject to the following provisions of this paragraph, a person must be treated for the purposes of this scheme as engaged in remunerative work if he is engaged, or, where his hours of work fluctuate, he is engaged on average, for not less than 16 hours a week, in work for which payment is made or which is done in expectation of payment.

(2) Subject to sub-paragraph (3), in determining the number of hours for which a person is engaged in work where his hours of work fluctuate, regard must be had to the average of hours worked over -

(a) if there is a recognisable cycle of work, the period of one complete cycle, including, where the cycle involves periods in which the person does not work, those periods but disregarding any other absences;

in any other case, the period of 5 weeks immediately prior to the date of application, or such other length of time as may, in the particular case, enable the person's weekly average hours of work to be determined more accurately.

Where, for the purposes of sub paragraph (2)(a), a person's recognisable cycle of work at a school, other educational establishment or other place of employment is one year and includes periods of school holidays or similar vacations during which he does not work, those periods and any other periods not forming part of such holidays or vacations during which he is not required to work must be disregarded in establishing the average hours for which he is engaged in work.

(3) Where no recognisable cycle has been established in respect of a person's work, regard must be had to the number of hours or, where those hours will fluctuate, the average of the hours, which he is expected to work in a week.

(4) A person must be treated as engaged in remunerative work during any period for which he is absent from work referred to in sub paragraph (1) if the absence is either without good cause or by reason of a recognised, customary or other holiday.

- (5) A person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance for more than 3 days in any reduction week must be treated as not being in remunerative work in that week.
- (6) A person must not be treated as engaged in remunerative work on any day on which the person is on maternity leave, paternity leave or adoption leave, shared parental leave, parental bereavement leave or is absent from work because he is ill.
- (7) A person must not be treated as engaged in remunerative work on any day on which he is engaged in an activity in respect of which -
- (a) a sports award has been made, or is to be made, to him; and
 - (b) no other payment is made or is expected to be made to him.

Part 2 - Prescribed classes of persons

11. Pensioners

- (1) Subject to sub paragraph (2), the classes of pensioners described in paragraph 1 of Schedule 1 are classes of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must be included in the authority's scheme.
- (2) Pensioners whose capital exceeds £16,000 are a class of person prescribed for the purposes of that paragraph and which must not be included in the authority's scheme.
- (3) Capital for the purposes of paragraph (2) is to be calculated in accordance with Part 6 of Schedule 1.

12. Persons treated as not being in Great Britain

- (1) Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in the authority's scheme.
- (2) Except where a person falls within sub paragraph (5) or (6), a person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland.
- (3) A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless the person has a right to reside in one of those places.
- (4) For the purposes of sub paragraph (3), a right to reside does not include a right which exists by virtue of, or in accordance with -
- (a) regulation 13 of the EEA Regulations⁴;
 - (b) (aa) regulation 14 of the EEA Regulations, but only in a case where the right exists under that regulation because the person is-
 - i. a jobseeker for the purpose of the definition of "qualified person" in regulation 6(1) of those Regulations, or
 - ii. a family member (within the meaning of regulation 7 of those Regulations) of such a jobseeker;
 - (c) regulation 16 of the EEA Regulations, but only in a case where the right exists under that regulation because the applicant satisfies the criteria in paragraph (5) of that regulation

(4A) For the purposes of paragraph (3), a right to reside does not include a right which exists by virtue of a person having been granted limited leave to enter, or remain in, the United Kingdom under the Immigration Act 1971(10) by virtue of—

(a) -

(b) Appendix EU to the immigration rules made under section 3(2) of that Act;

(c) being a person with a Zambrano right to reside as defined in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of that Act; or

(d) having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.”;

(4B) Paragraph (4A)(b) does not apply to a person who—

(a) has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland; and

(b) would have a right to reside under the EEA Regulations(6) if the relevant person of Northern Ireland were an EEA national, provided that the right to reside does not fall within paragraph (4)(a) or (b).

(5) A person falls within this paragraph if the person is –

(za) a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971(8), where such leave is granted by virtue of—

(i) the Afghan Relocations and Assistance Policy; or

(ii) the previous scheme for locally-employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme);

(zb) a person in Great Britain not coming within sub-paragraph (za) or (e)(iv) who left Afghanistan in connection with the collapse of the Afghan government that took place on 15th August 2021;

(a) a qualified person for the purposes of regulation 6⁷ of the EEA Regulations as a worker or a self-employed person;

(b) a family member of a person referred to in sub-paragraph (a);

(c) a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA Regulations;

(ca) a family member of a relevant person of Northern Ireland, with a right to reside which falls within paragraph (4A)(b), provided that the relevant person of Northern Ireland falls within paragraph (5)(a), or would do so but for the fact that they are not an EEA national;

(cb) a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020(7);

(cc) a family member of a person referred to in sub-paragraph (cb), who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971(8);

(d) a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees done at Geneva on 28th July 1951, as extended by Article 1(2) of the Protocol relating to the Status of Refugees done at New York on 31st January 1967;

(e) a person who has been granted, or who is deemed to have been granted, leave outside the rules made under section 3(2) of the Immigration Act 1971

(zc) a person in Great Britain who was residing in Ukraine immediately before 1st January 2022, left Ukraine in connection with the Russian invasion which took place on 24th February 2022 and—

- (i) has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971;
- (ii) has a right of abode in the United Kingdom within the meaning given in section 2 of that Act; or
- (iii) does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act;”;

(f) a person who has humanitarian protection granted under those rules;

(g) a person who is not a person subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of his deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom.

(h) In receipt of income support, or on an income-related employment and support allowance; or

(ha) in receipt of an income-based jobseeker’s allowance and has a right to reside other than a right to reside falling within paragraph (4);

(6) A person falls within this sub-paragraph if the person is a Crown servant or member of Her Majesty’s forces posted overseas.

(7) A person mentioned in sub-paragraph (6) is posted overseas if the person is performing overseas the duties of a Crown servant or member of Her Majesty’s forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.

(8) In this paragraph -

“claim for asylum” has the same meaning as in section 94(1) of the Immigration and Asylum Act 1999;

“Crown servant” means a person holding an office or employment under the Crown;

“EEA national” has the meaning given in regulation 2(1) of the EEA Regulations;”;

“EEA Regulations” means the Immigration (European Economic Area) Regulations 2016(12) and references to the EEA Regulations are to be read with Schedule 4 to the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) Regulations 2020(9)”.

“family member” has the meaning given in regulation 7(1)(a), (b) or (c) of the EEA Regulations, except that regulation 7(4) of the EEA Regulations does not apply for the purposes of paragraphs (4B) and (5)(ca);

“Her Majesty’s forces” has the same meaning as in the Armed Forces Act 2006.

“relevant person of Northern Ireland” has the meaning given in Annex 1 of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971.”

13. Persons subject to immigration control⁸

(1) Persons subject to immigration control are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be

included in the authority's scheme.

(2) "Person subject to immigration control" has the same meaning as in section 15(9) of the Immigration and Asylum Act 1999.

⁴ S.I. 2006/1003; regulation 13 was amended by regulation 3 of, and paragraph 6 of Schedule 1 to, S.I. 2012/1547

⁵ Regulation 15A was inserted by regulation 3 of, and paragraph 9 of Schedule 1 to, S.I. 2012/1547; paragraph (4A) was inserted by regulation 2 of, and paragraph 3 of the Schedule to, S.I. 2012/2560

⁶ A consolidated version of this Treaty was published in the Official Journal on 30.3.2010 C 83

⁷ Regulation 6(2) was amended by regulation 5 of, and paragraph 3 of Schedule 2 to, S.I. 2011/544

⁸ SI 449/2022

14. Provision for all applicants: Homes for Ukraine scheme⁹

17.—(1) A scheme must include provision that any payment made in connection with the Homes for Ukraine scheme is to be disregarded in determining—

- (a) an applicant's entitlement to a reduction under the scheme; or
- (b) the amount of any reduction to which the applicant is entitled.

(2) In this regulation—

"the Homes for Ukraine scheme" means the Homes for Ukraine sponsorship scheme which was announced in Parliament by the Secretary of State for Levelling Up, Housing and Communities on 14th March 2022(5).

⁹ Regulation 17 was inserted by The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2023

SCHEDULE 1 - Matters that must be included in an authority's scheme

PART 1

1. Classes of persons entitled to a reduction under the authority's scheme

(1) The classes of pensioners described in paragraphs 2 to 4 are entitled to a reduction under the authority's scheme.

(2) In those paragraphs, references to an applicant's income or capital include, in a case where that income and capital cannot accurately be determined, references to the applicant's estimated income or capital.

2. Class A: pensioners whose income is no greater than the applicable amount

On any day class A consists of any person who is a pensioner—

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 5 (periods of absence from a dwelling), is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of persons prescribed for the purposes of paragraph 2(9) of Schedule 1A to the 1992 Act as a class of person which must not be included in the authority's scheme;
- (e) whose income (if any) for the relevant week does not exceed his applicable amount; and
- (f) who has made an application.

3. Class B: pensioners whose income is greater than the applicable amount

On any day class B consists of any person who is a pensioner—

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 5, is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the 1992 Act as a class of person which must not be included in the authority's scheme;
- (e) whose income for the relevant week is greater than his applicable amount;
- (f) in respect of whom amount A exceeds amount B where—
 - (i) amount A is the maximum council tax reduction in respect of the day in the applicant's case; and
 - (ii) amount B is $2 \frac{6}{7}$ per cent of the difference between his income for the relevant week and his applicable amount; and
- (g) who has made an application.

4. Class C: alternative maximum council tax reduction

(1) On any day class C consists of any person who is a pensioner—

- (a) who is for that day liable to pay council tax in respect of a dwelling of which he is a resident;
- (b) who, subject to paragraph 5, is not absent from the dwelling throughout the day;
- (c) in respect of whom a maximum council tax reduction amount can be calculated;
- (d) who does not fall within a class of person prescribed for the purposes of paragraph 2(9) of Schedule 1A to the 1992 Act as a class of person which must not be included in the authority's scheme;
- (e) who has made an application; and
- (f) in relation to whom the condition in sub-paragraph (2) is met.

(2) The condition referred to in sub-paragraph (1)(f) is that no other resident of the dwelling is liable to pay rent to the applicant in respect of the dwelling and there is an alternative maximum council tax reduction in respect of the day in the case of that person which is derived from the income, or aggregate incomes, of one or more residents to whom this sub-paragraph applies.

(3) Sub-paragraph (2) applies to any other resident of the dwelling who—

- (a) is not a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount;
- (b) is not a person who is liable for council tax solely in consequence of the provisions of section 9 of the 1992 Act (spouse's or civil partner's joint and several liability for tax);
- (c) is not a person who is residing with a couple or with the members of a polygamous marriage where the applicant is a member of that couple or of that marriage and—
 - (i) in the case of a couple, neither member of that couple is a person who, in accordance with Schedule 1 to the 1992 Act, falls to be disregarded for the purposes of discount; or
 - (ii) in the case of a polygamous marriage, two or more members of that marriage are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount;
- (d) is not a person who jointly with the applicant falls within the same paragraph of section 6(2)(a) to (e) of the 1992 Act (persons liable to pay council tax) as applies in the case of the applicant; or
- (e) is not a person who is residing with two or more persons both or all of whom fall within the same paragraph of section 6(2)(a) to (e) of the 1992 Act where two or more of those persons are not persons who, in accordance with Schedule 1 to the 1992 Act, fall to be disregarded for the purposes of discount.

5. Periods of absence from a dwelling

(1) A person is not absent from a dwelling in relation to any day which falls within a period of temporary absence from that dwelling.

(2) In sub-paragraph (1), a "period of temporary absence" means—

- (a) a period of absence not exceeding 13 weeks, beginning with the first whole day on which a person resides in residential accommodation in Great Britain where and for so long as—

- (i) the person resides in that accommodation;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
- (iii) that period of absence does not form part of a longer period of absence from the dwelling of more than 52 weeks,

where he has entered the accommodation for the purpose of ascertaining whether it suits his needs and with the intention of returning to the dwelling if it proves not to suit his needs;

(b) subject to sub-paragraph (2B) a period of absence within Great Britain not exceeding 13 weeks, beginning with the first whole day of absence from the dwelling, where and for so long as—

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
- (iii) that period is unlikely to exceed 13 weeks; and

(c) a period of absence not exceeding 52 weeks, beginning with the first whole day of that absence, where and for so long as—

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let;
- (iii) the person is a person to whom sub-paragraph (3) applies; and
- (iv) the period of absence is unlikely to exceed 52 weeks or, in exceptional circumstances, is unlikely substantially to exceed that period; and

(d) subject to sub-paragraphs (2F), (3C), (3E) and (3G) and where sub-paragraph (2E) applies, a period of absence outside Great Britain not exceeding 4 weeks, beginning with the first day of that absence from Great Britain where and for so long as—

- (i) the person intends to return to the dwelling;
- (ii) the part of the dwelling in which he usually resided is not let or sub-let; and
- (iii) the period of absence from Great Britain is unlikely to exceed 4 weeks.

(2A) The period of 13 weeks referred to in sub-paragraph (2)(b) shall run or continue to run during any period of absence from Great Britain.

(2B) Where—

(a) a person returns to Great Britain after a period of absence from Great Britain (period A);

(b) that person has been absent from the dwelling, including any absence within Great Britain, for less than 13 weeks beginning with the first day of absence from that dwelling; and

(c) at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence,

then any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(b).

(2C) The period of 52 weeks referred to in sub-paragraph (2)(c) shall run or continue to run during any period of absence from Great Britain.

(2D) Where —

(a) a person returns to Great Britain after a period of absence from Great Britain (period A);

(b) that person has been absent from the dwelling, including any absence within Great Britain, for less than 52 weeks beginning with the first day of absence from that dwelling; and

(c) at the outset of, or during, period A, period A ceased to be treated as a period of temporary absence,

then, any day that follows period A and precedes the person's return to the dwelling, shall not be treated as a period of temporary absence under sub-paragraph (2)(c).

(2E) This sub-paragraph applies where—

(a) a person is temporarily absent from Great Britain;

(b) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(2F) If the temporary absence referred to in sub-paragraph (2)(d) is in connection with the death of—

(a) the person's partner or a child or young person for whom the person or the person's partner is responsible;

(b) the person's close relative;

(c) the close relative of the person's partner; or

(d) the close relative of a child or young person for whom the person or the person's partner is responsible,

then the period of 4 weeks in the opening words of sub-paragraph (2)(d) may be extended by up to 4 further weeks if the relevant authority considers it unreasonable to expect the person to return to Great Britain within the first 4 weeks (and the reference in subparagraph (iii) of that paragraph to a period of 4 weeks shall, where the period is extended, be taken as referring to the period as so extended.

(3) This sub-paragraph applies to a person who—

(a) is a person to whom sub-paragraph (3A) applies;

(b) is resident in a hospital or similar institution as a patient;

(c) is undergoing, or whose partner or dependent child is undergoing, medical treatment, or medically approved convalescence, in accommodation other than residential accommodation;

(d) is following, a training course;

(e) is undertaking medically approved care of a person;

(f) is undertaking the care of a child whose parent or guardian is temporarily absent from the dwelling normally occupied by that parent or guardian for the purpose of receiving medically approved care or medical treatment;

(g) is, receiving medically approved care provided in accommodation other

than residential accommodation;

(h) is a student;

(i) is receiving care provided in residential accommodation and is not a person to whom sub-paragraph (2)(a) applies; or

(j) has left the dwelling he resides in through fear of violence, in that dwelling, or by a person who was formerly a member of the family of the person first mentioned.

(3A) This sub-paragraph applies to a person ("P") who is—

(a) detained in custody on remand pending trial;

(b) detained pending sentence upon conviction; or

(c) as a condition of bail required to reside—

(i) in a dwelling, other than a dwelling P occupies as P's home; or

(ii) in premises approved under section 13 of the Offender Management Act 2007(a),

and who is not also detained in custody following sentence upon conviction.

(3B) This sub-paragraph applies where—

(a) a person is temporarily absent from Great Britain;

(b) the person is a member of Her Majesty's forces posted overseas, a mariner or a continental shelf worker;

(c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3C) Where sub-paragraph (3B) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

(a) the person intends to return to the dwelling;

(b) the part of the dwelling in which he usually resided is not let or sub-let;

(c) the period of absence from Great Britain is unlikely to exceed 26 weeks.

(3D) This sub-paragraph applies where—

(a) a person is temporarily absent from Great Britain;

(b) the person is a person described in any of paragraphs (b), (c), (g) or (j) of subparagraph (3);

(c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3E) Where sub-paragraph (3D) applies, a period of absence from Great Britain not exceeding 26 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

(a) the person intends to return to the dwelling;

(b) the part of the dwelling in which he usually resided is not let or sub-let;

(c) the period of absence is unlikely to exceed 26 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period.

(3F) This sub-paragraph applies where—

(a) a person is temporarily absent from Great Britain;

(b) the person is a person described in any of paragraphs (a), (d), (e), (f), (h) or (i) of sub-paragraph (3);

(c) immediately before that period of absence from Great Britain, the person was not absent from the dwelling.

(3G) Where sub-paragraph (3F) applies, a period of absence from Great Britain not exceeding 4 weeks, beginning with the first day of absence from Great Britain, shall be treated as a period of temporary absence where and for so long as—

(a) the person intends to return to the dwelling;

(b) the part of the dwelling in which he usually resided is not let or sub-let;

(c) the period of absence is unlikely to exceed 4 weeks, or in exceptional circumstances, is unlikely substantially to exceed that period

(4) This sub-paragraph applies to a person who is—

(a) detained in custody pending sentence upon conviction or under a sentence imposed by a court (other than a person who is detained in hospital under the provisions of the Mental Health Act 1983, or, in Scotland, under the provisions of the Mental Health (Care and Treatment) (Scotland) Act 2003 or the Criminal Procedure (Scotland) Act 1995) or in Northern Ireland under Article 4 or 12 of the Mental Health (Northern Ireland) Order 1986; and

(b) on temporary release from detention in accordance with Rules made under the provisions of the Prison Act 1952 or the Prisons (Scotland) Act 1989.

(5) Where sub-paragraph (4) applies to a person, then, for any day when he is on temporary release—

(a) if such temporary release was immediately preceded by a period of temporary absence under sub-paragraph (2)(b) or (c), he must be treated, for the purposes of sub-paragraph (1), as if he continues to be absent from the dwelling, despite any return to the dwelling;

(b) for the purposes of sub-paragraph (3)(a), he must be treated as if he remains in detention;

(c) if he does not fall within paragraph (a), he is not to be considered to be a person who is liable to pay council tax in respect of a dwelling of which he is a resident.

(6) In this paragraph—

“continental shelf worker” means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any of the activities mentioned in section 11(2) of the Petroleum Act 1998(a);

“designated area” means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964(b) as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;

“mariner” means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel, where—

(a) the employment in that capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and

(b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage;

“medically approved” means certified by a medical practitioner;

“member of Her Majesty’s forces posted overseas” means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006(c)), who is absent from the main dwelling because the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty’s regular forces or reserve forces;

“patient” means a person who is undergoing medical or other treatment as an in-patient in any hospital or similar institution;

“prescribed area” means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State, or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998;

“residential accommodation” means accommodation which is provided in—

(a) a care home;

(b) an independent hospital;

(c) an Abbeyfield Home; or

(d) an establishment managed or provided by a body incorporated by Royal Charter or constituted by Act of Parliament other than a local social services authority;

“training course” means a course of training or instruction provided wholly or partly by or on behalf of or in pursuance of arrangements made with, or approved by or on behalf of, Skills Development Scotland, Scottish Enterprise, Highlands and Islands Enterprise, a government department or the Secretary of State.

PART 2 - Applicable amounts for the purposes of calculating eligibility for a reduction under the authority’s scheme and amount of reduction

6. Applicable amounts

(1) The applicable amount for a pensioner, including pensioners who are in polygamous marriages by virtue of Part 1 paragraph 5, for a week is the aggregate of such of the following amounts as apply in his case—

(a) an amount determined in accordance with paragraph 2 of that Schedule in respect of up to two individuals who are either children or young persons and who are members of his family;

(b) an amount in respect of any child or young person who is a member of his family, determined in accordance with paragraph 2 of Schedule 2;

(c) if he is a member of a family of which at least one member is a child or young

person, an amount determined in accordance with paragraph 3 of Schedule 2 (family premium);

(d) the amount of any premiums which may be applicable to him, determined in accordance with Parts 3 and 4 of Schedule 2 (premiums).

(1A) For the purposes of sub-paragraph (1)(b) as it applies apart from sub-paragraph (1C), where the family includes more than two individuals who are either children or young persons and under paragraph 2 of that Schedule a different amount applies to different individuals, the two amounts to be included in the applicable amount shall be those that result in the greatest possible total amount.

(1B) Sub-paragraph (1C) applies where—

(a) (whether or not as part of a tax credit couple as defined in section 3(5A) of the Tax Credits Act 2002) the applicant has an award of child tax credit (whether or not any amount is payable by way of such credit) in respect of a child or young person who is a member of his family; and

(b) the total amount to be included in the applicable amount under sub-paragraph (1)(b) as substituted by sub-paragraph (1C) would be higher than the total amount that would be included under paragraph (1)(b) apart from sub-paragraph (1C).

(1C) Where this paragraph applies, for sub-paragraph (1)(b) substitute—

(b) an amount determined in accordance with paragraph 2 of that Schedule in respect of any child or young person who is a member of his family and in respect of whom the individual element of child tax credit has been included in the determination of the maximum rate of that credit;

(2) In Schedule 2—

“additional spouse” means a spouse of either party to the marriage who is additional to the other party to the marriage;

“patient” means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005.

PART 3 - Maximum council tax reduction for the purposes of calculating eligibility for a reduction under an authority’s scheme and amount of reduction

7. Maximum council tax reduction amount under the authority’s scheme

(1) Subject to sub-paragraphs (2) to (4), a person’s maximum council tax reduction in respect of a day is 100 per cent of the amount A/B where—

(a) A is the amount set by the authority as the council tax for the relevant financial year in respect of the dwelling in which he is a resident and for which he is liable, subject to any discount which may be appropriate to that dwelling under the 1992 Act; and

(b) B is the number of days in that financial year,

less any deductions in respect of non-dependants which fall to be made under paragraph 8 (non-dependant deductions).

(2) In calculating a person's maximum council tax reduction under the authority's scheme any reduction in the amount that person is liable to pay in respect of council tax, which is made in consequence of any enactment in, or made under, the 1992 Act (other than a reduction under that authority's scheme), is to be taken into account.

(3) Subject to sub-paragraph (4), where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons in determining the maximum council tax reduction in his case in accordance with sub-paragraph (1), the amount A is to be divided by the number of persons who are jointly and severally liable for that tax.

(4) Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, sub-paragraph (3) does not apply in his case.

(5) The reference in sub-paragraph (3) to a person with whom an applicant is jointly and severally liable for council tax does not include a student to whom paragraph 75(1) of the Schedule to the Default Scheme Regulations applies.

(6) In this paragraph "relevant financial year" means, in relation to any particular day, the financial year within which the day in question falls.

8. Non-dependant deductions

(1) Subject to the following provisions of this paragraph, the non-dependant deductions in respect of a day referred to in paragraph 7 are—

(a) in respect of a non-dependant aged 18 or over in remunerative work, $\text{£}14.15 \times 1/7$;

(b) in respect of a non-dependant aged 18 or over to whom sub-paragraph (a) does not apply, $\text{£}4.60 \times 1/7$.

(2) In the case of a non-dependant aged 18 or over to whom sub-paragraph (1)(a) applies, where it is shown to the appropriate authority that his normal gross weekly income is—

(a) less than $\text{£}236.00$, the deduction to be made under this paragraph is that specified in sub-paragraph (1)(b);

(b) not less than $\text{£}236.00$ but less than $\text{£}410.00$, the deduction to be made under this paragraph is $\text{£}9.40 \times 1/7$;

(c) not less than $\text{£}410.00$ but less than $\text{£}511.00$, the deduction to be made under this paragraph shall be $\text{£}11.80 \times 1/7$.

(3) Only one deduction is to be made under this paragraph in respect of a couple or, as the case may be, members of a polygamous marriage and, where, but for this paragraph, the amount that would fall to be deducted in respect of one member of a couple or polygamous marriage is higher than the amount (if any) that would fall to be deducted in respect of the other, or any other, member, the higher amount shall be deducted.

(4) In applying the provisions of sub-paragraph (2) in the case of a couple or, as the case may be, a polygamous marriage, regard must be had, for the purpose of that sub-paragraph, to the couple's or, as the case may be, all members of the polygamous marriage's joint weekly gross income.

(5) Where in respect of a day—

(a) a person is a resident in a dwelling but is not himself liable for council tax in respect of that dwelling and that day;

(b) other residents in that dwelling (the liable persons) have joint and several liability for council tax in respect of that dwelling and that day otherwise than by virtue of section 9 of the 1992 Act (liability of spouses and civil partners); and

(c) the person to whom paragraph (a) refers is a non-dependant of two or more of the

liable persons,

the deduction in respect of that non-dependant must be apportioned equally between those liable persons.

(6) No deduction is to be made in respect of any non-dependants occupying an applicant's dwelling if the applicant or his partner is—

- (a) blind or treated as blind by virtue of sub-paragraphs (11) or (12) below; or
- (b) receiving in respect of himself either—
 - (i) attendance allowance, or would be receiving that allowance but for—
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (ii) the care component of the disability living allowance, or would be receiving that component, but for—
 - (aa) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or
 - (bb) an abatement as a result of hospitalisation; or
 - (iii) the daily living component of personal independence payment, or would be receiving that allowance but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients); or
 - (iv) an AFIP, or would be receiving that payment but for the suspension of it in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution.

(7) No deduction is to be made in respect of a non-dependant if—

- (a) although he resides with the applicant, it appears to the authority that his normal home is elsewhere; or
- (b) he is in receipt of a training allowance paid in connection with youth training established under section 2 of the Employment and Training Act 1973 or section 2 of the Enterprise and New Towns (Scotland) Act 1990; or
- (c) he is a full-time student within the meaning of Part 11 of, the Schedule to the Default Scheme Regulations (students); or
- (d) he is not residing with the applicant because he has been a patient for a period in excess of 52 weeks, and for these purposes—
 - (i) "patient" has the meaning given in paragraph 5(6) of this Schedule, and
 - (ii) where a person has been a patient for two or more distinct periods separated by one or more intervals each not exceeding 28 days, he is to be treated as having been a patient continuously for a period equal in duration to the total of those distinct periods.
- (e) He is not residing with the applicant because he is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006(a)) who is absent, while on operations, from the dwelling usually occupied as their home.

(8) No deduction is to be made in respect of a non-dependant—

- (a) who is on income support, state pension credit, an income-based jobseeker's

allowance or an income-related employment and support allowance;

(b) to whom Schedule 1 to the 1992 Act applies (persons disregarded for purposes of discount) but this paragraph does not apply to a non-dependant who is a student to whom paragraph 4 of that Schedule refers; or

(c) who is entitled to an award of universal credit where the award is calculated on the basis that the person does not have any earned income.

(9) In the application of sub-paragraph (2) there is to be disregarded from the non-dependent's weekly gross income—

(a) any attendance allowance, disability living allowance, child disability payment, personal independence payment or AFIP received by him;

(b) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, the Windrush Compensation Scheme, The National Emergencies trust or the Independent Living Fund (2006) which are paid as income in kind (see sub-paragraph (13)); and

(ba) any Grenfell Tower support payment which is paid as income in kind (see sub-paragraph (13))

(bb) any historical child abuse payment;

(bc) any Windrush payment;

(c) the payments set out in sub-paragraph (10).

(10) The payments mentioned in sub-paragraph (9) are—

(a) any payment made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the Scottish Infected Blood Support Scheme, an approved blood scheme, the London Emergencies Trust, the We Love Manchester Emergency Fund, the Windrush Compensation Scheme, The National Emergencies trust or the Independent Living Fund (2006);

(aa) any Grenfell Tower support payment;

(ab) any historical child abuse payment;

(ac) any Windrush payment;

(b) any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts to which paragraph (a) refers or from a Grenfell Tower support payment and which is made to or for the benefit of—

(i) that person's partner or former partner from whom he is not, or where that person has died was not, estranged or divorced or with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death;

(ii) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or

(iii) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family;

(c) any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person provided that the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced or, where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death, which derives from a payment made under or by any of the Trusts to which paragraph (a)

refers or from a Grenfell Tower support payment and which is made to or for the benefit of—

- (i) the person who is suffering from haemophilia or who is a qualifying person;
 - (ii) any child who is a member of that person's family or who was such a member and who is a member of the applicant's family; or
 - (iii) any young person who is a member of that person's family or who was such a member and who is a member of the applicant's family;
- (d) any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts to which paragraph (a) refers or from a Grenfell Tower support payment, where—
- (i) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who is or had been a member of that person's family; and
 - (ii) the payment is made either—
 - (aa) to that person's parent or step-parent, or
 - (bb) where that person at the date of the payment is a child, a young person or a student who has not completed his full-time education and has no parent or step-parent, to his guardian,but only for a period from the date of the payment until the end of two years from that person's death;
- (e) any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts to which paragraph (a) refers or from a Grenfell Tower support payment, where—
- (i) that person at the date of his death (the relevant date) had no partner or former partner from whom he was not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child or young person who was or had been a member of his family; and
 - (ii) the payment is made either—
 - (aa) to that person's parent or step-parent, or
 - (bb) where that person at the relevant date was a child, a young person or a student who had not completed his full-time education and had no parent or step-parent, to his guardian,but only for a period of two years from the relevant date;
- (f) in the case of a person to whom or for whose benefit a payment referred to in this sub-paragraph is made, any income which derives from—
- (i) any payment of income or capital made under or deriving from any of the Trusts referred to in paragraph (a); or
 - (ii) a Grenfell Tower support payment;
- (g) Any payment made under, or by, a trust which is approved by the Secretary of State and which is established for the purpose of giving relief and assistance to a disabled person whose disability was caused by their mother having taken a preparation containing the drug known as Thalidomide during her pregnancy.
- (11) An applicant, or as the case may be, his partner is blind or treated as blind for the purposes of sub-paragraph (6)(a) if the applicant or his partner is blind and in consequence registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf

(11A) For the purposes of sub-paragraph (8), “earned income” has the meaning given in regulation 52 of the Universal Credit Regulations 2013(a).

(12) For the purposes of sub-paragraph (11), a person who has ceased to be registered as blind on regaining his eyesight is nevertheless to be treated as blind for a period of 28 weeks following the date on which he ceased to be so registered.

(13) The reference in sub-paragraph (9)(b) to “income in kind” does not include a payment to a third party made in respect of the applicant which is used by the third party to provide benefits in kind to the applicant.

PART 4 - Alternative maximum council tax reduction for the purposes of calculating eligibility for a reduction under the authority’s scheme and amount of reduction

9. Alternative maximum council tax reduction under a scheme

(1) Subject to sub-paragraphs (2) and (3), the alternative maximum council tax reduction in respect of a day where the conditions set out in paragraph 4 (alternative maximum council tax reduction) are fulfilled, is the amount determined in accordance with Schedule 3 (amount of alternative maximum council tax reduction).

(2) Subject to sub-paragraph (3), where an applicant is jointly and severally liable for council tax in respect of a dwelling in which he is resident with one or more other persons, in determining the alternative maximum council tax reduction in his case, the amount determined in accordance with Schedule 3 must be divided by the number of persons who are jointly and severally liable for that tax.

(3) Where an applicant is jointly and severally liable for council tax in respect of a dwelling with only his partner, solely by virtue of section 9 of the 1992 Act (liability of spouses and civil partners), sub-paragraph (2) does not apply in his case.

PART 5 - Amount of reduction under the authority’s scheme

10. Amount of reduction under a scheme: classes A to C

(1) Where a person is entitled to a reduction under an authority’s scheme in respect of a day, the amount of the reduction to which he is entitled is as follows.

(2) Where the person is within class A, that amount is the maximum council tax reduction amount in respect of the day in the applicant’s case.

(3) Where the person is within class B, that amount is the amount found by deducting amount B from amount A, where “amount A” and “amount B” have the meanings given in paragraph 3 (income greater than applicable amount).

(4) Where the person is within class C, that amount is the amount which is the alternative maximum council tax reduction in respect of the day in the applicant’s case.

(5) Sub-paragraph (6) applies where both—

(a) sub-paragraph (2) or sub-paragraph (3), and

(b) sub-paragraph (4),

apply to a person.

(6) The amount of the reduction to which he is entitled is whichever is the greater of—

(a) the amount of the reduction given by sub-paragraph (2) or sub-paragraph (3), as the case may be, and

- (b) the amount of the reduction given by sub-paragraph (4).

PART 6 - Income and capital for the purposes of calculating eligibility for a reduction under the authority's scheme and amount of reduction

CHAPTER 1 - General

11. Calculation of income and capital: applicant's family and polygamous marriages

(1) The income and capital of—

- (a) an applicant; and
- (b) any partner of that applicant,

is to be calculated in accordance with the provisions of this Part.

(2) The income and capital of any partner of the applicant is to be treated as income and capital of the applicant, and in this Part any reference to the applicant applies equally to any partner of the applicant.

(3) Where an applicant or the partner of an applicant is married polygamously to two or more members of his household—

(a) the applicant must be treated as possessing capital and income belonging to each such member; and

(b) the income and capital of that member must be calculated in accordance with the following provisions of this Part in like manner as for the applicant.

12. Circumstances in which income and capital of non-dependant is to be treated as applicant's

(1) Sub-paragraph (2) applies where it appears to an authority that a non-dependant and an applicant have entered into arrangements in order to take advantage of the authority's scheme and the non-dependant has more income and capital than the applicant.

(2) Except where the applicant is on a guarantee credit the authority must treat the applicant as possessing income and capital belonging to that non-dependant and, in such a case, any income and capital which the applicant does possess must be disregarded.

(3) Where an applicant is treated as possessing income and capital belonging to a non-dependant under sub-paragraph (2) the income and capital of that non-dependant must be calculated in accordance with the following provisions of this Part in like manner as for the applicant and, except where the context otherwise requires, any reference to the "applicant" is to be construed for the purposes of this Part as if it were a reference to that non-dependant.

CHAPTER 2 - Income

13. Applicant in receipt of guarantee credit

In the case of an applicant who is in receipt, or whose partner is in receipt, of a guarantee credit, the whole of his capital and income must be disregarded.

14. Calculation of applicant's income in savings credit only cases

(1) In determining the income and capital of an applicant who has, or whose partner has, an award of state pension credit comprising only the savings credit, subject to the

following provisions of this paragraph, an authority must use the calculation or estimate of the applicant's or as the case may be, the applicant's partner's income and capital made by the Secretary of State for the purpose of determining the award of state pension credit.

(2) Where the calculation or estimate provided by the Secretary of State includes the amount taken into account in that determination in respect of net income, the authority may only adjust that amount so far as necessary to take into account—

- (a) the amount of any savings credit payable;
- (b) in respect of any dependent children of the applicant, child care charges taken into account under paragraph 24(1)(c) (calculation of income on a weekly basis);
- (c) the higher amount disregarded under this Schedule in respect of—
 - (i) lone parent's earnings; or
 - (ii) payments of maintenance, whether under a court order or not, which are made or due to be made by—
 - (aa) the applicant's former partner, or the applicant's partner's former partner; or
 - (bb) the parent of a child or young person where that child or young person is a member of the applicant's family except where that parent is the applicant or the applicant's partner;
- (d) any amount to be disregarded by virtue of paragraph 10(1) of Schedule 4 (sums disregarded from earnings);
- (e) the income and capital of any partner of the applicant who is treated as a member of the applicant's household under regulation 8, to the extent that it is not taken into account in determining the net income of the person claiming state pension credit;
- (f) paragraph 12 (circumstances in which income of a non-dependant is to be treated as applicant's), if the authority determines that that provision applies in the applicant's case;
- (g) such further reduction (if any) as the authority thinks fit under section 13A(1)(c) of the 1992 Act;
- (h) any amount to be disregarded by virtue of paragraph 6 of Schedule 4.

(3) Paragraphs 16 to 29 of this Schedule do not apply to the amount of the net income to be taken into account under sub-paragraph (1), but do apply (so far as relevant) for the purpose of determining any adjustments to that amount which the authority makes under sub-paragraph (2).

(4) If sub-paragraph (5) applies, the authority will calculate the applicant's capital in accordance with paragraphs 31 and 36 of this Schedule.

(5) This sub-paragraph applies if—

- (a) the Secretary of State notifies the authority that the applicant's capital has been determined as being £16,000 or less or the authority determines his capital as being £16,000 or less;
- (b) subsequent to that determination the applicant's capital rises to more than £16,000; and
- (c) the increase occurs whilst there is in force an assessed income period within the meaning of sections 6 and 9 of the State Pension Credit Act 2002.

15. Calculation of income and capital where state pension credit is not payable

Where neither paragraph 13 (applicant in receipt of guarantee credit) nor 14

(calculation of income in savings credit only cases) applies in the applicant's case, his income and capital is to be calculated or estimated in accordance with paragraphs 16 to 25, 27 to 30 and chapter 3 (capital) of this Part.

16. Meaning of "income"

(1) For the purposes of classes A to C, "income" means income of any of the following descriptions—

- (a) earnings;
- (b) working tax credit;
- (c) retirement pension income within the meaning of the State Pension Credit Act 2002;
- (d) income from annuity contracts (other than retirement pension income);
- (e) a war disablement pension or war widow's or widower's pension;
- (f) a foreign war disablement pension or war widow's or widower's pension;
- (g) a guaranteed income payment;
- (h) a payment made under article 29(1)(c) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, in any case where article 31(2)(c) applies;
- (i) income from capital other than capital disregarded under Part 1 of Schedule 6 (capital disregards);
- (j) social security benefits, other than retirement pension income or any of the following benefits—
 - (zi) universal credit;
 - (i) disability living allowance;
 - (ii) personal independence payment;
 - (iii) an AFIP;
 - (iv) attendance allowance payable under section 64 of the SSCBA;
 - (v) an increase of disablement pension under section 104 or 105 of that Act;
 - (vi) child benefit;
 - (vii) any guardian's allowance payable under section 77 of the SSCBA;
 - (viii) any increase for a dependant, other than the applicant's partner, payable in accordance with Part 4 of that Act;
 - (ix) any -
 - (aa) social fund payment made under Part 8 of that Act; or
 - (bb) occasional assistance;
 - (x) Christmas bonus payable under Part 10 of that Act;
 - (xi) housing benefit;
 - (xii) council tax benefit;
 - (xii) bereavement payment;
 - (xiv) statutory sick pay;
 - (xv) statutory maternity pay;
 - (xvi) ordinary statutory paternity pay payable under Part 12ZA of the SSCBA;

- (xvii) additional statutory paternity pay payable under Part 12ZA of the SSCBA;
 - (xviii) statutory adoption pay payable under Part 12ZB of that Act;
 - (xix) -
 - (xx) carer's allowance supplement payable under section 81 of the social security (Scotland) Act 2018(a);
 - (xxi) early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018(14);
 - (xxii) funeral expense assistance given in accordance with section 34 of that Act;
 - (xxiii) any Scottish child payment assistance given in accordance with section 79 of that Act(10);
 - (xxiv) any assistance given in accordance with the Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019(11);
 - (xxv) short-term assistance given in accordance with regulations under section 36 of the Social Security (Scotland) Act 2018(12);
 - (xxvi) winter heating assistance given in accordance with regulations under section 30 of that Act;
 - (xxvii) any benefit similar to those mentioned in the preceding provisions of this paragraph payable under legislation having effect in Northern Ireland;";
- (k) all foreign social security benefits which are similar to the social security benefits mentioned above;
- (l) a payment made—
- (i) under article 30 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006, in any case where article 30(1)(b) applies; or
 - (ii) under article 12(8) of that Order, in any case where sub-paragraph (b) of that article applies;
- (m) a pension paid by a government to victims of National Socialist persecution;
- (n) payments under a scheme made under the Pneumoconiosis etc (Workers' Compensation) Act 1979;
- (o) payments made towards the maintenance of the applicant by his spouse, civil partner, former spouse or former civil partner or towards the maintenance of the applicant's partner by his spouse, civil partner, former spouse or former civil partner, including payments made—
- (i) under a court order;
 - (ii) under an agreement for maintenance; or
 - (iii) voluntarily;
- (p) payments due from any person in respect of board and lodging accommodation provided by the applicant;
- (q) royalties or other sums paid as a consideration for the use of, or the right to use, any copyright, design, patent or trade mark;
- (r) any payment in respect of any—

- (i) book registered under the Public Lending Right Scheme 1982; or
 - (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982;
- (s) any payment, other than a payment ordered by a court or made in settlement of a claim, made by or on behalf of a former employer of a person on account of the early retirement of that person on grounds of ill-health or disability;
- (t) any sum payable by way of pension out of money provided under—
- (i) the Civil List Act 1837,
 - (ii) the Civil List Act 1937,
 - (iii) the Civil List Act 1952,
 - (iv) the Civil List Act 1972, or
 - (v) the Civil List Act 1975;
- (u) any income in lieu of that specified in paragraphs (a) to (r);
- (v) any payment of rent made to an applicant who—
- (i) owns the freehold or leasehold interest in any property or is a tenant of any property;
 - (ii) occupies part of the property; and
 - (iii) has an agreement with another person allowing that person to occupy that property on payment of rent;
- (w) any payment made at regular intervals under an equity release scheme;
- (x) PPF periodic payments within the meaning of section 17(1) of the State Pension Credit Act 2002.
- (2) Where the payment of any social security benefit referred to in sub-paragraph (1), or retirement pension income to which section 16(1)(za) to (e) of the State Pension Credit Act 2002 applied(a), is subject to any deduction (other than an adjustment specified in sub-paragraph (4)) the amount to be taken into account under sub-paragraph (1) is to be the amount before the deduction is made.
- (3) Where an award of any working tax credit or child tax credit is subject to a deduction by way of recovery of an overpayment of working tax credit or child tax credit which arose in a previous tax year the amount to be taken into account under sub-paragraph (1) shall be the amount of working tax credit or child tax credit awarded less the amount of that deduction.
- (4) The adjustments specified in this paragraph are those made in accordance with—
- (a) the Social Security (Overlapping Benefits) Regulations 1979;
 - (b) the Social Security (Hospital In-Patients) Regulations 1975;
 - (c) section 30DD or section 30E of the SSCBA (reductions in incapacity benefit in respect of pensions and councillor's allowances);
 - (d) section 3 of the Welfare Reform Act 2007 (deductions from contributory employment and support allowance in respect of pensions and councillor's allowances) and regulations made under it.
- (e) Section 14 of the Pensions Act 2014 (pension sharing: reduction in sharer's section 4 pension)(a);
- (f) Section 45B or 55B of the Social Security Contributions and Benefits Act 1992 (reduction in additional pension in Category A retirement pension and shared

additional pension: pension sharing)(b).

(5) In sub-paragraph (1) -

(a) in paragraph (w), an “equity release scheme” means a loan—

- (i) made between a person (“the lender”) and the applicant;
- (ii) by means of which a sum of money is advanced by the lender to the applicant by way of payments at regular intervals; and
- (iii) which is secured on a dwelling in which the applicant owns an estate or interest and which he occupies as his home; and

(b) in paragraph (J)(ix) “occasional assistance” means any payment or provision made by a local authority, the Welsh Ministers or the Scottish Ministers for the purpose of -

- (i) meeting, or helping to meet an immediate short-term need -
 - (aa) arising out of an exceptional event or exceptional circumstances;
 - and
 - (bb) that needs to be met to avoid a risk to the well-being of an individual; or
- (ii) enabling qualifying individuals to establish or maintain a settled home, and “qualifying individuals” means individuals who have been, or without assistance might otherwise be -
 - (aa) in prison, hospital, an establishment providing residential care or other institution; or
 - (bb) homeless or otherwise living an unsettled way of life.

(6) In sub-paragraph (5)(b) “local authority” means a local authority in England within the meaning of the Local Government Act 1972

17. Calculation of weekly income

(1) Except in a case within sub-paragraph (2), (3A), (4A) or (5), for the purposes of calculating the weekly income of an applicant, where the period in respect of which payment is made—

- (a) does not exceed a week, the whole of that payment must be included in the applicant’s weekly income;
- (b) exceeds a week, the amount to be included in the applicant’s weekly income is to be determined—
 - (i) in a case where that period is a month, by multiplying the amount of the payment by 12 and dividing the product by 52;
 - (ii) in a case where that period is three months, by multiplying the amount of the payment by 4 and dividing the product by 52;
 - (iii) in a case where that period is a year, by dividing the amount of the payment by 52;
 - (iv) in any other case, by multiplying the amount of the payment by 7 and dividing the product by the number of days in the period in respect of which it is made.

(2) Sub-paragraph (3) applies where—

- (a) the applicant’s regular pattern of work is such that he does not work the same hours every week; or
- (b) the amount of the applicant’s income fluctuates and has changed more than once.

(3) The weekly amount of that applicant's income is to be determined—

(a) if, in a case to which sub - paragraph (2)(a) applies, there is a recognised cycle of work, by reference to his average weekly income over the period of the complete cycle (including, where the cycle involves periods in which the applicant does no work, those periods but disregarding any other absences); or

(b) in any other case, on the basis of—

(i) the last two payments if those payments are one month or more apart;

(ii) the last four payments if the last two payments are less than one month apart; or

(iii) calculating or estimating such other payments as may, in the particular circumstances of the case, enable the applicant's average weekly income to be determined more accurately.

(3A) Income Calculated pursuant to sub-paragraphs (2) and (3) must be taken into account-

(a) in the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter;

(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the first day of the reduction week following the date the applicant commences that employment, and the first day of each reduction week thereafter; or

(c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date the applicant's earnings from employment change so as to require recalculation under this paragraph, and the first day of each reduction week thereafter,

regardless of whether those earnings were actually received in that reduction week.

(4) For the purposes of sub-paragraph (3)(b) the last payments are the last payments before the date the application was made or treated as made.

(4A) An applicant's earnings from employment as an employed earner not calculated pursuant to sub-paragraphs (2) and (3) must be taken into account –

(a) In the case of an application, on the date on which the application was made or treated as made, and the first day of each reduction week thereafter;

(b) in the case of an application or a reduction under a scheme where the applicant commences employment, the first day of the reduction week following the date the applicant commences that employment, and the first day of each reduction week thereafter; or

(c) in the case of an application or a reduction under a scheme where the applicant's average weekly earnings from employment change, the first day of the reduction week following the date the applicant's earnings from employment change so as to require recalculation under this paragraph, and the first day of each reduction week thereafter,

regardless of whether those earnings were actually received in that reduction week.

(5) If the applicant is entitled to receive a payment to which sub-paragraph (6) applies, the amount of that payment is to be treated as if made in respect of a period of a year.

(6) This sub-paragraph applies to—

(a) royalties or other sums paid as a consideration for the use of, or the right to use,

any copyright, design, patent or trade mark;

(b) any payment in respect of any—

- (i) book registered under the Public Lending Right Scheme 1982; or
- (ii) work made under any international public lending right scheme that is analogous to the Public Lending Right Scheme 1982; and

(c) any payment which is made on an occasional basis.

(7) The period under which any benefit under the benefit Acts is to be taken into account is to be the period in respect of which that benefit is payable.

(8) Where payments are made in a currency other than Sterling, the value of the payment is to be determined by taking the Sterling equivalent on the date the payment is made.

(9) The sums specified in Schedule 4 (sums disregarded from earnings) are to be disregarded in calculating—

(a) an applicant's earnings; and

(b) any amount to which sub-paragraph (6) applies where an applicant is the first owner of the copyright, design, patent or trademark, or an original contributor to the book or work referred to in sub-paragraph (6)(b).

(10) For the purposes of sub-paragraph (9)(b), and for that purpose only, the amounts specified in sub-paragraph (6) are to be treated as though they were earnings.

(11) Income specified in Schedule 5 (amount disregarded in calculation of amounts other than earnings) is to be disregarded in the calculation of an applicant's income.

(12) Schedule 6 (capital disregards) has effect so that—

(a) the capital specified in Part 1 is disregarded for the purpose of determining an applicant's income; and

(b) the capital specified in Part 2 is disregarded for the purpose of determining an applicant's income under paragraph 37 (calculation of tariff income from capital).

(13) In the case of any income taken into account for the purpose of calculating a person's income any amount payable by way of tax is disregarded.

18. Earnings of employed earners

(1) Subject to sub-paragraph (2), "earnings" in the case of employment as an employed earner, means any remuneration or profit derived from that employment and includes—

(a) any bonus or commission;

(b) any payment in lieu of remuneration except any periodic sum paid to an applicant on account of the termination of his employment by reason of redundancy;

(c) any payment in lieu of notice;

(d) any holiday pay;

(e) any payment by way of a retainer;

(f) any payment made by the applicant's employer in respect of expenses not wholly, exclusively and necessarily incurred in the performance of the duties of the employment, including any payment made by the applicant's employer in respect of—

- (i) travelling expenses incurred by the applicant between his home and place of employment;

- (ii) expenses incurred by the applicant under arrangements made for the

care of a member of his family owing to the applicant's absence from home;

(g) the amount of any payment by way of a non-cash voucher which has been taken into account in the computation of a person's earnings in accordance with Part 5 of Schedule 3 to the Social Security (Contributions) Regulations 2001;

(h) statutory sick pay payable by the employer under the SSCBA;

(i) statutory maternity pay payable by the employer under that Act;

(j) ordinary statutory paternity pay payable under Part 12ZA of that Act;

(ja) statutory shared parental pay

(jb) statutory parental bereavement pay under Part 12ZD of that Act(15)

(k) additional statutory paternity pay payable under Part 12ZA of that Act;

(l) statutory adoption pay payable under Part 12ZB of that Act;

(m) any sums payable under a contract of service—

(i) for incapacity for work due to sickness or injury; or

(ii) by reason of pregnancy or confinement.

(2) Earnings does not include—

(a) subject to sub-paragraph (3), any payment in kind;

(b) any payment in respect of expenses wholly, exclusively and necessarily incurred in the performance of the duties of the employment;

(c) any occupational pension;

(d) any lump sum payment made under the Iron and Steel Re-adaptation Benefits Scheme;

(e) any payment of compensation made pursuant to an award by an employment tribunal established under the Employment Tribunals Act 1996 in respect of unfair dismissal or unlawful discrimination;

(f) any payment in respect of expenses arising out of the applicant participating as a service user.

(3) Sub-paragraph (2)(a) does not apply in respect of any non-cash voucher referred to in sub-paragraph (1)(g).

19. Calculation of net earnings of employed earners

(1) For the purposes of paragraph 24 (calculation of income on a weekly basis), the earnings of an applicant derived or likely to be derived from employment as an employed earner to be taken into account must, subject to paragraph 17(5) and Schedule 4, (sums disregarded from earnings) be his net earnings.

(2) For the purposes of sub-paragraph (1) net earnings must, except where sub-paragraph (5) applies, be calculated by taking into account the gross earnings of the applicant from that employment over the assessment period, less—

(a) any amount deducted from those earnings by way of—

(i) income tax;

(ii) primary Class 1 contributions under the SSCBA;

(b) one-half of any sum paid by the applicant by way of a contribution towards an occupational pension scheme;

(c) one-half of the amount calculated in accordance with sub-paragraph (4) in respect

of any qualifying contribution payable by the applicant; and

(d) where those earnings include a payment which is payable under any enactment having effect in Northern Ireland and which corresponds to statutory sick pay, statutory maternity pay, ordinary or additional statutory paternity pay, statutory shared parental pay, statutory parental bereavement pay or statutory adoption pay, any amount deducted from those earnings by way of any contributions which are payable under any enactment having effect in Northern Ireland and which correspond to primary Class 1 contributions under the SSCBA.

(3) In this paragraph “qualifying contribution” means any sum which is payable periodically as a contribution towards a personal pension scheme.

(4) The amount in respect of any qualifying contribution is to be calculated by multiplying the daily amount of the qualifying contribution by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying contribution is to be determined—

(a) where the qualifying contribution is payable monthly, by multiplying the amount of the qualifying contribution by 12 and dividing the product by 365;

(b) in any other case, by dividing the amount of the qualifying contribution by the number equal to the number of days in the period to which the qualifying contribution relates.

(5) Where the earnings of an applicant are determined under paragraph 17(2)(b) (calculation of weekly income) his net earnings are to be calculated by taking into account those earnings over the assessment period, less—

(a) an amount in respect of income tax equivalent to an amount calculated by applying to those earnings the basic rate or in the case of a Scottish taxpayer, the Scottish basis rate, of tax applicable to the assessment period less only the personal reliefs to which the applicant is entitled under Chapters 2, 3 and 3A of Part 3 of the Income Tax Act 2007 as are appropriate to his circumstances but, if the assessment period is less than a year, the earnings to which the basic rate, or the Scottish basic rate, of tax is to be applied and the amount of the personal reliefs deductible under this sub-paragraph is to be calculated on a pro rata basis;

(b) an amount equivalent to the amount of the primary Class 1 contributions that would be payable by him under the SSCBA in respect of those earnings if such contributions were payable; and

(c) one-half of any sum which would be payable by the applicant by way of a contribution towards an occupational or personal pension scheme, if the earnings so estimated were actual earnings.

20. Calculation of earnings of self-employed earners

(1) Where the earnings of an applicant consist of earnings from employment as a self-employed earner, the weekly amount of his earnings must be determined by reference to his average weekly earnings from that employment—

(a) over a period of one year; or

(b) where the applicant has recently become engaged in that employment or there has been a change which is likely to affect the normal pattern of business, over such other period (“computation period”) as may, in the particular case, enable the weekly amount of his earnings to be determined more accurately.

(2) For the purposes of determining the weekly amount of earnings of an applicant to whom sub-paragraph (1)(b) applies, his earnings over the computation period are to be divided by the number equal to the number of days in that period and the product multiplied by 7.

(3) The period over which the weekly amount of an applicant's earnings is calculated in accordance with this paragraph will be his assessment period.

21. Earnings of self-employers earners

(1) Subject to sub-paragraph (2), "earnings", in the case of employment as a self-employed earner, means the gross income of the employment.

(2) "Earnings" in the case of employment as a self-employed earner does not include—

(a) where an applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation for which payment is made, those payments;

(b) any payment made by a local authority to an applicant—

(i) with whom a person is accommodated by virtue of arrangements made under sections 22C or 23(2)(a) of the Children Act 1989 or, as the case may be, section 26 26A of the Children (Scotland) Act 1995; or

(ii) with whom a local authority fosters a child under the Looked After Children (Scotland) Regulations 2009 or who is a kinship carer under those Regulations;

(c) any payment made by a voluntary organisation in accordance with section 59(1)(a) of the Children Act 1989;

(d) any payment made to the applicant or his partner for a person ("the person concerned") who is not normally a member of the applicant's household but is temporarily in his care, by—

(i) a local authority but excluding payments of housing benefit made in respect of the person concerned;

(ii) a voluntary organisation;

(iii) the person concerned pursuant to section 26(3A) of the National Assistance Act 1948;

(iv) the National Health Service Commissioning Board or a clinic commissioning group established under section 14D of the National Health Service Act 2006;

(v) Local Health Board established by an order made under section 11 of the National Health Service (Wales) Act 2006; or

(vi) the persons concerned where the payment is for the provision of accommodation to meet that person's needs for care and support under section 35 or 36 of the Social Services and Well-being (Wales) Act 2014 (respectively, duty and power to meet care and support needs of an adult)(c);

(da) any payment or part of a payment made by a local authority in accordance with section 26A of the Children (Scotland) Act 1995 (duty to provide continuing care) to a person ("A") which A passes on to the applicant where A-

(i) was formerly in the applicant's care;

(ii) is aged 16 or over; and

(iii) continues to live with the applicant;

(db) any payments made to an applicant under section 73(1)(b) of the Children and Young People (Scotland) Act 2014 (kinship care assistance: further provisions)(d);

(e) any sports award.

22. Notional income

- (1) An applicant is to be treated as possessing—
 - (a) subject to sub-paragraph (2), the amount of any retirement pension income—
 - (i) for which no claim has been made; and
 - (ii) to which he might expect to be entitled if a claim for it were made;
 - (b) income from an occupational pension scheme which the applicant elected to defer.
- (2) Sub-paragraph (1)(a) does not apply to the following where entitlement has been deferred—
 - (a) a Category A or Category B retirement pension payable under sections 43 to 55 of the SSCBA;
 - (b) a shared additional pension payable under section 55A of the SSCBA;
 - (c) graduated retirement benefit payable under sections 36 and 37 of the National Insurance Act 1965.
- (3) For the purposes of sub-paragraph (2), entitlement has been deferred—
 - (a) in the case of a Category A or Category B pension, in the circumstances specified in section 55(3) of the SSCBA;
 - (b) in the case of a shared additional pension, in the circumstances specified in section 55C(3) of the SSCBA; and
 - (c) in the case of graduated retirement benefit, in the circumstances specified in section 36(4) and (4A) of the National Insurance Act 1965.
- (4) This sub-paragraph applies where a person who has attained the qualifying age for state pension credit—
 - (a) is entitled to money purchase benefits under an occupational pension scheme or a personal pension scheme;
 - (b) fails to purchase an annuity with the funds available in that scheme; and
 - (c) either—
 - (i) defers in whole or in part the payment of any income which would have been payable to him by his pension fund holder, or
 - (ii) fails to take any necessary action to secure that the whole of any income which would be payable to him by his pension fund holder upon his applying for it, is so paid, or
 - (iii) income withdrawal is not available to him under that scheme.
- (5) Where sub-paragraph (4) applies, the amount of any income foregone is to be treated as possessed by that person, but only from the date on which it could be expected to be acquired were an application for it to be made.
- (6) The amount of any income foregone in a case where sub-paragraph (4)(c)(i) or (ii) applies is to be the rate of the annuity which may have been purchased with the fund and must be determined by the authority, taking account of information provided by the pension fund holder.
- (7) The amount of any income foregone in a case where sub-paragraph (4)(c)(iii) applies is to be the income that the applicant could have received without purchasing an annuity had the funds held under the relevant scheme been held under a personal pension scheme or occupational pension scheme where income withdrawal was available and is to be determined in the manner specified in sub-paragraph (6).
- (8) In sub-paragraph (4), “money purchase benefits” has the same meaning as in the Pensions Scheme Act 1993.

(9) Subject to sub-paragraphs (10) and (12), a person will be treated as possessing income of which he has deprived himself for the purpose of securing entitlement to a reduction under the authority's scheme or increasing the amount of the reduction.

(10) Sub-paragraph (9) does not apply in respect of the amount of an increase of pension or benefit where a person, having made an election in favour of that increase of pension or benefit under Schedule 5 or 5A to the SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005, changes that election in accordance with regulations made under Schedule 5 or 5A to that Act in favour of a lump sum.

(11) In sub-paragraph (10), "lump sum" means a lump sum under Schedule 5 or 5A to the SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005.

(12) Sub-paragraph (9) does not apply in respect of any amount of income other than earnings, or earnings of an employed earner, arising out of the applicant participating as a service user.

(13) Where an applicant is in receipt of any benefit under the benefit Acts and the rate of that benefit is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter, the authority must treat the applicant as possessing such benefit at the altered rate from either 1st April or the first Monday in April in that year, whichever date the authority selects to apply, to the date on which the altered rate is to take effect.

(14) In the case of an applicant who has, or whose partner has, an award of state pension credit comprising only the savings credit, where the authority treats the applicant as possessing any benefit at the altered rate in accordance with sub-paragraph (13), the authority must—

(a) determine the income and capital of that applicant in accordance with paragraph 14(1) (calculation of applicant's income in savings credit only cases) where the calculation or estimate of that income and capital is altered with effect from a date on or after 1st April in any year but not more than 14 days thereafter; and

(b) treat that applicant as possessing such income and capital at the altered rate by reference to the date selected by the relevant authority to apply in its area, for the purposes of establishing the period referred to in sub-paragraph (13).

(15) For the purposes of sub-paragraph (9), a person is not to be regarded as depriving himself of income where—

(a) his rights to benefits under a registered pension scheme are extinguished and in consequence of this he receives a payment from that scheme, and

(b) that payment is a trivial commutation lump sum within the meaning given by paragraph 7 of Schedule 29 to the Finance Act 2004.

(16) In sub-paragraph (15), "registered pension scheme" has the meaning given in section 150(2) of the Finance Act 2004.

23. Income paid to third parties

(1) Any payment of income, other than a payment specified in sub-paragraph (2) or (3), to a third party in respect of an applicant is to be treated as possessed by the applicant.

(2) Sub-paragraph (1) does not apply in respect of a payment of income made under an occupational pension scheme, in respect of a pension or other periodical payment made under a personal pension scheme or a payment made by the Board of the Pension Protection Fund where—

(a) a bankruptcy order has been made in respect of the person in respect of whom the payment has been made or, in Scotland, the estate of that person

is subject to sequestration or a judicial factor has been appointed on that person's estate under section 41 of the Solicitors (Scotland) Act 1980;

(b) the payment is made to the trustee in bankruptcy or any other person acting on behalf of the creditors; and

(c) the person referred to in paragraph (a) and his partner do not possess, or are not treated as possessing, any other income apart from that payment.

(3) Sub-paragraph (1) does not apply in respect of any payment of income other than earnings, or earnings derived from employment as an employed earner, arising out of the applicant participating as a service user.

24. Calculation of income on a weekly basis

(1) Subject to paragraph 28 (disregard of changes in tax, etc), the income of an applicant is to be calculated on a weekly basis—

(a) by estimating the amount which is likely to be his average weekly income in accordance with this Part;

(b) by adding to that amount the weekly income calculated under paragraph 37 (calculation of tariff income from capital); and

(c) deducting from the sum of paragraphs (a) and (b) any relevant child care charges to which paragraph 25 (treatment of child care charges) applies from any earnings which form part of the average weekly income or, in a case where the conditions in sub-paragraph (2) are met, from those earnings plus whichever credit specified in paragraph (b) of that sub-paragraph is appropriate, up to a maximum deduction in respect of the applicant's family of whichever of the sums specified in sub-paragraph (3) applies in his case.

(2) The conditions of this paragraph are that—

(a) the applicant's earnings which form part of his average weekly income are less than the lower of either his relevant child care charges or whichever of the deductions specified in paragraph (3) otherwise applies in his case; and

(b) that applicant or, if he is a member of a couple either the applicant or his partner, is in receipt of either working tax credit or child tax credit.

(3) The maximum deduction to which sub-paragraph (1)(c) refers is to be—

(a) where the applicant's family includes only one child in respect of whom relevant child care charges are paid, £175.00 per week;

(b) where the applicant's family includes more than one child in respect of whom relevant child care charges are paid, £300 per week.

25. Treatment of child care charges

(1) This paragraph applies where an applicant is incurring relevant child care charges and—

(a) is a lone parent and is engaged in remunerative work;

(b) is a member of a couple both of whom are engaged in remunerative work; or

(c) is a member of a couple where one member is engaged in remunerative work and the other—

(i) is incapacitated;

(ii) is an in-patient in hospital; or

(iii) is in prison (whether serving a custodial sentence or remanded in custody awaiting trial or sentence).

- (2) For the purposes of sub-paragraph (1) and subject to sub-paragraph (4), a person to whom sub-paragraph (3) applies must be treated as engaged in remunerative work for a period not exceeding 28 weeks during which he—
- (a) is paid statutory sick pay;
 - (b) is paid short-term incapacity benefit at the lower rate under sections 30A to 30E of the SSCBA;
 - (c) is paid an employment and support allowance;
 - (d) is paid income support on the grounds of incapacity for work under regulation 4ZA of, and paragraph 7 or 14 of Schedule 1B to, the Income Support (General) Regulations 1987; or
 - (e) is credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.
- (3) This sub-paragraph applies to a person who was engaged in remunerative work immediately before—
- (a) the first day of the period in respect of which he was first paid statutory sick pay, short-term incapacity benefit, an employment and support allowance or income support on the grounds of incapacity for work; or
 - (b) the first day of the period in respect of which earnings are credited, as the case may be.
- (4) In a case to which sub-paragraph (2)(d) or (e) applies, the period of 28 weeks begins on the day on which the person is first paid income support or on the first day of the period in respect of which earnings are credited, as the case may be.
- (5) Relevant child care charges are those charges for care to which sub-paragraphs (6) and (7) apply, and are to be calculated on a weekly basis in accordance with sub-paragraph (9).
- (6) The charges are paid by the applicant for care which is provided—
- (a) in the case of any child of the applicant's family who is not disabled, in respect of the period beginning on that child's date of birth and ending on the day preceding the first Monday in September following that child's fifteenth birthday; or
 - (b) in the case of any child of the applicant's family who is disabled, in respect of the period beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday.
- (7) The charges are paid for care which is provided by one or more of the care providers listed in sub-paragraph (8) and are not paid—
- (a) in respect of the child's compulsory education;
 - (b) by an applicant to a partner or by a partner to an applicant in respect of any child for whom either or any of them is responsible in accordance with paragraph 7 (circumstances in which a person is treated as responsible or not responsible for another) of this scheme; or
 - (c) in respect of care provided by a relative of the child wholly or mainly in the child's home.
- (8) The care to which sub-paragraph (7) refers may be provided—
- (a) out of school hours, by a school on school premises or by a local authority—
 - (i) for children who are not disabled in respect of the period beginning on their eighth birthday and ending on the day preceding the first Monday in September following their fifteenth birthday; or
 - (ii) for children who are disabled in respect of the period beginning on their

eighth birthday and ending on the day preceding the first Monday in September following their sixteenth birthday; or

- (b) by a child care provider approved in accordance with the Tax Credit (New Category of Child Care Provider) Regulations 1999; or
 - (c) by persons registered under Part 2 of the Children and Families (Wales) Measure 2010; or
 - (d) by a person who is excepted from registration under Part 2 of the Children and Families (Wales) Measure 2010 because the child care that person provides is in a school or establishment referred to in article 11, 12 or 14 of the Child Minding and Day Care Exceptions (Wales) Order 2010; or
 - (e) by -
 - (i) persons registered under section 59(1) of the Public Services Reform (Scotland) Act 2010; or
 - (ii) local authorities registered under section 83(1) of that Act, where the care provided is child minding or day care of children within the meaning of that Act; or
 - (f) by a person prescribed in regulations made pursuant to section 12(4) of the Tax Credits Act 2002; or
 - (g) by a person who is registered under Chapter 2 or 3 of Part 3 of the Childcare Act 2006; or
 - (h) by any of the schools mentioned in section 34(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 2 of Part 3 of that Act does not apply by virtue of section 34(2) of that Act; or
 - (i) by any of the schools mentioned in section 53(2) of the Childcare Act 2006 in circumstances where the requirement to register under Chapter 3 of Part 3 of that Act does not apply by virtue of section 53(2) of that Act; or
 - (j) by any of the establishments mentioned in section 18(5) of the Childcare Act 2006 in circumstances where the care is not included in the meaning of "childcare" for the purposes of Part 1 and Part 3 of that Act by virtue of that subsection; or
 - (k) by a foster parent or kinship carer under the Fostering Services (England) Regulations 2011, the Fostering Services (Wales) Regulations 2003 or the Looked After Children (Scotland) Regulations 2009 in relation to a child other than one whom the foster parent is fostering or kinship carer is looking after; or
 - (l) by a provider of personal care within the meaning of paragraph 1 of Schedule 1 to the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 and being a regulated activity prescribed by those Regulations; or by a person who is employed, or engaged under a contract for services, to provide care and support by the provider of a domiciliary support service within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016(b); or
 - (m) by a person who is not a relative of the child wholly or mainly in the child's home.
- (9) Relevant child care charges are to be estimated over such period, not exceeding a year, as is appropriate in order that the average weekly charge may be estimated accurately having regard to information as to the amount of that charge provided by the child minder or person providing the care.
- (10) For the purposes of sub-paragraph (1)(c) the other member of a couple is incapacitated where—
- (a) he is aged not less than 80;

- (b) he is aged less than 80, and—
- (i) an additional condition specified in paragraph 26 is treated as applying in his case; and
 - (ii) he satisfies that condition or would satisfy it but for his being treated as capable of work by virtue of a determination made in accordance with regulations made under section 171E of the SSCBA;
- (c) the other member of the couple would be a member of the support group or a member of the work-related activity group by virtue of a determination made in accordance with the Employment and Support Allowance Regulations 2008 or the Employment and Support Allowance Regulations 2013(a);
- (d) he is, or is treated as, incapable of work and has been so incapable, or has been so treated as incapable, of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work) for a continuous period of not less than 196 days; and for this purpose any two or more separate periods separated by a break of not more than 56 days must be treated as one continuous period;
- (e) he is, or is treated as having, limited capability for work and has had, or been treated as having, limited capability for work in accordance with the Employment and Support Allowance Regulations 2008 or the Employment and Support Allowance Regulations 2013(a) for a continuous period of not less than 196 days and for this purpose any two or more separate periods separated by a break of not more than 84 days must be treated as one continuous period;
- (f) there is payable in respect of him one or more of the following pensions or allowances—
- (i) long-term incapacity benefit or short-term incapacity benefit at the higher rate under Schedule 4 to the SSCBA;
 - (ii) attendance allowance under section 64 of the SSCBA;
 - (iii) severe disablement allowance under section 68 of the SSCBA;
 - (iv) disability living allowance under section 71 of the SSCBA;
 - (v) personal independence payment;
 - (vi) an AFIP;
 - (vii) increase of disablement pension under section 104 of the SSCBA;
 - (viii) a pension increase paid as part of a war disablement pension or under an industrial injuries scheme which is analogous to an allowance or increase of disablement pension under sub-paragraph (ii), (iv), (v) or (vii) above;
 - (ix) main phase employment and support allowance;
- (g) a pension or allowance or payment to which sub-paragraph (v) (vii) or (viii) of paragraph (f) above refers was payable on account of his incapacity but has ceased to be payable in consequence of his becoming a patient, which in this paragraph means a person (other than a person who is serving a sentence of imprisonment or detention in a youth custody institution) who is regarded as receiving free in-patient treatment within the meaning of regulation 2(4) and (5) of the Social Security (Hospital In-Patients) Regulations 2005;
- (h) an attendance allowance under section 64 of the SSCBA or disability living allowance would be payable to that person but for -
- (i) a suspension of benefit in accordance with regulations made under section 113(2) of the SSCBA; or

(ii) an abatement as a consequence of hospitalization;

(i) the daily living component of personal independence payment would be payable to that person but for a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);

(j) an AFIP would be payable to that person but for a suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution.

(k) paragraph (f), (g), (h) or (i) would apply to him if the legislative provisions referred to in those paragraphs were provisions under any corresponding enactment having effect in Northern Ireland; or

(l) he has an invalid carriage or other vehicle provided to him by the Secretary of State or a clinical commissioning group under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or under section 46 of the National Health Service (Scotland) Act 1978 or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972.

(11) For the purposes of sub-paragraph (10), once sub-paragraph (10)(d) applies to the person, if he then ceases, for a period of 56 days or less, to be incapable, or to be treated as incapable, of work, that paragraph is to, on his again becoming so incapable, or so treated as incapable, of work at the end of that period, immediately thereafter apply to him for so long as he remains incapable, or is treated as remaining incapable, of work

(12) For the purposes of sub-paragraph (10), once sub-paragraph (10)(e) applies to the person, if he then ceases, for a period of 84 days or less, to have, or to be treated as having, limited capability for work, that paragraph is to, on his again having, or being treated as having, limited capability for work at the end of that period, immediately thereafter apply to him for so long as he has, or is treated as having, limited capability for work.

(13) For the purposes of sub-paragraphs (6) and (8)(a), a person is disabled if he is a person—

(a) to whom an attendance allowance or care component of disability allowance is payable or would be payable but for—

(i) a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA; or

(ii) an abatement as a consequence of hospitalisation;

to whom the daily living component of personal independence payment is payable or has ceased to be payable by virtue of a suspension of benefit in accordance with regulations under section 86 of the Welfare Reform Act 2012 (hospital in-patients);

(aa) in respect of whom child disability payment is payable;

(b) who is registered as blind in a register compiled under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered as blind in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(c) who ceased to be registered as blind in such a register within the period beginning 28 weeks before the first Monday in September following that person's fifteenth birthday and ending on the day preceding that person's sixteenth birthday.

(14) For the purposes of sub-paragraph (1) a person on maternity leave, paternity

leave or adoption leave is to be treated as if he is engaged in remunerative work for the period specified in sub-paragraph (15) (“the relevant period”) provided that—

(a) in the week before the period of maternity leave, paternity leave, parental bereavement leave, shared parental leave, parental bereavement leave or adoption leave began he was in remunerative work;

(b) the applicant is incurring relevant child care charges within the meaning of sub-paragraph (5); and

(c) he is entitled to either statutory maternity pay under section 164 of the SSCBA, ordinary statutory paternity pay by virtue of section 171ZA or 171ZB of that Act, additional statutory paternity pay by virtue of section 171ZEA or 171ZEB of that Act, statutory adoption pay by virtue of section 171ZL of that Act statutory shared parental pay by virtue of section 171ZU or 171ZV of that Act(16), statutory parental bereavement pay by virtue of section 171ZZ6 of that Act, maternity allowance under section 35 of that Act or qualifying support.

(15) For the purposes of sub-paragraph (14) the relevant period begins on the day on which the person’s maternity, paternity leave, shared parental leave, parental bereavement leave or adoption leave commences and ends on—

(a) the date that leave ends;

(b) if no child care element of working tax credit is in payment on the date that entitlement to maternity allowance, qualifying support (if relevant), statutory maternity pay, statutory shared parental pay, statutory parental bereavement pay or statutory adoption pay ends, the date that entitlement ends; or

(c) if a child care element of working tax credit is in payment on the date that entitlement to maternity allowance or qualifying support, statutory maternity pay, ordinary or additional statutory shared parental pay, statutory parental bereavement pay or statutory adoption pay ends, the date that entitlement to that award of the child care element of the working tax credit ends,

whichever shall occur first.

(16) In sub-paragraphs (14) and (15)—

(a) “qualifying support” means income support to which that person is entitled by virtue of paragraph 14B of Schedule 1B to the Income Support (General) Regulations 1987; and

(b) “child care element” of working tax credit means the element of working tax credit prescribed under section 12 of the Tax Credits Act 2002 (child care element).

(17) In sub-paragraphs (6), (8)(a) and (13)(d), “the first Monday in September” means the Monday which first occurs in the month of September in any year.

26. Additional condition referred to in paragraph 25(10)(b)(i): disability

(1) Subject to sub-paragraph (2), the additional condition referred to in paragraph 25(10)(b)(i) is that either—

(a) the applicant or, as the case may be, the other member of the couple—

(i) is in receipt of one or more of the following benefits: attendance allowance, disability living allowance, personal independence allowance, an AFIP, the disability element or the severe disability element of working tax credit as specified in regulation 20(1)(b) and (f) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002, mobility supplement, long-term incapacity benefit under Part 2 of the SSCBA or severe disablement allowance under Part 3 of that Act but, in the case of long-term incapacity benefit or severe disablement allowance, only where it is paid in respect of him; or

(ii) was in receipt of long-term incapacity benefit under Part 2 of the SSCBA when entitlement to that benefit ceased on account of the payment of a retirement pension under that Act and the applicant has since remained continuously entitled to council tax benefit (for the period prior to 1st April 2013) or a reduction under the authority's scheme (for the period on or after 1st April 2013) and, if the long-term incapacity benefit was payable to his partner, the partner is still a member of the family; or

(iii) was in receipt of attendance allowance or disability living allowance but payment of benefit has been suspended in accordance with regulations made under section 113(2) of the SSCBA or otherwise abated as a consequence of the applicant or his partner becoming a patient within the meaning of paragraph 25(10)(g) (treatment of child care charges); or

(iv) was in receipt of personal independence payment, but payment of that benefit has been suspended in accordance with section 86 of the Welfare Reform Act 2012 as a consequence of the applicant becoming a patient within the meaning of paragraph 25(10)(g) (treatment of child care charges); or

(v) was in receipt of an AFIP but its payment has been suspended in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution; or

(vi) is provided by the Secretary of State or a clinical commissioning group with an invalid carriage or other vehicle under paragraph 9 of Schedule 1 to the National Health Service Act 2006 or, in Scotland, under section 46 of the National Health Service (Scotland) Act 1978 (provision of services by Scottish Ministers) or provided by the Department of Health, Social Services and Public Safety in Northern Ireland under Article 30(1) of the Health and Personal Social Services (Northern Ireland) Order 1972; or

(vii) is blind and in consequence registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(b) the applicant, or as the case may be, the other member of the couple -

(i) is, or is treated as, incapable of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work); and

(ii) has been incapable, or has been treated as incapable, of work for a continuous period of not less than—

(aa) in the case of an applicant who is terminally ill within the meaning of section 30B(4) of the SSCBA, 196 days;

(bb) in any other case, 364 days.

(2) For the purposes of sub-paragraph (1)(a)(vii), a person who has ceased to be registered as blind on regaining his eyesight is nevertheless to be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.

(3) For the purposes of sub-paragraph (1)(b) where any two or more periods of incapacity are separated by a break of not more than 56 days, those periods must be treated as one continuous period.

(4) For the purposes of this paragraph, a reference to a person who is or was in receipt of long-term incapacity benefit includes a person who is or was in receipt of short-term

incapacity benefit at a rate equal to the long-term rate by virtue of section 30B(4)(a) of the SSCBA (short-term incapacity benefit for a person who is terminally ill), or who would be or would have been in receipt of short-term incapacity benefit at such a rate but for the fact that the rate of short-term incapacity benefit already payable to him is or was equal to or greater than the long-term rate.

(5) In the case of an person who is a welfare to work beneficiary (a person to whom regulation 13A(1) of the Social Security (Incapacity for Work) (General) Regulations 1995 applies, and who again becomes incapable of work for the purposes of Part 12A of the SSCBA) the reference to a period of 56 days in sub-paragraph (3) must be treated as a reference to a period of 104 weeks.

27. Calculation of average weekly income from tax credits

(1) This paragraph applies where an applicant receives a tax credit.

(2) Where this paragraph applies, the period over which a tax credit is to be taken into account is the period set out in sub-paragraph (3).

(3) Where the instalment in respect of which payment of a tax credit is made is—

(a) a daily instalment, the period is 1 day, being the day in respect of which the instalment is paid;

(b) a weekly instalment, the period is 7 days, ending on the day on which the instalment is due to be paid;

(c) a two weekly instalment, the period is 14 days, commencing 6 days before the day on which the instalment is due to be paid;

(d) a four weekly instalment, the period is 28 days, ending on the day on which the instalment is due to be paid.

(4) For the purposes of this paragraph “tax credit” means child tax credit or working tax credit.

28. Disregard of changes in tax, contributions etc

In calculating the applicant’s income an authority may disregard any legislative change—

(a) in the basic or other rates of income tax;

(aa) in the Scottish basic or other rates of income tax;

(b) in the amount of any personal tax reliefs under Chapters 2, 3, and 3A of Part 3 of the Income Tax Act 2007;

(c) in the rates of national insurance contributions payable under the SSCBA or in the lower earnings limit or upper earnings limit for Class 1 contributions under that Act, the lower or upper limits applicable to Class 4 contributions under that Act or the amount specified in section 11(4) of that Act (small profits threshold in relation to Class 2 contributions);

(d) in the amount of tax payable as a result of an increase in the weekly rate of Category A, B, C or D retirement pension or any addition thereto or any graduated pension payable under the SSCBA;

(e) in the maximum rate of child tax credit or working tax credit,

for a period not exceeding 30 reduction weeks beginning with the reduction week immediately following the date from which the change is effective.

29. Calculation of net profit of self-employed earners

(1) For the purposes of paragraph 24 (calculation of income on a weekly basis) the

earnings of an applicant to be taken into account are—

(a) in the case of a self-employed earner who is engaged in employment on his own account, the net profit derived from that employment;

(b) in the case of a self-employed earner whose employment is carried on in partnership, his share of the net profit derived from that employment, less—

(i) an amount in respect of income tax and of national insurance contributions payable under the SSCBA calculated in accordance with paragraph 30 (deduction of tax and contributions of self-employed earners); and

(ii) one-half of the amount calculated in accordance with sub-paragraph (11) in respect of any qualifying premium;

(2) For the purposes of sub-paragraph (1)(a) the net profit of the employment must, except where sub-paragraph (8) applies, be calculated by taking into account the earnings of the employment over the assessment period less—

(a) subject to sub-paragraphs (4) to (7), any expenses wholly and exclusively incurred in that period for the purposes of that employment;

(b) an amount in respect of—

(i) income tax; and

(ii) national insurance contributions payable under the SSCBA,

calculated in accordance with paragraph 30 (calculation of deduction of tax and contributions of self-employed earners); and

(c) one-half of the amount calculated in accordance with sub-paragraph (10) in respect of any qualifying premium.

(3) For the purposes of sub-paragraph (1)(b) the net profit of the employment is to be calculated by taking into account the earnings of the employment over the assessment period less, subject to sub-paragraphs (4) to (7), any expenses wholly and exclusively incurred in that period for the purposes of the employment.

(4) Subject to sub-paragraph (5), no deduction is to be made under sub-paragraph (2)(a) or (3), in respect of—

(a) any capital expenditure;

(b) the depreciation of any capital asset;

(c) any sum employed or intended to be employed in the setting up or expansion of the employment;

(d) any loss incurred before the beginning of the assessment period;

(e) the repayment of capital on any loan taken out for the purposes of the employment; and

(f) any expenses incurred in providing business entertainment.

(5) A deduction must be made under sub-paragraph (2)(a) or (3) in respect of the repayment of capital on any loan used for—

(a) the replacement in the course of business of equipment or machinery; or

(b) the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair.

(6) The authority must refuse to make a deduction in respect of any expenses under sub-paragraph (2)(a) or (3) where it is not satisfied given the nature and the amount of the expense that it has been reasonably incurred.

(7) For the avoidance of doubt -

- (a) a deduction must not be made under sub-paragraph (2)(a) or (3) in respect of any sum unless it has been expended for the purposes of the business;
- (b) a deduction must be made thereunder in respect of—
 - (i) the excess of any value added tax paid over value added tax received in the assessment period;
 - (ii) any income expended in the repair of an existing business asset except to the extent that any sum is payable under an insurance policy for its repair;
 - (iii) any payment of interest on a loan taken out for the purposes of the employment.

(8) Where an applicant is engaged in employment as a child minder the net profit of the employment is to be one-third of the earnings of that employment, less—

- (a) an amount in respect of—
 - (i) income tax; and
 - (ii) national insurance contributions payable under the SSCBA, calculated in accordance with paragraph 30; and
- (b) one-half of the amount calculated in accordance with sub-paragraph (10) in respect of any qualifying premium.

(9) For the avoidance of doubt where an applicant is engaged in employment as a self-employed earner and he is also engaged in one or more other employments as a self-employed or employed earner any loss incurred in any one of his employments must not be offset against his earnings in any other of his employments.

(10) The amount in respect of any qualifying premium is to be calculated by multiplying the daily amount of the qualifying premium by the number equal to the number of days in the assessment period; and for the purposes of this paragraph the daily amount of the qualifying premium is to be determined—

- (a) where the qualifying premium is payable monthly, by multiplying the amount of the qualifying premium by 12 and dividing the product by 365;
- (b) in any other case, by dividing the amount of the qualifying premium by the number equal to the number of days in the period to which the qualifying premium relates.

(11) In this paragraph, “qualifying premium” means any premium which is payable periodically in respect of a personal pension scheme and is so payable on or after the date of claim.

30. Calculation of deduction of tax and contributions of self-employed earners

(1) The amount to be deducted in respect of income tax under paragraph 29(1)(b)(i), (2)(b)(i) or (8)(a)(i) (calculation of net profit of self-employed earners) is to be calculated—

- (a) on the basis of the amount of chargeable income; and
- (b) as if that income were assessable to income tax at the basic rate, or in the case of a Scottish taxpayer, the Scottish basic rate, of tax applicable to the assessment period less only the personal reliefs to which the applicant is entitled under Chapters 2, 3 and 3A of Part 3 of the Income Tax Act 2007 as are appropriate to his circumstances.

(2) But, if the assessment period is less than a year, the earnings to which the basic rate, or the Scottish basic rate of tax is to be applied and the amount of the personal reliefs deductible under this paragraph must be calculated on a pro rata basis.

(3) The amount to be deducted in respect of national insurance contributions

under paragraph 29(1)(b)(i), (2)(b)(ii) or (8)(a)(ii) of this Schedule is the total of—

(a) the amount of Class 2 contributions payable under section 11(2) or, as the case may be, 11(8) of the SSCBA at the rate applicable to the assessment period except where the applicant's chargeable income is less than the amount specified in section 11(4) of that Act (small profits threshold) for the tax year applicable to the assessment period; but if the assessment period is less than a year, the amount specified for that tax year must be reduced pro rata; and

(b) the amount of Class 4 contributions (if any) which would be payable under section 15 of the SSCBA (Class 4 contributions recoverable under the Income Tax Acts) at the percentage rate applicable to the assessment period on so much of the chargeable income as exceeds the lower limit but does not exceed the upper limit of profits and gains applicable for the tax year applicable to the assessment period; but if the assessment period is less than a year, those limits must be reduced pro rata.

(4) In this paragraph "chargeable income" means—

(a) except where paragraph (b) applies, the earnings derived from the employment less any expenses deducted under sub-paragraph (3)(a) or, as the case may be, (3) of paragraph 29;

(b) in the case of employment as a child minder, one-third of the earnings of that employment.

CHAPTER 3 - Capital

31. Calculation of capital

(1) The capital of an applicant to be taken into account must, subject to sub-paragraph (2), be the whole of his capital calculated in accordance with this Part.

(2) There must be disregarded from the calculation of an applicant's capital under sub-paragraph (1), any capital, where applicable, specified in Schedule 6 (capital disregards).

(3) An applicant's capital is to be treated as including any payment made to him by way of arrears of—

- (a) child tax credit;
- (b) working tax credit;
- (c) state pension credit,

if the payment was made in respect of a period for the whole or part of which a reduction under the authority's scheme was allowed before those arrears were paid.

32. Calculation of capital in the United Kingdom

Capital which an applicant possesses in the United Kingdom is to be calculated at its current market or surrender value less—

- (a) where there would be expenses attributable to the sale, 10 per cent; and
- (b) the amount of any encumbrance secured on it.

33. Calculation of capital outside the United Kingdom

Capital which an applicant possesses in a country outside the United Kingdom is to be calculated—

- (a) in a case where there is no prohibition in that country against the transfer to the United Kingdom of an amount equal to its current market or surrender value in that country, at that value;

(b) in a case where there is such a prohibition, at the price which it would realise if sold in the United Kingdom to a willing buyer,

less, where there would be expenses attributable to sale, 10 per cent and the amount of any encumbrances secured on it.

34. Notional capital

(1) An applicant is to be treated as possessing capital of which he has deprived himself for the purpose of securing entitlement to a reduction under an authority's scheme or increasing the amount of that reduction except to the extent that that capital is reduced in accordance with paragraph 35 (diminishing notional capital rule).

(2) A person who disposes of capital for the purpose of—

- (a) reducing or paying a debt owed by the applicant; or
- (b) purchasing goods or services if the expenditure was reasonable in the circumstances of the applicant's case,

is to be regarded as not depriving himself of it.

(3) Where an applicant stands in relation to a company in a position analogous to that of a sole owner or partner in the business of that company, he may be treated as if he were such sole owner or partner and in such a case—

- (a) the value of his holding in that company must, notwithstanding paragraph 31 (calculation of capital) be disregarded; and
- (b) he must, subject to sub-paragraph (4), be treated as possessing an amount of capital equal to the value or, as the case may be, his share of the value of the capital of that company and the foregoing provisions of this Chapter apply for the purposes of calculating that amount as if it were actual capital which he does possess.

(4) For so long as the applicant undertakes activities in the course of the business of the company, the amount which he is treated as possessing under sub-paragraph (3) is to be disregarded.

(5) Where an applicant is treated as possessing capital under sub-paragraph (1) the foregoing provisions of this Chapter apply for the purposes of calculating its amount as if it were actual capital which he does possess.

35. Diminishing notional capital rule

(1) Where an applicant is treated as possessing capital under paragraph 34(1) (notional capital), the amount which he is treated as possessing—

(a) in the case of a week that is subsequent to—

- (i) the relevant week in respect of which the conditions set out in sub-paragraph (2) are satisfied; or
- (ii) a week which follows that relevant week and which satisfies those conditions

is to be reduced by an amount determined under sub-paragraph (3);

(b) in the case of a week in respect of which sub-paragraph (1)(a) does not apply but where—

- (i) that week is a week subsequent to the relevant week; and
- (ii) that relevant week is a week in which the condition in sub-paragraph (4) is satisfied

is to be reduced by the amount determined under sub-paragraph (5).

(2) This sub-paragraph applies to a reduction week where the applicant satisfies the conditions that—

- (a) he is in receipt of a reduction under an authority's scheme; and
- (b) but for paragraph 34(1), he would have received a greater reduction under that scheme in that week.
- (3) In a case to which sub-paragraph (2) applies, the amount of the reduction in the amount of capital he is treated as possessing for the purposes of sub-paragraph (1)(a) is to be equal to the aggregate of—
- (a) an amount equal to the additional amount of the reduction in council tax to which sub-paragraph (2)(b) refers;
- (b) where the applicant has also claimed state pension credit, the amount of any state pension credit or any additional amount of state pension credit to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 21(1) of the State Pension Credit Regulations 2002 (notional capital);
- (c) where the applicant has also claimed housing benefit, the amount of any housing benefit or any additional amount of housing benefit to which he would have been entitled in respect of the whole or part of that reduction week to which sub-paragraph (2) refers but for the application of regulation 47(1) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (notional capital);
- (d) where the applicant has also claimed a jobseeker's allowance, the amount of an income-based jobseeker's allowance to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 113 of the Jobseeker's Allowance Regulations 1996 (notional capital); and
- (e) where the applicant has also claimed an employment and support allowance, the amount of an income-related employment and support allowance to which he would have been entitled in respect of the reduction week to which sub-paragraph (2) refers but for the application of regulation 115 of the Employment and Support Allowance Regulations 2008 (notional capital).
- (4) Subject to sub-paragraph (7), for the purposes of sub-paragraph (1)(b), the condition is that the applicant would have been entitled to a reduction in council tax under the authority's scheme in the relevant week but for paragraph 34(1).
- (5) In such a case the amount of reduction in the amount of the capital which he is treated as possessing for the purposes of sub-paragraph (1)(b) is equal to the aggregate of—
- (a) the amount of the reduction in council tax to which the applicant would have been entitled in the relevant week but for paragraph 34(1);
- (b) if the applicant would, but for regulation 21 of the State Pension Credit Regulations 2002, have been entitled to state pension credit in respect of the benefit week, within the meaning of regulation 1(2) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled;
- (c) if the applicant would, but for regulation 47(1) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006, have been entitled to housing benefit or to an additional amount of housing benefit in respect of the benefit week, within the meaning of regulation 2 of those Regulations (interpretation), which includes the last day of the relevant week, the amount which is equal to—
- (i) in a case where no housing benefit is payable, the amount to which he would have been entitled; or
- (ii) in any other case, the amount equal to the additional amount of housing

benefit to which he would have been entitled,

(d) if the applicant would, but for regulation 113 of the Jobseeker's Allowance Regulations 1996, have been entitled to an income-based jobseeker's allowance in respect of the benefit week, within the meaning of regulation 1(3) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled; and

(e) if the applicant would, but for regulation 115 of the Employment and Support Allowance Regulations 2008, have been entitled to an income-related employment and support allowance in respect of the benefit week, within the meaning of regulation 2(1) of those Regulations (interpretation), which includes the last day of the relevant week, the amount to which he would have been entitled.

(6) But if the amount mentioned in paragraph (a), (b), (c), (d), or (e) of sub-paragraph (5) ("the relevant amount") is in respect of a part-week, the amount that is to be taken into account under that paragraph is to be determined by—

(a) dividing the relevant amount by the number equal to the number of days in that part- week, and

(b) multiplying the result of that calculation by 7.

(7) The amount determined under sub-paragraph (5) must be re-determined under that sub- paragraph if the applicant makes a further application for a reduction in council tax under the authority's scheme and the conditions in sub-paragraph (8) are satisfied, and in such a case—

(a) paragraphs (a) to (e) of sub-paragraph (5) apply as if for the words "relevant week" there were substituted the words "relevant subsequent week"; and

(b) subject to sub-paragraph (9), the amount as re-determined has effect from the first week following the relevant subsequent week in question.

(8) The conditions are that—

(a) a further application is made 26 or more weeks after—

(i) the date on which the applicant made an application in respect of which he was first treated as possessing the capital in question under paragraph 34(1) ;

(ii) in a case where there has been at least one re-determination in accordance with sub- paragraph (5), the date on which he last made an application which resulted in the weekly amount being re-determined, or

(iii) the date on which he last ceased to be entitled to a reduction in council tax under the authority's scheme,

whichever last occurred; and

(b) the applicant would have been entitled to a reduction under the authority's scheme but for paragraph 34(1).

(9) The amount as re-determined pursuant to sub-paragraph (7) does not have effect if it is less than the amount which applied in that case immediately before the re-determination and in such a case the higher amount must continue to have effect.

(10) For the purposes of this paragraph—

"part-week"—

(a) in relation to an amount mentioned in sub-paragraph (5)(a) means a period of less than a week for which a reduction in council tax under an authority's scheme is allowed;

(b) in relation to an amount mentioned in sub-paragraph (5)(b) means a period of less than a week for which housing benefit is payable;

(c) in relation to an amount mentioned in sub-paragraph (5)(c), (d) or (e) means—

- (i) a period of less than a week which is the whole period for which income support, an income-related employment and support allowance or, as the case may be, an income-based jobseeker's allowance is payable; and
- (ii) any other period of less than a week for which it is payable;

"relevant week" means the reduction week or part-week in which the capital in question of which the applicant has deprived himself within the meaning of paragraph 34(1) —

- (a) was first taken into account for the purpose of determining his entitlement to a reduction under the authority's scheme; or
- (b) was taken into account on a subsequent occasion for the purpose of determining or re-determining his entitlement to a reduction on that subsequent occasion and that determination or re-determination resulted in his beginning to receive, or ceasing to receive, a reduction under the authority's scheme;

and where more than one reduction week is identified by reference to paragraphs (a) and (b) of this definition the later or latest such reduction week or, as the case may be, the later or latest such part-week of the relevant week;

"relevant subsequent week" means the reduction week or part-week which includes the day on which the further application or, if more than one further application has been made, the last such application was made.

36. Capital jointly held

Except where an applicant possesses capital which is disregarded under paragraph 34(4) (notional capital), where an applicant and one or more persons are beneficially entitled in possession to any capital asset they must be treated, in the absence of evidence to the contrary, as if each of them were entitled in possession to the whole beneficial interest therein in an equal share and the foregoing provisions of this Chapter apply for the purposes of calculating the amount of capital which the applicant is treated as possessing as if it were actual capital which the applicant does possess.

37. Calculation of tariff income from capital

The capital of an applicant is to be treated as if it were a weekly income of—

- (a) £1 for each £500 in excess of £10,000 but not exceeding £16,000; and
- (b) £1 for any excess which is not a complete £500.

PART 7 - Extended reductions

38. Extended reductions (qualifying contributory benefits)

(1) Except in the case of an applicant who is in receipt of state pension credit, an applicant who is entitled to a reduction under this scheme (by virtue of falling within any of classes A to C) is entitled to an extended reduction (qualifying contributory benefits) where—

- (a) the applicant or the applicant's partner was entitled to a qualifying contributory benefit;
- (b) entitlement to a qualifying contributory benefit ceased because the applicant or the applicant's partner—
 - (i) commenced employment as an employed or self-employed earner;
 - (ii) increased their earnings from such employment; or
 - (iii) increased the number of hours worked in such employment,and that employment is or, as the case may be, increased earnings or

increased number of hours are, expected to last five weeks or more;

(c) the applicant or the applicant's partner had been entitled to and in receipt of a qualifying contributory benefit or a combination of qualifying contributory benefits for a continuous period of at least 26 weeks before the day on which the entitlement to a qualifying contributory benefit ceased; and

(d) the applicant or the applicant's partner was not entitled to and not in receipt of a qualifying income-related benefit in the last reduction week in which the applicant, or the applicant's partner, was entitled to a qualifying contributory benefit.

(2) An applicant must be treated as entitled to a reduction under the authority's scheme by virtue of falling within any of classes A to C where -

(a) the applicant ceased to be entitled to a reduction under the authority's scheme because the applicant vacated the dwelling in which the applicant was resident;

(b) the day on which the applicant vacated the dwelling was either in the week in which entitlement to a qualifying contributory benefit ceased, or in the preceding week; and

(c) entitlement to the qualifying contributory benefit ceased in any of the circumstances listed in sub-paragraph (1)(b).

39. Duration of extended reduction period (qualifying contributory benefits)

(1) Where an applicant is entitled to an extended reduction (qualifying contributory benefits), the extended reduction period starts on the first day of the reduction week immediately following the reduction week in which the applicant, or the applicant's partner, ceased to be entitled to a qualifying contributory benefit.

(2) For the purpose of sub-paragraph (1), an applicant or an applicant's partner ceases to be entitled to a qualifying contributory benefit on the day immediately following the last day of entitlement to that benefit.

(3) The extended reduction period ends—

(a) at the end of a period of four weeks; or

(b) on the date on which the applicant who is receiving the extended reduction (qualifying contributory benefits) has no liability for council tax, if that occurs first.

40. Amount of extended reduction (qualifying contributory benefits)

(1) For any week during the extended reduction period the amount of the extended reduction (qualifying contributory benefits) the applicant is entitled to is the greater of—

(a) the amount of reduction under the authority's scheme to which the applicant was entitled by virtue of falling within any of classes A to C in the last reduction week before the applicant or the applicant's partner ceased to be entitled to a qualifying contributory benefit;

(b) the amount of reduction under the authority's scheme to which the applicant would be entitled by virtue of falling within any of classes A to C for any reduction week during the extended reduction period, if paragraph 38 (extended reductions (qualifying contributory benefits)) did not apply to the applicant; or

(c) the amount of reduction under the authority's scheme to which the applicant's partner would be entitled by virtue of falling within any of classes A to C, if paragraph 38 did not apply to the applicant.

(2) Sub-paragraph (1) does not apply in the case of a mover.

(3) Where an applicant is in receipt of an extended reduction (qualifying contributory benefits) under this paragraph and the applicant's partner makes an application for a reduction under the authority's scheme, no reduction is to be awarded during the extended reduction period

41. Extended reductions (qualifying contributory benefits): movers

(1) This paragraph applies—

- (a) to a mover; and
- (b) from the Monday following the day of the move.

(2) The amount of the extended reduction (qualifying contributory benefit) awarded from the Monday from which this paragraph applies until the end of the extended reduction period is the amount of reduction under this scheme which was payable to the mover for the last reduction week before the mover, or the mover's partner, ceased to be entitled to a qualifying contributory benefit.

(3) Where a mover's liability to pay council tax in respect of the new dwelling is to a second authority, the extended reduction (qualifying contributory benefits) may take the form of a payment from this authority to—

- (a) the second authority; or
- (b) the mover directly.

42. Relationship between extended reduction (qualifying contributory benefits) and entitlement to a reduction by virtue of classes A to C

(1) Where an applicant's reduction under an authority's scheme would have ended when the applicant ceased to be entitled to a qualifying contributory benefit in the circumstances listed in paragraph 38(1)(b), (extended reductions: qualifying contributory benefits), that reduction does not cease to have effect until the end of the extended reduction period.

(2) Part 8 (period of entitlement and changes of circumstances) does not apply to any extended reduction (qualifying contributory benefits) payable in accordance with paragraph 40(1)(a) or paragraph 41(2) (amount of extended reduction: movers).

43. Continuing reductions where state pension credit claimed

(1) This paragraph applies where—

- (a) the applicant is entitled to a reduction under the authority's scheme;
- (b) sub-paragraph (2) is satisfied; and
- (c) either—
 - (i) the applicant has attained the qualifying age for state pension credit; or
 - (ii) the applicant's partner has actually claimed state pension credit.

(2) This sub-paragraph is only satisfied if the Secretary of State has certified to the authority that the applicant's partner has actually claimed state pension credit or that—

- (a) the applicant's award of—
 - (i) income support has terminated because the applicant has attained the qualifying age for state pension credit; or
 - (ii) income-based jobseeker's allowance or income-related employment and support allowance has terminated because the applicant has attained the qualifying age for state pension credit; and
- (b) the applicant has claimed or is treated as having claimed or is required to make a claim for state pension credit.

(3) Subject to sub-paragraph (4), in a case to which this paragraph applies, a person continues to be entitled to a reduction under the authority's scheme for the period of 4 weeks beginning on the day following the day the applicant's entitlement to income

support or, as the case may be, income- based jobseeker's allowance or income-related employment and support allowance, ceased, if and for so long as the applicant otherwise satisfies the conditions for entitlement to a reduction under the scheme.

(4) Where a reduction under that scheme is awarded for the period of 4 weeks in accordance with sub-paragraph (3), and the last day of that period falls on a day other than the last day of a reduction week, then a reduction under the scheme must continue to be awarded until the end of the reduction week in which the last day of that period falls.

(5) Throughout the period of 4 weeks specified in sub-paragraph (3) and any further period specified in sub-paragraph (4)—

- (a) the whole of the income and capital of the applicant is to be disregarded;
- (b) the maximum council tax reduction amount of the applicant is to be that which was applicable in his case immediately before that period commenced.

(6) The appropriate maximum council tax reduction amount is to be calculated in accordance with paragraph 7(1) if, since the date it was last calculated—

- (a) the applicant's council tax liability has increased; or
- (b) a change in the deduction under paragraph 8 (non-dependant deductions) falls to be made.

44. Extended reductions: movers into an authority's area

Where—

- (a) an application is made to the authority ("the current authority") for a reduction under this scheme, and
- (b) the applicant, or the partner of the applicant, is in receipt of an extended reduction from—
 - (i) another billing authority in England; or
 - (ii) a billing authority in Wales;the current billing authority must reduce any reduction to which the applicant is entitled under this scheme by the amount of that extended reduction.

PART 8 - When entitlement begins and change of circumstances

45. Date on which entitlement begins

(1) Subject to sub-paragraph (2), any person by whom or in respect of whom an application for a reduction under an authority's scheme is made and who is otherwise entitled to that reduction is so entitled from the reduction week following the date on which that application is made or is treated as made.

(2) Where a person is otherwise entitled to a reduction under an authority's scheme and becomes liable for the first time for the authority's council tax in respect of a dwelling of which he is a resident in the reduction week in which his application is made or is treated as made, he shall be so entitled from that reduction week.

46. Date on which change of circumstances is to take effect

(1) Except in cases where paragraph 28 (disregard of changes in tax, contributions, etc) applies and subject to the following provisions of this paragraph and paragraph 47 (change of circumstances when state pension credit in payment), a change of circumstances which affects entitlement to, or the amount of, a reduction under an

authority's scheme ("change of circumstances"), takes effect from the first day of the reduction week following the date on which the change actually occurs.

(2) Where that change is cessation of entitlement to any benefit under the benefit Acts, the date on which the change actually occurs is the day immediately following the last day of entitlement to that benefit.

(3) Subject to sub-paragraph (4), where the change of circumstances is a change in the amount of council tax payable, it takes effect from the day on which it actually occurs.

(4) Where the change of circumstances is a change in the amount a person is liable to pay in respect of council tax in consequence of regulations under section 13 of the 1992 Act (reduced amounts of council tax) or changes in the discount to which a dwelling may be subject under sections 11 or 11A (discounts) of that Act, it takes effect from the day on which the change in amount has effect.

(5) Where the change of circumstances is the applicant's acquisition of a partner, the change takes effect on the day on which the acquisition takes place.

(6) Where the change of circumstances is the death of an applicant's partner or their separation, it takes effect on the day the death or separation occurs.

(7) If two or more changes of circumstances occurring in the same reduction week would, but for this paragraph, take effect in different reduction weeks in accordance with sub-paragraphs (1) to (6) they take effect from the day to which the appropriate sub-paragraph from (3) to (6) above refers, or, where more than one day is concerned, from the earlier day.

(8) Where the change of circumstances is that income, or an increase in the amount of income, other than a benefit or an increase in the amount of a benefit under the SSCBA, is paid in respect of a past period and there was no entitlement to income of that amount during that period, the change of circumstances takes effect from the first day on which such income, had it been paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of the authority's scheme.

(9) Without prejudice to sub-paragraph (8), where the change of circumstances is the payment of income, or arrears of income, in respect of a past period, the change of circumstances takes effect from the first day on which such income, had it been timeously paid in that period at intervals appropriate to that income, would have fallen to be taken into account for the purposes of the authority's scheme.

(10) Sub-paragraph (11) applies if—

(a) either—

- (i) a non-dependant took up residence in the applicant's dwelling; or
- (ii) there has been a change of circumstances in respect of a non-dependant so that the amount of the deduction which falls to be made under paragraph 8 (non-dependant deductions) increased.

(11) Where this sub-paragraph applies, the change of circumstances referred to in sub-paragraph (10)(b) takes effect from the effective date.

(12) In sub-paragraph (11), but subject to sub-paragraph (13), "the effective date" means—

(a) where more than one change of a kind referred to in sub-paragraph (10)(b) relating to the same non-dependant has occurred since—

- (i) the date on which the applicant's entitlement to a reduction under the authority's scheme first began; or

(ii) the date which was the last effective date in respect of such a change, whichever is the later, the date which falls 26 weeks after the date on which the first such change occurred;

(b) where paragraph (a) does not apply, the date which falls 26 weeks after the date on which the change referred to in sub-paragraph (10)(b) occurred.

(13) If in any particular case the date determined under sub-paragraph (12) is not the first day of a reduction week, the effective date in that case is the first day of the next reduction week to commence after the date determined under that sub-paragraph.

47. Change of circumstances where state pension credit in payment

(1) Sub-paragraphs (2) and (3) apply where—

(a) an applicant is in receipt of state pension credit;

(b) the amount of state pension credit awarded to him is changed in consequence of a change in the applicant's circumstances or the correction of an official error; and

(c) the change in the amount of state pension credit payable to the applicant results in a change in the amount of a reduction he receives under the authority's scheme.

(2) Where the change of circumstance is that an increase in the amount of state pension credit payable to the applicant results in—

(a) an increase in the reduction he receives under that scheme, the change takes effect from the first day of the reduction week in which state pension credit becomes payable at the increased rate; or

(b) a decrease in the reduction he receives under that scheme, the change takes effect from the first day of the reduction week next following the date on which—

(i) the authority receives notification from the Secretary of State of the increase in the amount of state pension credit; or

(ii) state pension credit is increased

whichever is the later.

(3) Where the change of circumstance ("the relevant change") is that the applicant's state pension credit has been reduced and in consequence the reduction the applicant receives under the authority's scheme reduces—

(a) in a case where the applicant's state pension credit has been reduced because the applicant failed to notify the Secretary of State timeously of a change of circumstances, the relevant change takes effect from the first day of the reduction week from which state pension credit was reduced; or

(b) in any other case the relevant change takes effect from the first day of the reduction week next following the date on which—

(i) the authority receives notification from the Secretary of State of the reduction in the amount of state pension credit; or

(ii) state pension credit is reduced

whichever is the later.

(4) Where the change of circumstance is that state pension credit is reduced and in consequence of the change, the amount of a reduction the applicant receives under the scheme is increased, the change takes effect from the first day of the reduction week in which state pension credit becomes payable at the reduced rate.

(5) Where a change of circumstance occurs in that an award of state pension credit has been made to the applicant or his partner and this would result in a decrease in the amount of reduction he receives under the authority's scheme, the change takes effect from the first day of the reduction week next following the date on which—

- (a) the authority receives notification from the Secretary of State of the award of state pension credit; or
- (b) entitlement to state pension credit begins

whichever is the later.

(6) Where, in the case of an applicant who, or whose partner, is or has been awarded state pension credit comprising only the savings credit, there is—

- (a) a change of circumstances of a kind described in any of sub-paragraphs (2) to (5) which results from a relevant calculation or estimate; and
- (b) a change of circumstances which is a relevant determination,

each of which results in a change in the amount of reduction the applicant receives under the authority's scheme, the change of circumstances referred to in sub-paragraph (b) takes effect from the day specified in sub-paragraph (2), (3), (4) or (5) as the case may be, in relation to the change referred to in paragraph (a).

(7) Where a change of circumstance occurs in that a guarantee credit has been awarded to the applicant or his partner and this would result in an increase in the amount of a reduction the applicant receives under the authority's scheme, the change takes effect from the first day of the reduction week next following the date in respect of which the guarantee credit is first payable.

(8) Where a change of circumstances would, but for this sub-paragraph, take effect under the preceding provisions of this paragraph within the 4 week period specified in paragraph 43 (continuing reductions where state pension credit claimed), that change takes effect on the first day of the first reduction week to commence after the expiry of the 4 week period.

(9) In this paragraph—

“official error” means an error made by—

- (a) an authority or a person—
 - (i) authorised to carry out any function of an authority relating to its scheme; or
 - (ii) providing services relating to its scheme directly or indirectly to the authority;or
- (b) an officer of—
 - (i) the Department for Work and Pensions; or
 - (ii) the Commissioners of Inland Revenue,acting as such,

but excludes any error caused wholly or partly by any person or body not specified in paragraph (a) or (b) of this definition and any error of law which is shown to have been an error only by virtue of a subsequent decision of the court;

“relevant calculation or estimate” means the calculation or estimate made by the Secretary of State of the applicant's or, as the case may be, the applicant's partner's income and capital for the purposes of the award of state pension credit;

“relevant determination” means a change in the determination by the authority of the applicant's income and capital using the relevant calculation or estimate, in accordance with paragraph 14(1) (calculation of applicants income in savings credit

only cases).

SCHEDULE 2 - Applicable amounts

PART 1 - Personal allowances

1. Personal allowance

The amount specified for the purposes of paragraph 6(1)(a) of Schedule 1 is-

- (a) Prior to 6th December 2018, the amount specified in column (2) of Table 1 below in respect of each person or couple referred to in column (1) of that Table;
 (b) On or after 6th December 2018, the amount specified in column (2) of Table 1a below in respect of each person or couple referred to in column (1) of that Table.

Table 1

<i>Column 1</i>	<i>Column 2</i>
<i>Person, couple or polygamous marriage</i>	<i>Amount</i>
(1) Single applicant or lone parent - Who has attained pensionable age:	£217.00;
(2) Couple - where both have attained pensionable age:	£324.70;
(3) if the applicant is a member of a polygamous marriage and all members of the marriage have attained pensionable age	
(a) for the applicant and the other party to the marriage;	(a) £324.70
(b) for each additional spouse who is a member of the same household as the applicant.	(b) £107.70

Table 1a

<i>Column 1</i>	<i>Column 2</i>
<i>Person, couple or polygamous marriage</i>	<i>Amount</i>
(1) Single applicant or lone parent who has attained pensionable age on or after 1 st April 2021	£201.05
(2) Couple where both have attained pensionable age on or after 1 st April 2021	£306.85
(3) if the applicant is a member of a polygamous marriage and all members of the marriage have attained pensionable age on or after 1 st April 2021	
(a) for the applicant and the other party to the marriage;	(a) £306.85
(b) for each additional spouse who is a member of the same household as the applicant	(b) £105.80

2. Child or young person amounts

- (1) The amounts specified in column (2) below in respect of each person specified in column (1) are the amounts, for the relevant period specified in column (1), specified for the purposes of paragraph 6(1)(b) of Schedule 1.

Column (1) Child or young person	Column (2) Amount
Person in respect of the period— (a) beginning on that person's date of birth and ending on the day preceding the first Monday in September following that person's sixteenth birthday; (b) beginning on the first Monday in September following that person's sixteenth birthday and ending on the day preceding that person's twentieth birthday.	(a) £77.78; (b) £77.78.

- (2) In column (1) of the table "the first Monday in September" means the Monday which first occurs in the month of September in any year.

PART 2 - Family premium

3. The amount for the purposes of paragraph 6(1)(c) of Schedule 1 in respect of a family of which at least one member is a child or young person-

- (c) Is £18.53 in respect of a reduction week which begins in the period beginning with 1st April 2016 and ending with 30th April 2016;
 (d) Is nil in respect of a reduction week which begins after 1st May 2016.

PART 3 - Premiums

4. - 5. Application of premiums

4. The premiums specified in Part 4 are, for the purposes of paragraph 6(1)(d) of Schedule 1, applicable to an applicant who satisfies the condition specified in this Part in respect of that premium.

5. Subject to sub-paragraph (2), for the purposes of this Part, once a premium is applicable to an applicant under this Part, a person is to be treated as being in receipt of any benefit for—

- (a) in the case of a benefit to which the Social Security (Overlapping Benefits) Regulations 1979 applies, any period during which, apart from the provision of those Regulations, he would be in receipt of that benefit; and
 (b) any period spent by a person in undertaking a course of training or instruction provided or approved by the Secretary of State under section 2 of the Employment and Training Act - 1973, or by Skills Development Scotland, Scottish Enterprise or Highland and Islands Enterprise under section 2 of the Enterprise and New Towns (Scotland) Act 1990 or for any period during which he is in receipt of a training allowance.

- (2) For the purposes of the carer premium under paragraph 9, a person is to be treated as being in receipt of a carer's allowance by virtue of sub-paragraph (1)(a) only if and for so long as the person in respect of whose care the allowance has been claimed remains in receipt of—

- (a) attendance allowance;

- (b) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
- (c) the care component of child disability payment at the highest or middle rate in accordance with regulation 11(5) of the DACYP Regulations;
- (d) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
- (e) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
- (f) an AFIP.

6. Severe disability premium

- (1) The condition is that the applicant is a severely disabled person.
- (2) For the purposes of sub-paragraph (1), an applicant is to be treated as being a severely disabled person if, and only if—

(a) in the case of a single applicant, a lone parent or an applicant who is treated as having no partner in consequence of sub-paragraph (3)—

- (i) he is in receipt of -
 - (aa) attendance allowance;
 - (bb) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
 - (cc) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
 - (dd) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
 - (ee) an AFIP;

(b) in the case of an applicant who has a partner –

- (i) the applicant is in receipt of—
 - (aa) attendance allowance;
 - (bb) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
 - (cc) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
 - (dd) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations; or
 - (ee) an AFIP;

and either a person is entitled to and in receipt of a carer's allowance or has an award of universal credit that includes the carer element in respect of caring for only one of the couple or, if he is a member of a polygamous marriage, for one or more but not all the members of the marriage, or as the case may be, no person is entitled to and in receipt of such an allowance or has such an award of universal credit in respect of caring for either member of a couple or any of the members of the marriage.

(3) Where an applicant has a partner who does not satisfy the condition in sub-paragraph (2)(b)(ii), and that partner is blind or is treated as blind within the meaning of sub-paragraph (4), that partner is to be treated for the purposes of sub-paragraph (2) as if he were not a partner of the applicant.

(4) For the purposes of sub-paragraph (3), a person is blind if he is registered in a register compiled by a local authority under section 29 of the National Assistance Act 1948 (welfare services) or, in Scotland, has been certified as blind and in consequence he is registered in a register maintained by or on behalf of a council

constituted under section 2 of the Local Government (Scotland) Act 1994.

(5) For the purposes of sub-paragraph (4), a person who has ceased to be registered as blind on regaining his eyesight is nevertheless to be treated as blind and as satisfying the additional condition set out in that sub-paragraph for a period of 28 weeks following the date on which he ceased to be so registered.

(6) For the purposes of sub-paragraph (2)(a)(ii) and (2)(b)(iii) no account is to be taken of—

- (a) a person receiving—
 - (i) attendance allowance;
 - (ii) the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA;
 - (iii) the daily living component of personal independence payment paid at either rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012;
 - (iv) the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations;
- or
- (v) an AFIP; or

For the purposes of sub-paragraph (2)(b) a person is to be treated—

(a) as being in receipt of attendance allowance, or the care component of disability living allowance at the highest or middle rate prescribed in accordance with section 72(3) of the SSCBA, if he would, but for his being a patient for a period exceeding 28 days, be so in receipt;

(b) as being in receipt of the daily living component of personal independence payment paid at the rate prescribed in accordance with Part 4 of the Welfare Reform Act 2012 if he would, but for his being a patient for a period exceeding 28 days, be so entitled and in receipt notwithstanding section 86 of that Act and regulations made thereunder;

(c) as being in receipt of an AFIP, if he would, but for any suspension of payment in accordance with any terms of the armed and reserve forces compensation scheme which allow for a suspension because a person is undergoing medical treatment in a hospital or similar institution;

(d) as being entitled to and in receipt of a carer's allowance or having an award of universal credit which includes the carer element if he would, but for the person for whom he was caring being a patient in hospital for a period exceeding 28 days, be so entitled and in receipt or have such an award of universal credit.

(7) For the purposes of sub-paragraph (2)(a)(iii) and (2)(b)—

(a) no account is to be taken of an award of carer's allowance to the extent that payment of such an award is back-dated for a period before the date on which the award is first paid; and

(b) a reference to a person being in receipt of a carer's allowance or as having an award of universal credit which includes the carer element is to include reference to a person who would have been in receipt of that allowance or had such an award of universal credit but for the application of a restriction under section 6B or 7 of the Social Security Fraud Act 2001 (loss of benefit).

(ba) as being in receipt of the daily living component of adult disability payment at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations, if they would, but for payment ceasing by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of those Regulations, be so in receipt; (ba) as being in receipt of the daily living component of adult disability payment

at the standard or enhanced rate in accordance with regulation 5 of the DAWAP Regulations, if they would, but for payment ceasing by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of those Regulations, be so in receipt;

7. Enhanced disability premium

(1) The condition is that —

(a) that the care component of disability living allowance is, or would, but for a suspension of benefit in accordance with regulations under section 113(2) of the SSCBA or but for an abatement as a consequence of hospitalisation, be payable at the highest rate prescribed under section 73(2) of that Act;

(aa) the care component of child disability payment is payable at the highest rate in accordance with regulation 11(5) of the DACYP Regulations;

(ab) the daily living component of adult disability payment is payable, or has ceased to be payable by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of the DAWAP Regulations, at the enhanced rate in accordance with regulation 5 of those Regulations;

(b) (as the case may be) the daily living component of personal independence payment is, or would, but for a suspension of payment in accordance with regulations under section 86 of the Welfare Reform Act 2012, be payable at the enhanced rate under section 78(2) of that Act, in respect of a child or young person who is a member of the applicant's family or

(c) An AFIP is payable

(2) Where the condition in sub-paragraph (1) ceases to be satisfied because of the death of a child or young person, the condition is that the applicant or partner is entitled to child benefit in respect of that person under section 145A of the SSCBA (entitlement after death of child or qualifying young person).

8. Disabled child premium

The condition is that a child or young person for whom the applicant or a partner of his is responsible and who is a member of the applicant's household—

(a) is in receipt of disability living allowance or personal independence payment or is no longer in receipt of such allowance because he is a patient, provided that the child or young person continues to be a member of the family; or

(aa) is in receipt of child disability payment; or

(b) is blind within the meaning of paragraph 6(4) of this Schedule or treated as blind in accordance with paragraph 6(5); or

(c) is a child or young person in respect of whom section 145A of the SSCBA (entitlement after death of child or qualifying young person) applies for the purposes of entitlement to child benefit but only for the period prescribed under that section, and in respect of whom a disabled child premium was included in the applicant's applicable amount immediately before the death of that child or young person, or ceased to be included in the applicant's applicable amount because of that child or young person's death.

(d) is a young person who is in receipt of adult disability payment or who would, but

for payment ceasing by virtue of regulation 28 (effect of admission to hospital on ongoing entitlement to Adult Disability Payment) of the DAWAP

Regulations be so in receipt, provided that the young person continues to be a member of the family; or

(e) is a young person who is in receipt of an AFIP.

9. Carer premium

(1) The condition is that the applicant or his partner is, or both of them are, entitled to a carer's allowance.

(2) Where a carer premium has been awarded but—

(a) the person in respect of whose care the carer's allowance has been awarded dies; or

(b) the person in respect of whom the premium was awarded ceases to be entitled, or ceases to be treated as entitled, to a carer's allowance,

this paragraph shall be treated as satisfied for a period of eight weeks from the relevant date specified in sub-paragraph (3).

(3) The relevant date for the purposes of sub-paragraph (2) is—

(a) in a case within sub-paragraph (2)(a) the Sunday following the death of the person in respect of whose care the carer's allowance has been awarded (or beginning with the date of death if the date occurred on a Sunday);

(b) in a case within sub-paragraph (2)(b), the date on which that person who was entitled to a carer's allowance ceases to be entitled to it.

(4) For the purposes of this paragraph, a person is to be treated as being entitled to and in receipt of a carer's allowance for any period not covered by an award but in respect of which a payment is made in lieu of an award.

10. Persons in receipt of concessionary payments

For the purpose of determining whether a premium is applicable to a person under paragraphs 6 to 9 of this Schedule, any concessionary payment made to compensate that person for the non-payment of any benefit mentioned in those paragraphs is to be treated as if it were a payment of that benefit.

11. Person in receipt of benefit

For the purposes of this Part, a person is to be regarded as being in receipt of any benefit if, and only if, it is paid in respect of him and is to be so regarded only for any period in respect of which that benefit is paid.

PART 4 - Amounts of premium specified in Part 3

Provision	Amount (1)
12.(1) Severe Disability Premium—	
(a) where the applicant satisfies the condition in paragraph 6(2)(a);	(a) £76.40
(b) where the applicant satisfies the condition in paragraph 6(2)(b)—	(b)
(i) in a case where there is someone in receipt of a carer's allowance or who has an award of universal credit which includes the carer element under regulation 29 of the Universal Credit Regulations 2013, or if he or any partner satisfies that condition only by virtue of paragraph 6(7);	(i) £76.40;
(ii) in a case where there is no-one in receipt of such an allowance or such an award of universal credit.	(ii) £152.80
(2) Enhanced disability premium	(2) £30.17 in respect of each child or young person in respect of whom the conditions specified in paragraph 7 are satisfied.
(3) Disabled child premium	(3) £74.69 in respect of each child or young person in respect of whom the condition in paragraph 8 is satisfied
(4) Carer premium	(4) £42.75 in respect of each person who satisfies the condition specified in paragraph 9.

SCHEDULE 3 - Amount of alternative maximum council tax reduction

1.—(1) Subject to paragraphs 2 and 3, the alternative maximum council tax reduction in respect of a day for the purpose of paragraph 9 of Schedule 1 is determined in accordance with the following Table and in this Table—

(a) “second adult” means any person or persons residing with the applicant to whom paragraph 4(2) of Schedule 1 applies (class C); and

((b) “person to whom paragraph 75(1) of Schedule 1 to the Default Scheme Regulations applies” includes any person to whom that paragraph would apply were they, and their partner if they had one, below the qualifying age for state pension credit.

(2) In this Schedule “council tax due in respect of that day” means the council tax payable under section 10 of the 1992 Act less—

(a) any reductions made in consequence of any enactment in, or under, the 1992 Act (other than a reduction under the authority’s scheme); and

(b) in a case to which sub-paragraph (c) in column (1) of the table below applies, the amount of any discount which may be appropriate to the dwelling under the 1992 Act.

(1) Second Adult	(2) Alternative maximum council tax reduction
<p>(a) Where the second adult or all second adults are in receipt of income support, an income-related employment and support allowance or state pension credit or are persons on an income- based jobseeker’s allowance;</p> <p>(b) where the gross income of the second adult or, where there is more than one second adult, their aggregate gross income disregarding any income of persons on income support, an income-related employment and support allowance, state pension credit or an income- based jobseeker’s allowance—</p> <p>(i) is less than £244.00 per week,</p> <p>(ii) is not less than £244.00 per week but less than £317.00 per week;</p> <p>(c) where the dwelling would be wholly occupied by one or more persons to whom paragraph 73(1) of schedule 1 to the Default Scheme Regulations applies but for the presence of one or more second adults who are in receipt of income support, state pension credit, an income-related employment and support allowance or are persons on an income-based jobseeker’s allowance</p>	<p>(a) 25 per cent of the council tax due in respect of that day;</p> <p>(i) 15 per cent of the council tax due in respect of that day;</p> <p>(ii) 7.5 per cent of the council tax due in respect of that day;</p> <p>(c) 100 per cent of the council tax due in respect of that day</p>

2. In determining a second adult's gross income for the purposes of this Schedule, the following must be disregarded from that income —

- (a) any attendance allowance, or any disability living allowance or any personal independence payment under Part 4 of the Welfare Reform Act 2012 or an AFIP; and
- (b) any payment to which paragraph 8(9)(b) or (10) of Schedule 1 to this scheme refers (and sub-paragraph (13) of paragraph 8 applies to this paragraph as it applies in relation to that paragraph).

3. Where there are two or more second adults residing with the applicant and any such second adult falls to be disregarded for the purposes of discount in accordance with Schedule 1 to the 1992 Act, his income is to be disregarded in determining the amount of any alternative maximum council tax reduction, unless that second adult is a member of a couple and his partner does not fall to be disregarded for the purposes of discount.

SCHEDULE 4 - Sums disregarded from applicant's earnings

1. Where two or more of paragraphs 2 to 5 apply in any particular case the overall maximum sum which falls to be disregarded in that case under those paragraphs is restricted to—

- (a) £25 in the case of a lone parent;
- (b) £20 in any other case.

2. In a case where an applicant is a lone parent, £25 of earnings.

3. (1) In a case of earnings from any employment or employments to which sub-paragraph (2) applies, £20.

(2) This paragraph applies to employment—

- (a) as a part-time fire-fighter employed by the Scottish Fire and Rescue Service established under section 1A of the Fire (Scotland) Act 2005(a).
- (b) a part-time fire-fighter employed by a fire and rescue authority (as defined in section 1 of the Fire (Scotland) Act 2005) or a joint fire and rescue board constituted by an amalgamation scheme made under section 2(1) of that Act;
- (c) as an auxiliary coastguard in respect of coast rescue activities;
- (d) in the manning or launching of a lifeboat if the employment is part-time;
- (e) as a member of any territorial or reserve force prescribed in Part I of Schedule 6 to the Social Security (Contributions) Regulations 2001.

(3) If—

- (a) any of the earnings of the applicant or, if he has a partner, his partner, or both of them, are disregarded under sub-paragraph (1); and
- (b) either of them has, or both of them have, other earnings,
so much of those other earnings as would not, in the aggregate with the earnings disregarded under that sub-paragraph, exceed £20.

4. (1) If the applicant or, if he has a partner, his partner is a carer, or both are carers, £20 of any earnings received from his or their employment.

(2) Where the carer premium is awarded in respect of the applicant and of any partner of his, their earnings must for the purposes of this paragraph be aggregated, but the amount to be disregarded in accordance with sub-paragraph (1) must not exceed £20 of the aggregated amount.

(3) In this paragraph the applicant or his partner is a carer if paragraph 9 of Part 3 of Schedule 2 (amount applicable for carers) is satisfied in respect of him.

5. (1) £20 is disregarded if the applicant or, if he has a partner, his partner—

- (a) is in receipt of—
 - (i) long-term incapacity benefit under section 30A of the SSCBA;
 - (ii) severe disablement allowance under section 68 of that Act;
 - (iii) attendance allowance under sections 64 to 67 of that Act;
 - (iv) disability living allowance;
 - (v) personal independence payment;
 - (vi) an AFIP;
 - (vii) any mobility supplement under article 20 of the Naval, Military and Air

Forces Etc (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983;

(viii) the disability element or the severe disability element of working tax credit under Schedule 2 to the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002; or

(ix) main phase employment and support allowance; or

(b) is or are registered as blind in a register compiled by a local authority under section 29 of the National Assistance Act 1948 or, in Scotland, has been certified as blind and in consequence is registered in a register maintained by or on behalf of a council constituted under section 2 of the Local Government (Scotland) Act 1994; or

(c) is, or is treated as, incapable of work in accordance with the provisions of, and regulations made under, Part 12A of the SSCBA (incapacity for work), and has been incapable, or has been treated as incapable, of work for a continuous period of not less than—

(i) in the case of an applicant who is terminally ill within the meaning of section 30B(4) of the SSCBA, 196 days;

(ii) in any other case, 364 days; or

(d) has, or is treated as having, limited capacity for work within the meaning of section 1(4) of the Welfare Reform Act 2007 or limited capability for work-related activity within the meaning of section 2(5) of that Act and either—

(i) the assessment phase as defined in section 24(2) of the Welfare Reform Act 2007 has ended; or

(ii) regulation 7 of the Employment and Support Allowance Regulations 2008 or regulation 7 of the Employment and Support Allowance Regulations 2013 (circumstances where the condition that the assessment phase has ended before entitlement to the support component arising does not apply) applies.

(2) Subject to sub-paragraph (3), £20 is disregarded if the applicant or, if he has a partner, his partner has, within a period of 8 weeks ending on the day in respect of which the applicant or his partner attains the qualifying age for state pension credit, had an award of housing benefit or council tax benefit or was in receipt of a reduction under an authority's scheme (including under another authority's scheme) and—

(a) £20 was disregarded in respect of earnings taken into account in that award;

(b) the person whose earnings qualified for the disregard continues in employment after the termination of that award.

(3) The disregard of £20 specified in sub-paragraph (2) applies so long as there is no break, other than a break which does not exceed 8 weeks, in a person's—

(a) entitlement to housing benefit; or

(b) receipt of a reduction under the authority's (including under another authority's) scheme; or

(c) employment,

following the first day in respect of which that benefit is awarded or the reduction given under that scheme.

(4) £20 is the maximum amount which may be disregarded under this paragraph, notwithstanding that, where the applicant has a partner, both the applicant and his partner satisfy the requirements of this paragraph.

6. (1) Where—

(a) the applicant (or if the applicant is a member of a couple, at least one member of that couple) is a person to whom sub-paragraph (5) applies;

(b) the Secretary of State is satisfied that that person is undertaking exempt work as defined in sub-paragraph (6); and

(c) paragraph 13 of Schedule 1 does not apply,

the amount specified in sub-paragraph (7) (“the specified amount”).

(2) Where this paragraph applies, paragraphs 1 to 5 and 7 do not apply; but in any case where the applicant is a lone parent, and the specified amount would be less than the amount specified in paragraph 2, then paragraph 2 applies instead of this paragraph.

(3) Notwithstanding paragraph 11 of Schedule 1 (calculation of income and capital of members applicant's family and of a polygamous marriage), if sub-paragraph (1) applies to one member of a couple (“A”) it shall not apply to the other member of that couple (“B”) except to the extent provided in sub-paragraph (4).

(4) Where A's earnings are less than the specified amount, there must also be disregarded so much of B's earnings as would not when aggregated with A's earnings exceed the specified amount; but the amount of B's earnings which may be disregarded under this sub-paragraph is limited to a maximum of £20 unless the Secretary of State is satisfied that B is also undertaking exempt work.

(5) This sub-paragraph applies to a person who is—

(a) in receipt of a contributory employment and support allowance;

(b) in receipt of incapacity benefit;

(c) in receipt of severe disablement allowance;

(d) being credited with earnings on the grounds of incapacity for work or limited capability for work under regulation 8B of the Social Security (Credits) Regulations 1975.

(6) “Exempt work” means work of the kind described in—

(a) regulation 45(2), (3) or (4) of the Employment and Support Allowance Regulations 2008 or regulation 39(1)(a), (b) or (c) of the Employment and Support Allowance Regulations 2013; or (as the case may be)

(b) regulation 17(2), (3) or (4) of the Social Security (Incapacity for Work) (General) Regulations 1995,

and, in determining for the purposes of this paragraph whether an applicant or a member of a couple is undertaking any type of exempt work, it is immaterial whether that person or their partner is also undertaking other work.

(7) The specified amount is the amount of money from time to time mentioned in any provision referred to in sub-paragraph (6) by virtue of which the work referred to in sub-paragraph (1) is exempt (or, where more than one such provision is relevant and those provisions mention different amounts of money, the highest of those amounts).

7. Any amount or the balance of any amount which would fall to be disregarded under paragraph 18 or 19 of Schedule 5 to this scheme had the applicant's income which does not consist of earnings been sufficient to entitle him to the full disregard thereunder.

8. Except where the applicant or his partner qualifies for a £20 disregard under the preceding provisions of this Schedule—

- (a) £5 must be disregarded if an applicant who has no partner has earnings;
- (b) £10 must be disregarded if an applicant who has a partner has earnings.

9. Any earnings, other than earnings referred to in paragraph 17(9)(b) of Schedule 1, derived from employment which ended before the day in respect of which the applicant first satisfies the conditions for entitlement to a reduction under an authority's scheme.

10. (1) In a case where the applicant is a person who satisfies at least one of the conditions set out in sub-paragraph (2), and his net earnings equal or exceed the total of the amounts set out in sub-paragraph (3), the amount of his earnings that falls to be disregarded under this Schedule must be increased by £17.10.

(2) The conditions of this sub-paragraph are that—

(a) the applicant, or if he has a partner, either the applicant or his partner, is a person to whom regulation 20(1)(c) of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 applies; or

(b) the applicant—

(i) is, or any partner of his is, aged at least 25 and is engaged in remunerative work for on average not less than 30 hours per week; or

(ii) if he is a member of a couple—

(aa) at least one member of that couple is engaged in remunerative work for on average not less than 16 hours per week; and

(bb) his family includes at least one child or young person; or

(iii) is a lone parent who is engaged in remunerative work for on average not less than 16 hours per week; or

(iv) is, or if he has a partner, one of them is, engaged in remunerative work for on average not less than 16 hours per week and paragraph 5(1) above is satisfied in respect of that person.

(3) The following are the amounts referred to in sub-paragraph (1)—

(a) any amount disregarded under this Schedule;

(b) the amount of child care charges calculated as deductible under paragraph 24(1)(c) of Schedule 1 (calculation of income on a weekly basis); and

(c) £17.10.

(4) The provisions of paragraph 10 (remunerative work) are to apply in determining whether or not a person works for on average not fewer than 30 hours per week, but as if the reference to 16 hours in sub-paragraph (1) of that paragraph was a reference to 30 hours.

11. Where a payment of earnings is made in a currency other than Sterling, any banking charge or commission payable in converting to that payment into Sterling.

SCHEDULE 5 - Amounts to be disregarded in the calculation of income other than earnings

1. Subject to Schedule 5A (Further amounts to be disregarded in the calculation of income other than earnings under section 13A(1)(c) of the 1992 Act), in addition to any sum which falls to be disregarded in accordance with paragraphs 2 to 6, £10 of any of the following, namely—

- (a) a war disablement pension (except insofar as such a pension falls to be disregarded under paragraph 2 or 3);
- (b) a war widow's pension or war widower's pension;
- (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
- (d) a guaranteed income payment and, if the amount of that payment has been adjusted to less than £10 by a pension or payment falling within article 39(1)(a) or (b) of the Armed Forces and Reserve Forces (Compensation Scheme) Order 2011, so much of that pension or payment as would not, in aggregate with the amount of any guaranteed income payment disregarded, exceed £10;
- (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
- (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in sub-paragraphs (a) to (d) above;
- (g) a pension paid by a government to victims of National Socialist persecution.

2. The whole of any amount included in a pension to which paragraph 1 relates in respect of—

- (a) the applicant's need for constant attendance;
- (b) the applicant's exceptionally severe disablement.

3. Any mobility supplement under article 20 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 (including such a supplement by virtue of any other scheme or order) or under article 25A of the Personal Injuries (Civilians) Scheme 1983 or any payment intended to compensate for the non-payment of such a supplement.

4. Any supplementary pension under article 23(2) of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 (pensions to surviving spouses and surviving civil partners) and any analogous payment made by the Secretary of State for Defence to any person who is not a person entitled under that Order.

5. In the case of a pension awarded at the supplementary rate under article 27(3) of the Personal Injuries (Civilians) Scheme 1983 (pensions to widows, widowers or surviving civil partners), the sum specified in paragraph 1(c) of Schedule 4 to that Scheme.

6. (1) Any payment which is—

- (a) made under any of the Dispensing Instruments to a widow, widower or surviving civil partner of a person—
 - (i) whose death was attributable to service in a capacity analogous to

service as a member of the armed forces of the Crown; and

(ii) whose service in such capacity terminated before 31st March 1973; and

(b) equal to the amount specified in article 23(2) of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006.

(2) In this paragraph “the Dispensing Instruments” means the Order in Council of 19th December 1881, the Royal Warrant of 27th October 1884 and the Order by His Majesty of 14th January 1922 (exceptional grants of pay, non-effective pay and allowances).

7. £15 of any widowed parent's allowance to which the applicant is entitled under section 39A of the SSCBA.

8. £15 of any widowed mother's allowance to which the applicant is entitled under section 37 of the SSCBA.

9. Where the applicant occupies a dwelling as his home and he provides in that dwelling board and lodging accommodation, an amount, in respect of each person for whom such accommodation is provided for the whole or any part of a week, equal to—

(a) where the aggregate of any payments made in respect of any one week in respect of such accommodation provided to such person does not exceed £20, 100 per cent. of such payments; or

(b) where the aggregate of any such payments exceeds £20, £20 and 50 per cent. of the excess over £20.

10. If the applicant—

(a) owns the freehold or leasehold interest in any property or is a tenant of any property; and

(b) occupies a part of that property; and

(c) has an agreement with another person allowing that person to occupy another part of that property on payment of rent and—

(i) the amount paid by that person is less than £20 per week, the whole of that amount; or

(ii) the amount paid is £20 or more per week, £20.

11. Where an applicant receives income under an annuity purchased with a loan, which satisfies the following conditions—

(a) that the loan was made as part of a scheme under which not less than 90 per cent. of the proceeds of the loan were applied to the purchase by the person to whom it was made of an annuity ending with his life or with the life of the survivor of two or more persons (in this paragraph referred to as “the annuitants”) who include the person to whom the loan was made;

(b) that at the time the loan was made the person to whom it was made or each of the annuitants had attained the age of 65 or, if it was higher at the time, pensionable age;

(c) that the loan was secured on a dwelling in Great Britain and the person to whom the loan was made or one of the annuitants owns an estate or interest in that dwelling;

(d) that the person to whom the loan was made or one of the annuitants occupies the dwelling on which it was secured as his home at the time the interest is paid; and

(e) that the interest payable on the loan is paid by the person to whom the loan was made or by one of the annuitants,

the amount, calculated on a weekly basis, equal to—

- (i) where, or insofar as, section 369 of the Income and Corporation Taxes Act 1988 (mortgage interest payable under deduction of tax) applies to the payments of interest on the loan, the interest which is payable after deduction of a sum equal to income tax on such payments at the applicable percentage of income tax within the meaning of section 369(1A) of that Act;
- (ii) in any other case, the interest which is payable on the loan without deduction of such a sum.

12. (1) Any payment, other than a payment to which sub-paragraph (2) applies, made to the applicant by Trustees in exercise of a discretion exercisable by them.

(2) This sub-paragraph applies to payments made to the applicant by Trustees in exercise of a discretion exercisable by them for the purpose of—

- (a) obtaining food, ordinary clothing or footwear or household fuel;
- (b) the payment of rent, council tax or water charges for which that applicant or his partner is liable;
- (c) meeting housing costs of a kind specified in Schedule 2 to the State Pension Credit Regulations 2002.

(3) In a case to which sub-paragraph (2) applies, £20 or—

- (a) if the payment is less than £20, the whole payment;
- (b) if, in the applicant's case, £10 is disregarded in accordance with paragraph 1(a) to (g), £10 or the whole payment if it is less than £10; or
- (c) if, in the applicant's case, £15 is disregarded under paragraph 7 or paragraph 8 and—

- (i) he has no disregard under paragraph 1(a) to (g), £5 or the whole payment if it is less than £5;

- (ii) he has a disregard under paragraph 1(a) to (g), nil.

(4) For the purposes of this paragraph, “ordinary clothing or footwear” means clothing or footwear for normal daily use, but does not include school uniforms, or clothing and footwear used solely for sporting activities.

13. Any increase in pension or allowance under Part 2 or 3 of the Naval, Military and Air Forces Etc (Disablement and Death) Service Pensions Order 2006 paid in respect of a dependent other than the pensioner's partner.

14. Any payment ordered by a court to be made to the applicant or the applicant's partner in consequence of any accident, injury or disease suffered by the person or a child of the person to or in respect of whom the payments are made.

15. Periodic payments made to the applicant or the applicant's partner under an agreement entered into in settlement of a claim made by the applicant or, as the case may be, the applicant's partner for an injury suffered by him.

16. Any income which is payable outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of that income.

(1B)

17. Any banking charges or commission payable in converting to Sterling payments of income made in a currency other than Sterling.

18. Where the applicant makes a parental contribution in respect of a student attending a course at an establishment in the United Kingdom or undergoing education in the United Kingdom, which contribution has been assessed for the

purposes of calculating—

- (a) under, or pursuant to regulations made under powers conferred by section 22 of the Teaching and Higher Education Act 1998, that student's award;
- (b) under regulations made in exercise of the powers conferred by section 49 of the Education (Scotland) Act 1980, that student's bursary, scholarship, or other allowance under that section or under regulations made in exercise of the powers conferred by section 73 of that Act of 1980, any payment to that student under that section; or
- (c) the student's student loan,

an amount equal to the weekly amount of that parental contribution, but only in respect of the period for which that contribution is assessed as being payable.

19. (1) Where the applicant is the parent of a student aged under 25 in advanced education who either—

is not in receipt of any award, grant or student loan in respect of that education; or is in receipt of an award under section 2 of the Education Act 1962 (discretionary awards) or an award bestowed by virtue of the Teaching and Higher Education Act 1998, or regulations made thereunder, or a bursary, scholarship or other allowance under section 49(1) of the Education (Scotland) Act 1980, or a payment under section 73 of that Act of 1980, and the applicant makes payments by way of a contribution towards the student's maintenance, other than a parental contribution falling within paragraph 18, an amount specified in sub- paragraph (2) in respect of each week during the student's term.

(2) For the purposes of sub-paragraph (1), the amount is to be equal to—

- (a) the weekly amount of the payments; or

£67.20 less the weekly amount of any award, bursary, scholarship, allowance or payment referred to in sub-paragraph (1)(b), whichever is less.

(3) In this paragraph and paragraph 18 a reference to a “student loan” or a “grant” is a reference to a student loan or a grant within the meaning of Part 11 of the Schedule to the Default Scheme Regulations.

20. (1) Where an applicant's family includes at least one child or young person, £15 of any payment of maintenance, whether under a court order or not, which is made or due to be made by the applicant's spouse, civil partner, former spouse or former civil partner or the applicant's partner's spouse, civil partner, former spouse, or former civil partner.

(2) For the purposes of sub-paragraph (1), where more than one maintenance payment falls to be taken into account in any week, all such payments must be aggregated and treated as if they were a single payment.

21. Except in a case which falls under paragraph 10 of Schedule 4, where the applicant is a person who satisfies any of the conditions of sub-paragraph (2) of that paragraph, any amount of working tax credit up to £17.10.

22. Where the total value of any capital specified in Part 2 (capital disregarded only for the purposes of determining deemed income) of Schedule 6 does not exceed £10,000, any income actually derived from such capital.

23. Except in the case of income from capital specified in Part 2 of Schedule 6 (capital disregards), any actual income from capital.

24. Where the applicant, or the person who was the partner of the applicant on 31st March 2003, was entitled on that date to income support or an income-based jobseeker's allowance but ceased to be so entitled on or before 5th April 2003 by virtue only of regulation 13 of the Housing Benefit (General) Amendment (No 3) Regulations 1999 as in force at that date, the whole of his income.

25. Any victims' payment under the Victims' Payments Regulations 2020(13)

SCHEDULE 5A - Further amounts to be disregarded in the calculation of income other than earnings under section 13A(1)(c) of the 1992 Act

(1) In addition to any sums which fall to be disregarded in accordance with paragraph 1 of Schedule 5, the whole of the amount received, namely -

- (a) a war disablement pension; and
- (b) a war widow's pension or war widower's pension;
- (c) a pension payable to a person as a widow, widower or surviving civil partner under any power of Her Majesty otherwise than under an enactment to make provision about pensions for or in respect of persons who have been disabled or have died in consequence of service as members of the armed forces of the Crown;
- (d) a guaranteed income payment;
- (e) a payment made to compensate for the non-payment of such a pension or payment as is mentioned in any of the preceding sub-paragraphs;
- (f) a pension paid by the government of a country outside Great Britain which is analogous to any of the pensions or payments mentioned in paragraphs (a) to (d) above;
- (g) pension paid to victims of National Socialist persecution under any special provision made by the law of the Federal Republic of Germany, or any part of it, or of the Republic of Austria.

SCHEDULE 6 - Capital Disregards

PART 1 - Capital to be disregarded

- 1.** Any premises acquired for occupation by the applicant which he intends to occupy as his home within 26 weeks of the date of acquisition or such longer period as is reasonable in the circumstances to enable the applicant to obtain possession and commence occupation of the premises.
- 2.** Any premises which the applicant intends to occupy as his home, and in respect of which he is taking steps to obtain possession and has sought legal advice, or has commenced legal proceedings, with a view to obtaining possession, for a period of 26 weeks from the date on which he first sought such advice or first commenced such proceedings whichever is the earlier, or such longer period as is reasonable in the circumstances to enable him to obtain possession and commence occupation of those premises.
- 3.** Any premises which the applicant intends to occupy as his home to which essential repairs or alterations are required in order to render them fit for such occupation, for a period of 26 weeks from the date on which the applicant first takes steps to effect those repairs or alterations, or such longer period as is necessary to enable those repairs or alterations to be carried out.
- 4.** Any premises occupied in whole or in part—
 - (a) by a person who is a relative of the applicant or his partner as his home where that person has attained the qualifying age for state pension credit or is incapacitated;
 - (b) by the former partner of the applicant as his home; but this provision does not apply where the former partner is a person from whom the applicant is estranged or divorced or with whom he had formed a civil partnership that has been dissolved.
- 5.** Any future interest in property of any kind, other than land or premises in respect of which the applicant has granted a subsisting lease or tenancy, including sub-leases or sub-tenancies.
- 6.** Where an applicant has ceased to occupy what was formerly the dwelling occupied as the home following his estrangement or divorce from his former partner or the dissolution of a civil partnership with his former partner, that dwelling for a period of 26 weeks from the date on which he ceased to occupy that dwelling or, where the dwelling is occupied as the home by the former partner who is a lone parent, for so long as it is so occupied.
- 7.** Any premises where the applicant is taking reasonable steps to dispose of the whole of his interest in those premises, for a period of 26 weeks from the date on which he first took such steps, or such longer period as is reasonable in the circumstances to enable him to dispose of those premises.
- 8.** All personal possessions.
- 9.** The assets of any business owned in whole or in part by the applicant and for the purposes of which he is engaged as a self-employed earner or, if he has ceased to be so engaged, for such period as may be reasonable in the circumstances to allow for disposal of those assets.
- 10.** The assets of any business owned in whole or in part by the applicant if—
 - (a) he is not engaged as a self-employed earner in that business by reason of some disease or bodily or mental disablement; but
 - (b) he intends to become engaged (or, as the case may be, re-engaged) as a self-employed earner in that business as soon as he recovers or is able to become engaged, or re-engaged, in that business,

for a period of 26 weeks from the date on which the application for a reduction under an authority's scheme is made or, if it is unreasonable to expect him to become engaged or re-engaged in that business within that period, for such longer period as is reasonable in the circumstances to enable him to become so engaged or re-engaged.

11. The surrender value of any policy of life insurance.

12. The value of any funeral plan contract; and for this purpose, "funeral plan contract" means a contract under which—

- (a) the applicant makes one or more payments to another person ("the provider");
- (b) the provider undertakes to provide, or secure the provision of, a funeral in the United Kingdom for the applicant on his death; and
- (c) the sole purpose of the plan is to provide or secure the provision of a funeral for the applicant on his death.

13. Where an ex-gratia payment has been made by the Secretary of State on or after 1st February 2001 in consequence of the imprisonment or internment of—

- (a) the applicant;
- (b) the applicant's partner;
- (c) the applicant's deceased spouse or deceased civil partner; or
- (d) the applicant's partner's deceased spouse or deceased civil partner,

by the Japanese during the Second World War, an amount equal to that payment.

14. (1) Subject to sub-paragraph (2), the amount of any trust payment made to an applicant or an applicant's partner who is—

- (a) a diagnosed person;
- (b) a diagnosed person's partner or was a diagnosed person's partner at the time of the diagnosed person's death; or
- (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death.

(2) Where a trust payment is made to—

- (a) a person referred to in sub-paragraph (1)(a) or (b), that sub-paragraph is to apply for the period beginning on the date on which the trust payment is made and ending on the date on which that person dies;
- (b) a person referred to in sub-paragraph (1)(c), that sub-paragraph shall apply for the period beginning on the date on which the trust payment is made and ending two years after that date.

(3) Subject to sub-paragraph (4), the amount of any payment by a person to whom a trust payment has been made or of any payment out of the estate of a person to whom a trust payment has been made, which is made to an applicant or an applicant's partner who is—

- (a) the diagnosed person;
- (b) a diagnosed person's partner or was a diagnosed person's partner at the date of the diagnosed person's death; or
- (c) a parent of a diagnosed person, a person acting in place of the diagnosed person's parents or a person who was so acting at the date of the diagnosed person's death.

(4) Where a payment such as referred to in sub-paragraph (3) is made to—

(a) a person referred to in sub-paragraph (3)(a) or (b), that sub-paragraph applies for the period beginning on the date on which the payment is made and ends on the date on which that person dies;

(b) a person referred to in sub-paragraph (3)(c), that sub-paragraph is to apply for the period beginning on the date on which the payment is made and ending two years after that date.

(5) In this paragraph, a reference to a person—

(a) being the diagnosed person's partner;

(b) acting in place of the diagnosed person's parents,

at the date of the diagnosed person's death includes a person who would have been such a person or a person who would have been so acting, but for the diagnosed person residing in a care home or an independent hospital.

(6) In this paragraph—

“diagnosed person” means a person who has been diagnosed as suffering from, or who, after his death, has been diagnosed as having suffered from, variant Creutzfeldt-Jakob disease;

“relevant trust” means a trust established out of funds provided by the Secretary of State in respect of persons who suffered, or who are suffering, from variant Creutzfeldt-Jakob disease for the benefit of persons eligible for payments in accordance with its provisions;

“trust payment” means a payment under a relevant trust.

15. The amount of any payment, other than a war pension, to compensate for the fact that the applicant, the applicant's partner, the applicant's deceased spouse or civil partner or the applicant's partner's deceased spouse or civil partner—

(a) was a slave labourer or a forced labourer;

(b) had suffered property loss or had suffered personal injury; or

(c) was a parent of a child who had died,

during the Second World War.

16. (1) Any payment made under or by—

(a) the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No 2) Trust, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation the Scottish Infected Blood Support Scheme, an approved blood scheme, the London emergencies Trust, the We Love Manchester Emergency Fund, or the London Bombings Relief Charitable Fund (collectively referred to in this paragraph as “the Trusts”), the Windrush Compensation Scheme, The National Emergencies Trust; or

(b) any Grenfell Tower support payment which is paid as income in kind (see sub-paragraph (13))

(c) the Independent Living Fund (2006).

(2) Any payment by or on behalf of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person, which derives from a payment made under or by any of the Trusts or from a Grenfell Tower support payment, a historical child abuse payment or a Windrush payment and which is made to or for the benefit of that person's partner or former partner , —

(a) from whom he is not, or where that person has died was not, estranged or divorced, or

(b) with whom he has formed a civil partnership that has not been dissolved or, where that person has died, had not been dissolved at the time of that person's death.

(3) Any payment by or on behalf of the partner or former partner of a person who is suffering or who suffered from haemophilia or who is or was a qualifying person which derives from a payment made under or by any of the Trusts or from a Grenfell Tower support payment a historical child abuse payment or a Windrush payment and which is made to or for the benefit of the person who is suffering from haemophilia or who is a qualifying person.

(4) Sub-paragraph (3) does not apply if—

(a) the partner or former partner and that person are not, or if either of them has died were not, estranged or divorced, or

(b) where the partner or former partner and that person have formed a civil partnership, the civil partnership has not been dissolved or, if either of them has died, had not been dissolved at the time of the death.

(5) Any payment by a person who is suffering from haemophilia or who is a qualifying person, which derives from a payment under or by any of the Trusts or from a Grenfell Tower support payment a historical child abuse payment or a Windrush payment, where—

(a) that person has no partner or former partner from whom he is not estranged or divorced or with whom he has formed a civil partnership that has not been dissolved, nor any child who is or had been a member of that person's household; and

(b) the payment is made either—

(i) to that person's parent or step-parent; or

(ii) where that person at the date of the payment is a child or a student who has not completed his full-time education and has no parent or step-parent, to any person standing in the place of his parent,

but only for a period from the date of the payment until the end of two years from that person's death.

(6) Any payment out of the estate of a person who suffered from haemophilia or who was a qualifying person, which derives from a payment under or by any of the Trusts or from a Grenfell Tower support payment, where—

(a) that person at the date of his death ("the relevant date") had no partner or former partner from whom he was not estranged or divorced or with whom he had formed a civil partnership that had not been dissolved, nor any child who was or had been a member of his household; and

(b) the payment is made either—

(i) to that person's parent or step-parent; or

(ii) where that person at the relevant date was a child or a student who had not completed his full-time education and had no parent or step-parent, to any person standing in place of his parent,

but only for a period of two years from the relevant date.

(7) In the case of a person to whom or for whose benefit a payment referred to in this paragraph is made, any capital resource which derives from—

(a) any payment of income or capital made under or deriving from any of the Trusts; or

(b) a Grenfell Tower support payment, a historical child abuse payment or a Windrush payment.

(1A) Any Grenfell Tower support payment.

(1B) Any payment made by the Child Migrants Trust (registered charity number 1171479) under the scheme for former British child migrants.

(1C) Any historical child abuse payment.

(1D) Any Windrush payment.

16A Any payment made under, or by, a trust which is approved by the Secretary of State and which is established for the purpose of giving relief and assistance to a disabled person whose disabilities were caused by their mother having taken a preparation containing the drug known as Thalidomide during her pregnancy.

17. (1) An amount equal to the amount of any payment made in consequence of any personal injury to the applicant or, if the applicant has a partner, to the partner.

(2) Where the whole or part of the payment is administered—

(a) by the High Court or the County Court under Rule 21.11(1) of the Civil Procedure Rules 1998, or the Court of Protection, or on behalf of a person where the payment can only be disposed of by order or direction of any such court;

(b) in accordance with an order made under Rule 36.14 of the Ordinary Cause Rules 1993 or under Rule 128 of those Rules; or

(c) in accordance with the terms of a trust established for the benefit of the applicant or his partner, the whole of the amount so administered.

18. Any amount specified in paragraph 19, 20, 21 or 25 of this Schedule for a period of one year beginning with the date of receipt.

19. Amounts paid under a policy of insurance in connection with the loss of or damage to the property occupied by the applicant as his home and to his personal possessions.

20. So much of any amounts paid to the applicant or deposited in the applicant's name for the sole purpose of—

(a) purchasing premises which the applicant intends to occupy as his home; or

(b) effecting essential repairs or alterations to the premises occupied or intended to be occupied by the applicant as his home.

21. (1) Subject to paragraph 22 any amount paid—

(a) by way of arrears of benefit;

(b) by way of compensation for the late payment of benefit;

(c) in lieu of the payment of benefit;

(d) to rectify, or compensate for, an official error, as defined for the purposes of paragraph 22, being an amount to which that paragraph does not apply;

(e) by a local authority out of funds provided under either section 93 of the Local Government Act 2000 under a scheme known as “Supporting People” or section 91 of the Housing (Scotland) Act 2001.

(f) By way of occasional assistance including arrears and payments in lieu of occasional assistance (and in this paragraph “occasional assistance” has the same meaning as in paragraph 16 of Schedule 1)

(g) to rectify, or compensate for, an error made by an officer of the Department for Work and Pensions which was not caused or materially contributed to by any person outside the Department and which prevented or delayed an assessment of the applicant's entitlement to contributory employment and support allowance, being an amount to

which paragraph 22(1A) does not apply.

(2) In sub-paragraph (1), “benefit” means—

- (a) attendance allowance under section 64 of the SSCBA;
 - (b) disability living allowance;
 - (c) personal independence payment;
 - (d) an AFIP;
 - (e) income support;
 - (f) income-based jobseeker's allowance;
 - (g) state pension credit;
 - (h) housing benefit;
 - (i) council tax benefit;
 - (j) child tax credit;
 - (k) an increase of a disablement pension under section 104 of the SSCBA (increase where constant attendance is needed), and any further increase of such a pension under section 105 of that Act (increase for exceptionally severe disablement);
 - (l) any amount included on account of the applicant's exceptionally severe disablement or need for constant attendance in a war disablement pension or a war widow's or widower's pension;
 - (m) any discretionary housing payment paid pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001;
 - (n) working tax credit;
 - (o) income-related employment and support allowance,
 - (p) social fund payments under Part 8 of the SSCBA;
 - (q) universal credit
 - (r) maternity allowance under section 35 of the SSCBA(17) (state maternity allowance for employed or self-employed earner);
 - (s) early years assistance given in accordance with section 32 of the Social Security (Scotland) Act 2018;
 - (t) funeral expense assistance given in accordance with section 34 of that Act”
 - (u) any Scottish child payment assistance given in accordance with section 79 of that Act(14);
 - (v) any assistance given in accordance with the Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019;
 - (w) short-term assistance given in accordance with regulations under section 36 of the Social Security (Scotland) Act 2018; or
 - (x) winter heating assistance given in accordance with regulations under section 30 of that Act.”
- (3) In sub-paragraph (1) “contributory employment and support allowance” means an allowance under Part 1 of the Welfare Reform Act 2007(15) as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the Welfare Reform Act 2012(16) that remove references to an income-related allowance.”;

22. (1) Subject to sub-paragraph (3), any payment of £5,000 or more which has been made to rectify, or to compensate for, an official error or an error on a point of law relating to a relevant benefit and has been received by the applicant in full on or after

the day on which he became entitled to a reduction under the authority's scheme

(1A) Subject to paragraph (3), any payment of £5,000 or more received by the applicant in full on or after the day on which the applicant became entitled to a reduction under an authority's scheme which has been made to rectify, or compensate for, an error made by an officer of the Department for Work and Pensions which was not caused or materially contributed to by any person outside the Department and which prevented or delayed an assessment of the applicant's entitlement to contributory employment and support allowance.

(1B) In sub-paragraph (1A) "contributory employment and support allowance" has the meaning in paragraph 21(3).

(2) Subject to sub-paragraph (3), the total amount of any payments disregarded under—

- (a) paragraph 7(2) of Schedule 10 to the Income Support (General) Regulations 1987;
- (b) paragraph 12(2) of Schedule 8 to the Jobseeker's Allowance Regulations 1996(a);
- (c) paragraph 9(2) of Schedule 5 to the Council Tax Benefit Regulations 2006;
- (d) paragraph 20A of Schedule 5 to the State Pension Credit Regulations 2002,
- (e) paragraph 11(2) of Schedule 9 to the Employment and Support Allowance Regulations 2008(b),

(f) paragraph 18 of Schedule 10 to the Universal Credit Regulations 2013(b); where the award in respect of which the payments last fell to be disregarded under those Regulations either terminated immediately before the relevant date or is still in existence at that date.

(g) regulations 10A to 10C of the Universal Credit (Transitional Provisions) Regulations 2014(17);

(3) Any disregard which applies under sub-paragraph (1), (1A) or (2) is to have effect until the award comes to an end.

(4) In this paragraph—

"the award", except in sub-paragraph (2), means—

(a) the award of a reduction under the authority's scheme during which the relevant sum or, where it is paid in more than one instalment, the first instalment of that sum is received; and

(b) where that award is followed by one or more further awards which, or each of which, begins immediately after the previous award ends, such further awards until the end of the last such award, provided that, for such further awards, the applicant—

- (i) is the person who received the relevant sum;
- (ii) is the partner of that person; or
- (iii) was the partner of that person at the date of his death;

"official error" means—

(a) where the error relates to housing benefit or council tax benefit (in respect of any period before 1st April 2013), has the meaning given by regulation 1(2) of the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001; and

(b) where the error relates to any other relevant benefit, has the meaning given by regulation 1(3) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999;

"the relevant date" means the date on which an application for a reduction under the authority's scheme was made

“relevant benefit” means any benefit specified in paragraph 21(2); and

“the relevant sum” means the payment referred to in sub-paragraph (1) or the total amount referred to in sub-paragraph (2).

23. Where a capital asset is held in a currency other than Sterling, any banking charge or commission payable in converting that capital into Sterling.

24. The value of the right to receive income from an occupational pension scheme or a personal pension scheme.

25. Any arrears of supplementary pension which is disregarded under paragraph 4 of Schedule 5 (amounts to be disregarded in the calculation of income other than earnings) or of any amount which is disregarded under paragraph 5 or 6 of that Schedule.

26. The dwelling occupied as the home; but only one dwelling may be disregarded under this paragraph.

27. (1) Subject to sub-paragraph (2) where an applicant falls within class C (alternative maximum council tax reduction), the whole of his capital.

(2) Sub-paragraph (1) does not apply, where an applicant falls within class B (income greater than applicable amount) and class C.

28. Where a person elects to be entitled to a lump sum under Schedule 5 or 5A to the SSCBA or under Schedule 1 to the Social Security (Graduated Retirement Benefit) Regulations 2005, or is treated as having made such an election, and a payment has been made pursuant to that election, an amount equal to—

(a) except where sub-paragraph (b) applies, the amount of any payment or payments made on account of that lump sum;

(b) the amount of that lump sum,

but only for so long as that person does not change that election in favour of an increase of pension or benefit.

29. Any payments made by virtue of regulations made under—

(a) section 57 of the Health and Social Care Act 2001 (direct payments);

(b) section 12B of the Social Work (Scotland) Act 1968 (direct payments in respect of community care services);

(c) sections 12A to 12C of the National Health Service Act 2006 (direct payments for health care);

(d) Article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972 (general social welfare);

(e) section 8 of the Carers and Direct Payments Act (Northern Ireland) 2002 (direct payments); or

(f) by virtue of regulations made under section 50 or 52 of the Social Services and Well-being (Wales) Act 2014 (direct payments).

29A A payment made under the Age-Related Payments Regulations 2013(c)

29B Any payments to an applicant made under section 49 of the Children and Families Act 2014(a) (personal budgets and direct payments).

29C (1) Any payment made by a local authority in accordance with section 26A of the Children Scotland) Act 1995 (duty to provide continuing care)(a). a

(2). Any payment or part of a payment made by a local authority in accordance with that section to a person ("A") which A passes on to the application where A –

- (a) Was formerly in the applicant's care;
- (b) Is aged 16 or over; and
- (c) Continues to live with the applicant.

29D. Any lump sum payment made in accordance with regulation 24 of the Victims' Payments Regulations 2020.

29E. Any sum paid by means of assistance in accordance with the Carer's Assistance (Young Carer Grants) (Scotland) Regulations 2019.

29F. Any sum paid by means of winter heating assistance in accordance with regulations under section 30 of the Social Security (Scotland) Act 2018.".

PART 2 - Capital disregarded only for the purposes of determining deemed income

30. The value of the right to receive any income under a life interest or from a life rent.

31. The value of the right to receive any rent except where the applicant has a reversionary interest in the property in respect of which rent is due.

32. The value of the right to receive any income under an annuity or the surrender value (if any) of such an annuity.

33. Where property is held under a trust, other than—

- (a) a charitable trust within the meaning of the Charities Act 1993; or
- (b) a trust set up with any payment to which paragraph 16 of this Schedule applies, and under the terms of the trust, payments fall to be made, or the trustees have a discretion to make payments, to or for the benefit of the applicant or the applicant's partner, or both, that property.

SCHEDULE 7 - Matters that must be included in the authority's scheme – procedural matters

PART 1 - Applications - Procedure by which a person may apply for a reduction under the authority's scheme

1. Paragraphs 2 to 7 apply to an application made under this scheme.
2. An application may be made—
 - (a) in writing,
 - (b) by means of an electronic communication in accordance with Part 4 of this Schedule
- 3.—(1) An application which is made in writing must be made to the designated office of the authority on a properly completed form.
(2) The form can be downloaded from the authority's website (www.Runnymede.gov.uk) or a copy obtained from the authority's offices at Civic Offices, Station Road, Addlestone, Surrey, KT15 2AH .
4. Where an application made in writing is defective because—
 - (a) it was made on the form supplied for the purpose but that form is not accepted by the authority as being properly completed; or
 - (b) it was made in writing but not on the form approved for the purpose and the authority does not accept the application as being in a written form which is sufficient in the circumstances of the case having regard to the sufficiency of the written information and evidence,the authority may, in a case to which sub-paragraph (a) applies, request the applicant to complete the defective application or, in the case to which sub-paragraph (b) applies, supply the applicant with the approved form or request further information and evidence.
(2) An application made on a form provided by an authority is properly completed if it is completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the application.
- 5.—(1) If an application made by electronic communication is defective an authority must provide the person making the application with an opportunity to correct the defect.
(2) An application made by electronic communication is defective if the applicant does not provide all the information the authority requires.

PART 2 - Appeals

Procedure by which a person may make an appeal against certain decisions of the authority

8. (1) A person who is aggrieved by a decision of the authority which affects—
 - (a) the person's entitlement to a reduction under its scheme, or
 - (b) the amount of any reduction to which that person is entitled,may serve a written notice on the authority stating the matter by which, and the grounds on which, he is aggrieved.
(2) The authority must—

- (a) consider the matter to which the notice relates;
- (b) notify the aggrieved person in writing—
 - (i) that the ground is not well founded, giving reasons for that belief; or
 - (ii) that steps have been taken to deal with the grievance, stating the steps taken.
- (3) Where, following notification under sub-paragraph (2)(b)(i) or (ii), the person is still aggrieved, or if the authority fails to notify the person aggrieved in accordance with sub-paragraph (2)(b) within two months of the service of his notice, he may appeal to a valuation tribunal under section 16 of the 1992 Act.

PART 3 - Discretionary reductions

Procedure for an application to the authority for a reduction under section 13A(1)(c) of the 1992 Act

9. (1) An application to the authority for a reduction under section 13A(1)(c) of the 1992 Act must be made—
- (a) in writing,
 - (b) by means of an electronic communication in accordance with Part 4 of this Schedule, or
- (2) Where—
- (a) the authority has made a determination under section 13A(1)(c) in relation to a class of case in which liability is to be reduced; and
 - (b) a person in that class would otherwise be entitled to a reduction under this scheme, that person's application for a reduction under the authority's scheme may also be treated as an application for a reduction under section 13A(1)(c).

PART 4 - Electronic communication

Interpretation

10. In this Part —

“information” includes an application, a certificate, notice or other evidence

“official computer system” means a computer system maintained by or on behalf of the authority for sending, receiving, processing or storing of any information;

Conditions for the use of electronic communication

11. (1) The authority may use an electronic communication in connection with applications for, and awards of reductions under its scheme.
- (2) A person other than the authority may use an electronic communication in connection with the matters referred to in sub-paragraph (1) if the conditions specified in sub-paragraphs (3) to (6) are satisfied.
- (3) The first condition is that the person is for the time being permitted to use an electronic communication by an authorisation given by means of a direction of the Chief Executive of the authority.
- (4) The second condition is that the person uses an approved method of—
- (a) authenticating the identity of the sender of the communication;
 - (b) electronic communication;

- (c) authenticating any application or notice delivered by means of an electronic communication; and
- (d) subject to sub-paragraph (7), submitting to the authority any information.
- (5) The third condition is that any information sent by means of an electronic communication is in a form approved for the purposes of this Part.
- (6) The fourth condition is that the person maintains such records in written or electronic form as may be specified in a direction given by the Chief Executive of the authority.
- (7) Where the person uses any method other than the method approved of submitting any information, that information is to be treated as not having been submitted.
- (8) In this paragraph “approved” means approved by means of a direction given by the Chief Executive of the authority for the purposes of this Part.

Use of intermediaries

12. The authority may use intermediaries in connection with—

- (a) the delivery of any information by means of an electronic communication; and
 - (b) the authentication or security of anything transmitted by such means,
- and may require other persons to use intermediaries in connection with those matters.

Effect of delivering information by means of electronic communication

13. (1) Any information which is delivered by means of an electronic communication is to be treated as having been delivered in the manner or form required by any provision of this scheme on the day the conditions imposed—

- (a) by this Part; and
- (b) by or under an enactment,

are satisfied.

(2) The authority may determine that any information is to be treated as delivered on a different day (whether earlier or later) from the day provided for in sub-paragraph (1).

Information may not be taken to have been delivered to an official computer system by means of an electronic communication unless it is accepted by the system to which it is delivered.

Proof of identity of sender or recipient of information

14. If it is necessary to prove, for the purpose of any legal proceedings, the identity of—

- (a) the sender of any information delivered by means of an electronic communication to an official computer system; or
- (b) the recipient of any such information delivered by means of an electronic communication from an official computer system,

the sender or recipient, as the case may be, is to be presumed to be the person whose name is recorded as such on that official computer system.

Proof of delivery of information

15. (1) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any information this

is presumed to have been the case where—

(a) any such information has been delivered to the relevant authority, if the delivery of that information has been recorded on an official computer system; or

(b) any such information has been delivered by the relevant authority, if the delivery of that information has been recorded on an official computer system.

(2) If it is necessary to prove, for the purpose of any legal proceedings, that the use of an electronic communication has resulted in the delivery of any such information this is presumed not to be the case, if that information delivered to the relevant authority has not been recorded on an official computer system.

(3) If it is necessary to prove, for the purpose of any legal proceedings, when any such information sent by means of an electronic communication has been received, the time and date of receipt is presumed to be that recorded on an official computer system.

Proof of content of information

16. If it is necessary to prove, for the purpose of any legal proceedings, the content of any information sent by means of an electronic communication, the content is presumed to be that recorded on an official computer system.

SCHEDULE 8 - Matters that must be included in an authority's scheme – other matters

PART 1 - Extended reductions: persons who are not pensioners - omitted

PART 2 - Further provision about applications and duty to notify a change of circumstances

3. Applications - omitted

4. Making an application

(1) In the case of a couple or members of a polygamous marriage an application is to be made by whichever one of them they agree should so apply or, in default of agreement, by such one of them as the authority determines.

(2) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act, and—

(a) a deputy has been appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or

(b) in Scotland, his estate is being administered by a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000 who has power to apply or, as the case may be, receive benefit on his behalf; or

(c) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,

that deputy, judicial factor, guardian or attorney, as the case may be, may make an application on behalf of that person.

(3) Where a person who is liable to pay council tax in respect of a dwelling is unable for the time being to act and sub-paragraph (2) does not apply to him, an authority may, upon written application made to them by a person who, if a natural person, is over the age of 18, appoint that person to exercise on behalf of the person who is unable to act, any right to which that person might be entitled under the authority's scheme and to receive and deal on his behalf with any sums payable to him.

(4) Where a person who is liable to pay council tax in respect of a dwelling is for the time being unable to act and the Secretary of State has appointed a person to act on his behalf under regulation 33 of the Social Security (Claims and Payments) Regulations 1987 (persons unable to act), the authority may if that person agrees, treat him as if he had been appointed by them under sub-paragraph (3).

(5) Where the authority has made an appointment under sub-paragraph (3) or treated a person as an appointee under sub-paragraph (4)—

(a) it may at any time revoke the appointment;

(b) the person appointed may resign his office after having given 4 weeks notice in writing to the authority of his intention to do so;

(c) any such appointment terminates when the authority is notified of the appointment of a person mentioned in sub-paragraph (2).

(6) Anything required by an authority's scheme to be done by or to any person who is for the time being unable to act may be done by or to the persons mentioned in sub-paragraph (2) above or by or to the person appointed or treated as appointed under this paragraph and the receipt of any such person so appointed shall be a good discharge

to the authority for any sum paid.

(7) The authority must—

- (a) inform any person making an application of the duty imposed by paragraph 9(1)(a);
- (b) explain the possible consequences (including prosecution) of failing to comply with that duty; and
- (c) set out the circumstances a change in which might affect entitlement to the reduction or its amount.

5. Date on which an application is made

(1) Subject to sub-paragraph (7), the date on which an application is made is—

(a) in a case where—

- (i) an award of state pension credit which comprises a guarantee credit has been made to the applicant or his partner, and
- (ii) the application for a reduction is made within one month of the date on which the claim for that state pension credit which comprises a guarantee credit was received at the appropriate DWP office,

the first day of entitlement to state pension credit which comprises a guarantee credit arising from that claim;

(b) in a case where—

- (i) an applicant or his partner is a person in receipt of a guarantee credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling he occupies as his home, and
- (iii) the application for a reduction is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(c) in a case where—

- (i) an award of income support, an income-based jobseeker's allowance or an income-related employment and support allowance or an award of universal credit has been made to the applicant or his partner, and
- (ii) the application for a reduction is made within one month of the date on which the claim for that income support, jobseeker's allowance, employment and support allowance or universal credit was received,

the first day of entitlement to income support, an income-based jobseeker's allowance, an income-related employment and support allowance or universal credit arising from that claim;

(d) in a case where—

- (i) an applicant or his partner is a person on income support, an income-based jobseeker's allowance or an income-related employment and support allowance or has an award of universal credit,
- (ii) the applicant becomes liable for the first time to pay council tax in respect of the dwelling which he occupies as his home, and
- (iii) the application for a reduction is received at the designated office within one month of the date of the change,

the date on which the change takes place;

(e) in a case where—

(i) an applicant is the former partner of a person who was, at the date of his death or their separation, entitled to a reduction under this scheme, and

(ii) the applicant makes an application for a reduction under this scheme within one month of the date of the death or the separation,

the date of the death or separation;

(f) except where paragraph (a), (b) or (e) is satisfied, in a case where a properly completed application is received within one month (or such longer period as the authority considers reasonable) of the date on which an application form was issued to an applicant following the applicant first notifying, by whatever means, the authority of an intention to make an application, the date of first notification;

(g) in any other case, the date on which the application is received at the designated office.

(2) For the purposes only of sub-paragraph (1)(c) a person who has been awarded an income-based jobseeker's allowance or an income-related employment and support allowance is to be treated as entitled to that allowance for any days which immediately precede the first day in that award and on which he would, but for regulations made under—

(a) in the case of income-based jobseeker's allowance, paragraph 4 of Schedule 1 to the Jobseekers Act 1995 (waiting days); or

(b) in the case of income-related employment and support allowance, paragraph 2 of Schedule 2 to the Welfare Reform Act 2007 (waiting days), have been entitled to that allowance.

(3) Not used

(4) The authority must treat a defective application as if it had been validly made in the first instance if, in any particular case, the conditions specified in sub-paragraph (5)(a), (b) or (c) are satisfied.

(5) The conditions are that—

(a) where paragraph 4(a) of Schedule 7 (incomplete form) applies, the authority receives at its designated office the properly completed application or the information requested to complete it or the evidence within one month of the request, or such longer period as the authority may consider reasonable; or

(b) where paragraph 4(b) of Schedule 7 (application not on approved form or further information requested by authority) applies—

(i) the approved form sent to the applicant is received at the designated office properly completed within one month of it having been sent to him; or, as the case may be,

(ii) the applicant supplies whatever information or evidence was requested under paragraph 4 of that Schedule within one month of the request,

or, in either case, within such longer period as the authority may consider reasonable; or

(c) where the authority has requested further information, the authority receives at its designated office the properly completed application or the information requested to complete it within one month of the request or within such longer period as the authority considers reasonable.

(6) Except in the case of an application made by a person treated as not being in Great Britain, where a person has not become liable for council tax to the authority

but it is anticipated that he will become so liable within the period of 8 weeks (the relevant period), he may apply for a reduction under this scheme at any time in that period in respect of that tax and, provided that liability arises within the relevant period, the authority must treat the application as having been made on the day on which the liability for the tax arises.

(7) Except in the case of an application made by a person treated as not being in Great Britain, where the applicant is not entitled to a reduction under this scheme in the reduction week immediately following the date of his application but the authority is of the opinion that unless there is a change of circumstances he will be entitled to a reduction under its scheme for a period beginning not later than—

(a) in the case of an application made by—

(i) a pensioner, or

(ii) a person who has attained, or whose partner has attained, the age which is 17 weeks younger than the qualifying age for state pension credit,

the seventeenth reduction week following the date on which the application is made, or

(b) in the case of an application made by a person who is not a pensioner, the thirteenth reduction week following the date on which the application is made,

the authority may treat the application as made on a date in the reduction week immediately preceding the first reduction week of that period of entitlement and award a reduction accordingly.

(8) In this paragraph “appropriate DWP office” means an office of the Department for Work and Pensions dealing with state pension credit or an office which is normally open to the public for the receipt of claims of income support, a job seekers allowance or an employment and support allowance.

6. Back-dating of applications

(1) Subject to sub-paragraph (2), the time for the making of an application under this scheme is as regards any day on which, apart from satisfying the condition of making an application, the applicant is entitled to such a reduction, that day and the period of three months immediately following it.

(2) In any case where paragraph 5(1)(a) (date on which application made: state pension credit comprising guarantee credit) applies, sub-paragraph (1) does not entitle a person to apply for a reduction under this scheme in respect of any day earlier than three months before the date on which the claim for state pension credit is made (or treated as made by virtue of any provision of the Social Security (Claims and Payments) Regulations 1987).

7. Information and evidence

(1) Subject to sub-paragraph (3), a person who makes an application for a reduction under this scheme must satisfy sub-paragraph (2) in relation both to himself and to any other person in respect of whom he is making the application.

(2) This sub-paragraph is satisfied in relation to a person if—

(a) the application is accompanied by—

(i) a statement of the person’s national insurance number and information or evidence establishing that that number has been allocated to the person; or

(ii) information or evidence enabling the authority to ascertain the national insurance number that has been allocated to the person; or

(b) the person has made an application for a national insurance number to be allocated to him and the application for the reduction is accompanied by—

(i) evidence of the application for a national insurance number to be so allocated; and

(ii) the information or evidence enabling it to be so allocated.

(3) Sub-paragraph (2) does not apply—

(a) in the case of a child or young person in respect of whom an application for a reduction is made;

(b) to a person who—

(i) is a person treated as not being in Great Britain for the purposes of this scheme;

(ii) is subject to immigration control within the meaning of section 115(9)(a) of the Immigration and Asylum Act 1999; and

(iii) has not previously been allocated a national insurance number.

(4) Subject to sub-paragraph (5), a person who makes an application, or a person to whom a reduction under this scheme has been awarded, must furnish such certificates, documents, information and evidence in connection with the application or the award, or any question arising out of the application or the award, as may reasonably be required by the authority in order to determine that person's entitlement to, or continuing entitlement to a reduction under this scheme and must do so within one month of the authority requiring him to do so or such longer period as the authority may consider reasonable.

(5) Nothing in this paragraph requires a person who is a pensioner to furnish any certificates, documents, information or evidence relating to a payment to which sub-paragraph (7) applies.

(6) Where an authority makes a request under sub-paragraph (4), it must—

(a) inform the applicant or the person to whom a reduction under this scheme has been awarded of his duty under paragraph 9 (duty to notify change of circumstances) to notify the authority of any change of circumstances; and

(b) without prejudice to the extent of the duty owed under paragraph 9, indicate to him either orally or by notice or by reference to some other document available to him on application and without charge, the kind of change of circumstances which must be notified.

(7) This sub-paragraph applies to any of the following payments—

(a) a payment which is made under or by the Trusts, the Fund, the Eileen Trust, MFET Limited, the Skipton Fund, the Caxton Foundation, the London Emergencies Trust, the We Love Manchester Emergency Fund, the Windrush Compensation Scheme, The National Emergencies trust or the London Bombings Relief Charitable Fund;

(aa) a Grenfell Tower support payment

(b) a payment which is disregarded under paragraph 16 of Schedule 6 (payments made under certain trusts and certain other payments), other than a payment under the Independent Living Fund (2006);

(c) a payment which is disregarded under paragraph 8(10) of Schedule 1 other than a payment under the Independent Living Fund (2006).

(8) Where an applicant or a person to whom a reduction under this scheme has been awarded or any partner has attained the qualifying age for state pension credit and is a member of, or a person deriving entitlement to a pension under, a personal pension scheme, he must where the authority so requires furnish the following

information—

- (a) the name and address of the pension fund holder;
- (b) such other information including any reference or policy number as is needed to enable the personal pension scheme to be identified.

8. Amendment and withdrawal of application

(1) A person who has made an application may amend it at any time before a decision has been made on it by a notice in writing delivered or sent to the designated office.

(2) Any application amended in accordance with sub-paragraph (1) is to be treated as if it had been amended in the first instance.

(3) A person who has made an application may withdraw it by notice to the designated office at any time before a decision has been made on it.

(4) Any notice of withdrawal given in accordance with sub-paragraph (3) has effect when it is received.

9. Duty to notify changes of circumstances

(1) Subject to sub-paragraphs (3) and (9), an applicant (or any person acting on his behalf) must comply with sub-paragraph (2) if there is a relevant change of circumstances at any time—

- (a) between the making of an application and a decision being made on it, or
- (b) after the decision is made (where the decision is that the applicant is entitled to a reduction under this authority's scheme) including at any time while the applicant is in receipt of such a reduction.

(2) The applicant (or any person acting on his behalf) must notify any change of circumstances which the applicant (or that person) might reasonably be expected to know might affect his entitlement to, or the amount of, a reduction under the authority's scheme (a "relevant change of circumstances") by giving notice to the authority—

- (a) in writing; or
 - (b) by any other means which the authority agrees to accept in any particular case, within a period of 21 days beginning with the day on which the change occurs, or as soon as reasonably practicable after the change occurs, whichever is later.
- (3) The duty imposed on a person by sub-paragraph (1) does not extend to notifying—
- (a) changes in the amount of council tax payable to the authority;
 - (b) changes in the age of the applicant or that of any member of his family;
 - (c) in the case of an applicant in receipt of a relevant benefit, changes in circumstances which affect the amount of the benefit but not the amount of the reduction under the authority's scheme to which he is entitled, other than the cessation of that entitlement to the benefit.
- (4) For the purposes of sub-paragraph (3)(c) "relevant benefit" means income support, an income-based jobseeker's allowance or an income-related employment and support allowance or universal credit.

(5) Notwithstanding sub-paragraph (3)(b) or (c) an applicant is required by sub-paragraph (1) to notify the authority of any change in the composition of his family arising from the fact that a person who was a member of his family is now no longer

such a person because he has ceased to be a child or young person.

(6) The duty imposed on a person by sub-paragraph (1) includes in the case of a person falling within class C (pensioners: alternative maximum council tax reduction), giving written notice to the authority of changes which occur in the number of adults in the dwelling or in their total gross incomes and, where any such adult ceases to be in receipt of state pension credit, the date when this occurs.

(7) A person who has been awarded a reduction under the authority's scheme who is also on state pension credit must report—

- (a) changes affecting the residence or income of any non-dependant normally residing with the applicant or with whom the applicant normally resides;
- (b) any absence from the dwelling which exceeds or is likely to exceed 13 weeks or where the absence is from Great Britain, which exceeds or is likely to exceed 4 weeks.

(8) In addition to the changes required to be reported under sub-paragraph (7), a person whose state pension credit comprises only a savings credit must also report—

- (a) changes affecting a child living with him which may result in a change in the amount of reduction under the authority's scheme allowed in his case, but not changes in the age of the child;
- (b) any change in the amount of the applicant's capital to be taken into account which does or may take the amount of his capital to more than £16,000;
- (c) any change in the income or capital of—
 - (i) a non-dependant whose income and capital are treated as belonging to the applicant in accordance with paragraph 12 of Schedule 1 (circumstances in which income of a non-dependant is to be treated as applicant's); or
 - (ii) a person to whom paragraph 14(2)(e) of Schedule 1 refers (partner treated as member of the household under Part 1, paragraph 8 (household))

and whether such a person or, as the case may be, non-dependant stops living or begins or resumes living with the applicant.

(9) A person who is entitled to a reduction under this scheme and on state pension credit need only report to the authority the changes specified in sub-paragraphs (7) and (8).

PART 3 - Decisions by an authority

10. Omitted

11. Decision by authority

The authority must make a decision on an application under this scheme within 14 days of paragraphs 4 and 7 and Part 1 of Schedule 7 being satisfied, or as soon as reasonably practicable thereafter.

12. Notification of decision

(1) The authority must notify in writing any person affected by a decision made by it under this scheme—

- (a) in the case of a decision on an application, forthwith or as soon as reasonably practicable thereafter;
- (b) in any other case, within 14 days of that decision or as soon as reasonably practicable thereafter.

- (2) Where the decision is to award a reduction the notification under sub-paragraph (1) must include a statement—
- (a) informing the person affected of the duty imposed by paragraph 9;
 - (b) explaining the possible consequences (including prosecution) of failing to comply with that duty; and
 - (c) setting out the circumstances a change in which might affect entitlement to the reduction or its amount.
- (3) Where the decision is to award a reduction, the notification under sub-paragraph (1) must include a statement as to how that entitlement is to be discharged.
- (4) In any case, the notification under sub-paragraph (1) must inform the person affected of the procedure by which an appeal may be made and must refer the person to the provisions in the authority's scheme relating to the procedure for making an appeal.
- (5) A person affected to whom the authority sends or delivers a notification of decision may, within one month of the date of the notification of that decision request in writing the authority to provide a written statement setting out the reasons for its decision on any matter set out in the notice.
- (6) The written statement referred to in sub-paragraph (5) must be sent to the person requesting it within 14 days or as soon as reasonably practicable thereafter.
- (7) For the purposes of this paragraph a person is to be treated as a person affected by a decision of the authority under this scheme where the rights, duties or obligations of that person are affected by that decision and the person falls within sub-paragraph (8).
- (8) This sub-paragraph applies to—
- (a) the applicant;
 - (b) in the case of a person who is liable to pay council tax in respect of a dwelling and is unable for the time being to act—
 - (i) a deputy appointed by the Court of Protection with power to claim, or as the case may be, receive benefit on his behalf; or
 - (ii) in Scotland, a judicial factor or any guardian acting or appointed under the Adults with Incapacity (Scotland) Act 2000(20) who has power to apply or, as the case may be, receive benefit on the person's behalf; or
 - (iii) an attorney with a general power or a power to apply or, as the case may be, receive benefit, has been appointed by that person under the Powers of Attorney Act 1971, the Enduring Powers of Attorney Act 1985 or the Mental Capacity Act 2005 or otherwise,
 - (c) a person appointed by the authority under paragraph 4(3) (persons appointed to act for a person unable to act).

PART 4 - Circumstances in which a payment may be made

13. Omitted

14. Payment where there is joint and several liability

- (1) Where—
- (a) a person is entitled to a reduction under this authority's scheme in respect of his liability for the authority's council tax as it has effect in respect of a chargeable financial year;
 - (b) the person entitled to the reduction is jointly and severally liable for the council tax;

and

(c) the authority determines that discharging his entitlement by reducing the amount of his liability to which regulation 20(2) of the Council Tax (Administration and Enforcement) Regulations 1992 refers would be inappropriate,

it may make a payment to him of the amount of the reduction to which he is entitled, rounded where necessary to the nearest penny.

(2) Subject to sub-paragraph (3) any payment made under sub-paragraph (1) must be made to the person who is entitled to the reduction.

(3) Where a person other than a person who is entitled to a reduction under this authority's scheme made the application and that first person is a person acting pursuant to an appointment under paragraph 4(3) or is treated as having been so appointed by virtue of paragraph 4(4), the amount of the reduction may be paid to that person.

PART 5 – Transitional provision

(1) The amendment in regulation 2(4) does not apply to a person who, on 31st March 2015-

(a) Is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A(2) of the Act; and

(b) Is entitled to an income-based jobseeker's allowance,

until the first of the events in paragraph (2) occurs.

(2) The events are-

(a) the person makes a new application for a reduction under an authority's scheme established under section 13A(2) of the Act; or

(b) the person ceases to be entitled to an income-based jobseeker's allowance.

(3) In this regulation "the Act" means the Local Government Finance Act 1992.

(4) Subject to paragraph (5), the amendment in regulation 2(4)(b) does not apply to a person who, on 30th April 2016, is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority's scheme established under section 13A(2) of the Act and is-

(a) a member of a family of which at least one member is a child or young person; or

(b) a partner in a polygamous marriage, where he or she, or another partner of the polygamous marriage, is responsible for a child or young person who is a member of the same household.

(5) Paragraph (4) does not apply if-

(a) Sub-paragraph (a) or (b) of that paragraph ceases to apply; or

(b) The person makes a new application for a reduction under an authority's scheme under section 13A(2) of the act.

(6) For the purposes of this regulation-

(a) "the Act" means the Local Government Finance Act 1992

(b) “child”, “family”, “partner”, “polygamous marriage” and “young person” have the meanings given by regulation 2 of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.

(7) Subject to paragraph (2), the amendments made by regulation 2(3)(a), shall not apply in respect of a person who is temporarily absent from Great Britain on 1st April 2017 until the day that person returns to Great Britain.

(8) Paragraph (1) does not apply to a person who, on 1st April 2017, is temporarily absent from Great Britain and is—

- (a) a member of Her Majesty’s forces posted overseas;
- (b) absent in the capacity of a continental shelf worker; or
- (c) absent in the capacity of a mariner.

(8) In this regulation—

“continental shelf worker” means a person who is employed, whether under a contract of service or not, in a designated area or a prescribed area in connection with any of the activities mentioned in section 11(2) of the Petroleum Act 1998;

“designated area” means any area which may from time to time be designated by Order in Council under the Continental Shelf Act 1964 as an area within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised;

“mariner” means a person who is employed under a contract of service either as a master or member of the crew of any ship or vessel, or in any other capacity on board any ship or vessel, where—

- (a) the employment in that capacity is for the purposes of that ship or vessel or its crew or any passengers or cargo or mails carried by the ship or vessel; and
- (b) the contract is entered into in the United Kingdom with a view to its performance (in whole or in part) while the ship or vessel is on its voyage;

“member of Her Majesty’s forces posted overseas” means a person who is a member of the regular forces or the reserve forces (within the meaning of section 374 of the Armed Forces Act 2006), who is absent from the dwelling that the person normally occupies as his home because the person has been posted outside of Great Britain to perform the duties of a member of Her Majesty’s regular forces or reserve forces; and

“prescribed area” means any area over which Norway or any member State (other than the United Kingdom) exercises sovereign rights for the purpose of exploring the seabed and subsoil and exploiting their natural resources, being an area outside the territorial seas of Norway or such member State, or any other area which is from time to time specified under section 10(8) of the Petroleum Act 1998.

(9) This regulation applies where—

- (a) on 31st March 2021, a person is liable to pay council tax at a reduced rate by virtue of a council tax reduction under an authority’s scheme established under section 13A(2) of the Local Government Finance Act 1992 (“a section 13A(2) scheme”); and

(b) the person is, or the person and the person's partner are between them, responsible for more than two individuals who are either children or young persons and who are members of the same household (each such individual is referred to as a "protected individual").

(10) Where this regulation applies, the amendments made by regulation 7 do not apply to the person entitled to a council tax reduction referred to in paragraph (1) until—

(a) the person makes a new application for a reduction under an authority's section 13A(2) scheme; or

(b) the person or the person's partner (if any) becomes responsible for a new individual, whichever is the first to occur.

(11) Paragraphs (4) to (8) apply where—

(a) the amendments made by regulation 7 apply by virtue of paragraph (2)(b);

(b) the child tax credit provisions do not apply; and

(c) the person has not made a new application for a reduction under an authority's scheme for a reduction under an authority's section 13A(2) scheme.

(12) Notwithstanding the default provisions, a child amount shall be included in the applicable amount in relation to any protected individual, in relation to any time when the person or the person's partner (if any) is responsible for the individual and the individual is a member of the same household.

(13) Paragraph (6) applies where—

(a) the person or the person's partner (if any) is responsible for one or more protected individuals who are members of the same household; and

(b) either of them is responsible for one or more new individuals who are members of the same household.

(14) Where this paragraph applies, any protected individual for whom the person or the person's partner is responsible is to be counted for the purpose of deciding whether, under the default provisions, an additional child amount is to be included in the applicable amount with respect to the new individual or individuals referred to in paragraph (5)(b).

(15) Paragraph (8) applies where—

(a) the number of protected individuals for whom either the person or the person's partner (if any) is responsible, and who are members of the same household, is one;

(b) the number of new individuals for whom either the person or the person's partner is responsible, and who are members of the same household, is two or more; and

(c) a different child amount would apply to different individuals.

(16) Where this paragraph applies, the child amounts to be included in the applicable amount shall be—

(a) the child amount in relation to the protected individual; and

(b) a child amount in relation to such one of the new individuals as will result in the greatest possible total amount.

(17) Under paragraph (3), for the purposes of determining whether the child tax credit provisions apply, by virtue of paragraph 6(1B) of Schedule 1 to the 2012 Regulations, where the person or the person's partner is responsible for one or more protected individuals, the total amount that would be included in the applicable amount under the default provisions shall be taken to be the total that would be included under paragraphs (4), (6) and (8).

(10) For the purposes of this regulation—

(a) “the 2012 Regulations” means the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012;

(b) “applicable amount”, “child”, “partner” and “young person” have the same meanings as in the 2012 Regulations;

(c) “child amount” means the amount determined under paragraph 2 of Schedule 2 to the 2012 Regulations;

(d) “child tax credit provisions” means the provisions of paragraph 6(1)(b) of Schedule 1 to the 2012 Regulations (as substituted by paragraph 6(1C) of that Schedule);

(e) “default provisions” means the provisions of paragraph 6(1)(b) of Schedule 1 to the 2012 Regulations (as substituted by paragraph 6(1C) of that Schedule);

(f) “new individual” means a child or young person who is not a protected individual;

(g) any reference to an individual being part of the same household means being part of the same household with the person who is entitled to a reduction under an authority's section 13A(2) scheme and the person's partner (if any);

(h) a person is to be treated as responsible for a child or young person in the circumstances set out in regulation 7 of the 2012 Regulations.

The Runnymede Borough Council (Council Tax Reduction Scheme) (Pensioners) 2024-25

Schemed altered by SI 29/2021 and SI 25/2022
Approved uprating by Chief Financial Officer

March 2023

Coming into effect

1 April 2023

Date 12 February 2023

Cllr. Tom Gracey
Leader of the Council
Runnymede Borough Council

Report title	Review of Household Support Fund (Fourth Round)
Report author	Linda Norman, Corporate Head of Customer, Digital & Collection Services
Department	Housing Benefits
Exempt?	No
Exemption type	not applicable
Reasons for exemption	not applicable

Purpose of report:

- **To resolve**

Synopsis of report:

To review Q1 & Q2 of the Household Support Fund (4) and recommend some changes to the policy for the remaining tranches to ensure the Council continues to provide as much support as possible to residents with the current cost of living crisis.

The scheme should meet the seasonal demand for fuel during the colder winter months and where possible react to changes in demand for support for the remainder of the financial year.

Recommendation(s):

The committee approve the amendments to the policy to ensure the limited grant funding received benefits as many residents as possible during the remainder of the financial year.

1. Context and background of report

- 1.1 The Government extended the Household Support fund for vulnerable households until March 2024.
- 1.2 Vulnerable households across Runnymede are able to access the Household Support fund to help those who are struggling to afford food, energy and water bills and other essential expenditure due to the global inflationary challenges and the significantly rising cost-of-living.
- 1.3 Payment is made under Section 31 Local Government Finance Act 2003. Runnymede Borough Council has been allocated £326,504 to support families who have been adversely impacted. This grant includes money to cover the costs of set up and administering the scheme.
- 1.4 The table below identifies the grants allocated for 2023/24 year in the Four Tranches:

Tranche	Funding
May	£32,650
August	£81,626
November	£163,252
January	£48,966

- 1.5 Powers granted under the Localism Act 2011, can be used by Runnymede to set up a local scheme for the granting of discretionary relief where such relief would be of benefit to the local community.
- 1.6 In June 2023, members approved the Household Support Fund Scheme (Fourth Round) and officers have completed Tranches 1 and 2 granting £80k to 343 households.
- 1.7 Approximately £11.5k has been used for administration and software development costs so far with a further £23k spent on Huggg vouchers which will be distributed over the coming months as further applications are received.
- 1.8 £163, 252 has been allocated for Tranche 3 to meet the seasonal demand for fuel during the colder winter months and react to other changes in the cost-of-living crisis. Whilst this is a significant sum, demand for support has been high and therefore, it seems sensible to review the current scheme to ensure it remains responsive and able to help as many residents as possible within the limited grant available.

2. Report and, where applicable, options considered and recommended

- 2.1 Applications for assistance with school uniforms generally has been very popular. Therefore, it seems sensible to include a specific section on eligibility for school uniforms including a maximum limit per household and that payment will be made in the form of a voucher redeemable at many retail outlets to ensure as many families as possible receive support for children's school clothing.
- 2.2 Another area that requires clarification is for those customers on pre-payment meters for energy and water and it is recommended that an additional explanation is added to advise that those on pre-payment meters will receive the amount shown as outstanding on their accounts.
- 2.3 Eligibility for support for food, energy and utility bills was open to those with savings of less than £10,000 provided they were in receipt of a qualifying benefit. In addition, there was no savings or household income limit for those requiring other support for essentials linked to
- Energy
 - Water
 - Travel
 - Wider essentials i.e., school uniforms, replacement of white goods
 - Housing costs

As such, many residents qualified for assistance as they were able to demonstrate they met the criteria laid out in the scheme. Consequently, it is recommended to reduce the savings cap to £6,000 and have a threshold for household income to below £33,000 to be eligible for support to ensure this money is targeted to those in most need.

- 2.4 Due to the complex regulations relating to those who are self-employed, they become subject to what is known as a 'minimum income floor' (MIF) calculation when assessing support for Council Tax purposes. As a consequence of this, many no longer qualify for Council Tax Support and do not qualify for other additional support within this scheme. This has affected 70 households where they have asked for short-term help with food but as they do not meet the criteria laid out in the policy, the Council has been unable to help as funds have been in high demand. It is therefore proposed to offer these households who are no longer entitled to Council Tax Support in the 2023/24 period, a grocery voucher to provide some assistance. The Benefit Team will contact those customers affected directly to ensure they receive this support.
- 2.5 A cap of £800 for support with housing costs was implemented where there was a potential risk of homelessness, and the Council had a statutory duty to support the resident. In hindsight, this amount is too low to make any real difference to the outcome for the resident and so it is recommended to increase this amount to £2000 provided all other avenues of support have been exhausted including Discretionary Housing Payments (DHP) and Homelessness Prevention Grant (HPG).

3. Policy framework implications

- 3.1 This policy underpins the Council's Corporate Theme of 'Supporting Local People' This policy underpins the Council's commitment to supporting the Government's Cost of Living crisis initiative.

4 Resource implications/Value for Money (where applicable) (Have you consulted finance?)

- 4.1 The Council will receive ring-fenced funding of £326,504 to deliver this scheme paid in four tranches. The November Tranche of £163,252 The Council will receive ring-fenced funding of £326,504 to deliver this scheme paid in four tranches. The November Tranche of £163,252 is expected mid-November with a further payment due in January 24 of £48,976.

5. Legal implications (Have you consulted legal?)

- 5.1 Powers have granted under Section 1 of the Localism Act 2011 and payment is covered by Section 31 Local Government Finance Act 2003.

6. Equality implications (Have you consulted Emmanuel Alozie?)

- 6.1 By creating a local policy to support our vulnerable residents with the current cost of living, this crisis will have a positive impact on any resident with protected characteristics.
- 6.2 The Council has worked collaboratively with various trusted partner organisations, Citizens Advice, Adult Social Care Team, Ward Councillors and Runnymede Borough Council Housing and Revenues Teams to ensure as many vulnerable people as possible are aware of the scheme and have support when making applications.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 Applications are made on-line through the Council's website to reduce the need for paper applications which are integrated with software systems to ensure an efficient and effective process is in place and support can be targeted as quickly as possible.

8. Other implications (where applicable)

8.1 There are none.

9. Timetable for Implementation

9.1 1 December 2023.

10. Conclusions

- 10.1 With such limited funds to support vulnerable residents during the winter months, it is prudent to review the existing policy prior to administering the next tranche of funding available to ensure it remains responsive and supports as many of the Borough's most vulnerable residents within the guidance laid down by central government and Surrey CC.
- 10.2 The amendments suggested will ensure transparency and clarity over what residents can expect with regards to support with their energy costs and other essential household expenses, including eligibility for those with savings and low-income families.
- 10.3 It will provide some small support to those who are self-employed who have previously been excluded from the scheme.
- 10.4 By increasing the cap on housing costs from £800 to £2000 where there is a statutory risk of homelessness, this may ensure a more positive outcome is achieved.

Background papers

- There are none

12. Appendices

- Household Support Fund Scheme (Fourth Round) version 2.

Runnymede Borough Council Household Support Fund scheme

Fourth round

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Document control

Version 2.1

20/04/2023

- Updated scheme for HSF 4.

Version 2.2

- Introduction: Table of previous rounds, HSF Grant: quarterly instalments, Eligibility for food and fuel: eligible benefits.

Version Autumn

- Revised criteria to include disability benefits, revised eligibility and checks on previous claims

Introduction

The Government extended the Household Support fund for vulnerable households until March 2024. Previous funding rounds of the Household Support fund are shown in the table below

Household Support Funding round	Period
1	November 2021 – March 2022
2	April 2022 – September 2022
3	October 2022 – March 2023

Vulnerable households across Runnymede will be able to access the Household Support fund to help those who are struggling to afford food, energy and water bills and other essential expenditure due to the global inflationary challenges and the significantly rising cost of living. Payment is made under Section 31 Local Government Finance Act 2003. Runnymede Borough Council has been allocated £326,504 to support families who have been adversely impacted.

Powers granted under the Localism Act 2011, can be used by Runnymede to set up a local scheme for the granting of discretionary relief where such relief would be of benefit to the local community.

Household Support Grant Funding

The Government is asking local authorities to prioritise support for local communities:

- The objective of the Household Support Fund (The Fund) is to provide support to vulnerable households in most need of financial help with the global inflationary challenges and the significantly rising cost of living.
- In terms of type of support, energy bills may be of particular concern to low-income households during the period of the scheme, and Authorities should prioritise supporting households with the cost of energy. The fund can also be used to provide support with food, essentials linked to energy and water, wider essentials.
- This funding covers the period 01 April 2023 to 31 March 2024 inclusive. However, the scheme may end earlier if the fund is spent.
- As the Fund is being distributed by Surrey County Council in instalments each quarter and demand will be at its peak over the winter, the policy will be kept under review and may change.

Borough	Spring & Summer 2023	Autumn & Winter 2023/24	Total funding allocation
Runnymede	May 2023 £32,650 August 2023 £81,626	November 2023 £163,252 January 2024 £48,976	£326,504

Who will benefit from this scheme?

The Fund is intended to cover a wide range of low-income households in need including families with children of all ages, pensioners, unpaid carers, care leavers, and people with disabilities.

Definitions

For the purpose of this grant (and without prejudice to other schemes):

The definition of a household with a child is a household containing any person:

- who will be under the age of 19 at the time of the award or
- a person aged 19 or over in respect of whom a child-related benefit (for example, Child Benefit) is paid or free school meals are provided at the time of the award.

The definition of a household with a pensioner is any household containing any person:

- who has reached State Pension age at the time of award

The definition of disability and disabled people aligns with the definition in the Equality Act 2010. Therefore, a disabled person is someone who has a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on their ability to do normal daily activities:

- 'substantial' is more than minor or trivial, for example it takes much longer than it normally would to complete a daily task like getting dressed;
- 'long-term' means 12 months or more, for example a breathing condition that develops as a result of a lung infection.

Eligible spend includes

It is expected that the focus of support should be on bills and food and that support for housing costs should only be given in exceptional cases of genuine emergency

- Energy and water. The Fund should primarily be used to support with energy bills for any form of fuel that is used for the purpose of domestic heating, cooking or lighting, including oil or portable gas cylinders. It can also be used to support with water bills including for drinking, washing, cooking, and sanitary purposes and sewerage.
- Food. The Fund should also primarily be used to provide support with food whether in kind or through vouchers or cash.
- Essentials linked to energy and water. The Fund can be used to provide support with essentials linked to energy and water (including sanitary products, warm clothing, soap, blankets, boiler service/repair, purchase of equipment including fridges, freezers, ovens, etc.), in recognition that a range of costs may arise which directly affect a household's ability to afford or access energy, food and water.
- Wider essentials. The Fund can be used to support with wider essential needs not linked to energy and water should Authorities consider this

appropriate in their area. These may include, but are not limited to, support with other bills including broadband or phone bills, clothing, and essential transport-related costs such as repairing a car, buying a bicycle or paying for fuel. This list is not exhaustive.

- Housing Costs. In exceptional cases of genuine emergency where existing housing support schemes do not meet this exceptional need, the Fund can be used to support housing costs. Eligibility for DHPs must first be considered before emergency housing support is offered, although those in receipt of some other form of housing support could still qualify for the other elements of the Household Support Fund, such as food, energy, water etc.
- Eligible spend does not include Mortgage costs

Eligibility for applications for food, energy and water (utility bills)

The Fund is for those residents whose liability for Council Tax is because their sole or main residence at the time of award is within the Runnymede Borough Council area and have been assessed as requiring support with the cost of day to day living or pay bills. and have a household income below £33,000 per year and savings of less than £6,000.

Household income includes all benefits, earnings and pensions.

The following information must be supplied:

- National Insurance number
- latest two consecutive months bank/building society statements for all accounts held in the household. These must clearly show:
 - names
 - all transactions (including income, fuel bills, rent and regular payments where possible)
 - that the household has less than £6,000 in savings.

Where energy or water costs are required, the person applying for the Fund should wherever possible be the individual named on the energy or water bill.

Applications maybe refused where there is no evidence that energy or water bills are being paid.

Eligibility for applications for essentials linked to energy and water, wider essentials and housing costs

Eligibility will be assessed on need by the Benefit Team or our trusted partner organisations, Citizens Advice, Adult Social Care Team and Runnymede Borough Council Housing and Revenues Teams. Eligibility is assessed per household, taking into account household composition income and savings.

A household is defined as the lead claimant, their partner, spouse or civil partner if they have one, any other adults living in the property, and any dependent children.

A claimant will need to demonstrate that they and/or their household are unable to pay energy or water bills, repay priority debts, buy essential items or are otherwise experiencing difficulties, particularly those who cannot increase their income through work, to prevent the escalation of problems.

Support may be provided for those vulnerable households who are ineligible for other government support such as the Cost of Living Payments and the energy support provided for 2023/24 and set out on 17 November 2022:

- Cost of Living Payment
- Energy Price Guarantee

Ukrainian guests will be able to claim help with essentials linked to energy and water, travel expenses and wider essentials where they and/or their household are unable to buy essential items, pay for travel, clothing or mobile phone bills.

Council Tax Support – Self employed

Those in receipt of Council Tax Support (CTS) and are Self-employed are subject to a Minimum Income Floor (MIF) after the first year of trading. Any resident who is no longer entitled to Council Tax support between April 2023 and March 2024, because of the operation of the MIF will be offered a grocery voucher. Those customers affected will be contacted by the Benefit Team, when their CTS ends.

Eligibility for applications for School Uniforms

During the Christmas term break the scheme will be open to residents with children at school, to help with the cost of uniforms, winter clothing and shoes.

The scheme will open 22nd December 2023 and close 21st January 2024.

Criteria:

- The Fund is for those residents whose liability for Council Tax is because their sole or main residence at the time of award is within the Runnymede Borough Council area and have a household income of below £33,000 per year and savings below £6,000.
- £250.00 maximum per household and is a one-off payment during the period 22nd December 2023 to 21st January 2024
- The child must be of school age and attending school
- Payment is in the form of a £50.00 Huggg voucher that can be exchanged at Clarks, Primark, Asda, M&S, Matalan, Sainsbury's, Tesco, ALDI or B&M.
- Application is via GrantApproval application form

Administering the scheme

The Council has a duty to carefully consider every application on its individual merits, considering the relevant circumstances affecting each resident.

The Council and its trusted partners will assess the need based on a completed nomination or GrantApproval application form.

The Council will publicise the scheme through the Council’s website and social media.

Residents will be required to make an application with supporting documentary evidence either to the Council or a trusted partner organisation by 11 March 2024, or sooner if the fund has run out. If the resident is unable to meet any of the criteria, they should clearly explain why.

The level of relief awarded will be capped at £2,000.00 per household to ensure as many people as possible are supported and payment will be by voucher only.

Government guidance proposes that this money is targeted towards recipients who are struggling to afford food, energy bills and other essential expenditure. Given the ambiguity of this criteria, expressing this in a more transparent manner will help potential applicants understand if they will be eligible and what level of award they can expect.

Type of support	Comments
<p>food: The Fund can be used to provide support with food, whether in kind or through vouchers or cash.</p>	<p>£80.00 per household with children £50.00 per household without children</p> <ul style="list-style-type: none"> • No more than 1 Huggg Groceries voucher per month
<p>energy and water: The Fund should primarily be used to support energy bills for any form of fuel that is used for the purpose of domestic heating, cooking, or lighting, including oil or portable gas cylinders. It can also be used to support water bills including for drinking, washing, cooking, as well as for sanitary purposes and sewerage.</p>	<p>Up to £150.00 for electricity, gas and water arrears.</p> <ul style="list-style-type: none"> • No more than 1 payment per month up to the amount outstanding on the bill over £10 • Each application must be accompanied by a utility bill dated in the last 30 days and show that any previous payments of the Fund have been used to reduce the arrears. • Those on prepaid meters will be given the amount shown outstanding
<p>essentials linked to energy and water: The Fund can be used to provide support with essentials linked to energy and water (for example warm clothing, blankets), in recognition that a range of costs may arise which directly affect a household’s ability to afford or access energy, food and water.</p>	<p>£80.00 per household with children £50.00 per household without children</p> <ul style="list-style-type: none"> • Limited to 1 Huggg Home essentials or Clothing voucher <p>NB: School Uniform provision £50 School Uniform voucher</p>
<p>White Goods essentials linked to energy and water: The Fund can be used to provide support with essentials linked to energy and water (for example the purchase of equipment such as fridges, freezers,</p>	<p>£350.00 per household</p> <p>Examples: repair or replace fridges, freezers, ovens, slow cookers</p>

<p>ovens, slow cookers), in recognition that a range of costs may arise which directly affect a household's ability to afford or access energy, food and water. In particular, we encourage Authorities to consider supporting households on low incomes to repair or replace white goods and appliances with more energy efficient ones, or to invest in energy efficiency measures which will pay back quickly, such as replacing inefficient white goods. The intention of this is to provide sustainable support which could result in both immediate and long-lasting savings for the household.</p>	
<p>wider essentials. The Fund can be used to support wider essential needs not linked to energy and water should Authorities consider this appropriate in their area. These may include, but are not limited to, support with other bills including broadband or phone bills, clothing, period and hygiene products, essential transport-related costs such as repairing a car, buying a bicycle, or paying for fuel. This list is not exhaustive.</p>	<p>£350.00 maximum per household.</p> <p>Examples: School uniform, winter clothes, work-related support (shoes, coat etc), digital access (phone and/or broadband) or essential transport-related costs.</p>
<p>housing costs. The Fund can be used to support housing costs. However, where eligible, ongoing housing support for rent must be provided through the Housing cost element of UC and HB rather than The Fund. In addition, eligibility for DHPs must first be considered before housing support is offered through The Fund. The Authority must also first consider whether the claimant is at statutory risk of homelessness and therefore owed a duty of support through the Homelessness Prevention Grant (HPG). It is expected that the focus of support should be on bills and that support for housing costs should only be given where existing housing support schemes do not meet need. Beyond this, Authorities have discretion to determine the most appropriate Fund for their area, based on their understanding of local need and with due regard to equality considerations.</p>	<p>£2,000.00 maximum per household.</p> <p>Where the property is owned by the Council, the payment will be made direct to the rent account</p>

As the scheme is cash limited, all applications will be dealt with on a first come, first served basis, and when the fund has been spent, no more applications will be paid.

Managing the process

Residents are required to provide to the trusted partner organisation or the council a statement of their circumstances, the reasons for the application plus any such

evidence, documents, receipts, financial statements including bank statements clearly showing their total income and savings and where necessary essential expenditure, the name and bank account details etc. necessary to allow the trusted partner organisation and the Council to make an informed decision. Where insufficient information is provided, despite reminders, then no relief will be granted.

Trusted partners must declare on a relevant household's behalf that they meet all relevant eligibility criteria.

In all cases, the Council will notify the resident of decisions made.

It is envisaged, the trusted partner organisations will be best placed to make grants in respect of Wider Essentials, Housing Costs and Essentials linked to energy and water, such as boiler service/repair, purchase of equipment including fridges, freezers, ovens, etc. While the local authority can deal with Food and Energy and Water.

Where the trusted partner organisations identify a need for Food, Energy and Water and Essentials linked to energy and water, then applications can be made via them and without the restrictions to welfare benefit entitlement, where the trusted partner organisations is satisfied the claimant is in urgent need. Though further checks would be conducted to ensure there is no duplication for the same costs in the same period.

Where an application is successful, the following will be notified to the applicant in writing:

- the amount of The Fund granted and the date on which it will be paid;
- Where relief is not granted then the following information will be provided, again in writing:
- an explanation of the decision within the context of the authority's statutory duty; and an explanation of the appeal rights (see below).
- Powers given to the authority for the granting, varying, reviewing and revocation of The Fund under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011 shall be delegated to the Assistant Chief Executive (Resources) in conjunction with the Corporate Head of Customer, Digital & Collection Services.
- The amount of funding to be provided by the Council in respect of The Fund shall be determined by the Government's funding allocation and is £326,504.

Appeal rights

Whilst there is no formal right of appeal except by judicial review, in the interests of natural justice and to eliminate the risk of administrative error, applicants may seek a review of the decision from the Council.

Where the authority receives a request from a resident for a review of the decision regarding the granting or refusal of discretionary funding grant, the case will be reviewed by the Corporate Head of Customer, Digital & Collection Services.

How does the Council prevent fraudulent claims for the Scheme?

The Council will ensure that all applications are validated by proof of identity, including checking details submitted using our application form with data held by the Council, and for bank accounts where it is necessary to do so.

If you falsely declare your circumstances, provide a false statement or provide false evidence in support of your application, you may have committed an offence under the Fraud Act 2006.

Any actual, potential or perceived conflict of interest must be declared by the referring party. Failure to do so will result in the termination of referrals from the referring organisation and a referral to the Fraud Service.

Runnymede Borough Council has a zero-tolerance approach to fraud and financial irregularity. All suspicions of fraud relating to this scheme will be referred to Surrey Police. In addition to any criminal action, the Council will seek to recover all fraud losses.

If it is subsequently identified that a payment under the Scheme has been awarded as a result of false or fraudulent information, including the claiming of duplicate awards, the Council reserves the right to withdraw the award and recover the resulting sum due.

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16 October 2023

Report title	Treasury Management Report – Mid Year 2023/24
Report author	A Ismailov - Senior Accountant
Department	Financial Services
Exempt?	No
Exemption type	Not applicable
Reasons for exemption	Not applicable

Purpose of report:

For information

Synopsis of report:

This is the report on Council’s treasury management activity and performance in the first half of the 2023/24 financial year focusing on financing and liquidity, cash management and risk management.

The report also reflects on the mid-year review of Council’s treasury and investment strategies, along with prudential indicators, and compliance with the limits set for 2023/24.

Recommendation:

Members are invited to note the content of the report.

1. Background Information

- 1.1. The Council’s treasury management activity is underpinned by CIPFA’s (Chartered Institute of Public Finance and Accountancy) Code of Practice on Treasury Management (“the Code”), and the CIPFA Prudential Code for Capital Finance in Local Authorities (“the Prudential Code”). These require local authorities to produce annually Prudential Indicators and a Treasury Management Strategy Statement on the likely financing and investment activity. From 2023/24, the Code also recommends that members are informed of treasury management activities quarterly.
- 1.2. The Council’s Treasury Management Strategy for 2023/24 was approved at Full Council on 09 February 2023. This report sets out the Council’s performance against the criteria in this report in the first half of 2023/24.
- 1.3. Treasury management is defined as: “The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
- 1.4. No treasury management activity is without risk; The Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the

analysis and reporting of treasury management activities focuses on their risk implications for the organisation, and any financial instruments entered into to manage these risks.

- 1.5. The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report, therefore, provides details of the treasury activities and highlights compliance with the Council's policies previously approved by the members.
- 1.6. In its oversight role, the Overview and Scrutiny Select Committee will consider this report on 13 December 2023.

2. Prudential and Treasury Indicators and Compliance

- 2.1. In compliance with the requirements of the Code this report provides members with a summary report of the treasury management activity during the first half of financial year of 2023/24 ("H1 2023/24"). Officers can confirm that during H1 2023/24, the Council complied with all its legislative and regulatory requirements and its Treasury Management Strategy Statement and Treasury Management Practices.
- 2.2. There are no proposed changes to the current Treasury Management Strategy.
- 2.3. During the first half of the year the Council operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy and in compliance with the Council's Treasury Management Practices and a prudent approach was taken in relation to all investment activity with priority being given to security and liquidity over yield.
- 2.4. A full set of prudential and treasury indicators for H1 2023/24 are set out in Appendix A

3. Risk management

- 3.1. The Council aims to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity. The Treasury Management Strategy Statement ("TMSS") for 2023/24, which includes the Annual Investment Strategy, sets out the Council's investment priorities as being:

Credit risk

Counterparty credit quality is assessed and monitored with reference to credit ratings including a minimum sovereign credit rating and Credit Default Swap (CDS) overlay information.

Liquidity risk

In keeping with the DLUHC Guidance on Investments, the Council maintains a sufficient level of liquidity using Money Market Funds and call accounts.

Yield

The Council seeks to optimise returns commensurate with its objectives of security and liquidity.

4. Economic update

- 4.1. The following section was provided by the Council's Treasury Advisors, Link Group and reflects the market position in October 2023:
- 4.2. The first half of 2023/24 saw:

- Interest rates rise by a further 100 basis points, taking Bank Rate from 4.25% to 5.25% and, possibly, the peak in the tightening cycle.
 - Short, medium and long-dated gilts remain elevated as inflation continually surprised to the upside.
 - A 0.5% month on month decline in real GDP (Gross Domestic Product) in July, mainly due to more strikes.
 - CPI (Consumer Price Index) inflation falling from 8.7% in April to 6.7% in August, its lowest rate since February 2022, but still the highest in the G7.
 - Core CPI inflation declining to 6.2% in August from 7.1% in April and May, a then 31 years high.
 - A cooling in labour market conditions, but no evidence yet that it has led to an easing in wage growth (as the 3-month year on year growth of average earnings rose to 7.8% in August, excluding bonuses).
- 4.3. The 0.5% month on month fall in GDP in July suggests that underlying growth has lost momentum since earlier in the year. Some of the weakness in July was due to there being almost twice as many working days lost to strikes in July (281,000) than in June (160,000). But with output falling in 10 out of the 17 sectors, there is an air of underlying weakness.
- 4.4. The fall in the composite Purchasing Managers Index from 48.6 in August to 46.8 in September left it at its lowest level since COVID-19 lockdowns reduced activity in January 2021. At face value, it is consistent with the 0.2% q/q rise in real GDP in the period April to June, being followed by a contraction of up to 1% in the second half of 2023.
- 4.5. The 0.4% month on month rebound in retail sales volumes in August is not as good as it looks as it partly reflected a pickup in sales after the unusually wet weather in July. Sales volumes in August were 0.2% below their level in May, suggesting much of the resilience in retail activity in the first half of the year has faded.
- 4.6. As the growing drag from higher interest rates intensifies over the next six months, we think the economy will continue to lose momentum and soon fall into a mild recession. Strong labour demand, fast wage growth and government handouts have all supported household incomes over the past year. And with CPI inflation past its peak and expected to decline further, the economy has got through the cost-of-living crisis without recession. But even though the worst of the falls in real household disposable incomes are behind us, the phasing out of financial support packages provided by the government during the energy crisis means real incomes are unlikely to grow strongly. Higher interest rates will soon bite harder too. We expect the Bank of England to keep interest rates at the probable peak of 5.25% until the second half of 2024. Mortgage rates are likely to stay above 5.0% for around a year.
- 4.7. The tightness of the labour market continued to ease, with employment in the three months to July falling by 207,000. The further decline in the number of job vacancies from 1.017m in July to 0.989m in August suggests that the labour market has loosened a bit further since July. That is the first time it has fallen below 1m since July 2021. At 3.0% in July, and likely to have fallen to 2.9% in August, the job vacancy rate is getting closer to 2.5%, which would be consistent with slower wage growth. Meanwhile, the 48,000 decline in the supply of workers in the three months to July offset some of the loosening in the tightness of the labour market. That was due to a 63,000 increase in inactivity in the three months to July as more people left the labour market due to long term sickness or to enter education. The supply of labour is still 0.3% below its pre-pandemic February 2020 level.
- 4.8. But the cooling in labour market conditions still has not fed through to an easing in wage growth. While the monthly rate of earnings growth eased sharply from an upwardly revised +2.2% in June to -0.9% in July, a lot of that was due to the one-off bonus payments for NHS staff in June not being repeated in July. The headline 3-month year on year rate rose from 8.4% to 8.5%, which meant UK wage growth remains much faster than in the US and in the Euro-zone. Moreover, while the Bank of England's closely watched measure of regular private sector wage growth eased a touch in July, from 8.2% 3-month year on year

in June to 8.1%, it is still well above the Bank of England's prediction for it to fall to 6.9% in September.

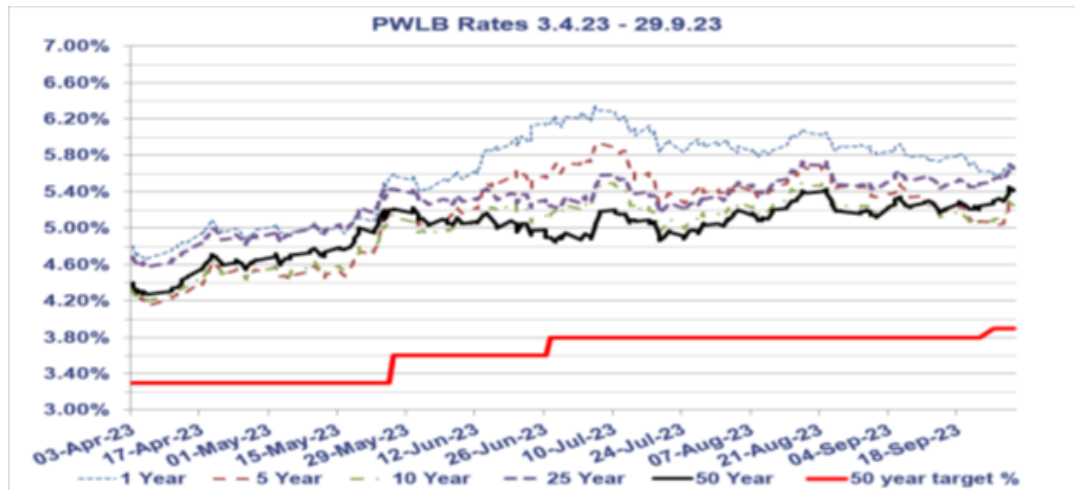
- 4.9. CPI inflation declined from 6.8% in July to 6.7% in August, the lowest rate since February 2022. The biggest positive surprise was the drop in core CPI inflation, which declined from 6.9% to 6.2%. That reverses all the rise since March and means the gap between the UK and elsewhere has shrunk (US core inflation is 4.4% and, in the Euro,-zone it is 5.3%). Core goods inflation fell from 5.9% to 5.2% and the further easing in core goods producer price inflation, from 2.2% in July to a 29-month low of 1.5% in August, suggests it will eventually fall close to zero. But the really positive development was the fall in services inflation from 7.4% to 6.8%. That also reverses most of the rise since March and takes it below the forecast of 7.2% the Bank of England published in early August.
- 4.10. In its latest monetary policy meeting on 20 September, the Bank of England left interest rates unchanged at 5.25%. The weak August CPI inflation release, the recent loosening in the labour market and the downbeat activity surveys appear to have convinced the Bank of England that it has already raised rates far enough. The minutes show the decision was "finely balanced". Five MPC members voted for no change and the other four voted for a 25bps hike.
- 4.11. Like the US Federal Reserve, the Bank of England wants the markets to believe in the higher for longer narrative. The statement did not say that rates have peaked and once again said if there was evidence of more persistent inflation pressures "further tightening in policy would be required". Governor Bailey stated, "we'll be watching closely to see if further increases are needed". The Bank also retained the hawkish guidance that rates will stay "sufficiently restrictive for sufficiently long".
- 4.12. This narrative makes sense as the Bank of England does not want the markets to decide that a peak in rates will be soon followed by rate cuts, which would loosen financial conditions and undermine its attempts to quash inflation. The language also gives the Bank of England the flexibility to respond to new developments. A rebound in services inflation, another surge in wage growth and/or a further leap in oil prices could conceivably force it to raise rates at the next meeting on 2nd November, or even pause in November and raise rates in December.
- 4.13. The yield on 10-year Gilts fell from a peak of 4.74% on 17th August to 4.44% on 29th September, mainly on the back of investors revising down their interest rate expectations. But even after their recent pullback, the rise in Gilt yields has exceeded the rise in most other Developed Market government yields since the start of the year. Looking forward, once inflation falls back, Gilt yields are set to reduce further. A (mild) recession over the next couple of quarters will support this outlook if it helps to loosen the labour market (higher unemployment/lower wage increases).
- 4.14. The pound weakened from its cycle high of \$1.30 in the middle of July to \$1.21 in late September. In the first half of the year, the pound bounced back strongly from the Truss administration last autumn. That rebound was in large part driven by the substantial shift up in UK interest rate expectations. However, over the past couple of months, interest rate expectations have dropped sharply as inflation started to come down, growth faltered, and the Bank of England called an end to its hiking cycle.
- 4.15. The FTSE 100 has gained more than 2% since the end of August, from around 7,440 on 31st August to 7,608 on 29th September. The rebound has been primarily driven by higher energy prices which boosted the valuations of energy companies. The FTSE 100's relatively high concentration of energy companies helps to explain why UK equities outperformed both US and Euro-zone equities in September. Nonetheless, as recently as 21st April the FTSE 100 stood at 7,914.

5. Borrowing Activity in H1 2023/24

- 5.1. The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement ("CFR"). This figure is a gauge of the Council's indebtedness. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents the H1 2023/24 unfinanced capital expenditure, and prior years' net or unfinanced capital expenditure which has not yet been paid for by revenue or other resources.
- 5.2. Part of the Council's treasury activities is to monitor cash position and organise financing against the borrowing needs. Financing sourced through combination of external borrowing from external bodies, such as the Government, through the Public Works Loan Board ("PWLB"), or the money markets, or utilising temporary cash resources within the Council.
- 5.3. No new borrowing was undertaken during H1 2023/24 meaning that the Council continued to maintain an under-borrowed position. This meant that the capital borrowing need, the CFR, was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure in the sharply rising interest rates environment and the period of low capital spend.
- 5.4. Table 1 sets out the borrowing activity in H1 2023/24.

Table 1 – Borrowing activity in H1 2023/24				
	Opening Balance £'000	New borrowing £'000	Borrowings repaid £'000	Closing balance £'000
HRA – PWLB	100,000	0	0	100,000
General Fund - PWLB	499,000	0	0	499,000
General Fund – Other	44,181	0	281	43,900
	643,181	0	281	642,900

- 5.5. PWLB rates are based on gilt (UK Government bonds) yields through HM Treasury determining a specified margin to add to gilt yields. The main influences on gilt yields are Bank Rate, inflation expectations and movements in US treasury yields. Gilt yields and PWLB certainty rates were on a rising trend throughout the first half of 2023/24. At the beginning of April, the 5-year rate was the cheapest part of the curve and touched 4.14% whilst the 25-year rate was relatively expensive at 4.58%.
- 5.6. July saw short-dated rates peak at their most expensive. The 1-year rate spiked to 6.36% and the 5-year rate to 5.93%. Although, in due course, short-dated rate expectations fell, the medium dates shifted higher through August and the 10-year rate pushed higher to 5.51% and the 25-year rate to 5.73%. The 50-year rate was 4.27% on 5th April but rose to 5.45% on 28th September. The actual PWLB rates during H1 2023/24 were as follows:



5.7 The Department for Levelling Up, Housing and Communities (DLUHC) has policy responsibility for the Prudential Framework under which local authorities borrow and invest. In May 2022, the Government introduced The Levelling Up and Regeneration Bill (LUR Bill), which includes new provisions that expand the government’s statutory powers to directly tackle excessive risk within local government capital system. A local authority comes into scope of the new powers when a ‘trigger point’ is breached with respect to either of the four capital risk metrics as set out in the LUR Bill.

5.8 DLUHC’s consultation process on how the capital risk metrics are calculated was completed at the end of September 2023 but as yet officers are not aware of the outcomes or what it means for the Council. The 2024/25 Treasury Management Strategy will discuss the impact of the capital risk metrics resulting from the new regulations, along with any additional affordability and borrowing capacity constraints that may be placed on the Council as a result.

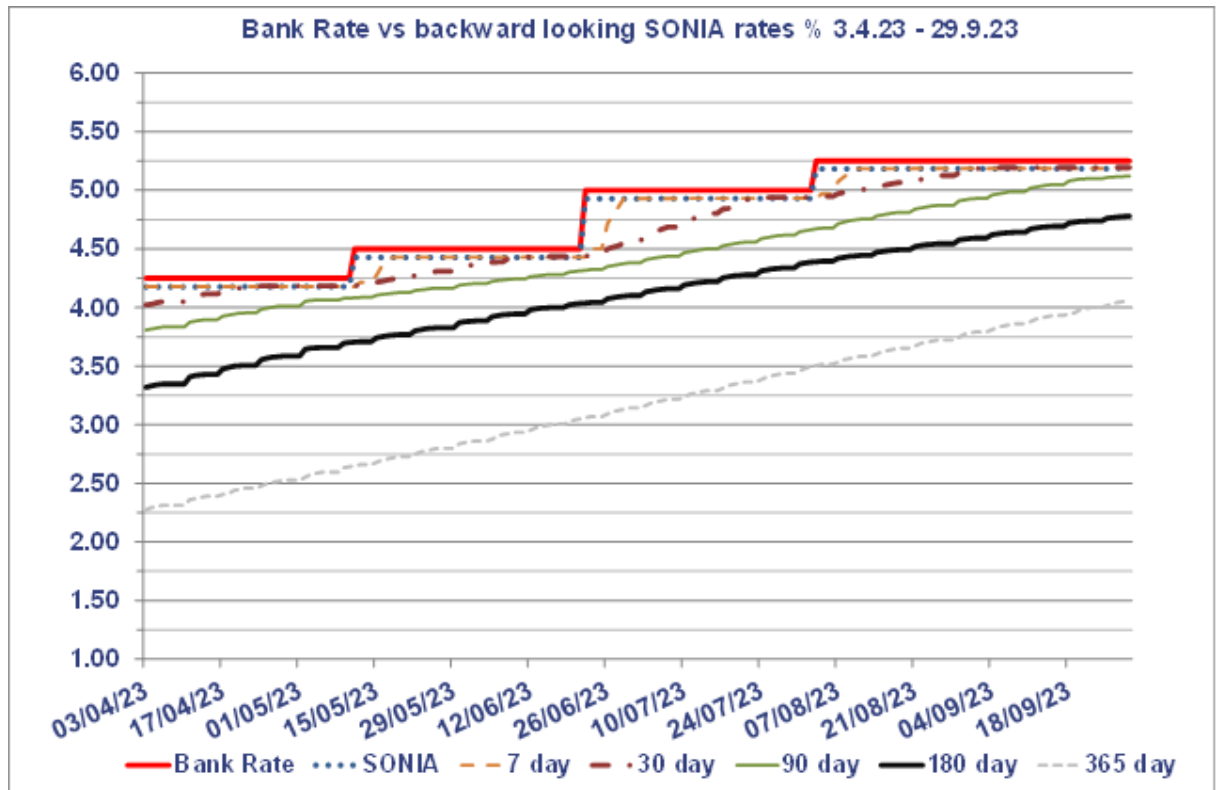
6. Interest rates in H1 2023/24

- 6.1. Bank rates continued to rise during H1 2023/24 (by further 100basis points). At the start of August, the Bank of England’s Monetary Policy Committee (MPC) increased Bank Rate by 25 basis points to 5.25%.
- 6.2. Despite the tighter monetary policy, the UK economy surprised to the upside during in the second quarter of 2023, as GDP rose by 0.2%. The market expected a further 25 basis points interest rate hikes (from 5.25% to 5.50%) at the most recent Bank of England’s policy meeting at the end of September, however, the bank has held the rate.
- 6.3. Overall, with economic activity still resilient, and wage growth and services inflation (a key consideration for the Bank of England) both stronger than originally expected, markets still anticipate further monetary policy tightening in the pipeline.
- 6.4. While the Council continues to take a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.
- 6.5. Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to

the differential between borrowing and investment rates. This also provides benefits of reducing counterparty risk exposure, by fewer investments in the financial markets.

Interest rate benchmark

- 6.6. The Council uses the Sterling Overnight Index Average (“SONIA”) as a benchmark interest rate. This is published daily and measures the cost of overnight borrowing on a backward-looking basis.
- 6.7. The SONIA (backward-looking) rates during the H1 2023/24 were as follows:



	Bank Rate	SONIA	7 day	30 day	90 day	180 day	365 day
High	5.25	5.19	5.19	5.20	5.12	4.78	4.06
High Date	03/08/2023	29/09/2023	04/09/2023	27/09/2023	29/09/2023	29/09/2023	29/09/2023
Low	4.25	4.18	4.18	4.02	3.81	3.32	2.27
Low Date	03/04/2023	04/04/2023	11/04/2023	03/04/2023	03/04/2023	03/04/2023	03/04/2023
Average	4.81	4.74	4.71	4.64	4.44	4.10	3.16
Spread	1.00	1.01	1.01	1.17	1.31	1.46	1.79

- 6.8. The Council’s actual interest rate performance during H1 2023/24 was 4.63%. The Council’s overall performance compares favourably with the average SONIA rates (given the current environment of continuous bank rate increases) as can be seen in the above table.
- 6.9. The Council’s Treasury Management Strategy sets out a lower rate of interest for the Housing Revenue Account based on the risk-free nature of the account. This lower rate is achieved by deducting the credit risk margin from the actual rate achieved by the Council. The resulting interest rate applicable to the HRA during H1 2023/24 was 4.43%.
- 6.10. The Council invests in two Pooled Funds (operated by CCLA (Churches, Charities and Local Authorities) Investment Management Limited). These allow the Council to diversify into asset classes other than cash without the need to own and manage the underlying investments. Investments in these funds are long term in nature and over long-term horizons they provide investors with relatively strong levels of interest (in the form of

dividends). However, the capital values of these assets can be subject to large fluctuations (both up and down) over relatively short time frames.

- 6.11. The movement of the Council's two CCLA pooled funds is as follows:

Table 2 – Pooled Funds in H1 2023/24				
	Original Investment £	Value 31 Mar 2023 £	Value 30 Sep 2023 £	Annualised Return %
CCLA Property Fund	2,000,000	2,263,467	2,233,866	5.26
CCLA Diversified Income Fund	2,000,000	1,894,514	1,865,384	3.35

The differences between the Original Sums invested and the Values on 30 September 2023 are held on the Council's Balance Sheet in the Pooled Investments Adjustment Account.

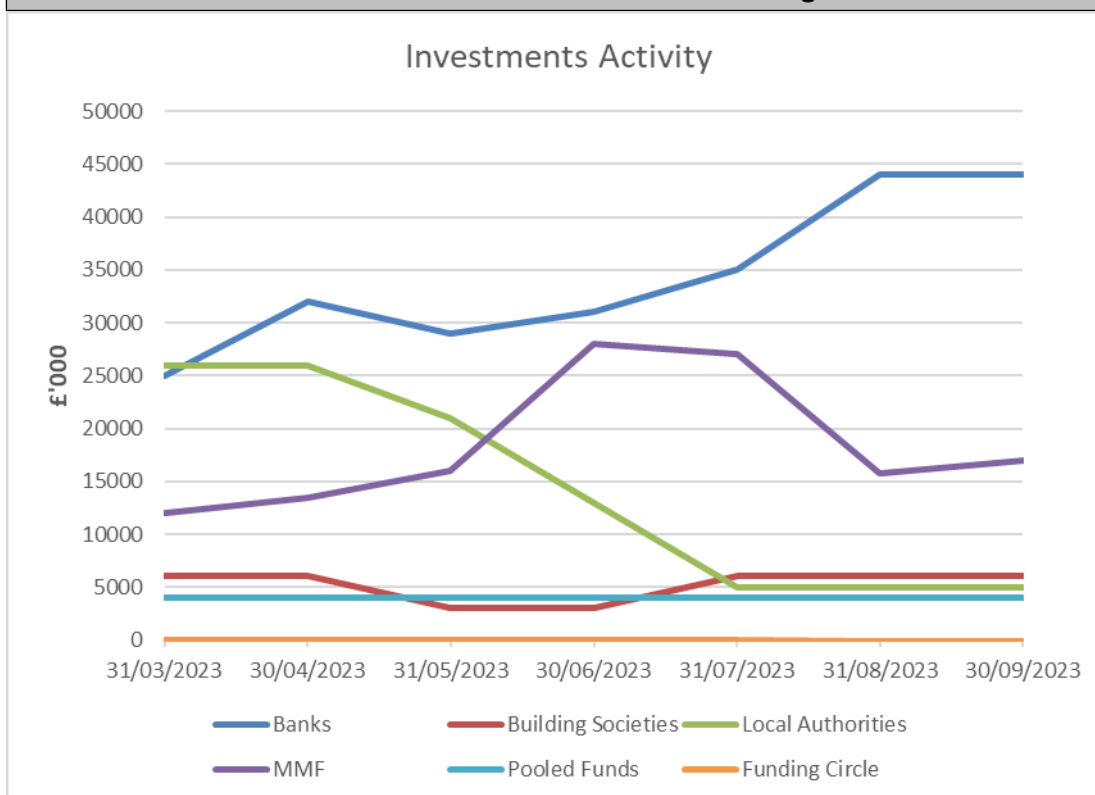
7. Investments in H1 2023/24

- 7.1. The Council's investment policy is governed by DLUHC investment guidance and is reflected in the Annual Investment Strategy approved by the Council each year. This policy sets out the approach for choosing investment counterparties and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.). The investment activity during the first half of financial year of 2023/24 conformed to the approved strategy, and the Council had no liquidity difficulties.
- 7.2. Investments of £76.0million were held by the Council as of 30 September 2023 with investment turnover principally driven by the availability of counterparties that meet the criteria set out in the Annual Investment Strategy. Table 3 below summarises investment activity during the first half of the year, split between the sectors of the counterparties that the funds were invested with.

Table 3 - Investment activity in H1 2023/24				
	Opening Balance	New Investments	Investments Recalled	Closing Balance
	£000	£000	£000	£000
Specified Investments				
Banking sector	25,000	53,000	34,000	44,000
Building societies	6,000	9,000	9,000	6,000
Local Authorities	26,000	8,000	29,000	5,000
Money Market Funds	12,000	74,000	69,000	17,000
Unspecified Investments				
Pooled Funds & Investment Schemes	4,000	0	0	4,000
Funding Circle	42	0	14	28
	73,042	144,000	141,014	76,028

- 7.3. Aside from the parameters set in the Annual Investment Strategy, the main factors that determine the amount of investment income are the level of interest rates, cash flow and the level of reserves and balances. The impact of capital cash flows – receipts from sales and timing of capital projects – also has a significant impact on cash flows.
- 7.4. The monthly movement in balances between these categories during H1 2023/24 is set out in Table 4 below and reflects the available counterparties and investment rates at that time.

Table 4 - Movement between investments during H1 2023/24



7.5. A full list of investments held as of 30 September 2023 is set out in Appendix C.

8. Non-treasury Investments

8.1. The Prudential Code, TM Code and DLUHC regulations include guidance on what is termed “non-treasury” investments. These are predominantly investments for commercial return such as:

- commercial loans to companies and other organisations, and
- holding property for a financial return (investment property).

The Council owns a significant investment property portfolio which is now managed through its developing Asset Management Strategy and provided loans to its wholly owned companies and local community groups.

Commercial Loans

8.2. The Council has funded its three wholly owned companies via Loan Facilities (that have been approved by the Full Council at rates set in accordance with the competition rules) which enabled them to buy some of the properties resulting from the Council’s regeneration schemes. There are no plans in the current Capital Programme to increase investments in these areas. The table below sets out the list of loan facilities and movements in their balances in H1 2023-24.

Loan Type	31/03/2023 Investment £'000	H1 2023/24 Movement £'000	30/09/2023 Investment £'000	Interest Rate %
Development Loans - Addlestone One	25,326		25,326	5.04
Development Loans – Magna Square	11,838		11,838	4.22
Development Loans - Other	1,000		1,000	4.86
Working Capital Loans	445		445	7.54
Working Capital Loans	300		300	7.36

Working Capital Loans	2,100	400	2,500	7.40
Totals	41,009	400	41,409	

- 8.3. The Working Capital Loan Facilities approved in October 2020 allowed a sum of £3m available to draw down as required. Of this amount £500,000 is still available to drawdown. It is anticipated that this will be required before the end of this financial year.

Property performance measurement

- 8.4. To better describe the role the investment property portfolio plays in the Council's capital and revenue strategies a set of performance reporting measures were approved as part of both the Annual Asset Management Strategy and the Capital & Investment Strategy.
- 8.5. Appendix D sets out the key performance indicators in H1 2023-24. These will be further developed during 2023-24 using benchmarking analysis relative to the broader market, based on frequent data via a subscription to MSCI Analytics. Work on uploading data to MSCI is currently being undertaken.
- 8.6. As with the treasury information, the provision of economic data helps to put some of the above metrics into perspective. An update on property related economic matters provided by Montagu Evans LLP reflecting the market position in September 2023 is set out in Appendix D.

9. Legal Implications

- 9.1. The powers for a local authority to borrow and invest are governed by the Local Government Act 2003 and associated Regulations. A local authority may borrow or invest for any purpose relevant to its functions, under any enactment, or for the purpose of the prudent management of its financial affairs. The Regulations also specify that authorities should have regard to the CIPFA Treasury Management Code, the Government Investments Guidance and the CIPFA Prudential Code for Capital Finance in Local Authorities when carrying out their treasury management functions.

10. Environmental/Sustainability/Biodiversity implications

- 10.1. Ethical or Sustainable investing is becoming a more commonplace discussion within the wider investment community. There are currently a small, but growing number of financial institutions and fund managers promoting Environmental, Social and Governance (ESG) products however the types of products we can invest in are constrained to those set out in our Investment Strategy which is driven by investment guidance, both statutory and from CIPFA, making it clear that all investing must adopt SLY principles – security, liquidity and yield: ethical issues must play a subordinate role to those priorities.
- 10.2. The Council does not invest directly in any companies – other than our own - and our investments are limited to investments with the banking sector (term deposits etc) and investments in property (our investment properties). We have £4million split between two pooled funds both managed by the CCLA and their approach to ESG can be found on their website.

11. Council Policy

- 11.1. This is set out in the Treasury Management Policy Statement, the Annual Investment Strategy, and associated Practices and Schedules.
- 11.2. The Council's treasury management policy statement states:
- “The Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation, and any financial instruments entered into to manage these risks.”
- 11.3. It is the security of investments that has always been the main emphasis of our treasury strategy. In balancing risk against return, Officers continue to place emphasis on the control of risk over yield following investment guidance, both statutory and from CIPFA, which make it clear that all investing must adopt SLY principles – security, liquidity and yield in that order.

12. Conclusions

- 12.1. The first half of 2023/24 continued the challenging investment environment with counterparty risk remaining our primary treasury management priority. The criteria in the Annual Investment Strategy are continuously reviewed to minimise risk as much as practicable whilst retaining the ability to invest with secure institutions.
- 12.2. During the half year ended 30th September 2023, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2023/24. The Corporate Head of Finance reports that no difficulties are envisaged for the current or future years in complying with these indicators.
- 12.3. All treasury management operations have been conducted in full compliance with the Council's Treasury Management Practices.

13. Appendices

- Treasury and Prudential Indicators 2023/24 as of 30 September 2023
- Borrowings as of 30 September 2023
- Investments as of 30 September 2023
- Property Performance Indicators as of September 2023
- Economic commentary for property as of 30 September 2023

Treasury and Prudential Indicators 2023/24 as of 30 September 2023

Treasury Indicators	2023/24 Budget (Year End) £'000	30.09.23 Actual £'000
Authorised limit for external debt	700,613	700,613
Operational boundary for external debt	675,613	675,613
Gross external debt	650,613	642,900
Investments	53,756	76,028
Net borrowing	596,857	566,872
Maturity structure of fixed rate borrowing - upper and lower limits		
Under 12 months	25%	2.42%
12 months to 2 years	25%	3.20%
2 years to 5 years	25%	4.03%
5 years to 10 years	50%	11.59%
10 years to 20 years	100%	10.69%
20 years to 30 years	100%	3.36%
30 years to 40 years	100%	17.42%
40 years to 50 years	100%	47.29%
Upper limit for principal sums invested over 365 days (split by financial years beyond current year end):		
Year 1	5,000	0

The Operational Boundary – This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt.

The authorised limit for external borrowing. – A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the Full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. This is the statutory limit determined under Section 3(1) of the Local Government Act 2003. The Government

retains an option to control either the total of all Councils' plans, or those of a specific Council, although this power has not yet been exercised.

This limit includes a "cushion" to allow for the non-repayment of any borrowing at the required time and headroom for rescheduling of debts (i.e. borrowing new money in advance of repayment of existing). This was not required during the quarter.

Maturity structure of fixed interest rate borrowing (Upper Limit) As the Council does not borrow at variable rates of interest, the upper limit on this type of debt will always be nil, therefore no table has been produced for variable interest rate borrowing.

Investment Treasury Indicator and Limit - total principal funds invested for greater than 365 days. These limits are set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment and are based on the availability of funds after each year-end.

There were no investments made for a period of greater than 365 days as of 30 September 2023.

Prudential Indicators	2023/24 Budget £'000	30.09.23 Actual £'000
Capital expenditure – Original	46,479	
Capital expenditure – Revised	29,450	4,738
Capital Financing Requirement (CFR)	703,066	703,066
In-year borrowing requirement	7,603	7,603

Capital Expenditure – This prudential indicator is a summary of the Council's capital expenditure plans, and financing requirements. Any shortfall of resources results in a funding borrowing need.

The Council's borrowing need (the Capital Financing Requirement) - The Council's Capital Financing Requirement (CFR), is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's underlying borrowing need. Any capital expenditure, which has not immediately been paid for, will increase the CFR.

The CFR does not increase indefinitely, as the Minimum Revenue Provision (MRP) is a statutory annual revenue charge which broadly reduces the borrowing need in line with each asset's life and so charges the economic consumption of capital assets as they are used.

The CFR includes any other long-term liabilities (e.g. PFI schemes, finance leases). Whilst these increase the CFR, and therefore the Council's borrowing requirement, these types of schemes include a borrowing facility and so the Council is not required to separately borrow for these schemes. The Council currently has no such schemes.

In-year borrowing requirement for non-financial investments is any capital expenditure that has not been financed in the year.

Borrowings as of 30 Sep 2023

	Principal Sum £'000	Original Term (Years)	Annual Interest £	MATURITY	%
Housing Revenue Account					
PWLB - 500495	10,000	15	301,000	28 Mar 2027	3.01%
PWLB - 500498	10,000	20	332,000	29 Mar 2032	3.32%
PWLB - 500500	10,000	20	332,000	29 Mar 2032	3.32%
PWLB - 500501	10,000	20	332,000	29 Mar 2032	3.32%
PWLB - 500493	10,000	25	344,000	27 Mar 2037	3.44%
PWLB - 500496	10,000	25	344,000	27 Mar 2037	3.44%
PWLB - 500503	10,000	25	344,000	27 Mar 2037	3.44%
PWLB - 500494	10,000	30	350,000	28 Mar 2042	3.50%
PWLB - 500497	10,000	30	350,000	28 Mar 2042	3.50%
PWLB - 500499	10,000	30	350,000	28 Mar 2042	3.50%
	100,000		3,379,000	Average Rate:	3.38%
General Fund					
PWLB - 507919	10,000	5	195,000	17 Oct 2023	1.95%
Sheffield Combined Authority	5,000	2	25,000	19 Oct 2023	0.50%
PWLB - 507920	10,000	6	205,000	17 Oct 2024	2.05%
PWLB - 504312	10,000	10	256,000	17 Aug 2025	2.56%
PWLB - 506855	10,000	10	219,000	23 Jan 2028	2.19%
PWLB - 505012	4,000	12	86,400	08 Jun 2028	2.16%
PWLB - 507919	6,000	9	150,000	22 Dec 2028	2.50%
PWLB - 504520	15,000	15	414,000	04 Dec 2030	2.76%
PWLB - 176998	10,000	11	226,000	30 Mar 2031	2.26%
PWLB - 410351	10,000	11	167,000	28 Sep 2032	1.67%
PWLB - 505233	10,000	30	244,000	12 Jul 2046	2.44%
Phoenix Life Limited	38,900	40	1,125,858	02 May 2061	2.88%
PWLB - 505335	20,000	45	376,000	01 Sep 2061	1.88%
PWLB - 508328	10,000	43	247,000	31 Dec 2061	2.47%
PWLB - 508377	10,000	43	249,000	18 Jan 2062	2.49%
PWLB - 505968	15,000	45	351,000	04 Apr 2062	2.34%
PWLB - 505969	15,000	45	351,000	04 Apr 2062	2.34%
PWLB - 505972	20,000	46	470,000	05 Apr 2063	2.35%
PWLB - 505433	10,000	47	207,000	29 Sep 2063	2.07%
PWLB - 508192	10,000	45	243,000	12 Dec 2063	2.43%
PWLB - 508226	10,000	45	239,000	13 Dec 2063	2.39%
PWLB - 505434	14,000	48	289,800	29 Sep 2064	2.07%
PWLB - 505668	20,000	48	514,000	20 Jan 2065	2.57%
PWLB - 507420	40,000	47	980,000	29 May 2065	2.45%
PWLB - 507145	10,000	48	228,000	27 Mar 2066	2.28%
PWLB - 507416	40,000	48	984,000	25 May 2066	2.46%
PWLB - 505611	20,000	50	524,000	16 Dec 2066	2.62%
PWLB - 506991	10,000	50	240,000	05 Mar 2067	2.40%
PWLB - 507425	20,000	49	480,000	30 May 2067	2.40%
PWLB - 506125	10,000	50	230,000	12 Jun 2067	2.30%
PWLB - 506887	15,000	50	367,500	08 Feb 2068	2.45%
PWLB - 506888	15,000	50	367,500	08 Feb 2068	2.45%
PWLB - 507407	20,000	50	490,000	23 May 2068	2.45%
PWLB - 177081	40,000	50	932,000	30 Mar 2070	2.33%
PWLB - 434500	10,000	50	167,000	09 Nov 2071	1.67%
	542,900		12,673,058	Average Rate:	2.33%
Total Borrowings	642,900		16,052,058	Annual Interest	2.50%
	£'000				
Authorised Borrowing Limit 2022/23	700,613	(approved 09 Feb 2023 - Full Council)			
Borrowing to date	(642,900)				
Authorised Borrowing remaining	57,713				

Investments as of 30 Sep 2023					
	£'000		ORIGINAL TERM	MATURITY	%
Banks					
<u>Term Deposits</u>					
Sumitomo Mitsui Banking Corp (SMBC)	4,000		3 mth	04 Oct 2023	5.460
Qatar National Bank	1,000		6 mth	06 Oct 2023	5.020
GoldmanSachs International Bank	5,000		6 mth	11 Oct 2023	4.700
Handelsbanken	5,000		3 mth	17 Oct 2023	5.370
DBS Bank	1,000		9 mth	20 Nov 2023	4.450
National Bank of Kuwait	5,000		3 mth	29 Dec 2023	5.400
Overseas-Chinese Banking Corp (OCBC)	3,000		5 mth	08 Jan 2024	5.600
National Bank of Canada	1,000		6 mth	08 Feb 2024	5.620
Al Rayan Bank	5,000		6 mth	09 Feb 2024	5.410
<u>Certificates of Deposit</u>					
NatWest Bank	1,000		9 mth	17 Nov 2023	4.340
Lloyds Bank Plc	5,000		5 mth	11 Dec 2023	5.950
Danske Bank A/S	1,000		4 mth	08 Jan 2024	5.740
Toronto Dominion Bank	2,000		1 yr	12 Apr 2024	5.100
Standard Chartered Bank	3,000		1 yr	12 Apr 2024	5.040
Skandinaviska Enskilda Banken (SEB)	2,000		1 yr	12 Apr 2024	5.040
Total Banks	44,000	58%			
Building Societies					
Nationwide BS	3,000		3 mth	25 Oct 2023	5.270
Leeds BS	3,000		3 mth	17 Nov 2023	5.310
Total Building Society	6,000	8%	(50% Limit)		
Local Authorities					
London Borough of Newham	5,000		3 mth	17 Nov 2023	5.350
Total Local Authorities	5,000	7%			
Money Market Funds					
Aberdeen Liquidity Sterling Fund	3,000		***** On Call *****		Variable
Aviva Investors Sterling Liquidity Fund - Class 3	10,000		***** On Call *****		Variable
Insight Liquidity Fund PLC	4,000		***** On Call *****		Variable
Total Money Market Funds	17,000	22%			
Pooled Funds & Collective Investment Schemes					
CCLA Property Fund	2,000		**** 3 mth settlement ****		Variable
CCLA Diversified Income Fund	2,000		**** 3 mth settlement ****		Variable
Total Pooled Funds	4,000	5%			
Funding Circle					
Lending to small and medium sized companies	28		**** up to 5 years ****		Variable
Total Other Investments	28	0%	(with the ability to sell loans)		
Total Investments	76,028				

Investment Property Performance Indicators 2023/24 as of 30 September 2023**Revenue and Tenancy Management Performance**

The following indicators measure the revenue performance and tenancy management performance of the Council's investment Properties.

KPI	Metric Description	YTD 30/09/2023 £
Investment Property budget variance	Increased Income	152,000
	Increased Expenditure	(107,000)
	Net Surplus / (Deficit)	45,000

KPI	Metric Description	YTD 30/09/2023
Income Return (Proportionality)	Investment income as a percentage of all general fund income (excluding Taxation)	42%
Investment Property Rent Arrears	As a percentage of the total portfolio income – taken prior to Quarterly due dates	3.31%
Vacancy Rates	As a percentage of the total portfolio area in SQ FT	7.54%
Tenant Retention	Number of renewals completed, and tenant breaks not exercised	78%

A breakdown of the changes in income and expenditure changes can be found in the Financial Monitoring Statement report to on the November 2023 Corporate Management Committee agenda.

Capital & Treasury Performance

KPI	Metric Description	31 March 2023
Capital Values	Difference in Capital Valuations annually. (March 2022 – March 2023)	- £24.8m
	Difference in Capital Valuations since purchase/construction	+ £13.3m
Loan to Value ratio	Amount of debt compared to the total asset value	97.5%
Interest cover ratio	The total net income from property investments compared to the total interest on associated borrowings	2.45 times
Debt cover ratio	The total net income from property investments compared to the total annual MRP and interest on associated borrowings	1.84 times
Average return on investments	Rental income divided by Capital Value	5.1%

There have been no changes to borrowing or interest payments during the first half of the year.

With regard to the Capital Values; the figures of -£24.8M reflects the fact that our investment property portfolio is heavily weighted in the office sector (approximately 64%), the majority of which have a shortening income profile which in turn leads to a yield swing affecting the capital return. The office sector has undergone a significant shift since October 2022 with persistent high inflation, interest rate hikes and volatility in the financial sector causing investor caution which adds to cautious valuations. In addition to the challenging market conditions particularly in the Southeast office sector, occupation activity remains sensitive to economic headwinds which include rising energy costs, the new rates revaluation, and ongoing build-cost inflation which have impacted the all-in occupational cost of space which has resulted in occupiers taking less space.

Economic Commentary provided by Montagu Evans LLP

HIGH-STREET RETAIL

The High Street sector's difficult set of challenges during, and off the back of the pandemic were well-documented as many retailers on the high street were not able to trade during the mandatory national lockdowns, revenues dramatically decreased. Retailer's online platforms boomed throughout this period as a result of changing consumer patterns which have now settled into an established alternative to in-store retail with a broader consumer base.

The road to recovery, since the Covid era, has not been easy with retailers facing a combination of new challenges including the cost-of-living crisis, high wage inflation, industrial action and rapidly increasing energy bills with weaning government support. The combination of these challenges in addition to decreased consumer confidence has led to considerable volatility in the relationship between in-store and online retail.

Wilko went into administration in August this year, which is the first major insolvency for the sector since M&Co in early February. The discount retailer employed 12,500 staff across 400 stores and two distribution warehouses. However, B&M have recently announced they will take on up to 51 of Wilko's stores.

Whilst the Christmas trading period proves to be an inkling of reassurance, the agility of retailers is being tested as to how effectively and quickly they can adapt to the cost-of-living crisis and bolster cash flow strength. Retailers are being forced to diversify and make strategic decisions, focussing on customers, going green and adapting to other new market trends.

Key Statistics

- In July 2023, UK retail footfall was 2.1% higher than the same month in 2022, according to MRI Springboard data.
- Retail investment volumes totalled £6.4 billion in the year to Q2 2023, compared to £7.2 billion in the year to Q1 2023
- Retail capital values declined in July 2023 with the MSCI index falling by 0.32% month-on-month, compared to a fall of 0.11% in June 2023.
- Retail capital values declined in July 2023 with the MSCI index falling by 0.32% month-on-month, compared to a fall of 0.11% in June 2023.

RETAIL WAREHOUSES

The UK retail warehouse market has shown resilience despite economic challenges. Consumer demand for big-ticket items has decreased. However, the market has shifted away from bulky goods, with grocery now occupying a significant share of retail warehouse stock. Discount homeware brands and value-oriented operators have grown, making the market less vulnerable to economic downturns. Essential product categories are the focus, mitigating the impact of reduced discretionary spending. Consumers are cutting non-essential spending and opting for value products, with essential spend rising. Grocery, an essential sub-category, has seen consistent spending growth.

The UK's retail warehouse investment market has recently witnessed fluctuations in yields, primarily attributed to the escalation of interest rates and shifts in investor sentiment. The market's stability hinges on the robustness of the occupational sector, which has demonstrated impressive resilience despite disruptions caused by events like the pandemic and the Ukraine conflict.

Factors such as low vacancy rates, strong retailer performance, and consistent net effective rents averaging around £18 per square foot contribute to this stability. There is also discussion over whether market rents on prime assets are artificially low, as retailers prefer lease renegotiations over vacating premises. Furthermore, competitive tension persists, but some investors may not fully appreciate the fundamental strength of the occupational market, resulting in yield movements that align with changes in interest rates and UK Bond yields.

The outlook for the future is looking more stable and the sector has repriced to a sensible level following the rise in debt costs over the last year and is once more seemingly well-priced versus other asset classes. The occupational market remains strong in so much as it is broadly fully let despite the recent Wilko administration in August 2023.

Key Statistics

- Vacancy rates were 5.4% in the summer months of 2022 and have fallen to 4.7% despite seeing Wilko go into administration.
- Prime Open A1 yields started the year at 5.50%. Currently, they sit at 5.75%.
- H1 has seen a total of £1.1bn in retail warehouse transactions, -13.5% down on H2 2022, and -17.9% down on the same period last year.

INDUSTRIAL

The first half of 2023 had the lowest take-up since 2013, but there's optimism for a rise in the second half. Investment volumes in the industrial sector reached £10.5 billion in the year to Q2 2023. This was down from £11.8 billion in the year to Q1 2023. Market sentiment remains uncertain due to economic data fluctuations, particularly regarding inflation and base rates, with further base rate increases expected. Investment volumes in H1 2023 reached £0.99bn, marking a 79% decline from H1 2022, especially affecting the logistics sector.

The MSCI industrial rental growth index grew by 0.40% month-on-month in July 2023, compared to growth 0.59% in June 2023. This was the strongest rental growth from the main sectors but marks a slowdown on last summer. Back in June 2022 industrial rental growth stood at 1.1%.

Online retail is forecasted to reach 35% by 2027, driven by fashion, food, and electronics. Manufacturing occupiers are seeking supply chain diversification, albeit at a gradual pace. With the UK's population expected to reach 71 million by 2023, there's a need for 224 million sq ft of additional warehouse space to accommodate housing requirements.

The sector remains a robust asset class and going forwards, the outward movement of yields and re-pricing of assets is predicted to encourage investor activity as buyer and seller intentions become more closely aligned.

Key Statistics

- Take-up across the UK for Grade A space over 100,000 sq ft reached circa 8 million sq ft in Q1 2023, which is 49% higher compared to the same period last year and 13% ahead of the 5-year quarterly average.
- H1 2023 saw a 79% decline in investment volumes compared to H1 2022, mainly impacting the logistics sector.
- Capital Availability: Equity raising has risen by 92% since 2019, with £667bn available in unlisted funds for real estate investment.

OFFICE

Occupiers are continuing to assess their occupational need as the widespread pandemic-driven hybrid working model transitions into the post-covid working environment. For some, this has seen a return to the office full time whereas as others have chosen to retain remote and flexible working options.

In the post-COVID era, offices remain essential, but tenant preferences are changing rapidly. They seek high-quality, well-located, sustainable buildings to attract and retain talent, willing to pay more for such spaces. These features enhance productivity, operational efficiency, and reduce carbon emissions. This shift is reshaping the risk-reward dynamics for investors as most existing office spaces don't meet these requirements, and supply is limited. Best-in-class, Grade A spaces are likely to fare better amid rising costs and a demand-supply imbalance caused by reduced development activity.

Moving forward, the onus is upon occupiers to decide upon their working models which often relates to the recruitment and retention of top talent and productivity targets. Reduced utilisation rates for those who do retain remote working will continually require assessment of where excess space can be limited to optimise portfolios. Focus on asset's ESG credentials will only intensify with the proximity to statutory dates.

Key Statistics

- Office rental growth contracted marginally in July 2023, with MSCI Market Rental Growth Index for offices recording growth of 0.17%, compared to a rise of 0.31% in June 2023.
- The MSCI Capital Growth Index for offices decreased by 2.14% month-on-month in July 2023, compared to the June 2023 figure of -2.17%.

Report title	Budget Monitoring Report - April 2023 to September 2023
Report author	Paul French - Corporate Head of Finance
Department	Financial Services
Exempt?	No
Exemption type	not applicable
Reasons for exemption	not applicable

Purpose of report:

For information

Synopsis of report:

To report the financial projections for the 2023/24 financial year as at 30 September 2023 for the General Fund, Housing Revenue Account and Capital Programme.

1 Context and background of report

- 1.1 The Medium-Term Financial Strategy (MTFS), the Capital Programme and the detailed General Fund budgets for 2023/24 were approved by the Corporate Management Committee on 19 January 2023 and subsequently by Full Council on 09 February 2023.
- 1.2 The detailed HRA budget for 2023/24 was approved by the Housing Committee on 12 January 2023 and subsequently by Full Council in February 2023.
- 1.3 Starting in July, all budget managers are provided with a monthly budgetary control statement showing total budget, profiled budget and spend to date (including commitments). Managers also have access to these reports in real time throughout the year via the Council's Financial Management System. A full salary listing is also provided on an ad-hoc basis to Corporate Heads. Budget managers are expected to work with the accountancy team to report any variations and projected spend to 31 March.
- 1.4 Budget managers should constantly monitor their budgets and are accountable for their budget and service performance. The projected outturns shown in this report are manager's best estimates as at 30 September 2023.

2 General Fund Revenue Budget

- 2.1 The detailed General Fund budget for 2023/24 was approved in February 2023 along with the MTFS. Since then, various changes have occurred and a summary of the current projected use of balances for the General Fund (in the Budget Book format) setting out these changes is set out at Annex 1 and is explored in more detail in the following paragraphs.
- 2.2 Two changes have been made to the General Fund Summary page set out in Annex 1 to that reported when the original budget was set. In May, Members agreed to transfer the reporting responsibility for Green Spaces (Parks, Allotments and Cemeteries) from the Community Services

Committee to the Environmental & Sustainability Committee. This change has been reported in the Cttee Transfers column to ensure the Forecast budget reflects the new responsibilities.

2.3 The second change is to move the Council's Investment Properties – those properties held solely for rental income or capital appreciation - out of the Corporate Management Committee (CMC) line and down to the Financing and Investment section of the summary. This has been done:

1. To make the net costs of the CMC and Investment property income more obvious and easily obtainable
2. To follow the format now being used on most Government data collection forms and in the Statement of Accounts
3. To adhere to the anticipated requirements of Government and CIPFA to make the Investment Property net costs more transparent in our reporting

It should be noted that the staffing and management costs relating to these properties is still shown under the Corporate Management Committee as the team manage all the Council's operational, non-operational and investment properties.

2.4 The General Fund Summary is set out in Annex 1 and shows the net expenditure for each service area against the forecast outturn as at 30 September 2023. The forecast outturn is made up of the original budget amended for any anticipated changes (including the adjustments set out above). A summary of the more significant changes (over £5,000) at the Net Expenditure on Services level is set out in Annex 2.

2.5 Members will be aware from the recent Savings and Efficiencies Process and Service Reviews report that was presented to this committee on 13 July, that the process for Planned Underspends has changed this year. Instead of all approved underspends from last year being added to this years budgets, Planned Underspends, (totalling £819,000) are now held in a central reserve and are released to services as and when the works begin. This was done to smooth out the variances during the year and to ensure that the underspends were not then utilised for other, unapproved uses, should schemes not progress.

2.6 Annex 2 shows that the adjusted net deficit on services is forecast to be £27.449m, a reduction in the deficit of £220,000 on the original budget. Annex 3 shows that the adjusted net surplus on investment properties is forecast to be £25.532m, an increase in the surplus of £45,000 on the original budget. The variations in these figures can be summarised as follows:

Table 1

Analysis of budget changes in Net Expenditure			
	General Budgets	Investment Properties	Total
	£000	£000	£000
Increased Expenditure:			
- Planned Underspends carried forward from 2022/23	619	34	653
- Approved supplementary estimates	187	(65)	122
- Approved supplementary estimates - via SO42	12	0	12
- Other cost pressures	428	213	641
Reduced Expenditure	(1,510)	(75)	(1,585)
Increased Income	(366)	(211)	(577)
Reduced Income	410	59	469
	(220)	(45)	(265)

2.7 These figures include a predicted reduction in staffing costs of £1.2m due to ongoing staff vacancies. This figure is based on savings to the end of September and is an area that is to be looked at as part of a full establishment review to including looking at the Council's current pay and grading structure.

- 2.8 Whilst the anticipated reduction in salary costs for the year would seem a good thing, it means there are not enough members of staff in post to carry out the ambitious plans of the Council, which in turn leads to additional pressure being placed on those staff actually in post. It also masks a worrying trend of increased costs both through additional supplementary estimates and other cost pressures (e.g. continued high inflation, increased levels of maintenance and costs of new contracts).

Accounting & Other Adjustments

- 2.9 The changes in this area relate to virements of budgets to fund capital expenditure. Members will be aware that you are not allowed to use capital income to finance revenue, but you can finance capital expenditure from revenue reserves. So far, the following changes have been approved:

Table 2

	£'000				
Tennis Court refurbishment	49	CMC - March 23 plus £2k Virement			
EV Charging points for Meals at Home	15	CMC - March 23			
Grounds Maintenance Vehicles	33	CMC - May 2023			
Parks Play equipment replacement	60	CMC - Sept 2023			
	157				

The corresponding increase in the Capital budgets can be seen in the appropriate Capital Expenditure lines in Annex 6.

Financing and investment income

- 2.10 By far the biggest income generator for the Council is our rental income from Investment property. In the 2023/24 financial year the Council anticipates receiving rent (net of voids and bad debts) of £25.5m from various businesses across its portfolio. To aid transparency, Investment property changes have been stripped out and now form Annex 3.
- 2.11 The changes to this years figures are summarised in Table 2 above. Although there is very little predicted change to this years net budget, there is still a need to be wary in regard to:
- the ability to relet properties at current rental levels
 - the on-going cost-of-living crisis caused by high inflation and energy costs
 - potential costs coming out of the Asset Management Plan surveys
 - sustainability issues ensuring that the portfolio is compliant with energy regulations
 - potential measures coming out of the Levelling up and Regeneration Bill once enacted
- 2.12 To mitigate these issues, the Council continues to build up earmarked resources to maintain properties to ensure they remain in a lettable standard and also to cover for loss of rent and rent-free periods.
- 2.13 As at the end of September, officers were not anticipating any significant changes in the Council's treasury income and expenditure. Based on increased interest rates, a £300,000 increase in treasury income is now anticipated along with a saving in borrowing costs of approximately £150,000 from not taking out replacement borrowing as existing loans mature. A full report on the second quarters treasury management operations, including the Investment property metrics, is set out elsewhere on this agenda.

General Fund balance

- 2.14 Members will be well aware that the last set of the Council's Statement of Accounts to have been signed off by the external auditors are for 2018/19, meaning that the Council's reserve balances as

reported in the budget and MTFS could be subject to change should the auditors find any issues. With that caveat in place, the unaudited accounts for 2022/23 indicate that the General Fund balance at the start of April this year was £20.2m.

- 2.15 The MTFS, as updated and reported alongside the budget report for 2023/24, showed a potential budget shortfall by the close of 2025/26 of £5.2m. Taking all the changes set out in Annex's 1-3, the effect on the General Fund Working Balance over the next 3 years is now anticipated to be as follows:

Table 3

	Current Yr 2023/24 £'000	MTFS 2024/25 £'000	MTFS 2025/26 £'000	MTFS 2026/27 £'000
General Fund Working Balance:				
Assumed GF Working Balance at 1 April	18,673	17,103	14,860	9,196
Assumed In year movement at 1 April	(3,930)	(1,696)	(5,238)	(5,238)
Increased Balance at start of the year	1,611			
Changes as at 30 September 2023	915	(547)	(426)	(426)
Additional planned underspends yet to be utilised	(166)			
Assumed GF Working Balance at 31 March	17,103	14,860	9,196	3,532
Note: Minimum Working Balance £5m				

- 2.16 This sees the Council with balances **below the £5m Minimum level** set at full Council in February 2023 and with an ongoing annual budget deficit. Whilst this includes a relatively pessimistic view of future Government funding, this only accounts for about half of the predicted deficit so the need to identify future savings and efficiencies is essential.
- 2.17 It should be noted that this deficit does not account for any future growth which will inevitably come further down the line though legislative or other requirements, nor does it take into account any future increases in inflation over and above the level included in the MTFS approved in February. Inflation remains stubbornly high, both in the UK and elsewhere, and assumptions as to the effects of inflation on the existing MTFS are currently being assessed and will be built into the next version of the MTFS to be presented to members in the near future.
- 2.18 Whilst the Council currently has sufficient balances to maintain a balanced budget over the medium term it clearly cannot continue to rely on these reserves into the future without taking corrective action. For this reason it is imperative that the issues surrounding the proposed Savings and Efficiencies Process and Service Reviews reported to this committee on 13 July are resolved as soon as possible.

3 Housing Revenue Account (HRA)

- 3.1 The detailed HRA budget for 2023/24 was approved in February 2023. Since then, various changes have occurred and an updated HRA summary (in the Budget Book format) setting out these changes is set out at Annex 4. This summary sets out the net expenditure for each service area against the forecast outturn as at 30 September 2023. The forecast outturn is made up of the original budget amended for any anticipated changes. A summary of the more significant changes (over £5,000) at the Surplus in year level is set out in Annex 5.
- 3.2 There are very few changes to the HRA budget during the first quarter of the year. The surplus for the year shown in Annex 4 is expected to increase by £108,000 from £1.005m to £1.113m, however

adjustments to the timing of proposed maintenance works, some of which will have been delayed from last year, will have a knock on effect on future years budgets.

- 3.3 Delays in the maintenance and capital programme schemes funded by the HRA working balance has meant that, like the General Fund, the HRA started the year with increased balances. The HRA working balance at the start of the year stood at £36.7m, however this will reduce significantly over the next few years as we catch up with the deferred works programme and the capital schemes begin in earnest.

4 Capital Expenditure and Receipts

Capital receipts and expenditure

- 4.1 The Capital Strategy and detailed Capital budget for 2023/24 was approved in February 2023. It is important to remember that the timing of capital expenditure can sometimes be difficult to predict and can be spread over several financial years. (Confidential) Annex 6 summarises the capital spend on **the approved** schemes in the programme for the current year to the end of September 2023 and the capital receipts against the programme for the same period.
- 4.2 Confidential Annex 6 focuses on those schemes approved to proceed only. The approved Capital Programme also includes a selection of provisional schemes that are subject to future committee reports and approval. These have been left out of this report to provide a clearer focus on those schemes currently with the finances and authority to progress. Should Members wish to see the full Capital Programme, this can be found in the [Budget Book](#) on the Council's website.
- 4.3 The Council started the year with £12.9m in capital receipts which can be used to fund future acquisition of assets. However, £4.3m of these receipts have been generated from the sale of dwellings under right-to-buy legislation or sales of land and legislation requires this is set aside for specific purposes. In Runnymede's case this is principally:
- Future funding of new affordable housing
 - Repayment of housing debt over the next 30 years
- 4.4 The financing of the Capital Programme remains heavily reliant on income from the sale of development properties. The Capital Programme assumes that we will generate £13.9m of capital receipts during the year. As at 30 September we had only amassed £2.7m with a further 2 flats in the Magna Square development going under offer. Should sales activity not be forthcoming over the next year, it will be necessary to further delay some capital schemes or find alternative methods of funding for them.

5 Legal Implications

- 5.1 Section 28 of the Local Government Act 2003 requires authorities to monitor their income and expenditure against their budget and be ready to take action if overspends or shortfalls in income emerge. If monitoring establishes that the budgetary situation has deteriorated, authorities are required to take such action as they consider necessary. This might include, for instance, action to reduce spending in the rest of the year, or to increase income, or the authority might decide to take no action but to finance the shortfall from reserves.

6 Conclusion

- 6.1 The Council's General Fund started the year a lot healthier than originally predicted. However, the underlying deficit at the start of the year of £5.2m by 2025/26 has now grown due to additional unforeseen growth approvals. Likewise, whilst the HRA started with much healthier balances this year, once the delayed works have caught up, the HRA will be back to the average closing balance of £3m by 2026/27 as set out in the HRA Business Plan presented to the Housing Committee in March.

- 6.3 It is now more important than ever to progress the Savings and Efficiencies Process and Service Reviews to start making inroads into these falling balances as soon as possible. Whatever the outcome of these reviews, the programme will take time to deliver and will mean that the Council may have to make some tough decisions in the short-term to bring the Council's balances back into order.

General Fund Financial Monitoring Statement

30 September 2023

Service Area	Original Budget £000	Cttee Transfers £000	Forecast Outturn £000	Variance £000
Housing Committee	2,352		2,332	(20)
Community Services Committee	5,115	(1,573)	3,956	414
Environment & Sustainability Committee	5,419	1,573	7,353	361
Licensing Committee	26		26	0
Regulatory Committee	115		115	0
Planning Committee	2,300		2,274	(26)
Corporate and Business Services	(14,717)	25,487	10,041	(729)
Growth bids to be agreed	1,572		1,352	(220)
Net expenditure/(surplus) on services	2,182	25,487	27,449	(220)
Accounting and other adjustments:				
Reversal of depreciation charges	(2,178)		(2,178)	0
Cost of capital charge to HRA	(43)		(43)	0
Revenue contribution to Capital Expenditure	0		157	157
Transfer to/(from) reserves:				
Car Parks Reserve	(180)		(150)	30
Equipment Repairs and renewals reserve	750		1,000	250
Property repairs and renewals reserve	750		750	0
Investment property income equalisation reserve	750		961	211
Infrastructure Feasibility Study Reserve	0		(160)	(160)
Planned Underspend reserve	0		(653)	(653)
Tennis Court replacement reserve	14		14	0
Financing and investment income				
Investment income (net) - Investment Properties	0	(25,487)	(25,532)	(45)
Investment income (net) - General	(3,600)		(3,900)	(300)
Dividends and Loan interest	(2,036)		(2,067)	(31)
Capital financing costs	13,351		13,346	(5)
Minimum Revenue Provision	4,612		4,463	(149)
Taxation and Non-specific grant income:				
Council Tax	(6,447)		(6,447)	0
Council Tax surplus/deficit	(228)		(228)	0
Business rates retention	(2,497)		(2,497)	0
New Homes Bonus	(610)		(610)	0
Services Grant	(72)		(72)	0
Revenue Support Grant	(82)		(82)	0
Other Grants	(506)		(506)	0
(Contribution to) / Use of Working Balance	3,930	0	3,015	(915)

General Fund Working Balance:

Assumed GF Working Balance at 1 April	18,673		20,284
2023/24 in year movement (from above)	(3,930)		(3,015)
Assumed GF Working Balance at 31 March	14,743	0	17,268

Note: Minimum Working Balance £5m

Key:

Original Budget - Approved at Full Council on 9 February 2023

Forecast Outturn - Officer prediction of the year end position based on activity in the year to date

GENERAL FUND - Changes in Net Expenditure on Services as at 30 September 2023

() = reduced expend or increased income

P/U = Planned Underspend (budget carried over from previous year)

	Increased Expenditure						Reduced Expend £'000	Increased Income £'000	Reduced Income £'000	Total £'000
	P/U C/fwd £'000	Supp Est £'000	SO42 £'000	Vired Growth £'000	Virement £'000	Other £'000				
General										0
Increase in Insurance costs following tendering exercise (CMC - 25 May 2023) - S/Est approved for £144,000 but £90,000 more likely		90								90
Vehicles - Fixed annual fee increase higher than estimated						3				3
Replacement defibrillators (CMC - 13 July 2023) - Total cost £14,000 split between HRA (£5,000) and General Fund		9								9
										0
Strategic Maintenance										0
Planned and reactive works required on ageing asset base - awaiting new 5 year plan						140				140
										0
Growth bids to be agreed				(220)						(220)
										0
Total changes in net expenditure	619	187	12	0	0	428	(1,510)	(366)	410	(220)

MTFS 2024/25 £'000	MTFS 2025/26 £'000	MTFS 2026/27 £'000
90	90	90
3	3	3
488	367	367

	£'000
Revised Net Expenditure on Services (as per the 2023/24 Budget Book)	2,182
Transfer of Investment Properties to Annex 3	25,487
Total changes in net expenditure	(220)
Forecast Net Expenditure on Services	27,449

HRA Financial Monitoring Statement

30 September 2023

Service Area	Original Budget	Forecast Outturn	Variance
	£000	£000	£000
Expenditure			
General management	3,396	3,454	58
Special services management	984	989	5
Supporting people for Council tenants	178	162	(16)
Mobile home site (Net)	(186)	(186)	0
Housing repairs	15,194	15,194	0
Less funded from major repairs reserve	(10,565)	(10,565)	0
Other HRA Expenditure	556	556	0
Debt charges	3,379	3,379	0
Depreciation charges	1,963	1,963	0
Repairs reserve	3,918	3,918	0
Growth bids to be agreed	250	95	(155)
	19,067	18,959	(108)
Income			
Rent from dwellings	18,617	18,617	0
Non-dwelling rents and income	216	216	0
Interest on balances	1,239	1,239	0
	20,072	20,072	0
Revenue Surplus / (deficit) in the year	1,005	1,113	108

HRA Working Balance:			
Assumed HRA Working Balance at 1 April	29,432	36,764	7,332
In year movement	1,005	1,005	0
<u>Less Capital Contributions</u>			
Strategic purchases	(780)	(780)	0
New Build programme	(5,294)	(5,294)	0
Further potential schemes (not yet approved)	(750)	(750)	0
Assumed HRA Balance at 31 March	23,613	30,945	7,332

Key:

Original Budget - Approved at Full Council on 9 February 2023

Forecast Outturn - Officer prediction of the year end position based on activity in the year to date

Capital Programme 2023-24 - APPROVED SCHEMES ONLY

Cost Centre	Scheme	Committee	Approval Date	2023/24 Budget Only			-	Whole Scheme budget					Comments
				2023/24 Budget	2023/24 Committed Spend	23/24 Budget Remaining		Scheme Budget	Spend to 31 Mar 2023	2023/24 Committed Spend	Total Scheme Spend	Scheme Budget remaining	
				£	£	£		£	£	£	£	£	
Approved Schemes													
CGAG	CCTV Equipment Replacement	Community	-	135,497		135,497		135,497		0	0	135,497	Annual provision available to draw down
CGAR	Heathervale Skate Park (Aviator Park Replacement)	Community	CMC - Sep 2022	210,000		210,000		210,000		0	0	210,000	
CGBQ	Grants to Local Organisations	Community	-	20,000	1,500	18,500		20,000		1,500	1,500	18,500	Annual provision available to draw down
CGJW	ICT Hardware Replacement (Incl Members)	Corporate	-	100,000	14,456	85,544		100,000		14,456	14,456	85,544	Annual provision available to draw down
CGJZ	ICT Upgrades & Developments	Corporate	-	100,000	20,505	79,495		100,000		20,505	20,505	79,495	Annual provision available to draw down
CGKS	Community Transport - Approved purchases	Community	-	132,000		132,000		132,000		0	0	132,000	Provision available to draw down based on replacement schedule
CGMA	Addlestone ONE Project	Corporate	CMC - Sept 2014	2,148,031	184,476	1,963,555		80,000,000	77,851,969	184,476	78,036,445	1,963,555	
CGNQ	Egham Gateway West (Magna Square) Regeneration	Corporate	Council - Nov 2016	5,346,934	-2,519,629	7,866,563		90,000,000	84,653,066	-2,519,629	82,133,437	7,866,563	Credit relates to outstanding Commitment
CGPC	River Thames Flooding Scheme	Environmental	CMC - Oct 2017	0		0		5,000,000		0	0	5,000,000	Split over 3 years from 2024/25
CGRH	Grounds Maintenance Contract Vehicles	Environmental	CMC - June 2023	133,840	105,463	28,377		481,000	347,160	105,463	452,623	28,377	Budget increased June 2023
CGRN	Depot Refurbishment works	Corporate	CMC - June 2022	300,000		300,000		300,000		0	0	300,000	
CGSG	ICT - Combined HR & Payroll system	Corporate	CMC - Oct 2022	235,000	7,474	227,526		235,000		7,474	7,474	227,526	
CGSH	ICT - Telephony system	Corporate	CMC - May 2020	5,000		5,000		87,225	82,225	0	82,225	5,000	
CGSL	A320 North of Woking HIF Scheme	Planning	SO42 - May 2020	2,000,000		2,000,000		2,000,000		0	0	2,000,000	
CGSM	Replacement play area programme	Community	CS - Sep 2023	689,000		689,000		689,000		0	0	689,000	£799,000 approved but £110,000 related to RPG coded separately
CGST	ICT - Parking Services system	Corporate	CMC - Sept 2021	25,000		25,000		25,000		0	0	25,000	
CGSW	ICT - Northgate Housing System Upgrade	Corporate	CMC - Sept 2021	28,336	12,267	16,069		28,336	218,046	12,267	230,313	-201,977	
CGSY	Addlestone One refurbishment (Cladding)	Corporate	CMC - July 2021	2,692,319	1,687,007	1,005,312		4,520,000	1,827,681	1,687,007	3,514,688	1,005,312	
CGTA	Automated Number Plate Recognition in Car Parks	Environmental	CMC - Sept 2023	250,000		250,000		250,000		0	0	250,000	Spend likely to start in 2024/25
CGTB	Replacement Pay & Display Machines	Environmental	CMC - Sept 2023	146,000		146,000		146,000		0	0	146,000	Spend likely to start in 2024/26
CGTH	Parks Tennis Court Refurbishments	Community	CMC - Sept 2022	217,200	241,115	-23,915	Overspend	217,200		241,115	241,115	-23,915	Overspend Overspend within allowable tolerances
CGTI	Chertsey Museum Lift replacement	Corporate	CMC - March 2023	45,000		45,000		45,000		0	0	45,000	
CGTJ	Chertsey Depot EV Charging points (Meals at Home vehicles)	Corporate	CMC - March 2024	15,000		15,000		15,000		0	0	15,000	
CGTK	SPF - R&D Grants supporting innovative product and service development	Corporate	CMC - Sept 2023	10,000		10,000		10,000		0	0	10,000	
CGTN	SPF - Improvements to town centres and high streets	Corporate	CMC - Sept 2023	2,938		2,938		252,938		0	0	252,938	Funded from Shared Prosperity Fund
CGTN	SPF - R&D Grants supporting innovative product and service development	Corporate	CMC - Sept 2023	10,000		10,000		60,000		0	0	60,000	Funded from Shared Prosperity Fund
CHAA	Improvement Grants (private sector properties)	Housing	CMC - Jan 2015	581,946	155,410	426,536		581,946		155,410	155,410	426,536	Annual provision available to draw down
CHAB	Improvement Loans (private sector properties)	Housing	CMC - Jan 2015	69,561		69,561		69,561		0	0	69,561	Annual provision available to draw down
CHAI	Capitalisation of HRA improvement works	Housing	HRA Business Plan	10,565,000	2,917,137	7,647,863		10,565,000		2,917,137	2,917,137	7,647,863	Year end transfer from Revenue
CHBL	St Georges Development, Addlestone	Housing	CMC - Sept 2017	0	388	-388	Overspend	2,004,415	1,958,629	388	1,959,017	45,398	Overspend within allowable tolerances
CHBY	HRA Property Purchase	Housing	Council - Mar 2022	3,186,752	1,909,091	1,277,661		3,186,752		1,909,091	1,909,091	1,277,661	
CHBZ	IT enhancements - NEC Housing	Housing	CMC - June 2023	50,000	2,200	47,800		50,000		2,200	2,200	47,800	
	TOTAL			29,450,354	4,738,860	24,711,494		201,516,870	164,980,147	-245,365	164,734,782	20,264,414	
												16,517,674	
Capital Receipts													
CRAA	SOCH	Housing	-	-1,000,000	-766,198	-233,802		-1,000,000		-766,198	-766,198	-233,802	Budget based on 4 sales at £250,000
CRAI	DIYSO Sales	Housing	-	-300,000		-300,000		-300,000		0	0	-300,000	
CRER	Repayment of Improvement Grant Loans	Housing	-	-5,000	-1,757	-3,243		-5,000		-1,757	-1,757	-3,243	
CRFG	Addlestone ONE Sales	Corporate	-	-8,460,000		-8,460,000		-26,869,631	-18,409,631	0	-18,409,631	-8,460,000	Budget includes Witley House sale to Hsg Assoc.
CRFR	Virginia Water Scout Loan Repayment	Corporate	CMC - May 2017	-4,500	-750	-3,750		-4,500		-750	-750	-3,750	
CRFY	Sale of Ashdene House / Barbara Clark House	Corporate	CMC - Jun 2021	-1,275,000		-1,275,000		-1,275,000		0	0	-1,275,000	
CRGC	Addlestone Canoe Club loan repayment	Corporate	Council - Mar 2020	-10,715		-10,715		-10,715		0	0	-10,715	
CRGF	Magna Square (Egham Gateway) Sales	Corporate	CMC - Feb 2020	-2,900,000	-1,956,845	-943,155		-7,281,000	-1,481,000	-1,956,845	-3,437,845	-3,843,155	Sales forecast to go into 2024/25
	TOTAL			-13,955,215	-2,725,550	-11,229,665		-36,745,846	-19,890,631	-2,725,550	-22,616,181	-14,129,665	

0

Report title	To adopt a policy in respect of Councillor surgeries and to approve funding to cover the cost of premises hired for Councillor surgeries for the Financial Year 2023/24 and for the hiring of premises in which to conduct Councillor surgeries for future Financial Years
Report author	Mario Leo – Corporate Head of Law and Governance
Department	Law and Governance
Exempt?	No
Exemption type	Not applicable
Reasons for exemption	Not applicable

Purpose of report:

Please select one of the following and delete the remaining options.

- To recommend to full Council

Synopsis of report:

This report has been requested by Councillors R King and D Whyte under the provisions of Standing Order 27, which entitles two members of a committee to request that an item of business which falls within the function of a committee to be placed on the agenda for consideration at a meeting of that committee.

This report seeks agreement to adopt a policy in respect of Councillor Surgeries and agree to provide funding for Councillors to hire premises at which they can conduct Councillor Surgeries.

Recommendation(s):

- (i) To recommend to Full Council the adoption of a policy on Councillor Surgeries as set out in Appendix A
- (ii) To recommend to Full Council a budget of £3K be agreed to cover the cost of premises which have been hired by Councillors to hold Councillor surgeries in six wards to date and for the remainder of the Financial Year 2023/24.
- (iii) To recommend to Full Council that a growth bid be included in the budget for the Financial Year 2024/25 of £20K to cover the cost of Councillors hiring premises to hold Councillor surgeries.

1. Context and background of report

- 1.1 Councillors R King and D Whyte have requested via an email to the Chief Executive dated the 10th October 2023 that this report be placed on the agenda under the provisions of Standing Order 27.
- 1.2 Runnymede has no policy on the holding of Councillor Surgeries and has not provided funding to cover the cost of the hiring of premises for such purposes. There is also no formal policy on the use of Council owned premises for such purposes and what, if any, charges should be levied if Council premises are used.
- 1.3 This report seeks to agree the adoption of a policy for Councillor Surgeries, agree the covering of costs for surgeries which have been held to date and will be held for the remainder of the Financial Year 2023/24 in six wards and agree a budget for the Financial Year 2024/25 to cover such costs.

2. Report and, where applicable, options considered and recommended

- 2.1 The practice of local politicians holding events at which they provide constituents with an opportunity to come and meet them to raise concerns dates back for some considerable time. The term Surgery has come to be used to describe such events as in essence they provide an opportunity for a person to raise an issue that is of concern to them.
- 2.2 There is no legal obligation imposed on a local politician to hold such events, but they are acknowledged as one of the various methods local politicians can use to interact with their constituents and discharge their role as an elected representative.
- 2.3 Councillors R King and D Whyte have proposed that the Council adopt a policy on Councillor Surgeries and have provided wording for such a policy which is set out in Appendix A.
- 2.4 Reference is made in the proposed policy to advice being provided by Council officers in Democratic Services on setting up a surgery. Officers have not set up such events in the past and will not hold details of private venues that would be available for hire or the arrangements that Councillors should enter if they decide to hire a private venue. If Councillors do decide to hire venues for holding Surgeries, this will be a private arrangement between them and the owner of the venue. Officers will not be able to advise on whether terms are suitable or reasonable. If officers are aware of venues owned by Runnymede or Surrey County Council which may be available for use, they will advise Councillors of such premises.
- 2.5 Given recent incidents when politicians have been the subject of acts of violence, Councillors should have regard to arrangements for their personal safety when holding such events. The Local Government Information Unit provides advice for Councillors on personal safety. The following link will take Councillors to their website, and they can access that advice by creating an account:

<https://lgiu.org/publication/personal-safety-for-councillors-2/>
- 2.6 The proposed policy refers to trying to use Council premises and premises belonging to Surrey County Council. The Council does not have premises located in each ward which could be used for Councillor Surgeries. It must therefore be accepted that premises not owned by the Council will have to be used by Councillors. Such premises will have to be hired by Councillors and will be subject to the terms that the

owners of such premises will impose. Councillors would be urged to have regard to the safety advice referred to above when considering which premises are to be selected.

- 2.7 Council premises which are available will be community facilities which are hired out for various purposes. Various rates are charged depending on the nature of the event. The proposed policy put forward by Councillors King and Whyte talks about the Council covering costs up to £40 per session, which they define to be a two-hour period of time once a month. To date no charges have been imposed by the Council when Councillors have used Council premises for conducting surgeries. If the Council were to decide to allow free use to continue there may be a cost associated with such an approach which has not been quantified. The sum of £40 could be used to offset that cost. If alternatively, the Council does wish to impose a charge for Councillors using its premises it will be necessary to determine what that charge will be. The Council could decide to impose a charge of £40 for use for a Councillor surgery for a two-hour session.
- 2.8 Reference is made in the material submitted to using premises owned by Surrey County Council. Such premises are owned by a separate legal entity and the Council does not know what their attitude would be to allowing those premises to be used for holding Councillor Surgeries and what, if any, charges they may impose for such use. Officers could, if instructed, contact Surrey County Council to ascertain their position on the matter.
- 2.9 It is proposed by Councillors R King and D Whyte that the Council provide the sum of £40 towards the costs of hiring premises for holding a monthly Councillor surgery. The length of the session would be a two-hour period. It is assumed that if premises are hired for a two-hour period and the total cost is £40 including VAT then the sum provided will cover the full cost. If the costs of hiring a venue exceed £40 or require VAT to be paid, then Councillors will fund the difference from their own resources.
- 2.10 The proposal put forward seeks to address costs which have been incurred by a number of Councillors during the current Financial Year and will be incurred for the remainder of the Financial Year. In the material supplied by Councillors R King and D Whyte it is stated 'there are only 6 wards at present which have been holding surgeries to my knowledge, a number of whom are not charged for their venues'. It is proposed that a budget of £3K be provided to cover historical and future costs. Officers believe this figure is based on the following calculation $6 \times 12 \times £40 = £2880$. Clearly if this proposal were to be agreed other Councillors may wish to take up the facility and the proposed budget would prove inadequate. Officers would assume that if other Councillors would wish to take up the facility for the remainder of the year, then a further sum of approximately £1700 would be required based on the following calculation $7 \times 6 \times £40 = £1680$.
- 2.11 There is also a proposal in respect of funding for future years and the officers assume the calculation behind that figure is as follows $41 \times 12 \times £40 = £19680$. It is assumed that it is proposed that the Council will contribute to the cost of one surgery being held each month by each Councillor. If all Councillors in a ward attended the same venue, then they would only be entitled to claim one lot of £40 to cover the cost of hiring the venue. If in theory all ward Councillors agreed to share one venue once a month then the cost would be $13 \times 12 \times £40 = £6240$.
- 2.12 Officers have sought to establish the practice adopted by other local authorities. Whilst most local authorities will talk about the role of Councillor surgeries on their websites, advertise Councillor surgeries on their websites and provide guidance to

Councillors on personal safety when conducting surgeries, it has proved difficult to find information on what funding if any they provide. Of those local authorities which do publish some form of information they appear to take different approaches. The majority encourage the use of council owned premises to restrict costs. When council premises are not available councillors are required to apply for funds to cover the cost of hiring external premises, such applications can be to a designated officer or a committee whose functions include such matters.

3. Policy framework implications

- 3.1 As indicated in the body of the report the Council does not at present have a policy regarding Councillor surgeries. If the proposal put forward were adopted, it would allow the Council to have a policy on such matters which sets out the financial support to be provided for such events.

4 Resource implications/Value for Money (

- 4.1 A supplementary estimate of £3,000 is requested to cover expenditure incurred to date in the current year, or which may be incurred over the remainder of the year. It is also noted in paragraph 2.10 that should other Councillors avail themselves of this policy during the remaining months of the year an additional £1,700 may be required. Not all Ward surgeries will have been, or are likely to be, held in chargeable premises throughout the year so it is therefore reasonable to apply a supplementary estimate of £3,000 for 2023/24 and monitor spend against this budget. Any variance will be recorded as part of normal budget monitoring processes. Setting a budget of £20,000 for 2024/25 would appear to cover 1 surgery per month for each individual Councillor and therefore would be sufficient to support application of the policy at its maximum usage. It is unlikely that this would be used in full, as some Councillors may share ward surgeries, make use of free premises, or carry out their ward surgeries online. Any underspend would simply be returned to Council balances.
- 4.2 The Council is currently facing significant budget pressures and will shortly be bringing forward its Medium-Term Financial Strategy for consideration by Members. The Strategy will be seeking ways to reduce the on-going budgetary gap, previously reported as rising to around £5.2m by 2025/26. Due regard should be taken of the overall finances of the Council when considering any supplementary estimates or recommending any on-going budgetary growth.
- 4.3 Regard should also be had to the level of resources required to administer the policy (although this is assumed to be of a relatively low level) and the opportunity cost of the use of Council premises if there was alternative demand from an external user i.e. loss of net income to the Council.

5. Legal implications

- 5.1 There is no legal obligation on Councillors to convene Councillor surgeries although they are events which have been held by Councillors for some time. They are seen as one of the methods for Councillors to discharge their role of representing their constituents.
- 5.2 There is no legal obligation on local authorities to provide funds for Councillors to secure premises in which to conduct Councillor surgeries. Given the approach adopted by some other local authorities it would appear they will provide funding for the hire of non-council owned premises for such activities.

- 5.3 The phrase 'creatures of statute' is often used to describe local authorities and it in essence means that their role is defined in numerous Act of Parliament, and they are unable to act unless given the power to do so by legislation. One aspect of a local authority function is the power to incur expenditure. Acts of Parliament will normally provide an express or implied power to incur expenditure.
- 5.4 In the context of elected Councillors there is an express power to pay allowances (see Local Authorities (Members' Allowances) (England) Regulations 2003 which are made pursuant to power contained in the Local Government and Housing Act 1989). Whilst those powers allow for the payment of identified allowances, they do not expressly authorise the payment of monies to cover the costs of hiring premises for Councillor surgeries.
- 5.5 Given that some local authorities do provide funding to cover the cost of hiring premises for Councillor surgeries officers can only assume they rely on one of two statutory provisions. Section 111 Local Government Act 1972 allows local authorities to incur expenditure which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions. Section 1 Localism Act 2011 created what is termed the general power of competence for local authorities. That power allows, within limits, local authorities to do anything that individuals generally may do.
- 5.6 It should be noted that any arrangement entered into by a Councillor to hire premises will be a contractual arrangement solely between the Councillor and the owner of the premises. The Council will not be party to such an agreement but will merely reimburse the Councillor for some or all of the fees associated with any such hiring.
- 5.7 In respect of premises operated by the Council it is within the powers of the Council to set the fees for the hiring of such premises. It would be open to the Council to provide such premises at no cost for use for Councillor surgeries or to set a specific fee.

6. Equality implications

- 6.1 Should the Council adopt the policy proposed and agree to the budgets proposed no equality implications will arise. The policy and provision will apply to all Councillors.
- 6.2 When hiring premises and conducting surgeries Councillors should ensure they comply with all relevant equalities legislation.

7. Environmental/Sustainability/Biodiversity implications

- 7.1 In selecting locations for surgeries Councillors should seek to minimise the environmental impact which will flow from such activities. There is a likelihood that people may have to travel the location and if feasible a location with good public transport links would be ideal. Given the nature of the borough this may not always be possible and option such as encouraging car sharing should be considered to reduce the environmental impact. The use of modern technology will hopefully reduce the number of people having to travel to such events, but it has to be accepted that this is not viable option for all constituents.

8. Other implications (where applicable)

- 8.1 None

9. Timetable for Implementation

- 9.1 This report will be considered at the meeting of this Committee held on the 23rd November 2023. In the event that the Committee approve the recommendations the matter will be considered by Full Council at its meeting scheduled for the 7th December 2023. Should Full Council adopt the recommendations then the Policy can come into operation in December and the budget for meetings held during the Financial Year 2023/24 will apply from that date. In respect of the growth item budget the Council will consider its budget for 2024/25 at the meeting held in February 2024.

10. Conclusions

- 10.1 The convening of Councillors surgeries is an activity which takes place across the country. Such meetings afford constituents an opportunity to raise matters with their elected representatives.
- 10.2 The adoption of a formal policy dealing with the provision of funding for hiring premises for such activities provides clarity and certainty over such matters. The identification of funding to support such activities provides transparency over the commitment a local authority will make to support interaction between elected members and residents.

11. Background papers

- Email from Councillors R King and D Whyte requesting inclusion of item on agenda of meeting

12. Appendices

- Policy on Councillor Surgeries

Runnymede Borough Councils Policy for Councillor Surgeries

As a ward representative, a councillor's primary role is to represent the ward and the people who live in it.

One of the ways for councillors to meet with constituents is through the use of surgeries at scheduled monthly meetings.

At surgeries, residents may speak to councillors about a wide range of issues. These sometimes include: complaints about anti-social behaviour; wanting a housing transfer; objecting to proposed Controlled Parking Zone schemes; lobbying for more traffic calming measures; complaining about rubbish; and seeking guidance on how to apply for grants and benefits.

Surgeries enable councillors to:

- meet their constituents
- solve people's problems
- receive casework queries
- gain support for their work and ideas
- discuss the impact of council policies on the area
- raise their profile
- be an effective advocate for the people and communities they represent

Most councillors choose to make themselves available to their constituents through holding a regular surgery. These are usually held at appointed times each month.

It is members responsibility to make arrangements, but should they require help with setting up a surgery, Democratic Services will be able to provide advice.

Any charges up to £40 (incl VAT) per session for a single session per month (session is defined as a two-hour period) for the use of the surgery accommodation will be met in full by the Council but Members are encouraged to use Runnymede or Surrey facilities where these are appropriate in their own wards, enabling the Council to keep down costs and know members of the public are covered by the Councils own public liabilities insurance.

Councillors are encouraged to hold their surgery with fellow ward Councillors to keep costs down and make it easier for constituents to know where to go and when. In the event that two or more Councillors share the hire of premises they will only be entitled to seek reimbursement of one lot of charges i.e. they will only be able to claim a total of £40 between them.

Claims for reimbursement will be dealt with in the same manner as Councillors currently claim mileage expenses.

Officers can also arrange for the printing of surgery publicity for which there is a standard pattern, giving relevant details of Members and surgery arrangements, which can also be used in Runnymede social housing blocks and other private or housing association block providing agreement is sought from the owners.

All Runnymede councillors' surgery locations and times are publicly available and can be found under the individual member's webpages on the Council's website. It is important that councillors keep their surgeries details up to date. If you require any changes or spot any errors, please contact a member of Democratic Services.

Report title	Minor Amendment to the Constitution
Report author	Mario Leo – Corporate Head of Legal and Governance
Department	Legal and Governance
Exempt?	No
Exemption type	Not applicable
Reasons for exemption	Not applicable

Purpose of report:
To recommend to full Council

Synopsis of report:
This report proposes a minor amendment to the Council’s Constitution, following a meeting of the Constitution Member Working Party (CMWP).

Recommendation(s):

- 1. That a Standing Council Tax Setting Committee be recommended for approval by the Council.**
- 2. That the Corporate Head of Legal and Governance be delegated authority to make further necessary amendments to the Constitution, to give effect to the amendments proposed in this report.**

1. Context and background of report

- 1.1 Councils are required to maintain a Constitution, the provisions within which are governed by Section 9P of the Local Government Act and subsequent Constitution Direction issued by the then Secretary of State.
- 1.2 The proposed amendments contained within this report are considered sufficiently urgent to bring forward outside the annual review cycle, in order to ensure that the Council’s decision-making process remain efficient and robust.

2. Report and, where applicable, options considered and recommended

- 2.1 The CMWP considered a proposal to introduce a Standing Council Tax Setting Committee. It had become necessary to commission such a committee for the 2023/24 budget. The background for this is contained in the report considered by the [Council on 9 February 2023](#).
- 2.2 The details of the proposed amendment to the Constitution is below (an addition to the table contained in part 3a (committee responsibilities)). The standing committee

would be bound by the rules that apply to other committees and it would only meet if it was required to do so. This is a similar arrangement to the recently commissioned Standing Appointments Sub-Committee.

Committee	Membership (Note: this may be varied by resolution of the Council)	Functions within Committee terms of reference
14. Standing Council Tax Setting Committee	The twelve members of the Corporate Management Committee	<p>14.1 Established under section 67 of the Local Government Finance Act 1992 (as amended) with the following role and function:</p> <p>14.2 To agree the formal resolution for Runnymede's Council Tax, calculating the amounts required by statute as set out in the Local Government Finance Act 1992 (as amended), and setting the Council Tax (only where this has not been possible to do at the budget setting meeting of the Council)</p>

3 Timetable for Implementation

- 3.1 The proposed amendments, subject to obtaining the agreement of the committee, will be considered at the next ordinary meeting of the Council.

4. Legal Implications

- 4.1 Section 67(3) Local Government Finance Act 1992 allows each authority which sets a Council Tax to appoint a Committee to discharge its functions. Such committees are established by authorities to provide for situations where a precept authority does not provide the figures required to set the Council Tax by the date when an authority holds its Council Tax setting meeting. Such committees have a very limited function and that is to approve the Council Tax setting resolution.

Standing Order 42

Consultation with Appropriate Chairman and Vice-Chairman for Urgent Action to be Taken Under Standing Order 42

To (Chair & Vice Chair):	Cllr Tom Gracey and Cllr Chris Howorth
Relevant Committee:	Corporate Management Committee
Date:	7 th September 2023
Report Author:	Georgina Pacey
Report Title:	Virement of money from the Planning Policy budget to the Climate Change budget to underpin the production of Heat Decarbonisation Plans for the Hythe Community Centre and Manor Farm Day Centre and other technical information to underpin a funding bid for round 3c of the Public Sector Decarbonisation Scheme.
SO42 Proforma Number:	1028

1. Synopsis of report

This report seeks approval for the virement of money from the Planning Policy budget to the Assets and Regeneration budget to underpin the production of Heat Decarbonisation Plans for the Hythe Community Centre and Manor Farm Day Centre and other supporting technical information to underpin a funding bid for round 3c of the Public Sector Decarbonisation Scheme in October 2023.

2. Reasons why this matter cannot wait for a Committee Decision.

(Please state if agreement of Chairman and Vice-Chairman required within 24 hours, and why)

To get a funding bid in on time for the Public Sector Decarbonisation Scheme (PSDS) this year, the Council would need to be ready to submit an application on 10th October when the application window will open. The deadline for reports for 14th September CMC has long since passed, and by the next CMC on 12th October, the application window is expected to have closed. An SO42 is therefore required in this case to support the preparation of a robust funding bid in a short timeframe. The PSDS is a substantial funding pot; the previous funding round (phase 3b) saw 180 public sector organisations awarded grants for 227 heat decarbonisation and energy efficiency projects with a total value of £586,150,721. £135,554,705 of these monies were awarded in the South East.

Whilst this latest funding round was announced in July, initially bidding through this fund was discounted by officers due to a lack of internal resource with the required technical expertise to produce the information needed to underpin a bid, and also due to the lack of revenue budget to fund the services of a consultant. However this funding opportunity was revisited in late August when budget setting activities identified a possible opportunity to use expected underspend from the Planning Policy budget to fund the production of the necessary technical work to underpin the bid. This is why a report was not produced on this matter to be considered at 14th September CMC.

3. Recommendation(s)

That the Leader and Deputy Leader agree a virement of £22,400 from the Planning Policy budget (PPLP 2338) to the Assets and Regeneration budget (MLPA 2329) to allow Heat Decarbonisation Plans to be prepared for the Hythe Community Centre and Manor Farm Day Centre, to underpin a bid to phase 3c of the Public Sector Decarbonisation Scheme in October 2023.

4. **Context of report**

The Council's Climate Change Strategy has committed to reducing carbon emissions from the Council's operations and services to net zero by 2030. The Aether Ltd Council Estate and Area GHG Baseline report (being reported to Corporate Management Committee on 14th September) shows that overall, the most significant source within the Council's Scope 1 and 2 emissions is from 'all Council buildings'. As the Council has committed to reducing its scope 1 and 2 emissions from its services and operations by 2030, it is of vital importance that inroads start to be made into the decarbonisation of the Council's estate.

Unrelated to the above, at 28th June Planning Committee it was agreed that work on the next iteration of the Local Plan should be based around the option for preparing a Plan under the new plan-making arrangements which are not due to come into effect until late 2024. As a result of this, an underspend is anticipated in the Planning Policy budget this financial year. This SO42, if approved would allow this unspent money to be spent on other corporate priorities such as helping meet the Council's 2030 net zero target for its operations and services.

5. Report and, where applicable, options considered

Phase 3 of the Public Sector Decarbonisation Scheme, worth £1.425bn, was launched by Salix on behalf of the Department for Energy Security and Net Zero in 2021. The Public Sector Decarbonisation Scheme has the potential to provide substantial grants for public sector bodies to fund heat decarbonisation and energy efficiency measures.

For Phase 3c of the Public Sector Decarbonisation Scheme which was announced in July 2023, an additional financial year of funding has been granted by the Department. This funding increases the value of the overall funding to the scheme and will enable Phase 3c projects to deliver across two financial years. Phase 3c of the Public Sector Decarbonisation Scheme has up to £230 million available in 2024/25. The budget available in 2025/26 will be confirmed this autumn though applicants should assume a broadly balanced profile across 2024/25 and 2025/26.

This external fund supports the aim of reducing emissions from public sector buildings by 75% by 2037, compared to a 2017 baseline, as set out in the 2021 Net Zero and Heat and Buildings strategies. The Council is reliant on securing funding through external sources such as this if it is to meet its target of achieving net zero carbon emissions from its operations and services by 2030 (as set out in its adopted Climate Change Strategy) and as such, it is considered important that these funding opportunities are pursued wherever possible, especially given that almost 53% of the Council's scope 1 and 2 emissions which the Council has committed to reducing to net carbon zero by 2030 are from the Council's buildings

Whilst the Assets and Regeneration Team has no revenue budget to allow it to produce Heat Decarbonisation Plans in this financial year, an underspend is predicted in the Planning Policy budget due to the pause to the Local Plan. The Planning Committee agreed in June 2023 to wait to produce a new Local Plan under the new Plan Making arrangements which are not due to come into force until late 2024. There is currently £156,423 in the Local Plan 'Planning and Development Advice' code for the current financial year (PPLP 2338). Committed spend for the current financial year stands at £13,550. A virement of £9,999 has also been committed to the Climate Change budget to fund part of the Climate Change Study. It is estimated that up to a further £60,000 could be spent on updating the Council's Design Supplementary Planning Document. This would leave £72,874 unspent leaving ample funds to fund the necessary consultancy fees to produce Heat Decarbonisation Plans for the Hythe Centre and Manor Farm Day Centre, and other technical information necessary to underpin a bid to the Public Sector Decarbonisation Scheme this October.

12% match funding would be required if the bid was successful, however the Assets and Regeneration Team have had a growth item approved for 2023/24 to fund climate change adaptations across the A and R estate. This is capital funding at a value of £500,000 over the next 5 years. As such, it is considered that if the Council was successful in securing money through the PSDS, it would have the capital to allow the relevant element of match funding.

Whilst only one consultant; Faithful and Gould (F+G) has been approached and asked to provide a quote to carry out the required works, previous quotes from LASER were sought to produce Heat Decarbonisation Plans for 2 of the buildings in the A and R estate to underpin a bid to the SALIX Public Sector Low Carbon Skills Fund in April 2023 (this bid was unfortunately unsuccessful). The fee quoted was £19,772.50, which is very similar to the £22,400 quoted by Faithful and Gould currently. In addition to covering the elements of works that LASER quoted for, F + G would also be supporting the Council through the SALIX bid process, helping the Council respond to any technical questions received from SALIX during the application process. Officers are therefore of the view that the current quote would represent good value for money for the Council, and a waiver to depart from the Council's Standing Orders was approved by Procurement Board on 31st August.

In terms of why F+G are considered a suitable consultant to assist the Council with the PSDS process, officers consider that F+G are uniquely placed to support the Council in applying for this funding opportunity given that F+G has supported Salix in their technical delivery for 15 years (this includes assessing applications for Salix), and so are well versed in their processes. They also submit bids, having over a 90% application success rate for PSDS.

Heat Decarbonisation Plans/relevant experience for F + G is listed as follows:

- Bedford Borough Council – whole estate roadmap including all leisure
- Walsall Council – whole estate roadmap including all leisure
- South Gloucestershire Council – whole estate roadmap including all leisure
- Cardiff Council – whole estate roadmap including all leisure
- Newcastle-Under-Lime Council – whole estate roadmap including all leisure
- Birmingham City University – two campuses roadmap (one was leisure)
- Birmingham City University – two campuses (one was leisure)
- Southampton City Council – leisure projects (PSDS funded)
- Oxford City Council – leisure projects £12m (PSDS funded)

F +G has considerable experience delivering a range of services to public bodies including decarbonisation roadmaps, funding support, centralised/decentralised energy and carbon reduction retrofit programmes. Their teams have considerable experience managing heat pump programmes (replacing gas/oil boilers) and wider decarbonisation programmes (insulation upgrades, LED replacement, BMS installation etc). F+G is very knowledgeable about the technical issues relating to compatibility between Air Source Heat Pumps and existing buildings and have regular contact with leading manufacturers to keep updated on the latest technologies, prices and delivery periods.

Without the Contract Standing Orders waiver and this SO42 being approved, the Council would not be in a position to apply for this year's PSDS funding. This is because, as it stands, the Council does not have the technical expertise in house to produce the documentation required to underpin the PSDS process and put in a robust bid. This is a substantial fund which could help the Council make real inroads into its decarbonisation journey and Officers consider that this would be a missed opportunity to potentially secure substantial external funding. Whilst it is expected that there will be a further round of PSDS funding next Autumn, this cannot be guaranteed.

Risks

The timetable to complete the Heat Decarbonisation Plans is very tight, hence why two less complex buildings from the Assets and Regeneration have been chosen as the focus for this bid. It is also acknowledged that there remains a risk that the necessary documentation will not be ready in time to underpin a bid for 10th October. However, even if a bid cannot be submitted in time, or if a bid is submitted but the Council were to be unsuccessful in securing funding, the consultancy work would not be wasted, and the Council would still have heat decarbonisation plans in place for 2 of the buildings on it's A and R estate, which will be required in any instance, and which would put the Council in a better position for other funding opportunities which may arise before PSDS potentially comes round again in Autumn 2024.

6. Policy framework implications

The Council's Climate Change Strategy confirms that the Council intends that all its operations will be Carbon Net Zero by 2030. This SO42 seeks to support the Council's journey to net zero and if approved, will help ensure that opportunities are being maximised to put the Council in the best position to reach its 2030 target.

7. Financial and Resource implications (where practicable)

A one off cost of £22,400 is required to fund this piece of work. Whilst there is no money in the 2023/24 Assets and Regeneration budget to fund this activity, there is confidence that there will be a sizeable underspend in the Planning Policy budget this financial year to support this work.

Internally within the Council, The Council's Bid Writer, and officers within the Climate Change and Assets and Regeneration Teams will be working collaboratively to complete the bid in a timely manner.

8. Legal implications

Officers will liaise with its Legal team to ensure that the contract for this work is completed in a timely manner.

9. Equality implications

It will be ensured that any works proposed to the buildings in question to decarbonise them will not impact on access arrangements for people with disabilities. As a general comment, responding positively to the threats of climate change is considered to have positive impacts for all groups.

10. Other implications (Environmental/Biodiversity/Sustainability must be addressed)

The Council's response to climate change, including the decarbonisation of its Assets and Regeneration estate will help the Council meet its 2030 commitment contained in its Climate Change Strategy. This is for the good of the environment, and will ensure that our buildings are resilient to future climate change threats.

11. Background papers

Specification for works-attached

12. **Chief Officer(s) Decision**

Signature of authorised officer ..



I have been consulted and am in agreement with the above 15.09.2023

Signature(s) and position(s) of other relevant Chief Officer, Corporate Heads or authorised representatives

Phil Turner Assistant Chief Executive (PLACB)

NB: this must include the Assistant Chief Executive or his authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast.

13. **Assistant Chief Executive – Section 151 Officer (if not applicable, please state)**

Signature of authorised officer



I have been consulted and am in agreement with the above 11.09.2023

Signature(s) and position(s) of Assistant Chief Executive – Section 151 Officer or their authorised representative

NB: this must include the Assistant Chief Executive Section 151 Officer or their authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast

14. **Chief Executive's Decision**

Signature of Chief Executive



I have been consulted and am in agreement with the above

15.09.2023

15. **Chairman and Vice-Chairman Comments**

I concur in the Chief Officer's decision

Signed



Date

10.09.2023 emailed approval

Signed



Date

18.09.2023 emailed approval

I have the following further comments:

Standing Order 42

Consultation with Appropriate Chairman and Vice-Chairman for Urgent Action to be Taken Under Standing Order 42

To (Chair & Vice Chair):	Councillors T Gracey and C Howorth
Relevant Committee:	Corporate Management Committee
Date:	2 nd October 2023
Report Author:	Amanda Fahey – Assistant Chief Executive (s151)
Report Title:	Business Rates Pooling 2024/25
SO42 Proforma Number:	1029

1. Synopsis of report

Under the current Business Rates Retention Scheme, Runnymede Borough Council is able to retain 50% of any growth in business rates generated in its area, paying the balance to central government as a levy. The pooling of business rates allows the Council to potentially retain a greater share of this growth, by sharing the risks and rewards across a group of Councils.

This report aims to provide an overview of those risks and rewards and recommends that the Council signifies its intention to join the Surrey Business Rates Pool for 2024/25.

2. Reasons why this matter cannot wait for a Committee Decision.

Business rates pooling allows groups of local authorities to voluntarily pool their locally retained business rates. Part 9 of Schedule 7B to the Local Government Act 1988 states that the Secretary of State can designate two or more local authorities as a "pool" for the purposes of the business rates retention scheme, providing that those authorities agree to the designation. If pools are to be created for 2024/25, the Department must make the necessary designations by the time of the 2024/25 provisional Local Government Finance Settlement. Unless designations are made by this date, a pool cannot be brought into existence for 2024/25.

By law, existing designations continue in force from year to year unless they are revoked by the Department, following a request by one or more of the pool members. Similarly, if an existing pool wishes to expand its membership, it will be necessary for the original pool to be revoked and for a new designation to be made.

On 5th September 2023, the Council received an invitation from the Department for Levelling Up, Housing and Communities (DLUHC) to indicate its preferred pooling arrangements for 2024/25.

In a change to the previous process, all local authorities are now required to express their interest with regards to pooling via a DELTA collection form (DLUHC's on-line data collection system) by 10th October 2023, regardless of whether their decision is to: revoke, retain or amend an existing pool; set up a new pool; or decline the offer to pool. The new Delta form became available for completion shortly thereafter 5th September 2023.

The lead authority for a pool (the local authority who manages the pool's resources and is the key contact for central government, in the case of the Surrey pool, Surrey County Council (SCC)), must also attach via DELTA a completed Memorandum of Understanding (MoU) stating the terms of the arrangements for the pool.

LG Futures, who support potential pool members with financial analysis, undertook financial modelling based on estimated data for 2023/24, using NNDR1 returns adjusted for assumptions about the future level of appeals following the national revaluation exercise which took effect from 2023. The completed financial analysis, and recommendations for the pool membership, were presented to Surrey Treasurers at their meeting on 29 September.

The Council now needs to decide what pooling arrangements it wishes to make, inform Surrey County Council so that the MoU can be issued, and signal its intent to Government via the Delta reporting system by 10th October 2023. This deadline falls before the next meeting of the Corporate Management Committee (12 October 2023). If the decision is not taken by the deadline, the Council will be unable to participate in a Business Rates Pool for 2024/25, meaning that the opportunity to retain locally a higher proportion of any business rates growth will be lost.

3. Recommendation(s)

- i. To confirm to SCC as Lead authority, and to DLUHC, the Council's intention to enter into the Surrey Business Rates Pool for the financial year 2024/25, and
- ii. Delegate authority to the Council's s151 Officer, in consultation with the Chairman and Vice-Chairman of the Corporate Management Committee, to sign the Memorandum of Understanding governing the pooling arrangements for 2024/25.

4. Context of report

Business rate income is normally shared as follows:

- 50% central government
- 40% District Councils/lower tier
- 10% County Councils/upper tier

Districts then pay a tariff to government to reduce their share in line with funding levels, while County Councils and upper tier authorities receive a Top-up. Growth is shared in the same proportions, but Runnymede then pays a levy of 50% of its share of growth to Government, meaning that it actually retains just 20% of any growth outside of pooling arrangements. Joining a pool, allows Runnymede to benefit from combining the different Top-up and Levy positions of each of the member authorities to increase its share of retained growth.

Surrey authorities have been considering the benefits and risks of pooling arrangements for the year 2024/25 and the optimal financial position for membership of the pool. Pool membership is reviewed at each annual submission, rather than rolling forward existing membership, which reduces risk by removing those authorities who may contribute least to the pool and allowing more Councils to benefit from the arrangement over the medium term through rotation. Runnymede is a member of the 2023/24 pool and has been invited to join the pool for 2024/25.

Once all Councils who have been invited to participate have confirmed their agreement, SCC will issue a Memorandum of Understanding for all parties to sign, which will be submitted to DLUHC by SCC on behalf of the Surrey pool. All authorities will need to complete an on-line submission to declare their pool arrangements for 2024/25 by 10th October 2023.

A similar process was followed for pool arrangements for 2023/24 which were approved by SO42 during October 2022, due to the timing of the invitation to pool, the delivery of the financial analysis and the deadline for responses to Government, which fell between meetings of the Corporate Management Committee.

5. Report and, where applicable, options considered

Pool members need to be geographically linked and the 2023/24 pool includes Surrey County Council, London Borough of Sutton, Surrey Heath, Runnymede, Woking, Epsom & Ewell, Tandridge and Spelthorne and is projected to achieve £5.24m in pooling gain in total, with Runnymede's share being £974,000.

Under the modelling conducted by LG Futures, the highest forecast gain is a pool which includes Surrey County Council, Sutton and 5 Districts and Boroughs including Runnymede (Surrey CC, Sutton, Runnymede, Surrey Heath, Woking, Epsom & Ewell and Spelthorne) and provides estimated gains of between £3.9m and £5.9m for the pool as a whole. This combination removes those authorities that would pose greatest risk to the pool as either expected to be at safety net level or with very low anticipated growth. 50% of the net gain from pooling will be allocated to SCC and Sutton, based on their Top-Up amounts, with the remaining 50% of the gain split amongst participating Districts and Boroughs in proportion to the levy payments that would have been applicable if each had acted individually.

Any pooling losses would be shared in the same way. However, given that members of the pool have been selected to optimise the financial gain to the pool, there is low risk of any financial loss for the pool. Risk is mitigated by the rotation of pool members, by the selection of a limited number of participants and the inclusion of those typically furthest above their safety net positions. There is sufficient headroom in the estimated pool receipts to provide a high level of assurance to the Council's funding position as compared to not being a member of the pool, alongside significant opportunity for additional financial benefit that would not otherwise be available. In addition, a key principle of the pooling agreement is that each authority will receive at least the same funding level that they would have received without the pool. Any additional resources generated will be distributed proportionately as set out above.

It should be noted that any reset of business rates baselines, which would redistribute national growth more evenly across the country, would not make pooling worthwhile as there would be no levy due and therefore no opportunity for pooling gains. There would also be a greater risk of pooling loss due to the increased proximity of each Council to its baseline. The Government have now confirmed that there will be no reset of baselines in 2024/25.

Further financial modelling will take place in January, once the NNDR1 forms for 2024/25 have been completed (Government return detailing estimates for business rates income for each authority). While the makeup of the pool cannot be changed after 10th October submission, the pool has 28 days after the provisional local government finance settlement, to confirm whether it wishes to go ahead or withdraw.

The main aim of the pool is to maximise the retention of locally generated business rates and to support the economic regeneration of the wider County of Surrey and neighbouring Sutton. The modelling work that has been undertaken demonstrates that financially pool members would retain a greater share of business rates revenue through pooling than they would otherwise as long as the pool experiences economic growth.

Key principles within the MoU are:

- To recognise the fundamental objective to generate increased resources for the area and for individual pool members
- To mitigate risks associated with business rate income as pooling arrangements should reduce inherent volatility
- To share costs, risks and benefits of business rate retention proportionately
- That no pool member should be worse off than if they were outside of the pool
- That pool members will share data and intelligence on substantive issues relating to business rates retention in their area and agree to act reasonably and in good faith

6. Policy framework implications

The Council has entered into Business Rate Pooling arrangements previously, following the same methodology as outlined in the report, with successful outcomes. The potential financial gain, coupled with mitigating measures to reduce the chance of, and to limit the extent of, any loss means that this action would support the Council's budgetary position for 2024/25, and therefore the delivery of financial resources to support its Corporate Business Plan.

7. Financial and Resource implications

After examination of all reasonable scenarios, the proposed business rates pool for Surrey is estimated to make a net gain of between £3.9 and £5.9m, depending on which scenario is used to assess the likely level of appeals (as the provision for appeals will reduce the anticipated income to be declared in any year). Taking the mid-range scenario used in the modelling, a total gain of £4.5m could be achieved, with Runnymede's share being around £934,000.

Risk is mitigated by the method of selection of pool members as described in the report.

If further financial modelling in January brings to light any significant, downward changes in estimates across the pool membership, which effect the viability of the pool, the pool can choose not to proceed within 28 days of the provisional local government finance settlement.

No additional staffing resource is required to participate in the Pool, simply an agreement to share data that will impact on the estimated receipts for the Pool in line with any agreed timescales.

8. Legal implications

The creation of Business Rate Pools is governed by statute under Part 9, Schedule 7B, Local Government Finance Act 1988. The Council's Monitoring Officer (Corporate Head of Law and Governance) will review the MoU and the proposed governance arrangements before it is signed off.

9. Equality implications

There are no equality implications in respect of this decision. The Pooling arrangement is a collaboration between authorities that seeks to maximise local financial gain and has no impact on individual rate payers.

10. Other implications

Risk:
Risk is mitigated by financial modelling, undertaken by external experts, to assess the best group of authorities to enter into local Pooling arrangements. This maximises the potential for pooling gains and minimises the risk of loss. As a result, the Surrey Pool as a whole has never been loss-making and no single authority within the Pool has required its individual business rates safety net to be invoked and for that support to be provided from within the Pool. While the risk of a loss can never be entirely removed, selecting those authorities furthest away from a safety net position, means that under the risk-sharing arrangement, significant losses would be required across the Pool membership for a loss to be incurred by the whole Pool.

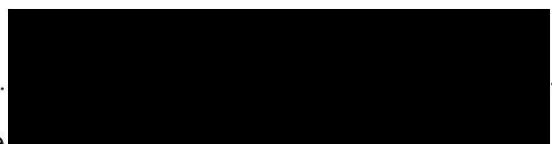
Other:
There are no environmental, biodiversity or sustainability implications of this report.

11. Background papers

None

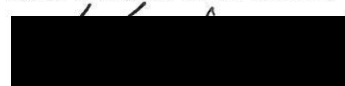
12. Chief Officer(s) Decision

Signature of authorised officer



I have been consulted and am in agreement with the above

Signature(s) and position(s) of other relevant Chief Officer, Corporate Heads or their authorised representatives



CHE & C

13. **Assistant Chief Executive – Section 151 Officer (if not applicable, please state)**

Signature of authorised officer 

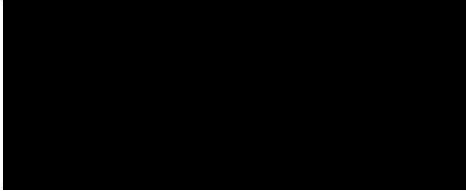
I have been consulted and am in agreement with the above

Signature(s) and position(s) of
Assistant Chief Executive – Section 151 Officer or their authorised representative

.....

NB: this must include the Assistant Chief Executive Section 151 Officer or their authorised representative where the decision involves expenditure, loss of income, or future implications for budget or financial forecast

14. **Chief Executive's Decision**

Signature of Chief Executive 

I have been consulted and am in agreement with the above

15. **Chairman and Vice-Chairman Comments**

I concur in the Chief Officer's decision

Signed 

Date 06 110 12023

Signed 

Date 06/10/2023

I have the following further comments:

The completed copy is to be returned by the Councillors to the Corporate Head of Law and Governance (Democratic Services) who will send a copy to the Chief Officer and report to the relevant Committee for information.

Reference from Community Services Committee 9 November 2023 - Procurement of Digital Alarms

Members are referred to the report which was circulated as part of the agenda for the meeting of Community Services on 9 November 2023.

The original report was exempt under paragraph 3 of Schedule 12A to Part 1 of the Local Government Act 1972 as it contains commercially sensitive financial information relating to the procurement of digital alarms.

Draft extract from the Minutes of the meeting

The Committee was asked to approve an approach to upgrading the Careline equipment in both Runnymede and Surrey Heath; and if approved, to recommend the proposed procurement route and associated costs to Corporate Management Committee and ultimately full Council given the overall cost in the sum reported.

Officers explained that they had been working to find an appropriate solution to the impending Digital Switchover for the last few years, during which time the industry was uncertain as to what they were able to recommend or promote as the way forward.

Officers advised that the work covered two main areas. These were the refresh of digital equipment in residents homes, to ensure connectivity and compatibility, and the need to digitalise Safer Runnymede as the monitoring centre that receives the alerts via Community Alarm Systems. Officers confirmed that the current timescales meant that the work needed to be completed by December 2025.

Members noted that with well over 1000 alarm units installed in residents' homes, the financial implications of having to replace analogue equipment with a digital solution were significant, as reported, whilst new, additional equipment would also have a new cost element to it.

The Committee was mindful of the current financial position of the Council and the fact that a capital provision was not budgeted for to replace the equipment, had led Officers to have to consider other options in order to preserve the service.

Members recalled that the Council was in receipt of Better Care funding, primarily for the delivery of disabled facilities grants, as well as other solutions that promoted independence and safe living at home.

Officers confirmed that in previous years, there had been an underspend against the grant, resulting in the monies being retained by the Council in a ring fenced budget, as they could not be absorbed into general fund budgets.

Officers were pleased to announce that the aforementioned underspend, provided the opportunity for the digital refresh to be funded, given recent changes to the guidance on how the funding was utilised and the opportunity to work more flexibly with the funding in support of the health and care system was available to the Council.

Members were asked to note that the Council's CLT had approved the business case and written permission had been secured from the Adult Social Care lead, and the NHS Place lead, who were responsible for the Better Care Fund in North West Surrey, to repurpose a sum, as reported, to the digitalisation of the Community Alarm service. Both parties had recognised the important role that the service played in supporting residents to live

independently at home, as well as supporting health and care in meeting the needs of residents.

Officers confirmed that through Homesafe Plus, the hospital discharge offer from boroughs in NW Surrey, the most referred to service as part of discharge planning was Community Alarm and Telecare.

The Committee was satisfied that Officers in both Community Services and Law & Governance had researched the proposed way forward extensively to ensure that such an approach was an appropriate use of the funding awarded as set out in the report.

Members recognised the acute value of the service to some of the community's most vulnerable residents and appreciated the efforts which Officers had made to source funding. When asked, Officers were confident that re-purposing the underspend would not have a detrimental effect on applications for Disabled Facilities Grants but this would be monitored.

The Committee understood that the Council had no choice in the matter as it was Utility led, save to find the most reliable and value for money route for the Council and at the same time retaining it as an affordable lifeline to residents. This would form the basis of a wider review to ensure the best interests of users of the Careline service.

Members were concerned that the most suitable and technically efficient provider was sought and asked for some benchmarking to be completed in this regard as well as confirmation of what the anticipated increase in data charges per month would be.

Members welcomed the intention for the procurement of suitable equipment to commence early in the new year, with the roll out taking place immediately thereafter.

Resolved that –

the proposed approach towards the digitalisation of the Community Alarm Service, be approved.

Corporate Management Committee be asked to recommend to full Council that-

- i) a supplementary Capital estimate in the sum reported to Community Services Committee for the purchase and installation of digital Community Alarm Equipment to be funded from the Better Care Fund over the next 3 years; and**
- ii) approval is given to enter into a procurement process for the purchase of digital Community Alarm Equipment, on behalf of both Runnymede and Surrey Heath Borough Councils up to a potential total value in the sum reported to Community Services Committee.**

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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