

# Public Document Pack



<b>BABERGH CABINET</b>	
<b>DATE:</b>	<b>THURSDAY, 9 JANUARY 2020 10.30 AM</b>
<b>VENUE:</b>	<b>KING EDMUND CHAMBER - ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH</b>

<b>Members</b>		
<u>Conservative</u> Jan Osborne John Ward (Chair) Michael Holt Elisabeth Malvisi	<u>Independent</u> Derek Davis Clive Arthey Lee Parker	<u>Liberal Democrat</u> David Busby

This meeting will be broadcast live to Youtube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting in person you will be deemed to have consented to being filmed and that the images and sound recordings could be used for webcasting/ training purposes.

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

## **AGENDA**

### **PART 1**

#### **MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT**

Page(s)

- 1 **APOLOGIES FOR ABSENCE**
- 2 **DECLARATION OF INTERESTS BY COUNCILLORS**
- 3 **BCa/19/24 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 07 NOVEMBER 2019** 5 - 8
- 4 **TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**
- 5 **QUESTIONS BY COUNCILLORS**
- 6 **MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEES**

## 7 FORTHCOMING DECISIONS LIST

Please note the most up to date version can be found via the website:

<https://www.babergh.gov.uk/the-council/forthcoming-decisions-list/>

- |    |   |         |
|----|---|---------|
| 8  | <b>BCa/19/25 THREE-YEAR FUNDING FOR SUDBURY AND DISTRICT CITIZENS ADVICE</b>  | 9 - 36  |
|    | Cabinet Member for Communities  |         |
| 9  | <b>BCa/19/26 INTRODUCTION OF A COUNCIL TAX PENALTIES POLICY</b>   | 37 - 46 |
|    | Cabinet Member for Finance  |         |
| 10 | <b>BCa/19/27 COUNCIL TAX - CITIZENS ADVICE COLLECTION PROTOCOL</b>  | 47 - 58 |
|    | Cabinet Member for Finance  |         |
| 11 | <b>BCa/19/28 DECISIONS TAKEN BY THE CHIEF EXECUTIVE DURING THE PRE-ELECTION PERIOD UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 2 OF THE CONSTITUTION</b> | 59 - 62 |
|    | Cabinet Member for Housing  |         |

### **Date and Time of next meeting**

Please note that the next meeting is scheduled for Thursday, 16 January 2020 at 5.30 pm.

### **Webcasting/ Live Streaming**

The Webcast of the meeting will be available to view on the Councils Youtube page:

[https://www.youtube.com/channel/UCSWf\\_0D13zmegAf5Qv\\_aZSg](https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg)

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, on: or Email: [Committees@babberghmidsuffolk.gov.uk](mailto:Committees@babberghmidsuffolk.gov.uk)

### **Introduction to Public Meetings**

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

### **Domestic Arrangements:**

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

### **Evacuating the building in an emergency: Information for Visitors:**

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

This page is intentionally left blank

# Agenda Item 3

## BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **BABERGH CABINET** held in the King Edmund Chamber - Endeavour House, 8 Russell Road, Ipswich on Thursday, 7 November 2019

### **PRESENT:**

Councillor: John Ward (Chair)

Councillors:	Jan Osborne	Derek Davis
	Clive Arthey	David Busby
	Elisabeth Malvisi	Lee Parker

### **In attendance:**

Councillor(s): Alistair McCraw

Officers: Strategic Director (KN)  
Corporate Manager - Strategic Planning (RH)  
Deputy Monitoring Officer (JR)  
Senior Governance Support Officer (HH)

### **183 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Michael Holt.

### **184 DECLARATION OF INTERESTS BY COUNCILLORS**

There were no declarations of interest declared.

### **185 BCA/19/21 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 10 OCTOBER 2019**

It was **RESOLVED:-**

**That the minutes of the meeting held on 10<sup>th</sup> October 2019 be signed as a true record.**

### **186 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME**

There were no petitions received.

### **187 QUESTIONS BY COUNCILLORS**

There were no questions received.

**188 MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY OR JOINT AUDIT AND STANDARDS COMMITTEES**

There were no matters referred.

**189 FORTHCOMING DECISIONS LIST**

The Forthcoming Decisions List was noted. The Leader of the Council advised Members that an updated list would be issued shortly to reflect the rescheduled meetings due to the pre-election period.

**190 BCA/19/22 SUFFOLK COAST RECREATIONAL DISTURBANCE AND AVOIDANCE MITIGATION STRATEGY**

The Cabinet Member for Planning introduced the report and provided Members with an overview of the strategy. Councillor Arthey advised Members of the revised recommendation 3.2 of the report, detailed below, as suggested at the Mid Suffolk District Council Cabinet Meeting:

“That delegated authority be granted to the Assistant Director for Sustainable Communities in consultation with the Cabinet Member for Planning and the Cabinet Member for Environment to determine the method of RAMS implementation via an Implementation Board and agree suitable performance matrix.”

Councillor Davis commented that this was an excellent strategy, and enquired how much money had already been raised. The Corporate Manager for Strategic Planning advised that this information would be provided to Members.

In response to a question from Councillor Ward, the Corporate Manager for Strategic Planning confirmed the funding sources which could be used for the projects within the strategy.

Councillor Busby commented on the proposed figures being raised for the project and queried the decision-making process for spending of the funding. Councillor Busby went on to suggest that the report should be seen by the Overview and Scrutiny Committee. Councillor McCraw, Chair of Joint Overview and Scrutiny committee advised that as the strategy was a statutory requirement and was a joint strategy with three other authorities, it would be difficult to scrutinise.

Councillor Arthey moved the recommendations with the amendment as detailed. This was seconded by Councillor Davis.

It was RESOLVED:-

**It was RESOLVED:-**

**1.1 That the Suffolk Coast RAMS (2019) be approved for adoption.**

**1.2 That delegated authority be granted to the Assistant Director for Sustainable Communities in consultation with the Cabinet Member for**

**Planning and the Cabinet Member for Environment to determine the method of RAMS implementation via an Implementation Board and agree suitable performance matrix.**

**Reason for Decision:** The Councils are legally required to take an active approach to mitigate against the increasing pressure from residential development upon European / Habitats Sites.

The Conservation of Habitats and Species Regulations 2017 (known as the 'Habitats Regulations') set out how Local Planning Authorities must deal with planning applications that are likely to have an adverse effect on European Sites. Natural England advice is that, to comply with The Regulations.

The Strategy is a means by which new residential growth can be delivered, whilst at the same time adequately protecting Suffolk's coastal, estuarine and heathland European wildlife sites from harm that could otherwise occur because of increased recreation pressure caused through new residential development.

The Strategy identifies and costs measures necessary to mitigate recreational impacts, confirm how they will be funded and delivered, and is an approach that is in accordance with European Habitats Legislation and endorsed by Natural England. An Implementation Board will be responsible to determining how monies collected are spent.

**191 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)**

*To consider whether, pursuant to Part 1 of Schedule 12A of the Local Government Act 1972, the public should be excluded from the meeting for the business specified below on the grounds that if the public were present during these items, it is likely that there would be the disclosure to them of exempt information as indicated against each item. The authors of the report proposed to be considered in Part II of the Agenda were satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.*

*Note: Information is exempt only if:*

*It falls within one of the 7 categories of exempt information in the Act and; In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.*

**192 BCA/19/23 TO CONFIRM THE CONFIDENTIAL MINUTE OF THE MEETING HELD ON 10 OCTOBER 2019**

**It was RESOLVED:-**

**That the confidential minute of the meeting held on 10<sup>th</sup> October 2019 be signed as a true record.**

The business of the meeting was concluded at 18:20pm.

.....  
Chair (and date)

# Agenda Item 8

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Cabinet	<b>REPORT NUMBER:</b> BCa/19/25
<b>FROM:</b> Cabinet Member for Communities	<b>DATE OF MEETING:</b> 9 January 2020
<b>OFFICER:</b> Tom Barker, Assistant Director, Planning and Communities	<b>KEY DECISION REF NO.</b> CAB165

### THREE YEAR FUNDING FOR SUDBURY AND DISTRICT CITIZENS ADVICE

#### 1. PURPOSE OF REPORT

- 1.1 To request that Cabinet Members endorse the granting of a three-year funding agreement for Sudbury and District Citizens Advice (CA) commencing 2020/2021.
- 1.2 To confirm that the authority for signing of the funding agreement sits with the Assistant Director, Planning and Communities.

#### 2. OPTIONS CONSIDERED

- 2.1 The following options have been considered:
  1. Cease revenue funding the Sudbury and District CA
  2. Continue with an annual revenue funding agreement
  3. Commence a three-year funding agreement.

#### 3. RECOMMENDATIONS

- 3.1 That a three-year funding agreement for the Sudbury and District CA be approved.
- 3.2 That authority be delegated to the Assistant Director, Planning and Communities sign off the agreement following discussion with the Cabinet Member for Communities.

#### REASON FOR DECISION

To provide the Sudbury and District CA with greater certainty about three-year funding from Babergh District Council, consistent with the Council's support for the value and impact that it achieves.

#### 4. KEY INFORMATION

- 4.1 In April 2019 the Grant Offer letter offering Babergh and District CA £53,500 revenue funding for 2019/20 the Council noted that a request for three-year funding had been received. The letter further noted that it was anticipated that further talks would take place regarding this request and the possible implementation of 3-year funding agreements from 2020/21 and beyond.

4.2 In early 2019 it was confirmed that Suffolk County Council (SCC) was cutting grants to CA services across Suffolk by 50% for 2019/20 as part of a programme of budget savings. This resulted in a 50% reduction in SCC's original £45,000 funding for Sudbury and District CA. This left the CAs with a consequential funding gap which was partly recovered with funds provided by the Clinical Commissioning Group (CCG), who agreed to fund 50% of SCC's original funds for both 2019/20 and 2020/21. It was anticipated that SCC funding would be completely withdrawn from 2020/21 however talks between the CAs and SCC have been ongoing to try and avoid that position.

4.3 On 19 August 2019 the Babergh and Mid Suffolk Joint Overview and Scrutiny Committee asked the Mid Suffolk CA and Sudbury and District CAs to appear before the committee and give a presentation on their work to inform the scrutiny process. The presentation provided evidence of the significant contribution made by the CAs including social and economic impact and value for money. The committee was especially keen to understand the funding position and made a resolution as below.

*1.1 That the Joint Overview and Scrutiny Committee recommends to both Cabinets that the current minimum funding for the Citizens Advice be maintained for the next three years.*

*1.2 That the Joint Overview and Scrutiny Committee approach the Chairs of the Scrutiny Committees and Scrutiny Governance Officers of East Suffolk Council, West Suffolk Council, Ipswich Borough Council and Suffolk County Council, with a view of setting up a county-wide scrutiny process to examine funding and the impact on Citizens Advice and the services of Citizens Advice.*

*1.3 That the Chairs of the said Scrutiny Committees be supplied with a report from Babergh and Mid Suffolk Joint Overview and Scrutiny Committee on the topic of Citizens Advice based on this Committee meeting as a basis for the scrutiny process.*

4.4 Some other local authorities have indicated that they are interested in taking part in a countywide scrutiny process so this will be moving forwards. The County Council has not indicated that it will participate but it is hoped that this position could be open to change. However, both Babergh and Mid Suffolk Portfolio Holders have indicated that they are keen to show leadership in this area and confirm a commitment to three-year funding agreements.

4.5 The Babergh and Mid Suffolk Grants programme is currently under review in order to achieve alignment to the Communities Strategy and enable the new Grants Team to identify any service improvements in order to improve efficiency and maximise funding. The Communities Strategy and its emerging action plan emphasise the importance of focusing on evidenced need.

4.6 The case for funding the CA is supported by evidence of its impact and value and the organisation works with some of the most vulnerable people in the district, assisting with advice on benefits, debt and a range of other often interconnected and complex issues. The grants review will identify any other grant recipients which warrant three-year funding agreements and will seek to enable the Council to maximise its role as an active and engaged funder.

4.7 There is therefore a strong case for offering a three-year funding agreement to the Sudbury and District CA in order to:

- confirm our ongoing commitment to the organisation which provides significant and evidenced contribution consistent with the outcomes sought in our Communities Strategy
- show leadership as part of further ongoing dialogue regarding a more sustainable funding approach for CAs across the county.

4.8 The exact amount of the funding agreement will be confirmed in the early part of 2020 alongside other funding offers and will be informed by the application process and broader grants review. However, the funding per annum will be at least at the funding level for 2019/20 (£53,500).

4.9 The Council also currently provides a significantly lower level of funding to the Ipswich CA (£7,673 for 2019/20) in recognition that some residents access that service. This is currently a one year agreement and any change to a three year agreement will be addressed as part of the Council's grants review and informed by the work of the countywide scrutiny group. It is however expected that annual funding will continue for 2020/21, subject to the usual application process.

## 5. LINKS TO THE CORPORATE PLAN

5.1 The work of the CA is strongly linked to the Communities strategic priority within the recently adopted Corporate Plan (2019-27) and the delivery of the Communities Strategy which underpins it.

## 6. FINANCIAL IMPLICATIONS

Revenue/Capital/ Expenditure/Income Item	Total	2020/21	2021/22	2022/23
Indicative revenue grant funding	£160,500	£53,500	£53,500	£53,500
Net Effect				

6.1 The above figures are indicative, see comments at 4.7. These figures are within existing budgets.

## 7. LEGAL IMPLICATIONS

7.1 The Council has power to award funding under Section 1 of the Localism Act 2011, which allows the Council to do anything that individuals generally may do, in particular if it is carried out for the benefit of the Council, its areas or persons, resident or present in the area.

7.2 Legal advice will be taken in respect of the final wording of the agreement to ensure that necessary legal safeguards are in place and that payments will depend on satisfactory performance against stated outputs and submission of required documents.

## 8. RISK MANAGEMENT

- 8.1 This report is relevant to the following risk on the Significant Risk Register; 3a) We may not be able to help communities become more sustainable. The recommended approach will help to mitigate that risk. Other risks are outlined below:

Risk Description	Likelihood	Impact	Mitigation Measures
Council requirements not fully satisfied over the three year period	Unlikely (2)	Serious (3)	Contract to specify performance required and documentary evidence, annual.
Other funders reduce or withdraw funding	Probable (3)	Serious (3)	Ongoing dialogue with CA and other funders to increase resilience and mitigate risk.

## 9. CONSULTATIONS

- 9.1 The Sudbury CA has been consulted and is keen to move to a three year funding agreement.

## 10. EQUALITY ANALYSIS

- 10.1 The support of the CA is available to all and can be especially valuable to vulnerable groups or those in vulnerable circumstances. A screening EQIA has been carried out indicating that a full EQIA is not required.

## 11. ENVIRONMENTAL IMPLICATIONS

None

## 12. APPENDICES

None

## 13. BACKGROUND DOCUMENTS

Sudbury and District Citizens Advice Annual Report

REGISTERED COMPANY NUMBER: 6051096 (England and Wales)  
REGISTERED CHARITY NUMBER: 1123466

**REPORT OF THE TRUSTEES AND  
UNAUDITED FINANCIAL STATEMENTS FOR  
THE YEAR ENDED 31 MARCH 2019  
FOR  
SADBURY & DISTRICT  
CITIZENS ADVICE**

Seago and Stopps  
Chartered Certified Accountants  
61 Station Road  
Sudbury  
Suffolk  
CO10 2SP

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**CONTENTS OF THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 MARCH 2019**

	Page
Reference and Administrative Details	1
Report of the Trustees	2 to 5
Statement of Trustees Responsibilities	6
Independent Examiner's Report	7
Statement of Financial Activities	8
Balance Sheet	9 to 10
Notes to the Financial Statements	11 to 20
Detailed Statement of Financial Activities	21 to 22

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**REFERENCE AND ADMINISTRATIVE DETAILS  
FOR THE YEAR ENDED 31 MARCH 2019**

<b>TRUSTEES</b>	J E U Ashton (Chairman) Mrs S Seacombe (resigned 17.10.18) Dr L A Greig-Smith C Jullings (Vice Chairman) R M Spivey (Treasurer) A W Braithwaite L J Salmon (appointed 17.10.18)
<b>REGISTERED OFFICE</b>	Keyse House Acton Lane Sudbury Suffolk CO10 1QN
<b>REGISTERED COMPANY NUMBER</b>	6051096 (England and Wales)
<b>REGISTERED CHARITY NUMBER</b>	1123466
<b>INDEPENDENT EXAMINER</b>	Seago and Stopps Chartered Certified Accountants 61 Station Road Sudbury Suffolk CO10 2SP
<b>BANKERS</b>	Lloyds plc 30 Market Hill Sudbury Suffolk CO10 2EL
<b>CHIEF OFFICER</b>	Colleen Sweeney

**SUDBURY & DISTRICT  
CITIZENS ADVICE (REGISTERED NUMBER: 6051096)**

**REPORT OF THE TRUSTEES  
FOR THE YEAR ENDED 31 MARCH 2019**

The trustees who are also directors of the charity for the purposes of the Companies Act 2006, present their report with the financial statements of the charity for the year ended 31 March 2019. The trustees have adopted the provisions of Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2015).

**OBJECTIVES AND ACTIVITIES**

**Objectives and aims for the public benefit**

The principal objectives of the charity, as set out in the Memorandum of Association, are "to promote any charitable purpose for the benefit of the community in Sudbury and surrounding areas by the advancement of education, the protection and preservation of health and the relief of poverty, sickness and distress".

The board confirm that they have referred to the guidance contained in the Charity Commission's general guidance on public benefit when reviewing the charity's aims and objectives and in planning future activities.

The charity carries out these objectives through the involvement of the Bureau's staff in a very wide range of activities, reflecting the many kinds of issues that trouble members of the community on a daily basis. Amongst the most prominent are matters in relation to benefits, debt, employment, housing and relationships.

**Significant activities**

The charity helps people resolve their money, legal and other problems by providing information and advice and by influencing policy makers. This service is independent and provides free, confidential and impartial advice to everyone regardless of race, gender, disability, sexual orientation, religion, age or nationality.

**SUDBURY & DISTRICT  
CITIZENS ADVICE (REGISTERED NUMBER: 6051096)**

**REPORT OF THE TRUSTEES  
FOR THE YEAR ENDED 31 MARCH 2019**

**ACHIEVEMENT AND PERFORMANCE**

**Charitable activities**

At the outset of this financial year the trustees had reluctantly agreed a negative budget for the first time, the deficit amount being £17,288 at the year end. This, in addition to the deficit for the end of the previous year of £16,471 produced a financial gap of £33,759. As a consequence it was agreed to work to diversify our income streams further and to establish a fund raising sub-committee, the target for the year being set at £16,000; the rest being met from surplus funds. In this fundraising we were particularly successful with the target being met after six months and leading to a surplus at the year end of £21,203.

This action was very timely as in November we received notice that Suffolk County Council was to cut their entire grant to Suffolk LCAs. Following a strong campaign this later was reduced to a 50% cut for 2019/20 with a proposed zero grant for the year after. Consequently efforts to seek additional funding sources were intensified, which have met with some success. Notably we were successful in our competitive bid to provide the best practice lead for East Anglia in Universal Credit support.

In addition we have exceeded our targets under the Energy Best Deal (EBDx) programme and are now in receipt of National Citizens Advice funding for Universal Credit support.

Our collaborative working with the other Suffolk Citizens Advice offices is increasing, which was invaluable in tackling the SCC funding issue, and will have continuing benefits in other aspects of vision and strategy too.

We continue to raise our profile within our local community through our Research and Campaigning programme as well as our increased level of publicity and press releases.

The Value for Money proposition that Citizens Advice gives continues to increase each year as the number of clients we see goes up, together with the number and complexity of the cases that they bring us. In Hadleigh we have increased our outreach presence, not least as clients have had difficulties following the withdrawal of the council offices there. The advice we provide is totally dependent on our large team of volunteer advisors, led by our dedicated staff. These teams have been particularly stable this year, and have been added to through successful recruitment campaigns, where we have needed to increase the number of advisors to meet our growing needs.

As ever, on behalf of the trustees, they all have our most grateful thanks.

**FINANCIAL REVIEW**

**Principal funding sources**

The charity is principally funded by grants from various bodies detailed in the reports and accounts.

**SUDBURY & DISTRICT  
CITIZENS ADVICE (REGISTERED NUMBER: 6051096)**

**REPORT OF THE TRUSTEES  
FOR THE YEAR ENDED 31 MARCH 2019**

**FINANCIAL REVIEW**

**Reserves policy**

At the Board meeting of the 17th July 2019, the financial reserves were reviewed and the following revisions to the policy recommended, relating to the year ended 31st March 2019:

The directors believe that the Bureau should set aside financial reserves to ensure that it can continue to operate and meet the needs of clients in the event of unexpected contingencies including a cessation or interruption of part of its funding. In addition, the Bureau needs to be in a position to meet its contractual commitments to staff should it be obliged to terminate their contracts.

Towards this end the directors have decided that unrestricted funds should be internally designated to form the following reserves:

1. **An operating reserve** of £65,000, (previously £55,000). The directors consider that it would be prudent to maintain a reserve of four month's operating expenditure (calculated on the basis of 19/20 budget).
2. **A contractual commitment reserve in respect of staff costs** of £18,500, being £13,500 in respect of employees eligible for statutory redundancy payments, and for those not qualifying, payments in lieu of notice of £5,000. (NB: For those members of staff entitled to extended notice periods, the above operating reserve includes 4 months of salary costs available to fund this).
3. **A contractual commitment reserve in respect of the premises and rental equipment** of £17,000:

**Premises** - as at 1/7/19 (assuming the break clause of the lease is activated), there would be rent due for the period to Sept 2021 of approximately £30,000.

However, the Directors would look to minimize this liability by assigning or sub-letting the premises, and therefore realistically we should provide for the net liability, say 50% of the gross rent due - £15,000.

**Rental Equipment** - Copier/Printer £2,000.

4. **A premises and equipment reserve** of £10,000 to meet repairs or alterations to premises to the extent that these cannot be met out of budgeted expenditure and to replace major items of equipment when it becomes obsolete or beyond economic repair.
5. **A pension reserve of £9,000**, (previously £9,000) to meet the contingent liability in respect of employer debt on withdrawal should the Bureau ever decide to leave the Pension Trust's Growth Plan.

On the above basis, as at the date of this policy, the total requirement for reserves is £119,500 (equivalent to around seven months' of budgeted expenditure for 2019/20 (nine months in 2017). The level of reserves may fall below this level to the extent that they are required to meet a shortfall in income or for any of the designated purposes. In this event, it will be necessary to decide the extent to which they should be replenished and the timing of this.

In addition to the above, the Bureau will maintain restricted reserves where funds are restricted by the donor or funder and cannot be used for general purposes.

As at 31st March 2019, Reserves were:

Unrestricted Reserves	£147,275
Restricted Reserves	£ 26,594

**SUDBURY & DISTRICT  
CITIZENS ADVICE (REGISTERED NUMBER: 6051096)**

**REPORT OF THE TRUSTEES  
FOR THE YEAR ENDED 31 MARCH 2019**

**FINANCIAL REVIEW**

**Reserves policy**

This policy will be reviewed by the directors at the end of each financial year or more frequently, if necessary.

**STRUCTURE, GOVERNANCE AND MANAGEMENT**

**Governing document**

The charity is administered and managed subject to and in conformity with the provisions of its Memorandum and Articles of Association. It is a limited company, limited by guarantee, as defined by the Companies Act 2006.

**Recruitment and appointment of new trustees**

New trustees are appointed by the board under the provisions of the Articles of Association. Nominations for vacancies are sought informally having regard to the need to have a broad mix of skills and experience.

**Organisational structure**

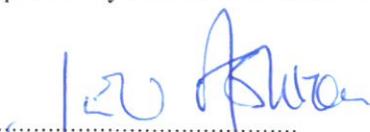
The trustee board is responsible for the management of the charity, with appropriate delegation to, and accountability by, the Manager for the day to day running of the charity.

**Risk management**

The board has a formal risk management policy. The principal risks to which the charity is exposed have been identified and appropriate controls are in place to provide reasonable assurance against fraud and error. To this end the board has put in place a documented formal risk assessment which is reviewed and updated on a regular basis.

This report has been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small companies.

Approved by order of the board of trustees on 16 October 2019 and signed on its behalf by:

  
.....  
J E Ashton - Trustee

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**STATEMENT OF TRUSTEES RESPONSIBILITIES  
FOR THE YEAR ENDED 31 MARCH 2019**

The trustees (who are also the directors of Sudbury & District Citizens Advice for the purposes of company law) are responsible for preparing the Report of the Trustees and the financial statements in accordance with applicable law and United Kingdom Accounting Standards (United Kingdom Generally Accepted Accounting Practice).

Company law requires the trustees to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the charitable company and of the incoming resources and application of resources, including the income and expenditure, of the charitable company for that period. In preparing those financial statements, the trustees are required to

- select suitable accounting policies and then apply them consistently;
- observe the methods and principles in the Charity SORP;
- make judgements and estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the charitable company will continue in business.

The trustees are responsible for keeping proper accounting records which disclose with reasonable accuracy at any time the financial position of the charitable company and to enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the charitable company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

The trustees are responsible for the maintenance and integrity of the corporate and financial information included on the charitable company's website. Legislation in the United Kingdom governing the preparation and dissemination of financial statements may differ from legislation in other jurisdictions.

**INDEPENDENT EXAMINER'S REPORT TO THE TRUSTEES OF  
SUDBURY & DISTRICT  
CITIZENS ADVICE (REGISTERED NUMBER: 6051096)**

**Independent examiner's report to the trustees of Sudbury & District Citizens Advice ('the Company')**  
I report to the charity trustees on my examination of the accounts of the Company for the year ended 31 March 2019.

**Responsibilities and basis of report**

As the charity's trustees of the Company (and also its directors for the purposes of company law) you are responsible for the preparation of the accounts in accordance with the requirements of the Companies Act 2006 ('the 2006 Act').

Having satisfied myself that the accounts of the Company are not required to be audited under Part 16 of the 2006 Act and are eligible for independent examination, I report in respect of my examination of your charity's accounts as carried out under section 145 of the Charities Act 2011 ('the 2011 Act'). In carrying out my examination I have followed the Directions given by the Charity Commission under section 145(5) (b) of the 2011 Act.

**Independent examiner's statement**

I have completed my examination. I confirm that no matters have come to my attention in connection with the examination giving me cause to believe:

1. accounting records were not kept in respect of the Company as required by section 386 of the 2006 Act; or
2. the accounts do not accord with those records; or
3. the accounts do not comply with the accounting requirements of section 396 of the 2006 Act other than any requirement that the accounts give a true and fair view which is not a matter considered as part of an independent examination; or
4. the accounts have not been prepared in accordance with the methods and principles of the Statement of Recommended Practice for accounting and reporting by charities [applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102)].

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report in order to enable a proper understanding of the accounts to be reached



Andrew Stopps FCCA ATT  
Seago and Stopps  
Chartered Certified Accountants  
61 Station Road  
Sudbury  
Suffolk  
CO10 2SP

Date: ..... 21<sup>st</sup> September 2019 .....

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**STATEMENT OF FINANCIAL ACTIVITIES  
FOR THE YEAR ENDED 31 MARCH 2019**

	Notes	Unrestricted fund £	Restricted funds £	31.3.19 Total funds £	31.3.18 Total funds £
<b>INCOME AND ENDOWMENTS FROM</b>					
Donations and legacies	2	113,178	52,034	165,212	151,018
Other trading activities	3	8,689	-	8,689	4,260
Investment income	4	<u>97</u>	<u>-</u>	<u>97</u>	<u>97</u>
<b>Total</b>		121,964	52,034	173,998	155,375
<b>EXPENDITURE ON</b>					
Raising funds		190	-	190	-
<b>Charitable activities</b>					
Warmer Homes Project		-	1,100	1,100	1,600
Other		<u>126,679</u>	<u>24,826</u>	<u>151,505</u>	<u>159,143</u>
<b>Total</b>		126,869	25,926	152,795	160,743
<b>NET INCOME/(EXPENDITURE)</b>					
		(4,905)	26,108	21,203	(5,368)
<b>Transfers between funds</b>	15	<u>(486)</u>	<u>486</u>	<u>-</u>	<u>-</u>
<b>Net movement in funds</b>		(5,391)	26,594	21,203	(5,368)
<b>RECONCILIATION OF FUNDS</b>					
<b>Total funds brought forward</b>		152,666	-	152,666	158,034
<b>TOTAL FUNDS CARRIED FORWARD</b>		<u>147,275</u>	<u>26,594</u>	<u>173,869</u>	<u>152,666</u>

The notes form part of these financial statements

**SUDBURY & DISTRICT**  
**CITIZENS ADVICE (REGISTERED NUMBER: 6051096)**

**BALANCE SHEET**  
**AT 31 MARCH 2019**

	Notes	Unrestricted fund £	Restricted funds £	31.3.19 Total funds £	31.3.18 Total funds £
<b>CURRENT ASSETS</b>					
Debtors	12	1,577	-	1,577	1,451
Cash at bank and in hand		<u>160,180</u>	<u>26,594</u>	<u>186,774</u>	<u>179,682</u>
		161,757	26,594	188,351	181,133
<b>CREDITORS</b>					
Amounts falling due within one year	13	(14,482)	-	(14,482)	(28,467)
		<u>147,275</u>	<u>26,594</u>	<u>173,869</u>	<u>152,666</u>
<b>NET CURRENT ASSETS</b>					
		147,275	26,594	173,869	152,666
<b>TOTAL ASSETS LESS CURRENT LIABILITIES</b>					
		<u>147,275</u>	<u>26,594</u>	<u>173,869</u>	<u>152,666</u>
<b>NET ASSETS</b>					
		<u>147,275</u>	<u>26,594</u>	<u>173,869</u>	<u>152,666</u>
<b>FUNDS</b>					
Unrestricted funds	15			147,275	152,666
Restricted funds				<u>26,594</u>	<u>-</u>
<b>TOTAL FUNDS</b>					
				<u>173,869</u>	<u>152,666</u>

The notes form part of these financial statements

SUDBURY & DISTRICT  
CITIZENS ADVICE (REGISTERED NUMBER: 6051096)

BALANCE SHEET - CONTINUED  
AT 31 MARCH 2019

The charitable company is entitled to exemption from audit under Section 477 of the Companies Act 2006 for the year ended 31 March 2019.

The members have not required the company to obtain an audit of its financial statements for the year ended 31 March 2019 in accordance with Section 476 of the Companies Act 2006.

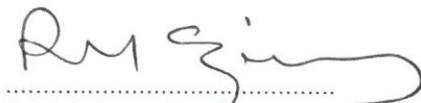
The trustees acknowledge their responsibilities for

- (a) ensuring that the charitable company keeps accounting records that comply with Sections 386 and 387 of the Companies Act 2006 and
- (b) preparing financial statements which give a true and fair view of the state of affairs of the charitable company as at the end of each financial year and of its surplus or deficit for each financial year in accordance with the requirements of Sections 394 and 395 and which otherwise comply with the requirements of the Companies Act 2006 relating to financial statements, so far as applicable to the charitable company.

These financial statements have been prepared in accordance with the provisions applicable to charitable companies subject to the small companies regime.

The financial statements were approved by the Board of Trustees on 16 October 2019 and were signed on its behalf by:

  
.....  
J E U Ashton -Trustee

  
.....  
R M Spivey -Trustee

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 MARCH 2019**

**1. ACCOUNTING POLICIES**

**Basis of preparing the financial statements**

The financial statements of the charitable company, which is a public benefit entity under FRS 102, have been prepared in accordance with the Charities SORP (FRS 102) 'Accounting and Reporting by Charities: Statement of Recommended Practice applicable to charities preparing their accounts in accordance with the Financial Reporting Standard applicable in the UK and Republic of Ireland (FRS 102) (effective 1 January 2015)', Financial Reporting Standard 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland' and the Companies Act 2006. The financial statements have been prepared under the historical cost convention.

**Income**

All income is recognised in the Statement of Financial Activities once the charity has entitlement to the funds, it is probable that the income will be received and the amount can be measured reliably.

**Expenditure**

Liabilities are recognised as expenditure as soon as there is a legal or constructive obligation committing the charity to that expenditure, it is probable that a transfer of economic benefits will be required in settlement and the amount of the obligation can be measured reliably. Expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all cost related to the category. Where costs cannot be directly attributed to particular headings they have been allocated to activities on a basis consistent with the use of resources.

Grants offered subject to conditions which have not been met at the year end date are noted as a commitment but not accrued as expenditure.

**Tangible fixed assets**

Depreciation is provided at the following annual rates in order to write off each asset over its estimated useful life.

Plant and machinery	- 33% on cost
Fixtures and fittings	- 33% on cost
Computer equipment	- 33% on cost

**Taxation**

The charity is exempt from corporation tax on its charitable activities.

**Fund accounting**

Unrestricted funds can be used in accordance with the charitable objectives at the discretion of the trustees.

Restricted funds can only be used for particular restricted purposes within the objects of the charity. Restrictions arise when specified by the donor or when funds are raised for particular restricted purposes.

Further explanation of the nature and purpose of each fund is included in the notes to the financial statements.

**Pension costs and other post-retirement benefits**

The charitable company operates a defined contribution pension scheme. Contributions payable to the charitable company's pension scheme are charged to the Statement of Financial Activities in the period to which they relate.

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**1. ACCOUNTING POLICIES - continued**

**Financial instruments**

The charity enters into basic financial instrument transactions, as appropriate and as and when required, that result in the recognition of financial assets and liabilities within the financial statements such as trade and other accounts receivable and payable, bank loans and hire purchase and lease contracts.

**2. DONATIONS AND LEGACIES**

	31.3.19	31.3.18
	£	£
Donations	3,742	1,777
Grants	<u>161,470</u>	<u>149,241</u>
	<u>165,212</u>	<u>151,018</u>

Grants received, included in the above, are as follows:

	31.3.19	31.3.18
	£	£
Great Cornard Parish Council	1,001	750
Sudbury Town Council	8,000	7,250
Suffolk County Council	44,991	49,694
Hadleigh Town Council	500	250
Suffolk Foundation - Warmer Homes Project	1,500	-
Babergh District Council - Debt Relief Grant	7,586	7,586
Babergh District Council	53,500	57,183
Other parish councils	961	250
Other grants	483	-
Outreach Project	-	1,875
Babergh District Council – Tenants Project	-	7,365
Big Lottery Grant	9,594	-
Suffolk Community Foundation	12,263	2,922
National Citizens Advice	21,091	14,116
	<u>161,470</u>	<u>149,241</u>

**3. OTHER TRADING ACTIVITIES**

	31.3.19	31.3.18
	£	£
Fundraising events	3,145	229
Employer NIC allowance	3,000	3,000
Other income	<u>2,544</u>	<u>1,031</u>
	<u>8,689</u>	<u>4,260</u>

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**4. INVESTMENT INCOME**

	31.3.19	31.3.18
	£	£
Interest received	<u>97</u>	<u>97</u>

**5. GRANTS PAYABLE**

	31.3.19	31.3.18
	£	£
Warmer Homes Project	<u>1,100</u>	<u>1,600</u>

**6. NET INCOME/(EXPENDITURE)**

Net income/(expenditure) is stated after charging/(crediting):

	31.3.19	31.3.18
	£	£
Depreciation - owned assets	<u>-</u>	<u>928</u>

**7. TRUSTEES' REMUNERATION AND BENEFITS**

There were no trustees' remuneration or other benefits for the year ended 31 March 2019 nor for the year ended 31 March 2018.

**Trustees' expenses**

There were no trustees' expenses paid for the year ended 31 March 2019 nor for the year ended 31 March 2018.

**8. STAFF COSTS**

The average monthly number of employees during the year was as follows:

	31.3.19	31.3.18
	<u>13</u>	<u>12</u>

No employees received emoluments in excess of £60,000.

	31.03.19	31.03.18
	£	£
Wages and Employers NIC	109,946	106,803
Travel and training costs	<u>11,748</u>	<u>12,193</u>
	<u>121,694</u>	<u>118,996</u>

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**9. COMPARATIVES FOR THE STATEMENT OF FINANCIAL ACTIVITIES**

	Unrestricted fund £	Restricted funds £	Total funds £
<b>INCOME AND ENDOWMENTS FROM</b>			
Donations and legacies	114,462	36,556	151,018
Other trading activities	4,260	-	4,260
Investment income	<u>97</u>	<u>-</u>	<u>97</u>
<b>Total</b>	118,819	36,556	155,375
 <b>EXPENDITURE ON</b>			
<b>Charitable activities</b>			
Warmer Homes Project	1,600	-	1,600
Other	<u>122,155</u>	<u>36,988</u>	<u>159,143</u>
<b>Total</b>	123,755	36,988	160,743
<b>NET INCOME/(EXPENDITURE)</b>	(4,936)	(432)	(5,368)
 <b>RECONCILIATION OF FUNDS</b>			
<b>Total funds brought forward</b>	157,601	433	158,034
<b>TOTAL FUNDS CARRIED FORWARD</b>	<u>152,665</u>	<u>1</u>	<u>152,666</u>

**10. FEES FOR THE EXAMINATION OF THE ACCOUNTS**

	31.03.19 £	31.03.18 £
Independent examiners fees	1,644	1,800
Other financial services : payroll fees	<u>1,104</u>	<u>1,104</u>
	<u>2,748</u>	<u>2,904</u>

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**11. TANGIBLE FIXED ASSETS**

	Plant and machinery £	Fixtures and fittings £	Computer equipment £	Totals £
<b>COST</b>				
At 1 April 2018 and 31 March 2019	<u>8,982</u>	<u>371</u>	<u>11,071</u>	<u>20,424</u>
<b>DEPRECIATION</b>				
At 1 April 2018 and 31 March 2019	<u>8,982</u>	<u>371</u>	<u>11,071</u>	<u>20,424</u>
<b>NET BOOK VALUE</b>				
At 31 March 2019	<u>          -</u>	<u>          -</u>	<u>          -</u>	<u>          -</u>
At 31 March 2018	<u>          -</u>	<u>          -</u>	<u>          -</u>	<u>          -</u>

**12. DEBTORS: AMOUNTS FALLING DUE WITHIN ONE YEAR**

	31.3.19	31.3.18
	£	£
Prepayments	<u>1,577</u>	<u>1,451</u>

**13. CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR**

	31.3.19	31.3.18
	£	£
Accrued expenses	<u>14,482</u>	<u>28,467</u>

**14. LEASING AGREEMENTS**

Minimum lease payments under non-cancellable operating leases fall due as follows:

	31.3.19	31.3.18
	£	£
Between one and five years	<u>39,482</u>	<u>49,082</u>

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**15. MOVEMENT IN FUNDS**

	At 1.4.18 £	Net movement in funds £	Transfers between funds £	At 31.3.19 £
<b>Unrestricted funds</b>				
General fund	152,666	(4,905)	(486)	147,275
<b>Restricted funds</b>				
Warmer Homes Project	-	400	-	400
Debt Relief Project	-	(486)	486	-
Big Lottery Grant	-	8,713	-	8,713
National Citizens Advice	-	<u>17,481</u>	<u>-</u>	<u>17,481</u>
	-	26,108	486	26,594
	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<b>TOTAL FUNDS</b>	<u>152,666</u>	<u>21,203</u>	<u>-</u>	<u>173,869</u>

Net movement in funds, included in the above are as follows:

	Incoming resources £	Resources expended £	Movement in funds £
<b>Unrestricted funds</b>			
General fund	121,964	(126,869)	(4,905)
<b>Restricted funds</b>			
Warmer Homes Project	1,500	(1,100)	400
Debt Relief Project	7,586	(8,072)	(486)
Big Lottery Grant	9,594	(881)	8,713
Suffolk Community Foundation	12,263	(12,263)	-
National Citizens Advice	<u>21,091</u>	<u>(3,610)</u>	<u>17,481</u>
	52,034	(25,926)	26,108
	<u>-</u>	<u>-</u>	<u>-</u>
<b>TOTAL FUNDS</b>	<u>173,998</u>	<u>(152,795)</u>	<u>21,203</u>

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**15. MOVEMENT IN FUNDS - continued**

**Comparatives for movement in funds**

	At 1.4.17 £	Net movement in funds £	At 31.3.18 £
<b>Unrestricted Funds</b>			
General fund	157,601	(4,935)	152,666
<b>Restricted Funds</b>			
Outreach Project	433	(433)	-
	<u>          </u>	<u>          </u>	<u>          </u>
<b>TOTAL FUNDS</b>	<u>158,034</u>	<u>(5,368)</u>	<u>152,666</u>

Comparative net movement in funds, included in the above are as follows:

	Incoming resources £	Resources expended £	Movement in funds £
<b>Unrestricted funds</b>			
General fund	118,819	(123,754)	(4,935)
<b>Restricted funds</b>			
Outreach Project	1,875	(2,308)	(433)
Debt Relief Project	7,586	(7,586)	-
Tenants Project	11,048	(11,048)	-
Suffolk Community Foundation	2,922	(2,922)	-
National Citizens Advice	<u>13,125</u>	<u>(13,125)</u>	<u>-</u>
	<u>36,556</u>	<u>(36,989)</u>	<u>(433)</u>
	<u>          </u>	<u>          </u>	<u>          </u>
<b>TOTAL FUNDS</b>	<u>155,375</u>	<u>(160,743)</u>	<u>(5,368)</u>

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**15. MOVEMENT IN FUNDS - continued**

A current year 12 months and prior year 12 months combined position is as follows:

	At 1.4.17 £	Net movement in funds £	Transfers between funds £	At 31.3.19 £
<b>Unrestricted funds</b>				
General fund	157,601	(9,840)	(486)	147,275
<b>Restricted funds</b>				
Warmer Homes Project	-	400	-	400
Outreach Project	433	(433)	-	-
Debt Relief Project	-	(486)	486	-
Big Lottery Grant	-	8,713	-	8,713
National Citizens Advice	-	17,481	-	17,481
	<u>433</u>	<u>25,675</u>	<u>486</u>	<u>26,594</u>
<b>TOTAL FUNDS</b>	<u>158,034</u>	<u>15,835</u>	<u>-</u>	<u>173,869</u>

A current year 12 months and prior year 12 months combined net movement in funds, included in the above are as follows:

	Incoming resources £	Resources expended £	Movement in funds £
<b>Unrestricted funds</b>			
General fund	240,783	(250,623)	(9,840)
<b>Restricted funds</b>			
Warmer Homes Project	1,500	(1,100)	400
Outreach Project	1,875	(2,308)	(433)
Debt Relief Project	15,172	(15,658)	(486)
Tenants Project	11,048	(11,048)	-
Big Lottery Grant	9,594	(881)	8,713
Suffolk Community Foundation	15,185	(15,185)	-
National Citizens Advice	<u>34,216</u>	<u>(16,735)</u>	<u>17,481</u>
	<u>88,590</u>	<u>(62,915)</u>	<u>25,675</u>
<b>TOTAL FUNDS</b>	<u>329,373</u>	<u>(313,538)</u>	<u>15,835</u>

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**16. PENSION COMMITMENTS**

The Bureau is a participating employer in The Pensions Trust's Growth Plan, which comprises Series 1 to 4. The Plan is funded and is not contracted out of the State scheme. Series 1 to 3 constitute a multi-employer pension plan, where the assets are co-mingled for investment purposes, and benefits are paid out of the Plan's total assets. It is not possible in the normal course of events to identify on a reasonable and consistent basis the share of the underlying assets and liabilities belonging to individual participating employers.

Following the triennial actuarial valuation as at 30 September 2011, a shortfall in the market value of the Plan's assets compared with its Technical Provisions (i.e. past service liabilities) was identified and at 30 September 2017, this stood at £187.2 million. This shortfall has increased by 14.1% to £149.6 million as at 30 September 2018.

Participating employers in Series 1 and 2 of the Growth Plan are being required to make additional contributions to help to eliminate this deficit. However, the Bureau has never participated in these Series and is not, at this stage, being required to pay any additional contributions (though, while unlikely, it cannot totally be ruled out that such contributions may arise in the future in respect of the Bureau's past membership of Series 3 of the Growth Plan).

The Bureau does however have a contingent liability in respect of its past membership of Series 3 on a buy-out valuation basis, which is detailed further in note 17.

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**NOTES TO THE FINANCIAL STATEMENTS - CONTINUED  
FOR THE YEAR ENDED 31 MARCH 2019**

**17. CONTINGENT LIABILITIES**

As at 30 September 2015, the Growth Plan had a deficit of £206.9 million on a buy-out valuation basis. This represents the difference between the market value of the Scheme's assets and an actuarial estimate of the amount an insurance company would charge to take on responsibility for paying all the benefits due from the Scheme. It is a more demanding valuation basis than the Technical Provisions basis.

As at 30 September 2016, the deficit on a buy-out basis has increased by 11% to £230.6 million, giving a funding level of 80%.

The Pensions Act 2011 retrospectively altered the definition of Series 3 of the Growth Plan so that it became categorised as a 'defined benefit' arrangement. As such, it is anticipated that employers such as the Bureau which participated in Series 3 will be liable to meet a share of the deficit on a buy-out basis if they leave the Growth Plan.

In order to prevent further build-up of a liability under Series 3, the Bureau decided to offer Growth Plan Series 4 (as a replacement for Series 3) to its relevant employees with effect from 1 July 2012. Series 4 is a defined contribution scheme and cannot give rise to a liability for "employer debt on withdrawal". This does not however remove the liability in respect of contributions made to Series 3 prior to 1 July 2012.

The Bureau's estimated contingent liability for the employer debt on withdrawal in respect of Series 3 was £6,294 as at 30 September 2015, this increased by 11% to £6,956 as at 30 September 2016 and now stands at £6,096 as at 30th September 2018.

The Bureau has not provided for this liability in these financial statements since it has no demonstrable commitment to withdraw from the Growth Plan. If immediate withdrawal from the Scheme were to be made, then sufficient cash reserves are held to settle the contingent liability, without impacting on day-to-day operations.

**18. RELATED PARTY DISCLOSURES**

There were no related party transactions for the year ended 31 March 2019.

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**DETAILED STATEMENT OF FINANCIAL ACTIVITIES  
FOR THE YEAR ENDED 31 MARCH 2019**

	31.3.19	31.3.18
	£	£
<b>INCOME AND ENDOWMENTS</b>		
<b>Donations and legacies</b>		
Donations	3,742	1,777
Grants	<u>161,470</u>	<u>149,241</u>
	165,212	151,018
<b>Other trading activities</b>		
Fundraising events	3,145	229
Employer NIC allowance	3,000	3,000
Other income	<u>2,544</u>	<u>1,031</u>
	8,689	4,260
<b>Investment income</b>		
Interest received	<u>97</u>	<u>97</u>
<b>Total incoming resources</b>	173,998	155,375
<b>EXPENDITURE</b>		
<b>Other trading activities</b>		
Fund raising costs	190	-
<b>Charitable activities</b>		
Grants to individuals	1,100	1,600
<b>Support costs</b>		
<b>Management</b>		
Cost of premises	8,506	20,787
Printing, postage, stationery and telephone costs	6,721	6,160
Advertising and recruitment	611	213
Miscellaneous expenses	2,009	1,883
Citizens Advice	3,534	3,494
Equipment hire	1,107	1,010
Depreciation	<u>-</u>	<u>928</u>
	22,488	34,475
<b>Information technology</b>		
Computer costs	1,501	436

This page does not form part of the statutory financial statements

**SUDBURY & DISTRICT  
CITIZENS ADVICE**

**DETAILED STATEMENT OF FINANCIAL ACTIVITIES  
FOR THE YEAR ENDED 31 MARCH 2019**

	31.3.19	31.3.18
	£	£
<b>Human resources</b>		
Wages, salaries, travel and training costs	121,144	118,997
Pensions	<u>2,624</u>	<u>2,331</u>
	123,768	121,328
<b>Governance costs</b>		
Accountancy fees	2,748	2,904
Legal fees	<u>1,000</u>	<u>-</u>
	<u>3,748</u>	<u>2,904</u>
<b>Total resources expended</b>	152,795	160,743
	_____	_____
<b>Net income/(expenditure)</b>	<u>21,203</u>	<u>(5,368)</u>

This page does not form part of the statutory financial statements

# Agenda Item 9

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Cabinet	<b>REPORT NUMBER:</b> <b>BCa/19/26</b>
<b>FROM:</b> Cabinet Member for Finance	<b>DATE OF MEETING:</b> 9 January 2020
<b>OFFICER:</b> Andrew Wilcock (SRP Operations Manager)	<b>KEY DECISION REF NO.</b> CAB169

### INTRODUCTION OF A COUNCIL TAX PENALTIES POLICY

#### 1. PURPOSE OF REPORT

- 1.1 For Councillors to consider the introduction of a Council Tax policy for the issuing of penalties.

#### 2. OPTIONS CONSIDERED

- 2.1 To continue service delivery as is, without utilising the opportunity to use Council Tax penalty regulations as part of an anti-fraud strategy.
- 2.2 Implement a policy for the issuing of Council Tax penalties as part of an anti-fraud strategy in order to maximise the tax base and protect the public purse.

#### 3. RECOMMENDATION

- 3.1 That Councillors approve the implementation of a policy for the issuing of Council Tax penalties.

#### REASON FOR DECISION

The Council is committed to a pro-active approach in preventing and reducing the risks associated with fraud, error and other irregularities in the administration of Council Tax. Implementation of this policy supports this commitment.

#### 4. KEY INFORMATION

- 4.1 The Shared Revenues Partnership (SRP), in carrying out the statutory Local Government Functions on behalf of the Council, undertakes the administration of Council Tax, Council Tax Reduction Scheme and Housing Benefit.
- 4.2 SRP is committed to a proactive approach in preventing and reducing the level of fraud within these areas and on behalf of the Council has a duty to protect the public funds it administers from abuse. In carrying out this duty, SRP may use legally obtained information provided for the purpose of the prevention and detection of fraud.
- 4.3 The Local Authority is legally entitled to obtain information from residents, owners or managing agents to help identify the person liable for payment of the Council Tax, provided that we ask for it in writing.

- 4.4 Council Tax civil penalties can be issued where a person fails to supply certain information requested by the Council within 21 days of the request for the information or within 21 days of a change which affects Council Tax registration or an entitlement to a discount, exemption or Council Tax Reduction (CTR). The Council may impose a penalty where a person:
- fails to notify the Council that an exemption on a dwelling should have ended
  - fails to notify the Council that a discount should have ended
  - fails to notify the Council of a change of address or fails to notify the council of a change in the liable person
  - fails to provide information requested to identify liability
  - fails to provide information requested after a liability order has been obtained.
  - fails to notify the Council that there has been a change in their circumstances which would affect council tax reduction
- 4.5 In the above circumstances the Council can issue a penalty. The initial penalty is currently set at £70.00.
- 4.6 If a further request has to be made for the information already requested then a second, higher, penalty (currently £280.00) may be issued. This higher penalty can be applied each time the request is repeated.
- 4.7 A penalty can be collected by adding it to an existing Council Tax charge or by issuing a separate notice. The amount can be recovered in the same way as Council Tax, but recovery must cease if an appeal is lodged.
- 4.8 The Council may quash the penalty at any time. If a customer is unhappy with the Council's decision to impose a penalty, they can appeal to the SRP Operations Manager. Any appeal must be made within 14 days of the date of the penalty being issued. The customer must give reasons for the request that the decision to issue a penalty be reconsidered. If the penalty is upheld and the customer is unhappy with the Council's decision to impose a penalty, they can appeal directly to the independent Valuation Tribunal. An appeal to the Valuation Tribunal should be made within two months of the penalty notice being issued.
- 4.9 Prompt notification of changes to circumstances allows for the Council Tax and/or CTR records to be updated and for revised notices to be issued to taxpayers. Timely issue of revised Council Tax bills would help to spread any increased payments over a longer period which in turn can assist with Council Tax collections.
- 4.10 Currently none of the SRP partners issue penalties.
- 4.11 SRP undertake a single resident discount review using a third-party company. The single resident discount exercise costs up to £30,000 per year. This is funded by the partners of SRP, Suffolk County Council and Suffolk Police and Crime Commissioner.
- 4.12 Since 2011 undertaking a regular review has reduced the single resident discounts from 30.61% of the overall caseload to 30.01% for. This is during a time when the total caseload has increased from 37,611 properties to 39,935 for Babergh. Ceasing

undertaking a regular review will just result in an increase in single resident discounts thus reducing the size of the tax base and income.

4.13 Although the review exercise is undertaken annually, each year the number of discounts removed remains similar. For 2018/19 228 discounts were removed amounting to £69,000 in Council Tax.

4.14 The possibility of applying a penalty may further encourage customers to keep taxpayer details up to date, meaning the tax base is as accurate as possible, which in turn could mean more Council Tax being paid.

4.15 A draft policy is attached at Appendix (a)

## **5. LINKS TO THE CORPORATE PLAN**

5.1 Enabled and Efficient Organisation

## **6. FINANCIAL IMPLICATIONS**

6.1 The cost of the level one penalty is £70. The table below shows how much could have been levied in penalties had the Council added them as part of last year's single resident discount exercise.

<b>Authority</b>	<b>No of discounts removed</b> <b>April'18 - March'19</b>	<b>Maximum Penalty Amount</b>
Babergh	228	£15,960

6.2 Civil penalties will generate an additional General Fund income, but the primary intention of this Policy is for penalties to be used as a deterrent against fraud and error, and not as a regular source of income.

## **7. LEGAL IMPLICATIONS**

7.1 Implementation of this proposal would be in accordance with Schedule 3 of the Local Government Finance Act 1992 and The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013.

7.2 Under Section 151 of the Local Government Act 1972, the Section 151 Officer has a statutory duty to implement appropriate measures to prevent and detect fraud and corruption.

## 8. RISK MANAGEMENT

8.1 This report is most closely linked with the Council's Corporate / Significant Business Risks 5f The Councils may be perceived to be untrustworthy and have a poor reputation. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
If penalties are applied inconsistently or unfairly, it may impact on the Council's reputation.	Unlikely - 2	Noticeable - 2	<ul style="list-style-type: none"> <li>Implementation of a robust policy that will provide clear guidelines to staff making decisions and allow an element of discretion in exceptional circumstances</li> </ul>
If there are a high number of penalties issued, this may lead to an increase in complaints	Unlikely - 2	Noticeable - 2	<ul style="list-style-type: none"> <li>Clear publication of the policy.</li> <li>Penalties applied in line with the policy</li> </ul>
If there are a high number of penalties issued, this may lead to an increase in appeals to the Valuation Tribunal	Unlikely - 2	Noticeable - 2	<ul style="list-style-type: none"> <li>Clear publication of the policy.</li> <li>Penalties applied in line with the policy</li> </ul>
If there are a high number of penalties issued, this may have an impact on resources	Unlikely - 2	Noticeable - 2	<ul style="list-style-type: none"> <li>Monitoring of the number of penalties applied and the impact created.</li> </ul>

## 9. CONSULTATIONS

9.1 There is no requirement to consult in respect of implementing this policy.

**10. EQUALITY ANALYSIS**

10.1 A full Equality Impact Assessment (EIA) is not required as it is not envisaged that the proposals will result in an adverse outcome for any group of people who share a protected characteristic under the Equality Act 2010.

**11. ENVIRONMENTAL IMPLICATIONS**

11.1 There is no environmental implication in recommending the approval of this policy.

**12. APPENDICES**

Title	Location
(a) Council Tax Penalties Policy	Attached

This page is intentionally left blank

# Council Tax Civil Penalties Policy

DRAFT

## **1. Introduction**

The Council is committed to a pro-active approach in preventing and reducing the risks associated with fraud, error and other irregularities in the administration of Council Tax. The existence of this policy will reinforce the message that the Council will take positive action against abuse of this public scheme.

Legal statutory powers exist which allow the Council to impose civil penalties.

The introduction of a Council Tax Civil Penalty Policy is to encourage residents to promptly report to the Council when their circumstances change and when they are no longer eligible to receive reductions, discounts and exemptions.

The regular reporting of changes in respect of Council Tax discounts, exemptions and reductions will ensure that the Council will be better placed to set the most accurate Council Tax income base.

## **2. Background**

Council tax legislation allows Councils to impose a civil penalty of £70 where any person;

- fails to notify the Council that an exemption on a dwelling should have ended
- fails to notify the Council that a discount should have ended
- fails to notify the Council of a change of address or fails to notify the council of a change in the liable person
- fails to provide information requested to identify liability
- fails to provide information requested after a liability order has been obtained.
- fails to notify the Council that there has been a change in their circumstances which would affect council tax reduction

The Council is legally entitled to obtain information from residents, owners or managing agents to help identify the person liable for payment of the Council Tax.

The law requires the customer to provide the information within 21 days in relation to Council Tax and one calendar month for changes affecting their Council Tax Reduction Scheme.

Where a person fails to supply certain information requested by the Council within 21 days of the request for the information or within 21 days of a change which affects Council Tax registration or an entitlement to a discount or exemption, or knowingly supplies inaccurate information in purported compliance with such a request, the Council may impose a penalty of £70 on them.

Where a penalty has already been imposed on their Council Tax account and a further request to supply the same information is made, a further penalty of £280 may be imposed for each subsequent failure provided that:

- The information is in the customers possession
- The authority requests them to provide it
- It falls within a prescribed description of information

## **3. Relevant legislation**

- Schedule 3 of the Local Government Finance Act 1992
- The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013

#### **4. Factors taken into account when considering if a penalty is appropriate**

The decision to award a penalty will be taken on a case by case basis.

The following factors will be taken into account when considering if a penalty is appropriate.

- A false statement
- Collusion with another person (such as a landlord or employer)
- The period over which the reduced liability occurred
- The monetary amount gained
- Previous recorded offences of same or similar nature or a persistent offender
- Positions of trust
- The claim / discount / exemption being false from the outset

#### **5. Exceptions**

Consideration will be taken of the customer's ability to handle financial affairs and their vulnerability. Examples of potential exceptions to the penalty could be:

- Severe mental or physical impairment/infirmity (severe clinical depression, hearing/sight/speech/learning difficulties or frailty)
- Where the resident is elderly (75 years and over)
- Social factors (bereavement, tragedy, under 21, serious or significant health conditions, relevant mitigating family/personal circumstances).

Falling into one of the above categories does not mean that an exception will automatically be applied. Circumstances will be considered on a case by case basis and the final decision will be at the discretion of the SRP Operations Manager.

#### **6. Applying the policy**

Under the scheme of delegation, the SRP Operations Manager is authorised to exercise all the Council's powers and duties to bill, administer and collect the Council Tax and the National Non-Domestic Rates including the power to enforce collection and exercise its discretions, under the Local Government Finance Act 1988, the Local Government Finance Act 1992, Local Government Act 2003, Local Government Finance Act 2012 and associated regulations

The SRP Operations Manager will decide whether to impose a penalty, having regard to this policy and the circumstances of each individual case. A written decision notice will be issued to the Council Tax Payer explaining why a civil penalty has been charged and include information on how to appeal (including the date they must appeal by) along with a Council Tax bill showing the amended amount following the decision to include a civil penalty.

#### **7. Application of the penalty**

The Council Tax bill shows that a discount/exemption/Council Tax Reduction has been awarded. It makes clear that the taxpayer must tell us within 21 days about any change in their circumstances that could affect their bill, or a penalty could be imposed.

A Council Tax penalty will be collected by applying the penalty to the Council Tax account for collection via the normal billing process. This will be shown as a separate line on the bill.

#### **8. Appeals**

If a customer is unhappy with the Council's decision to impose a penalty, they can appeal to the Assistant Director – Corporate Resources.

Any appeal must be made within 14 days of the date of the penalty being issued. The customer must give reasons for the request that the decision to issue a penalty be reconsidered

If the penalty is upheld and the customer is unhappy with the Council's decision to impose a penalty, they can appeal directly to the independent Valuation Tribunal at:

VT Office Doncaster  
Hepworth House  
2 Trafford Court  
Doncaster  
Yorkshire  
DN1 1PN  
Telephone: 0300 123 2035  
Facsimile: 01302 321447  
Email: [VTDoncaster@vts.gsi.gov.uk](mailto:VTDoncaster@vts.gsi.gov.uk)

Further information can be found at [www.valuationtribunal.gov.uk](http://www.valuationtribunal.gov.uk)

DRAFT

# Agenda Item 10

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Cabinet	<b>REPORT NUMBER:</b> <b>BCa/19/27</b>
<b>FROM:</b> Cabinet Member for Finance	<b>DATE OF MEETING:</b> 9 January 2020
<b>OFFICER:</b> Andrew Wilcock (SRP Operations Manager)	<b>KEY DECISION REF NO.</b> CAB168

### COUNCIL TAX – CITIZENS ADVICE COLLECTION PROTOCOL

#### 1. PURPOSE OF REPORT

- 1.1 The Citizen Advice and Local Government Association have produced a good practice protocol for the collection of Council Tax arrears. This report proposes that the Council adopt this protocol.

#### 2. OPTIONS CONSIDERED

- 2.1 To adopt the Citizen Advice protocol.
- 2.2 To not adopt the Citizen Advice protocol and wait for the Government reforms.

#### 3. RECOMMENDATIONS

- 3.1 To approve the adoption of the Citizen Advice Council Tax Protocol detailed at Appendix (a).

#### REASON FOR DECISION

The protocol reflects best practice at a local level and is intended to facilitate regular liaison with the Council, its Enforcement Agents and Citizens Advice on practices and policy concerning Council Tax collection.

In setting down clear procedures and keeping these regularly under review, all parties to the protocol can ensure that arrears are dealt with appropriately whilst complaints are handled efficiently.

#### 4. KEY INFORMATION

- 4.1 One of the core objectives of the Shared Revenues Partnership (SRP) is to maximise the collection of Council Tax while ensuring the processes in place are fair and ethical. To deliver on this objective SRP has been reviewing the enforcement processes in place to ensure they are fit for the future.

- 4.2 This is at a time when: -

- The level of Council Tax outstanding in England at the 31<sup>st</sup> March 2019 was £3.2 billion. This is an increase of £213 million over the figure for 2017/18 (Local Government Finance statistical release 26<sup>th</sup> June 2019)

- Charities are warning that these arrears now rival credit card debts as their biggest concern.
- There are also stories in the press about charities warnings that 'heavy-handed-collection tactics are putting severe pressure on those already in financial difficulty.

4.3 At a national level the Government has responded by pledging to improve the way Council Tax debt is recovered. This included:

- Making the Council Tax collection systems fairer and more efficient
- Issuing new guidance to improve how Councils recover unpaid Council Tax and end aggressive enforcement tactics
- Working with charities, debt advice organisations and Councils on new guidance

It stated reforms could include

- Ensuring affordability assessments are central to Council Tax collection processes, individual circumstances are taken into account and people are given appropriate time to pay off arrears
- Improving the links between Councils and the debt advice sector
- Developing and supporting fairer debt intervention methods

4.4 Citizens Advice (CA) and the Local Government Association (LGA) are also encouraging Councils in England to adopt the CA Council Tax protocol to improve Council Tax collection.

4.5 The CA Council Tax good practice protocol makes a number of suggestions on how local partnerships could be strengthened and residents better supported. It has been developed through partnership work between national bodies representing advice agencies, local government and enforcement agencies throughout England and Wales.

4.6 CA reported that growing numbers of people are turning to them for help with Council Tax issues. Figures from the national charity show that Council Tax debt has risen by a third in the last 3 years.

4.7 The CA good practice protocol aims to help Councils in England improve the experience for residents in arrears whilst collecting what is owed.

4.8 In light of this SRP has been engaging with CA to review the processes in place for collection and benchmark these against the standards set out in the protocol. The starting point is a review of the current documentation in place.

4.9 By working closely together, the Council, it's enforcement agents and CA can improve collection processes, with more early intervention to assist residents struggling with their Council Tax payments, help prevent further charges, alleviate stress and reduce both collection costs and demand on public services in the districts.

4.10 The next step would be for the Council to formally adopt the CA Council Tax protocol.

**5. LINKS TO THE CORPORATE PLAN**

5.1 Community capacity building and engagement and enabled and efficient organisation.

**6. FINANCIAL IMPLICATIONS**

6.1 There are no direct implications but failing to collect income can reduce the resources available to meet spending plans.

**7. LEGAL IMPLICATIONS**

7.1 There is no statutory requirement for the Council to adopt the protocol for the collection of Council Tax arrears.

**8. RISK MANAGEMENT**

8.1 There are no risks associated with adopting the protocol as the current processes in place are in line with those recommended in the protocol.

**9. CONSULTATIONS**

9.1 Consultation has taken place with Babergh and Mid Suffolk Citizen Advice.

**10. EQUALITY ANALYSIS**

10.1 A full Equality Impact Assessment (EIA) is not required as it is not envisaged that the proposals will result in an adverse outcome for any group of people who share a protected characteristic under the Equality Act 2010.

**11. ENVIRONMENTAL IMPLICATIONS**

11.1 There is no environmental implication associated with adopting the protocol for the collection of Council Tax arrears.

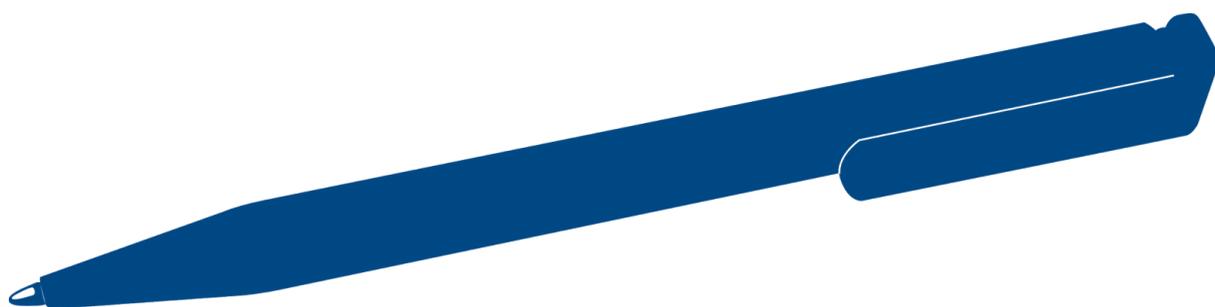
**12. APPENDICES**

Title	Location
(a) CA Council Tax Protocol	<a href="https://www.citizensadvice.org.uk/about-us/our-campaigns/all-our-current-campaigns/council-tax-protocol/">https://www.citizensadvice.org.uk/about-us/our-campaigns/all-our-current-campaigns/council-tax-protocol/</a>

This page is intentionally left blank

# Council Tax Protocol

Revised Collection of Council Tax Arrears Good Practice Protocol



## Agreed by:

Citizens Advice, June 2017

Local Government Association, June 2017



# Council Tax Protocol

We agree to adopt this protocol in .....  
as our public commitment to its principles of fairness, partnership  
working and transparency in local authority debt collection:

**Signature**

.....

**Local authority representative**

**Signature**

.....

**Local Citizens Advice / advice  
agency representative**

**Signature**

.....

**Enforcement agency  
representative**

*(where relevant)<sup>1</sup>*

**Signature**

.....

**External contractor  
representative**

*(where relevant)<sup>1</sup>*

**Date:**

---

<sup>1</sup> Enforcement agents and external contactors may sign this protocol if they and the authority agree that it is appropriate.

# Council Tax Protocol

## Revised collection of council tax arrears good practice protocol

Council tax payers receive a better level of service when local authorities<sup>2</sup>, enforcement agencies and debt advice agencies work closely together. Early intervention and proactive contact with people struggling with bill payments can help prevent them incurring further charges and help alleviate stress. It can also potentially help reduce both collection costs and calls on local public services, particularly mental health services.

This good practice protocol makes a number of suggestions on how local partnerships can be strengthened and residents better supported. Developed through partnership work between the national bodies representing advice agencies, local government and enforcement agencies throughout England and Wales, it builds upon the previous protocol, which government recommended local authorities adopt in their 2013 guidance. The protocol reflects best practice at local level and is intended to facilitate regular liaison on practices and policy concerning council tax debt collection. In setting down clear procedures and keeping them regularly under review, all parties can ensure that cases of arrears are dealt with appropriately whilst complaints are handled efficiently.

By signing the protocol and adopting the practices set out below, local authorities, enforcement agencies and advice agencies can help taxpayers pay their council tax bills while accessing debt advice when needed.

---

<sup>2</sup> Where we use the term 'local authorities', this should also be read to cover a local authority's external contractors, where the local authority has contracted out the administration of some or all of its council tax collection process.

# Partnership

## To foster more effective partnership working:

1. Local authorities, enforcement agencies and advice agencies should meet regularly to discuss practical and policy issues with a recommendation to meet quarterly at officer level and annually with elected members.
2. All parties should have dedicated contacts accessible on direct lines and electronically so that issues can be taken up quickly.
3. All parties should promote mutual understanding by providing training workshops, undertaking exchange visits and sharing good practice.
4. As local authorities are responsible for the overall collections process, they should ensure all their staff, external contractors and enforcement agencies receive the appropriate training, particularly on vulnerability and hardship.
5. Advice agencies, enforcement agencies and local authorities should work together to develop a fair collection and enforcement policy, highlighting examples of vulnerable people or those who find themselves in vulnerable situations, and specifying clear procedures in dealing with them. Contractual arrangements with enforcement agents should specify procedures for the local authority to take back cases involving vulnerable people.
6. Local authorities should consider informal complaints as debtors may be afraid to complain formally where enforcement agent activity is ongoing. Informal complaints received from advice agencies can indicate problems worthy of further investigation both locally by the local authority and by referral to national bodies.

# Information

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

1. All parties should work together to produce letters that clearly and consistently explain how council tax bills have been calculated (including any Council Tax Support award). Council tax bills should make clear council tax is a priority debt and explain the consequences of not making payment by the date specified. As far as possible within the constraints of systems, where a taxpayer has council tax arrears, the letters should explain how the debt has been accumulated and over which time period, the layout and language of bills and letters should be easy to understand, with any letters including a contact phone number and email address. All information should also be made available online in a clear format.
2. Local authorities should consider reviewing payment arrangements and offer more flexible options, including, subject to practicality, different payment dates within the month, spreading payments over 12 months and, potentially, different payment amounts to assist those on fluctuating incomes. This can allow people to budget more effectively.
3. Local authorities and enforcement agents should publicise local and national debt advice contact details on literature and notices. Advice agencies can help by promoting the need for debtors to contact their local authority promptly in order to agree payment plans. Parties can work together to ensure the tone of letters is not intimidating but encouraging of engagement.
4. Local authorities should ensure that enforcement agencies have appropriate information about the council tax debts they are recovering, so they can put this in letters they send to debtors and answer any questions.
5. Local authorities should consider providing literature about concerns council tax debtors may have about enforcement agents and enforcement. Information could cover charges enforcement agencies are allowed to make by law, how to complain about enforcement agent behaviour or check enforcement agent certification and further help available from the local authority or advice agencies.
6. All parties should work together to review and promote better engagement by council taxpayers. This should include information on how bills can be reduced through reliefs, exemptions and council tax support schemes, advising taxpayers that they should contact the local authority if they experience financial hardship and the consequences of allowing priority debts to accumulate. Information and budgeting tools should be made available on local authority and advice agency websites, via social media and at offices of relevant agencies. This is an opportunity for joint campaign work.

# Recovery

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

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

7. Where a household is in receipt of Council Tax Support, the local authority should consider matters carefully and determine whether to pass such cases to enforcement agents, based on the individual circumstances of the case.
8. The debtor may have outstanding claims for Universal Credit, Council Tax Support or other benefit(s) which are contributing to their arrears. Local authorities can suspend recovery once it is established that a legitimate and relevant claim is pending.
9. Local authorities and their enforcement agents should consider offering a 28 days hold or “breathing space” on enforcement action if debtors are seeking debt advice from an accredited advice provider.
10. Procedures should exist for debt advisers to negotiate payments on behalf of the taxpayer at any point in the process, including when the debt has been passed to the enforcement agent. In some cases, the debtor may only contact an advice agency following a visit from the enforcement agent.
11. Local authorities and enforcement agents should consider accepting and using the Standard Financial Statement (SFS) or Common Financial Statement in assessing ability to pay as long as this is consistent with securing value for money for all council tax payers.
12. Each case should be examined on its merits and repayment arrangements need to be affordable and sustainable, while ensuring that the debt is paid off within a reasonable period. Where appropriate, local authorities should provide the flexibility to spread repayments over more than a year, including beyond the end of a financial year.
13. Local authorities should prioritise direct deduction from benefits or attachment of earnings in preference to using enforcement agents. This avoids extra debts being incurred by people who may already have substantial liabilities.
14. Clarity should be provided to the debtor and enforcement agency as to which debts are being paid off, in what amounts and when, especially where a debtor has multiple liability orders. Where appropriate, debts should be consolidated before being sent to enforcement agents.
15. Local authorities should publish a clear procedure for people to report complaints about all stages of recovery action. Local authorities will regularly monitor and, subject to requirements of commercial confidentiality and the Data Protection Act, publish the performance (including complaints) of those recovering debts on their behalf and ensure that contractual and legal arrangements are met.

# Free, confidential advice. Whoever you are.

We help people overcome their problems and campaign on big issues when their voices need to be heard.

We value diversity, champion equality, and challenge discrimination and harassment.

We're here for everyone.



**[citizensadvice.org.uk](https://citizensadvice.org.uk)**

Published June 2017

Citizens Advice is an operating name of The National Association of Citizens Advice Bureaux.

Registered charity number 279057.

# Agenda Item 11

## BABERGH DISTRICT COUNCIL

<b>TO:</b> Cabinet	<b>REPORT NUMBER:</b> BCa/19/35
<b>FROM:</b> Cabinet Member for Housing	<b>DATE OF MEETING:</b> 9 January 2020
<b>OFFICER:</b> Janice Robinson, Deputy Monitoring Officer	<b>KEY DECISION REF NO.</b> CAB176

### REGULATORY REFORM ORDER – DISABLED ADAPTATIONS

#### 1. PURPOSE OF REPORT

- 1.1 This report details the decision taken by the Chief Executive in consultation with the Chair of the Council using his delegated powers during the pre-election period.
- 1.2 The Chief Executive is required by the Constitution to report these decisions to the next available Cabinet/Committee meeting under Part 2 of the Constitution.

#### 2. RECOMMENDATIONS

- 2.1 That Cabinet notes the decision taken under delegated powers by the Chief Executive to approve the Regulatory Reform Order during the pre-election period.

#### REASON FOR DECISION

The Cabinet Meeting has been cancelled due to the 'pre-election period' for the General Election taking place on 12<sup>th</sup> December 2019. This meant that the Policy could not be considered until January 2020 which could result in funding being delayed.

Under Part 2 of the Constitution, Delegations to Officers, Paragraph 7.2 (page 68-69), the decision must be reported to the next ordinary meeting of the appropriate Committee/Cabinet.

#### 3. KEY INFORMATION

- 3.1 Detailed in Appendix A.

#### 4. LINKS TO JOINT STRATEGIC PLAN

- 4.1 N/A

#### 5. FINANCIAL IMPLICATIONS

Detailed in Appendix A.

#### 6. LEGAL IMPLICATIONS

- 6.1 To comply with the Councils Constitution.

**7. RISK MANAGEMENT**

7.1 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
That the report is not published	Low	Low	The decision has been taken and is already published.

**8. CONSULTATIONS**

8.1 N/A

**9. EQUALITY ANALYSIS**

9.1 N/A

**10. ENVIRONMENTAL IMPLICATIONS**

10.1 N/A

**11. APPENDICES**

Title	Location
(a) BDC-0001 Regulatory Reform Order	Attached

**12. BACKGROUND DOCUMENTS**

N/A

## BABERGH DISTRICT COUNCIL

### URGENT ACTION - NO SPECIFIC POWERS

### ACTION FOR WHICH CHIEF EXECUTIVE HAS DELEGATED POWERS

SERIAL NO 200-0001

SUBJECT MATTER: The Implementation of a Regulatory Reform Order for Babergh and Mid Suffolk District Councils, allowing for greater flexibility in awarding Disabled Facilities Grants.

Specifically: To approve a Regulatory Reform Order Policy, which will allow the Councils to use their discretion and flexibility when awarding Disabled Facilities Grants

#### MEETING TO WHICH MATTER RELATES:

Babergh and Mid Suffolk Cabinet Meetings

#### REASON FOR ACTION BEING TAKEN OUT OF MEETING:

The Cabinet Meeting has been cancelled due to the 'pre-election period' for the General Election taking place on 12<sup>th</sup> December. This means the Policy cannot be considered now until January 2020.

#### BACKGROUND:

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO), gives Local Authorities the power to develop their own policy to assist their residents to maintain and adapt their homes to ensure that they are safe and suitable for them to live in.

The Housing Assistance Policy has been developed to allow Babergh and Mid Suffolk District Councils (The Councils) to make best use of their Disabled Facilities Grant (DFG) funding. This will enable the Councils to meet their strategic priorities and work collaboratively with health and social care colleagues to provide better outcomes for residents.

The Housing Assistance Policy (HAP) sets out how Babergh and Mid Suffolk District Councils will offer assistance to disabled residents to improve accessibility to and suitability of their accommodation.

The HAP allows Babergh and Mid Suffolk District Councils to meet the aspirations set out in their Corporate Plan and Homes and Housing Strategies to ensure that *everyone has a suitable home, and residents are able to live as healthily, safely, independently as possible within sustainable communities (Homes and Housing Strategy 2019)*.

The key objectives of the Housing Assistance Policy are: -

- To ensure residents are able to live as healthily, safely and independently as possible
- To help prevent hospital, care home or residential home admissions
- To facilitate the prompt discharge of residents from hospital
- To prevent the need for increased expenditure elsewhere in the 'Suffolk System', including Health and Social Care

#### FINANCIAL IMPLICATIONS:

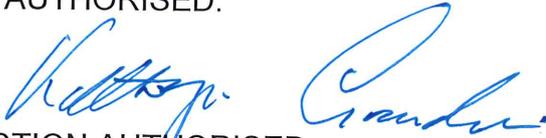
Each year, we are allocated Grant Funding from Suffolk County Council through the Better Care Fund. This money is ring-fenced for Disabled Facilities Grants.

At the end of Quarter 2, 2019/20, the spend at Babergh was £59,201, which is 10% of the budget and was £125,166 at Mid Suffolk, which is 21% of the budget.

It is important we make best use of the money available and increase the number of grants we award.

The grants awarded will enable residents to remain more independently and safely in their homes and should reduce costly hospital admissions.

ACTION AUTHORISED:



DATE ACTION AUTHORISED:

10<sup>th</sup> December 2019.

I have been consulted on this matter details of which are given above and have no observations to make.

Chairman of Babergh District Council

I being the duly authorised officer authorise the taking of the action referred to above

Signed  
Chief Executive



Date: 9<sup>th</sup> December 2019

Details reported to Council for noting.

- (NOTE: (i) This form to be completed and given to Committee Services for inclusion in the Register of Delegated Action and for reporting to the appropriate Committee. The signature of the Chief Executive should be obtained prior to the form being sent to Committee Services.