

Overview and Scrutiny Panel (Social Well-Being)

A meeting of the **OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL-BEING)** will be held in **CIVIC SUITE 0.1A, PATHFINDER HOUSE, ST MARY'S STREET, HUNTINGDON, PE29 3TN** on **TUESDAY, 2 DECEMBER 2014** at **7:00 PM** and you are requested to attend for the transaction of the following business:-

A G E N D A

APOLOGIES

1. MINUTES (Pages 1 - 6)

To approve as a correct record the Minutes of the meeting held on 4th November 2014.

2. MEMBERS INTERESTS

To receive from Members declarations as to disclosable pecuniary and other interests in relation to any Agenda Item.

3. NOTICE OF KEY EXECUTIVE DECISIONS (Pages 7 - 12)

A copy of the current Notice of Key Executive Decisions, which was published on 12 November 2014 is attached. Members are invited to note the Plan and to comment as appropriate on any items contained therein.

4. PETITION

To consider a petition relating to the Octagon, Station Road, St Ives containing 266 signatures. The Petition states:

'WE DEMAND THAT THE HISTORICALLY SIGNIFICANT 'OCTAGON', STATION ROAD, ST IVES, PE27 5BH, BE RESTORED AND CONSERVED TO BE USED AS A HERITAGE COMMUNITY BUILDING'.

The organiser of the petition has been invited to the meeting to present it to the Panel.

5. WELFARE REFORM AND THE IMPACT ON HUNTINGDONSHIRE
(Pages 13 - 20)

To consider a report by the Benefits Manager and Housing Needs and Resources Manager on welfare reform and the impact on Huntingdonshire.

Members of the Overview and Scrutiny Panel (Economic Well-Being) have been invited to attend for this item.

6. COUNCIL TAX SUPPORT SCHEME 2015/16 (Pages 21 - 34)

To consider a report by the Benefits Manager on a proposed change to the Council Tax Support Scheme for 2015/16.

7. ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (Pages 35 - 50)

To consider a report by the Head of Community Services on the Anti-Social Behaviour, Crime and Policing Act 2014.

8. OVERVIEW AND SCRUTINY PANEL (ECONOMIC WELL-BEING) - PROJECT MANAGEMENT SELECT COMMITTEE

The Overview and Scrutiny Panel (Economic Well-Being) intends to hold a select committee to carry out investigations into project management and has invited the Social and Environmental Panels to participate.

The Panel is requested to nominate three representatives to sit on the select committee.

9. WORKPLAN STUDIES (Pages 51 - 52)

To consider the work programmes of the Economic and Environmental Well-Being Overview and Scrutiny Panels.

10. OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL BEING PANEL) - PROGRESS (Pages 53 - 58)

To consider a report on progress of the Panel's activities.

11. SCRUTINY

To scrutinise decisions taken since the last meeting as set out in the Decision Digest and to raise any other matters for scrutiny that sit within the remit of the Panel. **(TO FOLLOW)**.

Dated this 24 day of November 2014



Head of Paid Service

Notes

1. Disclosable Pecuniary Interests

(1) *Members are required to declare any disclosable pecuniary interests and unless you have obtained dispensation, cannot discuss or vote on the matter at the meeting and must also leave the room whilst the matter is being debated or voted on.*

(2) *A Member has a disclosable pecuniary interest if it -*

(a) relates to you, or

(b) is an interest of -

- (i) your spouse or civil partner; or*
- (ii) a person with whom you are living as husband and wife; or*
- (iii) a person with whom you are living as if you were civil partners*

and you are aware that the other person has the interest.

(3) Disclosable pecuniary interests includes -

- (a) any employment or profession carried out for profit or gain;*
- (b) any financial benefit received by the Member in respect of expenses incurred carrying out his or her duties as a Member (except from the Council);*
- (c) any current contracts with the Council;*
- (d) any beneficial interest in land/property within the Council's area;*
- (e) any licence for a month or longer to occupy land in the Council's area;*
- (f) any tenancy where the Council is landlord and the Member (or person in (2)(b) above) has a beneficial interest; or*
- (g) a beneficial interest (above the specified level) in the shares of any body which has a place of business or land in the Council's area.*

Non-Statutory Disclosable Interests

(4) If a Member has a non-statutory disclosable interest then you are required to declare that interest, but may remain to discuss and vote providing you do not breach the overall Nolan principles.

(5) A Member has a non-statutory disclosable interest where -

- (a) a decision in relation to the business being considered might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the council tax payers, rate payers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or*
- (b) it relates to or is likely to affect a disclosable pecuniary interest, but in respect of a member of your family (other than specified in (2)(b) above) or a person with whom you have a close association, or*
- (c) it relates to or is likely to affect any body –*
 - (i) exercising functions of a public nature; or*
 - (ii) directed to charitable purposes; or*
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of control or management.*

and that interest is not a disclosable pecuniary interest.

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may not wish to be filmed. The Chairman of the meeting will facilitate this preference by ensuring that any such request not to be recorded is respected.

Please contact Democratic Services Team, Tel No: (01480) 388015 / email: Anthony.Roberts@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the District Council's website – www.huntingdonshire.gov.uk (under Councils and Democracy).

**If you would like a translation of
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Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

Agenda Item 1

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL-BEING) held in Civic Suite 0.1A, Pathfinder House, St Mary's Street, Huntingdon, PE29 3TN on Tuesday, 4 November 2014.

PRESENT: Councillor S J Criswell – Chairman.

Councillors R C Carter, M Francis, R Fuller,
Mrs P A Jordan, P Kadewere,
S M Van De Kerkhove, Mrs R E Mathews and
Mrs D C Reynolds.

APOLOGIES: Apologies for absence from the meeting were submitted on behalf of Councillors K M Baker, R S Farrer and A J Hardy.

50. MINUTES

The minutes of the meeting of the Panel held on 7th October 2014 were approved as a correct record and signed by the Chairman.

51. MEMBERS INTERESTS

No interests were declared by the Members present.

52. NOTICE OF KEY EXECUTIVE DECISIONS

The Panel received and noted the current Notice of Key Executive Decisions (a copy of which is appended in the Minute Book) which had been prepared by the Executive Leader for the period 1st November 2014 to 30th April 2015.

It was noted that reports on the Council Tax Support Scheme and the Anti - Social Behaviour, Crime and Policing Act 2014 would be submitted to the meeting in December.

53. CORPORATE PLAN (PERFORMANCE REPORT)

(Executive Councillors D B Dew and D M Tysoe attended the Panel meeting for discussion on this item.)

By way of a report by the Policy and Performance Manager (a copy of which is appended in the Minute Book) the Panel was updated on progress achieved against key activities identified in the Council's Corporate Plan over the period 1st July to 30th September 2014.

Proceeding to review the key actions under each strategic theme and in response to questions regarding the issue of fixed penalty notices

(FPNs) and fly tipping, Councillor Tysoe reported that eight FPNs has been issued by the District Council in the year to date by a small team of two who also were required to respond to other issues. For comparison, Fenland District Council maintained a team of five Officers for the purpose who had issued 14 FPNs over the same period. Councillor Tysoe confirmed that prosecutions for fly tipping had been undertaken and that he would advise Councillor Carter, after the meeting, should there be any cases currently under investigation.

In terms of litter around Tesco stores and fast food outlets (at Brampton Hut), Councillor Tysoe undertook to request the Head of Operations to pursue the issue with the organisations concerned. Having been advised of the opportunity to establish litter control zones under the Environmental Protection Act to prevent this nuisance and whilst accepting that these zones might require enforcement, Councillor Tysoe undertook to follow up the suggestion with the Head of Operations. It also was proposed that the Operations Division might engage local schools in litter prevention programmes.

Referring to diversionary activities for young people, the Managing Director accepted that the current measure was crude but that this was outweighed by the health benefit and diversionary activities provided to young people at minimal cost to the District Council.

In respect of partnership commitments, the Managing Director confirmed that an analysis of partnership arrangements was currently underway to establish those to whom further commitment would be made having regard to value for money and corporate priorities.

Regarding arrangements for temporary accommodation and in response to concern that accommodation should be maintained as temporary, the Managing Director assured the Panel that use of short term accommodation and bed and breakfast was resisted with greater reliance placed on Registered Social Landlords to locate suitable properties for those occupying temporary accommodation to move into. Whilst the Housing Team enjoyed a good working relationship with social landlords, the Managing Director acknowledged that turnaround times for lettings could be improved.

Councillor Dew confirmed that the District Council would seek, by design, to provide a mix of new properties to meet the needs of the elderly and disabled. He added that, subject to consideration of amended plans, the proposed extra care scheme at Langley Court, St Ives was on target for opening in late 2016.

In terms of the low take up of the grant funded 'Action on Energy', Councillor Tysoe acknowledged that strategic targeting using a variety of communication methods was required to ensure the target of 400 assessments would be met. As a first step to increase take up and to improve understanding, the Managing Director undertook to produce a briefing note for Members and Parish Councils on the 'Action on Energy' scheme.

With regard to refuse collection and whilst noting the performance indicators that had been selected, a Member suggested that the

District Council should be seeking to comply with best practice by minimalising waste and setting targets to reduce the amount of refuse collected going to landfill. The questioner also wished to review the performance of the street cleansing service to establish whether the service was better in towns compared to rural areas. Councillor Tysoe reported that he was aware of the cost of refuse collection per household and that this compared favourably with other Cambridgeshire authorities. He indicated his willingness to share this information with the questioner outside the meeting and to vary the performance indicator in future but advised the Panel that contamination was an issue which would require to be investigated before the Council committed to any alternative approach. Regarding street cleansing and the potential for service level agreements, Councillor Tysoe suggested that this would be a subject he would raise with his Cabinet colleagues.

Having regard to food establishments and the absence of any commentary, the Managing Director undertook to explain in the next quarter how food establishments were being measured and the parameters used to conclude that establishments were 'broadly compliant'.

Lastly, in terms of disabled facilities grant (DFGs) and having noticed that the annual target had reduced from 238 to 200, the Panel acknowledged that the target reflected the terms of the shared service agreement, and that whilst it would remain the aspiration of the Council to deliver DFGs, there was a limited budget with which to do so.

54. AFFORDABLE HOUSING WORKING GROUP

Referring to a report of the Affordable Housing Working Group (a copy of which is appended in the Minute Book), its Chairman, Councillor R Fuller expressed confidence in the ability of new local plan policies to deliver affordable housing and he also was satisfied that the policies would encourage innovative approaches to affordable housing by use, for instance, of exception sites and Community Land Trust models.

The Panel noted that the Working Group had requested further information on the Housing Waiting List to potentially reduce the size of the Register and seek to meet the expectations of those listed.

Whereupon, it was

RESOLVED

that the proposed study programme and the Working Group's conclusions on relevant policies in the draft new Local Plan be endorsed.

55. ELDERLY PATIENT WORKING GROUP

The Chairman updated the Panel on matters raised at a meeting of the Elderly Patient Working Group which took place on 21st October 2014.

56. WORK PLAN

The Panel received and noted a report by the Scrutiny and Review Manager (a copy of which is appended in the Minute Book) which contained details of studies being undertaken by the Overview and Scrutiny Panels for Economic Well-Being and Environmental Well-Being.

In response to a question as to whether the update on the 'Facing the Future' programme could also be reported to the Social Panel, the Managing Director confirmed that the Cabinet was looking at how to manage the programme going forward and that she would raise the request with Executive Councillors to seek to make the monitoring/review process as inclusive as possible.

57. OVERVIEW AND SCRUTINY PANEL (SOCIAL WELL-BEING) - PROGRESS

Having regard to a report by the Scrutiny & Review Manager (a copy of which is appended in the Minute Book) the Panel reviewed the progress of its activities since the last meeting.

In terms of the annual update to the Panel on the management of Hinchingbrooke Hospital and having acknowledged that Circle perhaps provided a more positive picture than might in practice be the case, Members questioned whether the Panel could begin to use select committee practices to undertake a more meaningful review of hospital operations. It was envisaged that this could involve inviting representations and evidence from former patients, employees and members of the public to enable the Panel to challenge Circle on issues raised more vigorously. Having accepted that this type of work could improve the role of the Panel, the Chairman agreed to liaise with Officers to produce a methodology for undertaking a more comprehensive review.

Councillor Carter, the Panel's appointed representative, reported on the outcome of a recent meeting of the Cambridgeshire Health Committee held on 16th October 2014. The main item discussed related to the draft revenue budget for 2015-20. It had been agreed that there would be no cash uplift of the public health budget in 2015/16 and that any savings achieved would be invested in preventative services reflecting Health Committee priorities. The Committee also received a scoping report on the public mental health strategy. The Scrutiny & Review Manager undertook to circulate a copy of the Minutes to the Panel by email.

58. SCRUTINY

The 149th edition of the Digest of Decisions was received and noted.

Regarding the agenda for the meeting and given that business appeared to be lighter than had hitherto been the case, the Managing Director reassured Members that the quality of the agenda was not a reflection on the staff that were currently available to support the

Panel and that going forward increased resources would be dedicated to the scrutiny function and senior managers and Member involvement in agenda planning would be essential.

Chairman

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NOTICE OF EXECUTIVE KEY DECISIONS INCLUDING THOSE TO BE CONSIDERED IN PRIVATE

Prepared by
Date of Publication:
For Period:

Councillor J D Ablewhite
12 November 2014
1st December 2014 to 31st May 2015

Membership of the Cabinet is as follows:-

Councillor J D Ablewhite	- Executive Leader of the Council	3 Pettis Road St. Ives Huntingdon PE27 6SR Tel: 01480 466941 E-mail: Jason.Ablewhite@huntingdonshire.gov.uk
Councillor B S Chapman	- Executive Councillor for Customer Services	6 Kipling Place St. Neots Huntingdon PE19 7RG Tel: 01480 212540 E-mail: Barry.Chapman@huntingdonshire.gov.uk
Councillor D B Dew	- Executive Councillor for Strategic Planning & Housing	4 Weir Road Hemingford Grey Huntingdon PE28 9EH Tel: 01480 469814 E-mail: Douglas.Dew@huntingdonshire.gov.uk
Councillor J A Gray	- Executive Councillor for Resources	Vine Cottage 2 Station Road Catworth PE28 OPE Tel: 01480 861941 E-mail: Jonathan.Gray@huntingdonshire.gov.uk
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<p>Councillor T D Sanderson</p> <p>- Executive Councillor for Strategic Economic Development and Legal</p>	<p>29 Burmoor Close Stukeley Meadows Huntingdon PE29 6GE</p> <p>Tel: 01480 412135 E-mail: Tom.Sanderson@huntingdonshire.gov.uk</p>
<p>Councillor D M Tysoe</p> <p>- Executive Councillor for Operations & Environment</p>	<p>Grove Cottage Maltings Lane Ellington Huntingdon PE28 0AA</p> <p>Tel: 01480 388310 E-mail: Darren.Tysoe@huntingdonshire.gov.uk</p>

Notice is hereby given of:

- Key decisions that will be taken by the Cabinet (or other decision maker)
- Confidential or exempt executive decisions that will be taken in a meeting from which the public will be excluded (for whole or part).

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Formal notice is hereby given under The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that, where indicated part of the meetings listed in this notice will be held in private because the agenda and reports for the meeting will contain confidential or exempt information under Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) and that the public interest in withholding the information outweighs the public interest in disclosing it. See the relevant paragraphs below.

Any person who wishes to make representations to the decision maker about a decision which is to be made or wishes to object to an item being considered in private may do so by emailing Legal&DemServDemocratic@huntingdonshire.gov.uk or by contacting the Democratic Services Team. If representations are received at least eight working days before the date of the meeting, they will be published with the agenda together with a statement of the District Council's response. Any representations received after this time will be verbally reported and considered at the meeting.

Paragraphs of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 (as amended) (Reason for the report to be considered in private)

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the Financial and Business Affairs of any particular person (including the Authority holding that information)
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations that are arising between the Authority or a Minister of the Crown and employees of or office holders under the Authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
6. Information which reveals that the Authority proposes:-
 - (a) To give under any announcement a notice under or by virtue of which requirements are imposed on a person; or
 - (b) To make an Order or Direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Huntingdonshire District Council
 Pathfinder House
 St Mary's Street
 Huntingdon PE29 3TN.

Notes:- (i) Additions changes from the previous Forward Plan are annotated ***
 (ii) Part II confidential items which will be considered in private are annotated ## and shown in italic.

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private.	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Approval of Council Tax Base	COMT (Chief Officers Management Team)	1 Dec 2014		Ian Sims, Local Taxation Manager, Local Taxation Manager Tel No. 01480 388138 or email ian.Sims@huntingdonshire.gov.uk		B S Chapman	Economic Well-Being
9 Estate Strategy##	Cabinet	11 Dec 2014		Colin Luscombe, Estates Strategic Assessment Tel No 01480 387086 or email Colin.Luscombe@huntingdonshire.gov.uk		J A Gray	Economic Well-Being
Anti-Social Behaviour, Crime and Policing Act 2014	Cabinet	11 Dec 2014		Chris Stopford, Head of Community Services Tel No. 01480 388280 or email Chris.Stopford@huntingdonshire.gov.uk		D B Dew, T D Sanderson and D M Tysoe	Social Well Being and Environmental Well-Being
Energy Management Update	Cabinet	11 Dec 2014		Chris Jablonski, Environment Team Leader Tel No. 01480 388368 or email Chris.Jablonski@huntingdonshire.gov.uk		D M Tysoe	Environmental Well-Being

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
Council Tax Support Scheme	Cabinet	11 Dec 2014		Amanda Burns, Benefits Manager, Benefits Manager Tel No. 01480 388122 or email Amanda.Burns@huntingdonshire.gov.uk		B S Chapman	Social Well-Being
Draft 2015/2016 Budget and MTF S***	Cabinet	22 Jan 2015		Clive Mason, Head of Resources Tel No 01480 388157 or email Clive.Mason@huntingdonshire.gov.uk		J A Gray	Economic Well-Being
Treasury Management Strategy 2015//2016***	Cabinet	12 Feb 2015		Clive Mason, Head of Resources Tel No 01480 388157 or email Clive.Mason@huntingdonshire.gov.uk		J A Gray	Economic Well-Being
Final 2015/2016 Budget and MTF S***	Cabinet	12 Feb 2015		Clive Mason, Head of Resources Tel No 01480 388157 or email Clive.Mason@huntingdonshire.gov.uk		J A Gray	Economic Well-Being
Rebate for Clothing & Shoe Bank Collections	Cabinet	12 Feb 2015		Eric Kendall, Head of Operations Tel No. 01480 388635 or email Eric.Kendall@huntingdonshire.gov.uk		D M Tysoe	Environmental Well-Being
Huntingdonshire Design Guide Supplementary Planning Document	Cabinet	19 Mar 2015	Draft Supplementary Planning Document	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk		D B Dew	Environmental Well-Being

Subject/Matter for Decision	Decision/ recommendation to be made by	Date decision to be taken	Documents Available	How relevant Officer can be contacted	Reasons for the report to be considered in private	Relevant Executive Councillor	Relevant Overview & Scrutiny Panel
A14 Statement of Common Ground and Environmental Impact Assessment****	Cabinet	19 Mar 2015	Environmental Impact Assessment	Paul Bland, Planning Service Manager (Policy) Tel No 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk		D B Dew	Environmental Well-Being
Huntingdonshire Infrastructure Business Plan	Cabinet	23 Apr 2015	Draft Infrastructure Plan	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk		D B Dew	Environmental Well-Being
Local Plan to 2036 - Proposed Submission	Cabinet	23 Apr 2015	Submission - Draft Local Plan	Paul Bland, Planning Service Manager (Policy) Tel No. 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk		D B Dew	Environmental Well-Being
CPE - Civil Parking Enforcements	Cabinet			Eric Kendall, Head of Operations Tel No. 01480 388635 or email Eric.Kendal@huntingdonshire.gov.uk		B S Chapman	Environmental Well-Being
ECML Crossing Closures	Cabinet			Paul Bland, Planning Service Manager (Policy) Tel No 01480 388430 or email Paul.Bland@huntingdonshire.gov.uk		D B Dew	Environmental Well-Being

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Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Welfare Reform and the impact on Huntingdonshire

Meeting/Date: Overview & Scrutiny Panel (Social Well-Being) 2 December 2014

Executive Portfolio: Councillor Barry Chapman

Report by: Benefits Manager and Housing Needs & Resources Manager

Ward(s) affected: All

Executive Summary:

To provide the Panel with the latest information on how the Government's Welfare Reform programme has impacted households in Huntingdonshire, in particular with relation to Housing Benefit, Council Tax Support and homelessness.

One new change has been implemented during 2014. Details are in the main body of the report.

Recommendation(s):

The Panel is asked to note the contents of this report.

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1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 The Government has implemented a number of changes to the national welfare benefits system since April 2011 as part of its welfare reform programme and they have had a significant impact on Housing Benefit and Council Tax Support. There has been one change to regulations this year regarding migrants accessing benefits.

2. BACKGROUND

- 2.1 Reports have been made to Members on a regular basis detailing the impact these changes have had on Huntingdonshire residents. This report focuses on the impact during the last six months.

3. ANALYSIS

3.1 Social Sector Size Criteria

Since April 2013, people living in social housing have had the rent figure used in the benefit calculation reduced if they are deemed to live in accommodation that is too large for their needs, by 14% if they under occupy by one bedroom and 25% if they under occupy by two or more bedrooms.

- 3.2 An extra bedroom can be allowed in the benefit assessment if a disabled child cannot share a bedroom with their sibling or if someone in the household requires a carer to stay overnight on a regular basis.

- 3.3 The Department for Work and Pensions (DWP) increased the Discretionary Housing Payment (DHP) funding to local authorities to help people having problems meeting the shortfall in their rent as a result of this change. Details of the number of awards made can be seen in Appendix A.

- 3.4 This year, an increasing amount of one-off DHP payments have been made to help people clear rent arrears to either prevent them being evicted or to help them to be able to move to smaller properties. Some Housing Associations do not allow a tenant to move to alternative accommodation whilst they have rent arrears. But if the tenant lives in a property that is too large for them and so they have a shortfall in their Housing Benefit, they often find it very difficult to make up the difference from a limited income and not being able to move to smaller accommodation exacerbates the situation.

- 3.5 **The number of people affected by the size criteria rules during the first six months of 2014/15 remains largely the same.** More details are shown in Appendix A.

3.6 Benefit Cap

Since July 2013, the benefit cap has restricted the amount of out-of-work benefits that a household can receive to £500 per week for a family and £350 per week for a single person.

- 3.7 In Huntingdonshire, this has mainly affected families with 5 or more children.

- 3.8 **This has had a relatively low impact in Huntingdonshire and at the end of September only 15 households were affected.** More details are shown in Appendix A.

3.9 **Discretionary Housing Payments**

The DWP allocates a budget to local authorities to allow them to award Discretionary Housing Payments (DHP's) for housing costs not met through Housing Benefit. HDC's allocation for 2014/15 is £187,398 up from £169,561 last year.

3.10 **Demand remains high for customers in both the private and social rented sector.** At the end of September, 78% of the annual budget had been committed. More details are shown in Appendix A.

3.11 **Council Tax Support**

3.12 HDC's localised Council Tax Support (CTS) scheme was introduced in April 2013 to help people on low incomes pay their Council Tax but with reduced funding from central government. As pensioners had to be protected from any changes, the impact of the reduction fell on working age customers resulting in the majority of them paying at least 20% of their Council Tax charge.

3.13 Despite more people having to pay more towards their Council Tax, the collection rate stood at 57.36% (target 57%) at the end of September 2014.

3.14 In April 2013, 8663 people were claiming CTS. **The caseload had reduced to 8458 by April 2014 and by September 2014, and this had reduced further to 8291.** The improvement in the economy will have played a large part in this. More details are shown in Appendix A.

3.15 A separate report outlines the proposals to make one change to the CTS scheme for 2015/16.

3.17 **Migrants and Housing Benefit**

From 1 January 2014, migrants to the UK have been subject to more rigorous tests before being able to claim Jobseekers Allowance. This was extended to include Housing Benefit from 1 April 2014.

3.18 The impact at HDC has been minimal with less than 5 people being affected by this change.

3.19 **Universal Credit**

The centrepiece of the government's welfare reform programme is to replace a number of existing benefits, including Housing Benefit, with Universal Credit. Despite a number of initial set-backs, the scheme is due to be rolled out nationally on a limited basis from February 2015. Migration of existing working age cases is not expected to be complete until at least 2018 and Housing Benefit for pensioners will remain under local authority administration until at least 2020.

3.20 Although Universal Credit will be administered by the DWP, local authorities will play their part in ensuring that all customers can access the scheme. Further information is due to be issued shortly.

4. KEY IMPACTS

4.1 The impact of the welfare reform programme remains as previously highlighted in these reports made to the Panel:

i) Households reliant on the welfare system have seen a reduction in the level of their income available to help meet their housing costs which may potentially lead to increasing debt, rent/mortgage arrears and possible homelessness.

ii) Secondly, fewer privately rented properties are now available at a level that would be affordable to households that are reliant on Housing Benefit to help pay their rent.

The risk is that given these circumstances an increasing number of households may become threatened with homelessness and see their only affordable housing option as the social rented sector.

4.2 One area that has been noticeably affected is the number of households threatened with homelessness that have been helped into privately rented properties as a means of resolving their housing need. Over the last few years this has been the Council's most successful means of preventing homelessness and although a significant number of households are still being helped via this route, there is a downward trend given that fewer privately rented properties appear to be affordable and accessible to households reliant on Housing Benefit.

4.3 The position with housing advice and options work, together with homelessness and prevention work in the first half of 2014/15 was as follows:

- A total of 91 households were prevented from becoming homeless between April and September 2014, compared to 128 in the same period during the previous year.
- A total of 109 households were accepted as homeless between April and September 2014, compared to 83 in the same period during the previous year.
- 92 households were in temporary accommodation secured by the Council at the end of September 2014 compared to 86 at the end of March 2014.
- A total of 33 households threatened with homelessness were helped into private sector tenancies between April and September 2014 through the Council's Rent Deposit Scheme compared to 64 households in the period during the previous year.

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

5.1 The proposed change to the Council Tax Support scheme is being put before Members for review.

6 LEGAL IMPLICATIONS

6.1 There are no legal implications relating to this report.

7. RESOURCE IMPLICATIONS

7.1 The series of welfare reforms contained within this report has the potential to:

- Affect the Council Tax collection rates as household incomes struggle to meet household bills.
- Affect levels of homelessness within the district leading to a possible increase in the use of temporary accommodation and the costs associated with this.

7.2 In year impacts will be met from with current resources. However, any future impacts will be considered as part of the 2015/16 budget setting process.

8 REASONS FOR THE RECOMMENDED DECISIONS

8.1 This report highlights the welfare reforms that have taken place to date and the impact on Huntingdonshire.

9. LIST OF APPENDICES INCLUDED

Appendix A – Welfare Reform Impact Summary

CONTACT OFFICERS

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01480 388220

Appendix A – Welfare Reform Impact Summary

Date change implemented	Summary of change	Housing Benefit impact	Housing impact
April 2013	Social Sector Size Criteria for working age customers	At 1/4/13, 816 households were affected by this change At 1/4/14, 731 households were affected At 30/9/14, 735 households were affected	The reduction in Housing benefit entitlement for housing association tenants will potentially lead to higher levels of rent arrears with affected tenants potentially accruing arrears leading to eviction if their rent is not paid.
July 2013	Benefit cap applied to working age customers	Between July 2013 and March 2014, 26 households were affected by this change. At 30/9/14, 16 households were affected. 10 households live in social housing and 6 in privately rented accommodation. <ul style="list-style-type: none"> • 6 households had their Housing Benefit reduced by between £1 and £50 p.w. • 6 households had their Housing Benefit reduced by between £51 and £100 p.w. • 3 households had their Housing Benefit reduced by between £101 and £150 p.w. • 1 household had their Housing Benefit reduced by more than £150 p.w. • 2 households have 4 children • 8 households have 5 children • 3 households have 6 children • 3 households have 7 children 	Existing tenants that are unable to pay their rent even after prioritising rent payments from their benefit are likely to accrue arrears leading to possible homelessness. They will potentially apply to the council as homeless as they are no longer able to afford their rent and the council may then have a duty to help with the rehousing of the household.
April 2013	Increase in Discretionary Housing Payment allocation	2014/15 budget: £187,398 Committed spend at 30/9/14: £146,469 397 claims were made by 30/9/14 of which 307 (77%) were successful Actual spend at 30/9/14: Social Sector Size Criteria = 306 awards	An increased DHP budget may help some households maintain properties that would otherwise be unaffordable, helping avoid crisis homelessness situations from developing as a result of rent arrears

		<p>totalling £55,723</p> <p>Private Tenants = 106 awards totalling £28,617</p> <p>Cap = 9 awards totalling £3,909</p> <p>Other = 14 awards totalling £4,537</p>	
April 2013	Council Tax Support	<p>2014/15 estimated spend for Council Tax Base calculation: £7,010m</p> <p>Spend at 30/9/14: £6,931m</p>	<p>This is another change that will affect the amount of each household's income available to cover their rent payments, potentially leading to homelessness if households fall into arrears and face eviction.</p>

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Council Tax Support Scheme 2015/16

Meeting/Date: CMT – 17 November 2014
Overview & Scrutiny (Social Well-Being) - 2 December 2014
Cabinet - 11 December 2014
Council – 17 December 2014

Executive Portfolio: Councillor Barry Chapman

Report by: Benefits Manager

Ward(s) affected: All

Executive Summary:

The purpose of this report is to provide Members with details of a proposed change to the Council Tax Support scheme for 2015/16. The Council Tax Support scheme is means tested and gives financial assistance to people on low incomes in paying their Council Tax liability.

Within the current Council Tax Support scheme the first £10 of any child maintenance received is disregarded in the calculation. The remainder of child maintenance received is counted as income. The more income a person is treated as having will result in a lower entitlement to Council Tax Support.

Having carried out a review of the scheme, it is proposed to disregard all child maintenance in the calculation which will result in greater levels of Council Tax Support entitlement to those customers in receipt of this type of income.

This has a small budgetary impact to the Council (estimated to be c.£2K), but will make a difference to customers who receive child maintenance payments (estimated to be c.350). Council Tax Support is funded through the Revenue Support Grant. It is treated in the same way as Council Tax discounts and exemptions for the purposes of the Council Tax Base calculation. A more generous Council Tax Support scheme leads to a lower Council Tax base which means in turn less Council Tax income is raised.

Under the Local Government Finance Act, any changes to the scheme have to be approved at Council before 31 January in the year in which the changes are to take effect.

Recommendation(s):

Members are recommended to approve this change for the local Council Tax Support scheme with effect from 1 April 2015.

1. WHAT IS THIS REPORT ABOUT?

- 1.1 In April 2013, the national Council Tax Benefit scheme was abolished and was replaced by a requirement for each local authority to devise a localised Council Tax Support (CTS) scheme. Within certain parameters (including reduced government funding) each authority had to devise their own scheme based on local priorities for working age customers and protect pensioners from any changes.
- 1.2 The Huntingdonshire District Council (HDC) scheme is based on the following principles:
- Everyone of working age should pay something towards their Council Tax (except for the most vulnerable)
 - The scheme should provide some protection for the most vulnerable in society
 - The scheme should incentivise and support people moving into work and help those in low paid work
- 1.3 The basic provisions of the scheme remained the same for 2014/15, but a review of the scheme was undertaken this year to ensure that it continued to meet the criteria set by the Department for Communities and Local Government (DCLG) and also the priorities for HDC in both what is important to the local community and in terms of expenditure.
- 1.4 This report sets out the results of that review.
- 1.5 The Local Government Finance Act states that any revisions to a localised Council Tax Support scheme must be made no later than 31 January in the financial year preceding that for which the revision is to have effect.

2. BACKGROUND

- 2.1 The basis of the current HDC CTS scheme (Appendix A) is as follows:

For working age customers, the current scheme is broken down into three areas:

- Vulnerable: where the customer or partner qualify for the severe disability premium, or disabled child premium, CTS is assessed on 100% of their Council Tax liability
- Children under 5: where the customer has any dependants under the age of 5, CTS is assessed on 85% of their Council Tax liability
- Other: all other working age customers have their CTS assessed on 80% of their Council Tax liability

Once a customer is allocated to one of these three schemes, entitlement to CTS is means tested.

- 2.2 In addition to the above, the following factors are HDC specific and apply to all working age schemes:
- Child Benefit for the eldest child only is disregarded, i.e. it is not counted as income in the assessment (all Child Benefit is fully disregarded for pensioners)
 - The first £10 per week of any child maintenance received is disregarded (fully disregarded for pensioners)

- Some earnings are disregarded in assessing a person's liability, these amounts are small (typically £5-20).
- Deductions taken from CTS entitlement for any other adult living in the property at the rate of £7 per week if they work and £5 per week if they don't work (with modified rules for pensioners)

2.3 In carrying out the review of the scheme, regard was given to:

- Representation from Gingerbread who contacted HDC in October 2013 outlining their concerns that HDC was one of only 22 local authorities to include child maintenance in their CTS calculation (Appendix B)
- DCLG guidance published in February 2014 -'Localising Support for Council Tax, Vulnerable people – key local authority duties'. This document set out the legislation that local authorities must take account of when designing a localised CTS scheme. Reference is made to the Child Poverty Act and a local authority's duty to reduce and mitigate the effects of child poverty. It goes on to say that the payment of child maintenance helps to improve children's life chances and that authorities may wish to use their CTS schemes to help encourage separated parents to make child maintenance arrangements and maximise the money reaching children. They could do this by fully disregarding child maintenance when assessing eligibility for their schemes.
- Cambridgeshire Children's Trust Child Poverty Strategy 'Breaking the Cycle 2011 – 2014'

2.4 On the whole the scheme works well, and little change is warranted. However following consultation with the Executive Councillor for Customer Services, and the points made in 2.3, it was felt appropriate to examine the case for making a small change to the CTS scheme. The proposal was to disregard all child maintenance in the calculation

3. ANALYSIS

3.1 HDC receives funding for the CTS scheme as part of the Revenue Support Grant (RSG). This funding is assessed prior to the start of the financial year and does not change when the amount of CTS changes, i.e. the funding is fixed and not demand led. Therefore, if more CTS than expected is awarded there is a cost to all precepting authorities and if less is awarded, there is a saving.

3.2 CTS is treated in the same way as Council Tax discounts and exemptions for the purposes of the Council Tax Base calculation. A more generous CTS scheme leads to a lower Council Tax Base which in turn means less Council Tax income is raised.

3.3 CTS feeds into the collection fund. HDC is one of the precepting authorities and our proportion of the total Council Tax charge is around 8% so HDC would be responsible for 8% of the cost of a more generous scheme.

4. COMMENTS OF OVERVIEW & SCRUTINY PANEL

(Include, if available. If not, make reference to them being circulated separately)

4.1 TBA

5. KEY IMPACTS

- 5.1 Based on current caseload, this change will see around 350 customers (out of a total caseload of 8300) receive an increase in the amount of financial assistance they get towards paying their Council Tax liability.

6. TIMETABLE FOR IMPLEMENTATION

- 6.1 The proposed change will take effect from 1 April 2015.

7. LINK TO THE LEADERSHIP DIRECTION

- 7.1 This service supports 'Ensuring we are a customer focussed and service led council'.

8. CONSULTATION

- 8.1 Prior to revising a scheme, the Local Government Finance Act requires the authority to carry out a consultation exercise as follows:

- a) consult major precepting authorities
- b) publish a draft scheme in such manner as it sees fit
- c) consult such other persons as it considers are likely to have an interest in the operation of a scheme.

- 8.2 There were no responses from the major preceptors. The consultation exercise went ahead based on the original proposed change.

- 8.3 The consultation took place between 26 August and 31 October 2014 by way of an on-line survey on the Council website and through Shape Your Place. 120 local organisations and Town and Parish Councils were also contacted directly.

- 8.4 There was a limited response with only 66 responses being received. A report showing the analysis of the consultation and the comments can be found at Appendix C.

9. LEGAL IMPLICATIONS

- 9.1 The change enables the Council to meet its legal requirements to minimise child poverty by ignoring child maintenance contributions and recognising that is an important protective element for children at a time when single parent families are among the groups hardest hit by a stream of government changes to welfare benefits and tax credits.

10. RESOURCE IMPLICATIONS

- 10.1 The estimated total cost of disregarding all child maintenance payments in the calculation of CTS would be approximately £28,000 apportioned across all of the major preceptors via the Collection Fund. The net impact to the Council is estimated to be £2,200.

11. OTHER IMPLICATIONS

- 11.1 The proposed amendment to the existing CTS scheme takes account of a finding from the Equality Impact Assessment completed when the existing CTS scheme was developed, i.e. the proposal to take some Child Benefit and child maintenance into account in calculating the amount of CTS due would have a detrimental effect on those in receipt of these payments, many of whom are female.

- 11.2 The proposed amendment takes account of feedback from local residents, voluntary and community groups during recent consultation. The amendment also takes account of feedback provided by Gingerbread (charity for single parents) which sets out clearly why the council should reconsider taking child maintenance into consideration when calculating CTS.

12. REASONS FOR THE RECOMMENDED DECISIONS

12.1 In making this minor change to the Council Tax Support scheme, HDC will have taken account of the representation from Gingerbread, the guidance from DCLG and also continue to meet its legal requirements to help mitigate child poverty.

- 12.2 It is recommended Council:

Approve the amendment to the Council Tax Support scheme

13. LIST OF APPENDICES INCLUDED

Appendix A - Summary of current HDC CTS scheme
Appendix B - Gingerbread briefing to local authorities
Appendix C - Consultation analysis

BACKGROUND PAPERS

- Local Government Finance Act 2012
- DCLG document: Localising Support for Council Tax, Vulnerable people – key local authority duties'
- Cambridgeshire Children's Trust Child Poverty Strategy 'Breaking the Cycle 2011 – 2014'

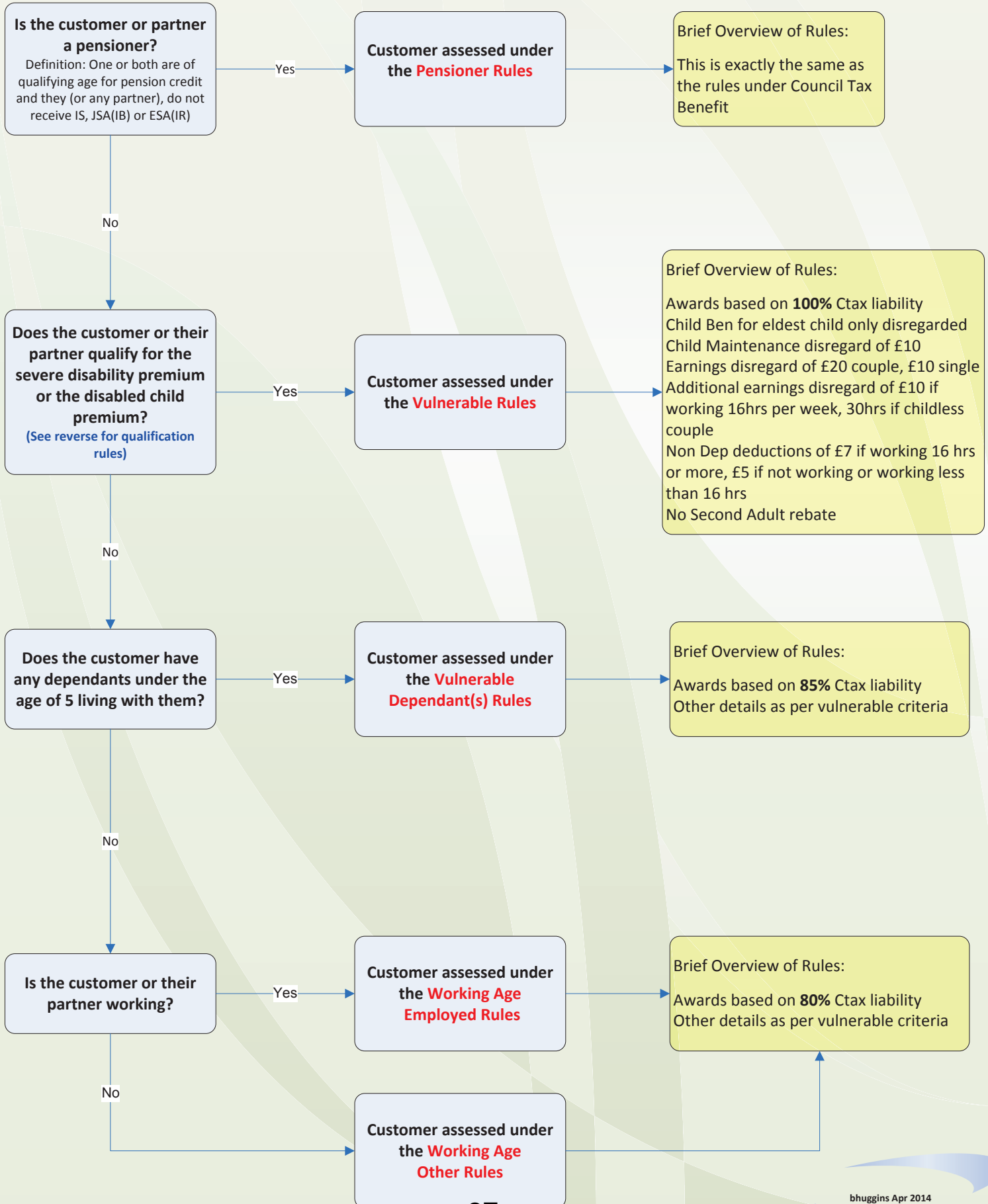
CONTACT OFFICER

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01480 388122

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Council Tax Support Scheme Rules (April 2014)

Use this flowchart to establish which rules a customer's entitlement to Council Tax Support will be assessed



Qualifying Rules for Severe Disability & Disabled Child Premium

Qualifying Rules for Disabled Child Premium

The disabled child premium is added to a customer's applicable amount where a disabled child in the household is:

- registered blind, or
- receiving Disability Living Allowance

Qualifying Rules for Severe Disability Premium

In the case of a single customer or lone parent the severe disability premium may be included in the applicable amount where:

- they receive the care component of Disability Living Allowance at the highest or middle rate, Attendance Allowance or Constant Attendance Allowance, and
- they live alone (see below), and
- no-one receives Carer's Allowance for looking after them

In the case of a couple the severe disability premium may be included in the applicable amount where the claimant and partner both:

- receive the care component of Disability Living Allowance at the highest or middle rate, Attendance Allowance or Constant Attendance Allowance, or
- the partner is blind and the claimant receives the care component of Disability Living Allowance at the highest or middle rate, Attendance Allowance or Constant Attendance Allowance, and
- no-one else lives with them (see below), and
- no-one receives Carer's Allowance for looking after either one or both of them

Other people living in the household

For the purposes of the severe disability premium, customers are still classed as living on their own if other people in the household are:

- children
- aged 16-17
- a person who is registered blind
- a person receiving the care component of Disability Living Allowance at the highest or middle rate, or Attendance Allowance
- a carer who is employed by a charity that makes a charge for this service
- co-owners or co-tenants

Why child maintenance should not count for Council Tax Support

Introduction

In Scotland, Wales and across 93% of English councils, maintenance paid for children living in single parent households does not affect council tax.

But in a small minority of councils – 22 out of 326 across England – single parents face higher council tax payments if their ex-partner makes child maintenance payments. The 22 councils in question are listed at the end of this briefing.

Against a background where - in the face of cuts in funding from central government - all councils have had to review the support given with council tax bills for low income groups, Gingerbread says that the large majority of councils got it right, in deciding not to target money meant for children in single parent households.

As all councils consider their Council Tax Support schemes for 2014/15, Gingerbread outlines the reasons why child maintenance should not count for Council Tax Support.

Facts and figures about council tax and child maintenance among low-income single parent families

- **Nearly half of single parents rely on help with their council tax bills.** In 2011/12, 47% of single parents across the UK were getting help with council tax bills through council tax benefit.¹
- **The amounts of child maintenance they receive are modest.** For those receiving council tax support in 2011/12, the average (mean) amount of child maintenance received was £19 per week. The median amount was £12 per week.²
- **Those with lower incomes are already less likely to get child maintenance.** Among the poorest fifth of single parents divided by income (before housing costs) 32% are receiving child maintenance compared to 44% among the richest fifth.³

¹ Family Resource Survey 2011/12, DWP (2013)

² Ibid

³ Skinner C. and Main G., 'The contribution of child maintenance payments to the income packages of lone mothers' in *Journal of Poverty and Social Justice*, Vol 21, No 1, Feb 2013. Analysis based on the UK Families and Children Study (2008-09)

Why child maintenance matters to low income families

- **It helps reduce child poverty.** Poverty scars children's futures. Children living in single parent households are almost twice as likely to be at risk of poverty compared to children in couple families. Child maintenance lowers that risk. Among single parents on benefit, a fifth of families receiving child maintenance would be living below the poverty line without it.⁴
- **It improves children's lives.** All the evidence shows that children living in separated families are more likely to thrive if they continue to have the support of both parents, emotionally, practically - and financially.⁵ Maintenance is part of a non-resident parent's engagement with a child. Even modest amounts can give a child a better quality of life, for example by allowing new shoes for growing feet or ensuring a child is well-fed. This is a contribution which can mean a lot to children beyond the actual financial value.⁶
- **Single parents' incomes are already being hard hit.** Child maintenance is an important protective element for children at a time when single parent families are among the groups hardest hit by a stream of government changes to welfare benefits and tax credits. These include cuts to help with childcare costs within tax credit; reduced help with housing costs due to the benefit cap, reforms to local housing allowance and new under-occupancy rules; a lowering in the real value of benefits and tax credits compared to inflation; and forthcoming universal credit reform where – unless there are changes – two-fifths of low income single parents will be worse off than they are under the current welfare system.

Why the government ignores child maintenance in calculating benefits and tax credit⁷

Since 2010, central government has applied a full income disregard to child maintenance in the calculation of all benefits and tax credits, meaning that child maintenance is ignored as income when assessing financial support for single parent families. This decision was taken for the following reasons:

To ensure more low income children in separated families get parental support

- Successive governments have agreed that, when parents split up, both parents should continue to take responsibility for their children, including contributing to the costs of raising them. Yet for poorer parents, because benefits used to be reduced if maintenance was paid, there was a disincentive to actively pursue it. The decision to ignore child maintenance within benefits and tax credits was therefore taken partly to improve the numbers of low income families where maintenance was paid, thus engaging more 'non-resident' parents in meeting their responsibilities towards their children.

⁴ Bryson C., Skipp A, et al, *Kids Aren't Free*, Gingerbread (2013).

⁵ Mooney A., Oliver C., and Smith M., *Impact of Family Breakdown on Children's Well-Being*, DCSF Research Report No RR113 (2009)

⁶ Fortin, J., Hunt, J. and Scanlan, I. (2012) Taking a longer view of contact: The perspectives of young adults who experienced parental separation in their youth, University of Sussex Law School.

⁷ Child maintenance has been ignored in tax credits since 1999, from Housing and Council Tax benefit from 2008; and from out-of-work benefits since 2010. Ministers have confirmed that child maintenance will continue to be ignored as income within Universal Credit.

To make benefits and tax credits simpler and cheaper to administer

- Child maintenance income is frequently subject to change, due to partial or non-payment by some non-resident parents and alterations due to changes in the paying parent's income, work or family situation. Given the modest amounts of maintenance received on average by low income single parents, the revenue saved by taking maintenance into account was being substantially off-set by the administrative costs of having to make repeated adjustments and recalculations, and to pursue debts.

Why counting child maintenance is a retrograde step

Gingerbread believes that the decision taken by a minority of councils to count child maintenance as income in calculating council tax support is the wrong one, for the following reasons:

- **It risks fewer single parents seeking maintenance** because, if they do, their council tax bills will go up. Where council tax support is calculated on the assumption that child maintenance is being paid, it means families can be plunged into instant financial hardship and debt if maintenance does not arrive. The fear of this can lead to single parents to decide to forgo child maintenance altogether and settle for a lower, but stable, income. Children then lose out and parental responsibilities are not met.
- **It will increase the risk of child poverty among single parents.** Including child maintenance as income in assessments of council tax support is of particular concern in the light of councils' obligations under the Child Poverty Act 2010 to have a strategy in place aimed at reducing and mitigating the effects of child poverty in their area. Counting child maintenance for CTS directly targets single parent families who already face a higher risk of poverty compared to couple families.
- **The potential revenue savings may be eroded by increased administrative costs**, due to repeated adjustments of CTS to deal with fluctuations in maintenance or periods of non/partial payment – when the sums involved are likely to be modest in any case.
- **It will mean a double 'tax' on child maintenance for single parents.** In 2014, central government plans to start charging single parents 4% of any child maintenance collected via the new Child Maintenance Service. This means that in the local authorities concerned, single parents using the collection service will, in effect, face two deductions from the maintenance for their child: one 'take' by central government and another from the council.
- **It is a penalty on relationship breakdown**, where the same income risks being counted twice by a local authority for council tax support purposes: once as the income of the paying parent and then again as the income of the receiving parent. This is unfair to both separated parents and their children.

For all these reasons, Gingerbread urges councils to reconsider the inclusion of child maintenance within their council tax support schemes.

Councils counting child maintenance for Council Tax Support⁸

Council	Full CM counted or partial
Bath and North East Somerset	Full
Bolton Metropolitan Borough	Full - with transitional protection for those who would have received full amount of CTB
Brentwood Borough	£15 disregard
Cannock Chase	Full
Chelmsford City	£10 disregard
Colchester Borough	Full
Crawley Borough	Full – with transitional protection for those who would have received full amount of CTB
Doncaster Metropolitan	Full – with transitional protection for those who would have received full amount of CTB
Epping Forest District	£15 disregard
Huntingdonshire District	£10 disregard
Maldon District	Full
Mendip District	Full
Rochford District	Full
Rushmoor Borough	Full
Slough Borough	Full
South Somerset District	Full
Stafford Borough	Full
Tamworth Borough	Full
Taunton Deane Borough	Full
Tendring District	Full
Waverley Borough	Full
West Somerset	Full

About Gingerbread

Gingerbread is the national charity working for and with single parent families. We provide expert information and advice, along with membership and training opportunities. We campaign against poverty, disadvantage and stigma to promote fair and equal treatment and opportunity for single parents and their families. We support the development of a child maintenance system where children living in separated families receive the support of both parents throughout their childhood.

For further information please contact Janet Allbeson, Senior Policy Adviser at Gingerbread janet.allbeson@gingerbread.org.uk

⁸ One more council, Sedgemoor, allows a disregard of £65.62 per child. In practice, no low-income families are affected as this disregard is set at a much higher level than average child maintenance amounts.

Summary of responses for Council Tax Support consultation

The consultation consisted of one question with the ability to add comments:

Question:

Do you agree that no Child Maintenance should be counted as income in the Council Tax Support calculation?

Yes/No

Comments:

The main consultation ran from 26 August to 31 October 2014.

We received 66 responses:

38 respondents (58%) agreed with the proposal

28 respondents (42%) disagreed with the proposal

The responses were broken down into the following categories:

- Resident affected by the change
- Resident not affected by the change
- Voluntary group
- Other
- Blank

Category of respondent	Number of responses	% in agreement with the proposal	% not in agreement with the proposal
Resident affected	3	33%	67%
Resident not affected	46	42%	48%
Voluntary	5	80%	20%
Other	5	60%	40%
Blank	7	86%	14%
Total	66	58%	42%

Category	Comment
Don't support	all income should be counted!
Don't support	Because not all parents receive child maintenance, so the parents that don't get any help from the ex-partner will be disadvantaged.
Don't support	Child Maintenance is paid for the living costs of a child, one of which is paying rent and being able to live in a house, of which one of the costs is council tax. This should be counted towards income.
Don't support	Child maintenance payments can be very large and could end being subsidised by people who receive no maintenance for their children!
Don't support	In deciding whether someone is in poverty, I don't think the source of the money is important. What matters is their total income. If child poverty is felt to be a particular problem in the district, I feel the money should be targeted at all poor families with children. You could for example discount a certain amount of income, regardless of source, from anyone who is looking after a child.
Don't support	The question is very ambiguous. The use of a double negative is misleading and suggests an underlying intention to manipulate the outcome of the consultation, Should there be any doubt as to my view, I stress all income regardless of source should be treated as income when calculating council tax support.
Don't support	With the reduction in income from central government HDC needs to be looking to get more money in - especially with a high population of older residents who are 'protected' and the lack of CT increase v the cut back across services - without giving more concessions. The single parent families are already well accommodated financially in other benefits. (Hence why many married couples live as single persons already.)
Other	I am a resident NOT affected by this proposal but have been unable to register this in the place below!!!
Other	I do not agree to this proposal as there are many households who do not qualify for support in respect of Benefits and struggle to live day to day on a low wage.
Other	it isn't just the kids, disabled and pensioners are struggling too, Income Support, PIP or DLA and state pensions should not be calculated either.
Other	You want to reduce child poverty over haul your WHOLE system. From how information is put into the system to how LONG it takes to sort out any changes needed, The other problem to solve is get people BACK INTO WORK without this you will never stop child poverty. I may not be affected by this particular problem but it is one which everyone should ensure is heard by ALL COUNCILS but you lot never listen and do as you want anyway.
Support	I agree with the proposal but feel I like other people, in that while not directly affected. This proposal will reduce the overall amount that is available to the council for other matters.
Support	I think HDC should do this as it will be a relatively small increase in CTS spend but will be of benefit to some families with children. HDC's reputation could be affected if we continue with the current scheme while nearly all other LAs have chosen not to count any Child Maintenance in their CTS calculations.
Support	I think this is a great idea to help parents on low incomes
Support	The money for child maintenance is designed to ensure the child(ren) are sufficiently well cared for and provided for. To deduct this and essentially make this used to pay CTAX seems backward and counterintuitive.
Support	This is an excellent proposal and if accepted would show that HDC Council Tax Support really does support families in financial difficulty.
Support	This measure will assist low income single parent families, whose children are twice as likely to be living in poverty compared to children in couple families - a situation partly caused by the fact that many single parent families have only one income to rely on. Receipt of even modest amounts of child maintenance can make a real difference to children in working age single parent families, who are among those hardest hit by reduced help with childcare costs through tax credits; reduced help with housing costs as a result of reforms to the local housing allowance and the 'bedroom tax', and the lowering in the real value of benefits and tax credits compared to inflation. It is a measure which would assist the council to fulfil its obligations under the Child Poverty Act 2010. At a time of financial hardship for single parents struggling to make ends meet, choosing to treat child maintenance as income to be ignored for council tax support purposes will assist single parents to keep up with their council tax bills, and thus reduce the costs of the council in seeking enforcement of unpaid council tax. The change would also be acknowledgement by the council that parental responsibility for children living apart is something to be encouraged and supported.
Support	without doubt we should do everything possible to support families and their entitlement to Council Tax support.

Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Anti-Social Behaviour, Crime and Policing Act 2014
Changes to Anti-Social Behaviour Legislation previously available under the Anti-Social Behaviour Act 2003

Meeting/Date: COMT – 17 November 2014
Overview & Scrutiny Panel Social Wellbeing – 2 December 2014
Cabinet – 11 December 2014

Executive Portfolio: Cllr T Sanderson, Executive Councillor for Strategic Economic Development and Legal
Cllr D Tysoe, Executive Councillor for Operations and Environment

Report by: Chris Stopford, Head of Community

Ward(s) affected: All

Executive Summary:

The Anti-Social Behaviour, Crime and Policing Act 2014 received Royal Assent on 13th March 2014. Some of the powers have already come into effect but the main body of the Act commenced on 20th October 2014. This Act radically changes not only current procedures, orders and practices but if correctly applied, it provides for significantly improved results, real and effective partnership working, efficiency and potential cost savings for the organisations that have a responsibility to respond to anti-social behaviour.

The changes to the legislation have come about as a result of the recognition that there is a need to put victims at the heart of the response to anti-social behaviour and that professional's need flexibility to deal with any given situation effectively. Due to Anti-Social Behaviour being such a broad term, it covers a wide range of behaviours meaning that the responsibility for dealing with anti-social behaviour is shared between a number of agencies, particularly the Police, Councils and Social landlords.

There are 14 parts to the legislation; it is parts 1 – 7 that are most relevant to the Local Authority. The Act can be read in full at <https://www.gov.uk/government/collections/anti-social-behaviour-crime-and-police-bill>

Parts 1 to 4 of the Act – Injunctions, Criminal Behaviour Orders, Dispersal Powers, Community Protection Notices, Public Spaces Protection Orders and Closure Notices/ Orders – replace 19 previous powers to deal with anti-social behaviour. One obvious loss of this process has been the abolition of Anti-Social Behaviour Orders (ASBOs).

Recommendation(s):

- 1. Members indicate their support for the proposals set out in Section 6.1 of this report that set out who the delegated officers shall be for dealing with the new powers set out in the 2014 Anti-Social Behaviour, Crime and Policing Act, Executive Councillor Consultees, and Enforcing Officers**

1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 The Anti-Social Behaviour, Crime and Policing Act 2014 replaces 19 powers that were previously available under the Anti-Social Behaviour Act 2003, with 6 new powers. The most significant of those being replaced are the Ant-Social Behaviour Order (ASBO) and Designated Public Places Orders (DPPOs).
- 1.2 This paper details the powers that have been repealed and what is now available under the new Act. This information is being presented to Members as they are asked to give consideration to the legislation, and the tools and powers that are now available for use if adopted by Huntingdonshire District Council.
- 1.2 The purpose of this report is to provide a brief in relation to each part of the Act and to request that Members delegate the powers available to identified officers.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 The Act requires that Huntingdonshire District Council formally adopt provisions of the Act, and to implement changes to its Scheme of Delegation to ensure that Officers have access to the tools necessary to implement this victim centred response to the management of anti-social behaviour.
- 2.2 A number of the provisions that were available under the Anti-Social behaviour Act 2003 and the Criminal Justice and Police Act 2001 have been repealed by the 2014 Act; therefore consideration needs to be given to the adoption of the new powers.
- 2.3 If adopted, the new powers will allow the Local Authority to deal with problems quickly. The powers are designed to be flexible, allowing professionals to adapt them to protect victims in a wide range of situations. Historically, the powers available to address perpetrators of anti-social behaviour have been difficult to obtain. This has resulted in agencies shying away from using them or where used, the prohibitions have been flawed enabling the offending to continue and in turn leading to victims feeling helpless and unsupported.
- 2.4 There will be the flexibility under some parts of the Act for the Local Authority to designate powers to Social Landlords, therefore increasing tools and powers available to partner agencies.
- 2.5 Across Cambridgeshire, Police Community Support Officers (PCSOs) have been designated by the Chief Constable to use all powers offered to them under the Act excluding Closure Powers.

3. ANALYSIS

- 3.1 In light of the new legislation, the Panel are requested to consider:
 - each part of the new Act and agree whether or not to recommend formal adoption of the new provisions;
 - How Huntingdonshire District Council should update its Scheme of Delegation to allow for the implementation and use of powers available under Parts 1 – 6 of the Act.

- 3.2 The Act replaces 19 existing powers and combines them into 6 new, more flexible powers. The new powers should not be seen simply as a replacement of the existing powers and should be used more widely than the previous powers allowed.

Current Powers	New Powers
ASBO on Application	Criminal Behaviour Order Or Civil Injunction
ASBO on Conviction	
Drinking Banning Order on Application	
Drinking Banning Order on Conviction	
Anti-Social Behaviour Injunction	
Individual Support Order	
Intervention Order	
Litter Clearing Notice	Community Protection Notice
Street Litter Clearing Notice	
Graffiti / Defacement Removal Notice	
Designated Public Place Order	Public Space Protection Order
Gating Order	
Dog Control Order	
ASB Premises Closure Order	Closure Power
Crack House Closure Order	
Noisy Premises Closure Order	
Section 161 Closure Order	
Section 30 Dispersal Order	Police Dispersal Power
Section 27 Dispersal Order	

3.3 Part 1 – The Civil Injunction

The injunction under Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014 is a civil power which can be applied for to deal with anti-social individuals. The injunction can offer fast and effective protection for victims and communities and set a clear standard of behaviour for perpetrators.

- 3.3.1 There are two tests for an injunction under Part 1 of the 2014 Act these being Non-housing related and Housing related.
- 3.3.2 Agencies must make proportionate and reasonable judgements before applying for the injunction. Injunctions should not be used to stop reasonable, trivial or benign behaviours that have not caused, or are not likely to cause, anti-social behaviour to victims or communities. Failure to make such reasonable and proportionate judgements will increase the likelihood that an application will not be successful.

- 3.3.3 In certain cases a judge can attach a power of arrest. Prohibitions or requirements in the injunction can be for a fixed or indefinite period for adult perpetrators. In the case of under 18s the prohibitions or requirements must have a specified time limit, and the maximum term is 12 months.
- 3.3.4 The breach of the injunction is not a criminal offence. However, due to the potential severity of the penalties which the court can impose on respondents, the criminal standard of proof – ‘beyond reasonable doubt’ – is applied in breach proceedings.

3.4 Part 2 – Criminal Behaviour Orders (CBOs)

The Criminal Behaviour Order will be available following a conviction for any criminal offence and can address the underlying causes of the behaviour through new, positive requirements. A breach of the Order will be a criminal offence with a maximum penalty of up to five years in prison for adults.

- 3.4.1 The CBO will replace Anti-Social Behaviour Orders (ASBOs) which were available under the ASB Act 2003. The recommendation is that the CBO is considered every time an anti-social behaviour offender is brought to a criminal court.
- 3.4.2 An application for a CBO does not require a link between the criminal behaviour which led to the conviction and the anti-social behaviour for it to be issued by the court.
- 3.4.3 The terms of the CBO must include the duration of the order. For adults this is a minimum of two years up to an indefinite period and for under 18s, the order must be between one and three years.
- 3.4.4 The decision to publicise a CBO will be taken by the Police or District Council unless the court has made a section 39 order (Children and Young Persons Act 1933) prohibiting publication. When deciding whether to publicise a CBO, public authorities (including the courts) must consider that it is necessary and proportionate to interfere with the young person’s right to privacy and the likely impact on a young person’s behaviour. This will need to be balanced against the need to provide re-assurance to the victims and the wider community as well as providing them with information so that they can report any breaches. Each case should be decided carefully on its own facts.
- 3.4.5 Where the CBO is made against someone under 18 years of age, there is a requirement to conduct annual reviews. Under the legislation, the Police have overall responsibility for carrying out such a review with a requirement to act in co-operation with the Council. The Police may invite any other person or body to participate in the review.

3.5 Part 4, Chapter 1 – Community Protection Notices (CPNs)

The Community Protection Notice (CPN) is intended to deal with particular ongoing problems or nuisances which negatively affect the community’s quality of life by targeting those responsible.

- 3.5.1 In Huntingdonshire, the Local Authority already work in partnership and in some cases take the lead in dealing with these types of issues and under the legislation they will be able to issue CPNs. There is a formal role for social landlords and the Local Authority will have the option to where appropriate, designate social landlords with the power to issue CPNs.
- 3.5.2 Issuing a CPN does not discharge the Local Authority from its duty to issue an Abatement Notice where the behaviour constitutes a statutory nuisance for the purposes of Part 3 of the Environmental Protection Act 1990. While a CPN can be issued for behaviour that may constitute a statutory nuisance, the interaction between the two powers should be considered. It remains a principal of law that a specific power should be used in preference to a general one.
- 3.5.3 Failure to comply with a CPN is an offence. Where an individual, business or organisation fails to comply with the terms of the CPN, a number of options are available for the issuing authority.

3.6 Part 4, Chapter 2 – Public Spaces Protection Orders (PSPOs)

Public spaces protection orders (PSPOs) are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour. The Local Authority will be responsible for making new Public Spaces Protection Orders after consulting with other identified organisations.

- 3.6.1 A request to delegate powers available under the ASB, Crime and Policing Act 2014 in relation to PSPOs has already been considered by the Licencing and Protection Panel held on 6th November 2014 and the outcome was

3.7 Part 4, Chapter 3 – Closure Powers

The closure power is a fast, flexible power that can be used to protect victims and communities by quickly closing premises that are causing nuisance or disorder.

- 3.7.1 The Closure Powers can be used for any premise including licensed premises but cannot exclude people from their home. Any closure notice or closure order in respect of a licensed premise will automatically trigger a review of the premises and these provisions will replace sections 161 to 165 of the Licensing Act 2003.

3.8 Part 5 – New Absolute Ground for Possession

The purpose of the new absolute ground for possession is to speed up the possession process in cases where anti-social behaviour or criminality has already been proven by another court.

3.8.1 This power will be available for use by social landlords and private sector landlords. As Huntingdonshire District Council no longer owns housing stock then they will not have the ability to use this power but it is important that relevant services of the authority work closely with relevant agencies to ensure that the landlord is always aware when one or more of the triggers for the new absolute ground has occurred.

3.9 Part 6 – Community Trigger

The Community Trigger gives victims the ability to demand action starting with a review of their case where the locally defined threshold is met. For the purposes of the Community Trigger, anti-social behaviour is defined as behaviour causing harassment, alarm or distress to a member or members of the public. Across Cambridgeshire and Peterborough, excluding Cambridge City, the locally defined threshold has been agreed as follows:

- The investigation into the ASB has been completed;
- The first report of anti-social behaviour was made within one month of the alleged behaviour taking place;
- The initial report was made after April 2014;
- There have been 3 or more reports of anti-social behaviour in the last 6 months; and
- The alleged incidents have all been reported to an agency e.g. Police, Huntingdonshire District Council, Luminus Homes

3.9.1 If someone wishes to activate the Community Trigger then they can do so by completing an online application form that is available on the Huntingdonshire District Council web pages, along with the identified point of contact for the area and guidance on completing the form. Information is also available on the trigger process and procedure.

3.9.2 The Community Trigger process for each complaint will be recorded and auditable on the ECINs Case Management System which is accessed by identified organisations across Cambridgeshire and is currently funded by the P&CC.

3.9.3 The legislation states that relevant bodies must publish information covering:

- The number of applications for Community triggers received;
- The number of times the threshold for review was not met;
- The number of anti-social behaviour case reviews carried out; and
- The number of anti-social behaviour case reviews that resulted in recommendations being made.

3.9.4 This data must be published at least annually and can represent a whole area, it does not need to be broken down by each body.

4. COMMENTS OF OVERVIEW & SCRUTINY PANEL

4.1 Comments from Overview & Scrutiny (Social Wellbeing) to be inserted for the Cabinet report.

5. KEY IMPACTS/RISKS

5.1 The major risk is that if the authority chose not to adopt the available powers, the result will be a continued fragmented approach to responding to ongoing issues.

6. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

6.1 The Council has been working with relevant partners including other District Councils across Cambridgeshire to develop policies and procedures to allow for the day to day operation of the new legislation, these policies and procedures will need finalising and agreement. It is recommended that the delegation of powers, in respect of the new ASB legislation is approved with immediate effect following Cabinets adoption of the new powers as set out in the table below:

Power	Delegated Officer	Consultees	Enforcing Officers
Civil Injunction	Head of Community (For approval on application)	Executive Councillor for Strategic Economic Development & Legal and Executive Councillor for Operations & Environment	Police Officers PCSOs
Criminal Behaviour Order	Head of Community (For approval on application)		Police Officers PCSOs
Community Protection Notices	Head of Community with the authority to delegate to identified officers.		Police Officers PCSOs Designated Council Officers Designated Social landlords
Public Spaces Protection Order	Head of Community with the authority to delegate to identified officers	Executive Councillor for Strategic Economic Development &	Police Officers PCSOs Designated Council Officers

		Legal and Executive Councillor for Operations & Environment	
Closure Power	Head of Paid Services	Executive Councillor for Strategic Economic Development & Legal and Executive Councillor for Operations & Environment	Police Officers Designated Council Officers

6.2 This recommendation will need to be referred to Cabinet with a target of the meeting on the 11th December 2014. This will be for formal adoption of the identified powers and implementation of amendments to the Scheme of Delegation contained within the Council Constitution 2014.

7. LINK TO THE LEADERSHIP DIRECTION

7.1 The Council Corporate Priorities contained within the Corporate Plan 2014 – 16 clearly indicate the Local Authority's intent to create safer, stronger and more resilient communities. If adopted, these powers will work alongside this priority and ensure that in 'putting the victim first'; we can positively address issues of crime, disorder and anti-social behaviour.

8. CONSULTATION

8.1 Under the new legislation it is only the creation of a Public Spaces Protection Order where consultation will be required and this will be with Cambridgeshire Constabulary, the Police and Crime Commissioner and with identified relevant bodies.

8.2 With regard to the other powers, partnership working to obtain them is recommended throughout the guidance but is not a requirement.

9. LEGAL IMPLICATIONS

9.1 The use of each power requires the consideration of the evidential test as defined in the legislation. Appeals or challenges to the use of a power in each case can be made as detailed in point 3.0 of this report.

10. RESOURCE IMPLICATIONS

- 10.1 The ASB, Crime and Policing Act 2014 replaces existing provisions of the Criminal Justice and Police Act 2001 and the ASB Act 2003 for which existing delegations and resources exist.
- 10.2 A breach of a Community Protection Notice (CPN) or a Public Spaces Protection Notice (PSPO) can be dealt with by means of a Fixed Penalty Notice (FPN) up to £100. Income achieved via the use of FPNs is payable to the Local Authority regardless of who issues them (Police Officers, PCSOs, Council Officers, designated Social landlords)..

11 REASONS FOR THE RECOMMENDED DECISIONS

- 11.1 The legislation represents an opportunity to put the victim of anti-social behaviour first and complements Huntingdonshire District Council's Corporate Priorities of creating safer, stronger and more resilient communities. Without the adoption of these new powers and with previously available powers having been revoked, over time we will be left with a limited form of redress to respond to and deal with perpetrators of anti-social behaviour.

12. LIST OF APPENDICES INCLUDED

Appendix 1 – Summary of the main provisions of the Anti-Social Behaviour, Crime and Policing Act 2014

BACKGROUND PAPERS

- The Anti-Social Behaviour, Crime and Policing Act 2014
- Anti-Social Behaviour, Crime and Policing Act 2014: Reform of anti-social behaviour powers – Statutory guidance for frontline professionals, July 2014
- Huntingdonshire District Council Constitution 2014, Table 2 – Responsibility for Council Functions
- Huntingdonshire District Council Corporate Plan 2014 - 16

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Appendix 1 – Summary of the main provisions of the Anti-Social Behaviour, Crime and Policing Act 2014

The Civil Injunction

Purpose	To stop or prevent individuals engaging in anti-social behaviour quickly, nipping problems in the bud before they escalate.
Applicants	<ul style="list-style-type: none"> • Local councils; • Social landlords; • Police (including British Transport Police); • Transport for London; • Environment Agency and Natural Resources Wales; and • NHS Protect and NHS Protect (Wales)
Test	<ul style="list-style-type: none"> • On the balance of probabilities; • Behaviour likely to cause harassment, alarm or distress (non-housing related anti-social behaviour); or • Conduct capable of causing nuisance or annoyance (housing-related anti-social behaviour); and • Just and convenient to grant the injunction to prevent anti-social behaviour.
Details	<ul style="list-style-type: none"> • Issued by the county court and High Court for over 18s and the youth court for under 18s. • Injunction will include prohibitions and can also include positive requirements to get the perpetrator to address the underlying causes of their anti-social behaviour. • Agencies must consult youth offending teams in applications against under 18s.
Penalty on Breach	<ul style="list-style-type: none"> • Breach of the injunction is not a criminal offence, but breach must be proved to the criminal standard, that is, beyond reasonable doubt. • Over 18s: civil contempt of court with unlimited fine or up to two years in prison. • Under 18s: supervision order or, as a very last resort, a civil detention order of up to three months for 14-17 year olds.
Appeals	<ul style="list-style-type: none"> • Over 18s to the High Court; and • Under 18s to the Crown Court.
Important changes/ differences	<ul style="list-style-type: none"> • Available to a wider range of agencies than Anti-Social Behaviour Injunctions. • Obtainable on a civil standard of proof unlike Anti-Social Behaviour Orders (ASBOs). • No need to prove “necessity” unlike ASBOs. • Breach is not a criminal offence. • Scope for positive requirements to focus on long-term solutions.

Criminal Behaviour Order

Purpose	Issued by any criminal court against a person who has been convicted of an offence to tackle the most persistently anti-social individuals who are also engaged in criminal activity.
Applicants	<ul style="list-style-type: none"> • The prosecution, in most cases the Crown Prosecution Service (CPS), either at its own initiative or following a request from the police or council.
Test	<ul style="list-style-type: none"> • If the court is satisfied beyond reasonable doubt that the offender has engaged in behaviour that has caused or is likely to cause harassment, alarm or distress to any person; and • The court considers that making the order will help prevent the offender from engaging in such behaviour.
Details	<ul style="list-style-type: none"> • Issued by any criminal court for any criminal offence. • The anti-social behaviour does not need to be part of the criminal offence. • Order will include prohibitions to stop the anti-social behaviour but it can also include positive requirements to get the offender to address the underlying causes of the offender's behaviour. • Agencies must
Penalty on Breach	<ul style="list-style-type: none"> • Breach of the order is a criminal offence and must be proved to a criminal standard of proof, that is, beyond reasonable doubt. • For over 18s on summary conviction: up to six months imprisonment or a fine or both. • For over 18s on conviction on indictment: up to five years imprisonment or a fine or both. • For under 18s: the sentencing powers in the youth court apply.
Appeals	<ul style="list-style-type: none"> • Appeals against orders made in the magistrates' court (which includes the youth court) lie to the Crown Court. • Appeals against orders made in the Crown Court lie to the Court of Appeal.
Important Changes/ Differences	<ul style="list-style-type: none"> • Consultation requirement with YOTs for under 18s. • No need to prove "necessity" unlike Anti-Social Behaviour Orders. • Scope for positive requirements to focus on long-term solutions.

Community Protection Notice

Purpose	To stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community's quality of life.
Who can issue a CPN	<ul style="list-style-type: none"> • Council officers; • Police officers; • Police community support officers (PCSOs) if designated; and • Social landlords (if designated by the council).
Test	Behaviour has to: <ul style="list-style-type: none"> • have a detrimental effect on the quality of life of those in the locality; • be of a persistent or continuing nature; and • be unreasonable.
Details	<ul style="list-style-type: none"> • Written warning issued informing the perpetrator of problem behaviour, requesting them to stop, and the consequences of continuing. • Community protection notice (CPN) issued including requirement to stop things, do things or take reasonable steps to avoid further anti-social behaviour. • Can allow council to carry out works in default on behalf of a perpetrator.
Penalty on breach	<ul style="list-style-type: none"> • Breach is a criminal offence. • A fixed penalty notice can be issued of up to £100 if appropriate. • A fine of up to level 4 (for individuals), or £20,000 for businesses.
Appeals	<ul style="list-style-type: none"> • Terms of a CPN can be appealed by the perpetrator within 21 days of issue. • The cost of works undertaken on behalf of the perpetrator by the council can be challenged by the perpetrator if they think they are disproportionate.
Important changes/differences	<ul style="list-style-type: none"> • The CPN can deal with a wider range of behaviours for instance, it can deal with noise nuisance and litter on private land not open to the air. • The CPN can be used against a wider range of perpetrators. • The CPN can include requirements to ensure that problems are rectified and that steps are taken to prevent the anti-social behaviour occurring again.

Public Space protection Order

Purpose	Designed to stop individuals or groups committing anti-social behaviour in a public space
Who can make a PSPO	Councils issue a public spaces protection order (PSPO) after consultation with the police, Police and Crime Commissioner and other relevant bodies.
Test	Behaviour being restricted has to: <ul style="list-style-type: none"> • be having, or be likely to have, a detrimental effect on the quality of life of those in the locality; • be persistent or continuing nature; and • be unreasonable.
Details	<ul style="list-style-type: none"> • Restrictions and requirements set by the council. • These can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. • Can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour. • Can be enforced by a police officer, police community support officers and council officers.
Penalty on breach	<ul style="list-style-type: none"> • Breach is a criminal offence. • Enforcement officers can issue a fixed penalty notice of up to £100 if appropriate. • A fine of up to level 3 on prosecution.
Appeals	<ul style="list-style-type: none"> • Anyone who lives in, or regularly works in or visits the area can appeal a PSPO in the High Court within six weeks of issue. • Further appeal is available each time the PSPO is varied by the council.
Important changes/ Differences	More than one restriction can be added to the same PSPO, meaning that a single PSPO can deal with a wider range of behaviours than the orders it replaces.

Closure Power

Purpose	To allow the police or council to quickly close premises which are being used, or likely to be used, to commit nuisance or disorder.
Applicants	<ul style="list-style-type: none"> • Local council. • Police.
Test	<p>The following has occurred, or will occur, if the closure power is not used:</p> <p>Closure notice (up to 48 hours):</p> <ul style="list-style-type: none"> • Nuisance to the public; or • Disorder near those premises. <p>Closure order (up to six months):</p> <ul style="list-style-type: none"> • Disorderly, offensive or criminal behaviour; • Serious nuisance to the public; or • Disorder near the premises.
Details	<ul style="list-style-type: none"> • A closure notice is issued out of court in the first instance. Flowing from this the closure order can be applied for through the courts. • Notice: can close a premises for up to 48 hrs out of court but cannot stop owner or those who habitually live there accessing the premises. • Order: can close premises for up to six months and can restrict all access. • Both the notice and the order can cover any land or any other place, whether enclosed or not including residential, business, non-business and licensed premises.
Penalty on Breach	<p>Breach is a criminal offence.</p> <ul style="list-style-type: none"> • Notice: Up to three months in prison; • Order: Up to six months in prison; • Both: Up to an unlimited fine for residential and non-residential premises.
Who can appeal	<ul style="list-style-type: none"> • Any person who the closure notice was served on; • Any person who had not been served the closure notice but has an interest in the premises; • The council (where closure order was not made and they issued the notice); • The police (where closure order was not made and they issued the notice).
Important Changes/ Differences	<ul style="list-style-type: none"> • A single closure power covering a wider range of behaviour. Quick, flexible and can be used for up to 48 hours out of court.

Community Trigger

Purpose	Gives victims and communities the right to request a review of their case and bring agencies together to take a joined up, problem-solving approach to find a solution.
Relevant bodies and responsible authorities	<ul style="list-style-type: none"> • Councils; • Police; • Clinical Commissioning Groups in England and Local Health Boards in Wales; • Registered providers of social housing who are co-opted into this group.
Threshold	<p>To be defined by the local agencies but not more than:</p> <ul style="list-style-type: none"> • three complaints in the previous six month period. <p>May also take account of:</p> <ul style="list-style-type: none"> • the persistence of the anti-social behaviour; • the harm or potential harm caused by the anti-social behaviour; • the adequacy of response to the anti-social behaviour.
Details	<ul style="list-style-type: none"> • When a request to use the Community Trigger is received, agencies must decide whether the threshold has been met and communicate this to the victim; • If the threshold is met, a case review will be undertaken by the partner agencies. Agencies will share information related to the case, review what action has previously been taken and decide whether additional actions are possible. The local Community Trigger procedure should clearly state the timescales in which the review will be undertaken; • The review encourages a problem-solving approach aimed at dealing with some of the most persistent, complex cases of anti-social behaviour; • The victim is informed of the outcome of the review. Where further actions are necessary an action plan will be discussed with the victim, including timescales.
Who can use the Community Trigger?	<ul style="list-style-type: none"> • A victim of anti-social behaviour or another person acting on behalf of the victim such as a carer or family member, Member of Parliament or councillor. • The victim can be an individual, a business or a community group.

CURRENT ACTIVITIES

STUDY	OBJECTIVES	PANEL	STATUS
Flood Prevention within the District	To investigate flood prevention arrangements in the District and the impact of flooding on associated local policy developments.	Environmental Well-Being	Representatives from the Environment Agency delivered a presentation on flood risk management within Huntingdonshire. A scoping report was considered by the Panel in April 2014 and a Working Group was appointed. The Chief Executive and Clerk to the Middle Level Commissioners delivered a presentation to the Panel's June 2014 meeting to outline their role with flood alleviation in the District. Meeting of the Working Group to be arranged to consider a Flooding and Water SPD for Cambridgeshire.
Waste Collection Policies	To assist the Head of Operations and Executive Member for Operations & Environment with reviewing waste collection policies in relation to the collection points for wheeled bins/sacks and remote properties (farms and lodges).	Environmental Well-Being	First meeting of Working Group held on 24 th June 2014. Further meeting to be arranged to consider the outcome of the survey work being undertaken by the Operations Division on affected properties and various other matters.
Litter Policies and Practices (to include graffiti removal)	To consider and make recommendations on future litter and graffiti service scope and standards and on public appetite for changes..	Environmental Well-Being	Scoping report received. Working Group appointed.
Project Management	To be agreed in December.	Economic-Well Being	Following the Panel's discussion on the Project Closure reports for the Huntingdon Multi-Storey Car Park and One Leisure, St Ives, the Panel has agreed to establish a Select Committee in February 2015 to give further consideration to the issues emerging from the report, to seek assurances that improvements had been made to Council processes moving forward and to test the robustness of the Council's approach. Representatives from the Social and Environmental Well-Being Panels will also be involved. The Terms of Reference for this Committee will be considered by the Economic Well-Being Panel in December.

Facing the Future	Ongoing monitoring role of financial implications of Facing the Future for the Medium Term Financial Strategy.	Economic Well-Being	The Panel has received an update on progress with the delivery of the Facing the Future programme. A further update has been prepared for the Panel's meeting in December.

Panel Date	Decision	Action	Response	Date for Future Action
	<u>Hinchingbrooke Hospital</u>			
	(a) Management of the Hospital			
1/04/14	With effect from 1st February 2012, Circle took over the management of Hinchingbrooke Hospital and representatives of Circle and the Hospital have since attended the Panel's meeting on an annual basis. Agreed to come back in a year's time to provide a further update.		Invite all O&S Members and Ruth Rogers, Chair of Healthwatch Cambridgeshire when discussion on Hinchingbrooke Hospital takes place.	7/04/15
4/11/14	Requested sight of the report of the September 2014 CQC inspection Requested plan to obtain data on the Hospital to inform future scrutiny of it.			6/01/15
	(b) Hinchingbrooke Hospital Joint Working Group			
4/12/12	Joint Working Group with the County Council was established comprising District Councillors S J Criswell and P Kadewere.	Working Group met on 23rd January 2014.		
4/2/14	Concerns raised by the Panel over staff morale and management of complaints by the Hospital. These matters will be pursued at the next meeting.			
	(c) Financial and Operational Performance			
4/02/14	Presentation received from Mr R Murphy and Mr K Poyntz, representatives of Cambridgeshire and Peterborough Clinical Commissioning Group (CCG) on the financial and operational performance of the	Reports to be presented to the Panel every six months.	Last Update delivered in September 2014. Next report due February 2015.	03/02/15

Panel Date	Decision	Action	Response	Date for Future Action
8/07/14	Hospital. Agreed at the February 2014 meeting that some focus should be placed upon monitoring CCG's performance. Attention drawn to funding levels for GPs and the impact this was having on surgeries. Agreed to raise the matter with the CCG in September 2014.	CCG informed of the Panel's concerns.	Advised that the core contract for GPs was held by NHS England and that the matter would be best discussed with the organisation. CCG are aware of the pressures primary care services are under.	
2/9/14	Presentation received from Mr R Murphy and Mr K Poyntz. Agreed to receive presentation on hospital accountability.	Dates requested from CCG.		
4/12/12 & 4/03/14	<u>Delivery of Advisory Services Within the District</u> The Voluntary Sector Working Group comprises Councillors R C Carter, Mrs P A Jordan, P Kadewere and Mrs R E Mathews			
10/06/14	Annual performance report presented. Councillors also appointed to the Working Group.			
4/11/14	Councillor R C Carter to contact the Community Manager to begin discussions on funding arrangements for the final year of the Voluntary sector agreements.			
	<u>Housing Benefit Changes and the Potential Impact on Huntingdonshire</u>			

Panel Date	Decision	Action	Response	Date for Future Action
	Reports on the impact of changes to the Housing Benefit system to be considered by Panel on a six monthly basis.		Members of the Economic Well-Being Panel will be invited to attend for this item. Next report expected December 2014. See separate item on the Agenda.	2/12/14
<p>7/01/14</p> <p>10/06/14 & 8/07/14</p> <p>4/11/14</p>	<p><u>Redesign of Mental Health Services</u></p> <p>Representatives of Cambridgeshire and Peterborough Clinical Commissioning Group (C&P CCG) updated Panel on redesign of mental health services. Suggestion made to invite representatives of the service user group to a future meeting together with other relevant groups such as Hunts Mind.</p> <p>Representatives from the Mental Health Service User Network (SUN) and Mind in Cambridgeshire attended Panel's meeting. Delivered an insight into the impact of the redesign upon mental health service users. A further consultation has been launched on Personality Disorder Community Service/Complex Cases Service, including Lifeworks. Panel requested for it to be circulated around.</p> <p>Further update requested on Mental Health Services.</p>	<p>Consultation circulated around electronically to Panel Members on 12th June 2014.</p> <p>Dates requested from Cambridgeshire and Peterborough Foundation Trust.</p>	<p>Response to the consultation submitted to the Cambridgeshire and Peterborough Foundation Trust.</p>	

Panel Date	Decision	Action	Response	Date for Future Action
	<u>Review of Elderly Patient Care at Hinchingsbrooke Hospital</u>			
4/06/13	Working Group appointed comprising Councillors S J Criswell, Mrs P A Jordan and P Kadewere to undertake a review of elderly patient care at Hinchingsbrooke Hospital. The study will be undertaken in conjunction with the Hospital.	Meetings held on 18th July and 11th November 2013 and 24 th February 2014.		
10/06/14	Councillor Mrs R E Mathews appointed to the Working Group.			
4/11/14	Oral report on recent Working Group meeting with the Hospital.			
	<u>Affordable Housing</u>			
4/03/14	Councillors R Fuller, P Kadewere and S M Van De Kerkhove appointed onto a Working Group to carry out the study, together with former Panel Member Councillor I C Curtis.	First meeting held on 22 nd July 2014 to scope out the Working Group's investigations. Second meeting held on 23 rd September 2014 on the new Local Plan. Executive Councillor present.	Terms of Reference agreed and further actions identified. Terms for draft policies for the new Local Plan discussed and recommendations made.	
4/11/14	Formal update reported to the Panel. Findings to date and study programme endorsed.			

Panel Date	Decision	Action	Response	Date for Future Action
	<p><u>Notice of Key Executive Decisions</u></p> <p>Items on Anti-Social Behaviour, Crime and Policing Act 2014 and Council Tax Support Scheme requested.</p>		<p>See separate items on the Agenda.</p>	<p>2/12/14</p>
	<p><u>Huntingdonshire Strategic Partnership (HSP)</u></p> <p>Huntingdonshire Community Safety Partnership</p> <p>Annual review of the work of the Partnership.</p> <p>Children and Young People</p> <p>Details of the thematic group's outcomes and objectives have been received together with the latest report of the group, outlining its terms of reference, membership and current matters being discussed.</p> <p>Health and Well-Being</p> <p>Background information received on the thematic group's outcomes, terms of reference, membership and Action Plan.</p>	<p>Invitation extended to the Chairman and Lead Officer of the thematic group. It is expected that they will attend in February 2015.</p> <p>An invitation extended to the Chairman and Vice-Chair to attend a future meeting.</p>	<p>The Panel considered the Annual report at their meeting on 7 October 2014.</p>	<p>3/2/15</p>

Panel Date	Decision	Action	Response	Date for Future Action
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ACTION LOG
 (Requests for information/other actions other than those covered within the Progress Report)

<u>Date of Request</u>	<u>Description</u>	<u>Response</u>
4/11/14	Briefing note to be circulated to Members on Home Energy Efficiency	Briefing note requested.
4/11/14	Various pieces of information to be provided arising from questions on the November performance report.	Information requested.