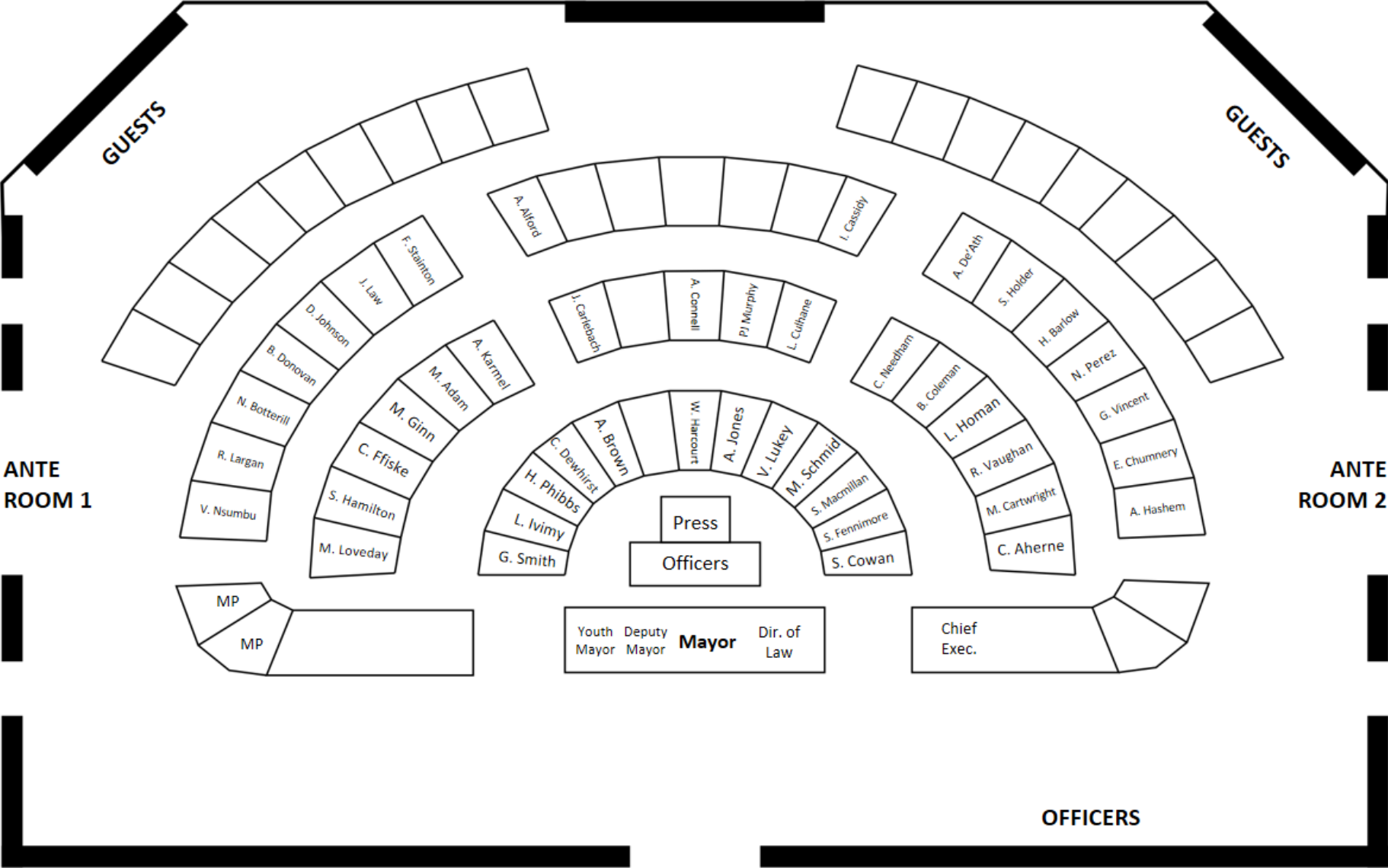


COUNCIL AGENDA

ORDINARY COUNCIL MEETING

Wednesday 25 January 2017

COUNCIL CHAMBER SEATING 2016/17



COUNCIL CHAMBER FOYER



The Mayor Councillor Mercy Umeh
Deputy Mayor Councillor Daryl Brown

ADDISON

Adam Connell (L)
Belinda Donovan (C)
Sue Fennimore (L)

HAMMERSMITH
BROADWAY

Michael Cartwright (L)
Stephen Cowan (L)
PJ Murphy (L)

RAVENS COURT PARK

Charlie Dewhurst (C)
Lucy Ivimy (C)
Harry Phibbs (C)

ASKEW

Lisa Homan (L)
Caroline Needham (L)
Rory Vaughan (L)

MUNSTER

Michael Adam (C)
Adronie Alford (C)
Alex Karmel (C)

SANDS END

Steve Hamilton (C)
Robert Largan (C)
Jane Law (C)

AVONMORE &
BROOK GREEN

Hannah Barlow (L)
Joe Carlebach (C)
Caroline Ffiske (C)

NORTH END

Daryl Brown (L)
Larry Culhane (L)
Ali Hashem (L)

SHEPHERDS BUSH
GREEN

Andrew Jones (L)
Natalia Perez (L)
Mercy Umeh (L)

COLLEGE PARK &
OLD OAK

Elaine Chumnerly (L)
Wesley Harcourt (L)

PALACE RIVERSIDE

Marcus Ginn (C)
Donald Johnson (C)

TOWN

Andrew Brown (C)
Viya Nsumbu (C)
Greg Smith (C)

FULHAM BROADWAY

Ben Coleman (L)
Alan De'Ath (L)
Sharon Holder (L)

PARSONS GREEN AND
WALHAM

Nicholas Botterill (C)
Mark Loveday (C)
Frances Stainton (C)

WORMHOLT AND
WHITE CITY

Colin Aherne (L)
Sue Macmillan (L)
Max Schmid (L)

FULHAM REACH

Iain Cassidy (L)
Vivienne Lukey (L)
Guy Vincent (L)

SUMMONS

Councillors of the London Borough of
Hammersmith & Fulham
are requested to attend the
Meeting of the Council on
Wednesday 25 January 2017
at Hammersmith Town Hall, W6

The Council will meet at 7.00pm

16 January 2017
Town Hall
Hammersmith W6

Nigel Pallace
Chief Executive

Full Council Agenda

25 January 2017

<u>Item</u>		<u>Pages</u>
1.	MINUTES	1 - 20
	To approve and sign as an accurate record the minutes of the Council meetings held on 19 October 2016.	
2.	APOLOGIES FOR ABSENCE	
3.	MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS	
4.	DECLARATIONS OF INTERESTS	
	If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.	
	At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.	
	Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.	
	Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Audit, Pensions and Standards Committee.	
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COUNCIL MINUTES

SPECIAL COUNCIL MEETING

WEDNESDAY 19 OCTOBER 2016



PRESENT

The Mayor Councillor Mercy Umeh
Deputy Mayor Councillor Daryl Brown

Councillors:

Ali Hashem	Larry Culhane	Robert Largan
Michael Adam	Alan De'Ath	Jane Law
Adronie Alford	Charlie Dewhirst	Mark Loveday
Colin Aherne	Belinda Donovan	Vivienne Lukey
Hannah Barlow	Sue Fennimore	Caroline Needham
Nicholas Botterill	Caroline Ffiske	Viya Nsumbu
Andrew Brown	Marcus Ginn	Natalia Perez
Joe Carlebach	Steve Hamilton	Harry Phibbs
Michael Cartwright	Wesley Harcourt	Max Schmid
Iain Cassidy	Sharon Holder	Greg Smith
Elaine Chumnerly	Lisa Homan	Frances Stainton
Ben Coleman	Donald Johnson	Rory Vaughan
Adam Connell	Andrew Jones	Guy Vincent
Stephen Cowan	Alex Karmel	

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors PJ Murphy, Sue Macmillan, and Lucy Ivimy.

Apologies for lateness were received from Councillors Hannah Barlow, Robert Largan, and Jane Law.

2. MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS

There were no announcements.

3. DECLARATIONS OF INTERESTS

There were no declarations of interest.

4. HONORARY FREEDOM OF THE BOROUGH - MR GEORGE COHEN MBE

7.06pm – The report and recommendations were moved for adoption by the Leader of the Council, Councillor Stephen Cowan. Speeches on the report were made by Councillors Stephen Cowan (for the Administration) and Donald Johnson (for the Opposition).

7.19pm – RESOLVED

That pursuant to Section 249 of the Local Government Act 1972 (as amended by the Local Democracy, Economic Development and Construction Act 2009) the Council confer the title 'Honorary Freedom of the London Borough of Hammersmith and Fulham' on Mr George Cohen MBE in recognition of his contributions to winning the World Cup in July 1966 and for his many years working as an ambassador for the Fulham Football Club in the local community.

The Mayor presented a scroll and plaque to Mr George Cohen MBE and he gave a speech thanking the Council for the honour bestowed on him.

Meeting started: 7.00 pm
Meeting ended: 7.25 pm

Mayor

COUNCIL MINUTES

ORDINARY COUNCIL MEETING

WEDNESDAY 19 OCTOBER 2016



PRESENT

The Mayor Councillor Mercy Umeh
Deputy Mayor Councillor Daryl Brown

Councillors:

Ali Hashem
Michael Adam
Adronie Alford
Colin Aherne
Hannah Barlow
Nicholas Botterill
Andrew Brown
Joe Carlebach
Michael Cartwright
Iain Cassidy
Elaine Chumnerly
Ben Coleman
Adam Connell
Stephen Cowan

Larry Culhane
Alan De'Ath
Charlie Dewhurst
Belinda Donovan
Sue Fennimore
Caroline Ffiske
Marcus Ginn
Steve Hamilton
Wesley Harcourt
Sharon Holder
Lisa Homan
Donald Johnson
Andrew Jones
Alex Karmel

Robert Largan
Jane Law
Mark Loveday
Vivienne Lukey
Caroline Needham
Viya Nsumbu
Natalia Perez
Harry Phibbs
Max Schmid
Greg Smith
Frances Stainton
Rory Vaughan
Guy Vincent

1. MINUTES

7.27pm - RESOLVED

That the minutes of the Council Meeting held on 20 July 2016 were confirmed and signed as an accurate record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors PJ Murphy, Sue Macmillan, and Lucy Ivimy.

Apologies for lateness were received from Councillors Hannah Barlow, Robert Largan, and Jane Law.

3. MAYOR'S/CHIEF EXECUTIVE'S ANNOUNCEMENTS

The Mayor announced the passing of former Mayor and Councillor, Mr Ian Gray on Friday 22 July 2016. Mr Gray served as a Councillor for Town Ward at Fulham Borough Council from 1962 to 1965, and remained Councillor for Town Ward when the Metropolitan Boroughs of Hammersmith and Fulham were combined to become the London Borough of Hammersmith and Fulham. Mr Gray was also Councillor for Town Ward from 1964 to 1968 and 1971 to 1974, as well as being Councillor for Sherbrook Ward from 1974 to 1990. Mr Gray served on a number of Committees, notably as Chairman of the Housing Committee, Chairman of the Public Services Committee, and then as Deputy Mayor and Mayor. Councillors Lisa Homan and Alex Karmel also made speeches paying tribute to Mr Ian Gray. The Mayor then led a minute of silence in his memory.

The Mayor congratulated residents and those working in Hammersmith & Fulham who had received honours in Her Majesty The Queen's 90th Birthday Honours list for 2016:

- Janet Michell Ellis, Hammersmith resident, was given an MBE for services to charities and theatre at The Lyric Hammersmith.
- Mrs Grundy Campbell, Hammersmith resident, had been given an MBE for her work in international mental health, in particular her role as the mental health and psychosocial coordinator for the International Medical Corps in Sierra Leone during the Ebola crisis.
- Emma Hayes, Chelsea Ladies FC manager, had been awarded an MBE for her services to football – leading the Blues to the WSL and Women's FA Cup Double in 2015.
- Kevin McGrath, former QPR chairman who co-founded a series of prison restaurants staffed by inmates and Deputy Lieutenant to Hammersmith & Fulham, had been awarded an OBE for charitable services.

4. DECLARATIONS OF INTERESTS

In respect of Special Motion 4 – 'Private Rented Sector Housing' – the following members declared non-pecuniary interests as tenants in private rented accommodation in the borough: Councillors Iain Cassidy, Alan De'Ath, Adam Connell, Max Schmid, and Viya Nsumbu. They considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

In respect of Special Motion 6 – 'Abolition of H&F Council Housing' – the following members declared non-pecuniary interests as tenants in council accommodation in the borough: Councillors Sharon Holder, Natalia Perez, and Larry Culhane. Councillor Daryl Brown also declared a non-pecuniary interest in this item. They considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

5. PUBLIC QUESTIONS (20 MINUTES)

There were no public questions.

6. ITEMS FOR DISCUSSION/COMMITTEE REPORTS

6.1 Youth Council Manifesto Update

7.40pm – The Youth Mayor, Aminata Koroma, and her deputy Joshua Yirenki addressed the Council and provided an update on their achievements so far and the results of the Make Your Mark consultation for 2016.

Councillor Caroline Needham made a speech thanking the Youth Mayor, Deputy Youth Mayor and Youth Council for their hard work and dedication.

6.2 Review of the Constitution

An amendment to the report was tabled at the meeting.

7:46pm – The report and recommendations were formally moved for adoption, as amended, by the Leader of the Council, Councillor Stephen Cowan.

The report and recommendations, as amended, were then put to the vote:

FOR	Unanimous
AGAINST	0
NOT VOTING	0

The report and recommendations, as amended, were declared **CARRIED**.

7.48pm – RESOLVED

1. That the Council procedure rules attached as Appendix 1 of the report be agreed.
2. That the revised officer scheme of delegation attached as Appendix 2 of the report be agreed.

6.3 Establishment of a Commercial Revenue Committee

19:50pm – The report and recommendations were formally moved for adoption by the Leader of the Council, Councillor Stephen Cowan.

Speeches on the report were made by Councillors Ben Coleman and Max Schmid (for the Administration) and Councillor Michael Adam (for the Opposition).

The report and recommendations were then put to the vote:

FOR	23
AGAINST	0
NOT VOTING	18

The report and recommendations were declared **CARRIED**.

8.01pm – RESOLVED

1. That a Committee of Cabinet, the Commercial Revenue Committee, be created with the terms of reference attached as Appendix 1 of the report.
2. That Councillors Ben Coleman and Max Schmid be appointed as Members of the Commercial Revenue Committee.
3. That the Leader may nominate a substitute member to act in the absence of one of the appointed Committee members.
4. That the Council's constitution be amended to reflect the change to the Key Decision definition outlined in paragraph 7.2 and the Substitute Member Scheme in paragraph 8 of the report.

7. SPECIAL MOTIONS

8.02pm – Under Standing Order 15(e) iii, Councillor Colin Aherne moved a motion that Special Motion 3 take precedence on the agenda. This was agreed.

7.1 Special Motion 3 - Calling on the Government to act and bring all applicable refugee children trapped in the Calais Jungle to safety in the UK

8.02pm – Councillor Sue Fennimore moved, seconded by Councillor Caroline Needham, the special motion in their names:

“This Council calls on the Home Secretary Amber Rudd to immediately take steps to provide safe passage to all of the applicable refugee children trapped in the Calais refugee camp that has become known as “The Calais Jungle”.

The government needs to:

1. State that it fully intends to honour the rights of the refugee children to come to the UK
2. Agree to register the children in the “Calais Jungle” and process all necessary documentation
3. Ensure sufficient funding to local authorities so that they can recruit and support the vital child care services such as fostering.

The UNHCR estimates that there are 24,000 unaccompanied child refugees in Europe. The British people have a long history of being compassionate towards refugees as happened with the Kindertransport children. We call on the current British government to follow in this tradition and to do its duty towards these refugee children.”

Speeches on the special motion were made by Councillors Sue Fennimore, Caroline Needham, Ben Coleman, and Stephen Cowan (for the Administration) and Councillors Caroline Ffiske, Joe Carlebach, and Harry Phibbs (for the Opposition). The special motion was then put to the vote and a roll-call was requested.

FOR	AGAINST	NOT VOTING
AHERNE		ADAM
BARLOW		ALFORD
BROWN (D)		BOTTERILL
CARTWRIGHT		BROWN (A)
CASSIDY		CARLEBACH
CHUMNERY		DEWHIRST
COLEMAN		FFISKE
CONNELL		GINN
COWAN		HAMILTON
CULHANE		JOHNSON
DE'ATH		KARMEL
FENNIMORE		LARGAN
HARCOURT		LAW
HASHEM		LOVEDAY
HOLDER		NSUMBU
HOMAN		PHIBBS
JONES		SMITH
LUKEY		STANTON
NEEDHAM		UMEH
PEREZ		
SCHMID		
VAUGHAN		
VINCENT		

FOR	23
AGAINST	0
NOT VOTING	18

The special motion was declared **CARRIED**.

8.44pm – RESOLVED

This Council calls on the Home Secretary Amber Rudd to immediately take steps to provide safe passage to all of the applicable refugee children trapped in the Calais refugee camp that has become known as “The Calais Jungle”.

The government needs to:

1. State that it fully intends to honour the rights of the refugee children to come to the UK
2. Agree to register the children in the “Calais Jungle” and process all necessary documentation
3. Ensure sufficient funding to local authorities so that they can recruit and support the vital child care services such as fostering.

The UNHCR estimates that there are 24,000 unaccompanied child refugees in Europe. The British people have a long history of being compassionate towards refugees as happened with the Kindertransport children. We call on the current British government to follow in this tradition and to do its duty towards these refugee children.

7.2 **Special Motion 1 - Reject any Government proposal to force companies to list all of the foreign workers they employ**

8.44pm – Councillor Andrew Jones moved, seconded by Councillor Alan De’Ath, the special motion in their names:

“This Council calls on Prime Minister Theresa May MP and Home Secretary Amber Rudd MP not to pursue their proposal to force companies to list all of the foreign workers they employ.

This Council recognises such a scheme would be divisive. It would be highly damaging to our Country’s international reputation and to our economy. Even the suggestion of it has caused huge anxiety and upset to the thousands of foreign born citizens that have made Hammersmith & Fulham their home or workplace. That should be cause for regret by those who made it.

The Council notes the comments of the head of the British Chambers of Commerce who said such a move would amount to a "badge of shame".

Hammersmith & Fulham Council recognizes that our borough’s foreign born nationals have greatly enriched our community and thanks them for the businesses they’ve started, the hard work they undertake and the service they give to vital public services such as this Council and our local NHS.

The Council calls on Ms May and Ms Rudd to back away from such a xenophobic scheme and instead urges them to focus their attentions on delivering a strong economy that works for all and setting a tone that prioritises unity and belonging.”

Speeches on the special motion were made by Councillors Andrew Jones, Alan De’Ath, Natalia Perez, and Sharon Holder (for the Administration).

Under Standing Order 15(e) (vi), Councillor Charlie Dewhirst moved, seconded by Councillor Joe Carlebach, an amendment to the motion as follows:

“Delete the title and insert “**SUSTAINABLE MIGRATION**” then delete everything after “This Council” and insert:

“...notes:

1. That immigration has been good for this country; it has boosted our economy and enhanced our culture, but uncontrolled immigration is not in Britain’s interests.
2. The Government’s consultation on measures to reduce net migration, while making sure we welcome and attract the brightest and best who contribute to the British economy.
3. That the current plans will not require companies to publish lists of foreign workers.

The Council supports sustainable levels of migration – helping build confidence in our immigration system and preventing excessive pressures on our public services.”

Speeches on the amendment to the special motion were made by Councillors Charlie Dewhirst, Joe Carlebach, Viya Nsumbu, Andrew Brown, and Donald Johnson (for the Opposition), and Councillors Ben Coleman, Max Schmid, Caroline Needham, and Stephen Cowan (for the Administration). The amendment was then put to the vote.

FOR	17
AGAINST	23
NOT VOTING	1

The amendment was declared **LOST**.

Councillor Andrew Jones then made a speech on the substantive motion winding up the debate. The substantive motion was then put to the vote.

FOR	23
AGAINST	17
NOT VOTING	1

The substantive motion was declared **CARRIED**.

9.41pm – RESOLVED

This Council calls on Prime Minister Theresa May MP and Home Secretary Amber Rudd MP not to pursue their proposal to force companies to list all of the foreign workers they employ.

This Council recognises such a scheme would be divisive. It would be highly damaging to our Country's international reputation and to our economy. Even the suggestion of it has caused huge anxiety and upset to the thousands of foreign born citizens that have made Hammersmith & Fulham their home or workplace. That should be cause for regret by those who made it.

The Council notes the comments of the head of the British Chambers of Commerce who said such a move would amount to a "badge of shame".

Hammersmith & Fulham Council recognizes that our borough's foreign born nationals have greatly enriched our community and thanks them for the businesses they've started, the hard work they undertake and the service they give to vital public services such as this Council and our local NHS.

The Council calls on Ms May and Ms Rudd to back away from such a xenophobic scheme and instead urges them to focus their attentions on delivering a strong economy that works for all and setting a tone that prioritises unity and belonging.

7.3 Special Motion 2 - Shepherd's Bush Fire

9.42pm – Councillor Adam Connell moved, seconded by Councillor Sue Fennimore, the special motion in their names:

“This Council:

1. Praises the work of the London Fire Brigade, Metropolitan Police, London Ambulance Service, Charecroft TRA, and Council officers and contractors for their quick and effective response to the fire in Shepherd’s Court on Friday 19th August 2016, which helped ensure that no-one was seriously injured and residents’ wellbeing was looked after.
2. Thanks Tesco, Morrison’s, Queens Park Rangers, the Hammersmith and Fulham Foodbank, the K-West Hotel, Ibis, and Furnish for their generous donations and support for the local community following the fire.
3. Notes that the London Fire Brigade has determined that the cause of the fire was a faulty Whirlpool tumble dryer that the manufacturer had advised could still be safely used.
4. Recognises the devastating impact that the fire has had on residents in Shepherd’s Court and resolves to continue supporting them and working hard to help them move back into their homes as quickly as possible.
5. Calls on Whirlpool to release to the public all risk assessments relating to faulty white goods and to inform all customers of defective goods that their continued use is unsafe.
6. Resolves to support the London Fire Brigade’s Total Recalls campaign to make white goods safer, and to inform Hammersmith and Fulham residents of the danger posed by faulty white goods.”

Speeches on the special motion were made by Councillors Adam Connell, Sue Fennimore, and Lisa Homan (for the Administration), and Councillors Harry Phibbs and Mark Loveday (for the Opposition). Councillor Adam Connell then made a speech winding up the debate before the motion was put to the vote:

FOR	Unanimous
AGAINST	0
NOT VOTING	0

The motion was declared **CARRIED**.

10.07pm – RESOLVED

This Council:

1. Praises the work of the London Fire Brigade, Metropolitan Police, London Ambulance Service, Charecroft TRA, and Council officers and contractors for their quick and effective response to the fire in Shepherd’s Court on Friday 19th August 2016, which helped ensure that no-one was seriously injured and residents’ wellbeing was looked after.

2. Thanks Tesco, Morrison's, Queens Park Rangers, the Hammersmith and Fulham Foodbank, the K-West Hotel, Ibis, and Furnish for their generous donations and support for the local community following the fire.
3. Notes that the London Fire Brigade has determined that the cause of the fire was a faulty Whirlpool tumble dryer that the manufacturer had advised could still be safely used.
4. Recognises the devastating impact that the fire has had on residents in Shepherd's Court and resolves to continue supporting them and working hard to help them move back into their homes as quickly as possible.
5. Calls on Whirlpool to release to the public all risk assessments relating to faulty white goods and to inform all customers of defective goods that their continued use is unsafe.
6. Resolves to support the London Fire Brigade's Total Recalls campaign to make white goods safer, and to inform Hammersmith and Fulham residents of the danger posed by faulty white goods.

10.07pm – Under Standing Order 15(e) iii, Councillor Colin Aherne moved a motion that Special Motion 6 take precedence on the agenda. This was agreed.

7.4 **Special Motion 6 - Abolition of H&F Council Housing**

Councillor Robert Largan declared a non-pecuniary interest in the item as a Council lease holder. He considered that this did not give rise to a perception of a conflict of interests and, in the circumstances it would be reasonable to participate in the discussion and vote thereon.

10.07pm – Councillor Greg Smith moved, seconded by Councillor Charlie Dewhirst, the special motion in their names:

“This Council:

1. Notes the strong opposition of council tenants and leaseholders to the Labour administration's proposal to abolish council housing in the borough
2. Is concerned by the administration's willingness to proceed without the approval of both a majority of council tenants and a majority of council leaseholders.
3. Resolves that the misguided proposal be withdrawn before any further money is wasted on it.”

A speech on the special motion was made by Councillor Greg Smith.

Under Standing Order 15(e) (vi), Councillor Lisa Homan moved, seconded by Councillor Ali Hashem, an amendment to the special motion as follows:

“Delete all after “This Council” and replace with:-

“condemns Hammersmith and Fulham’s former Conservative administration who:

- Secretly undertook a deal with property developers to demolish 800 council homes on the West Kensington and Gibbs Green Estate against the wishes of residents who voted 4 to 1 against the plans.
- Further planned to demolish and sell off a third of all the remaining council homes in the borough.
- Lobbied the former Conservative/Lib Dem government to hike all new rents up to 80% of market rates instead of 25% or 40%.
- Hiked up rents and service charges for Hammersmith and Fulham's established residents by far more than inflation - with rents rising by as much as 7% in one year.
- Fixed the planning process to stop any new socially rented homes being built.
- Granted permission for more new homes for overseas investors than they did for UK residents.

The Council congratulates the current Labour administration for empowering tenants, leaseholders, and other residents of the borough’s council estates to decide the future of their homes via the Residents’ Housing Commission and pledges to work with them to protect and improve their homes.”

Speeches on the amendment to the special motion were made by Councillors Lisa Homan, Ali Hashem, and Stephen Cowan (for the Administration), and Councillor Robert Largan (for the Opposition). The amendment was then put to the vote and roll-call was requested.

FOR	AGAINST	NOT VOTING
AHERNE	ADAM	UMEH
BARLOW	ALFORD	
BROWN (D)	BOTTERILL	
CARTWRIGHT	BROWN (A)	
CASSIDY	CARLEBACH	
CHUMNERY	DEWHIRST	
COLEMAN	DONOVAN	
CONNELL	FFISKE	
COWAN	GINN	
CULHANE	HAMILTON	
DE’ATH	JOHNSON	
FENNIMORE	KARMEL	
HARCOURT	LARGAN	
HASHEM	LAW	
HOLDER	LOVEDAY	
HOMAN	NSUMBU	
JONES	PHIBBS	
LUKEY	SMITH	
NEEDHAM	STANTON	
PEREZ		
SCHMID		
VAUGHAN		

VINCENT

FOR	23
AGAINST	17
NOT VOTING	1

The amendment was declared **CARRIED**.

A speech on the special motion as amended was made by Councillor Greg Smith before it was put to the vote:

FOR	23
AGAINST	17
NOT VOTING	1

The special motion as amended was declared **CARRIED**.

10.44pm – RESOLVED

This Council:-

Condemns Hammersmith and Fulham's former Conservative administration who:

- Secretly undertook a deal with property developers to demolish 800 council homes on the West Kensington and Gibbs Green Estate against the wishes of residents who voted 4 to 1 against the plans.
- Further planned to demolish and sell off a third of all the remaining council homes in the borough.
- Lobbied the former Conservative/Lib Dem government to hike all new rents up to 80% of market rates instead of 25% or 40%.
- Hiked up rents and service charges for Hammersmith and Fulham's established residents by far more than inflation - with rents rising by as much as 7% in one year.
- Fixed the planning process to stop any new socially rented homes being built.
- Granted permission for more new homes for overseas investors than they did for UK residents.

The Council congratulates the current Labour administration for empowering tenants, leaseholders, and other residents of the borough's council estates to decide the future of their homes via the Residents' Housing Commission and pledges to work with them to protect and improve their homes.

7.5 Special Motion 4 - Private Rented Sector Housing

10.44pm – Councillor Lisa Homan moved, seconded by Councillor Adam Connell, the special motion in the names:

“This Council recognises the important contribution the Private Rented Sector makes to the provision of housing in the borough and notes that one third of all Hammersmith & Fulham households now live in a private rented home.

We recognise that the majority of private landlords renting out properties in Hammersmith & Fulham are good landlords who work in close partnership with the Council. However, the Council regrets that this is not the case for all landlords and recognises its statutory obligations to ensure that no private rented sector tenant is living in substandard accommodation.

This Council resolves to support the steps being taken by the Labour administration to consult with tenants and landlords on additional measures that can be introduced to improve the quality of the private rented sector in Hammersmith & Fulham.

The Council further applauds the Labour administration's ambition to provide a proactive, fit for purpose service that gives confidence to our many residents who are private tenants.

The Council notes that this action is sadly long overdue as there were no steps to improve the Private Rented Sector under eight years of the previous Conservative administration."

Under Standing Order 15(e) (vi), Councillor Harry Phibbs moved, seconded by Councillor Andrew Brown, an amendment to the special motion:

"Delete all after second paragraph and insert:

This Council notes that between 4th November 2014 and 23rd November 2015 there were:

- 553 complaints received by the Council about private rented properties.
- 3 prosecutions of private landlords made by LBHF.
- 9 improvement notices served by LBHF.
- 0 Rent Repayment Orders made.

This Council further notes that selective and additional licensing schemes:

- Are expensive and bureaucratic.
- Punish law abiding landlords.
- Amount to a Tenant's Tax, since landlords will be able to recover the cost of licensing through increased rents.

And resolves to use its existing powers to tackle bad landlords rather than indulge in the expensive gimmick of selective and additional licensing which will only increase burdens on good landlords and their tenants."

The amendment was then put to the vote:

FOR	17
AGAINST	23
NOT VOTING	1

The amendment was declared **LOST**.

The substantive motion was then put to the vote:

FOR	23
AGAINST	0
NOT VOTING	18

The substantive motion was declared **CARRIED**.

10.45pm - RESOLVED

This Council recognises the important contribution the Private Rented Sector makes to the provision of housing in the borough and notes that one third of all Hammersmith & Fulham households now live in a private rented home.

We recognise that the majority of private landlords renting out properties in Hammersmith & Fulham are good landlords who work in close partnership with the Council. However, the Council regrets that this is not the case for all landlords and recognises its statutory obligations to ensure that no private rented sector tenant is living in substandard accommodation.

This Council resolves to support the steps being taken by the Labour administration to consult with tenants and landlords on additional measures that can be introduced to improve the quality of the private rented sector in Hammersmith & Fulham.

The Council further applauds the Labour administration's ambition to provide a proactive, fit for purpose service that gives confidence to our many residents who are private tenants.

The Council notes that this action is sadly long overdue as there were no steps to improve the Private Rented Sector under eight years of the previous Conservative administration.

7.6 Special Motion 5 - Closure of Hammersmith Magistrates Court

10.45pm – Councillor Michael Cartwright moved, seconded by Councillor Max Schmid, the special motion in their names:

“This Council is appalled by the recent announcement by the Ministry of Justice that Hammersmith Magistrates Court is to close. This follows its decision to move Hammersmith County Court to Wandsworth.

A decision has already been made to close Shepherd's Bush Police Station to the public and to sell of Fulham Police Station.

This is having a detrimental impact on residents who are either victims of or witnesses to crime and resolves to oppose the closure.”

Under Standing Order 15(e) (vi), Councillor Mark Loveday moved, seconded by Councillor Robert Lorgan, an amendment to the motion as follows:

“Delete:

1. Delete “Hammersmith Magistrates Court”, and insert “Hammersmith Magistrates’ Courts”.
2. Delete “of”, and insert “off”.
3. Add “And this Council resolves that the Chief Executive shall respond to the public consultation “*Proposal on the future of Camberwell Green and Hammersmith Magistrates’ Courts*” before the closing date of 27 October 2016 stating its opposition to the closure of Hammersmith Magistrates’ Courts.””

The amendment was put to the vote:

FOR	17
AGAINST	23
NOT VOTING	1

The amendment was declared **LOST**.

The substantive motion was put to the vote:

FOR	Unanimous
AGAINST	0
NOT VOTING	0

The substantive motion was declared **CARRIED**.

10.47pm – RESOLVED

This Council is appalled by the recent announcement by the Ministry of Justice that Hammersmith Magistrates Court is to close. This follows its decision to move Hammersmith County Court to Wandsworth.

A decision has already been made to close Shepherd’s Bush Police Station to the public and to sell of Fulham Police Station.

This is having a detrimental impact on residents who are either victims of or witnesses to crime and resolves to oppose the closure.

7.7 Special Motion 7 - Squatting

10.47pm – Councillor Harry Phibbs moved, seconded by Councillor Greg Smith, the special motion in their names:

“This Council:

1. Notes recent difficulties over squatters in the borough on non-residential and public land.
2. Welcomes the fact that squatting has been made a criminal offence on residential land and buildings.
3. Calls on the Government to extend the law to make it a criminal offence on non-residential and local authority land as well and thus avoid the delay involved in civil proceedings during which time the police are unable to act.”

Under Standing Order 15(e) (vi), Councillor Lisa Homan moved, seconded by Councillor Wesley Harcourt, an amendment to the special motion:

“Delete all after point 1 and insert:-

“2. Congratulates council officers for resolving the situation quickly.

3. Calls on the Government to undertake a review of squatting which scrutinises:-

- the effectiveness of legislation introduced in 2012 making squatting an offence on residential land and buildings and
- the connection between squatting, homelessness and housing need.
- how to make the process quick, affordable and effective without criminalising those desperate for a roof over their head.””

The amendment was then put to the vote:

FOR	23
AGAINST	17
NOT VOTING	1

The amendment was declared **CARRIED**.

The special motion as amended was then put to the vote:

FOR	23
AGAINST	17
NOT VOTING	1

The special motion as amended was declared **CARRIED**.

10.48pm – RESOLVED

This Council:

1. Notes recent difficulties over squatters in the borough on non-residential and public land.
2. Congratulates council officers for resolving the situation quickly.
3. Calls on the Government to undertake a review of squatting which scrutinises:-
 - the effectiveness of legislation introduced in 2012 making squatting an offence on residential land and buildings and
 - the connection between squatting, homelessness and housing need.

- how to make the process quick, affordable and effective without criminalising those desperate for a roof over their head.

8. INFORMATION REPORTS - TO NOTE

8.1 Treasury Outturn Report 2015-16

10.48pm – The Treasury Outturn Report for 2015-16 was noted.

8.2 Annual Report of the Chair of the Audit, Pensions and Standards Committee 2015/16

10.48pm – The report of the Chair of the Audit, Pensions and Standards Committee 2015/16 was noted.

8.3 Pension Board Annual Review of Activities

10.48pm – The Pension Board’s Annual Review of Activities report was noted.

Meeting started: 7.27 pm
Meeting ended: 10.48 pm

Mayor

PUBLIC QUESTION NO.1 – AFFORDABLE ACCESS TO EXERCISE

Question by: Dr Bruce Lawrie and John Bownes

To: The Cabinet Member for Environment, Transport & Residents Services

This Council, like many others in the U.K., makes clear its support for getting people active as a way to improve their health – especially for people over 55. The benefits of exercise are well documented and include improvements in overall well-being, including physical and mental health.

For instance, to quote LBHF's website:

“If medication existed which had a similar effect on physical activity it would be regarded as a wonder drug or miracle cure.

Research shows there is a three-year difference in life expectancy between people who are inactive and people who are minimally active. Regular physical activity can reduce the risk of over 20 chronic conditions including coronary heart disease, stroke, type 2 diabetes, cancer, obesity, mental health, and musculoskeletal conditions.

So, is there a business case for the councils to invest in encouraging physical activity? ...For Hammersmith & Fulham, Kensington and Chelsea, and Westminster savings of over £5 million could be achieved if 100% of the resident population achieved just the minimum recommended levels of physical activity.

Free swimming initiatives attract a high proportion of people from disadvantaged backgrounds, thereby addressing health inequalities.”

According to the UK Government, exercise is vital for older people as it; helps maintain cognitive function; reduces cardiovascular risk; Helps maintain ability to carry out daily living activities; improves mood and can improve self-esteem; and reduces the risk of falls.

Many Councils in the U.K. of all political shades (including those in London) offer free or heavily subsidised access to swimming and other fitness activities particularly for those over 55 who live off limited incomes. The Royal Borough of Kensington and Chelsea offers its OAP residents access to the pool, gym and exercises class facilities at Kensington Leisure Center for a payment of £25 monthly, with no additional charge for entry. The City of Westminster offers free swimming for over 60s.

What plans does the Council have to reinstate affordable access to swimming and exercise for the residents of Fulham?

Agenda Item 5.2

PUBLIC QUESTION NO.2 – ACCESS TO FULHAM POOLS

Question by: Monica Williams

To: The Cabinet Member for Environment, Transport & Residents Services

I, along with other residents, am a regular user of Fulham Pools, often choosing to use the Gala Pool in the early morning. As a disabled senior citizen it is sad that on these cold winters' mornings after bus journeys to the pool, we are knowingly left outside in the freezing cold, until the official opening time. At our age, this does nothing to improve our health and well-being.

We have politely asked Virgin staff members on many occasions that we be allowed to shelter in the "wind lobby" until the official opening hour, but are always told NO. We can understand that entering into the main building may contravene health and safety regulations, and perhaps there are problem with insurance; but there is nothing in the "wind lobby" whatsoever which can hurt us or be damaged by us, other than one single light switch.

We feel and are all convinced this is part of us being treated as '2nd Class citizens', as we use the public Gala pool rather than paying for Virgin membership. Surely "rules are for the guidance of wise men and the obedience of fools"?

Can the Council please tell us why they cannot ask Virgin to allow residents to use their 'wind lobby' for the relatively short time from when they arrive early until entry to the pools is permitted?

PUBLIC QUESTION NO.3 – FULHAM POOLS MEMBERSHIP

Question by: Mike Williams

To: The Cabinet Member for Environment, Transport & Residents Services

In October 2011 The Councils Fulham Pool Lifestyle Card was abolished and I, along with other pensioner residents, was asked by the Council to obtain new membership and a card for Fulham Pools from GLL (Better), the Council's prescribed agent.


I went to Lillie Road and during my interview at the Lillie Road Fitness Centre told them I just wanted swimming at Fulham Pools, nothing more. I took the recommendations made by GLL (Better) and duly signed up, and provided them with my direct debit authority for them to use, which they did.

I was alerted to problems, when in October 2016; when Virgin advised us "that they now intended to charge residents who had GLL Better membership cards, for entry to the Fulham Pools". I soon found out that there were many more residents in the same position as myself.

I have tried to raise these issues with the Council but have had little or no response.

Can the Council please let us know what they are doing, or proposing to do, to investigate this situation and set a timeframe for a public response to the affected residents?

Agenda Item 6.1

<p>London Borough of Hammersmith & Fulham</p> <p>FULL COUNCIL</p> <p>25 JANUARY 2017</p>	
COUNCIL TAX BASE AND COLLECTION RATE 2017/2018 AND DELEGATION OF THE BUSINESS RATES ESTIMATE	
Report of the Cabinet Member for Finance - Councillor Max Schmid	
Open Report	
Classification: For Decision Key Decision: Yes	
Wards Affected: All	
Accountable Executive Director: Hitesh Jolapara, Strategic Finance Director	
Report Author: Steve Barrett, Head of Revenues and Benefits	Contact Details: Tel: 020 8753 1053 E-mail: steve.barrett@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report contains an estimate of the Council Tax Collection rate and calculates the Council Tax Base for 2017/18.
- 1.2 The Council Tax base will be used in the calculation of the Band D Council Tax undertaken in the Revenue Budget Report for 2017/18.
- 1.3 The proposed Council Tax Base for 2017/18 of 75,938 is an increase of 1,897 on the figure agreed for 2016/17 of 74,041.
- 1.4 Based on the 2016/17 Band D charge of £727.81 the increase in the tax base will result in an increased income of £1.38m
- 1.5 The recommendations contained in the Council Tax Support 2017/18 will need to be approved prior to those contained in this report. This is because they are included in the calculation of the Band D Council Tax in section 8.3 below.

- 1.6 To delegate authority to the Cabinet Member for Finance, in consultation with the Strategic Finance Director, to determine the business rates tax base for 2017/18 as set out in section 11 of this report.

2. RECOMMENDATIONS

- 2.1 To approve the following recommendations for the financial year 2017/18:
- (i) That the estimated numbers of properties for each Valuation Band as set out in this report be approved.
 - (ii) That an estimated Collection rate of 97.5% be approved.
 - (iii) That the Council Tax Base of 75,938 Band “D” equivalent properties be approved
 - (iv) To note that authority has been delegated to the Cabinet Member for Finance, in consultation with the Strategic Finance Director, to determine the business rates tax base for 2017/18.

3. BACKGROUND

- 3.1 Under Section 33(1) of the Local Government Finance Act 1992 and The Local Authorities (Calculations of Council Tax Base) (England) Regulations 2012, the Council (as billing authority) is required to calculate its Council Tax Base. This comprises both the estimated numbers of properties within each Valuation band plus the Council's estimate of its collection rate for the coming financial year.
- 3.2 For 2016/17 the Council approved a Council tax Base of 75,939 Band D equivalent dwellings, and an estimated Collection Rate of 97.5%, which resulted in a tax base of 74,041.
- 3.3 Under Section 11A of the Local Government Finance Act 1992, Council Tax (Exempt Dwellings) (England) (Amendment) Order 2012 and Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the Council reduced discounts for both Second Homes and Unoccupied and Unfurnished dwellings to 0% with effect from 2013/14 and subsequent years until revoked.
- 3.4 Under Section 11B of the Local Government Finance Act 2012 the Council introduced the Council Tax Empty Homes Premium with effect from 1 April 2014 and subsequent years until revoked. This increases the charge on dwellings that have been unoccupied and substantially unfurnished for more than two years to

150% of the council tax that would be payable if the dwelling were occupied by two adults and no discounts were applicable.

- 3.5 Cabinet will also be required to approve the recommendations in the Council Tax Support Scheme 2017/18 report, prior to the recommendations in this report, as they are reflected as Band "D" equivalents in the Council's Tax base calculations in section 8.3 below.

4. DISCOUNTS

4.1 Second Homes

4.1.1 There are some 2,246 second homes in the borough. The Council does not offer a discount on second homes which adds 2,662 Band "D" equivalents to the tax base for 2017/18. These discounts are included in Section 7.3 below.

4.1.2 Based upon 2016/17 Council Tax levels this generates income to the Council of £1.9m. This income is allowed for within the Council's Medium Term Financial Strategy. Our preceptor, the GLA, also benefits from the reduction in the discount.

4.2 Empty Properties

4.2.1 There are some 513 empty (unoccupied and unfurnished) properties in the borough. The Council does not offer a discount for empty properties which adds an additional 628 Band "D" equivalents to the tax base for 2017/18.

4.2.2 Based upon 2016/17 Council Tax levels this generates income to the Council of £0.5m. This income also directly benefits the GLA.

5. EMPTY HOMES PREMIUM

5.1 There are some 74 properties in the borough that have been empty for more than two years. The effect of charging a 50% premium on these properties adds an additional 43 Band "D" equivalents to the taxbase for 2017/18. These premiums are included in Section 7.3 below

5.2 This equates to additional income for the Council (net of preceptors) of approximately £31k (based on the 2016/17 Band D Council Tax).

6. COUNCIL TAX SUPPORT

- 6.1 Under Council Tax Support, Hammersmith & Fulham and the GLA absorb the full cost of the scheme, which mirrors the previous council tax benefit arrangements.
- 6.2 For 2016/17 the Council has provided for a total of £11.9m in Council Tax Support discounts. This equates to 11,846 band “D” equivalents based on 2016/17 Council Tax levels.
- 6.3 The tax base regulations require the cost of the scheme to be treated as a discount and deducted from the Council’s tax base calculation in section 8.3.

7. VALUATION BAND PROPERTIES

- 7.1 The latest information on the number of properties within each valuation band is contained within a return (CTB1), which the Council provided to the DCLG on 14 October 2016.
- 7.2 This return reflected the actual number of properties shown in the Valuation List as at 12 September 2016 and the Council’s records as at 3 October 2016.
- 7.3 A detailed analysis of the properties in each valuation band can be summarised as follows. There are a total of 86,793 dwellings on the list with some 28,265 properties estimated to receive a single persons discount. The total Band “D” equivalent is approximately 89,621.4 properties.

Band	Band Size	Total Dwellings	Total after Discounts, Exemptions and Disabled Relief	Ratio	Band "D" Equivalents
A	Values not exceeding £40,000	3,803	2,932.8	6/9	1,955.2
B	Values exceeding £40,000 but not exceeding £52,000	6,361	4860.8	7/9	3,780.6
C	Values exceeding £52,000 but not exceeding £68,000	14,237	12,116.0	8/9	10,769.8
D	Values exceeding £68,000 but not exceeding £88,000	24,532	21,806.5	9/9	21,806.5
E	Values exceeding £88,000 but not exceeding £120,000	15,364	14,050.0	11/9	17,172.2
F	Values exceeding £120,000 but not exceeding £160,000	9,217	8,550.3	13/9	12,350.4
G	Values exceeding £160,000 but not exceeding £320,000	10,965	10,385.8	15/9	17,309.7
H	Values exceeding £320,000	2,314	2,238.5	18/9	4,477.0
		86,793	76,940.7		89,621.4

8. ADJUSTMENTS TO THE VALUATION LIST

- 8.1 The above table shows the valuation band position at 12 September 2016 but the Council is also required to take into account the Council Tax Support Scheme and any other likely changes during the financial year 2016/17. Therefore the following adjustments need to be considered:

- (i) New Properties
There are likely to be a number of new properties, conversions etc. added to the valuation list at some point during the year. There are approximately 499 units currently under construction on various sites in the Borough that will be added to the tax base sometime during 2017/18. It is estimated after allowing for different completion dates that this will equate to an additional 502 Band 'D' equivalents. In addition the Council is undertaking a business intelligence project to identify properties that are not currently on the valuation list. It is estimated that this will add a further 138 Band D equivalent properties. Overall the allowance for new properties is 640 Band D properties.
- (ii) Banding Appeals
There have been over 10,000 appeals lodged with the valuation office in respect of initial Council Tax bandings. There are now only a small number unsettled so it is not proposed to make any adjustments for these.
- (iii) Single Person Discounts
The council undertakes a review of single person discounts being awarded to taxpayers each year. The next review will be commenced in June 2017 and based on previous reviews it is estimated that a further 1,169 discounts will be removed which will add an additional 292 Band "D" equivalents to the tax base for 2017/18.
- (iv) Student Exemptions
Dwellings wholly occupied by students are exempt from Council Tax. The projected Council Tax base needs to be adjusted to allow for students that have yet to prove their exemption for the new academic year. It is estimated that an adjustment of 822 Band "D" equivalents is required.
- (v) Council Tax Support
The cost of the scheme equates to 11,846 band "D" equivalents, based on 2016/17 Council Tax levels, which now have to be deducted from the tax base for 2017/18. This is less than the deduction of 12,241 Band D equivalents made in 2016/17. This is due to a reduction in the number of claimants applying for a discount and the impact of the 1.9% overall reduction in 2016/17 Council Tax.

8.2 The Council is required to set its Tax Base on the total of the relevant amounts for the year for each of the valuation bands shown or is likely to be shown for any day in the year in the authority's valuation list.

8.3 Taking into account the latest information from the CTB1 return to the DCLG and the proposed adjustments, Council is requested to approve the estimated numbers of properties for each valuation band as set out in the following table:

Band	Band "D" Equivalent Actual September 2016	Adjustments for New Properties	Adjustments for Student Exemptions	Adjustments for Single Person Discounts	Adjustments for Council Tax Support	Revised Band "D" Equivalents 2017/18 Forecast
A	1,955.2	0	-41	13	-578	1,348.9
B	3,780.6	34	0	24	-1,220	2,618.3
C	10,769.8	106	-133	58	-2,759	8,042.0
D	21,806.5	193	-261	89	-3,619	18,208.8
E	17,172.2	74	-180	49	-2,160	14,955.4
F	12,350.4	114	-142	27	-968	11,381.2
G	17,309.6	40	-63	28	-522	16,793
H	4,477.0	79	-2	4	-20	4,537
	89,621.3	640	-822	292	-11,846	77,885.2

9. COLLECTION RATE

- 9.1 The Council is also required to estimate its Collection Rate for 2017/18 at the same time as arriving at the estimated number of properties within the Tax Base. In arriving at a percentage Collection Rate for 2017/18, the Council should take into account the likely sum to be collected, previous collection experience and any other relevant factors.
- 9.2 The actual sum to be collected from local Council Tax payers cannot be finally determined until the preceptors requirements are known and the Council has approved its budget. The Council therefore has to make an estimate of the sums to be collected locally making estimated allowance for sums from Council Tax Support and write-offs/non-collection.
- 9.3 The actual collection rate for 2016/17 achieved to the end of October 2016 is 65.1%, comprising cash collection of £50.5m and Council Tax Support of £11.9m. It is estimated that a further £24.4m (31.4%) will need to be collected by 31 March 2017 and £0.8m (1%) thereafter.
- 9.4 Collection performance has been calculated in order to comply with DCLG performance indicator calculations. Latest calculations for 2015/16 and 2016/17 show that the current collection rate can be continued for 2017/18. It is therefore suggested that the collection rate for 2017/18 is maintained at 97.5%.

10. THE TAX BASE

- 10.1 Under Section 33(1) of the Local Government Finance Act 1992 and the Regulations, the Council's tax base is calculated by multiplying the estimated number of Band "D" equivalents by the estimated collection rate.
- 10.2 Based on the number of Band "D" equivalents in the table in paragraph 8.3 above and the estimated collection rate in paragraph 9.4 above, the calculation is as follows:-

(Band D equivalents) x (Collection Rate) = (Tax Base)			
77,885	x	97.5%	= 75,938

11. BUSINESS RATES TAXBASE

- 11.1 The Local Government Finance Act 2012 made it obligatory for authorities to formally calculate the estimated level of business rates (the business rates tax base) it anticipates collecting for the forthcoming financial year and passing this information to precepting authorities by 31 January. The Government will continue to set the tax rate (known as the non-domestic multiplier).
- 11.2 Under the Rates Retention Scheme, established from 2013/14, billing authorities have to estimate their business rates tax base so that the resources available to them (30% for Hammersmith and Fulham), can be determined. 20% of the resources are paid to the Greater London Authority and 50% to the Government
- 11.3 The tax base is based on data from the Valuation Office with local allowance for the appropriate level of business rates appeals, any discretionary reliefs and any forecast growth. This information is pulled together into a government return (NNDR1). The detailed guidance on completing the NNDR1 is not likely to be issued until just before Christmas. This guidance will include allowance for any changes to the business rates system that might be announced by the Chancellor in the Autumn Statement. Given that the return has to be submitted by 31 January it is recommended that the responsibility for setting these figures be delegated to the Cabinet Member for Finance, in consultation with the Strategic Finance Director.
- 11.4 A business rates revaluation is effective from 1 April 2017. The initial data provided by the Valuation Office indicates a 36% headline increase in rateable values. This increase is not uniform and depends on the type of business and location within the borough. Transitional relief arrangements will apply but details are not yet confirmed. The impact of the revaluation will further complicate the

preparation of the NNDR1. In particular the level of appeals is likely to increase and the Council will need to make sure it has set aside an adequate provision.

12 RISK MANAGEMENT

- 12.1 This is a statutory process and any risks are monitored through the Council's MTFS process.

13. EQUALITY IMPLICATIONS

- 13.1 There are no equality implications in this report.

14. FINANCIAL AND RESOURCES IMPLICATIONS

- 14.1 The Tax Base is set by 31 January each year, as outlined in the Local Government Finance Act 1992. It is used within the overall Council Tax and budget setting process, due to be reported to Budget Council on 24 February 2017.

- 14.2 The proposed Council Tax Base for 2017/18 of 75,938 is 1,897 Band D equivalents higher than the 74,041 agreed for 2016/17. The main reasons for this change are set out below:

	Band D Change
Increase in the tax base due to new non exempt properties	1,172
Reduction in Single Persons Discounts	379
Reduction in Council Tax Support scheme discounts	395
Gross Total Change	1,946
Adjusted for Collection rate of 97.5%	-49
Total change	1,897

- 14.3 Based on 2016/17 Council Tax levels the increase in the taxbase will generate additional income of £1.38m for Hammersmith and Fulham and £0.52m for the Greater London Authority
- 14.4 The cost of the local council tax support scheme is based on current Regulations. No allowance is made for potential government welfare reforms due to uncertainty on what changes might be made. This will be treated as a risk within the Medium Term Financial Strategy Process.
- 14.5 The 2017 business rates revaluation is expected to negatively impact the Council. We will pay extra rates on our properties and will need to set aside extra sums for ratepayer appeals. The Council gets no benefit from the extra income generated, from the 36% revaluation uplift, as it is redistributed to other parts of

the country. Figures are draft and clarity is awaited on both transitional arrangements and how the local rates retention scheme will be adjusted. Appropriate adjustments will be made to the Medium Term Financial Strategy when more information is known.

Implications verified/completed by: Andrew Lord, Head of Finance (Budget Planning and Monitoring) Tel: 020 8753 2531

15. LEGAL IMPLICATIONS


- 15.1 The Council is under a statutory duty to set the Council Tax for the forthcoming financial year and to make a budget. This report forms part of that process. The Council is obliged, when making its budget, to act reasonably and in accordance with its statutory duties, the rules of public law and its general duty to Council Tax payers.
- 15.2 The basic amount of Council Tax must be calculated in accordance with Section 31B of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012.
- 15.3 The Council Tax base has been calculated in accordance with the Act and the Regulations. The estimated collection rate to 97.5% is a reasonable and realistic estimate.

Implications verified by: Rhian Davies, Chief Solicitor, Shared Legal Services, Tel: 020 7641 3630.

LOCAL GOVERNMENT ACT 2000 - LIST OF BACKGROUND PAPERS

None.

Agenda Item 6.2

London Borough of Hammersmith & Fulham FULL COUNCIL 25 JANUARY 2016	 hammersmith & fulham
LONDON BOROUGH OF HAMMERSMITH AND FULHAM'S COUNCIL TAX SUPPORT SCHEME 2017/18	
Report of the Cabinet Member for Finance – Councillor Max Schmid	
Open Report	
Classification: For Decision Key Decision: Yes	
Wards Affected: all	
Accountable Director: Belinda Black, Director of Resident and Business Satisfaction	
Report Author: Paul Rosenberg Head of Operations, H&F Direct	Contact Details: Tel: 020 8753 1525 E-mail: paul.rosenberg@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. In April 2013, council tax benefit (CTB) ended and local authorities had to introduce their own scheme to help their residents who need help paying their council tax.
- 1.2. The Council has always agreed a scheme that worked as though the old council tax benefit regulations were still in place (previously known as “the default scheme”) meaning no one in the borough was worse off.
- 1.3. Originally the funding was based on what we paid in council tax benefit less 10%. However, now, the funding forms part of the Revenue Support Grant allocation received at the Local Government Finance Settlement (LGFS).
- 1.4. This report continues to recommend that we continue to replicate the previous benefit regulations (council tax benefit regulations 2006) so that no one in the borough is worse off. Unlike other boroughs, LBHF is not charging residents on low incomes a proportion of their council tax.
- 1.5. However, as we intend replicating the previous council tax benefit scheme, it also recommends that we adopt a change introduced to the housing benefit scheme from 2015 as had council tax benefit still been in place, these would have been part of these regulations.

- 1.6. Agreement for the new scheme must be made by full council at the end of January 2017.

2. RECOMMENDATIONS

- 2.1. That the Council continues with a scheme that reflects the old council tax benefit regulations as much as possible meaning no one in the borough is charged any council tax over and above what they would have been charged had the council tax benefit regulations continued.
- 2.2. It is recommended a continuation of the assessment of in work Universal Credit cases as agreed in our scheme last year.
- 2.3. To keep the scheme consistent with housing benefit rules it is recommend the reduction of the temporary absence rules for those travelling outside Great Britain to 4 weeks, in line with the housing benefit regulations. The same exemptions will be applied as the DWP (see appendix 1), but 26 weeks will be allowed where a resident is unable to return if they are looking after a sick relative, 52 weeks for military personnel as well as discretionary powers to maintain council tax support in other exceptional circumstances.

3. REASONS FOR DECISION

- 3.1. The reasons for not substantially changing the scheme are the same as for previous year. We do not believe those on low incomes should suffer due to a cut made by central government.
- 3.2. Some councils who were previously requiring people to pay something are now adopting similar schemes to LBHF so that the poorest do not need to contribute.
- 3.3. There would also be an additional cost to the authority in trying to collect this amount of money, and collection rates in councils that have done this have been low. It is estimated that around 4 to 5 extra staff would be needed staff to deal with increased enquiries and appeals at the Valuation Tribunal.
- 3.4. We have made the change to the temporary absence rule to continue to mirror the benefit regulations. However, we are keeping the overriding ethos that those on maximum support should not have to pay any of their council tax.

4. PROPOSAL AND ISSUES

Introduction and Background

- 4.1. The Local Government Finance Act 2012 abolished council tax benefit and gave local authorities new powers to assist residents on low incomes with help paying their council tax.

- 4.2. The Act does impose some conditions on local authorities in that pensioners must be protected (so that no pensioner is worse off) and people in work must be supported, but this aside the authority can develop a scheme as it sees fit.
- 4.3. The funding for the scheme was originally based on what the authority used to spend in council tax benefit less 10%. However, the funding for council tax support is now included in the Revenue Support Grant which has and will continue to be subject to further cuts. It is up to the authority to decide how to deal with this potential loss of income.
- 4.4. The schemes must last at least a year. It is proposed that this scheme runs for one year for the period April 2017 to April 2018. This will allow the authority choice for 2018/19 if it wishes to change its scheme due to additional cost if the caseload goes up or if the council wishes to raise additional revenue.

Changes to Housing Benefit / Universal Credit

- 4.5. Since Council Tax Support was introduced it has been the authority's intention to maintain a scheme that reflects the previous council tax benefit scheme as much as possible so that no one in the authority is worse off. However, it has also been our intention to reflect the benefit regulations that are prescribed for those that are pension age and those on housing benefits. So this means incorporating any changes in those schemes into our CTS scheme.
- 4.6. Last year the scheme confirmed how we will process in work claims for Universal Credit. We are not proposing any changes to this.
- 4.7. The following change to housing benefits should be reflected in the council tax support scheme from 2017/18:
 - Reducing the maximum period for which someone can be temporarily absent outside Great Britain (GB) and still qualify for Council Tax support. At present, there is no distinction between temporary absence within GB and outside it. There is a standard allowance of 13 weeks and a higher rate of 52 weeks in certain circumstances such as hospitalisation. The treatment of absence within GB will not change, but for absences outside GB the maximum period will change from 13 or 52 weeks to 4, 8 or 26 weeks, depending on the circumstances of the absence. Changes to the maximum period that a claimant can be temporarily absent, where the absence is outside GB, came into effect in housing benefit from 28 July 2016.
 - Where the claimant can show that this change has led to them suffering exceptional hardship over and above that of a normal benefit claimant, we will retain the ability to award CTS, based on the claimant's income for the period of the absence.
- 4.8. This change was included in the consultation we carried out with residents over the summer along with a proposal to remove the family premium which we have decided not to proceed with

Cost of the scheme

- 4.9. For the first year, the council received as a grant, what they would have spent in council tax benefit less 10%. This was advantageous to the borough because the calculation was based on when both our caseload and our council tax level were higher. This has meant that in the first two years, the council's scheme ran as a surplus.
- 4.10. The funding is now incorporated into our grant income which is not paid separately to the council but forms part of the Revenue Support Grant (RSG) calculation. It is therefore no longer possible to identify how much money the council gets from central government to pay for council tax support awards.
- 4.11. In general, our caseload is dropping, meaning council tax support is costing us less. However, the grant support from central government is also falling.
- 4.12. See financial implications for cost of scheme.

5. OPTIONS AND ANALYSIS OF OPTIONS

- 5.1. Across London, the main option for authorities who wish to raise additional revenue through the council tax support scheme is to charge everyone a proportion of council tax – including those on passported benefits such as income support
- 5.2. On average where authorities outside of Hammersmith and Fulham have chosen this option, those on maximum benefit still have to pay about 20% of the council tax liability.
- 5.3. We would be seeking repayment from the poorest in society many of whom have already seen reductions in their income through other welfare reform changes.
- 5.4. LBHF has decided to forgo any additional revenue that forcing everyone to pay some council tax would bring and have a fairer system based on old benefit rates and income tapers.

6. CONSULTATION

- 6.1. As required by the Local Government Finance Act, officers consulted with the GLA as the precepting authority and with the public on the proposed scheme.
- 6.2. In previous years, the consultation has been minimal because we were not changing anything. The GLA have endorsed this.
- 6.3. Even though there is a slight change to the scheme that we are proposing we have not changed the consultation method for this year. We carried out an on-line consultation that ran for 2 months.
- 6.4. The responses this year were again limited as there is not much change to the scheme.

- 6.5. This year, we only had 1 response (we had 2 in previous years). The respondent agreed with our approach but felt we should not withdraw the family premium. The respondent did agree with the reduced temporary absence change though.
- 6.6. The response can be found in **Appendix 2**.

7. EQUALITY IMPLICATIONS

- 7.1. Upon the introduction of Council Tax Support LBHF made the decision not to pass on the 10% reduction in funding to recipients of CTS and that decision remains in place, with the reasoning set out in Paragraph 5.
- 7.2. In introducing its CTS scheme LBHF made the decision to continue with a scheme that reflects as much as possible the old council tax benefit regulations so that nobody is charged council tax over and above what they would have been charged.
- 7.3. Additionally the decision was made last year to assess in work Universal Credit cases using UC applicable amounts.
- 7.4. This report recommends at Paragraph 2 that the Council continues with the approach under 7.1 to 7.3 above, which are more favourable for all recipients of CTS, including of course those with protected characteristics.
- 7.5. In accordance with the policy under 7.2 the Council has to consider whether amendments introduced by central government into the benefits regime should be incorporated into the LBHF CTS scheme. Two amendments were introduced by central government into the benefits regime in 2016/2017, i.e. the abolition of the Family Premium and the reduction of the Temporary Absence period, and both were the subject of the consultation referred to at Paragraph 6.
- 7.6. Taking into account the negative impact of the abolition of the Family Premium on families receiving partial CTS the decision was made not to remove the Family Premium.
- 7.7. In considering whether to adopt the government's changes to the Temporary Absence provisions in the current benefits regulations into the Council's CTS scheme the EIA notes that there may be a more adverse effect upon BME claimants who are more likely to leave the UK to visit family. Taking this into account it is proposed that the change is introduced to include an additional exemption for when a claimant is overseas to look after a sick relative and will be subject to a discretion that can be applied when the claimant can show additional and exceptional hardship – see Paragraph 4.7.
- 7.8. The revised CTS scheme will run for 2017/18 and any impacts as a result of the change to the Temporary Absence provision will be monitored and considered when the CTS scheme is reviewed for 2018/19.

- 7.9. The attached EIA (**appendix 3**) provides more detailed analysis of the anticipated equality impact of the CTS scheme for 2017/18.
- 7.10. Implications verified / completed by: (Paul Rosenberg, Head of Operations, H&F Direct 020 8753 1525)

8. LEGAL IMPLICATIONS

- 8.1. The report sets out the requirements of the Local Government Finance Act 2012 to include a reminder that consultation for this scheme is a requirement and deals with the legal implications in the body of the report. Paragraph 6 details the statutory consultation which was undertaken, in compliance with the Act.
- 8.2. Implications verified/completed by: (Joyce Golder. Principal Solicitor, 020 7361 2181)

9. FINANCIAL IMPLICATIONS

- 9.1. The council tax support scheme operates by offering a discount to residents who need help paying their council tax. The cost of the scheme is shared between Hammersmith and Fulham and the Greater London Authority based on their respective council tax charges. The Hammersmith and Fulham share of the scheme cost was £8.8m in 2015/16 and is estimated to be £8.45m in 2016/17. The reduction reflects a lower caseload.
- 9.2. Funding for the council tax support scheme was originally provided through Revenue Support Grant (RSG) from the Government. Government funding was cut by £8.1m (14.1%) in 2016/17 and cuts are expected to continue until 2020/21.
- 9.3. Implications verified/completed by: (Andrew Lord, Head of Strategic Planning and Monitoring, Ext 2531).

10. IMPLICATIONS FOR BUSINESS

- 10.1. None

11. OTHER IMPLICATION PARAGRAPHS

- 11.1. None

12. BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

LIST OF APPENDICES:

- Appendix 1 List of exemptions for restricting temporary absence outside of GB to 4 weeks
- Appendix 2 Consultation response
- Appendix 3 Equalities Impact Assessment

Extension to restricting temporary absence for travelling overseas to 4 weeks

Reason for absence	Maximum period of absence for CTS to be awarded
The person is in a hospital or similar institution as a patient	26 weeks
A person, their partner or dependent child undergoing medical treatment or, medically approved convalescence in accommodation other than residential accommodation	26 weeks
A person who is receiving medically approved care provided in accommodation other than residential accommodation	26 weeks
A person who has left their home for fear of domestic violence	26 weeks
A person who is looking after a sick relative	26 weeks
A person who is absent from GB in connection with the death of a close relative	13 weeks
A member of HM forces posted overseas, a mariner, a continental shelf worker	52 weeks
Cases of exceptional hardship	52 weeks

Council Tax Support Consultation 2017-18 Proposal: Interim report

This report was created on Friday 02 September 2016 at 11:03.

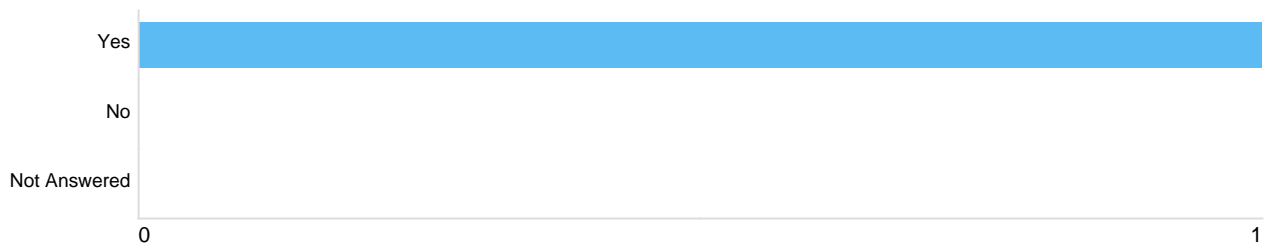
The consultation had not yet closed when this report was generated. As such, this report may not accurately reflect the final distribution of responses, and should be treated as interim only.

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5	1
Question 3: Do you agree with our proposal to reduce the permitted period for temporary absences outside GB?	2
reduce period	2
Question 4: Please explain your view on the council's decision to absorb the cost	2
(complete below)	2
Question 5: Do you pay council tax to the Hammersmith & Fulham Council?	2
1	2
Question 6: Do you receive Council Tax support?	2
2	2
Question 7: What is your age group?	3
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Question 1: Do you agree the council should meet the shortfall to keep support consistent with Council Tax benefit?

5



Option	Total	Percent
Yes	1	100.00%
No	0	0%
Not Answered	0	0%

Question 2: Do you agree with our proposal to abolish the Family Premium?

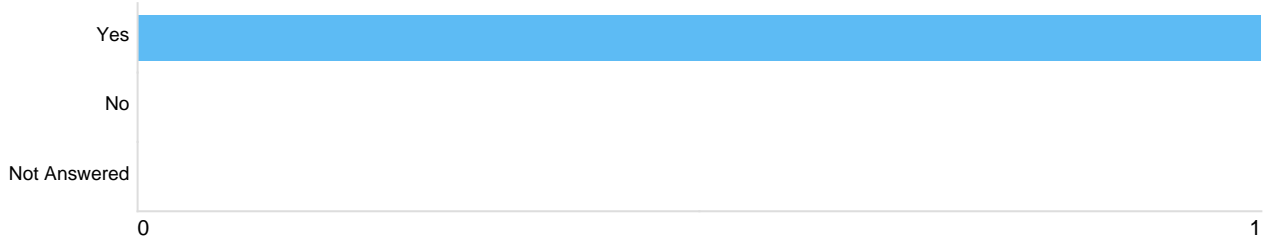
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Option	Total	Percent
Yes	0	0%
No	1	100.00%
Not Answered	0	0%

Question 3: Do you agree with our proposal to reduce the permitted period for temporary absences outside GB?

reduce period



Option	Total	Percent
Yes	1	100.00%
No	0	0%
Not Answered	0	0%

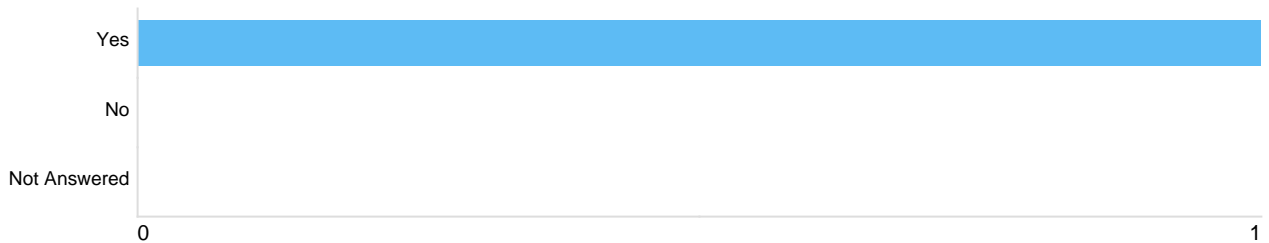
Question 4: Please explain your view on the council's decision to absorb the cost

(complete below)

There were 1 responses to this part of the question.

Question 5: Do you pay council tax to the Hammersmith & Fulham Council?

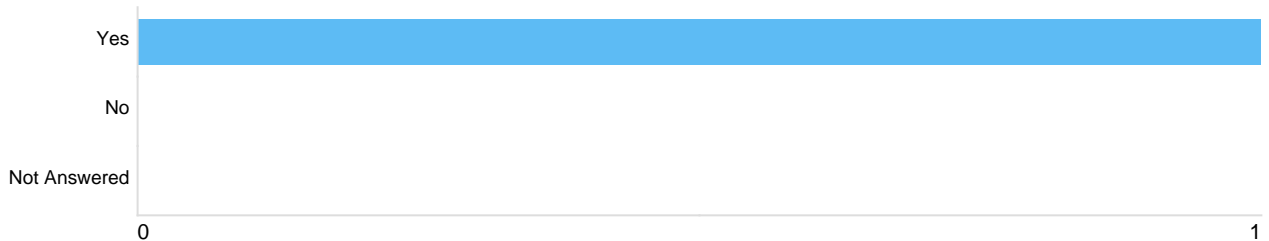
1



Option	Total	Percent
Yes	1	100.00%
No	0	0%
Not Answered	0	0%

Question 6: Do you receive Council Tax support?

2



Option	Total	Percent
Yes	1	100.00%
No	0	0%
Not Answered	0	0%

Question 7: What is your age group?

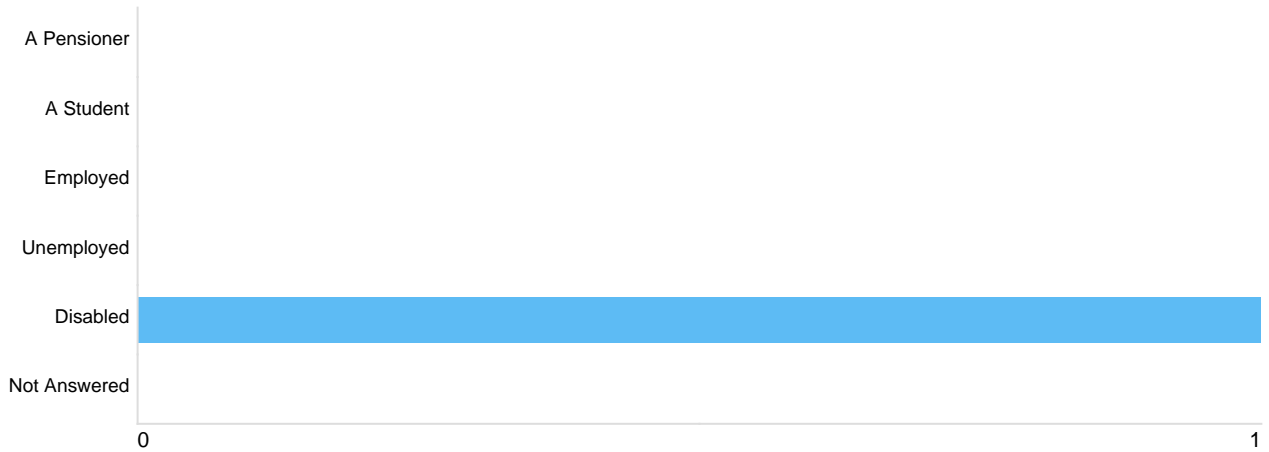
3



Option	Total	Percent
Under 18	0	0%
18 - 59	1	100.00%
60 or over	0	0%
Not Answered	0	0%

Question 8: Are you (please tick one):

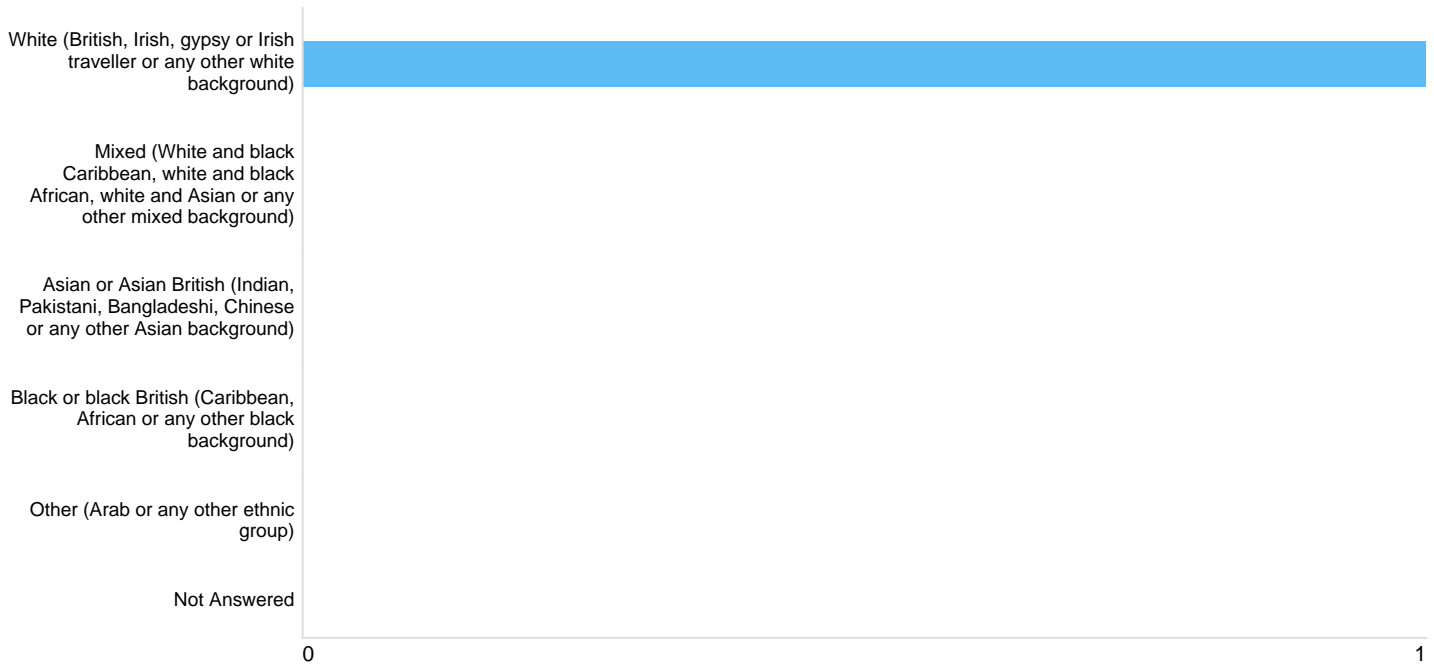
4



Option	Total	Percent
A Pensioner	0	0%
A Student	0	0%
Employed	0	0%
Unemployed	0	0%
Disabled	1	100.00%
Not Answered	0	0%

Question 9: Are you (please tick one)

5



Option	Total	Percent
White (British, Irish, gypsy or Irish traveller or any other white background)	1	100.00%
Mixed (White and black Caribbean, white and black African, white and Asian or any other mixed background)	0	0%
Asian or Asian British (Indian, Pakistani, Bangladeshi, Chinese or any other Asian background)	0	0%
Black or black British (Caribbean, African or any other black background)	0	0%
Other (Arab or any other ethnic group)	0	0%
Not Answered	0	0%

Question 10: Are you responding to the consultation in your capacity as a representative of any of the following:

6



Option	Total	Percent
Voluntary organisation	0	0%
Housing Association	0	0%
Landlord	0	0%
Other	1	100.00%
Not Answered	0	0%

Appendix 3

Equality Impact Analysis (EIA) of Local Council Tax Support Scheme 2017/18

(A) Overview and Summary

Since 2013, the council has been obliged to set a local scheme to award council tax support (CTS) for residents on a low income. From then, the council has adopted a scheme that reflects the benefit regulations and nobody in the authority has been worse off. As this meant that there was no change for claimants, there was no requirement to complete an equalities impact assessment.

Universal Credit

Universal Credit (UC) was introduced in October 2013 for a very specific cohort of out of work claimants. Initially, the take up was slow but from June 2016, The DWP have been in the process of introducing the full digital service to the borough. This means by January 2017, everyone of working age within the borough should claim UC.

For out of work claims, the CTS assessment is simple. Maximum support is awarded the same as a passported legacy benefit (such as Jobseekers Allowance).

The authority decided for the 2016/17 scheme how to assess in work claims for UC as it was not possible to rely on legacy benefit regulations as UC was not introduced when these were rescinded.

It is for this element of our CTS scheme, i.e. how we are assessing in work UC cases that this EIA is required.

It has always been the intention of the authority that we, as much as possible replicate the benefit regulations. With Universal Credit, the calculations are slightly different to the legacy benefits, with different applicable amounts and earned income disregards. This leaves the authority with a choice of which rates to use, the legacy benefit rates or those used in UC.

The council has decided that for in-work UC claimants, the CTS will be assessed using the UC applicable amounts rather than the applicable amounts taken from the housing benefit regulations (as we normally do). This will mean that these claimants will receive more CTS as the UC rates higher.

A public authority must, in the exercise of its functions, comply with the requirements of the Equality Act 2010 and in particular section 149 (the Public Sector Equality Duty). This EIA is intended to assist the Council in fulfilling its public sector equality duty ("PSED"). It assesses, so far as is possible on the information currently available, the equality impact of our decision to assess in work UC claims based on the UC rates rather than the rates used for non UC cases.

Temporary absence

The government have reduced the length of time from 13 weeks to 4 weeks that a claimant can be out of the country. This is a nationally introduced change that we are

reflecting in our scheme. Central government have completed an EIA for this change nationally.

LBHF has provided mitigation to this by adopting exemptions included in the DWP regulations and adding a further exemption that includes extending the allowable period of absence for those attending to sick relatives. The authority has also kept a discretionary element to adopting this change by retaining the ability to award CTS to someone overseas in cases of exceptional hardship

(B) Methodology

There is little difference in the way that we have decided to calculate UC claims as the UC applicable amount are similar to those used in legacy benefits. However, they are slightly more generous to the claimant which means their UC award is higher. However, this then affects the CTS claim by lowering entitlement meaning there is only a slight net difference in CTS.

The analysis will refer to the budget setting EIA which looks at the whole CTS caseload. This is because it is the government's intention to increase the UC caseload nationally.

Analysis of the impact of the assessment of UC claims for CTS

Local Council Tax Support (LCTS) came into effect on 01 April 2013, and replaced Council Tax Benefit which was abolished as part of the Government's Welfare Reforms (which include the introduction of Universal Credit). H&F decided for the following years to absorb the cost of the changes, which means that people receive the same or very similar help to pay their council tax as they did under council tax benefit.

At present, there are approximately 430 CTS claims who are in receipt of UC. The vast majority of these are out of work and so are not currently affected by our proposals.

The original cohort selected by the DWP as part of the take up of UC largely focused on single claimants. However, as explained above, the W6 and W14 have accepted all new claims for UC from the summer and by January 2017 this will refer to the whole borough (meaning there will be no new claims for housing benefits for working age claimants).

Because of the historical focus on single claimants, the UC caseload on CTS is still heavily biased towards single people. There are only 11 (2.5%) claims made by couples.

Of the remaining 419 claims 234 (56%) are from women and 185 (44%) are from men.

This is compared to the CTS working age caseload where 4,113 or 57% are female, 2,007 or 28% are male and 1,123 or 15% are couples.

Under full service, the cohort will include those with the limited capability of work element. However, we are unable to extract the number of UC cases that this refers to from our benefits system though we do know that disabled claimants make up 20% of our working age caseload.

Just as in the budget setting EIA, it is not possible to extract meaningful ethnicity data from the caseload.

From the limited information that we hold, there is little impact on CTS recipients. However, we can see that there is a positive impact on those affected as the authority's scheme for UC is more generous than if we used the legacy benefits applicable amounts. (see appendix 1 for an example).

The authority does not select the claimants who receive UC as this is done by the DWP.

Analysis of the impact of the change to temporary absence rules

This change risks having an affect BME claimants who are more likely to leave the UK to visit family. This is a national regulation and we are adopting this change to reflect the current benefit regulations. The government's EIA can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496711/equality-assessment-ssac-hb-temp-absence-feb-2016.pdf

The authority has proposed a series of exemptions to mitigate this adverse impact, and it will also have discretionary powers to maintain council tax support to prevent exceptional hardship even where the extended time limits in these exemptions are exceeded.

We do not collect information on who is likely to travel overseas. Again, we will need to monitor the effects of this change in the coming year.

(C) Conclusion

For the claimants affected by our assessment of UC, the change has a positive impact because it awards them more council tax support than if we used legacy benefit rates. For any other claimant, the overall affect is neutral as they are not affected by the change in anyway.

Also, all protected groups are not disproportionately represented in this change. Those who receive UC are not selected disproportionately from any group.

We have chosen the option that benefits those affected rather than puts them at a disadvantage so there are no further mitigating actions that the authority can take.

Because UC is a new benefit and an emerging part of the government's welfare reform agenda, the affects to the CTS caseload will need to be monitored and subject to review.

Based on current information we feel that this is the fairest way forward but we will monitor any impacts as more people are affected to ensure that no group is impacted adversely. It will also be important though to also monitor how this affects the value of CTS awards to ensure that this more generous scheme is not too expensive for the council to implement.

For the change to the temporary absence rule, this will have a negative impact on claimants from a BME background who are more likely to be affected but it has been introduced to reflect current benefit legislation. However, the authority has adopted a set of exemptions beyond those allowed by DWP to mitigate this as well as retaining a further discretionary element to prevent exceptional hardship.

The scheme will run for a year so there will be an opportunity to review for 2018/19. If change is required, then further work will be needed on assessing its impact on the protected groups.

Appendix 3A

Example of UC / Legacy calculations

In this example, we have compared the circumstances of a customer on a low income (earning a net amount of £115.38 per week). The claimant has a rent of £200 per week to pay. In the first example, the claimant can receive £427.95 per week UC but will be expected to pay £200 of this towards their rent, leaving a net amount of £227.95.

In doing the calculation for council tax support, in the way that we are proposing, we ignore the income from UC which in effect makes the UC award the applicable amount. We then use any other income as excess income in the same way that CTS is calculated normally. This leaves a CTS award of £6.25 per week.

In the second example, we have treated the UC amount as income (though we have disregarded the rent cost income) and we have used the applicable amounts we currently use for non-UC cases. Here, the CTS is the lower amount of £5.55 per week.

The legacy tax credit award would have been lower than the UC award. Based on the current example, we estimate a claimant would receive about £120 per week in tax credits rather than the £227.95 per week received in UC (net of rent costs). This means that those in receipt of working / child tax credits do receive higher CTS awards but this is because the amount of tax credit received is lower. The claimants net income is higher under UC.

UC Calculation

Description	Gross Income	Disregards	Eligible Amount
Net Earnings	£115.38	£27.10	£88.28
Child Benefit (disregarded)	£34.40	£34.40	£0.00
Universal Credit (UC)	£427.95	£0.00	£427.95
Total Income (earnings plus UC)	£516.23		

Income used in calculation	£516.23
Less the UC applicable amount	£427.95
Excess Income	£88.28

Eligible Council Tax	£23.91
Less 20% of Excess Income	£17.66
Weekly Council Tax Support Award	£6.25

Legacy Benefit Calculation


Description	Gross Income	Disregards	Eligible Amount
Net Earnings	£115.38	£27.10	£88.28
Child Benefit (disregarded)	£34.40	£34.40	£0.00
Universal Credit (UC)	£427.95 (including £200 per week housing costs)	£200.00	£227.95
Total Income (earnings plus UC)	£316.23		

Income used in calculation	£316.23
Less the applicable amount	£224.25
Excess Income	£91.98

Eligible Council Tax	£23.91
Less 20% of Excess Income	£18.36
Weekly Council Tax Support Award	£5.55

Glossary

Net Earnings	In the calculation of the CTS award, we always use income after tax, national insurance and half of any pension is taken off
Disregards	Within CTS, we disregard a certain amount of earned income. How much we disregard depends on the family make-up of the claimant and the number of hours worked
Eligible Amount	This is the net income after all disregards are taken off. It is this income that the final award calculation is based on
Applicable Amount	This is the figure at which the claimant stops to receive maximum CTS. So, if the income is below the applicable amount, they receive maximum CTS. Once the income goes above the applicable amount, the CTS is reduced by 20%.

<p>London Borough of Hammersmith & Fulham</p> <p>FULL COUNCIL</p> <p>25 January 2017</p>	
<p>APPOINTMENT OF EXTERNAL AUDITORS</p>	
<p>Report of the Leader of the Council – Councillor Stephen Cowan</p>	
<p>Open Report</p>	
<p>Classification: For Decision Key Decision: Yes</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: Hitesh Jolapara, Strategic Finance Director</p>	
<p>Report Author: Christopher Harris, Head of Corporate Accountancy and Capital</p>	<p>Contact Details: Tel: 0208 753 6440 christopher.harris@lbhf.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1. This report outlines the approach for appointing the Council’s External Auditors further to the end of the transitional arrangements which have been in place since the end of the Audit Commission. It was considered by the Audit, Pensions and Standards Committee on 7th December 2017 who have recommended that Council opts in to the appointing person arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of external auditors.

2. RECOMMENDATIONS

To approve that the Council opts in to the appointing person arrangements made by Public Sector Audit Appointments (PSAA) for the appointment of external auditors for five financial years commencing 1 April 2018.

3. REASONS FOR DECISION

- 3.1. Regulation 19 of the Local Audit (Appointing Person) Regulations 2015 requires that a decision to opt-in to the new appointment arrangements must be made by Full Council. The PSAA have requested that any decision is made by February 2017.

4. INTRODUCTION AND BACKGROUND

- 4.1. The Council's External Auditors were previously appointed by the Audit Commission. Following the demise of the Commission, transitional appointment arrangements were put in place running up to and including the audit of the financial year 2017/18. The Council must ensure it has arrangements in place for the appointment of External Auditors for the financial year 2018/19 onwards.
- 4.2. The Local Audit and Accountability Act 2014 requires authorities to either opt in to the appointing person regime – i.e. as part of a sector-wide consortium - or to establish an auditor panel and conduct their own procurement exercise.
- 4.3. In July 2016 the Department for Communities and Local Government (DCLG) confirmed Public Sector Audit Appointments (PSAA) as the appointing person for this purpose.
- 4.4. The PSAA was originally established to operate the transitional arrangements following the closure of the Audit Commission and is a company owned by the Local Government Association's Improvement and Development Agency (IDeA). It is the body to whom existing External Audit contracts were novated following the end of the Audit Commission.
- 4.5. The Council must now decide to opt into the PSAA arrangements or undertake its own audit selection and procurement process.
- 4.6. It is recommended that Council opts in to the appointing person arrangements made by PSAA for the appointment of external auditors for five financial years commencing 1 April 2018.
- 4.7. Regulation 19 of the Local Audit (Appointing Person) Regulations 2015 requires that a decision to opt in must be made by Full Council. The PSAA have requested that any decision is made prior to February 2017.

5. REASONS FOR THE PROPOSED DECISION

- 5.1. It is likely that a sector-wide procurement conducted by PSAA will produce significantly better outcomes for the Council than any self-determined procurement. Use of the PSAA will:
 - Be less resource intensive than establishing an auditor panel and conducting our own procurement.
 - Harness the bulk buying power of the sector led procurement, leading to reduced audit fee.
 - Harness the expertise vested in the PSAA. The PSAA has wide support across local government.
- 5.2. The advantages of a sector led body procurement are:
 - Assure timely auditor appointments
 - Manage independence of auditors
 - Secure highly competitive prices

- Save on procurement costs
- Save time and effort needed on auditor panels
- Focus on audit quality
- Operate on a not for profit basis and distribute any surplus funds to scheme members.

5.3. This report was considered by the Audit, Pension and Standards Committee on 7th December 2016 who recommended that the Council opt into the PSAA arrangements.

6. EQUALITY IMPLICATIONS

6.1. There are no direct equalities implications in relation to this report.

7. LEGAL IMPLICATIONS

7.1. There are no direct legal implications in relation to this report.

7.2. Implications verified/completed by: David Walker, Principal Solicitor, Commercial and Corporate Property, 020 7361 2211.

8. FINANCIAL IMPLICATIONS

8.1. Recent Audit fees are shown below:

Year	Audit fee (£'000)
2015/16	164
2014/15	216
2013/14	216
2012/13	216

Source: Statement of Accounts, excludes grant claim fees

The most recent audit fee reflects the assumed future budgets for this area.

8.2. Implications completed by: Christopher Harris, Head of Finance – Corporate Accountancy and Capital, Tel: 020 8753 6440

9. IMPLICATIONS FOR BUSINESS

9.1. External Audit underpins the Council's arrangements for sound financial control and achieving value for money. This will encompass a number of areas likely to impact on local businesses including:

- Ensuring that arrangements are in place to pay suppliers in a timely and accurate manner;
- Ensuring transparency in the Council's financial information and processes enabling local taxpayers and businesses to hold the Council to account;

- Ensuing that the Council's arrangements for procurement are fair, accessible, and equitable.

9.2. Implications completed by: Antonia Hollingsworth, Principal Business Investment Officer. Tel: 020 8753 1698

10. RISK MANAGEMENT

10.1. Auditing is a cornerstone of good public sector governance. By providing unbiased, objective assessments of whether public resources are managed responsibly and effectively to achieve intended results, auditors help councils achieve accountability and integrity, improve operations, and instil confidence among local citizens and taxpayers. The public sector auditor's role supports the governance responsibilities of oversight, insight, and foresight. Oversight addresses whether public sector entities are doing what they are supposed to do and serves to detect and deter public corruption. Insight assists decision-makers by providing an independent assessment of public sector programs, policies, operations, and results. Foresight identifies trends and emerging challenges. Auditors use tools such as financial audits, performance audits, investigations, and advisory services to fulfil each of these roles.

10.2. An effective public sector audit activity strengthens governance by materially increasing citizens' ability to hold their public sector entity accountable. Auditors perform an especially important function in those aspects of governance that are crucial for promoting credibility, equity, and appropriate behaviour of public sector officials, while reducing the risk of public corruption. Therefore, it is crucial that audit activities are configured appropriately and have a broad mandate to achieve these objectives. The audit activity must be empowered to act with integrity and produce reliable services, although the specific means by which auditors are appointed vary. The proposed route seeks to deliver the best possible service at least cost to the local taxpayer, the recommended route therefore is in accord with management of risk associated with Market Testing and Delivering Statutory Duties both expressed on the Council's Risk Register.

10.3. Implications completed by: Michael Sloniowski, Shared Services Risk Manager ext. 2587

11. PROCUREMENT IMPLICATIONS

11.1. Use of the PSAA framework represents an efficient and sensible route for the procurement of external audit. In establishing the framework of external audit providers, the PSAA will need to comply with the requirements of the Public Contracts Regulations 2015.

11.2. Implications verified/completed by: John Francis, Interim Head of Procurement (Job-Share) - 020 8753 2582.

LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

SPECIAL MOTION NO.1 – LABOUR’S DIESEL STEALTH TAX

Standing in the names of:

- (i) Councillor Greg Smith
- (ii) Councillor Steve Hamilton

This Council:

1. Recognises the importance of improving air quality in Hammersmith & Fulham and all the health benefits associated with cleaner air.
2. Notes the Labour administration’s proposal to introduce a surcharge for parking permits to apply to 28,729 diesel cars in the borough with an escalator to increase the level of charges in future years.

This Council condemns Labour’s Diesel Tax, which:

1. Is not supported by any scientific evidence to show it will do anything to improve the level of air quality in our Borough.
2. Is a stealth tax.
3. Will disproportionately punish residents of low income and restricted financial means in our Borough.

This Council therefore:

1. Calls for the immediate suspension of Labour’s Diesel Tax until a full and proper study is undertaken to examine the impact on air quality and the implications of this tax on the financial wellbeing of low income households.
2. Further commits to work with the government and TfL to identify measures which will actually improve the borough's air quality.

Agenda Item 7.2

SPECIAL MOTION NO.2 – FULHAM POOLS

Standing in the names of:

- (i) Councillor Joe Carlebach
- (ii) Councillor Andy Brown

This Council recognises:

1. The benefits of all forms of exercise to the health and wellbeing of our residents.
2. The particular importance of exercise for those in the 60 plus age group, those on restricted incomes, carers and the disabled.

This Council:

1. Notes the withdrawal on 1 October 2016 of off peak free swimming for Better concession card holders at Fulham Pools.
2. Deplores the treatment of residents using Fulham Pools for swimming who have been bullied and ignored over a period of three months.
3. Formally apologises to those residents who have had their lives blighted by this issue.
4. Commits itself, as a matter of urgency, to reinstate free and fair access to swimming facilities at Fulham Pools for residents aged over 60, those on restricted incomes, carers and the disabled.

SPECIAL MOTION NO.3 – OUR NHS FACES A HUMANITARIAN CRISIS

Standing in the names of:

- (i) Councillor Adam Connell
- (ii) Councillor Colin Aherne

The British Red Cross has said that “The NHS is facing a humanitarian crisis as hospitals and ambulance services struggle to keep up with rising demand”.

Doctors leaders have said that more patients could die because of the chaos engulfing the NHS.

This crisis is detrimentally affecting the health and wellbeing of many residents of Hammersmith & Fulham.

This Council recognises that there are serious flaws in the government’s approach to our NHS and that those are putting lives at risk including those of people living in Hammersmith & Fulham.

Agenda Item 7.4

SPECIAL MOTION NO.4 – THE DANGER OF CLIMATE CHANGE

Standing in the names of:

- (i) Councillor Wesley Harcourt
- (ii) Councillor Larry Culhane

This Council recognises that global warming and climate change poses a clear and present danger and is one of the greatest threats facing the world. This Council therefore agrees that action is needed at an international, national, regional and local level.

We call upon the Government to work constructively with the London Mayor and take all necessary steps to combat these dangers which should include complying with the European Union regulations with regard to these matters and to implement the 2015 Paris agreement on climate change.

Locally, the residents of Hammersmith & Fulham face significant dangers which includes the potential of increased flooding, damage to the local environment, worsening air quality and more premature deaths because of air pollution.

The Council agrees it has a duty to provide investment and take actions to protect and improve the environment; That should include: increasing the use of electric cars; improving cycling lanes and making the roads safer; reducing flooding; insisting more developers build carbon positive buildings; improving bio-diversity and cutting its use of pesticides; and taking measures to improve air quality.

SPECIAL MOTION NO.5 – HOMELESSNESS

Standing in the names of:

- (i) Councillor Sue Fennimore
- (ii) Councillor Lisa Homan

This Council notes with concern that nationally the number of homeless households rose by 44% between 2010 and 2016, to almost 60,000 and the number of people sleeping rough doubled in the same period.

Despite this difficult situation, Hammersmith & Fulham has a strong record in preventing homelessness and have not placed any households with children in bed and breakfast accommodation for 18 months.

This Council is determined to continue to do everything possible to support those who are homeless or threatened with homelessness, which includes some of the most vulnerable people in the borough.

We call on the government to support the aim of this administration to end homelessness and therefore urgently introduce a proper national housing strategy which also addresses the root causes of homelessness and brings homelessness and rough sleeping to an end.

Agenda Item 7.6

SPECIAL MOTION NO.6 – MENTAL HEALTH

Standing in the names of:

- (i) Councillor Alan De'Ath
- (ii) Councillor PJ Murphy

This Council welcomes the recent statement by Theresa May to improve outcomes for those with mental health needs.

However, it notes that since 2010, there has been a real terms cut of 8.5% to services and her commitment lacks any detail as to how it will be funded or delivered.

This Council notes:

- One in four people will experience a mental health problem in any given year.
- The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.
- Mental ill health costs some £105 billion each year in England alone.
- People with a severe mental illness die up to 20 years younger than their peers in the UK.
- There is often a circular relationship between mental health and issues such as housing, employment, family problems or debt.
- 1 in 10 children and young people aged 5 – 16 suffer from a diagnosable mental health disorder – around three children in every class
- 75% of mental health problems in adulthood (excluding dementia) start before 18 years
- Between 1 in 12 and 1 in 15 children and young people deliberately self-harm
- More than half of all adults with mental health problems were diagnosed in childhood. Less than half were treated appropriately at the time.

This Council recognises the importance of properly funded mental health services and improving service outcome. The Task Force, which concluded last summer and was created to focus on child and adolescent mental health provision within Hammersmith & Fulham, provided concrete recommendations for improving services, in stark contrast to the empty rhetoric and unfunded promises of the Tory Government.

This council calls on the Government to stop making empty statements and instead effectively fund the education sector, NHS, social care and local authorities to ensure that those in need receive the support they deserve before it is too late.