

NOTICE OF MEETING

Meeting:	CORPORATE OVERVIEW AND SCRUTINY PANEL
Date and Time:	THURSDAY, 24 SEPTEMBER 2020, AT 9.30 AM*
Place:	SKYPE MEETING - ONLINE
Enquiries to:	Email: andy.rogers@nfdc.gov.uk Tel: 023 8028 5070

PUBLIC PARTICIPATION:

*Members of the public may speak in accordance with the Council's public participation scheme:

- (a) immediately before the meeting starts, on items within the Panel's terms of reference which are not on the public agenda; and/or
- (b) on individual items on the public agenda, when the Chairman calls that item. Speeches may not exceed three minutes.

Anyone wishing to speak should contact the name and number shown above no later than <u>12.00 noon on Tuesday, 22 September 2020</u>. This will allow the Council to provide public speakers with the necessary joining instructions for the Skype Meeting.

Bob Jackson Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA www.newforest.gov.uk

This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meetings held on 18 June and 28 July 2020 as correct records.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PUBLIC PARTICIPATION

To note any issues raised during the public participation period.

4. COUNCIL TAX EMPTY HOMES PREMIUM (Pages 5 - 6)

To consider the Empty Homes Premium applicable from 1st April 2021.

5. COUNCIL TAX REDUCTION SCHEME 2021/22 (Pages 7 - 14)

To consider the Council Tax Reduction Scheme for 2021/22.

6. BUSINESS SUPPORT GRANTS (Pages 15 - 20)

To receive a summary of support given to businesses and the Council role in delivering the Government's Business Support Schemes.

7. COMPLAINTS ANNUAL REPORT 2019/20 (Pages 21 - 42)

To receive the Complaints Annual Report 2019/20.

8. WORK PROGRAMME (Pages 43 - 44)

- (a) To consider the Panel's future Work Programme, including any reviews of previous work undertaken; and
- (b) To receive any updates on Task and Finish Group work.

9. PORTFOLIO HOLDERS' UPDATES

To receive an oral update from the Portfolio Holders for Corporate Affairs, Finance, Corporate Services & Improvement and Local Economic Development, Property & Innovation on developments within their Portfolio areas.

10. DATES OF MEETINGS 2021/2022

To agree the following dates of meetings for 2021/2022 (all Thursdays, at 9.30 a.m.)

24 June 2021 23 September 2021 18 November 2021 20 January 2022 24 March 2022

11. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

NEW FOREST DISTRICT COUNCIL – VIRTUAL MEETINGS

Background

This meeting is being held virtually with all participants accessing via Skype for Business.

A live stream will be available on YouTube to allow the press and public to view meetings in real time and can also be found at the relevant meeting page on the Council's website.

Principles for all meetings

The Chairman will read out Ground Rules at the start of the meeting for the benefit of all participants. All normal procedures for meetings apply as far as practicable, as the new Government Regulations do not amend any of the Council's existing Standing Orders.

The Ground Rules for all virtual meetings will include, but are not limited to, the following:-

- All participants are reminded that virtual public meetings are being broadcast live on YouTube and will be available for repeated viewing. Please be mindful of your camera and microphone setup and the images and sounds that will be broadcast on public record.
- All participants are asked to mute their microphones when not speaking to reduce feedback and background noise. Please only unmute your microphone and speak when invited to do so by the Chairman.
- Councillors in attendance that have not indicated their wish to speak in advance of the meeting can make a request to speak during the meeting by typing "RTS" (Request to Speak) in the Skype chat facility. Requests will be managed by the Chairman with support from Democratic Services. The Skype chat facility should not be used for any other purpose.
- All participants should note that the chat facility can be viewed by all those in attendance.
- All participants are asked to refer to the report number and page number within the agenda and reports pack so that there is a clear understanding of what is being discussed at all times.

<u>Voting</u>

When voting is required on a particular item, each councillor on the committee will be called to vote in turn by name, expressing their vote verbally. The outcome will be announced to the meeting. A recorded vote will not be reflected in the minutes of the meeting unless this is requested in accordance with the Council's Standing Orders.

By casting their vote, councillors do so in the acknowledgement that they were present for the duration of the item in question.

Technology

If individuals experience technical issues, the meeting will continue providing that it is quorate and it is still practical to do so. The Chairman will adjourn the meeting if technical issues cause the meeting to be inquorate, the live stream technology fails, or continuing is not practical.

Public Participation

Contact details to register to speak in accordance with the Council's Public Participation Procedures are on the front page of this agenda.

In order to speak at a virtual meeting, you must have the facility to join a Skype for Business Meeting. Joining instructions will be sent to registered speakers in advance of the meeting.

The Council will accept a written copy of a statement from registered speakers that do not wish to join a Skype Meeting, or are unable to. The statement will be read out at the meeting and should not exceed three minutes. Please use the contact details on the agenda front sheet for further information.

To: Councillors:

Alexis McEvoy (Chairman) Alan Alvey (Vice-Chairman) Fran Carpenter Keith Craze Sandra Delemare

Councillors:

Mahmoud Kangarani Martyn Levitt Alan O'Sullivan Beverley Thorne Derek Tipp

Agenda Item 4

CORPORATE OVERVIEW AND SCRUTINY PANEL – 24 SEPTEMBER 2020

COUNCIL TAX - EMPTY HOMES PREMIUM

1. INTRODUCTION

- 1.1 The purpose of this report is to consider the Council Tax empty homes premium as recommended in 4 December 2019 Cabinet report.
- 1.2 The effective date of any change would be 1 April 2021.

2. Background

- 2.1 The government have stated that they "want to address the issue of empty properties. It can't be right to leave a property empty when so many are desperate for a place to live". Two years is considered sufficient time for homeowners to sell, rent or complete any major renovations that might be required, and the premium seeks to incentivise owners to bring their properties back into use.
- 2.2 Under the Council Tax (Empty Dwellings) Bill 2018, from April 2019 local authorities have the discretion to charge up to 100% council tax premium on properties which have been unoccupied and substantially unfurnished for more than two years, thereby doubling the council tax on a property.
- 2.3 The government introduced additional changes so that:
 - From April 2020, local authorities can charge up to 200% council tax premium on properties which have been empty for more than 5 years
 - From April 2021 local authorities can charge a premium of up to 300% on properties which have been empty for more than 10 years
- 2.4 There are certain exemptions in place for homes that are empty due to the occupant living in armed forces accommodation for job-related purposes, or to annexes being used as part of the main property. While not an exemption, guidance states that consideration should be given for properties which are genuinely for sale or available to rent, and that owners should not be penalised in cases of hardship. These decisions are be made on a case by case basis.

3. THE CURRENT COUNCIL TAX PREMIUMS

- 3.1 For properties that have been empty for more than two years, the council introduced an Empty Homes Premium of 50% from 2019, and increased this to 100% from April 2020.
- 3.2 For properties that have been empty for more than five years, the council considered an incremental approach and introduced an Empty Homes Premium of 150% from April 2020, with a recommendation to review this in 2020 and consider if the premium should be increased to 200%. The 2019 Task and Finish Group also recommend reviewing the Empty Homes Premium in 2020 for properties that have been vacant and unfurnished for more than 10 years.
- 3.3 The aim of introducing the premiums is to encourage owners of empty properties to bring them back into use.

3.4 The current number of empty properties are summarised as follows:

Conditions	Discretion available	Current premium applied by NFDC	Quantity
Vacant for 2 years or more	Up to 100%	100%	108
Vacant for more than 5 years	Up to 200%	150%	32
Vacant for more than 10 years	Up to 300%	150%	11

(Quantities are based on figures as at 21 August 2020)

- 3.5 Taxpayers affected could avoid the premium by furnishing the property so that the premium does not apply.
- 3.6 Tackling empty homes is part of our emerging Private Sector Housing Strategy and the council's Private Sector Leasing Scheme is promoted on any communication.
- 3.7 Due to the impact of COVID-19 the 2020 Task and Finish Group was not formed and the review did not take place. It is recommended by the Revenue and Benefits Service Manager, who has been in consultation with the Portfolio Holder for Finance, Investment and Corporate Services, to retain the current premiums and to review this in 2021. The aim of the premium has not been to generate additional income but to incentivise and encourage properties to become occupied.

4. **IMPACT OF COVID-19**

4.1 The impact of COVID-19 has affected some homeowners of empty properties, including building works having to be suspended and the housing market.

5. FINANCIAL IMPLICATIONS

5.1 The financial implications of the above are:

Empty Homes Premium – Increasing the premium to from 150% to 200% could increase income by £34,000 and introducing a 300% premium for properties which have been vacant and unfurnished for more than 10 years could increase income by £42,000, of which the council's share is 10%.

6. **RECOMMENDATIONS**

- 6.1 That the Panel recommends to Cabinet that the current empty homes premiums remain unchanged from 1 April 2021.
- 6.2 To review, by Task and Finish Group in 2021, the Empty Homes Premium applicable from 1 April 2022.

Further Information:

Ryan Stevens, Service Manager – Revenues and Benefits ryan.stevens@nfdc.gov.uk

CORPORATE OVERVIEW AND SCRUTINY PANEL – 24 SEPTEMBER 2020

COUNCIL TAX REDUCTION SCHEME 2021/22

1. INTRODUCTION

- 1.1 Members will recall that local authorities are responsible for setting up their own local Council Tax Reduction Scheme for those of working age on low income. The Government stipulated that there must be no change to the level of support that pensioners receive and there are no plans to localise the scheme for this group. Currently, there are also no plans to include Council Tax Reduction within Universal Credit.
- 1.2 The Council Tax Reduction Scheme must be formally made by the Council no later than 11 March in any year, to take effect from 1 April. The Government has constructed rules for a 'default scheme' which will have to be operated by any council that does not make a local scheme. It is contained in schedule 1 of The Council Tax (Default Schemes) (England) Regulations 2012.
- 1.3 The Council Tax Reduction Scheme fulfils the prescribed requirements for localised schemes.
- 1.4 There are 8,441 claimants receiving Council Tax Reduction. Of these 4,399 are working age and 4,042 are of pensionable age.
- 1.5 The current Council Tax Reduction Scheme costs approximately £8.9 million. This includes an additional cost of circa £400k as a result of new claims in light of COVID-19. This is split between:

Working Age	£4,393,395
Pensioner	£4,574,246

The cost is shared between all precepting authorities.

1.6 The amount of Council Tax Reduction awarded affects the tax base of each organisation and is not identified within the overall formula grant allocation.

2. **REVIEW PROCESS**

- 2.1 The Task & Finish Group met in 2019 to review the scheme and proposed changes effective from 1 April 2020. The group also recommended a full review of the scheme in 2020, to include the consideration of a banding scheme.
- 2.2 Due to the impact of COVID-19 it has not been possible to undertake a full review of the scheme. Additionally, making changes which may be detrimental may not be appropriate in the current uncertain climate. It is recommended by the Revenue and Benefits Service Manager, who has been in consultation with the Portfolio Holder for Finance, to retain the current scheme and to review this in 2021.
- 2.3 A full review of the scheme can be undertaken in 2021 when the impact of COVID-19 is understood. This will also include to consider a banding scheme, and review the impact of schemes implemented elsewhere, and to align the scheme with Universal Credit where appropriate, for example the treatment of childcare costs.

3. THE CURRENT LOCAL COUNCIL TAX REDUCTION SCHEME

- 3.1 The council's Council Tax Reduction Scheme protects the vulnerable. A person is vulnerable if they (or a partner) are in receipt of Disability Living Allowance, Personal Independence Payments or Severe Disablement Allowance.
- 3.2 The council's Council Tax Reduction Scheme for 2020/21 requires all working age claimants (except the vulnerable) to pay a minimum of 10% council tax.
- 3.3 The council's Council Tax Reduction Scheme also includes:
 - A. Council Tax Reductions are capped at band D (so that claimants living in higher banded properties receive any reduction based on band D).
 - B. A savings limit of £6,000 (previously £16,000), so that claimants with a low income but with more than £6,000 in savings are not entitled to any reduction.
 - C. The council's Council Tax Reduction Scheme incentivises work by disregarding £25.00 a week of earnings. The government disregards in Housing Benefit are £25.00 for a lone parent, £20.00 for a disabled claimant, £10.00 for a couple and £5.00 for a single claimant.
 - D. The maximum period for backdating a claim is 3 months.
 - E. To limit the number of dependent children within the calculation for Council Tax Reduction to a maximum of 2 for new claims (some exemptions apply).
 - F. To use the gross Universal Credit payment as income in the calculation of Council Tax Reduction.

4. MATTERS TO BE CONSIDERED BY THE PANEL

- 4.1 Collecting council tax from those on low income is difficult, with significantly more work for officers. Administration has also increased, notably in working with those affected, and with the increase in caseload (see appendix 1). This increase in caseload will have an implication on the 2021/22 tax base. In 2020/21 council tax bills increased by an average of 5%, meaning council taxpayers having to pay more. This is likely to continue in the forthcoming years.
- 4.2 The collection rate for those in receipt of Council Tax Reduction, who are not a pensioner or vulnerable, has increased from 79.54% to 80.20% and overall collection rate increased from 89.46% to 89.83%. See Appendix 2 for collection figures.
- 4.3 Many of the claimants have also been affected by other welfare reform changes, including Universal Credit, as well as an increase in the cost of living.

5. 2020/21 HARDSHIP FUNDING

5.1 As a result of COVID-19, the government have provided one-off funding to support those in receipt of Council Tax Reduction. Our funding allocation is £886,486. All those in receipt of Council Tax Reduction of working age are entitled to a hardship payment. Government guidance stipulates an award up to a maximum of £150, however, in consultation with the Portfolio Holder for Finance, Investment and Corporate Services, we are awarding up to £200. To date, 3,379 claimants have had a hardship payment, totalling £524k. The residual funding will be fully utilised to support the expected new claims for Council Tax Reduction following furlough ending and to provide additional support to those in financial hardship and with council tax arrears.

6. CONSULTATION

6.1 As there are no proposed changes to our scheme, there is no requirement to undertake any public consultation.

7. FINANCIAL IMPLICATIONS

- 7.1 As there are no proposed changes to the scheme the only costs or savings will depend on caseload and changes to existing claimants' circumstances.
- 7.2 The overall impact of any changes to total expenditure to New Forest District Council will be approximately 10% of the total.

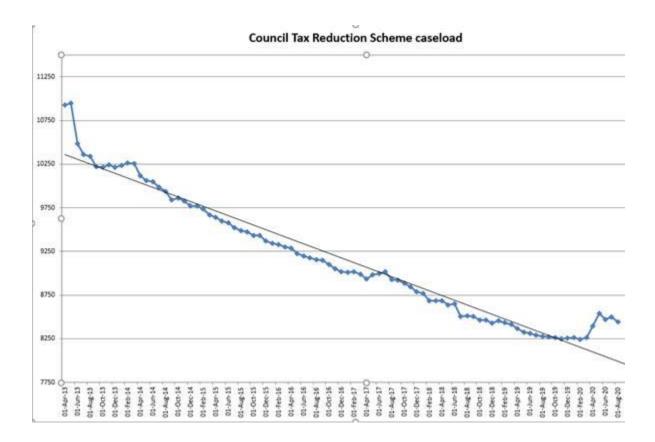
8. **RECOMMENDATIONS**

8.1 That the Panel recommends to Cabinet to maintain the current scheme with no changes

Further Information:

Ryan Stevens, Service Manager – Revenues and Benefits <u>ryan.stevens@nfdc.gov.uk</u>

CTR Caseload



Collection stats

POSITION STATEMENT AS AT 31.3.20

	Nett Amount Due	Total Amount Paid	Outstanding Balance	Collection %
ALL DEBT	f 127,413,803.62	125,684,949	£ 1,728,854.91	98.64%
REDUCTION SCHEMES]			
WORKING AGE EMPLOYED	£ 615,136.30	£ 502,194.35	£ 112,941.95	81.64%
WORKING AGE OTHER	£ 569,894.59	£ 448,173.22	£ 121,721.37	78.64%
WORKING AGE CLAIMANT - MAXIMUM REDUCTION CAPPED AT 90%	£ 1,185,030.89	£ 950,367.57	£ 234,663.32	80.20%
		-	-	
PENSION AGE	£ 841,892.88	£ 863,971.27	-£ 22,078.39	102.62%
VULNERABLE	£ 133,132.20	£ 126,114.88	£ 7,017.32	94.73%
PROTECTED ENTITLEMENT (PENSION AGE AND VULNERABLE) - NO MAXIMUM CAP	£ 975,025.08	£ 990,086.15	-£ 15,061.07	101.54%
	1			
SUMMARY	l			
ALL REDUCTION SCHEME CASES	£ 2,160,055.97	£ 1,940,453.72	£ 219,602.25	89.83%
ALL NON-REDUCTION SCHEME CASES	£ 125,253,747.65	£ 123,744,494.99	£ 1,509,252.66	98.80%

POSITION STATEMENT AS AT 31.3.19

	Nett Amount Due	Total Amount Paid	Outstanding Balance	Collection %
ALL DEBT	£121,379,354,.35	£120,128.314	£1,251,040,.05	98.97%
REDUCTION SCHEMES]			
WORKING AGE EMPLOYED	£589,089.22	£484,698.71	£104,390.51	82.28%
WORKING AGE OTHER	£468,547.96	£356,574.94	£ 111,973.02	76.10%
WORKING AGE CLAIMANT - MAXIMUM REDUCTION CAPPED AT	2100,047.00	2000,07 -1.0 -	111,573.02	70.1070
90%	£1,057637.18	£841,273.65	£216,363.53	79.54%
PENSION AGE	£842,256.90	£848,200.26	£-5,943.36	100.71%
VULNERABLE	£125,028.21	£121,990.95	£3,037.26	97.57%
PROTECTED ENTITLEMENT (PENSION AGE AND VULNERABLE) - NO				
MAXIMUM CAP	£967,285.11	£970,191.21	£-2,906.10	100.30%
SUMMARY	1			
SOMMARY	1			
ALL REDUCTION SCHEME CASES	£2,024,922,.29	£1,811,464,86	£213,457.43	89.46%
ALL NON-REDUCTION SCHEME CASES	£119,354,432.06	£118,316,849.44	£1,037,582.62	99.13%

Recovery notices issued

2015/16	CTR	Non-CTR
Reminder	5,607	13,117
Summons	1,103	3,477

2016/17	CTR	Non-CTR	
Reminder	5,485	13,250	
Summons	1,082	3,321	
2017/18	CTR	Non-CTR	
Reminder	5,175	13,141	
Summons	888	3,360	
2018/19	CTR	Non-CTR	
Reminder	4,622	11,339	
Summons	909	3,368	
2019/20	CTR	Non-CTR	
Reminder	4,321	12,614	
Summons	1,017	3.059	

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Agenda Item 6

CORPORATE OVERVIEW SCRUTINY PANEL – 24 SEPTEMBER 2020

BUSINESS SUPPORT GRANTS

1. INTRODUCTION

- 1.1 The purpose of this report is to provide a summary on the support given to businesses via the governments Business Support Schemes.
- 1.2 In response to COVID-19 the government provided funding to council's to administer the Small Business Support grant and the Retail, Hospitality and Leisure grant. The government subsequently provided funding for council's to administer a discretionary scheme, albeit with expected priorities.
- 1.3 Weekly returns were submitted via DELTA to record eligibility and payments made.
- 1.4 The scheme closed on 28 August 2020, with an exception where Councils are waiting for the Valuation Office Agency to include a property in the rating list.

2. SMALL BUSINESS GRANT AND RETAIL, HOSPITALITY AND LEISURE GRANT

- 2.1 The government provided detailed guidance on the types of businesses eligible for the grants. Eligibility was principally based on our records of ratepayers and the rating list on 11 March 2020 and where the hereditament is not used for personal use or the grant payment exceeded state aid limits. The two types of grants available were:
 - Small Business Grant Business ratepayers who are eligible for the Small Business Rate Relief or Rural Rate Relief. The grant is £10,000
 - Businesses eligible for the Expanded Retail Discount, which included businesses in the retail, hospitality and leisure sectors. There were two levels of support, depending on the rateable value of the businesses:
 - \circ £10,000 rateable value of up to and including £15,000
 - \circ £25,000 rateable value over £15,000 and less than £51,000.
- 2.2 The government provided grant funding of £57,850,000. Any funding which remains unspent has to be returned, although we have campaigned for Local Authorities to retain any unspent funding, even if on a county wide basis for redistribution. When calculating our allocation the granting of Small Business Rate Relief to circa 900 beach huts was included. These are ineligible for a grant payment due to being for personal usage. Consequently, utilising all the funding was never going to be achievable.
- 2.3 When the Government launched the two grant schemes, they stated that "we urgently need to support businesses and the detailed guidance being provided is intended to ensure that all Local Authorities can act immediately to support them". We were therefore keen to distribute funding as quickly as possible to support businesses and meet expectations of the Government and business community. All 3,537 potentially eligible ratepayers were identified and contacted by letter. This generated increased contact from businesses, including answering 786 phone calls in April alone, as well as receiving numerous e-mails.

- 2.4 Businesses were able to claim their grant via an eform which we developed in-house. The e-form gathered all the relevant information, had built in security and validation checks and enabled filtering to authorise grants promptly. The eform went live on the council's website on 2 April 2020. By 9 April 2020 we had received 2,214 responses, paying out £26,300,000 to 2,126 businesses, more than any other council in Hampshire
- 2.5 To encourage maximum take-up of the grants, two reminder letters were sent to eligible businesses, and the scheme was promoted via social media, website, businesses enews and through network channels.
- 2.6 We did receive contact from numerous businesses that were ineligible and undertook several reviews. We also received correspondence from MP's and national organisations. One dispute is still not resolved.
- 2.7 Of the 3,657 grant claims we received, three claims have been identified as fraudulent. On discovering this, this was promptly reported to National Anti-Fraud Network and National Intelligence Service. The orchestrated fraud amounts to £60,000 and is part of a national investigation which is ongoing.
- 2.8 The council has paid out a total of £41,135,000 in business support grants to 3,410 businesses. As at 23 August, the number of grants and the amounts paid were 81st and 86th out of 315 local authorities.

Business Grant	Number	Amount
Small Business	2.576	25,760,000
Retail, Hospitality and Leisure (£10k)	365	3,650,000
Retail, Hospitality and Leisure (£25k)	469	11,725,000
Total	3,410	41,135,000

- 2.9 We have paid grants to 97.3% of those identified as potentially eligible.
- 2.10 The Department for Business, Energy and Industrial Strategy have provided new burdens funding of £170,000 for administering the scheme.
- 2.11 Internal Audit have undertaken an audit of the administration of the two business grant schemes and their assurance opinion is "Substantial", with a sound system of governance, risk management and controls exist with internal controls operating effectively and being consistently applied.

3. DISCRETIONARY BUSINESS SUPPORT GRANTS

- 3.1 The government allowed councils to use a maximum of 5% of their estimated grant expenditure to provide discretionary grant funding to support businesses not eligible for Small Business or Retail, Hospitality and Leisure grants. However, the government did stipulate certain categories of businesses that were expected to be included in any discretionary scheme. This included:
 - Bed and Breakfasts
 - Small businesses in shared office spaces
 - Small charity properties
 - Regular market traders

- 3.2 In consultation with Portfolio Holder for Finance, Investment and Corporate Services and the Portfolio Holder for Economic Development we developed our scheme. Within our scheme we gave further priority to supporting additional businesses which were to be decided once the above categories had been allocated funding. These priorities were based on locally evidenced need. This included:
 - Businesses which are linked to the retail/hospitality sector
 - Businesses which have been impacted by the cancellation of events
 - Businesses that are unable to trade at all and do not have an online presence
 - Provision of support for childcare who are Ofsted registered.
- 3.3 The councils funding allocation was £2,174,500.
- 3.4 Grants amounts were restricted to awards from any amount up to £10,000 and £25,000 only. There was no discretion to award an amount between £10,000 and £25,000.
- 3.5 A multi-authority approach was adopted by the majority of councils across Hampshire with grants being awarded on a sliding a scale depending on the fixed monthly overheads of the business. As take-up was unknown, grants were set at a maximum of £10,000. The allocation of the grant was as follows:

Fixed Monthly Overheads	Grant
£750 or below	£2,500
£751 to 1,500	£5,000
£1,501 to £2,500	£7,500
£2,501 or above	£10,000

- 3.6 Businesses were able to claim their grant via an eform which gathered all the relevant information. The scheme was open for two weeks from 14 June 2020 and was fully publicised and promoted via social media, enews, website and network channels.
- 3.7 Following the closure of the first discretionary grant scheme there was funding remaining. To ensure utilising the finding and supporting businesses, two further discretionary grant schemes were implemented:
 - 1. Bed and Breakfast (which were not registered with a recognised local tourism body)
 - 2. Businesses in receipt of the Expanded Retail discount with a rateable value between £51,000 and £75,000
- 3.8 The discretionary grants for businesses with a higher rateable value had a grant of either £10,000 or £25,000, with the majority receiving £25,000. The priority order was:
 - 1. Local, independent business linked to the hospitality sector including but not limited to public houses, bars, hotels, restaurants and cafes.
 - 2. Agricultural nurseries
 - 3. Retail premises
 - 4. Business related to leisure and fitness

3.9 The council paid discretionary grants of £2,200,000 as follows:

Business Type	Number of	Amount
	grants awarded	(£)
Bed and Breakfast	21	104,500
Shared Office space	97	432,000
Small charity	6	32,500
Market Trader	6	22,500
Linked to hospitality/leisure	70	377,500
Impacted by cancelled events	38	180,000
Unable to trade – not online	21	112,500
Childcare	5	17,500
Other	59	353,500
Total	352	1,660,000

Payments from the discretionary grants for businesses with a higher rateable value:

Business Type	Number of	Amount
	grants	
Hospitality	13	325,000
Agricultural nurseries	2	50,000
Retail	7	115,000
Leisure and fitness	5	50,000
Total	28	£540,000

3.10 Payments marginally exceeded funding allocation due to the inflexibility of grant award amounts. This will be included in the final reconciliation back to MCLHG.

4. JOINT WORKING AND IMPROVED ENGAGEMENT

- 4.1 The Revenues and Benefits service administered the grant schemes, developing eforms, making payments, and providing statistics, supported by Economic Development. This joint working across portfolios will continue going forward when communicating with businesses.
- 4.2 Administering these schemes to support businesses has improved engagement and communication with businesses including subscriptions to business enews increasing by 423. Our Economic Development Team are using this as an opportunity to shape current and future polices and will continue to build relationships with the businesses sector.
- 4.3 The prompt and efficient administration of the business grants schemes was very well received by local businesses. A recent survey by the Local Government Association shows that 71% of residents trust their council (up 12%) and 75% of residents are satisfied with their council (up 12%). Council's have shown that they are able to respond quickly to issues and have local relationships in place to support their communities; and this is evident with our administration of the business support grant schemes.

5. LOCAL LOCKDOWN

- 5.1 The government have announced that businesses in England required to close due to local lockdowns or targeted restrictions will be able to receive grants of £1,000 for small businesses with a rateable value below £51,000 or £1,500 for larger businesses with a rateable value above £51,000, every three weeks. These grants are to provide businesses with a safety net as they temporarily close.
- 5.2 Local Authorities will also receive an additional 5% top up amount to enable them to support other businesses affected by closures which are not on the business rates list. The payments will be up to £1,500.

6. **RECOMMENDATIONS**

6.1 To note the contents of this report.

Further Information:

Ryan Stevens, Service Manager – Revenues and Benefits ryan.stevens@nfdc.gov.uk

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Agenda Item 7

CORPORATE OVERVIEW & SCRUTINY PANEL - 24 SEPTEMBER 2020

REVIEW OF COMPLAINTS 2019/20

1. INTRODUCTION

1.1 This report provides an overview of complaints received, and dealt with, by the Council during the period 1 April 2019 to 31 March 2020. It includes Local Government and the Housing Ombudsman complaints of which the Council is aware (the Council is not always advised of complaints made direct to the Ombudsman). Comparisons with the previous year (1 April 2018 to 31 March 2019) are included.

2. PROCEDURE AND RECORDING OF COMPLAINTS

- 2.1 The Council's complaints procedure is attached at Appendix 1. It provides that:-
 - all complaints at Stage 1 are dealt with by the relevant Service Manager
 - if the complainant is not satisfied with the Service Manager's response, the complaint is dealt with at Stage 2 by the relevant Executive Head
 - if the complainant remains dissatisfied, they may pursue their complaint to Stage 3, when it is investigated by the Executive Head of Governance and Housing on behalf of the Chief Executive.
- 2.2 A tiered approach to complaints is commonplace and in line with LGO advice.

3. COMPLAINTS FOR 2019/20

3.1 Please see:

Appendix 2 - Complaints received by the Council for 2019/20 compared to 2018/19 Appendix 3 - Complaints referred to the Local Government or the Housing Ombudsman for 2019/20 compared to 2018/19 Appendix 4 – Complaints found to be justified or partly justified including delays in dealing with complaint

3.2 It will be noted that a total of 78 complaints were received and logged in 2019/20, compared with 97 in 2018/19. A summary of the nature of the complaints is contained within Appendix 4 together with resolution details as appropriate.

4. COMPLAINTS TO THE LOCAL GOVERNMENT OR THE HOUSING OMBUDSMAN

4.1 The Local Government Ombudsman has provided statistical information regarding complaints received about the Council. The numbers of complaints referred to in the Ombudsman's communication do not match the records held by the Corporate Complaints Team – the Ombudsman accepts that differences will occur as the Council will not be notified of complaints received which they consider to be groundless. The Ombudsman will also not investigate a complaint unless the complaint has exhausted all stages of a Council's complaints procedure.

4.2 The total number of Ombudsman complaints recorded for 2019/20 was 15. Of the 15 only 7 were investigated and referred to the Council. None of the 7 complaints were upheld. See Appendix 3. This is positive in that there have been no findings of maladministration against the Council in 2019/20.

5. LEARNING FROM COMPLAINTS

- 5.1 It remains vitally important for Services to review each complaint received, ensure a timely response and, where appropriate, to take action to avoid or to minimise complaints of a similar nature occurring again. As part of the initial response to any complaint received, Service Managers are expected to address any issues that might resolve in the complaint being resolved.
- 5.2 If complaints are escalated to Stage 2 (where the complainant is not happy with the Council's initial response), the Executive Head for the service area concerned will review the complaint and, if justified, will take action to resolve the matter, which includes offering an apology or taking some other action.
- 5.3 If complainants are still dissatisfied, they are entitled to escalate their complaint to the Council's final stage of the Complaints Procedure, level 3, where the Executive Head of Housing and Governance (on behalf of the Chief Executive) will consider the complaint afresh.
- 5.4 If there are findings that demonstrate that improvements need to be made these will be discussed with the relevant Service Manager and the Executive Head for the service area and new processes implemented or training needs will be addressed.

6. CONCLUSIONS

- 6.1 The Council's Complaints Procedure continues to provide a robust system for investigating and resolving complaints.
- 6.2 It is important that all services of the Council accurately record complaints received and notify the Corporate Complaints Officer so that proper records are maintained, and action monitored.
- 6.3 It is positive that the Ombudsman has not upheld any complaints to their office during the period reported on in this report.
- 6.4 In respect of non Ombudsman complaints, it is noted that numbers have decreased compared to last year, however, all services will need to ensure that appropriate action is taken to further minimise future complaints.

7. **RECOMMENDATIONS**

- 7.1 That the report be noted.
- 7.2 That Service Managers and Executive Heads be encouraged to ensure that employees respond appropriately and in a timely manner to customers who appear not to have received an expected standard of service from the Council;
- 7.3 That Service Managers and Executive Heads be reminded to review complaints about their services regularly, and to implement any learning from them.

For further information please contact:

Andrew Kinghorn Legal Services Manager Tel: 023 8028 5191 Email: andrew.kinghorn@nfdc.gov.uk

or

Karen Grimes Information Compliance and Complaints Officer Legal Services Tel: 023 8028 5301 Email: karen.grimes@nfdc.gov.uk

Background Papers:

Public documents and exempt information

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APPENDIX 1



COMPLAINTS PROCEDURE

Introduction

The Council's complaints procedure can be used for any type of formal complaint and for any service provided by this Council.

Please note there is a separate complaints procedure regarding Councillors.

Complaints against elected members can be submitted to this Council's Monitoring Officer. Please see link to website for guidance <u>http://www.newforest.gov.uk/index.cfm?articleid=1649</u> or contact the Monitoring Officer 023 8028 5588.

Aim

Our aim is to swiftly investigate all corporate complaints with impartiality, finding solutions locally whenever possible to the satisfaction of both complainant and the Council. Remember, a quick phone call may be quite effective in settling your concerns. Do not worry if you do not know exactly who to speak to – a telephone call to 023 8028 5000 or a look at our information on the website <u>www.newforest.gov.uk</u> will help put you in touch with the right person.

Responsibility

The Executive Head of Governance & Regulation is responsible for the complaints procedure on behalf of the Chief Executive.

What is a complaint?

A complaint is "an expression of dissatisfaction about the conduct, standard of service, actions or lack of action by the New Forest District Council or its staff".

In some cases complaints received will be minor day-to-day concerns which will amount to service enquiries or representations rather than formal complaints and can be addressed informally by the service provider. The complaints procedure is not intended for cases where the Council has taken a decision in a proper manner or for an explanation of a decision.

There are certain types of complaints that we cannot investigate. These might include:

- Anonymous complaints
- Cases where other rights of appeal exist (e.g. against refusal of planning permission or housing benefit assessment)
- Routine requests for service (e.g. noisy neighbours, barking dogs), unless such a request has been dealt with improperly or with undue delay
- Cases where an immediate response can be given (e.g. where uncollected refuse is picked up quickly after notification).
- Cases where the Council has started legal proceedings or has taken court action. Or for example, when a debt is owing to the Council.

There are times when a 'complaint' is not a complaint, for example, if the Council is informed that a rubbish bag has not been collected, this will be recorded as a 'service request'. However, if this has not been attended to within a reasonable time and gives the customer, resident or visitor cause to contact the Council again, then this will become a complaint.

Key principles

All complaints will be investigated in accordance with the following principles:

- We will **acknowledge** the complaint within **5 working days** and inform the complainant that it will be looked into. We will give the name of an employee to whom further enquiries can be made.
- We aim to inform the complainant of the **result** of the investigation within **15 working days** (after acknowledgement) and if this is not possible we will advise the complainant.
- When responding we will advise the complainant of who they can appeal to if they remain dissatisfied.
- We will keep the complainant informed. If an unavoidable delay occurs we will notify the complainant
- We will record the complaint. This record includes:
 - Full name and address of complainant
 - Details of the complaint including relevant dates
 - Action taken
 - Employee dealing with the complaint
- We will keep all information confidential particularly names and address that can identify a complainant, site or complaint. However, we may be obliged to disclose some information under certain statutory provisions.

How we deal with complaints

The Council operates a 3-stage complaint process which reflects the practice adopted by many local authorities and is recommended by the Local Government Ombudsman. Following the completion of each stage the complainant will have the right to request that the complaint is escalated to the next stage of the process. This procedure is designed to support the effective management of complaints.

Level	Type of Complaint	Responsible Officer
1	A complaint is sent to the supervisor or Service Manager of the service. They are responsible for ensuring that the complaint is acknowledged, recorded and looked into thoroughly. The response will inform the complainant that if he or she is not satisfied with the outcome of the complaint he or she may appeal to the Executive Head.	Supervisor / Service Manager
2	Second or more serious complaint. Each Executive Head will consider complaints against his or her service where the complainant has appealed from Level 1 and in circumstances where the Executive Head wishes to deal with personally. In the reply the Executive Head will inform the complainant that if the outcome is not satisfactory, an appeal can be made to the Executive Head of Governance & Regulation on behalf of the Chief Executive.	Executive Head
3	Complaints where a complainant is dissatisfied with the review carried out by an Executive Head. The reply will inform the complainant that if he or she is not satisfied with the outcome, a request for a review may be made to the Local Government Ombudsman. OR If the complainant is a Council tenant complaining about the Council as their landlord, the reply will set out the process to be followed to refer the complaint to the Housing Ombudsman Service.	Executive Head of Governance & Regulation on behalf of the Chief Executive

Putting things right

Every effort will be made to resolve complaints without undue delay. The complaints procedure is designed to put things right if something has not been done correctly, and if that's not possible, we will explain why.

The Role of the Council's Chief Executive

The final stage of the Council's Complaints Procedure is dealt with by the Executive Head of Governance & Regulation on behalf of the Chief Executive.

At this stage, the Executive Head of Governance & Regulation ensures that the Chief Executive is aware of the complaint and the response to it. At any stage, the Chief Executive may personally deal with any complaint using whatever procedure he considers appropriate.

Still not satisfied?

If you remain dissatisfied after you have completed the Council's Complaints Procedure, you can contact The Local Government Ombudsman which acts as a watchdog for local government issues.

The Local Government Ombudsman PO Box 4771 Coventry CV4 0EH Telephone 0300 061 0614 Website: <u>http://www.lgo.org.uk/</u>

OR

If you are a Council tenant and your complaint is against the Council as your landlord, you have the right to ask for your complaint to be considered by the Housing Ombudsman Service. The Housing Ombudsman Service is an independent body set up to provide a free and fair way of dealing with complaints against housing organisations.

However, if you wish to refer your complaint to the Housing Ombudsman Service straight away you will need to contact a "designated person" who may refer the matter on your behalf. In relation to New Forest District Council housing complaints, a "designated person" is a Member of Parliament or any New Forest District Councillor.

If you do not want your complaint to be considered by a designated person you may contact the Housing Ombudsman Service yourself, but you may only do this after 8 weeks have elapsed following receipt of the level three review letter in accordance with this procedure.

Housing Ombudsman Service 81 Aldwych London WC2B 4HN Telephone: 0300 111 3000 Website: <u>http://www.housing-ombudsman.org.uk/</u> Email: <u>info@housing-ombudsman.org.uk</u>

Persistent or Unreasonable Complainants

In a minority of cases people can pursue their complaints in a way which impedes looking into a complaint, has significant resource issues for the Council or is unreasonable. This Council defines persistent or unreasonable complainants as "those complainants who, because of the frequency or nature of their contacts with the Council, unreasonably hinder the work of the Council".

It is important to differentiate between complainants who pursue their complaints with vigour and those who act unreasonably.

Examples of what could be defined as persistent or unreasonable are:

- Refusing to specify the complaint despite offers by the Council to help;
- Refusing to co-operate with the investigation while expecting the complaint to be resolved;
- Refusing to accept the complaint cannot be resolved by the complaints procedure despite being provided with information on this;
- Making groundless complaints about employees and demanding they are replaced;
- Adopting a 'scattergun' approach i.e. either submitting a complaint to a number of different people at the Council (such as the service involved, the Information Compliance & Complaints Officer, Chief Executive, Leader, or Chairman) or pursuing a complaint with the Council while asking others (MPs, Local Government Ombudsman, Police, Courts etc.) to do the same;
- Making excessive demands on the time and resources of employees specifically pursuing a campaign against the Council and phoning or emailing frequently, or consistently writing letters;
- Recording conversations with officers without prior knowledge of those present;
- Submitting repeat complaints on the same topic after the complaints process has been completed insisting there are 'new' complaints;
- Refusing to accept the decision repeatedly arguing the point and complaining about the decision.
- Pursuing unreasonable complaints that provide no, or inadequate, details to substantiate the allegation of wrong-doing/error on the part of the Council.

All complaints will be considered thoroughly and fully. However if a complainant is felt to be acting unreasonably the employee should seek confirmation from the Executive Head of Governance & Regulation that the complainant can be regarded as persistent or unreasonable in accordance with this policy. The following procedure will then be followed.

Where a complaint has been dealt with:

- The Executive Head of Governance & Regulation will write to the complainant explaining why the decision has been taken and stating no further correspondence will be undertaken on the complaint or the issues they have raised. All correspondence received will be read and placed on file.
- Additionally, the Executive Head of Governance & Regulation may take any additional or further necessary action to prevent the unnecessary misuse of public resources on the part of the persistent complainant.
- A copy of this procedure is to be enclosed.

• The right of appeal to the Local Government Ombudsman will be included in the letter.

Where the investigation is ongoing:

The Executive Head of Governance & Regulation will write to the complainant explaining why the decision has been taken and either:

- Stating all future contact whether by phone, fax, email, letter etc. will be directed to the Executive Head of Governance & Regulation (or appropriate nominated officer) only; or
- Explaining that contact with officers will be limited to once a week or other appropriate timescale; or
- Requiring any personal contacts to be in the presence of named witness(es); or
- Stating no further complaints on the same matter will be registered until the present complaint has been determined; or
- Stating the investigation has been terminated and referred to the Local Government Ombudsman

The above list is not exhaustive and decisions will be made on the appropriate way forward by the Executive Head of Governance & Regulation.

Any restrictions imposed under the above procedures will be kept under review (at least every 6 months) and be removed if the need for them no longer exists.

For those who are repeatedly deemed to be a 'persistent or unreasonable complainant' over a long period of time, the review period will be every 9 months.

How to complain – Key Contacts

You can contact us:-

By email:	complaints@nfdc.gov.uk
On our website:	www.newforest.gov.uk/complaints
By phone:	on 023 8028 5000 (if you don't know who to speak to) or 023 8028 5588 and ask for the Information Compliance & Complaints Officer
By writing:	Information Compliance & Complaints Officer, New Forest District Council, Appletree Court, Beaulieu Road, Lyndhurst, SO43 7PA

Alternative Formats:	The Council can provide information in any format such as on CD,
	Cassette, tape, Braille, or in any language other than English. You can
	request this by calling the Information Compliance & Complaints Officer
	on 023 8028 5588 or by emailing <u>complaints@nfdc.gov.uk</u>

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NUMBER OF NEW COMPLAINTS BY SERVICE AREA 2019/20

Service	Complaints received	Progressed to level 3	Progressed to Ombudsman	Started at Ombudsman
Building Control	1			
Cemeteries	4			
Coastal (Beach Huts)	2	1	1	
Community Alarms	1			
Corporate Complaints				2
Environmental Health	3	3	1	
Elections	4	3		
Grounds Maintenance	1			
Health & Leisure	3			
Housing – Private Sector Housing	2	1		
Housing – Maintenance	7	2		
Housing – Estate Management	8	4		1
Housing - Options	5	4		
HR	1			
ICT	2			
Parking	2		1	
Planning – Development Control	13	5		
Planning - Enforcement	6	3	1	
Street Scene	4			
Tax & Benefits	2			
Tree Team	1			
Waste & Recycling	6	1		
Total	78	27	4	3

NUMBER OF COMPLAINTS BY SERVICE AREA 2018/19

Service	Complaints received	Progressed to level 3	Progressed to Ombudsman	Started at Ombudsman
Building Control	2			
Coastal (Beach Huts)	8	2		
Disabled Facility Grants	1			
Environment and Regulation	5	2		
Estates & Valuation	1	1		
Health & Leisure	16			
Housing – Maintenance	8	1		
Housing – Estates Management	6	1		1
Housing – Options	11	5	1	
Legal/Corporate	1			1
Parking	5			
Planning	24	8		
Street scene	3			
Tax and Benefits	1			
Waste and Recycling	5			
Total	97	20	1	2

COMPLAINTS TO OMBUDSMAN BY SERVICE AREA 2019/20

Service	Ombudsman	Details	Ombudsman's Decision
Environmental Health	1	Noise nuisance regarding cockerel crowing	Not upheld No maladministration
Beach Huts	1	Quality of beech hut doors	Not upheld No maladministration
Parking	1	Oak Road car park, Dibden Purlieu – request for enforcement by the Council.	Declined to investigate. Complaint made outside the normal 12-month period
Planning	1	Land ownership/boundary dispute between neighbors	Closed after initial enquiries – Dispute for the courts
Housing Estate Management	1	Neighbor dispute. Concerns over data protection	Closed after initial enquiries
Legal/Corporate Complaints	2	 Persistent complainant status Persistent complainant status & breaching privacy 	Will not investigate – No evidence of fault by the Council Closed after initial enquiries – No further action
Total	7		

Complaints to Ombudsman 2018/19

Service	Ombudsman	Details	Ombudsman's Decision
Housing	1	Failed to adequately consider health issues when awarding priority on the housing register and delay dealing with the complaint.	Upheld in part . The Ombudsman was satisfied that an apology was sufficient to remedy the injustice
Housing	1	Council's decision that the complainant's conduct was persistent and unreasonable.	Not upheld. No maladministration by the Council regarding its decision that the complainant's conduct was persistent and unreasonable according to the provisions of its policy
Legal/Corporate	1	Complaint about an elected member of a parish council.	Not upheld. There was no fault in how the Council considered the complaint
Total	3		

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NUMBER OF COMPLAINTS CONSIDERED JUSTIFIED OR PARTLY JUSTIFIED LOCALLY - 2019/20

Service	Total Complaints	Justified or Partly Justified (including delay in dealing with complaint), which warranted an apology	Financial settlements
Building Control	1		
Cemeteries	4	2 (change of procedures required to assist applicants filling out complicated exclusive rights of burial applications)	1 (£30 application fee refunded)
Coastal (Beach Huts)	2		
Community Alarms	1		
Environmental Health	3		
Elections	4	1 (incorrect information provided when talking to department about registration)	
Grounds Maintenance	1	1 (grass cutting area missed)	
Health & Leisure	3	1 (complaint about the swimming service)	1 (refunded price of 1 lesson)
Housing – Private Sector Housing	2	2 (handling of DFG and matter concerning private sector housing standards)	2 (£100 goodwill gesture regarding contractor nominated by the Council to carry out DFG work as client unhappy with standard; £250 goodwill gesture regarding housing standards complaint in the private sector)

Housing – Maintenance	7	6 (handling of housing maintenance service issues including delay in carrying out remedial works)	3 (£1000 goodwill payment for damp, structural issues and offered to rehouse; 2 x £750 goodwill payment for delay in carrying out remedial works)
Housing – Estate Management	8	4 (disposal of goods within property in error and delays in responding to tenancy matters)	
Housing - Options	5	2 (not following warning markers register procedure and erroneous advice given)	2 (£350 goodwill gesture regarding warning markers register; £69 reduction in debt owed due to error in advice)
HR	1		
ICT	2	1 (form on website timed out without warning)	
Parking	2		
Planning – Development Control	13	10 (handling of planning service matters, including delays and lack of responses to complaints)	
Planning - Enforcement	6	2 (delays in responding to complaints)	
Street Scene	4	1 (lack of action/response to reports of street litter)	
Tax & Benefits	2	1 (dispute over bill)	1 (£290 repayment)
Tree Team	1		

Waste & Recycling	6	5 (missed bins)	
Total	78	39	10

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CORPORATE OVERVIEW AND SCRUTINY PANEL -24 SEPTEMBER 2020

WORK PROGRAMME 2020/21

ITEM	TIMING	LEAD OFFICER
ICT Strategy Delivery Update	November 2020	Rob Beere
NFDC Budget Update	November 2020	Alan Bethune
Performance Dashboard	January 2021	Rebecca Drummond
Capital Strategy	January 2021	Alan Bethune
Asset Maintenance and Capital Programme	January 2021	Alan Bethune
Economic Development Performance Indicators	ТВС	Claire Upton-Brown
Website/App Update	ТВС	Matt Callaghan/Cllr Harris

43

LIVE TASK AND FINISH GROUPS				
ITEM	TIMING	LEAD OFFICER		

NOT YET TIMETABLED				
ITEM	OBJECTIVE	METHOD	TIMING	LEAD OFFICER
Universal Credit update	To be aware of issues arising	Regular update from Finance, Investment & Corporate Services Portfolio Holder/Service Manager – Revenues & Benefits	At appropriate times	TBC

Agenda Item 8

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