

| Report of | Meeting | Date |
|---|---------|--------------------------------|
| Director of Customer and Digital (Introduced by Cabinet Member (Customer Services and Digital)) | Council | Wednesday, 28 February 2024 |

Council Tax Support & Housing Benefit Schemes – War Pension Disregards

| | |
|------------------------------|----|
| Is this report confidential? | No |
|------------------------------|----|

| | |
|-----------------------|----|
| Is this decision key? | No |
|-----------------------|----|

Purpose of the Report

1. To gain approval to change the amount of War Pension income that is disregarded in the Council Tax Support Scheme and Housing Benefit Modified scheme from 1 April 2024.

Recommendations to Council

2. The proposed change to the Housing Benefit Modified Scheme to increase the disregard for War Pension income from £290 to 100% is approved.
3. The proposal to increase the disregard for War Pension income from £290 to 100% in the Council Tax Support Scheme is approved.

Reasons for recommendations

4. The proposed changes will provide further support for veterans who may apply for help with rent and Council Tax costs.

Other options considered and rejected

5. The option to make no changes to the schemes has been rejected as there would be an inconsistency in the council's approach in comparison to other Lancashire authorities.

Corporate priorities

6. The report relates to the following corporate priorities:

| | |
|-----------------------------|-------------------------------|
| An exemplary council | Healthy and happy communities |
| Opportunities for everyone | Green and clean neighbourhood |

Background

7. The Housing Benefit Regulations 2006 set out the law by which Housing Benefit must be administered and includes a statutory disregard which is applied to War Pension and War Widow(er)s Pension income of £10 per week.
8. Section 134 of The Social Security Administration Act 1992 gives the authority powers to modify the Housing Benefit Scheme and apply a discretionary disregard. Any such modification may be adopted by resolution of an authority.
9. From April 2005, the War Pension and War Widow(er)s Pension schemes were closed to applicants who were injured or became a widow(er) after this date and replaced by the Armed Forces Compensation Scheme.
10. The Council Tax Support Scheme has been localised since 2013 and the council is able to specify disregards applied to income within the scheme with Full Council approval.

Current position

11. In January 2002 the council approved a maximum disregard for income from War Pensions of £290 per week in both Housing Benefit and Council Tax Benefit local schemes.
12. The purpose of this review is to propose increasing the current disregarded amount to 100% in both the Housing Benefit and Council Tax Support Schemes. This will provide a more generous outcome for veterans who may apply for help with rent and Council Tax costs in the future.
13. This change will align the local scheme disregards for War Pension with other Lancashire authorities. This variation was recently identified by The Royal British Legion in their Credit Their Service campaign.

Proposed scheme

14. The table below outlines the proposed amendments to the schemes:

| | Proposed Change |
|----|--|
| a. | Increase the disregard for War Pension income included in paragraph 15 of Schedule 5 in the Housing Benefit Regulations 2006 from £290 to 100% |
| b. | Increase the disregard for War Pensions income included in paragraph 16 of Schedule 4 of the Council Tax Support Scheme from £290 to 100% |

15. No existing claimants will be affected by the proposed changes because all residents with War Pension income who are in receipt of Housing Benefit or Council Tax Support receive full help towards both rent and Council Tax, regardless of the current threshold.
16. To further support these residents, War Pension income will also be disregarded when calculating eligibility to additional payments made under the Discretionary Housing or Council Tax Support Discretionary Payment schemes. Formal approval is not required for this change to operational procedures.

Consultation

17. Consultation with precepting authorities on proposed changes to the Council Tax Support Scheme is statutory.
18. Direct invitations to comment on the proposals were sent to the following preceptors and other interested parties:
 - Lancashire Fire and Rescue Service
 - Police & Crime Commissioner for Lancashire
 - Money Advice Trust
 - The Citizen's Advice Bureau
 - The Royal British Legion
 - SSAFA (The Armed Forces Charity)
19. Consultation responses were received from:
 - The Royal British Legion
 - Lancashire County Council
 - Police & Crime Commissioner for Lancashire
 - Lancashire Fire & Rescue
20. All responders were supportive of the proposed changes to the schemes.

Equality and diversity

21. An Equality Impact Assessment (Appendix 1) has identified that these proposals will have no negative impact on different community groups.
22. The assessment also identified that the proposed policy changes will positively support residents to live well by improving the financial position of households.

Risk

23. No risks have been identified.

Comments of the Statutory Finance Officer

24. It is difficult to quantify the financial impact to the Council of the proposals but given the impact is upon the Council Tax Collection Fund and Housing Benefit, it is unlikely there would be significant financial impact on Council budgets.

Comments of the Monitoring Officer

25. There are currently 8 claimants who would be affected by this proposed change. Given the limited nature of any likely changes to War Pension eligibility or number of claimants it is reasonable to assume that this number will not increase so as to have a significant impact on council budgets. As this is a discretionary scheme, the changes are lawful if members feel the decision is reasonable based on the evidence. Given the specific benefit to those in receipt of the schemes and the minimal impact on council budgets this would seem reasonable.

Background documents

[Royal British Legion Credit Their Service Campaign](#)

Appendices

26. Appendix 1 - Impact Assessment

| Report Author: | Email: | Telephone: | Date: |
|----------------------------------|-------------------------------|-----------------|------------|
| Anne Bibby (Benefits Manager) | anne.bibby@southribble.gov.uk | 01772 625625 | 15.02.2024 |