

**CABINET MEMBER FOR RESOURCES, ENTERPRISE AND  
ECONOMIC DEVELOPMENT (DEPUTY LEADER)**

**AGENDA**

**DATE:** Wednesday, 6 April 2022

**TIME:** 9.00 am

**VENUE:** Microsoft Teams Meeting

**MEMBERSHIP:** Councillor Graham Swift (Deputy Leader and Cabinet Member for Resources, Enterprise and Economic Development)

**EXECUTIVE DECISION**

- |    |   |        |
|----|---|--------|
| 1. | Harrogate Borough Council - The Council Tax Rebate 2022/23 Scheme:<br>The Revenues, Welfare and Customer Services Manager to submit a written report. | 3 - 18 |
|----|---|--------|

**MATTERS FOR DISCUSSION (PAPERS NOT AVAILABLE TO THE PUBLIC)**

- |     |  |         |
|-----|--|---------|
| 2.  | People and Organisational Development Service Plan 2022/23 | 19 - 30 |
| 3.  | Application for Locally Defined Discounts (Council Tax)    | 31 - 34 |
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<b>REPORT TO:</b>	Cabinet Member for Resources, Enterprise and Economic Development
<b>DATE:</b>	6 April 2022
<b>SERVICE AREA:</b>	Finance
<b>REPORTING OFFICER:</b>	Revenues, Welfare and Customer Services Manager ( <i>Julie Gillett</i> )
<b>SUBJECT:</b>	<b>Harrogate Borough Council: The Council Tax rebate 2022/23 scheme</b>
<b>WARD/S AFFECTED:</b>	ALL DISTRICT
<b>FORWARD PLAN REF:</b>	N/A

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## **1.0 PURPOSE OF REPORT**

- 1.1 The Government has announced the [Support for energy bills - council tax rebate 2022-23 scheme](#) to provide a £150 non repayable rebate for eligible households in council tax bands A-D. The scheme is to be administered by local authorities. The scheme and eligibility criteria are set out in this report for approval.

## **2.0 RECOMMENDATIONS**

- 2.1 To agree the Support for energy bills: council tax rebate 2022/23 scheme as detailed in Appendix 1.
- 2.2 To delegate authority to the Revenues, Welfare and Customer Services Manager to make scheme amendments which are required to give effect to any revised government guidance.

## **3.0 RECOMMENDED REASON/S FOR DECISION/S**

- 3.1 Local Authorities will be provided with funding from Government to support eligible households with rising energy costs. Whilst the eligible criteria and grant amounts are set by Government it is important to have a written

scheme for Harrogate Borough Council outlining these and the administration of grant applications to provide clarity to individuals.

- 3.2 To approve delegated authority to the Revenues, Welfare and Customer Services Manager to make scheme amendments would enable the scheme to be updated promptly should there be any revised government guidance, such as changes in eligibility criteria, providing clarity to households.

#### **4.0 ALTERNATIVE OPTIONS CONSIDERED AND RECOMMENDED FOR REJECTION**

- 4.1 This scheme is a Government requirement for Local Authorities to administer and there is no alternative option.
- 4.2 To not approve the Council Tax energy rebate scheme would miss the opportunity to provide financial support to those faced with rising energy costs.
- 4.3 To have no written scheme in place would mean there is no visible guidance of eligibility criteria and outline of the approach taken by the Council in determining when a rebate is to be paid or not. This would not be recommended as it could cause some uncertainty for individuals.
- 4.4 To not approve delegated authority to the Revenues, Welfare and Customer Services Manager to make scheme amendments would cause delay in reflecting any revised government guidance, such as changes in eligibility criteria, into the scheme and would cause uncertainty.

#### **5.0 THE REPORT**

- 5.1 The government recognises that many households will need support to deal with the rising cost of household bills in 2022-23, driven by increasing energy bills. While these rising costs will affect most households across the country, they are more likely to disproportionately affect those on lower incomes, who tend to spend a higher proportion of their income on utility bills.
- 5.2 To provide some immediate relief for these rising costs, while targeting those most likely to require support, the government expects billing authorities to provide a £150 one-off payment to a liable council tax payer (or an occupant where the property is exempt) where they occupy a property which meets all of the following criteria on 1 April 2022
- It is valued in council tax bands A to D. This includes property that is valued in band E but has an alternative valuation band of band D, as a result of the disabled band reduction scheme;
  - It is someone's sole or main residence;

- It is a chargeable dwelling, or in exemption classes N (occupied only by students), S (occupied only by those under 18 years), U (occupied only by persons who are severely mentally impaired) or W (annexe occupied by dependent relative).

- 5.3 This report seeks approval of the Council Tax rebate scheme 2022/23 (Appendix 1) where the eligibility criteria and proposed approach to administer the payments in line with Government guidance is outlined. Approval is also sought to delegate authority to the Revenues, Welfare and Customer Services Manager to make technical amendments to the scheme to reflect any changes in Government guidance.
- 5.4 Funding will be paid to billing authorities for the Council Tax Rebate to be passed on directly as one-off £150 grants to households that are eligible under the scheme. Harrogate Borough Council will receive funding of £7,323,900 to be passed on directly as one-off £150 grants to eligible households. There are approx. 52,000 properties in band A-D.
- 5.5 All payments need to have been made by 30 September 2022. Any over-funding of grant to billing authorities will be required to be paid back to government and any under-funding will be settled with billing authorities following reconciliation.
- 5.6 Payments are to be paid directly from billing authorities to eligible households. Only one £150 payment should be made under the Council Tax Rebate scheme per household, regardless of the number of occupants or liable council taxpayers.
- 5.7 Where a council holds a live direct debit instruction for a liable council taxpayer of an eligible household, then an automatic payment should be made as early as possible in the 2022-23 financial year.
- 5.8 Where a council does not hold live council tax direct debit instruction for an eligible household, then the liable council taxpayer is required to make a claim to provide bank details. Government guidance says that councils can only automatically credit the £150 payment to eligible households' council tax accounts where it is provided alongside the option for a direct payment. A claim option for residents who are digitally excluded should also be available.
- 5.9 Work is currently being undertaken to design, develop and implement the claim and assurance process and to procure the software required to facilitate this process.
- 5.10 Payments are expected to be made to eligible households where live direct debit are held in April. Where no live bank details are held then the claim form is expected to be available online and ability to complete with a customer service advisor over the telephone in late April. No payment will be made until the scheme has been approved.

- 5.11 All payments will be subject to pre-payment assurance checks in line with government guidance to ensure payments are made to eligible households and bank details provided are verified.
- 5.12 The council tax energy rebate scheme will be proactively promoted via our website ([www.harrogate.gov.uk/energyrebate](http://www.harrogate.gov.uk/energyrebate)) and social media channels in order to maximise awareness to eligible households. We also plan to directly contact eligible households in May who have not claimed the rebate. This will help ensure the allocated funding is paid quickly to eligible households and provided needed support for rising energy bills.
- 5.13 As required by government all council tax bills issued in respect of 1 April 2022 contained the following explanatory sentence “The Government is providing a £150 one-off Energy Bills Rebate for most households in council tax bands A-D” This was prescribed text by the government and was required to be on all Council tax bills for properties in band A-D. Also included with all annual council tax bills was the government’s information pamphlet explaining about the terms and implementation of the Council Tax Rebate (Appendix 2).
- 5.14 The government recognises that billing authorities may also wish to provide support to other energy bill payers who are not eligible under the terms of this core rebate scheme, or to provide carefully targeted ‘top-up’ payments to the most vulnerable households in bands A to D. It will therefore provide every billing authority with a share of a £144 million Discretionary Fund. Harrogate Borough Council will received £253,350 and will need to develop and agree their own local scheme. This is not part of the scheme detailed in this report and will be presented to Cabinet at a future meeting.

## **6.0 REQUIRED ASSESSMENTS AND IMPLICATIONS**

- 6.1 The following were considered: Financial Implications; Human Resources Implications; Legal Implications; ICT Implications; Strategic Property/Asset Management Considerations; Risk Assessment; Equality and Diversity (the Public Sector Equality Duty and impact upon people with protected characteristics). If applicable, the outcomes of any consultations, assessments, considerations and implications considered necessary during preparation of this report are detailed below.

## **7.0 CONCLUSIONS**

The implementation of this scheme will provide support to eligible households with rising energy costs. The criteria and application process set out in the scheme to be clear and simple to administer to each eligible household. The council will be in a position to make payments in a timely manner to provide the financial support needed. This scheme supports our

corporate priority to support communities and provide excellent public service.

**Background Papers –**

Appendix 1 – Harrogate Borough Council: The Council Tax rebate 2022/23 scheme

Appendix 2 – Government £150 council tax rebate pamphlet

**OFFICER CONTACT:** Please contact Julie Gillett, Welfare, Revenues and Customer Services Officer, if you require any further information on the contents of this report. The officer can be contacted at Finance/RWCS, *PO Bo 787, Harrogate, HG1 9RW* 01423-500600 or by e-mail [julie.gillett@harrogate.gov.uk](mailto:julie.gillett@harrogate.gov.uk)

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## **The Council Tax Rebate Scheme 2022-23**

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## Definitions

The following definitions are used within this document:

**'Chargeable Dwelling'**; means any dwelling that appears on the Council's Council Tax Valuation List on 1 April 2022;

**'Council Tax Exemption or Exempt Dwelling'**; means any chargeable dwelling which is determined by the Council as exempt from Council Tax as prescribed by the Council Tax (Exempt Dwellings) Order 1992 as amended;

**'Council Tax Rebate Scheme or Mandatory Scheme'**; means the scheme announced by the Secretary of State for Levelling Up, Housing and Communities on 3 February 2022 as part of a package of support for rising energy costs;

**'Council Tax Payer or Liable Person'** means the liable person determined by the Council as being responsible for Council Tax under section 6 of the Local Government Finance Act 1992;

**'Council Tax Reduction (or Support)'** means any entitlement awarded under section 13A 1(A) of the Local Government Finance Act 1992;

**'Discretionary Scheme'**; means the scheme determined by the Council in line with the guidance issued by the Department for Levelling Up, Housing and Communities announced on 3 February 2022;

**'Effective Date'** ; means the effective date of this scheme. The effective date shall be the situation as at the end of the day on 1 April 2022

**'Empty Dwelling (or premises)'** means any dwelling that is not deemed to be the sole or main residence of a person and are substantially unfurnished;

**'Liability for Owner'**; means any dwelling determined to fall within the Council Tax (Liability for Owners) Regulations 1992, for example, House in Multiple Occupation or Residential Care homes;

**'Second Home'** means any dwelling not deemed to be the sole or main residence of the liable person and which is furnished as defined by the Council Tax (Prescribed Class of Dwellings) (England) Regulations 2003 as amended; and

**'Sole or main residence'** means the dwelling determined by the Council to be the sole or main residence of a person.

## 1.0 Purpose of the scheme and background.

- 1.1 The purpose of this policy is to determine eligibility for a Council Tax Rebate under the mandatory scheme as set out by the Secretary of State for Levelling Up, Housing and Communities on 3<sup>rd</sup> February 2022. This scheme together with the Council's associated Discretionary Fund are part of a package of support for households in respect of rising energy costs.
- 1.2 The Government has also issued statements on a discount on electricity bills to be paid later in the Autumn. It should be noted that this is not part of the responsibility of local authorities and is separate from the Council Tax Rebate Scheme.
- 1.3 The Council Tax Rebate Scheme is effectively in two parts, the mandatory scheme which is covered within this policy and which is largely determined by Central Government, and the Discretionary scheme which forms parts of a separate policy which has been agreed by the Council.
- 1.4 This Council Tax Rebate Scheme is designed to provide single one-off grant of £150 to all eligible households who meet the criteria shown within Section 3.

## 2.0 Funding

- 2.1 Government has provided funding to the Council; however, all payments will have to be made prior to the 30 September 2022 which is the deadline for this scheme.

## 3.0 Eligibility criteria

- 3.1 To provide some immediate relief to households experiencing rising energy costs, while targeting those most likely to require support, Government expects the Council to provide a £150 one-off payment to a liable Council Tax payer (or a person who would otherwise be liable where the dwelling is exempt) for every household that occupies a property which meets all of the following criteria on 1 April 2022:
  - (a) The chargeable dwelling is valued in Council Tax bands A to D. This includes property that is valued in band E but has an alternative valuation band of band D, as a result of the disabled band reduction scheme (Reduction for disabilities);
  - (b) It is someone's sole or main residence; or is a chargeable dwelling which receives an exemption under classes N (other than HMOs for Council Tax purposes), S, U or W.
- 3.2 The scheme will **not** cover any premises which are armed forces accommodation. The Ministry of Defence will be in touch with residents in those premises that are currently exempt under Class O.
- 3.3 For the sake of clarity, a property that meets all the criteria but has a nil Council Tax liability as a result of Council Tax Reduction will be eligible. However, a premises which is no one's sole or main residence, a second home or an unoccupied premises will not be eligible.

- 3.4 For the purpose of the Council Tax Rebate scheme, a household is a person or group of persons occupying a single dwelling, as defined in section 3 of the Local Government Finance Act 1992.

### **Effective date**

- 3.5 The effective date for this scheme is 1 April 2022. The Council will determine eligibility based on the position at the end of that day.

### **Alterations to liability or the Council Tax Band**

- 3.6 Where the Council has reason to believe that the information they hold about the valuation list, liable taxpayer(s) or residents' circumstances in respect of 1 April 2022 is inaccurate, it will withhold the payment and take reasonable steps to determine the correct information.
- 3.7 Where records relating to the liable taxpayer(s) or the residents' circumstances in respect of 1 April 2022 are retrospectively updated, the Councils will take reasonable steps to either pay the Council Tax Rebate or potentially reclaim any payment made.
- 3.8 In any case, where the Council Tax band of the chargeable dwelling is amended retrospectively after 1 April 2022, for example where a successful appeal is made to the Valuation Office Agency (VOA) that concluded after this date, the Council is not required either to pay any Council Tax Rebate or to reclaim any payment made.
- 3.9 The Council will however make an exception where a property is a new build and awaiting an official banding from the VOA. In these cases, eligibility will be determined based on the official band subsequently allocated by the VOA, where this has an effective date before or on 1 April 2022.
- 3.10 Where a review, proposal, or appeal pre-dating the Government's announcement of the scheme on 3 February 2022 is successful after 1 April 2022 and, as a result, a property would have been eligible for the Council Tax Rebate, the Council *may* accept applications under its discretionary scheme.

### **Eligibility Disputes**

- 3.11 Government has stated that it is for the Council to determine eligibility for the Council Tax Rebate and, as such, the decision of the Council in this matter will be final. Should any taxpayer feel aggrieved by any decision, then matters will be dealt with through the Council's complaints procedure. Full details are available on the Council's website.

## **4.0 How the Council Tax Rebate will be paid**

- 4.1 Where the Council determines that all of the eligibility criteria are met in full, a single one-off payment of £150 will be made to the household. It should be noted that **only one**

**payment** will be made per household, regardless of the number of occupants or liable Council Taxpayers.

- 4.2 Government has stated that only one mandatory payment should be made to a household and therefore if, for whatever reason a household receives more than one payment (for example if they move to another Council area), then the payment will be reclaimed.

### **Direct Debit payers**

- 4.3 Where the Council holds a current direct debit instruction for a liable Council Taxpayer of an eligible household, payment will be made using the bank account details held. Payments will be made as soon as practicable.
- 4.4 The Council is required to verify that the bank details held are those of the eligible household and where multiple residents of an eligible household are jointly and severally liable for Council Tax, the full payment will be made to the account for which the direct debit is held only. Payment of the rebate, however, is for the benefit of the household as a whole.
- 4.5 No payment will be made where the name on the bank details does not match a liable party. Should the Council require additional information in order to establish the correct person to receive the payment, it is expected that the household provides all necessary details as soon as possible. Further details of how this request will be made and responsibilities to supply such information are detailed below.
- 4.6 It should be noted that the rebate will be paid on the assumption that the person receiving the payment is the liable Council Taxpayer (or would have been if the property were not exempt) and that the property meets the criteria on 1 April 2022 as defined with section 3 above.

### **Where the Council does not hold current a direct debit instruction for an eligible household**

- 4.7 Where the Council does not hold a current direct debit instruction for an eligible household, it will make reasonable efforts to contact the household and obtain the necessary bank details.
- 4.8 Where the Council is unsuccessful in contacting the household but where it is of the opinion that the household meets the eligibility criteria, the Council Tax Rebate will be credited to the Council Tax account.
- 4.9 In all cases, the Council must ensure that payments are made correctly and where appropriate, require households to verify that that they are eligible for the payment. Where no such verification can be made or where a household fails to respond to the Council's request, no payment whatsoever shall be made.

## **5.0 Provision of information to the Council**

- 5.1 Residents, owners and managing agents should note that the Council has powers available to it under Regulation 3 (1) (c) of the Council Tax (Administration and Enforcement) Regulations 1992, to request such information to determine the correct liable person for Council Tax purposes. Government has stated that these powers may also be used for Council Tax Rebate purposes.
- 5.2 Failure to respond to such a request, without a reasonable excuse, within 21 days could lead to penalties being imposed. The Council therefore encourages all such persons to provide any requested information as soon as possible.

## **6.0 Scheme of Delegation**

- 6.1 The Council has approved this scheme. The Council's Revenues, Welfare and Customer Services Manager is authorised to make technical policy amendments to ensure the scheme meets the criteria set by the Government and the Council.

## **7.0 Notification of Decisions**

- 7.1 All Council Tax Rebate payments shall be made by the Revenues and Benefits Service.
- 7.2 All decisions made shall be notified to the liable person either in writing or by email.

## **8.0 Reviews of Decisions**

- 8.1 The Council will operate an internal review process and will accept a taxpayer's request for a review of its decision.
- 8.2 All such requests must be made in writing to the Council and should state the reasons why the taxpayer is aggrieved with the decision of the Council. New information may be submitted at this stage to support the taxpayer's review
- 8.3 The case will be reconsidered by a senior officer as soon as practicable, and the taxpayer informed in writing or by email of the decision. That decision shall be final.

## **9.0 Taxation and the provision of information to Her Majesty's Revenue and Customs (HMRC)**

- 9.1 The Council does not accept any responsibility in relation to a taxpayer's HMRC tax liabilities and all taxpayers should make their own enquiries to establish any tax position.

## **10.0 Managing the risk of fraud**

- 10.1 The Council will not accept deliberate manipulation of this policy or fraud. Any person caught falsifying information to gain a Council Tax Rebate will face prosecution and any amount awarded will be recovered from them.

## **11.0 Recovery of amounts incorrectly paid**

- 11.1 If it is established that **any** Council Tax Rebate has been made incorrectly due to error, misrepresentation or incorrect information provided to the Council by a taxpayer or any other person, the Council will look to recover the amount in full.

## **12.0 Data Protection and use of data**

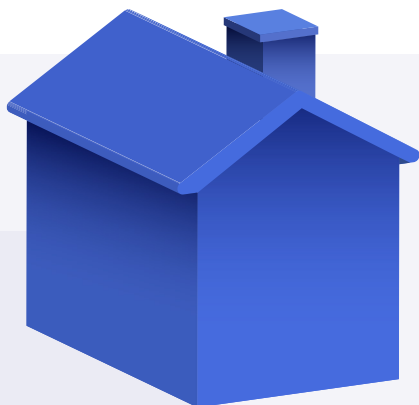
- 12.1 All information and data provided by applicants shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.





HM Government

# £150 GOVERNMENT COUNCIL TAX REBATE



**If you live in a property in council tax bands A to D, you are likely to receive a £150 council tax rebate from the Government to help with the cost of living.**

As countries around the world come out of Covid-19 lockdowns, surging demand for energy has meant energy prices have increased. Over the past year, the price of gas alone has quadrupled.

Whilst the problem is global, the effect is being felt by millions of households here in the UK.

The Government has listened to these concerns and it has acted.

Recently, the Government announced that around 20 million households in England in council tax bands A-D will get a £150 rebate from April.

**The rebate will not need to be repaid.**

## WHO'S ELIGIBLE?

Households in council tax bands A-D will receive the £150 council tax rebate.

This means 4 out of 5 households in England will benefit, including around 95% of rented properties. However, second homes or empty properties will not benefit. If you are unsure of your council tax band, check your council tax band via your printed council tax bill or at: <https://www.gov.uk/council-tax-bands> or contact your local council.

### What if my household isn't eligible?

- Councils will receive an extra £144 million to provide support to vulnerable households who may not qualify for the £150 council tax rebate.
- This includes people on low incomes in council tax bands E-H.
- Your council will provide more detail on how this will operate in your area.

### How will my household get its £150?

- Your council will confirm how the rebate will be paid in your area.
- For people who pay council tax by direct debit, in most cases, the rebate will go directly into bank accounts. If you don't already pay by direct debit, you might want to sign up. This will make sure the rebate is paid to you quickly.
- For those who do not pay council tax via direct debit, your council will confirm how the rebate will be paid to you. Please make sure that communication is from your local council before providing payment details.
- The rebate will not need to be repaid.

### What else is on offer to support households with their energy bills?

- We are helping to spread the cost of the recent jump in energy prices over several years. £200 of this year's energy bill will be taken off from October and spread equally over the next 5 years instead, easing the burden on family budgets. This is not a debt, no interest is charged and no credit ratings are affected.
- The Warm Home Discount will be expanded, so nearly 3 million low-income households will benefit from a £150 discount.



Scan the QR code with your smart mobile device to check your council tax band.

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