



David Melding AM  
Chair, Constitutional & Legislative Affairs Committee  
National Assembly for Wales  
Cardiff Bay  
CF99 1NA

5

December 2013

Dear David

Further to my letter of 19 November, I am writing in relation to the Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (Wales) (Amendment) Regulations 2013 ("the amending Regulations"). As I have advised Members on a number of occasions, most recently during last week's plenary debate, these Regulations are required to amend the Regulations passed on 26 November to uprate the financial figures in line with cost-of-living increases. They will also address the technical points identified during scrutiny.

The calculation of the uprating is dependent on financial figures set out in the Chancellor's Autumn Statement, as well as the uprating schedule produced by the Department of Work and Pensions, for interrelated social security benefits, for example, Child Benefit and Savings Credit.

The Autumn Statement is being made on 5 December and the uprating schedule is being published by DWP on 9 December. Consequently, I will not be able to lay the amending Regulations until 9 December. This means the earliest a plenary debate could be held, in accordance with Standing Orders, is 28 January.

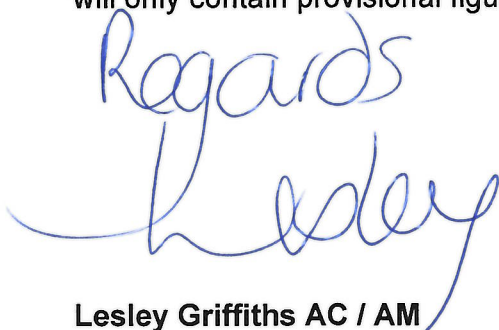
Whilst this does not present issues in relation to the Regulations themselves, it does pose practical challenges for Local Authorities as they must incorporate the uprated financial figures into their Council Tax Reduction Schemes. As you know, Local Authorities must consult on and adopt, their Schemes via full Council by 31 January 2014. Any Authority failing to adopt a Scheme will have the Default Scheme imposed.

There are no provisions in the Council Tax Reduction Schemes and Prescribed Requirements (Wales) Regulations 2013 to allow Local Authorities to make in-year changes to their Schemes. Therefore, there is no mechanism to ensure a Local Authority adopts the uprated financial figures if a Council meeting to adopt its Scheme is held in advance of the Assembly debating the amending Regulations. This poses the risk not all Local Authorities will use the uprated figures, meaning applicants from different areas may be treated differently and some applicants will be made worse off if cost of living increases are not reflected.

Local Authorities have been made aware of the timescales for making the amending Regulations and have been asked to ensure they have arrangements in place to incorporate the uprated financial figures into their adopted Schemes.

However, in order to facilitate their preparations and to ensure all Local Authorities are able to adopt the uprated figures, I would be grateful if the Constitutional and Legislative Affairs Committee would be willing to consider and report on the Regulations ahead of 28 January, to enable an earlier plenary debate to be arranged.

The amending Regulations are very much shorter than those approved on 26 November, running to approximately 13 pages, and my officials would be happy to engage with yours to support the scrutiny process. I would also be happy to share a copy of the draft Regulations with the Committee which I anticipate will be available by Friday afternoon, although these will only contain provisional figures.



**Lesley Griffiths AC / AM**

Y Gweinidog Llywodraeth Leol a Busnes y Llywodraeth  
Minister for Local Government and Government Business