

CABINET

5 December 2012

Attendance:

Councillor Wood -	<i>Leader (Chairman) (P)</i>
Councillor Humby -	<i>Deputy Leader and Portfolio Holder for Strategic Planning & Economic Development (P)</i>
Councillor Coates -	<i>Portfolio Holder for Housing (P)</i>
Councillor Godfrey -	<i>Portfolio Holder for Finance & Administration (P)</i>
Councillor Huxstep -	<i>Portfolio Holder for Environment (P)</i>
Councillor Stallard -	<i>Portfolio Holder for Communities, Culture and Sport (P)</i>
Councillor Tait -	<i>Portfolio Holder for New Homes Delivery (P)</i>
Councillor Weston -	<i>Portfolio Holder for Planning and Transport (P)</i>

Others in attendance who addressed the meeting:

Councillors Learney, Pines and Rutter

Others in attendance who did not address the meeting:

Councillors J Berry, Evans and Izard

1. **MINUTES**

RESOLVED:

That the minutes of the previous meeting held on 14 November 2012 (less exempt item), be approved and adopted.

2. **PUBLIC PARTICIPATION**

There were no questions asked or statements made.

3. **LEADER AND PORTFOLIO HOLDER ANNOUNCEMENTS**

Councillor Wood congratulated those involved in the organisation of the Royal Hussars Homecoming Parade which had taken place that week and had been very successful.

With regard to comments made at the previous Cabinet meeting, Councillor Wood clarified that the Traffic Regulation Order (TRO) to restrict loading and un-loading in St Georges Street remained in the City Council's TRO Programme.

Councillor Wood congratulated those City Council staff whose achievements had been recognised at the annual “Alfies” Awards.

Councillor Humby announced that the City Council had again been successful in achieving Purple Flag status in recognition of a vibrant and safe evening economy. He also highlighted the ongoing success and popularity of the Cathedral Christmas Market/ice-rink and of the Council’s own market.

Councillor Tait advised that the next phase of the consultation on the proposed new housing development in Abbots Barton would take place on 6 December 2012.

4. **NOTICE OF MOTION – PLANNING MATTERS**
(Report CAB2414 refers)

Councillor Wood stated that he considered that much of the work requested by the Notice of Motion was either already being undertaken by the Council or was in preparation, as explained in the Report. He therefore considered that the requirement to prepare a Cabinet report in response to the Motion had involved officers in unnecessary additional work.

Councillor Wood reported that he had met with the Chairman of the Local Government Association (LGA) in June 2012 and emphasised that a perceived lack of development in the Winchester District was not a result of the planning system, but of wider economic and financial difficulties facing potential developers. For example, there were approximately 1,500 planning permissions granted within the District awaiting development, not including those at the West of Waterlooville and Barton Farm Major Development Areas.

At the invitation of the Chairman, Councillors Learney and Rutter addressed Cabinet and their comments are summarised below.

Councillor Learney emphasised that the LGA was a cross-party organisation representing Councils across the country and consequentially, its objection to Government proposals should be given due importance. She did not consider that the Report properly addressed the issues raised by the Notice of Motion. However, she concurred with Councillor Wood’s view that it was economic conditions and not local councils that was stalling new development. In general, she expressed concern that the Government’s proposals appeared to remove controls currently available to the Council and went against the principles of Localism. In particular, she believed residents might be confused by what was allowed within permitted development provisions.

Councillor Rutter spoke in support of her Notice of Motion and disputed the assertion that requiring a response from Cabinet had involved officers in unnecessary work, as she considered it to be facilitating democratic debate on the subject.

Cabinet agreed to the following for the reasons set out above and outlined in the Report.

RESOLVED:

1. That the content of the Notice of Motion moved by Councillor Rutter at Council on 7 November 2012 be noted.
2. That the draft response to the Government's consultation on the relaxation of permitted development rights be approved, as set out in Appendix 1.

5. **COMMUNITY INFRASTRUCTURE LEVY (CIL) – REVISED TABLE OF CHARGES**
(Report CAB2420 refers)

Cabinet agreed to the following for the reasons outlined in the Report.

RESOLVED:

That the revised Table 3 (as set out in the above Report) be approved for inclusion in the proposed CIL Preliminary Draft Charging Schedule as a basis for consultation.

6. **LOCALISATION OF COUNCIL TAX SUPPORT AND COUNCIL TAX CHANGES**
(Report CAB2415 refers)

Councillors Godfrey and Stallard declared disclosable pecuniary interests in respect of this item due to their roles as a County Council employee and a County Councillor respectively. However, as there was no material conflict of interest, they remained in the room, spoke and voted under the dispensation granted on behalf of the Standards Committee.

Councillor Godfrey outlined the key changes proposed as detailed in the Report. He emphasised that through the various measures proposed, the Council were seeking to protect the level of support available to those on low incomes and also to seek to encourage owners of empty properties to bring them back into use. However, it was difficult at the outset to accurately predict the effect of the changes and he therefore requested that an additional recommendation be agreed that required the Council to review the outturn and any further amendments required after one year in operation. This was agreed.

At the invitation of the Chairman, Councillors Learney and Pines addressed Cabinet and their comments are summarised below.

Councillor Learney generally welcomed the proposals. However, she suggested two further changes:

- A suggestion that the period for the 100% discount for 'uninhabitable' properties referred to in Recommendation 1(b) below be shortened to 6 or 9 months;
- A suggestion that a premium rate on properties empty for more than two years be introduced to further encourage more empty properties into use.

Councillor Godfrey stated that the possibility of introducing a premium rate as suggested had not been pursued at this time, but could be examined again as part of the proposed review.

The Head of Revenues clarified that the requirement for a period of up to 12 months discount for 'uninhabitable' properties was set out in the legislation and the period could not therefore be shortened.

Councillor Pines reported that The Overview and Scrutiny Committee had commented on the proposals. He suggested that the proposed review in a year's time be carried out by a cross-party Working Group. He expressed concerns about the wider implications of the Government's welfare reforms on those on lower incomes and the expected knock-on increase to the housing waiting list.

Councillor Wood noted the suggestion regarding a cross-party Working Group and agreed to give it further consideration.

During debate, several Councillors mentioned properties within their Wards which had remained empty for a long time. Councillor Coates requested that he be made aware of specific examples in order that the Private Sector Housing Team could investigate further. However, he emphasised the legal and practical difficulties involved in trying to persuade owners to bring such properties back into use.

Cabinet agreed to the following for the reasons set out above and outlined in the Report.

RECOMMENDED:

1. THAT THE CHANGES TO COUNCIL TAX DISCOUNTS AND EXEMPTIONS IN RESPECT OF EMPTY PROPERTIES / SECOND HOMES BE ADOPTED AS FOLLOWS:

A) ABOLISH THE 10% DISCOUNT AWARDED IN RESPECT OF SECOND HOMES (FURNISHED PROPERTIES THAT ARE NO ONES MAIN HOME);

B) INTRODUCE A DISCOUNT OF 100% FOR A PERIOD OF UP TO TWELVE MONTHS FOLLOWING THE ABOLITION OF EXEMPTION CLASS A FOR 'UNINHABITABLE' PROPERTIES (PROPERTIES WHERE NO ONE LIVES, ARE SUBSTANTIALLY UNFURNISHED AND REQUIRE MAJOR REPAIR WORK OR ARE

UNDERGOING MAJOR REPAIR WORK OR STRUCTURAL ALTERATION TO RENDER IT HABITABLE) WHICH ARE CURRENTLY AWARDED FOR UP TO TWELVE MONTHS;

C) INTRODUCE A DISCOUNT OF 100% FOR A PERIOD OF UP TO ONE MONTH FOLLOWING THE ABOLITION OF EXEMPTION CLASS C WHICH RELATES TO VACANT PROPERTIES (PROPERTIES WHERE NO ONE LIVES WHICH ARE SUBSTANTIALLY UNFURNISHED) WHICH CAN BE AWARDED FOR UP TO SIX MONTHS;

D) ABOLISH THE 50% DISCOUNT FOR PROPERTIES THAT REMAIN VACANT (PROPERTIES WHERE NO ONE LIVES WHICH ARE SUBSTANTIALLY UNFURNISHED).

2. THAT THE LOCAL COUNCIL TAX SUPPORT SCHEME PROPOSED IN THE REPORT BE ADOPTED AS FOLLOWS:-

A) BASE THE NEW LOCAL COUNCIL TAX SUPPORT SCHEME ON THE EXISTING CTB SCHEME CALCULATION;

B) INCREASE INCOME DISREGARDS FOR WORKING AGE CLAIMANTS SO THAT SINGLE CLAIMANTS HAVE THE FIRST £10 OF EARNED INCOME DISREGARDED AND OTHERS HAVE THE FIRST £25 OF EARNED INCOME DISREGARDED;

C) CONTINUE TO DISREGARD 100% OF CERTAIN PAYMENTS (FOR WORKING AGE AND PENSIONER AGE CUSTOMERS) MADE UNDER THE WAR PENSION AND ARMED FORCES COMPENSATION SCHEME.

3. THAT THE EFFECT OF THE CHANGES OUTLINED ABOVE BE REVIEWED IN ONE YEAR'S TIME WITH A VIEW TO CONSIDERING WHETHER ANY FURTHER ALTERATIONS ARE REQUIRED.

4. THAT COUNCIL CONSIDER REPORT CL81 WHICH WILL CONTAIN THE DETAILED LOCAL COUNCIL TAX SUPPORT SCHEME FOR APPROVAL.

RESOLVED:

That an update report be presented direct to Council to present:

- a) the detailed local Council Tax Support Scheme for approval based on the options recommended in this report;
- b) any changes that may be necessary when the final regulations have been published.

7. **COUNCIL TAX BASE 2013/14**
(Report CAB2407 and Addendum refers)

Councillor Godfrey circulated an Addendum which contained additional wording to the Report's executive summary, together with two additional recommendations (as set out as Resolution 2 and 3 below). Cabinet agreed to accept the Addendum onto the agenda for the meeting to enable the additional information to be considered.

Cabinet agreed to the following for the reasons set out above and outlined in the Report.

RECOMMENDED:

1. THAT CONSIDERATION BE GIVEN TO THE UPDATED REPORT (CL82 REFERS) TO PRESENT A RESOLUTION TO COUNCIL CONTAINING THE FINAL COUNCIL TAX BASE CALCULATION FOR 2013/14.

2. THAT THE SCHEME OF DELEGATION TO OFFICERS (AS SET OUT IN PART 3, SECTION 6 OF THE COUNCIL'S CONSTITUTION) BE AMENDED TO ENABLE APPROVAL OF THE COUNCIL TAX BASE IN FUTURE YEARS TO BE DELEGATED TO THE HEAD OF FINANCE IN CONSULTATION WITH THE HEAD OF REVENUES.

RESOLVED:

1. That the draft Council Tax Base calculations contained in this report be noted.

2. That the principles for apportioning the grant between the local preceptors (i.e. parish and town councils) be approved based on the total Band D charge for that parish (2012/13) apportioned in accordance with the total level of CTS expenditure within the parish used to reduce the tax base (as explained in the Addendum to the Report).

3. That the detail of the grant apportionment referred to in Recommendation 2 and the grant for this Council and the Town (i.e. estimated to be £469,000) and the determination of the final amounts to be paid to each parish and the Town be delegated to the Head of Finance in consultation with the Head of Revenues.

4. That officers be instructed to prepare an updated report to present a resolution to Council containing the final Council Tax Base calculation once the relevant regulations have been published and to take account of Cabinet's consideration of Report CAB2415 above.

8. **NNDR 1 – NATIONAL NON-DOMESTIC RATE ESTIMATE RETURN**
(Report CAB2416 refers)

Councillors Godfrey and Stallard declared disclosable pecuniary interests in respect of this item due to their roles as a County Council employee and a County Councillor respectively. However, as there was no material conflict of interest, they remained in the room, spoke and voted under the dispensation granted on behalf of the Standards Committee.

Cabinet agreed to the following for the reasons outlined in the Report.

RESOLVED:

That approval of the annual NNDR1 return be delegated to the Head of Finance, in consultation with the Head of Revenues and the Council's Constitution (Part 3, Section 6, Scheme of Delegation to Officers) be updated accordingly.

9. **NON-DOMESTIC RATES – RURAL SETTLEMENT LIST 2013/14**
(Report CAB2406 refers)

Cabinet agreed to the following for the reasons outlined in the Report.

RESOLVED:

1. That the list of Rural Settlements shown in Appendix A be approved for the year 2013/14.

2. That the Scheme of Delegation to Portfolio Holders (as set out in Part 3, Section 3 of the Council's Constitution) be amended to enable approval of the Rural Settlement list in future years to be delegated to the Portfolio for Finance and Administration.

10. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for January 2013, be noted.

11. **EXEMPT BUSINESS**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that,

if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	Exempt Minutes of the previous meeting) Information relating to any individual. (Para 1 Schedule 12A refers))) Information which is likely to reveal the identity of an individual. (Para 2 Schedule 12A refers))) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. (Para 4 Schedule 12A refers)

12. **MINUTES**

RESOLVED:

That the exempt minutes of the previous meeting held on 14 November 2012, be approved and adopted.

The meeting commenced at 10.00am and concluded at 11.10am

Chairman