

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Wednesday, 4 December 2013 at 5.30pm in the Committee Suite, King's
Court, Chapel Street, King's Lynn**

PRESENT: Councillor N J Daubney (Chairman)
Councillors A Beales, Lord Howard, B Long,
Mrs E Nockolds and D Pope and Mrs V M Spikings.

An apology for absence was received from Councillor A Lawrence.

CAB97: MINUTES

RESOLVED: The Minutes of the Meeting held on 5 November 2013 were approved as a correct record and signed by the Chairman.

CAB98: URGENT BUSINESS

There was no urgent business.

CAB99: DECLARATIONS OF INTEREST

None.

CAB100: CHAIRMAN'S CORRESPONDENCE

None.

CAB101: MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

Councillor R Bird attended for Item CAB105.

CAB102: CALLED IN MATTERS

None

CAB103: FORWARD DECISIONS LIST

The forward decision list was noted.

CAB104: MATTERS REFERRED TO CABINET FROM COUNCIL BODIES

i) Resources and Performance Panel: 26 November 2013

The Committee made the following recommendation to Cabinet, which was dealt with when Cabinet considered the report on the agenda:

RP78: Cabinet Report: Corporate Business Plan Update

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

That Cabinet note the revised Business Plan and Monitoring Report.

RP79: Cabinet Report: Council Tax 2014/2015: Council Tax Support Scheme For 2014/2015 Council Tax Discounts For Second Homes And Empty Properties Overall Council Tax Base

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

Cabinet recommend to Council to agree:

- (1) The Council Tax Support Scheme for 2014/2015 as detailed at paragraph 1.8.
- (2) The Council Tax discounts for Second Homes and Empty Properties as detailed at paragraph 2.25.
- (3) The overall Taxbase for Council Tax setting purposes as detailed at paragraph 3.12.

iii) Regeneration, Environment and Community Panel – 27 November 2013

There were none

CAB105: COUNCIL TAX SUPPORT SCHEME 2014/2015; COUNCIL TAX DISCOUNTS FOR SECOND HOMES AND EMPTY PROPERTIES 2014/2015; COUNCIL TAX BASE 2014/2015

The Deputy Chief Executive presented a report which covered the following:

- The results of consultation on the Council Tax Support scheme and recommendations for the 2014/2015 scheme which had to be adopted by 31 January 2014,
- Recommendations for the Council Tax Discounts for Second Homes and Empty Properties for 2014/2015, and
- The overall Council Tax Base for Council Tax setting purposes for 2014/2015 which had to be adopted by 31 January 2014.

It was noted that both the Council Tax Discounts and Council Tax Support Scheme impacted on the Council Tax Base so they were all included in the report.

Under Standing Order 34, Councillor R Bird sought clarification as to current Council Tax levels for empty or second homes. It was explained that the higher level set for longer term empty homes was to

encourage those home owners to bring them back into circulation. The second homes still retained a small discount on Council Tax in order that they could be identified, so ensuring that the proportion of the second homes money could be secured.

In answer to questions on the categorisation of empty or second homes, it was explained that it was for the Authority to formally designate a property as a second home.

Councillor Daubney reminded Members that the Council Tax Support scheme presented was the same as that agreed the previous year which had been deferred for a year following the Government incentive to do so. As the explanation of the knock on effect for parish precepts was complicated to understand, the Deputy Chief Executive explained that in order to assist parishes, 2 sessions were being run for parish councils in order to talk them through the changes and how they would potentially be affected. A response of approximately 40 parishes attending the sessions had been received to date.

Councillor Long, in supporting the training sessions for parishes, commented that because many parishes were dealing with a reasonably small number of properties they would concentrate on raising an amount of money rather than a percentage increase. The knock on effect of this was that potentially any increased precepts would be a high percentage, shared between fewer properties so adding the burden to those properties.

In response to a request for clarification on how the Council Tax Base was calculated, the Deputy Chief Executive explained the table in 3.5 of the report.

Cabinet noted that the Resources and Performance Panel at its meeting on 26 November 2013 had debated the item and sought clarification on a number of issues and supported the recommendations.

RECOMMENDED: Part 1)
Council Tax Support Scheme (CTS)

That Council confirm its decision of 24 January 2013 to adopt the deferred Council Tax Scheme for 2014/2015 from 1 April 2014, with the inclusion of those in receipt of Carer's Allowance as a protected group.

Part 2)
Determination Of Council Tax Discounts Relating To Second Homes And Empty Properties For 2014/2015

That Council approve that, under Section 11A of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003, Section 11B of the Local Government Finance Act 1992, as enacted by Section 11 and Section 12 of the Local Government

Finance Act 2012 and in accordance with the provisions of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the Council determines:

1. That the council tax discount for second homes defined as being within Class A of the Regulations is set at 5% for 2014/2015;
2. That the council tax discount for second homes as defined by Class B of the Regulations is set at 5% for 2014/2015;
3. That the council tax discount for empty dwellings defined as being within Class C of the Regulations is set at the following for 2014/2015:
 - a. 100% for three months starting on the day the property becomes unfurnished
 - b. 0% once the three month period has expired;
4. That the council tax discount for uninhabitable dwellings defined as being within Class D of the Regulations is set at the following for 2014/2015:
 - a. 50% for 12 months starting on the day the property becomes uninhabitable
 - b. 0% once the 12 month period has expired;
5. That the levy rate for Long Term Empty Properties as defined in the Regulations is set at 50% for 2014/2015;
6. That any period of occupation of less than six weeks shall be disregarded when calculating the maximum period of a reduction or the start date of the levy; and
7. That delegated authority be given to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider individual applications to the Discretionary Hardship Fund
8. In accordance with Section 11A(6) of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003 and the Local Government Finance Act 2012, these determinations shall be published in at least one newspaper circulating in West Norfolk before the end of the period of 21 days beginning with the date of the determinations.

Part 3

Determination of the Council Tax Base For 2014/2015

That Council adopt a figure of 46,779 as the Tax Base for Council Tax setting purposes for the whole of its area for 2014/2015.

CAB106: CORPORATE BUSINESS PLAN

Cabinet considered a report which appended the refreshed Corporate Business Plan following a mid-term review of progress against outcomes. These were detailed in the document as actions planned, underway and completed. Also appended to the report was the monitoring report which set out progress in more detail.

In commending the report the Chairman stated that the Council should be proud of what had been achieved and were continuing to achieve.

Cabinet noted that the Resources and Performance Panel had debated the item and supported the recommendation.

RESOLVED: That the revised business plan and monitoring report be noted.

CAB107: TIMETABLE OF MEETINGS 2014/15

Cabinet considered the report which set out a draft timetable of meetings for the 2014/15 Municipal Year. All Cabinet and Chairmen and Vice-Chairmen had been consulted on the dates.

RESOLVED: That the Timetable for the 2014/15 Municipal Year be approved.

CAB108: i) LEISURE TRUST – BOARD OF DIRECTORS OF THE LOCAL AUTHORITY COMPANY**ii) JOINT EMPLOYEE COMMITTEE**

Cabinet considered a report which invited it to consider appointing a third Councillor to sit on the Board of Directors of the Local Authority Company as part of the Leisure Trust proposals which were submitted to the 9 April 2013 Cabinet. Councillor Lord Howard was proposed.

Cabinet was also invited to consider the membership of the Joint Employee Committee for the remainder of the Municipal year. Cabinet agreed that it wished to replace Councillors M Pitcher and M Langwade with Councillors D Pope and C Manning.

RESOLVED: 1) That the third representative on the Board of the Local Authority Company of the Leisure Trust be appointed as Councillor Lord Howard.

2) That Councillor D Pope be appointed to replace Councillor M Pitcher and Councillor C Manning replace Councillor M Langwade on the Joint Employee Committee for the remainder of 2013/14.

The Meeting closed at 6.01 pm