

**RECOMMENDATIONS TO COUNCIL ON 19 JANUARY 2017
FROM CABINET ON 6 DECEMBER 2016**

CAB98 COUNCIL TAX DISCOUNTS FOR EMPTY, UNFURNISHED AND UNINHABITABLE PROPERTIES

Cabinet considered a report which explained that since April 2004 the Council had had the power to increase the council tax charge for second homes. Since April 2013 the Council had had the power to further increase the council tax charge for second homes, and to increase the charge for properties which were unfurnished, uninhabitable or long term empty, and to charge a premium of a maximum additional 50% for properties left empty for more than two years.

The aim of these powers was to encourage properties back into use and raise additional revenue for areas affected by high numbers of second homes. The report set out 3 options for changing discounts, giving the financial implications for each option.

Cabinet debated the issue, and points were raised on the importance of bringing properties back into use, and the fact that the exemptions that were in place included for probate purposes, and that for general sale purposes, a month would be permitted.

Under Standing Order 34, Councillor C Joyce asked how the Council would respond when a tenant had notified the Council they had moved, and at a later date the Landlord stated that the tenant was still in occupation to a certain date and therefore liable for the Council Tax rather than the Landlord. Councillor Joyce also asked how a property was deemed uninhabitable.

The Revenues and Benefits Manager explained that the Council would look at all aspects of a case and each case would be considered on its merits. With regard to deeming a property uninhabitable it was explained that the condition of the property and the level of furnishings within the property, such as a bed and a kitchen would be looked at.

Councillor Long proposed Option 3 as a recommendation to Council drawing attention to the fact that it would give a month's grace and a discount of 25% would bring increased finances into the Authority.

RECOMMENDED: That option 3 set out in the report (to reduce the discount on empty properties to a period of one month and a discount on uninhabitable properties to 25% for 12 months) regarding the discounts for uninhabitable properties to 25% for 12 months) regarding the discounts for empty / unfurnished and uninhabitable properties be implemented from 1 April 2017 be adopted.

Reason for Decision

Amending the discounts will encourage owners of empty properties to bring them back into use and reduce the cost of awarding council tax discounts, bringing in extra income.

CAB99 COUNCIL TAX SUPPORT SCHEME 2017/18

Cabinet considered a report which explained that the Council must review and agree its Council Tax Support scheme each financial year. This process included consulting with major preceptors, publishing a draft Council Tax Support scheme and then consulting with interested parties before the final Council Tax Support scheme is approved.

The draft Council Tax Support scheme for consultation was agreed by Cabinet on 7 September 2016. The consultation period ended on 23 October 2016. The report detailed the results of the consultation and recommended the final Council Tax Support scheme for 2017/2018.

It was noted that child benefit and child maintenance were not taken into account in income terms, and also that the level of response to the consultation process was greater than previous years.

RECOMMENDED: 1) That the responses from the Council Tax Support consultation at Section 2 of the report be noted.

2) That the draft Council Tax support scheme detailed in the Cabinet report of 7 September 2016 be recommended to Council as the final Council Tax Support scheme for 2017/2018

Reason for Decision

To ensure a Council Tax Support scheme for 2017/2018 is agreed by full Council by 31 January 2017

CAB101 REVIEW OF FINANCIAL REGULATIONS

Cabinet received a report which showed that the Financial Regulations were last reviewed in 2011/12 and were due for review. In that time there had been a number of changes in the structure of the Council and new issues had arisen that needed to be included in the regulations.

A copy of the proposed revisions was presented. The Audit Committee had considered the document and was content with the proposals.

RECOMMENDED: That the revised Financial Regulations be adopted.

Reason for Decision

Financial Regulations are key to the way in which the Council conducts its financial affairs and it is essential that they are a robust platform to instruct officers and provide assurance of good governance.

CAB102 REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING PROCEDURES AND CONDITIONS

Cabinet considered a report which explained that following high profile cases of child sexual exploitation (CSE) involving taxi drivers in places such as Rotherham, the Borough Council wished to introduce safeguarding awareness training for members of the taxi trade. To ensure that members of the trade complete this training would require an amendment to licensing conditions. The amendment to conditions would empower the Licensing & Appeals Board to take action against those who do not complete the training voluntarily.

It was therefore proposed that the Borough Council's Hackney Carriage and Private Hire Licensing Procedures & Conditions be amended to include a requirement that all existing licensed combined drivers and new applicants for combined drivers either attend safeguarding training or pass the 'safeguarding' element of the Borough Council's Knowledge Test.

It was noted that whilst introducing this new requirement the opportunity had been taken to make minor amendments to three existing licensing conditions; Driver Standard Agency (DSA), window tints and 'MOT tests for hackney carriages and private hire vehicles.

In endorsing the proposals Members drew attention to the fact that a large number of drivers had already voluntarily attended a safeguarding training session.

RECOMMENDED: That the revised licensing procedures and conditions be adopted.

Reason for Decision

To introduce safeguarding awareness for combined drivers and keep the current procedures and conditions up to date and fit for purpose.

CAB103 **CIL - RESULT OF EXAMINATION**

Cabinet consider the report which covered three subjects:

- The CIL Examination in September and the outcomes
- The implementation of CIL
- Possible mechanisms for deciding how to allocate funds raised from CIL

The CIL Examiner had reported and concluded that with specified modifications the Borough Council could implement a CIL Charging Schedule. His modifications included the requirement that the proposed CIL of £10m² in King's Lynn be reduced to £0m² having regard to the values found in the town.

Progress on the operation of a CIL was outlined showing the process of integrating CIL into our current systems to ensure liability to pay and the mechanisms to collect CIL were adequate. A start date for liability to pay CIL was proposed as 15 February 2017.

A preferred mechanism of a new Task Group recommending to Cabinet for the CIL spend was proposed. Discussions and consideration of the requirements and requests of other bodies were built in to the process.

In response to a question on the straddling of the charging zones of the Knight's Hill Site, the LDF Manager explained that the zones were in line with parish boundaries. With regard to the issue of State Aid referred to in the Inspector's report, he confirmed that legal advice had been taken which meant the Council believed it was compliant.

Under Standing Order 34, Councillor Pope spoke against the high level of CIL to be charged in some areas. He asked whether the applications which were completed by February would be subject to CIL, whether the distribution of CIL money would be clear, and whether there would be a time limit by which any CIL money would have to be spent by parishes before it was withdrawn.

The LDF Manager explained that the timescale related to the date the permission was finalised and granted so if completed before 15 February they would not be liable. He further explained that there were s106 agreements in the mix at the moment, and there would still continue to be so after CIL was introduced. He confirmed there was no "use by" date for CIL money raised, although there were clear requirements on the accounting for the spend.

Cabinet debated the issue of developers being able to budget against CIL levels better than some S106 agreements. The question of it being a further tax on developers which could potentially bankrupt some builders if the economy took a down turn was also raised, but it was noted that the costs were known up front before development.

It was also noted that the Council could choose to review its CIL scheme, but the whole process would have to be started again.

RECOMMENDED: 1) That the Borough Council adopts a CIL Charging Schedule as amended by the Examiner.

2) That a formal start date for CIL is set as 15 February 2017.

3) That the Borough Council agrees to have a policy which allows for payment in kind to be accepted.

4) That the provisions for the collection and operation of CIL are noted.

5) The Borough Council works towards a method of CIL governance as outlined in Appendix 4 to the report.

6) That delegated authority be given to the Executive Director - Planning and Environment in consultation with the Portfolio Holder for Development to

set up arrangements for CIL governance having regard to the Preferred Option.

Reason for Decision

In order to implement CIL in the Borough

CAB106 POLLING DISTRICT AND POLLING PLACE REVIEW

Cabinet considered a report which presented a revised polling district and polling place review schedule to ensure polling stations were available where the usual ones were no longer available. The following changes were proposed:

Ward/Polling Districts	Polling Station	Comment	Proposed Solution
Gaywood Chase PL1 St. Margarets with St. Nicholas PM2	Highgate Community Centre	Premises closed	King's Centre, Wellesley Street
St. Margarets with St. Nicholas PM1	Red Cross Society, Austin Fields	Premises closed	King's Centre, Wellesley Street

RECOMMENDED: That the Polling District and Polling Place Review Schedule be adopted.

Reason for Decision

To ensure that the Council meets its statutory obligations.