

Minutes of Extraordinary Cabinet

21 January 2013

Present:

Councillor J.M. Pinkerton (Deputy Leader and Cabinet Member for Health, Wellbeing and Independent Living) in the Chair
Councillor C.A. Bannister (Cabinet Member for Communications)
Councillor T.J.M. Evans (Cabinet Member for Finance and Resources)
Councillor P.C. Forbes-Forsyth (Cabinet Member for Community Safety and Young People)
Councillor G.E. Forsbrey (Cabinet Member for Planning and Housing)
Councillor D.L. Grant (Parks and Assets)
Councillor R.L. Watts (Cabinet Member for Environment)

Apologies: Councillor N. Gething (Cabinet Member for Economic Development)

In attendance: Councillor D. Patel on behalf of the Overview and Scrutiny Committee

1878. Disclosures of Interest

There were none.

1879. Recommendation of the Overview and Scrutiny Committee from the meeting held on 15 January 2013.

Cabinet considered a recommendation from Overview and Scrutiny Committee on the localisation of council tax support and technical reforms to council tax discounts and premiums.

RESOLVED that Cabinet notes the recommendation of the Overview and Scrutiny Committee to support the approval of the proposed local council tax support scheme.

1880. *Localisation of Council Tax support – Key Decision

Cabinet considered a report on the options for the localisation of council tax support and technical reforms to council tax discounts and premiums.

Details of amendments to the scheme brought about by statutory changes since the report was written had been circulated to members of the Cabinet at the meeting and are appended to these minutes.

The Cabinet considered an amendment to the recommendation, to increase the protection of people with disabilities from 95% to 100%. It noted that the net increase in cost of this protection would be a further £34,000.

The alternative options considered and rejected by the Cabinet were set out at paragraph 4 of the report of the Assistant Chief Executive.

RESOLVED TO RECOMMEND that Council approves:

- 1) a). A Local Council Tax support scheme from 1 April 2013 as set out in paragraph 5.2 of the report of the Assistant Chief Executive subject to the application of the

regulations issued for schemes under the Local Government Finance Act 2012 and the following amendment:

- b). That protection for people with disabilities be increased from 95% to 100%;
- 2) Technical Reforms to Council Tax Discounts and Premiums (empty homes) as set out in paragraph 5.6 of the report of the Assistant Chief Executive, subject to the application of the regulations issued for schemes under the Local Government Finance Act 2012 and
- 3) The additional income from the Technical Reforms to Council Tax Discounts and Premiums is used to offset part of the loss of government funding in 2013/14 and to reduce the level of savings required from the Local Council Tax Support Scheme as set out in paragraph 5.7 of the report of the Assistant Chief Executive.

Reason for the decision:

Cabinet considered the options for a Local Council Tax Support Scheme, the outcome of the public consultation and the Equalities Impact Assessment. They rejected the 95% protection for those with disabilities in favour of 100% protection because:

- a. 79.5% of those members of the public who responded to the consultation exercise (over 1,100 individuals) said that people with disabilities should be protected from council tax benefits cuts. This merited very careful consideration and needed to be fully recognised.
- b. The additional net cost of £34,000 for the 100% protection option was deemed to be a prudent use of money as it would protect the most vulnerable without significantly increasing the overall cost of the scheme.
- c. It would reduce the risk around collecting small value council tax bills from this group of people.

1881. Council Tax Base 2013-14

Cabinet considered a report on the proposed council tax base for 2013-14.

RESOLVED TO RECOMMEND that Council approves the council tax base for 2013-14 as a band D equivalent figure of 36,665.61 dwellings, subject to:

- a. The recommendation that the number of dwellings be changed from 36,665.61 to 36,514.25

Reason for the decision:

As a result of the changes agreed to the Local Council Tax Support Scheme, the tax base falls from 36,665.61 band 'D' equivalent dwellings to 36,514.25 band 'D' equivalent dwellings for 2013-14.

1882. Urgent business

Councillors C. A. Bannister, G. E. Forsbrey and D. L. Grant each gave their formal notification of their resignation from the Cabinet following the resignation, earlier in the day, of the Leader, Councillor Frank Ayers.

Appendix 1

Statutory amendments to Cabinet Report on Council Tax Support and Council Tax Discounts and Premiums

CABINET 21 JANUARY 2013

Executive summary

Financial implications

Local decisions on discounts and premiums for empty homes will result in an additional £493,000 of income

Main report

Paragraph 1.10

Remove 7th bullet point 'Abolish exemptions for repossessions (class L) and make mortgagees in possession liable'

Paragraph 1.11

Remove 4th bullet point 'No discount on re-possessed homes (Class L)'

Additional Paragraph 2.7

'As A2Dominion are a registered charity, charities are exempt from Council Tax for 6 months (Class B) on empty properties. Prior to the technical changes in Council Tax exemptions coming into effect, it was immaterial whether A2Dominion were granted Class B or Class C as both gave a 6 month exemption. However with the abolition of Class C, these properties will now automatically fall into the Class B exemption.

Additional paragraph/note on 4.7

'Following on from Cabinet briefing on 14 January 2013, the anticipated legislation to approve the abolition of Class L was not been laid in parliament and as such, the Council cannot change the exemption on repossessed homes.

Paragraph 4.8

Remove second bullet point 'No discount for re-possessed homes (Class L) in both sections'

Paragraph 5.6

Remove 2nd bullet point 'No discount for re-possessed homes (Class L)'

Paragraph 6.7

Amend £509,000 to £493,000

Appendices

Appendix 8

Remove reference to re-possessed homes in description paragraphs for all 3 schemes

Appendix 10

Amend £509,000 to £493,000

Amend £810,000 to £794,000

Amend £598,000 to £582,000

Amend £102,000 to £118,000 shortfall

Amend £740,000 to £724,000

Amend £40,000 to £24,000

Appendix 12

Page 10, remove Class L row

NOTES:-

- (1) *Members of the Overview and Scrutiny Committee are reminded that under Overview and Scrutiny Procedure Rule, the “call-in” procedure shall not apply to recommendations the Cabinet makes to the Council. The matters on which recommendations have been made to the Council, if any, are identified with an asterisk [*] in the above Minutes.***
- (2) *Members of the Overview and Scrutiny Committee are entitled to call in decisions taken by the Cabinet for scrutiny before they are implemented, other than any recommendations covered under (1) above.***
- (3) *Within three working days of the date on which a decision of the Cabinet or a Cabinet Member is published, not less than three members [one of whom must be the Chairman] of the Overview and Scrutiny Committee are able to “call in” a decision;***
- (4) *To avoid delay in considering an item “called in”, an extraordinary meeting of the Overview and Scrutiny Committee will be convened within seven days of a “call in” being received if an ordinary meeting is not scheduled in that period;***
- (5) *When calling in a Cabinet decision for review the members doing so should in their notice of “call in”:-***
Outline their reasons for requiring a review;
 - Indicate any further information they consider the Overview and Scrutiny Committee needs to have before it in order to conduct a review in addition to the written report made by officers to the Cabinet;***

- ***Indicate whether, where the decision was taken collectively by the Cabinet, they wish the Leader or his nominee (who should normally be the Cabinet Member) or where the decision was taken by a Cabinet Member, the member of the Cabinet making the decision, to attend the committee meeting; and***
- ***Indicate whether the officer making the report to the Cabinet or the Cabinet Member taking the decision or his/her representative should attend the meeting.***

(6) The deadline of three working days for "call in" by Members of the Overview and Scrutiny Committee in relation to the above decisions by the Cabinet is the close of business on 28 January 2013