
CABINET7 NOVEMBER 2012

Present:- Councillor N R Stock (Leader of the Council) (Chairman)!Councillor S Candy (Regeneration)!Councillor G V Guglielmi (Planning)!Councillor P Halliday (Finance and Asset Management) (except item 42)!Councillor P B Honeywood (Housing)!Councillor L A McWilliams (Customer and Central Services)!Councillor P I Sambridge (Technical Services)!Councillor N W Turner (Environment)!Councillor G F Watling (Benefits and Revenues)

Also Present:- Councillors J A Broderick (except items 50 (part) and 51) and M D Miles (except items 50 (part) and 51)

Group Leaders present by invitation: Councillor M J Talbot

In Attendance:- Chief Executive (Ian Davidson), Strategic Director (David Appleby), Head of Corporate Services (Martyn Knappett), Head of Life Opportunities (Paul Price), Head of Planning (Catherine Bicknell) (except item 50 (part) and 51), Head of Public Experience (June Clare), Head of Resource Management (Karen Neath), Democratic Services Manager (Colin Sweeney), Legal Services Manager (Michael Gibson-Davies), Communications and Public Relations Manager (Nigel Brown) and Senior Democratic Services Officer (Ian Ford)

(12.00 p.m. - 1.52 p.m.)

42.. APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor S S Mayzes (Tourism and Community Life Portfolio Holder).

The Leader of the Council reported that the Leader of the Liberal Democrat Group (Councillor Shearing) in protest at, amongst other things, the outcome of a recent meeting of the Conduct Committee had informed him that he would no longer attend meetings of the Cabinet.

Councillor Halliday declared an interest and left the meeting for the remainder of this item.

Councillor Candy reminded Cabinet that at the recent meeting of the Conduct Committee the Chairman of that Committee (Councillor Nicholls) had called for a thorough review of the processes and procedures of the Committee. Councillor Candy expressed her grave concern at the comments made by the Monitoring Officer at that meeting in regard to the way in which the respondent Councillor Halliday had been interviewed by the members of the Independent Panel.

Having discussed the concerns raised by Councillor Candy:-

It was moved by Councillor Candy, seconded by Councillor P B Honeywood and:-

RESOLVED that an investigation be carried out into the way the recent complaint against Councillor Halliday was dealt with, with particular regard to any mistakes made and any instances of bias, and that the outcomes of this be reported to the Conduct Committee and made available to Cabinet members.

43. MINUTES OF THE LAST MEETING

The minutes of the meeting of the Cabinet held on 3 October 2012 were approved as a correct record and signed by the Chairman.

44. MATTERS ARISING FROM THE ABOVE-MENTIONED MINUTES

There were none.

45. ANNOUNCEMENTS BY LEADER OF THE COUNCIL

The Leader of the Council welcomed to the Council Catherine Bicknell, the newly appointed Head of Planning.

The Leader of the Council referred to Essex County Council's proposal to build a Waste Transfer Facility on the A120 on land adjacent to the Texaco Service Station. The proposal was that the refuse collection vehicles from both Tendring District Council and Colchester Borough Council would use this facility to transfer their loads into larger vehicles that would then transport the waste to the anaerobic facility at Basildon. Members of the Cabinet agreed that for this proposal to be effective, a multi-nodal function or flyover would be required in order to avoid unnecessary detours by the refuse vehicles which would exacerbate the already high level of traffic on the A120 particularly in the summer months. Members of the Cabinet also agreed that a site within the Borough of Colchester, for example, at Cuckoos Farm would be more appropriate.

46. ANNOUNCEMENTS BY CABINET MEMBERS

The Planning Portfolio Holder (Councillor G V Guglielmi) informed Cabinet that the Local Plan would be out for public consultation for the period 9 November 2012 to 7 January 2013. The Local Plan would be distributed to Parish and Town Councils for their comments and would be available to the public on the Council's website, in libraries and at public exhibitions. Councillor Guglielmi urged all Members to publicise this amongst the residents in their respective wards. In response to a request from Councillor Candy, the Planning Portfolio Holder undertook to arrange either attendance by Planning Officers at a Little Bromley Parish Council meeting or a display of the Local Plan at a venue within the parish.

47. MATTERS REFERRED TO THE EXECUTIVE BY THE COUNCIL

There were none on this occasion.

48. MATTERS REFERRED TO THE EXECUTIVE BY A COMMITTEE

There were none on this occasion.

49. WHOLE ESSEX COMMUNITY PROJECT

The Cabinet gave consideration to a report of the Leader of the Council which set out the approach being taken in the Whole Essex Community Budget (WECB) pilot. This Council was playing a key role in the WECB pilot, not least through the approach being adopted in the Families with Complex Needs work stream. The report set this work in the context of the wider pilot and highlighted the key work streams currently being progressed.

It was reported that this Council and its partners had been working together through the WECB since January 2012 to bring about sustained system-change in local public services, to recast their collective activity around the needs of local communities and

citizens, and to deliver the conditions for growth that supported businesses and residents. The shared vision was that every individual, family and community in Greater Essex had the opportunity to exercise choice and control over their lives, supported by a buoyant economy and, where necessary, by agile and responsive public services.

To achieve this the WECB programme sought to remodel services. Thinking about public services from the citizen's perspective could make public services better. Redesigning the public sector in Essex would deliver better integrated, more responsive services. The WECB programme would see public sector partners work together; delivering services that improved the lives of Essex residents whilst also cutting waste and duplication. It was a partnership endeavour engaging public, private and voluntary/community sector organisations.

The WECB programme was one of four national pilots. Central Government Departments had seconded senior civil servants for up to nine months to help develop proposals. In Essex eight Whitehall departments had allocated twelve officials to support the development of the WECB.

The core idea of community budgets was that a broad range of partners should agree common outcomes and then pool resources and join up activities to achieve those outcomes. Important dimensions were improving quality, efficient use of public money, promoting choice, localism, enabling civil society and prevention of social and economic problems.

Breaking down barriers was central to making localism work, because the more control and flexibility local partners had, the closer they could work with communities and more flexibly respond to their needs. Barriers identified included:

- Multiple, uncoordinated funding streams at local level and the 'externalities' problem of savings not directly benefitting agencies investing in change
- Reactive approaches – wait until a problem became a serious issue before addressing it (which was expensive) instead of dealing with emerging problems through prevention and early intervention)
- Lack of understanding and use of evidence, and the ability to share information across organisational boundaries, including how to apply effective practice to day-to-day service delivery
- Short term planning of public finances
- Commissioning of activity rather than outcomes, so providers were paid by outputs delivered rather outcomes achieved.

In principle, this Council supported the concept of the Community Budgets and the underpinning Business Cases and work streams to deliver the Community Budget programme. The Council had raised the importance to flexibly re-align financial benefits between partners from the Community Budget work streams. In particular, the issue of Councils with smaller budgets not being able to afford the price tag for preventative work which resulted in long term larger savings for bigger partners (especially Government - the Department for Work and Pensions) had been made.

The Essex Community Budget proposals were finding fundamentally different ways of working and delivering public services. However, the constraint was that it was within the existing structures of the public sector. The challenge to Government was to look at the structure of public services. Simplifying public sector structures would unlock huge savings and further improve ways of delivering coordinated public services.

The work streams of the WECB pilot covered the following areas:-

1. Health and Well-being;

2. Economic Opportunity;
3. Community Safety; and
4. Families with Complex Needs

The Council's work in this field contributed to a number of corporate priorities including:

- Goal 1: Affordable Excellence
- Goal 2: Continue to Improve Public Perception and Reputation
- Goal 3: Help Children and Adults Achieve Their Full Potential
- Goal 4: Address Deprivation

In addition, this work demonstrated the Council's leadership role in shaping the possible future delivery of public services that impacted upon its communities.

Having considered the contents of the report:-

It was moved by Councillor Candy, seconded by Councillor Halliday and:-

RESOLVED that

- (a) Tendring District Council wholeheartedly supports the concept and principle of the Community Budgets as a first step;
- (b) Cabinet thanks the public service partners of Essex for all their sustained efforts and commitment to delivering Community Budgets and the Business Cases to a tight deadline;
- (c) Cabinet thanks this Council's officers who had been playing a leading part and were already piloting one of the work streams, making a difference for families in Tendring; and
- (d) this Council supports the Business Cases but believed that Community Budgets could go further, including looking at the fundamental structure and funding of public services. The Council believed that by simplifying public sector structures it would unlock huge savings and further improve ways of delivering coordinated public services. The Leader of the Council and the Chief Executive would write to the Community Budget Board expressing this view.

50. THE LOCAL COUNCIL TAX SUPPORT SCHEME (REPORT TO FOLLOW)

Cabinet gave consideration to a detailed report of the Benefits and Revenues Portfolio Holder which sought its approval to the proposed Local Council Tax Support Scheme for Tendring (LCTS) for recommendation to full Council. The LCTS would replace Council Tax Benefit with effect from 1 April 2013.

It was reported that as part of the major changes to the Welfare Benefits system, from 31 March 2013 Council Tax Benefit would end and be replaced by a new scheme called Local Council Tax Support. The Government had decided to protect pensioners (persons who were of an age where they could claim pension credit); therefore, pensioners who currently received Council Tax Benefit would receive the same help they were currently entitled to. The Government had also been clear that in developing a local scheme, Councils should be mindful of their duties to vulnerable groups.

The funding for Council Tax Support would be reduced under the new scheme to 90% of what was available as Council Tax Benefit Subsidy with an assumption of fewer claimants.

A pan-Essex LCTS project group comprising of all the billing authorities and the unitary authorities in Essex had been created in January 2012 to devise a modular type model

upon which all authorities could base their local schemes according to local needs. The precepting authorities of Essex County Council, Fire and Police had been involved from the beginning of the project.

Cabinet was aware that English authorities must adopt a new local scheme before 31 January 2013 otherwise the Government's prescribed default scheme would take effect. The default scheme reflected the existing council tax benefit scheme and, as such, would not deliver the 10% funding reduction meaning that this would have to be met from the Council's own resources or from an increase in Council Tax. A 1% rise in Council Tax equated to around £76,000 and the Council was also subject to limits on the amount by which Council Tax could be increased before a Local Referendum would be triggered.

The stages of development of the scheme had included consultation with the public and the Council's Corporate Management Committee. Although subject to confirmation of grant funding, the scheme sought to provide for a cost neutral position with the introduction of a number of changes to existing arrangements.

Cabinet was reminded that the existing national scheme for Council Tax Benefit was fully funded by the Government, but LCTS funding would be reduced by 10% of what the anticipated benefit cost would have been in 2013/14 as calculated by the Government. However, because the Government's figures included an assumption on a reduction in liability, modelling had indicated that the required funding reduction for this Council would be closer to 15-16%. This equated to a reduction in Council Tax support of around £2.0 million.

The Government would provide Council Tax Support Grant to meet the cost of providing support. Indicative funding amounts had been provided with final figures expected in December 2012.

Council Tax Support would now need to be treated as a discount within the Council Tax calculations which meant that the Council's tax base would reduce (as would the tax base for County, Fire and Police). All other things being equal, the funding from the Government should cover the lost Council Tax income. However, where that was not the case then the gap could be covered by:

- further reducing the level of Council Tax support given;
- using the Council's own funding; and/or
- increasing Council Tax (subject to the Council Tax referendum rules).

It was intended to put in place a scheme that met the reduction in Government funding but that would be subject to review as the caseload would vary during the year.

A new burdens funding of £84,000 had been provided by the Government in order to support the implementation of the new scheme. Then on 16 October 2012 the Government had announced additional funding of £100 million for one year only to support local authorities in developing well designed Council Tax support schemes. That funding would be available as transitional grant for each authority. To apply for the grant authorities must adopt schemes which ensured that:-

- Those who would be entitled to a 100% support under current Council Tax benefit arrangements paid between 0% and no more than 8.5% of their new Council Tax liability;
- The taper rate did not increase above 25%;
- There was no sharp reduction in support for those entering work.

The additional grant available for the Tendring District was:-

- Tendring District Council - £44,173

- Essex County Council - £270,603
- Essex Police Authority - £34,041
- Essex Fire Authority - £16,539

The business case for taking this grant for one year only had not been made in relation to the proposed scheme for Tendring. Only one billing authority in Essex had indicated that they were minded to take up the grant offer.

The proposed LCTS for Tendring had been developed from the existing rules for Council Tax benefit.

This was because:

- there were time constraints with regard to computer software development;
- Council Tax Benefit had been developed over a long period of time and had been legally tested;
- the current system had inbuilt mechanisms, through applicable amounts and premiums, that allowed a calculation for each applicant taking into account their own financial and domestic circumstances; and
- this would assist in complying with the Council's duties to vulnerable groups, whilst offering work incentives through the use of tapers applied to earned income.

The LCTS scheme for Tendring included the following elements:-

- o Include income from child maintenance payments
- o Include all child minders income
- o Include all household income (i.e. remove deductions for non dependents)
- o Remove backdating of claims
- o Remove underlying entitlement
- o Remove second adult rebate
- o 25% reduction in support for those who had been in receipt of Job Seeker Allowance (JSA) for more than 3 years
- o Blanket charge of 10% on all non-pensioner Council Tax liability

Based on current forecasts, the above approach would enable a net neutral scheme to be delivered after also taking into account other proposed changes in Council Tax discounts and savings from the Benefits and Revenues Fundamental Service Review (FSR). The opportunity was also being taken to direct some of the savings from the FSR towards providing additional support to the Citizens Advice Bureau (CAB). The Council was working closely with the CAB to minimise the impact on individuals and families from the LCTS scheme as well as other welfare changes.

The proposed scheme also included a residency criterion so that those moving into the Tendring District after 1 April 2013 would not be eligible for Council Tax support but would become eligible for support after living in the District for 5 years. This was to deter people in other areas from coming to the Tendring area without being able to contribute economically to the District. This would not affect pensioners who were covered by the national scheme and there would need to be exemptions in exceptional circumstances e.g. unable to work, armed forces and emergency services personnel, fleeing domestic violence and starting work. For the purposes of approving a scheme, the proposals set out the broad principle of residency, with detailed policy and implementation to be subject to further consideration.

Members were made aware of the following cautionary points in relation to the residency condition:-

- Law did not allow the Council to make a decision to create retrospective changes so the

residency rule would have to be on a future date e.g. 1 April 2013;

- Most of the Essex billing authorities were not adding further conditions to the pan-Essex Model options. Any legal challenge would not be defended by the group as it sat outside the agreed options; and
- Tendring could face censure from the Department for Communities and Local Government (DCLG) if it acted unlawfully and the potential for the default scheme was an option that could be imposed on this Council by DCLG if it was deemed the Council had acted unlawfully or unreasonably.

It was reported that the Council's Audit Committee had reviewed the development of the LCTS project and the project's risks at its meeting held on 25 September 2012 and that Committee had noted the report and the impacts of the LCTS proposed scheme. It was proposed to provide an update to the Audit Committee at its December 2012 meeting.

The Corporate Management Committee had also reviewed the development of the LCTS for Tendring at its meeting held on 17 September 2012 and that Committee had submitted the following comments to Cabinet:-

“(1) That a safety mechanism be put in place for those households who might struggle to meet the new payments; and

(2) That a series of newspapers adverts be initiated to ensure that households were fully aware of the new scheme.”

It was proposed to make sure that the affected parties were informed as early as possible of the impacts of LCTS as well as the other local authority administered welfare reforms coming into force on 1 April 2013. In conjunction with the publicity articles as much advance warning would be given to those affected. Those affected claimants who sought debt advice would be signposted to the CAB and other advice agencies in the information sent and publicity generated.

Having considered all of the information submitted and in order to allow this matter to proceed to full Council:-

It was moved by Councillor Watling, seconded by Councillor Halliday and:-

RESOLVED that, in response to the comments made by the Corporate Management Committee, the Cabinet can inform that Committee that it was working with the Citizens' Advice Bureau to put a safety mechanism in place and that it would do all that it could to inform residents of the changes coming into force on 1 April 2013.

RECOMMENDED TO COUNCIL that

(a) the proposed Local Council Tax Support Scheme for the Tendring District, as set out as Appendix 'B' to item A.2 of the Report of the Benefits and Revenues Portfolio Holder, be approved; and

(b) the Head of Resource Management, in consultation with the Benefits and Revenues Portfolio Holder, be authorised to undertake the necessary steps and actions to implement the new LCTS Scheme from 1 April 2013.

51. THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS) (MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012

The Cabinet gave consideration to a report of the Customer and Central Services Portfolio

Holder which informed it of the statutory changes imposed upon local authorities operating executive arrangements, as defined by the Local Government Act 2000 and:

1. Sought to agree proposed practical implementation stages as set out in the report;
2. Sought to authorise the Monitoring Officer to be the proper officer to determine the Council's response to the recommendations arising from the publication of 28 day notices in respect of executive decisions which were to be taken in private;
3. Informed Cabinet of proposed changes to the Constitution and sought authority to consult the Corporate Management Committee on the proposed changes.

It was reported that The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, as set out in Statutory Instrument 2012 No.2089 had come into force on 10 September 2012. Those Regulations had revoked and replaced the Local Authorities (Access to Information) (England) Regulations 2000.

The Regulations governed public access to meetings, and information relating to executive decisions only – that is, decisions made by the whole Cabinet, individual Portfolio Holders, any Cabinet Sub-Committees, joint committees and sub-committees of executive members with responsibility to discharge executive functions, and executive decisions taken by officers.

As with the previous Regulations, draft reports were specifically exempted from those provisions.

The changes referred, specifically, to:

- (a) Part 'B' – Private and Confidential meetings (or part thereof) and the requirement to give 28 days' notice of intent, such notice to invite public representations as to why the matter or meeting was to be held in private. That notice to be followed by a second notice five days prior to the decision being taken and detailing the reasons behind why the matter or meeting was being held in private, should any public representations be received.
- (b) The process before taking a key decision and there no longer being a requirement to publish a forward plan in the current prescribed format.
- (c) Minor changes to the "general exception" and "special urgency" rules.
- (d) A requirement to record executive decisions taken by officers.
- (e) Changes allowing Councils to charge "a reasonable fee" for access to background papers to be inspected at the Council's offices (although at this stage, no charge was proposed).
- (f) Additional rights of members of overview and scrutiny committees, namely the making available by Cabinet of any material relating to business relating to past decisions, or the making available of exempt information where it related to an action or decision that the Member was scrutinising. There was a requirement upon Cabinet, whereupon it determined that material would not be provided, to set out, in writing, its reasons for that decision.

Having considered the information submitted and the proposed way forward:-

It was moved by Councillor McWilliams, seconded by Councillor Turner and:-

RESOLVED that Cabinet:

- (a) Notes the Regulations and agrees the proposed practical implementation stages set out in the report;
- (b) Notes that, within the proposed practical implementation stages, information previously contained within the Forward Plan with regard to who had been consulted, shall remain, even though there was no longer a requirement to do so;
- (c) Authorises the Monitoring Officer to be the proper officer to determine the Council's response to recommendations arising from the publication of 28 day notices in respect of executive decisions which were to be taken in private; and
- (d) Requests the Corporate Management Committee to consider the proposed changes to the Constitution and report back its comments in due course.

52. CORPORATE BUDGET MONITORING REPORT FOR THE SECOND QUARTER OF 2012/13

The Cabinet gave consideration to a detailed report of the Finance and Asset Management Portfolio Holder which provided it with an overview of the Council's actual financial position as at the end of September 2012.

The Cabinet was aware that the Corporate Management Committee would also scrutinise the overview in due course.

It was also reported that the Corporate Management Committee, at its meeting held on 17 September 2012 (minute 22 referred), had considered the corporate budget monitoring report for the period ending 31 July 2012 and, having noted the budgetary position, had suggested to the Cabinet that possibilities be explored in terms of marketing the Careline service and undertaking a piece of work, by way of a review, to feed into the 2014/15 budget setting process.

Having discussed the information provided in the report, the appendices attached thereto and the suggestion made by the Corporate Management Committee:-

It was moved by Councillor Halliday, seconded by Councillor Turner and:-

RESOLVED that

- (a) the financial position as at the end of September 2012 be noted;
- (b) the budget adjustments totalling £0.116m, that were required to realign the Leisure budgets be approved; and
- (c) in response to the comment made by the Corporate Management Committee in respect of the Careline service, that Committee be made aware that such work was already ongoing as part of the financial strategy review.

53. ANNUAL MINIMUM REVENUE PROVISION (MRP) POLICY STATEMENT FOR 2013/14

In accordance with the requirements of The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008, the Cabinet gave consideration to a proposed Annual Minimum Revenue Provision (MRP) Policy Statement for 2013/14 with a view to recommending to Council that such MRP Policy Statement be approved by Council at its meeting due to be held on 27 November 2012.

In order to allow this matter to be considered by the Council:-

It was moved by Councillor Halliday, seconded by Councillor Watling and:-

RECOMMENDED TO COUNCIL that the Annual Minimum Revenue Provision Policy Statement for 2013/14, as set out in Appendix 'A' to item A.5 of the Report of the Finance and Asset Management Portfolio Holder, be approved.

54. ECONOMIC DEVELOPMENT STRATEGY AND IMPLEMENTATION PLAN

Cabinet's approval was sought to proceed with the procurement of consultants who would prepare a detailed social and Economic Baseline Assessment of the District; an Economic Development Strategy and an Implementation Plan setting out the interventions necessary to secure the sustainable economic growth of the District.

Cabinet was informed that Officers had been requested to prepare a specification to commission consultants to develop a broad-ranging Economic Development Strategy and Implementation Plan for the Tendring District. The Strategy would provide the means through which the Council would diversify and strengthen Tendring's economy and create the right economic conditions to deliver sustainable economic growth. The Strategy would identify the key actions to be undertaken by the Council and its partners and, via an Implementation Plan, ascribe the sequence in which those interventions should be delivered.

The Strategy would be catalytic in its approach and would seek to secure cross-sector support from the range of public, private and voluntary sector organisations operating in, and adjacent to, the District.

The Strategy would also address issues such as sector development, infrastructure, land and property, image and perception, inward investment, business support and workforce development and would fully integrate with the Council's corporate goals together with its extant and emerging policy framework.

The Strategy would establish a framework for bolstering and encouraging existing industries within the District (including Ports, Logistics/Distribution, Renewable Energy [off-shore wind & solar energy] and Tourism) whilst also looking at options for attracting new employers to the area and ensure that local people had the right skills to access jobs and provide for the needs of business.

Cabinet was advised that the proposals in the Regeneration Portfolio Holder's report responded directly to the Council's ambition to improve the lives and opportunities of residents and businesses in the District. Specifically the Baseline Assessment, Economic Development Strategy, and Implementation Plan would respond to:

Corporate Goal 3: Help children and adults achieve their full potential;

Corporate Goal 4: Address deprivation; and

Corporate Goal 6: Coastal opportunities and protection.

The Baseline Assessment, Strategy and Implementation Plan would (taken together) enable the Council to better prioritise its interventions and focus its Regeneration Service (financial and human resources) on securing the economic growth and diversification of the District's economy. The Strategy would also strengthen the Council's ability to promote its investment priorities with Essex County Council, Sub-Regional (Haven Gateway Partnership) and Regional Partners (South East Local Enterprise Partnership) and to compete more effectively for external resources.

Having considered the information submitted and in order to enable this matter to proceed:-

It was moved by Councillor Candy, seconded by Councillor Halliday and:-

RESOLVED that

- (a) the scope and content of the Specification of Requirements, as attached at A.6 Appendix 'A' to the Report of the Regeneration Portfolio Holder, be approved;
- (b) the procurement of consultants in line with the Council's established policies and procedures be approved;
- (c) the selection and appointment of consultants against the cost and quality criteria, as attached at A.6 Appendix 'B' to the afore-mentioned report, be approved; and
- (d) the use of up to £75,000 from the general Regeneration Budget to meet the costs of this commission and any subsequent and/or ancillary costs associated with the project development and delivery, be approved.

55. COUNCIL TAX: DISCRETIONARY DISCOUNTS FOR DOMESTIC PROPERTIES

The Council had before it information to enable it to recommend to Council the Council Tax discounts for 2013/14 in respect of second homes, long-term empty properties and locally defined discounts and a new delegated power required following the National Non-Domestic Rate Reforms.

Cabinet was reminded that the Council Tax Base calculation, to be approved by the Portfolio Holder for Finance and Asset Management, must take into account the Council's decision on discounts for second homes, long-term empty properties and the option to set local discounts. The discretionary discounts decision fell to the Council following a recommendation from Cabinet and must be made on an annual basis.

It was reported that the Government intended to introduce a range of options in the Local Government Finance Bill and subsequent Regulations. Those options would enable billing authorities to choose the percentage discount on empty properties and second homes from 2013/2014.

Existing exemption classes A and C would be abolished and be replaced by local discounts.

Cabinet was informed that the recommendations now before them would help to support the anticipated increased cost of the new Local Council Tax Support Scheme.

Cabinet were aware that if the Council failed to make a decision on local discounts the default position would be a 50% charge on both empty properties and second homes (with no exemption on empty properties). That would cause significant financial difficulty for all the preceptors and also introduce many administrative problems.

Currently Essex County Council contributed towards the expenditure incurred by this Council on concurrent functions by paying 50% of their increased share of the second homes charge to this Council.

For 2013/2014 it was also requested that the power to approve the National Non-Domestic Rate Form NNDR1 be delegated to the Portfolio Holder for Finance and Asset Management as this would also form part of the budget process due to the introduction of the local retention of business rates.

Having considered the information submitted in the joint report of the Benefits and Revenues Portfolio Holder and the Finance and Asset Management Portfolio Holder and in order to enable this matter to proceed to full Council:-

It was moved by Councillor Halliday, seconded by Councillor Watling and:-

RECOMMENDED TO COUNCIL that for the 2013/14 financial year

1. In respect of Council Tax Discounts:-

(a) Where a property was unoccupied, unfurnished and either needed, or was having major repairs and/or structural alterations a local discount of 100% under Section 11A of the Local Government Finance Act 1992, for up to one year, be applied;

(b) Where a property was unoccupied and unfurnished, a local discount of 0% under Section 11A of the Local Government Finance Act 1992, for up to six months, resulting in a 100% charge, be applied;

(c) Where a property was unoccupied and unfurnished for more than six months, a 0% discount resulting in a 100% charge, be applied; and

(d) Where a property was unoccupied and furnished, a 0% discount resulting in a 100% charge, be applied.

2. That in respect of NNDR reforms the approval of the NNDR1 data for 2013/14 be delegated to the Portfolio Holder for Finance and Asset Management.

56. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT

There were none on this occasion.

The next meeting of the Cabinet will be held on Wednesday 12 December 2012 at 12.00 noon in the Essex Hall, Town Hall, Station Road, Clacton-on-Sea.

The meeting was declared closed at 1.52 p.m.

Chairman