

WEST SOMERSET COUNCIL

Minutes of the Meeting held on 23 January 2013 at 4.30 pm

in the Council Chamber, Williton

Present:

Councillor D D RossChairman
Councillor G S DowdingVice-Chairman

Councillor M J Chilcott	Councillor H J W Davies
Councillor M O A Dewdney	Councillor J Freeman
Councillor P N Grierson	Councillor A P Hadley
Councillor B Heywood	Councillor A F Knight
Councillor K V Kravis	Councillor R P Lillis
Councillor E May	Councillor I R Melhuish
Councillor P H Murphy	Councillor S J Pugsley
Councillor K J Ross	Councillor D J Sanders
Councillor L W Smith	Councillor M A Smith
Councillor T Taylor	Councillor A H Trollope-Bellew
Councillor K H Turner	Councillor D J Westcott

Officers in Attendance:

Chief Executive (A Dyer)
Corporate Director (B Lang)
Corporate Manager Housing, Welfare and Economy (I Timms)
Revenues, Benefits and Debt Recovery Manager (S Farmer)
Principal Accountant (S Plenty)
Principal Benefits and Fraud Officer (P Lamb)
Meeting Administrator (K Kowalewska)

NOTE: Prior to the start of the meeting the Chairman announced that the meeting would not be recorded due to problems with the recording equipment.

C88 Apologies for Absence

Apologies for absence were received from Councillors A M Chick, S Y Goss, K M Mills and C Morgan.

C89 Minutes

(Minutes of the Meeting of Council held on 12 December 2012, circulated with the Agenda.)

RESOLVED that the Minutes of the Meeting of Council held on 12 December, 2012 be confirmed as a correct record.

C90 **Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Member of	Action Taken
Cllr P N Grierson	All	Minehead	Spoke and voted
Cllr P H Murphy	All	Watchet	Spoke and voted
Cllr K J Ross	All	Dulverton	Spoke and voted
Cllr L W Smith	All	Minehead	Spoke and voted
Cllr A H Trollope-Bellew	All	Somerset County	Spoke and voted
Cllr K H Turner	All	Brendon Hills	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

In addition, the following interests were declared:

Name	Minute No.	Description of interest	Personal or Prejudicial	Action Taken
Cllr G S Dowding	C93	Owens more than one property in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr P N Grierson	C93	Owens more than one property in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr A F Knight	C93	Owens more than one property in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr I R Melhuish	C93	Owens more than one property in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr S J Pugsley	C93	Owens more than one property in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr D D Ross	C93	Owens more than one property in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr T Taylor	C93	Owens a second home in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr A H Trollope-Bellew	C93	Owens more than one property in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr D J Westcott	C93	Owens more than one property in West Somerset	Disclosable Pecuniary	Left the Chamber
Cllr H J W Davies	C96	In receipt of business rate relief	Disclosable Pecuniary	Left the Chamber

C91 **Public Participation**

Councillor Bill Vaughan, Williton Parish Council spoke in relation to Agenda Item 8 – Localisation of Council Tax Support – Funding Arrangements and asked that Members honour their commitment to forward on to parish and town councils the government grant proportionate to the reduction in council tax.

C92 **Chairman's Announcements**

18/12/2012	Devon and Somerset Fire Rescue Service at Exeter Cathedral
21/1/2013	Welcomed the Pupil Parliament, West Somerset Council Chamber

The Chairman was pleased to report that following Council's decision at the November meeting to write a letter to the Minister of Defence about the lack of recognition for veterans of the Arctic Convoys, the Government had decided to award them the Arctic Convoy Star.

The Vice-Chairman announced that on 16 January 2013 he had attended the Police and Crime Panel meeting where the appointment of Nick Gargan, the new Avon and Somerset Police Chief Constable was officially confirmed.

C93 **Council Tax Technical Reform – Proposals to Amend Discounts and Exemptions**

(Report No. WSC 2/13, circulated prior to the Meeting.)

The purpose of the report was to inform Council of the Government's decision to reform council tax discounts and exemptions relating to empty property and "second homes" effective from 1 April 2013, and to enable Council to agree recommendations made by Cabinet to increase the council tax base.

The Corporate Manager - Housing, Welfare and Economy presented the report and reported that the removal of the current second homes discount of 10% would raise a considerable sum of money. He drew Members' attention to the fact that probate was treated as separate in all cases, and the provisions would only apply once the property had moved from that status. He also advised that the recommendations, if approved, would raise a significant amount of council tax income and the Council would be able to use this money to fund the council tax localised support scheme to a more acceptable level of 85%.

Councillor K H Turner proposed the recommendations in the report which were seconded by Councillor D J Sanders.

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In response to questions, the Revenues, Benefits and Debt Recovery Manager advised that the new charges and empty homes premium, if agreed, would commence on 1 April 2013.

An amendment to adopt option 3 as opposed to option 1 as set out in the report was proposed by Councillor P H Murphy and seconded by Councillor K J Ross to the effect that recommendation 2.3 be amended to read 'A 100% discount for vacant dwellings (empty and unfurnished properties) is granted for a reduced period of no more than 1 month'. The reason stated for the amendment was that this represented a correct balance between the Council's need to raise money and the need to recognise the difficulties faced in selling or re-letting the property after a period of emptiness.

During the debate on the amendment of reducing the period from 3 months to 1 month the following issues were raised:

- the number of properties available for rent could potentially decrease due to property owners who own second homes as a business concern not being able to afford to run them;
- low income families would be the most affected as there could be a possibility that rental costs would increase to cover the extra charge;
- a 3 month lull period was not unreasonable if a property was being refurbished between lettings or getting it ready for sale.

Members noted that Magna West Somerset Housing Association was a charitable organisation and therefore would be exempt from the charges being proposed.

On being put to the vote the amendment was CARRIED on the Chairman's casting vote.

This then became the new substantive motion on which there was no further debate.

RESOLVED (1) that the current discount of 10% awarded in relation to second homes is removed. (Properties that are furnished and not anyone's main residence.)

RESOLVED (2) that a 100% discount for uninhabitable properties (empty, unfurnished and undergoing major structural repair) is granted for up to twelve months as current class A exemption.

RESOLVED (3) that a 100% discount for vacant dwellings (empty and unfurnished properties) is granted for a reduced period of no more than 1 month.

RESOLVED (4) that an empty homes premium of 50% is applied after two years (empty and unfurnished properties only).

NOTE: In the absence of the Chairman and Vice-Chairman, who had left the chamber due to declaring disclosable pecuniary interests, Councillor E May chaired this item.

C94 **Draft Localised Council Tax Support Scheme**

(Report No. WSC 3/13, circulated prior to the Meeting.)

The purpose of the report was to advise Council of the proposed Council Tax Support Scheme for West Somerset; to advise of the feedback from the Scrutiny Committee and the public consultation relating to the scheme and the recommendations of the Scrutiny Committee; and to advise of the Equality Impact Assessment carried out using the consultation feedback provided from residents.

The Lead Member for Community and Customer presented the report and thanked officers for their work in achieving a scheme limiting the entitlement to 85% liability. The Chief Executive then went on to give an explanation on how this had been accomplished.

The Lead Member proposed the recommendations in the report which were seconded by Councillor K H Turner.

Members noted the results of the equality impact consultation exercise and accepted that the 85% liability would be the most appropriate scheme to adopt to protect and support the people of West Somerset in these current difficult times.

RESOLVED (1) that the results of the public consultation for the proposed scheme, the feedback obtained from West Somerset residents and the detailed Equality Impact Assessment, attached as Appendix C to the report, be noted.

RESOLVED (2) that a council tax support scheme that limits entitlement to 85% liability be adopted noting that this is dependent on the necessary income being available from council tax technical reform discount changes as detailed in report WSC 2/13.

RESOLVED (3) that, due to the high percentage of retired residents in West Somerset, it be noted that the impact of the 10% reduction in council tax support falls unfairly on working age people in West Somerset.

C95 **Localising Support for Council Tax – Funding Arrangements**

(Report No. WSC 1/13, circulated prior to the Meeting.)

The Lead Member for Resources and Central Support presented the report and emphasised the importance of parish and town councils and the services they deliver, and acknowledged the extent of the good work, time and effort put in by the parish and town council volunteers.

The Lead Member advised that the figures in Appendix A to the report would be amended to reflect the increase to the council tax base as a result of the change to recommendation 2.3 of the council tax technical reform proposals discussed under agenda item 6. She therefore proposed the amended recommendation which was duly seconded by Councillor E May.

The Chief Executive advised that the Department for Communities and Local Government had confirmed that the overall council tax support grant sum for 2014/15 would be the same but could not verify on how it would be allocated.

RESOLVED that £110,262 of the government Council Tax Support grant received of £368,208 is redistributed to parish and town councils be agreed, in accordance with details listed in Appendix A to the report (as amended).

C96 **Business Rates – Revised Discretionary Relief Scheme**

(Report No. WSC 8/13, circulated with the Agenda and additional papers and recommendation 2.3 circulated at the Meeting.)

Normally the purpose of the report would be to present, for Council approval, recommendations agreed at a recent meeting of Cabinet. However, due to a subsequent announcement on a change to associated government policy the recommendations agreed by Cabinet had been superseded by those in this report.

This item was presented by the Lead Member for Resources and Central Support who advised that the report provided an update following the introduction of new regulations on the business rate retention scheme. She reported that West Somerset Council would be responsible for 50% of any increase in mandatory relief and rather than making savings the Council would incur costs if this rate relief was awarded. Therefore, it was proposed to continue with the original scheme.

The Lead Member proposed the recommendations in the report subject to the inclusion of a further recommendation that the rural settlements list for 2013/14 was agreed as listed in Addendum B to the paper circulated at the meeting. These were seconded by Councillor K H Turner.

RESOLVED (1) that the current discretionary business rate relief scheme be extended for a further year commencing 1 April 2013 and terminating on 31 March 2014.

RESOLVED (2) that a report on the future of the Council's discretionary rate relief scheme be drafted and presented to Members before 31 October 2013.

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RESOLVED (3) that the rural settlements list for 2013/14, as listed in Addendum 'B' to the paper circulated at the meeting, be agreed.

C97 **Standards Advisory Committee**

(Minutes of the Standards Advisory Committee held on 4 December 2012, circulated with the Agenda.)

The purpose of the report was to adopt the minutes of the Standards Advisory Committee held on 4 December 2012.

RESOLVED that the minutes of the Standards Advisory Committee held on 4 December 2012 be adopted.

C98 **Minutes and Notes for Information**

(Notes and minutes relating to this item, circulated via the Council's website.)

RESOLVED that the draft notes of the Minehead Panel held on 12 December 2012, be noted.

The meeting closed at 5.36 pm.