

Public

MINUTES of a meeting of the **CABINET MEMBER FOR COUNCIL SERVICES** held on 3 October 2013 at County Hall, Matlock

PRESENT

Cabinet Member – Councillor B Ridgway

Also in attendance – Councillors M V Longden and J Owen

45/13 **MINUTES RESOLVED** that the minutes of the meeting held on 10 September 2013 be confirmed as a correct record and signed by the Cabinet Member.

46/13 **COUNCIL TAX DISCOUNTS FOR ANNEXES** On 25 August 2013 the Department for Communities and Local Government (DCLG) published a consultation document regarding council tax discounts for annexes. This was a follow up to a Technical Reforms to Council Tax consultation which was published In October 2011.

There were two statutory exemptions which could apply specifically to annexes in certain circumstances, these were:

- Class T – A dwelling which with another dwelling formed a single property and may not be let separately, without a breach of planning law.
- Class W – A dwelling which with another dwelling formed a single property and was the sole or main residence of a dependant elderly or disabled relative of the main part of the property.

However, where neither exemption applied or where the circumstances leading to an exemption no longer applied (such as the death of the occupant) council tax would be chargeable, leading to double taxation for the owner of a property with an annexe. The consultation stated “the current council tax system unfairly penalised owners of properties with annexes through double taxation as owners were receiving council tax demands for annexes in addition to demands for their main building.”

The consultation sought views on the level of the discount that should be offered to annexes and proposed four options with estimated annual national costs (costs were based on the estimated number of annexes occupied by family members not already receiving exemptions under categories T or W above).

The consultation stated that the Government's preferred option was to introduce a 50 per cent discount as it believed this would better reflect the level of council tax that would be due on a property and annexe if it were banded as one property.

It was not possible to accurately estimate the impact to Derbyshire County Council without details of the number of annex properties within each of the district authorities. However, assuming that the average council tax used by Government in the calculation included all precepting authorities, based on the percentage council tax requirements of all Shire District authorities, it was estimated that the impact to the Council would be in the region of £30k for 10% discount, £80k for 25% discount, £160k for a 50% discount or £320k for a 100% discount.

The document stated that "billing authorities would be compensated for any revenue lost because of the discount", however, there was no reference to county councils being compensated. As the discount would have an impact on the taxbase, the council tax for the County would be reduced as a result of the change. The document also failed to state what methodology would be used for compensating councils. The consultation runs for six weeks and closed on the 8 October. It was proposed that the Council respond to this consultation and a draft response was included at Appendix One to the report.

RESOLVED to note the details of the consultation and approves the draft response attached at Appendix One to the report.

47/13 **PLANNED MAINTENANCE PROGRAMME 2013-14** Councillor Longden asked if there was any possibility that Derby City Council could make a contribution towards the cost of the dilapidations at Knightsbridge Court, as they were also partners involved in Connexions. The Director of Legal Services would have a look what the County Council's liabilities were.

RESOLVED that approval be given to the amendments to the Planned Maintenance Programme for 2013-14 and note the orders placed against service programme as set out below:-

	£
Knightsbridge Court, Chesterfield – in full and final settlement of all landlords' claims for dilapidations and costs	51,000.00
Elvaston Castle – renewal of failed roof coverings to gas store	50,000.00

48/13 **LEASE OF LAND AT MARKET STREET, CLAY CROSS** The County Council owned land on Market Street, Clay Cross which was

earmarked for Extra Care housing. The project was currently under construction and as part of the infrastructure upgrade an additional electricity substation would be required to supply the new housing units.

Western Power Distribution PLC was prepared to carry out the works required, but an area of land was required to house the equipment. The Council had identified a suitable location acceptable to both parties, so a lease to Western Power had been agreed in principle for 21 years (with an option to renew for a further 21 years) at a commuted rent of £1.00 along with a right of access over the land.

RESOLVED to approve grant of a lease to Western Power Distribution for a sub-station on land off Market Street, Clay Cross on the terms contained in the report along with a right of access over the land to allow future servicing of the sub-station.

49/13 PROPOSED SUB-STATION SITE AT CRESSYFIELDS, ALFRETON The site at Cressyfields, Alfreton was owned by the County Council and was formerly used for the provision of day care. The site had been cleared and the Council had entered into an agreement with a housing provider to construct Extra Care housing on the land.

Western Power had assessed the energy requirements for the scheme and had confirmed that a new sub-station would be necessary. Agreement had been reached with Western Power and it was proposed that the County Council grant a 21 year lease of the site at a commuted sum of £1.00.

RESOLVED that approval be given to the grant of a lease of land for the construction of a sub-station site on the terms contained in the report.

50/13 INSURANCE CAPITAL MAINTENANCE POOL As a result of a new national framework, the Department for Education (DfE) determined that from April 2013 the Direct Schools Grant (DSG), with a few minor exceptions, should be delegated to schools. To assist schools with their new responsibilities, Corporate Property had produced a 5 year package, the Insurance Capital Maintenance Pool (IMP). The IMP used the total contribution to share the burden of essential preventative maintenance needs and premature failure of buildings that, because of the scale of costs of the work would otherwise be outside of an additional school allocation of funds.

The IMP scheme had 275 schools signed up for a 5 year period with an annual contribution of £2.9m, the total of orders placed for Phase 1 IMP were £2,641,079. Planned Maintenance projects would be funded from the available budget each year. The appendix to the report listed those projects selected as priorities for Phase 1.

RESOLVED to (1) approve the placing of orders with Corporate Property Operations for Phase 1 projects detailed on the schedule to the report; and

(2) note that the placing of further orders for additional phases will be reported to future Cabinet Member meetings.

51/13 EXCLUSION OF THE PUBLIC RESOLVED to exclude the public from the meeting during the consideration of the remaining items on the agenda to avoid the disclosure of exempt or confidential information.

SUMMARY OF PROCEEDINGS CONDUCTED AFTER THE PUBLIC WERE EXCLUDED FROM THE MEETING

1. To confirm the exempt minutes of the meeting held on 10 September 2013 (contains exempt information).
2. To consider the exempt report of the Director of Finance on the Pensions Section – VER request (contains information which is likely to reveal the identity of an individual)
3. To consider the exempt reports of the Director of Property on:-
 - a) Former Newbold Community (Lower) School site
 - b) St Helena Complex, Sheffield Road, Chesterfield
 - c) Former Clay Cross Depot site
 - d) Knightsbridge Court, West Bars, Chesterfield
 - e) 9 Whysall Street, Heanor
 - f) 16 Woolley Road, Matlock(contains information relating to the financial or business affairs of any particular person (including the Authority holding that information))
4. To consider the exempt report of the Director of Human Resources on qualification training request for assistance (contains information relating to any individual)