

THE CABINET

MEETING, 28TH JANUARY, 2013

Councillor Morris	Executive Cabinet Member
Councillor Mrs Thomas	Executive Cabinet Member
Councillor Peel	Executive Cabinet Member
Cabinet Members	
Councillor Adia	Human Resources, Organisational Development and Diversity
Councillor Bashir-Ismail	Public Health
Councillor M. Connell	Adults
Councillor D. Burrows	Community Safety and Police
Councillor Peacock	Sports, Libraries, Youth and Culture
Councillor Murray	Looked After Children ,Safeguarding and Early Years
Councillor Chadwick	Highways and Transport
Councillor Sherrington	Waste and Recycling
Councillor J. Byrne	Economy, Housing and Skills
Councillor McKeon	Schools
Councillor Zaman	Neighbourhood and Community Services

Other Members in Attendance

Councillor Francis
Councillor Greenhalgh
Councillor Morgan
Councillor Ashcroft
Councillor Mrs Fairclough
Councillor Hayes

Officers

Mr. S. Harriss	Chief Executive
Mr. S. Arnfield	Deputy Chief Executive
Mr. M. Cox	Director of Environmental Services
Mrs. H. Gorman	Borough Solicitor
Ms. M. Asquith	Director of Children's and Adults Services
Ms. D. Ball	Assistant Director of Environmental Services
Mr. J. Livesey	Assistant Director
Mr. T. Birch	Assistant Director
Ms. W. Meredith	Director of Public Health
Mr. J. Rowlands	Assistant Director
Mr. M. Connor	Treasury Accountant
Mr. A. Jennings	Democratic Services Manager

Councillor Morris in the Chair.

An apology for absence was submitted by Councillor Jones.

60. MINUTES

The minutes of the proceedings of the meeting of the Cabinet held on 14th January, 2013 were submitted and signed as a correct record.

61. COUNCIL TAX – CHANGES TO DISCOUNTS AND EXEMPTIONS ON EMPTY PROPERTIES AND SECOND HOMES

Councillors Adia and Bashir-Ismail declared interests in the undermentioned item as they owned empty properties in the Borough.

Further to Minute 46 of the meeting held on 26th November, 2012 the Deputy Chief Executive submitted a report that sought Members' approval in respect of empty property and second home charges from 2013/14 following the consultation process undertaken.

Members were reminded that the Government was making changes to council tax discounts and exemptions from 1st April, 2013 for empty properties and second homes which was part of a strategy to bring empty homes back into use. These changes would allow councils to use their own discretion around what council tax charges were made for these properties.

As part of the consultation process a number of practical issues and concerns had been raised and a summary and proposed mitigation, where possible, were detailed in Appendix B.

It was considered that the changes to these discounts and exemptions would have a direct financial impact on the people that were responsible for paying council tax charges on empty properties and second homes. Additionally, it was likely that there would also be claimants that found themselves in exceptional financial circumstances due to the changes that would take effect from 1st April, 2013. Therefore, it was proposed to maintain a discretionary fund, to support people in exceptional circumstances as a consequence of these changes.

The amount and the management of the discretionary fund would be evaluated during the first year to determine how or if this continued in future years. It was proposed that for year one this fund was set at £400,000

In order to verify that the Council were raising the correct charges on empty properties it was important that checks were carried out. In the past when empty property charges were lower than occupied property charges and council tax inspectors carried out regular visits to empty properties to verify that they were still empty. However, with the increased charges some empty property charges would be higher than

occupied charges and it was therefore proposed to take on two additional staff (a council tax inspector and a senior council tax officer) to deal with inspections, verification, appeals and discretionary fund applications. The cost of this would be around £60,000 which included salaries, on-costs and mileage.

A full Equality Impact Assessment (Appendix A) had been undertaken in line with legislation and was considered by the Cabinet in its deliberations.

The Council had around 10,000 empty properties on its records in any one year and around 5,000 at any particular point in time. A questionnaire was posted to 3534 individuals responsible for council tax on an empty property in December 2012. The consultation sought information from current owners of empty properties on the impact of the proposed changes and asked for alternative solutions. The same consultation form was placed on the Council's website. A total of 562 responses were received.

Detailed analysis results, including a list of key issues arising from the consultation and the service response to these issues, was provided at appendix C

Resolved – (i) That the proposals detailed in section 3 of the report as the basis for empty property and second home charges from 1st April 2013 be agreed for submission to the Council's meeting on 28th January, 2013 for approval .

(ii) That the following recommendations be reaffirmed following the consultation process, subject to the approval on Council on 28th January, 2013:-

(a) That a total of £1 million, from the additional revenue generated as a result of these changes, be used to fund part of the required £3 million saving for the Council Tax Support scheme.

(b) That the creation of a discretionary fund be approved, in principle, to support any claimant for

the Local Council Tax Support Scheme and any council tax payer that find themselves in exceptional financial circumstances as a consequence of the changes.

(c) That the creation of two new senior officer posts in the council tax section be approved and that these be recruited within the revenues section in order to ensure they have relevant experience and knowledge.

62. COUNCIL TAX BASE FOR 2013/14 AND BUSINESS RATES BASE FOR 2013/14

The Deputy Chief Executive submitted a report that set out the calculation of the tax base to be used in the calculation of the Council Tax and Business Rates for 2013/14 (the tax base for tax setting purposes).

The report indicated a tax base before adjustment for losses on collection of 70,463 band D equivalents.

The Council needed to determine its collection rate for the year, which took account of collection difficulties. Based on an assessment of past collection performance, this had been maintained at 98% and resulted in a tax base for tax setting purposes of 69,053 band D equivalents.

Resolved – That the report of the Deputy Chief Executive for the calculation of the Council's tax base for tax setting purposes for the year 2013/14 be agreed for submission to the Council's meeting on 28th January, 2013 and that the Council Tax base for the year 2013/14 shall be 69,053 band D equivalents; that the business rates base for 2013/14, as now detailed, be approved and that the revised NNDR 1 form attached at Appendix 2 is submitted to the DCLG in accordance with the regulations.

63. LOCAL COUNCIL TAX SUPPORT SCHEME REGULATIONS

Further to Minute 45 of the meeting held on 26th November, 2012 the Deputy Chief Executive submitted a report that sought the Cabinet's approval for the Local Council Tax Support Scheme Regulations which gave the necessary approval to implement the scheme agreed on the 26th November 2012.

Resolved – That the Local Council Tax Support Scheme Regulations be approved subject to the Council's approval on 28th January, 2013.

64. RESPONSE TO THE GOVERNMENT'S ALCOHOL STRATEGY CONSULTATION DOCUMENT

The Director of Public Health submitted a report that presented a response to the Government's Alcohol Strategy Consultation and requested the Cabinet to respond to each of the 5 areas identified in the alcohol strategy consultation document.

The consultation sought views on the following areas of the national alcohol strategy:-

Minimum unit price for alcohol;

- The price level;
- The mechanism for adjusting the price over time; and
- The impact of a minimum unit price.

The report recommended that there should be a minimum unit price for alcohol of 50p per unit (based on 2009 prices and adjusted in line with inflation).

A ban on multi-buy promotions in the off-trade;

- Whether to introduce a ban on multi-buy promotions; and
- The impact of such a ban.

The report recommended that there should be a ban on all multi – buy promotions.

Reviewing the mandatory licensing conditions;

- Views on the current set of mandatory licensing conditions;
- Whether the current set of mandatory licensing conditions sufficiently targeted problems such as irresponsible promotions in pubs and clubs; and
- The application of the conditions to the on- and off-trade.

The report recommended that the current mandatory licensing conditions should be tightened.

Health as a licensing objective for cumulative impact policies;

- Views on introducing health as a licensing objective for cumulative impact policies; and
- The impact of such a licensing objective for cumulative impact policies.

The report recommended that Health should be a licensing objective.

Freeing up responsible businesses;

- Proposals to develop a more targeted, proportionate and flexible licensing regime that could support responsible growth while maintaining the integrity of the licensing system; and
- The impact of these proposals on businesses and on the licensing objectives

The report recommended that there should be no loosening of current licensing regulations.

The Health PDG had considered the report and had commented as follows:-

- education from an early age on issues surrounding alcohol was essential; and
- the measures would only be successful if the minimum price for alcohol was applied nationally.

Resolved – That the response to the Government’s alcohol consultation document be approved.

65. EXCLUSION OF PRESS AND PUBLIC

Resolved - That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as specified in paragraphs 1 and 4 (staffing and labour relations matters) of Part 1 of Schedule 12A to the Act; and that it be deemed that, in all the circumstances of the case, the public interest in their exemption outweighs the public interest in their disclosure.

66. PROPOSED REVIEW OF THE YOUTH AND PLAY SERVICE – POST CONSULTATION REPORT

The Director of Children’s and Adult Services submitted a report that set out the results of the consultation on proposals to redesign and reorganise the Council’s Play and Youth (5-19) Service teams to take into account a reduction in funding from 2013/14 onwards and to seek approval from the Cabinet to implement the final proposals.

The report indicated that the final proposals for staffing reductions were unchanged from those set out in the consultation report.

The final proposals only related to the Council’s in-house Youth and Play Service. The Council provided financial support to voluntary organisations and savings in this area was subject to a separate review and were therefore excluded from the scope of the report.

The formal trades union response to the proposals was set out in Appendix 2.

A full Equality Impact Assessment (Appendix A) had been undertaken in line with legislation and was considered by the Cabinet in its deliberations.

Resolved – That the final proposals, as now detailed, be approved and that the Head of Paid Service, in consultation with the Leader, agrees to delegate implementation of the new structure, including details of voluntary redundancy arrangements and consequential redundancy selection, to the Chief Executive and the Director of Children’s and Adult Services.

67. SEN SERVICE REVIEW – POST CONSULTATION PROPOSALS

The Director of Children’s and Adult Services submitted a report that set out the results of the consultation on proposals to remodel and restructure the SEN Service and sought the Cabinet’s approval to implement the final proposals.

Appendix 2 provided a detailed list of all issues raised during the consultation period including matters raised at the DJCC or JOG meetings.

The final proposals include some changes. Appendix A2 set out in detail the reasoning behind some key areas where the proposed structure should be amended.

A full Equality Impact Assessment (Appendix A) had been undertaken in line with legislation and was considered by the Cabinet in its deliberations.

Resolved – That the final proposals, as now detailed, be approved and that the Head of Paid Service, in consultation with the Leader, agrees to delegate implementation of the new structure, including details of voluntary redundancy arrangements and consequential redundancy selection, to the Chief Executive and the Director of Children’s and Adult Services.

68. MANAGED WEEKLY COLLECTION – CONSULTATION RESPONSE

The Director of Environmental Services submitted a report which set out proposals for the managed weekly waste collection for implementation in May, 2013.

By way of background information, the report explained that Bolton Council faced a challenging financial period and in September, 2012 the Cabinet approved a consultation report that set out the options for securing savings of £35.6 million. Within the report the target identified for waste was a significant £2.6 million.

The report set out proposals to achieve this amount through a review of the waste collection frequencies within Bolton which in turn left the Council able to achieve large disposal savings.

The report went onto provide details in terms of the following –

- the public consultation responses;
- proposed amendments following the consultation;
- matters around recycling increase;
- the human resource implications;
- matters around the staff consultations; and
- the implementation timetable.

The report concluded that switching to a managed weekly waste collection service would encourage residents to recycle more, consider waste minimisation to a greater extent and would drive down disposal costs.

Oldham, Rochdale, Tameside, Bury, Stockport and Manchester had introduced reduced collection frequencies for the black residual waste bin whilst focusing campaigns on recycling collections. All authorities that had introduced managed weekly collections had seen an immediate rise in recycling and significant drop in residual waste and therefore a positive impact on their budgets.

Resolved – That the managed weekly waste collection proposals as set out in the report be approved for

implementation in May, 2013 (approximately 1 month after the introduction of food waste collections) , together with the waste policies outlined in Appendix 7.

In accordance with Article 5 of the Council's Constitution this decision was called in by Councillor Greenhalgh for consideration by the Environmental Services Scrutiny Committee at its meeting on 29th January, 2013.