



Notice of meeting of

Shadow Executive

To: Councillors Scott (Chair), Gunnell, King, Looker, Merrett, Potter and Simpson-Laing

Date: Wednesday, 14 January 2009

Time: 5.30 pm

Venue: The Guildhall, York

AGENDA

1. **Declarations of Interest**

At this point, Members are asked to declare any personal or prejudicial interests they may have in the business on this agenda.

2. **Exclusion of Press and Public**

To consider excluding the press and public from the meeting during consideration of any exempt information relating to briefings on Executive business, as detailed on the agenda for the Executive meeting to be held on 20 January 2009, under Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

3. **Minutes** (Pages 1 - 2)

To approve and sign the minutes of the Shadow Executive meeting held on 26 November 2008.

4. Public Participation

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Shadow Executive's remit can do so. The deadline for registering is Tuesday 13 January 2009, at 5.00 pm.

5. Briefings on Executive Business

To receive any briefings requested on Executive business for 20 January 2009.

[Please note that the reports relating to these items will be published on the Council's website on Friday 9 January 2009. The website address is www.york.gov.uk Copies of the Executive agenda and reports can also be obtained by telephoning Democracy Support Group on York (01904) 551088.]

6. Briefing Report on Council Tax Discounts for Second Homes and Empty Properties (Pages 3 - 6)

This briefing report responds to the Shadow Executive's query as to whether or not there are any options open to the Council under present legislation for abolishing or altering the Council Tax reduction currently available for second homes and empty properties.

7. Any Other Matters which the Chair decides are urgent under the Local Government Act 1972.

Democracy Officer:

Name: Simon Copley

Contact details:

- Telephone – (01904) 551078
- E-mail – simon.copley@york.gov.uk

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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About City of York Council Meetings

Would you like to speak at this meeting?

If you would, you will need to:

- register by contacting the Democracy Officer (whose name and contact details can be found on the agenda for the meeting) **no later than 5.00 pm** on the last working day before the meeting;
- ensure that what you want to say speak relates to an item of business on the agenda or an issue which the committee has power to consider (speak to the Democracy Officer for advice on this);
- find out about the rules for public speaking from the Democracy Officer.

A leaflet on public participation is available on the Council's website or from Democratic Services by telephoning York (01904) 551088

Further information about what's being discussed at this meeting

All the reports which Members will be considering are available for viewing online on the Council's website. Alternatively, copies of individual reports or the full agenda are available from Democratic Services. Contact the Democracy Officer whose name and contact details are given on the agenda for the meeting. **Please note a small charge may be made for full copies of the agenda requested to cover administration costs.**

Access Arrangements

We will make every effort to make the meeting accessible to you. The meeting will usually be held in a wheelchair accessible venue with an induction hearing loop. We can provide the agenda or reports in large print, electronically (computer disk or by email), in Braille or on audio tape. Some formats will take longer than others so please give as much notice as possible (at least 48 hours for Braille or audio tape).

If you have any further access requirements such as parking close-by or a sign language interpreter then please let us know. Contact the Democracy Officer whose name and contact details are given on the order of business for the meeting.

Every effort will also be made to make information available in another language, either by providing translated information or an interpreter providing sufficient advance notice is given. Telephone York (01904) 551550 for this service.

যদি যথেষ্ট আগে থেকে জানানো হয় তাহলে অন্য কোন অর্ধাতে তথ্য জানানোর জন্য সব ধরনের চেষ্টা করা হবে, এর জন্য দরকার হলে তথ্য অনুবাদ করে দেয়া হবে অথবা একজন দোঅবী সর্ববরাহ করা হবে। টেলিফোন নম্বর (01904) 551 550।

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Holding the Executive to Account

The majority of councillors are not appointed to the Executive (38 out of 47). Any 3 non-Executive councillors can 'call-in' an item of business from a published Executive (or Executive Member Advisory Panel (EMAP)) agenda. The Executive will still discuss the 'called in' business on the published date and will set out its views for consideration by a specially convened Scrutiny Management Committee (SMC). That SMC meeting will then make its recommendations to the next scheduled Executive meeting in the following week, where a final decision on the 'called-in' business will be made.

Scrutiny Committees

The purpose of all scrutiny and ad-hoc scrutiny committees appointed by the Council is to:

- Monitor the performance and effectiveness of services;
- Review existing policies and assist in the development of new ones, as necessary; and
- Monitor best value continuous service improvement plans

Who Gets Agenda and Reports for our Meetings?

- Councillors get copies of all agenda and reports for the committees to which they are appointed by the Council;
- Relevant Council Officers get copies of relevant agenda and reports for the committees which they report to;
- Public libraries get copies of **all** public agenda/reports.

City of York Council

Committee Minutes

MEETING	SHADOW EXECUTIVE
DATE	26 NOVEMBER 2008
PRESENT	COUNCILLORS SCOTT (CHAIR), GUNNELL, KING, LOOKER (FROM 6.15PM), MERRETT, POTTER AND SIMPSON-LAING

116. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda.

No interests were declared.

117. MINUTES

RESOLVED: That the minutes of the last meeting of the Shadow Executive held on 12 November 2008 be approved and signed by the Chair as a correct record.

118. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

119. YORK NORTHWEST - ECO-DISTRICT BRIEFING REPORT

Members received a report which outlined the current position with York Northwest in relation to the national Growth Point initiative and Eco-town programme.

It was reported that, although the bid for New Growth Point (NGP) funding for York Northwest had not been successful, there was a significant opportunity to secure funding for the area through a proposal to create an Urban Eco*Settlement (UES) under the Eco-town programme.

Representatives of the York Natural Environment Trust (YNET) and the Helmsley Group attended the meeting and were invited to participate in the discussion.

Members noted the many competing interests in relation to the proposal, including the environment, social and affordable housing, profitability, public and private architecture, transport and landscaping, and the different definitions of viability, sustainability and "eco". They highlighted the importance of having a long term vision for the site, based on interesting concepts and ideas, and of taking a partnership approach, involving central

and local government, developers and community groups. They also noted that an eco-district was more than an area with zero carbon emissions, and related to design, landscaping and the creation of long lasting sustainable communities. They concluded that the York Northwest and York Central sites were a very valuable asset to the city and presented a unique opportunity, and were committed to work with other parties to achieve the best for the city.

Members thanked officers for preparing the report and the attendees for their constructive comments.

RESOLVED: That the report be noted.

REASON: To inform and update the Shadow Executive.

CLLR D SCOTT, Chair

[The meeting started at 5.30 pm and finished at 6.20 pm].



Shadow Executive**14th January 2009**

Report of the Head of York Customer Centre

COUNCIL TAX DISCOUNTS**Summary**

1. The Council Tax legislation allows local authorities to set different discount percentages for properties that are classed as being “long-term empty” and “second homes”. This report summarises the legislative position and the decisions that City of York Council has already taken and can take to vary the level of discount.

Background

2. The ability for Council’s to determine the level of discount is prescribed in Regulation 11A of the Local Government Finance Act 1992 which had been inserted into the Act by the Local Government Act 2003. The classes of properties that can be subject to discounts were further defined in the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 which defines the distinction between a long-term empty property and second homes.
3. A long-term empty property is one that has been unoccupied in excess of six months, prior to that a 100% exemption is applied. No minimum discount is prescribed and currently City of York Council has a 0% discount, i.e. 100% tax is levied. The discount was reduced from 10% to 0% in 2004.
4. A second home is determined by a person’s sole or main residence. The legislation sets a 10% minimum discount, which the Council currently applies.

Options

5. The legislation does allow Council’s to vary the level of discount for long-term empty properties and second homes. At present we have adopted the lowest possible discount levels for both categories so there is no further option to remove the 10% discount (for second homes).

Analysis

6. At present the Government have not issued any proposals to vary the Council Tax discount legislation. If the 10% second homes discount were to be scrapped this would affect about 700 properties in York. This equates to £93k additional revenue based on figures as at 31 December 2008 (this includes apportioned accounts). Second homes comprise 56% of the total number of properties in the prescribed discount categories.
7. There is no readily available data from similar local authorities to show the levels of discount offered for long-term empty properties and second homes.

Implications

8. Implications are as listed below:
 - **Financial** - none
 - **Human Resources** - none
 - **Equalities** - none
 - **Legal** - none
 - **Crime and Disorder** – none
 - **Human Resources** - none
 - **Information technology** – none
 - **Legal** - none
 - **Human Resources** - none
 - **Property** – none

Recommendations

9. Members are asked to note the contents of this report which is provided for information purposes.

Contact Details

Author:

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Chief Officer Responsible for the report:

Lisa Phillips
Head of York Customer Centre

Report Approved

Date 08/01/2009

Specialist Implications Officer(s): None

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers: None

Annexes: None

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