

## WEST OXFORDSHIRE DISTRICT COUNCIL

### CABINET

Record of decisions taken at the meeting of the Cabinet held in the Council Chamber, Council Offices, Woodgreen, Witney, Oxon on Wednesday 10 January, 2018 at 2.00pm.

### PRESENT

J F Mills (Leader); T J Morris (Deputy Leader); Mrs J C Baker, C G Dingwall and J Haine

#### Also in Attendance

R J M Bishop, P Emery, D S T Enright, A S Coles, J C Cooper, H B Eaglestone, Mrs E H Fenton, Mr E J Fenton S J Good, Miss G R Hill, T N Owen, Dr E M E Poskitt, A H K Postan and H E T St John

#### 94. NOTICE OF DECISIONS

**RESOLVED:** That the record of the decisions taken at the meeting held on Wednesday 1 December 2017, copies of which had been circulated, be approved and signed as a correct record.

#### 95. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs C E Reynolds and from Mr D A Cotterill.

#### 96. DECLARATIONS OF INTEREST

There were no declarations of interest from Members or Officers in items to be considered at the meeting

#### 97. PARTICIPATION OF THE PUBLIC

No submissions were received from the public in accordance with the Council's Rules of Procedure.

#### 98. RECEIPT OF ANNOUNCEMENTS - DISCRETIONARY RATE RELIEF SCHEME

Mr Morris advised that earlier in the day there had been a delegated decisions meeting to consider the award of discretionary rate relief in line with the scheme announced by the Government in the March 2017 budget. The scheme, which was entirely funded by Central Government, provided rate relief to those businesses that had been adversely affected by the Business Rates re-valuation.

All those eligible for rate relief had been contacted but many had failed to make application. As the scheme would only operate for one year, closing at the end of February, there was now only a limited time in which to apply. Officers had made significant efforts to secure applications, even visiting certain businesses to advise of their eligibility.

Mr Morris explained that he had asked for a list of those eligible businesses yet to claim and indicated that this would be made available to all Members so that they could encourage businesses in their wards to take advantage of the scheme before it was too late.

#### 99. 2018/2019 BUDGET AND COUNCIL TAX BASE

The Cabinet received and considered the report of the Group Manager Go Shared Services, regarding draft base budgets for 2018/19; the revised Capital Programme for 2017/18; the draft Capital Programme for 2018/19 to 2022/23; adoption of the Council Tax Base for 2018/19 and delegation of business rates returns.

In proposing the recommendations, Mr Morris indicated that, whilst additional information had become available since the last meeting, there were no significant changes to the draft budget, although a slightly lower use of general fund reserves was now proposed. Mr Morris advised that, whilst the risk to Business Rates income remained, reserves had been put in place to address any impact.

The recommendation was seconded by Mr Mills and on being put to the vote was carried.

**DECISIONS:**

- (a) That the Draft base budgets for 2018/19 totalling £10,846,975 for Net Operating Expenditure and £10,337,230 for Net Expenditure as detailed in Appendix A to the report be approved.
- (b) That the Council be recommended to approve:-
  - (i) The revised Capital Programme for 2017/18 totalling £8,735,115 as detailed in Appendix B to the report;
  - (ii) The draft Capital Programme for 2018/19 to 2022/23 totalling £18,822,000 as detailed in Appendix B;
  - (iii) The Council Tax Base shown in Appendix C, calculated at 42,920.71 for the year 2018/19;
  - (iv) That the National Non-domestic Rates Return I (NNDR I) for submission to the Department for Communities and Local Government (DCLG) is delegated to the Council's Chief Financial Officer (s.151) prior to its submission date of 31st January 2018;

**REASONS:** The Cabinet considered the decisions to accord with the Council's priority to provide efficient, value for money services, whilst delivering quality front line services and maintain the Council's position in the lowest ten levying Shire District Councils.

**OPTIONS:** None appropriate.

(Mr H B Eaglestone, Miss G R Hill and Mr H E T St John joined the meeting at this juncture)

100. PROPOSAL FOR DECKED PARKING AT THE WOOLGATE CENTRE, WITNEY

The Cabinet received and considered the report of the Head of Environment and Commercial Services seeking consideration of a proposal for a partnership venture to construct a decked car park at the Woolgate car park in Witney.

Mr Haine outlined the content of the report and proposed that the Cabinet agree to explore the feasibility of developing a decked car park on the existing Woolgate car park in partnership with USS and to the allocation of funding as set out in the report.

In seconding the proposition, Mr Dingwall noted that this would go some way towards meeting the 600 additional spaces identified as being required during the life of the emerging Local Plan.

Mr Mills emphasised that participation in this feasibility study did not prejudice the Council's position in relation to the leaseholder's wish to extend the retail element of this site. The provision of adequate car parking was important in maintaining the economic strength of the District. Mr Haine confirmed that the current proposals related solely to a feasibility study.

Mr Coles welcomed the investigation given the limited number of car parking spaces but urged the Cabinet to reconsider the loss of the Woodford Way car park.

In response, Mr Haine advised that it was not proposed to remove car parking facilities at Woodford Way but to provide a mix of parking and residential development on the site. Mr Coles enquired whether this meant that the site would be deleted as an allocation in the emerging Local Plan and Mr Haine explained that it was the intention to redevelop the site in such a way that car parking would be retained.

In response to a question from Mr Cooper, Mr Haine and Mr Mills confirmed that this project would not impact upon any other aspects of the car parking programme across the District.

Mr Enright welcomed the proposal and the Council's willingness to respond to an organisation seeking to increase facilities within the District. He questioned whether the feasibility study would be extended to explore ways in which to reduce shorter journeys into the town and mitigate the requirement for parking through the development of pedestrian and cycling routes. In response, Mr Haine advised that, whilst the general need for additional car parking provision had been identified in the Council's parking survey, the current proposals were exclusively focussed on the Woolgate car park. Mr Mills advised that there was also work ongoing with other authorities to address the issues raised by Mr Enright; particularly with the County Council through the Witney Transport Plan.

Mr Dingwall advised that the County Council had recently launched a consultation on transport issues in the town setting out various options including the provision of further cycle and pedestrian links.

In response to a question from Mr St John, Mr Haine confirmed that the feasibility study would take account of the loss of trees and vegetation on the site. Mr Postan suggested that the feasibility study should address the need for the provision of electric vehicle charging points in an extendable and scalable manner and also allow for the potential construction of additional tiers in the future. In addition, he suggested that the study should recognise the continued development of autonomous vehicles. Finally, Mr Postan stressed the importance of provision for community transport.

Mr Mills acknowledged the importance of electric vehicle charging points and advised that discussions had been taking place with GWR regarding their installation at Long Hanborough station car park. Mr Mills indicated that it was important to be mindful of such requirements when considering any such projects and noted that this was a good example of partnership working as advocated in the Council's Car Parking Strategy.

Whilst recognising the importance of community transport, Mr Haine questioned whether this would be the best location to provide pick up and waiting facilities. He too acknowledged the importance of providing charging points.

**DECISIONS:**

- (a) That the Cabinet agrees to explore the feasibility of developing a decked car park on the existing Woolgate car park in partnership with USS to meet, in part, the future parking needs for Witney as set out in the Council's Parking Strategy; and
- (b) That the sum of up to £87,500 be allocated from the Environmental Services Earmarked Reserve to support this feasibility work.

**REASONS:** The Cabinet considered the proposed proposals to accord with the Council's objectives to meet the current and future needs of residents and to provide efficient and value for money services whilst delivering quality front line services.

**OPTIONS:** None appropriate.

## 101. STATION BUILDING AT LONG HANBOROUGH

The Cabinet received and considered the report of the Head of Planning and Strategic Housing, regarding a funding request from Great Western Railway towards the cost of installing a modular station building at Long Hanborough Railway Station.

In proposing the recommendations, Mr Haine made reference to the significant growth in passenger numbers set out in the report. He noted that the current proposals were the first phase in the development of Long Hanborough as a Strategic Park and Rail Location. Mr Haine also noted that these future phases would be subject to GWR securing the necessary planning consents.

Mr Dingwall considered this to be an important addition to the station's infrastructure and went on to advise that, as parts of Long Hanborough were set to benefit from the Council's superfast broadband project, there would be a wifi hotspot at the station by the end of the year.

Mr Enright questioned why, as an already subsidised commercial enterprise benefiting from a record increase in fares and significant growth in passenger numbers, GWR was seeking further public subsidy from local Council Tax payers.

Mr Haine indicated that the proposed contribution of £10,000 represented a token contribution which, together with those being made by the County Council and the Cotswold Line Promotion Group, evidenced local commitment to the project. Mr Mills advised that such local contributions were necessary to enable GWR to access other more significant funding streams.

Mr Fenton questioned whether the facilities currently proposed were adequate. In response, Mr Dingwall advised that, at present, there were physical constraints limiting the extent of development. Currently, there was only a single short platform at the station. However, should plans for its extension come to fruition; it would be possible to provide additional capacity.

Mr Mills suggested that improving the passenger experience and encouraging greater usage would reduce congestion on the roads. He also noted that the possibility of reopening the Cowley branch line to enable commuter services to be operated at some future stage had been put forward.

Mr Morris noted that the proposed contribution of £10,000 would give access to other funding streams to the benefit of the District at a factor of 25 to 1.

Mr St John questioned whether the Council's contribution could be made in the form of a loan but it was explained that an unconditional commitment was required to unlock the external funding.

Having been duly proposed and seconded the recommendations were put to the vote and were carried.

### **DECISIONS:**

- (a) That a contribution of £10,000 towards the installation of a modular station building at Long Hanborough Station be approved, to be funded from the Environmental Related Service earmarked reserve; and
- (b) That the contribution shall be conditional upon the receipt of evidence of successful funding bids for the estimated cost of the project.

**REASONS:** The Cabinet considered the proposals to accord with the Council's objectives to protect the environment whilst supporting the local economy, meet the current and future needs of residents and to provide efficient and value for money services whilst delivering quality front line services.

**OPTIONS:** None appropriate.

102. WITNEY ARTIFICIAL TURF PITCH PROJECT

The Cabinet received and considered the report of the Head of Leisure and Communities regarding the inclusion of provision within the Council's capital programme for the replacement of the pitch surface at the Witney artificial turf pitch.

Mrs Baker outlined the content of the report and proposed the recommendation. She indicated that an additional pitch would be required at a future date but noted that a significant amount of work had been carried out and confirmed that the current proposals were appropriate at the present time.

In seconding the recommendations, Mr Morris emphasised the health benefits that would arise from the enhanced facilities and noted that the Council's contribution would secure significant additional funding from external sources.

Mr Emery enquired whether the Council's leisure service provider, GLL, would contribute to the project and benefit from any additional income. In response, Mrs Baker advised that GLL would manage the facility and reminded Members that, under the terms of the new leisure management contract, the Council would benefit from any additional income.

Whilst recognising that football had a certain following, Mr Postan noted that there were other leisure facilities in the District; both publicly and privately operated. He stressed the need to remain mindful of all leisure activities and made particular reference to motorsport at the Standlake Arena which was self-financing and an area in which the District was a world leader.

Mr Mills concurred but reminded Members of the need for circumspection given that there was an extant planning application in relation to that site. Mr Mills advised that there was a demonstrable need for facilities for football in the District and, whilst acknowledging the points raised by Mr Postan, Mrs Baker noted that football offered health benefits and was readily accessible in a way that more expensive activities were not.

Mr St John indicated that the level of S106 contribution to the scheme appeared to be low. In response, the Head of Leisure and Communities advised that significant efforts had been made to optimise external funding from a variety of sources.

**DECISION:** That that the Council be recommended to include provision of £344,000 within the 2017/18 capital programme to facilitate the replacement of the pitch surface at the Witney artificial turf pitch.

**REASONS:** The Cabinet considered its decision to accord with the Council's objectives, to meet the current and future needs of residents and to provide efficient and value for money services whilst delivering quality front line services.

**OPTIONS:** None appropriate.

103. REVIEW OF THE MANAGEMENT OF REVENUE GRANTS

The Cabinet received and considered the report of the Head of Leisure and Communities regarding proposals for the future management of revenue grants.

In proposing the recommendations, Mrs Baker stressed that the report sought a change to the structure and management of the revenue grants process, not to the budget provision. Mrs Baker explained that, when she took on the portfolio role, she had asked Officers to review revenue grant arrangements as these had not been considered for some time. She thanked Officers for their work on the review and indicated that the proposals represented a more managed and transparent process in line with the Council's other grant schemes.

Mrs Baker explained that all grant applications would need to show links to the Council's priorities and provide added value. Organisations that provided services that would otherwise fall to the District Council would be funded through a commissioning route rather than a grant. A report on these arrangements would be submitted to the Cabinet in March/April.

Applications forms for grant aid would be accompanied by guidance on the new arrangements and Officers would be available to offer any necessary advice. Applications would be accepted at the end of January or in early February.

In seconding the proposition, Mr Morris indicated that a review was overdue. The proposed arrangements offered a more open and transparent process and Mr Morris reiterated that there would be no impact upon the budget.

In response to a question from Mr Mills, it was confirmed that the exclusion of funding for worship or religious affiliation would not preclude ongoing funding of the Street Pastor scheme.

Miss Hill noted that the CAB was now designated as Citizens Advice West Oxfordshire and Mr Cooper questioned why it was proposed to fund this organisation through commissioning rather than grant aid. Mrs Baker advised that, whilst Citizens Advice had received grant funding in the past, it was thought more appropriate to fund work that would otherwise fall to the Council through a commissioning process.

Mr Morris noted that, should it continue to receive grant funding, Citizens Advice would be required to 'bid' for grant aid against other organisations from the grants budget. The proposed commissioning arrangements would effectively ring-fence funds for this purpose.

Mrs Baker also indicated that a commissioning approach would enable clarification of the work being undertaken.

The recommendations were then put to the vote and were carried.

## **DECISIONS:**

- (a) That the Cabinet approves the proposals for the future management of revenue grants and authorises the further development of the revenue grant scheme guidance and application procedure consistent with the approach outlined in the report, and
- (b) That a parallel process is followed to oversee grant decision-making in the case of currently funded organisations that ensures a managed transition is achieved which incorporates appropriate consultation and notice periods in cases where any funding is reduced; and
- (c) That the Cabinet approves the re-classification of the future budget provision (from 2018-19) in support of the Citizen's Advice Bureau (CAB) as a commissioning activity that falls outside the future grants approval process.

**REASONS:** The Cabinet considered the proposed arrangements to offer an efficient and value for money approach in accordance with the Council's objective to provide efficient and value for money services whilst delivering quality front line services. The continued award of revenue grants and the commissioning of voluntary and community sector activity were one way in which the Council could address its objective to meet the current and future needs of residents.

**OPTIONS:** None appropriate.

#### 104. RELEASE OF HELIUM BALLONS AND SKY LANTERNS

The Cabinet received and considered the report of the Head of Democratic Services regarding the recommendations of the Environment Overview and Scrutiny Committee in relation to the adoption of measures to address the release of helium balloons and sky lanterns.

Mr Mills expressed his thanks to the Environment Overview and Scrutiny Committee for its work on this issue and, whilst agreeing with the general principles expressed, proposed that the recommendations from the Committee be amended as follows:-

*(a) That, arising from the evidence outlined in the report, the Cabinet agrees to introduce a policy not to approve requests to release helium balloons or sky lanterns on land in the ownership of the Council, or under its control; and*

*(b) That Officers be requested to contact all Town and Parish Councils in the District to advise them of this policy.*

In seconding the proposition, Mr Morris noted that the proposed policy would only relate to land in the Council's ownership or control and would not preclude the release of helium balloons or sky lanterns on private land. Mr Morris also made reference to the report produced by DEFRA in 2013 that concluded in relation to risks to livestock and animal health that:-

*Anecdotal reports and media coverage suggest widespread concern from farming groups and others over the impacts of sky lanterns on the health and welfare of livestock and horses. However, the evidence reviewed indicates that the number of cases reported each year of animals affected through panic and fright and of ingestion of sky lantern debris is very small.*

*On the basis of the evidence presented, it is difficult to conclude that the overall impact is anything other than of minor significance.*

Mr Coles thanked Members for their support and indicated that it was important for the Council to make a symbolic statement on this issue to support farmers and protect the environment. He emphasised the damage that could be caused to both wildlife and livestock and the fire risk presented by sky lanterns. He noted that, whilst dropping litter was an offence, releasing such objects was not, regardless of the fact that they would inevitably fall somewhere. Mr Coles also advised that some 30 local authorities had adopted similar measures.

In seeking support for the recommendations, Mr Coles thanked Mr Mills and Mr Emery for their support and advice and expressed his appreciation to Members of the Environment Overview and Scrutiny Committee for working together to meet this environmental challenge.

Dr Poskitt expressed some concern over the use of drones and Mr Mills advised that this issue was the subject of impending legislation.

Mr Postan noted that, whilst the Council could not exercise effective control over the release of balloons and sky lanterns, it could seek to communicate and educate the public on the risks they presented. He suggested that efforts should be made to do so in Council publicity wherever possible. Mr Emery concurred.

Mr St John questioned whether the Council could control the release of balloons and sky lanterns at events through its licensing function. It was noted that this was a matter for the Council's Licensing Committee which could be considered when the Licensing Policy was next reviewed.

In response to the comments made by Mr Coles, Mr Morris acknowledged that individual instances could have a significant impact and that his observations regarding the DEFRA report had been made in relation to the wider statistical impact.

The recommendations were then put to the vote and were carried.

**DECISIONS:**

- (a) That, arising from the evidence outlined in the report, the Cabinet agrees to introduce a policy not to approve requests to release helium balloons or sky lanterns on land in the ownership of the Council, or under its control; and
- (b) That Officers be requested to contact all Town and Parish Councils in the District to advise them of this policy.

**REASONS:** The Cabinet considered the recommendations of the Environment Overview and Scrutiny Committee to accord with the Council's aim to protect and enhance the environment of West Oxfordshire and maintain the district as a clean, beautiful place with low levels of crime and nuisance and its objective to protect the environment.

**OPTIONS:** None appropriate.

105. CALL-IN OF CABINET DECISION – A361 HIGH STREET(BURFORD) PROPOSED 7.5 TONNE WEIGHT LIMIT

The Cabinet received and considered the report of the Head of Democratic Services regarding the call-in request relating to its decision of 18 October 2017 (Minute no. 62) in relation to the proposed introduction of a 7.5 tonne weight restriction within Burford.

Mr Haine drew attention to the Cabinet's earlier decision as set out at paragraph 3.3 of the report and expressed his surprise that it had been the subject of a call-in request given that the Cabinet had acknowledged that the introduction of a 7.5 tonne weight limit would accord with the Council's aim and objectives but had considered it prudent to await the County Council's revised proposals before taking a final position.

He noted that there were concerns over the potential impact of a 7.5 tonne weight limit on local businesses and indicated that he understood that the County Council was now considering the imposition of an 18 tonne limit which would negate these concerns. The County Council's investigations were ongoing and a meeting of interested parties was to take place on 1 February to consider these issues further. In consequence, Mr Haine proposed that the call-in request be not supported and the Cabinet's decision of 18 October remain unchanged.

The proposition was seconded by Mr Mills who agreed that it would be prudent to await the County's proposals as an 18 tonne weight limit would not only support Burford's aspirations, but be of benefit to a wider area.

Mr Owen made an impassioned plea for the Cabinet to reconsider its position, citing the impact of heavy goods vehicles upon both the built environment and the economy of the town. He considered that failure to support the introduction of a weight limit would be tantamount to cultural vandalism.

Mr Mills emphasised that the Cabinet had not indicated that it would not support the introduction of a weight limit; rather it had decided to defer a decision pending receipt of further information as there were other concerns that needed to be addressed. In deferring consideration, the Cabinet would be able to make an informed decision based upon all the facts and in the interests of West Oxfordshire as a whole.

Dr Poskitt indicated that, whilst Woodstock was sympathetic to Burford's position, this was not a matter that could be considered in isolation, but one which needed to be addressed having regard to the District as a whole. There was already an advisory route in place but many vehicles failed to adhere to this. Whilst there had been a slight reduction in the number of HGV's travelling through Woodstock and Bladon, the towns still experienced a 40% higher flow of HGV's than Burford along routes that were equally or far more inappropriate. The alternative route would send vehicles around rather than through Stow.

Mr Morris agreed that the Cabinet should wait until more information was made available. He stressed that the Cabinet was not saying that it would not support a weight restriction at Burford but an 18 tonne limit might be more appropriate.

Mr Cooper suggested that the Council should take the opportunity to press for full dual tracking of the Cotswold Line as a significant volume of road freight was from Evesham to Southampton and it would be preferable if this were to be conveyed by rail.

Having regular experience of the levels of congestion in Burford, Mr Coles expressed his sympathy with Burford and agreed that this was an issue that needed to be addressed.

As a signatory to the call-in, Mr Emery explained that, whilst he could understand Mr Haine's contention, he believed that it had been essential for West Oxfordshire to have sent a message to the County Council that it was unable to ignore. He felt that the Cabinet should have sent a strong view to the County expressing support for the introduction of a weight limit. Its decision on 18 October failed to put forward that message, hence Mr Emery had supported the call-in request.

Mr Haine stated that, whilst he considered that the Council should wait until it was in receipt of the full facts; he could support the introduction of an 18 tonne weight limit. Mr Morris indicated that he would be happy to support such a proposition.

Mr Good considered that the Cabinet had been right to await the results of the County Council's ongoing investigation. He also cautioned that his experience in relation to Newbridge led him to believe that effective enforcement rather than simply the imposition of a weight restriction was the key factor.

Mr Postan suggested that a 7.5 tonne weight limit with appropriate exemptions for deliveries would be more appropriate as local businesses would adapt their vehicle fleets to comply with such a restriction.

Dr Poskitt expressed the hope that the Council would express similar support for the introduction of a weight limit in Woodstock for the reasons previously stated.

Mr Mills reiterated his view that the Cabinet should consider the impact of any such restrictions on the District as a whole and, in response to a question from Mr Cooper, indicated that the 18 tonne limit was one of the options under consideration by the County.

Mr Emery suggested that the Cabinet should express support for a weight limit without specifying a particular level. Mr Morris reiterated his belief that the Cabinet should await outcome of the County Council's further investigations.

Mr Haine proposed that the County Council be advised that West Oxfordshire would support the introduction of a 18 tonne weight limit on the A361 (High Street) Burford. The proposition was seconded by Mr Morris. Mr Mills expressed his opposition to the proposition. Whilst recognising the views expressed by those representing Burford, he cautioned that expressing support for an arbitrary weight limit without knowledge of the full facts could give rise to further call-in requests.

Mrs Baker concurred, indicating that the Cabinet ought not to support the call in request but wait to see what was finally proposed as it was possible that this would be a restriction of less than 18 tonnes. Members would have the opportunity to express their views at the meeting at County Hall on 1 February.

Mr Dingwall suggested that the Cabinet should reject the call-in request but express support for the objectives of reducing the flow of HGV's through Burford and improving traffic management.

Mr Haine withdrew his proposition in favour of Mr Dingwall's suggestion which, having been proposed was seconded by Mrs Baker, was put to the vote and was carried.

**DECISION:** That, whilst expressing its support for the objectives of reducing the flow of HGV's through Burford and improving traffic management, the Cabinet's decision of 18 October 2017 (Minute no. 62) in relation to the proposed introduction of a 7.5 tonne Weight Restriction within Burford remain unchanged in that consideration of the matter be deferred pending the outcome of the County Council's further investigations.

**REASONS:** Whilst recognising that reducing the flow of HGV's through Burford and the introduction of a weight limit restriction within Burford would accord with the Council's aim to maintain and enhance West Oxfordshire as one of the best places to live, work and visit in Great Britain and its priority to protect the environment whilst supporting the local economy, the Cabinet considered that it remained prudent to await the County Council's revised proposals before taking a decision.

**OPTIONS:** None appropriate.

#### 106. REVENUE AND HOUSING SUPPORT SERVICES RECOVERY POLICY

The Cabinet received and considered the report of the Group Manager for Revenues and Housing Support regarding the implementation of an amended Recovery Policy.

Mrs Baker introduced the report and expressed her thanks to the Business Service Manager for Revenues & Benefits for her work. She advised that the Recovery Policy had not been updated since 2010/2011 and that the revised policy was intended to be more transparent and to incorporate recovery of sundry debts.

Mrs Baker proposed that the draft Revenues and Housing Support Services Recovery Policy attached as an appendix to the report be approved and adopted, subject to the following amendments:-

*The first bullet point at paragraph 2.1 (Aims) to read as follows:-*

*As appropriate, identify support for the management of multiple debts owed to the Council, ensuring that the customer's circumstances are taken into consideration.*

*The inclusion of an additional, final, bullet point at paragraph 6.2 (Strategic Principles) to read as follows:-*

*Operate a zero tolerance policy in relation to fraud.*

The proposition was seconded by Mr Morris

Mr Postan suggested that, where appropriate, the Council should also consider effecting recovery through the Official Receiver and the Bankruptcy Courts. In response, Mr Morris advised that the Council's primary objective was to secure the recovery of debts due to protect the taxpayers of the District, not to render individuals bankrupt. Mrs Baker concurred.

Mr Mills enquired whether the exclusion of the relevant portfolio holder in relation to decisions relating to insolvency proceedings or committal to prison which were only to be taken with the prior authorisation and approval of a Service Manager had been an intentional omission.

It was confirmed that this was not the case and Mrs Baker agreed to amend her proposition to require consultation with the relevant portfolio holder in such instances.

Mr Enright asked if the revised policy had been considered by the Finance and Management Overview and Scrutiny Committee and was advised that this had not been the case. Mr Mills explained that it was necessary to put the new policy in place to take account of the creation of Publica and Mr Morris indicated that the Overview and Scrutiny Committee could consider and make comment on the policy should it so wish.

Mrs Baker advised that the revised policy differed little from that already in place other than to incorporate necessary updates.

Mr Emery indicated that he would wish the Finance and Management Overview and Scrutiny Committee to have the opportunity to consider the policy and Mr Coles suggested that it would have been good practice had it done so prior to a report coming before the Cabinet.

**DECISION:** That the draft Revenues and Housing Support Services Recovery Policy attached as an appendix to the report be approved and adopted subject to the amendments set out above.

**REASONS:** The Cabinet considered the adoption of an effective policy for the recovery of debts due to the Council to accord with its priority to provide efficient, value for money services.

**OPTIONS:** None appropriate.

107. EXCLUSION OF THE PUBLIC

**RESOLVED:** that the Cabinet being of the opinion that it was likely, in view of the nature of the business to be transacted, that if members of the public were present during the following items of business there would be a disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting.

108. ORDER FOR SALE PURSUANT TO THE CHARGING ORDERS ACT 1979

The Cabinet received and considered the report of the Group Manager for Revenues and Housing Support containing exempt information regarding the proposed enforced sale of a residential property pursuant to the Charging Orders Act 1979, and rule 73.10C of the Civil Procedure Rules 1998.

**DECISIONS:**

- (a) That the Cabinet approves the enforced sale of the property identified in the report to ensure that the Council is reimbursed for the Council Tax owing that is currently held against the property by means of Charging Orders.
- (b) That future enforcement action, pursuant to the Charging Orders Act 1979 be delegated to the appropriate officer with responsibility for the collection of local taxation.

**REASONS:** The Cabinet considered the recovery of Council Tax due to the Council accords with its priority to provide efficient and value for money services.

**OPTIONS:** None appropriate.

The meeting closed at 3:50 pm

Leader of the Council