

**Minutes of a Meeting of the
Licensing Regulatory Sub-Committee of
Adur District Council**

Council Chamber, Civic Centre, Shoreham-by-Sea

10 December 2014

Councillor Carson Albury (Chairman)

Brian Coomber	David Lambourne
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Councillor Simmons was also in attendance to support the applicant.

LRSC/14-15/19 Declarations of Substitutions

There were no substitutions declared

LRSC/14-15/20 Declarations of Interest

There were no declarations declared

LRSC/14-15/21 Public Question Time

There were no public questions

LRSC/14-15/22 Items Raised Under Urgency Provisions

There were no items raised under urgency provisions

LRSC/14-15/23 Procedure

Resolved: that the procedure for the meeting be agreed

LRSC/14-15/24 Discretionary Rate Relief – Mr James Lowe (SOLD)

Before the Committee was a report by the CenSus Revenues Manager, a copy of which has been circulated to Members of the Committee and a copy of which is attached to the signed copy of these minutes as item 6.

The report before Members set out the details of an application for discretionary rate relief by Mr James Lowe on behalf of SOLD (Shoreham Opportunities for Learning Disabilities), which was originally determined by the Cabinet Member for Resources.

The Chairman and Members introduced themselves to those present, the legal advisor was Michele Wilkinson, Julia Smith for Democratic Services.

Corinne McNeal the Census Revenues Manager would be presenting the Council's case.

Carolyn Shrosbree would be speaking on behalf of James Lowe, Trustee of SOLD and applicant, Councillor Simmons was supporting the applicant.

The Chairman had outlined the procedure during the earlier item on the agenda.

The Chairman invited the Census Revenues Manager to outline the Council's case which she

did making reference to the documents contained in the agenda pack before the Committee. The application for relief was received from SOLD on 15 December requesting discretionary rate relief from 4 November (Annex A), the completed scoring matrix was attached at Annex B with the report and determination of the Cabinet Member for Resources as Annex ; this determination being made on 20 March 2014. The Cabinet Member had granted 10% discretiaonary relief from 4 November 2013 to 30 March 2014.

SOLD had taken over the premises on 15 October, not occupying the property until 4 November becoming a registered charity on 14 February – the mandatory 80% applied from this point. Details of the policy and scoring used was discussed in the officers report at paragraphs 2.6 to 2.9.

The applicant was invited to asked questions of the officer – Ms Shrosbree asked for confirmation that charity status had been granted from 14 February; she also stated that when investigating the premises and relief available she had been advised that disabilities were counted towards rate relief.

Members of the Sub-Committee had no questions to the Officer.

Ms Shrosbree addressed the Sub-Committee with the background and ethos to the SOLD enterprise. The ethos was to offer work experience in a retail shop for young people with learning difficulties with the aim of preparing young people for paid employment. She was passionate about supporting those with learning disabilities and providing a community facility; she commented that the Council's application form did not offer an option to explain her organisation properly. Ms Shrosbree asked that the mandatory relief be back dated.

Councillor Simmons on behalf of SOLD addressed the Sub-Committee outlined his support for the application mentioning the Council's commitment to the Mental Health pledge and how he as Executive Member with the Health and Wellbeing Portfolio, which included equalities and the voluntary sector, felt that the organisation had been caught between the requirements of raising finance for charity status and registering/granting of charity status. Councillor Simmons mentioned that there were presidents for the Council to use its discretion in appropriate cases. He further mentioned that the Council may need to look at some policy changes to tackle some of the issues raised by this case that applied for voluntary or commissioned services by the Council.

The Officer had no questions for the applicant and their representative.

The Chairman clarified with the applicant the basis of the appeal which was confirmed as the 80% relief back dated for the period 4 November to 14 February. There was a brief discussion on empty/occupied, and occupied preparing for opening.

The Chairman invited any one else present to speak if they wished to address Members; Charlie, Ellis and Teresa all on work experience at SOLD each gave their comments on how their skills, confidence and work experience had benefited from the opportunities provided at the premises.

The Sub-Committee members asked the applicant about the SOLD business case and financial fall back and support; and rate relief.

The Committee adjourned at 7.27pm

The Committee reconvened at 7.52pm when the legal advisor gave the decision of the Sub-Committee as follows:

Resolved:

This was an application for discretionary rate relief from Mr James Lowe on behalf of SOLD (Shoreham Opportunities for Learning Disabilities).

The Sub Committee took into account all representations and has decided to grant the application for the period between 4 November 2013 and 14 February 2014 in an amount of £1,859.14.

Reasons for Decision:

The Sub Committee consider this to be a valuable community resource as they provide a service which may otherwise not exist and the Council wishes to support them.

Additional observations:

There is no right of appeal against this decision.

The meeting was declared closed by the Chairman at 7.54pm, it having commenced at 7.10pm.

Chairman