

Borough Council of
**King's Lynn &
West Norfolk**



CABINET

Agenda

WEDNESDAY, 5 FEBRUARY 2014
at 5.30pm

in the

**Committee Suite
King's Court
Chapel Street
King's Lynn
PE30 1EX**



If you require parts of this document in another language, large print, audio, Braille or any alternative format please contact the Council Information Centre on 01553 616200 and we will do our best to help.

LATVIAN

Ja Jums nepieciešamas daļas no šī dokumenta citā valodā, lielā drukā, audio, Braila rakstā vai alternatīvā formātā, lūdzu, sazinieties ar Padomes informācijas centru (Council Information Centre) pa 01553 616200 un mēs centīsimies Jums palīdzēt.

RUSSIAN

Если вам нужны части этого документа на другом языке, крупным шрифтом, шрифтом Брайля, в аудио- или ином формате, обращайтесь в Информационный Центр Совета по тел.: 01553 616200, и мы постараемся вам помочь.

LITHUANIAN

Jei pageidaujate tam tikros šio dokumento dalies kita kalba, dideliu šriftu, Brailio raštu, kitu formatu ar norite užsisakyti garso įrašą, susisiekite su Savivaldybės informacijos centru (Council Information Centre) telefonu 01553 616200 ir mes pasistengsime jums kiek įmanoma padėti.

POLISH

Jeśli pragną Państwo otrzymać fragmenty niniejszego dokumentu w innym języku, w dużym druku, w formie nagrania audio, alfabetem Braille'a lub w jakimkolwiek innym alternatywnym formacie, prosimy o kontakt z Centrum Informacji Rady pod numerem 01553 616200, zaś my zrobimy, co możemy, by Państwu pomóc.

PORTUGUESE

Se necessitar de partes deste documento em outro idioma, impressão grande, áudio, Braille ou qualquer outro formato alternativo, por favor contacte o Centro de Informações do Município pelo 01553 616200, e faremos o nosso melhor para ajudar.

Borough Council of
**King's Lynn &
West Norfolk**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
Fax: 01553 691663

CABINET AGENDA

DATE: CABINET –WEDNESDAY, 5 FEBRUARY 2014

VENUE: COMMITTEE SUITE, KING'S COURT, CHAPEL STREET, KING'S LYNN

TIME: 5.30 pm

This agenda gives notice of one item to be considered in private as required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

1. MINUTES

To approve the Minutes of the Meeting held on 4 January 2014 (previously circulated).

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. DECLARATION OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of

Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

6. MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

7. CALLED IN MATTERS

To report on any Cabinet decisions called in.

8. FORWARD DECISIONS LIST

A copy of the Forward Decisions List is attached (Page 5)

9. MATTERS REFERRED TO CABINET FROM OTHER COUNCIL BODIES

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda. Copies of any comments made will be circulated as soon as they are available.

- Resources and Performance Panel and Audit Committee – 27 January 2014
- Regeneration, Environment and Community Panel – 29 January 2014

10. REPORTS

1) **Capital Programme 2013-14** (Page 8)

This report:

- revises the 2013/2014 projections for spending on the capital programme
- sets out an estimate of capital resources that will be available for 2013-2017
- details new capital bids that are recommended to be included in the capital programme for the period 2014-2017
- outlines provisional figures for capital expenditure for the period 2013-2017

2) **Financial Plan 2013-2017 (enclosed with the agenda as a separate booklet)**

The report sets out the full financial plan for the period 2013-2017 for onward recommendation to Council.

3) **King's Lynn Town Hall and Public Realm (page 33)**

The report details the proposals for a Public Realm Scheme to enhance the Saturday Market Place and the project for the King's Lynn Town Hall to be submitted to the Heritage Lottery Fund (HLF) for grant aid.

4) **Discharge of Homelessness Duty by Private Rented Sector offer of accommodation (page 49)**

This report sets out the legislative and procedural arrangements for discharge of homelessness duty by a Private Rented Sector Offer of accommodation as set out in the Social Housing Allocations Policy adopted by Council in June 2013

5) **Coast Sharing Group (Page 57)**

This report proposes that the Borough Council joins Coastshare Limited, a not for profit company established by North Norfolk District Council and Great Yarmouth Borough Council. The Coastshare is a not for profit company set up in light of the change in the Finance Act 2012 that allows for the provision of services at cost to not for profit organisations without a requirement to charge VAT.

EXCLUSION OF PUBLIC

The Cabinet is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by Paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PRIVATE ITEM

Details of any representations received by the Executive about why the following report should be considered in public will be reported.

6) **Procurement Review (page 61)**

As part of the Council's cost reduction programme, Cabinet agreed at their meeting on 8 January 2013 to commission an external review of the Authority's procurement practices and purchasing arrangements, as a "focused spending reduction and

value for money exercise, procured on a “no win, no fee” basis with the emphasis placed on supplier spend analysis work”. The tender also included the requirement to examine a selection of recent procurements and identify good practice from elsewhere in balancing cost, quality and value for money to aid the Council, in improving outcomes in the future. Cabinet instructed officers to carry out the procurement exercise and to prepare a further report on the outcome, together with a timetable on how the work identified within the tender will be delivered. This report responds to Cabinet’s instructions.

To: Members of the Cabinet

Councillors N J Daubney (Chairman), A Beales, Lord Howard,
A Lawrence, B Long, Mrs E A Nockolds, D Pope and Mrs V Spikings.

Cabinet Scrutiny Committee

For further information, please contact:

Samantha Winter
Democratic Services Manager,
Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street,
King's Lynn PE30 1EX
Telephone: (01553) 616327 Email: sam.winter@west-norfolk.gov.uk

FORWARD DECISIONS LIST

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
5 February 2014	King's Lynn Town Hall & Realms	Report on proposals for scheme to be submitted for grant aid encompassing Town Hall and Saturday Market Place	Key	Cabinet	Health and Well Being Exec Director – C Bamfield		Public
	Procurement Review	Outcome of the procurement tendering exercise	Key	Council	Procurement Chief Executive		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Cost Sharing Group (Coast Sharing)	Sets out a proposal to establish a cost sharing group	Non	Cabinet	Leader Chief Executive		Public
	Discharge of homelessness duty by private rented sector offer of accommodation	Amendment in line with legislation to discharge homelessness duty	Non	Cabinet	Community Chief Executive		Public
	Capital Programme 2013-		Key	Council	Resources		Public

	17				Deputy Chief Executive		
	Financial Plan 2013/2017		Key	Council	Resources Deputy Chief Executive		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
4 March 2014	St Margaret's Conservation Area Appraisal and Management Plan	Report to link with the Townscape Heritage Initiative	Key	Council	Regeneration Chief Executive.		Public
	Report of the Mart Task Group	Proposals for the 2015 Mart and future arrangements	Non	Council	Health & Wellbeing Exec Director – C Bamfield		Public
	Greater Cambridge Greater Peterborough and New Anglia Local Enterprise Partnerships Strategic Economic Plans and the West Norfolk Strategic Economic and Infrastructure Investment Plan		Key	Council	Regeneration Chief Executive		Public
	Markets		Non	Cabinet	Regeneration Exec Director – C Bamfield		Public
	Update to Freedom of Information and Data Protection Policies	Update of the Council's Freedom of Information and Data Protection Policies	Non	Council	Leader Deputy Chief Executive		Public
	Destination Management Plan		Non	Cabinet	Assets Chief Executive		Public
	"A" Boards enforcement		Non	Cabinet	Regeneration Exec Director C Bamfield		Public

	Report of Regeneration & Economic Policy Task Group and Heritage Task Group	Outcome of the work carried out and subsequent recommendations from the Regeneration & Economic Policy Task Group and Heritage Task Group	Non	Cabinet	Regeneration Chief Executive		Public
	NORA Joint Venture Housing Company	Consideration of the use of the Council's assets to invest in residential property.	Key	Council	Resources Deputy Chief Executive		Public

1 April 2014

6 May 2014

11 June 2014

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
1 July 2014	King's Lynn Bus Station & Train Station Link Improvements	Scheme to improve the bus station and pedestrian link to the train station using S106 funding	Non	Cabinet	Regeneration Chief Executive		Public

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards None	Mandatory	(a) Be entirely within Cabinet's powers to decide	NO	
		(b) Need to be recommendations to Council	YES	
		(c) Be partly for recommendations to Council and partly within Cabinets powers –	NO	
Lead Member: Councillor Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
Lead Officer: E-mail: lorraine.gore@west-norfolk.gov.uk Direct Dial:		Other Members consulted:		
Lead Officer: E-mail: lorraine.gore@west-norfolk.gov.uk Direct Dial:		Other Officers consulted: Management Team		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications (incl S.17) NO	Equal Opportunities Implications NO	Risk Management Implications YES

Date of meeting: 5 February 2014

1 CAPITAL PROGRAMME AND RESOURCES 2013-2017

Summary

This report:

- revises the 2013/2014 projections for spending on the capital programme
- sets out an estimate of capital resources that will be available for 2013-2017
- details new capital bids that are recommended to be included in the capital programme for the period 2014-2017
- outlines provisional figures for capital expenditure for the period 2013-2017

Recommendations

It is recommended that:

- 1) Cabinet recommends to Council the amendments to capital schemes and resources for the 2013-2017 capital programme as detailed in the report.
- 2) Cabinet recommends to Council that new capital bids of £195,000 are to be funded from available capital resources and included in the capital programme 2014-2017.

Reason for Decision

To report amendments, rephrasing and resources to the 2013-2017 Capital Programme

1. Introduction

- 1.1 This report will focus on the capital programme for the period 2013 to 2017. The capital programme forms part of the Council's longer term Financial Plan, and is updated as part of the overall budget and council tax setting process. The current economic conditions continue to create a challenging environment for achieving capital receipts to support the funding of the Council's capital programme. At the same time the Council aims to deliver a number of major projects within limited resources.
- 1.2 The Council is faced with a situation where capital resources to fund the capital programme continue to be limited.
- 1.3 This report sets out a programme for 2013/2017 that can be delivered if predicted land sales come about. Certain capital funds come from grants, VAT shelter receipts and use of reserves but a large part of funds are to come from land sales. These sums included in 2013/2017 are anticipated receipts from identified sites and phase I of the Housing Joint Venture on the NORA site. The potential for additional capital receipts from the Major Housing Development and continuation of the Housing Joint Venture to develop phases II and III of the site are noted later in the report .
- 1.4 The programme 2013-2017 includes a number of major projects and Appendix 1 sets out details of the full programme. This Council has always set out to deliver as ambitious a capital programme as possible to meet its corporate priorities, and it will continue to aim to do so even in these difficult times.

2. Capital Programme 2013/2014

- 2.1 This part of the report updates the Capital Programme in the current year 2013/2014.
- 2.2 A full updated Capital Programme 2013/2014 of £17,264,510 was reported at the Cabinet meeting on 17 June 2013. Since that date further amendments to the programme have been reported as part of the monitoring reports, as summarised below:

Capital Programme 2013/2014 (Cabinet 17 June 2013)	£ 17,264,510
Further Amendments:	
King's Lynn Town Hall and Archive project 'The Stories of Lynn' (£10,000 in 2013/2014 and £500,000 in 2014/2015). Heritage lottery funding of £126,000 has been allocated to develop the project bid to the next stage, with a decision on the application expected in 2014/2015. Budget provision of £50,000 brought forward into 2013/2014 from 2014/2015, to provide a total budget of £186,000 in 2013/2014. (June monitoring report)	50,000
Public Conveniences - As part of the closedown of the accounts 2012/2013 reported to Cabinet on 17 June 2013, £24,000 was transferred to reserves for refurbishment works to public conveniences (June monitoring report)	24,000
Corn Exchange Front of House Heating - As part of the closedown of the accounts 2012/2013 reported to Cabinet on 17 June 2013, £30,000 was transferred to reserves for replacement heating to the Corn Exchange front of house (June monitoring report)	30,000
College of West Anglia new university building - budget provision been included in the capital programme to fund planning fees in respect of the new university building. There is no overall impact on the financing of the capital programme as the costs will be financed from useable capital receipts held from the sale of the former Fairstead public house which was purchased under the former safer, stronger communities initiative (June monitoring report)	150,000
Townscape Heritage Initiative - budget provision has been rephased to 2014/2015 to meet costs of the project which will continue into next year (June monitoring report)	(7,500)
King's Court - refurbishment works to the staff conveniences, there is no impact on the overall financing of the capital programme as this scheme will be funded from the offices repairs and renewals reserve (July monitoring report)	80,000
Centrepont shops, Fairstead resurfacing works to create additional car parking. There is no impact on the overall financing of the capital programme as this scheme will be funded from useable capital receipts held from the sale of the former Fairstead public house which was purchased under the safer, stronger communities' initiative (July monitoring report)	45,600

Further Amendments continued:

ICT Programme – storage data disks project – a 25% discount has been negotiated for a 5 year support agreement which will increase capital expenditure but can be funded from the revenue savings for annual maintenance (July monitoring report) 84,740

St James Swimming Centre – additional budget provision to meet the cost of replacement of the boilers. There is no overall impact on the financing of the capital programme as this scheme will be funded from the capital reserve (August monitoring report) 20,000

King’s Court - installation of external and internal lightning protection to ensure no loss of service should there be a lightning strike. There is no overall impact on the financing of the capital programme as this scheme will be funded from the offices repairs and renewals reserve (August monitoring report) 17,000

Disabled Access works west entrance Kings Lynn Minster Entrance. There is no overall impact in the funding of the capital programme as the costs will be met from the general properties reserve (September monitoring report) 20,000

Resort Flood Gates - replace the flood boards with flood gates. There is no overall impact in the funding of the capital programme as the costs will be met from existing capital reserves (November monitoring report) 75,000

Revised Capital Programme 2013/2014 17,853,350

2.3 A summary of the monitoring position of the budget to 30 November 2013 is shown in the table below:

	Revised Capital Programme 2013/2014 £	Expenditure to November 2013 £	Spend %
Community & Democracy	1,044,310	213,994	20.49
Environmental Improvement & Protection	1,247,050	1,328,164	106.50
Housing General Fund	2,757,600	990,819	35.93
Joint Venture	7,293,500	1,016,822	13.94
Leisure Services	498,900	280,967	56.32
Performance & Resources	1,179,840	555,878	47.11
Regeneration	2,666,100	527,451	19.78
Safer & Healthy Communities	1,166,050	13,381	1.15
Total	17,853,350	4,927,476	27.60

2.4 Service managers have undertaken a detailed review of commitments against all current schemes and budgets have been reduced where possible to reflect updated requirements. Approval is requested for amendments of £1,312,850 and rephasing of £6,506,500 to the 2013/2014 capital programme as summarised in the table below and detailed in sections 2.5 and 2.6.

Portfolio	Revised Budget 2013/2014 November Monitoring £	Amendments £	Rephasing £	Revised Budget 2013/2014 £
Community & Democracy	1,119,310	(13,000)	(377,000)	729,310
Environmental Improvement & Protection	1,247,050	450,830	(42,800)	1,655,080
Housing General Fund	2,757,600	(87,600)	(440,000)	2,230,000
Joint Venture	7,293,500		(3,265,800)	4,027,700
Leisure Services	498,900	27,970	(56,000)	470,870
Performance & Resources	1,104,840	(51,200)	(145,000)	908,640
Regeneration	2,666,100	1,015,900	(1,179,900)	2,502,100
Safer & Healthy Communities	1,166,050	(30,050)	(1,000,000)	136,000
Total	17,853,350	1,312,850	(6,506,500)	12,659,700

2.5 The proposed amendments to the capital programme 2013/2014 are –

Community and Democracy

The major amendments relate to:

- Community Projects – no applications for projects were processed in 2013/2014 – budget provision of £20,000 is retained for World War I commemorations, overall budget saving of £54,000
- Princess Theatre – Budget provision of £41,000 for projection equipment and building works (delegated decision report)

Environmental Improvement and Protection

The major amendments relate to:

- Refuse and Recycling – Higher than originally estimated cost of replacement black bins for the new contract, £299,000. Budgets for replacement of communal, composting and trade bins reallocated from revenue to capital, £92,700. There is no overall impact on the financing of the capital programme as these costs are funded through unsupported borrowing and the revenue impact is included in the revenue budgets 2013/2017.
- Public Cleansing - Amendments have been made to reflect updated vehicle replacement schedules, £59,130. There is no overall impact on the financing of the capital programme as these costs are funded through unsupported borrowing and the revenue impact is included in the revenue budgets 2013/2017.

Housing

The major amendments relate to:

- Private Sector Housing Assistance – budgets amended to reflect current requirements, an overall budget reduction of £253,100 has been made.
- Warmer West Norfolk – this Government funded scheme was rephased from 2012/2013 and is fully funded by grant monies. The cost of the scheme is £185,500 and there is no overall impact on the financing of the capital programme as the grant monies received in 2012/2013 are held in reserves.
- Sewerage infrastructure and surface water drains – a contingency budget of £20,000 was included in the capital programme following the housing stock transfer. This budget has now been deleted.

Leisure Services

The amendments relate to:

- Corn Exchange – increased budget of £10,000 for the refurbishment of the café/bar and £1,200 for the replacement roof top chiller. There is no overall impact on the financing of the capital programme as these costs are funded through unsupported borrowing and reserves. The revenue impact of the unsupported borrowing charge is included in the revenue budgets 2013/2017.
- Leisure software – increased budget of £17,000 for software/handhelds for enhancements to booking system for swimming lessons. There is no overall impact on the financing of the capital programme as these costs are funded from renewals reserves.
- St James Swimming Centre – replacement automatic doors removal of unused residual budget, £230.

Performance and Resources

The main amendments reflect revised spending requirements for works to council buildings.

Scheme	Addition/ (Deletion) £
Disability Discrimination Act works to Council buildings	(40,000)
King's Court – Front Lobby	(17,000)
King's Court – Externalisation of Downpipes	(60,000)
King's Court – Toilet Refurbishment	60,000
ICT Programme	25,800
Derelict Land and Buildings	(20,000)
Total Performance and Resources	(51,200)

Regeneration

The main amendments reflect revised spending requirements for the major regeneration projects. In addition section 106 contributions are now reported as part of the funding and the gross cost reported through the capital programme.

Scheme	Addition/ (Deletion) £
Road widening adjacent to QE hospital	200,000
Access Road Edward Benefer Way/Lynnsport	80,000
Major Housing Development – Procurement Phase	85,000
Section 106 contributions now reported in funding	500,900
St. Margaret's Townscape Heritage Initiative	150,000
Total Regeneration	1,015,900

Safer and Healthy Communities

The budget for the replacement bridge at Hardwick cemetery has been reduced by £30,050 as the works cost less than originally estimated.

- 2.6 The review of the capital programme has identified schemes that, although provisionally set for 2013/2014 will not be completed in the year. The areas for the proposed rephasing are -

Scheme	Rephasing to/(from) 2013/2014 £
Car Parks - Resurfacing	(54,000)
CCTV Wireless Transmission and Camera Replacement	(260,000)
Resort – Vinyl and Banner Printer	12,000
Sports Pavilion - Kingsway	(75,000)
Total Community and Democracy	(377,000)
Environmental Monitoring	(42,800)
Total Environmental Improvement and Protection	(42,800)
Private Sector Housing Assistance	(300,000)
Sewerage Treatment Works – connect to public sewer	(140,000)
Total Housing General Fund	(440,000)
Health and Safety – Council Facilities	(15,000)
Stock Condition Works	(145,000)
King's Court – Relocate Post Room	(15,000)
King's Court – Externalisation of Downpipes	30,000
Total Performance and Resources	(145,000)

Scheme	Rephasing to/(from) 2013/2014 £
Leisure Card - Gladstone server Platform Upgrade/learn 2 system	(15,000)
Lynnsport - Car Park and Path Repairs	(41,000)
Total Leisure Services	(56,000)
Historic Town Wall	(10,000)
Hunstanton Regeneration	20,000
Works to Oldsunway Bridge	(20,000)
Section 106 schemes	(310,900)
Small regeneration projects	(30,000)
NORA	(79,000)
Housing Developments	(60,000)
Enterprise Centre	(500,000)
Harwick Industrial Estate unit 55/56 - externalise drainage downpipes	(40,000)
St. Margaret's Townscape Heritage Initiative	(150,000)
Total Regeneration	(1,179,900)
St Edmunds Church DMkt - relocating grave stones	(30,000)
Mintlyn Crematorium - Replace existing 3 Cremators	(970,000)
Total Safer and Healthy Communities	(1,000,000)
Joint Venture	(3,265,800)
Total Capital Programme	(6,506,500)

3. Capital Programme 2014-2016

- 3.1 This part of the report deals with the medium-term capital programme 2014-2016 and first looks at a revision to the current approved programme. The full Capital Programme 2014-2016 was last reported at the Cabinet meeting on 17 June 2013 and is summarised in the table below.

Portfolio	Revised Budget 2014/2015 £	Revised Budget 2015/2016 £
Community & Democracy	1,358,870	1,043,270
Environmental Improvement & Protection	97,800	96,930
Housing General Fund	1,191,500	1,222,000
Performance & Resources	230,000	220,000
Regeneration	1,320,000	185,000
Safer & Healthy Communities	1,300,000	0
Joint Venture - Housing	2,441,410	0
Total	7,939,580	2,767,200

3.2 Following the detailed review of the Capital Programme, it is proposed that the following amendments and rephrasing are made in 2014-2016.

Amendments have been made to a number of schemes as to reflect updated costs and timing of vehicle and equipment replacement schedules, other major amendments include –

- Community Projects – budget reduced in all years of the programme by £24,000
- Downham Market Leisure Centre – new fitness suite not being progressed at this time and budget deleted from programme, £60,000 2014/2015 and £500,000 2015/2016
- Sports Pavilion – Kingsway – budget increased by £25,000 to meet updated scheme costs
- Town Hall/Archive project – programme updated for revised scheme costs and lottery funding, £60,000 in 2014/2015 funded from the town hall repairs and renewals reserve and £2,026,850 in 2015/2016 met from lottery grant and third party contributions as detailed in separate report on this Cabinet agenda.
- Refuse and Recycling - budgets for replacement of composting and recycling bins reallocated from revenue to capital, £75,000 2014/2015 and £43,000 2015/2016. There is no overall impact on the financing of the capital programme as these costs are funded through unsupported borrowing and the revenue impact is included in the revenue budgets 2013/2017
- Section 106 contributions for regeneration projects are now reported as part of the funding and the gross cost reported through the capital programme, £1,261,290 in 2014/2015.
- Access Road Edward Benefer Way/Lynnsport - £281,170 in 2014/2015 as detailed in report to Cabinet on 14 January 2014.
- Major Housing Development – procurement phase, budget provision included in 2014/2015 of £83,000
- Enterprise Centre Ground Works – budget provision of £100,000 in 2014/2015 was approved at Cabinet on 3 September
- Townscape Heritage Initiative – the capital programme has been increased by £100,000 per annum over the five year project lifetime as reported to Cabinet on 14 January 2014. The 2014/2015 programme has increased by £50,000 and 2015/2016 by £100,000.

Rephasing is proposed where schemes have been carried forward to/from 2013/2014 as detailed in sections 2.2 and 2.6, or where schemes are now not expected to be completed as originally planned in 2014/2015 and 2015/2016. Other areas of major rephasing include –

- Downham Market Leisure Centre – replacement fitness equipment rephased from 2014/2015 to 2015/2016, budget provision included of £120,000
- King’s Lynn Town Hall/Archive budget provision of £410,000 to be rephased to 2015/2016 as a decision on the Heritage Lottery funding will not be known until June 2014 and the works would then commence in March 2015.
- Enterprise Centre Ground Works – budget provision of £150,000 in 2013/2014 and £100,000 in 2014/2015 was approved at Cabinet on 3 September 2013 – the works are now planned to start in 2014/2015 and budgets rephased accordingly

3.3 Joint Venture – NORA Housing – The capital programme was updated in the capital outturn report to Cabinet on 17 June 2013 to include the costs associated with infrastructure works for phases 1 to 3 and construction costs for phase 1 of the Joint Venture which was approved at Cabinet on 6 June 2012. The capital programme 2013/2014 and 2014/2015 have been updated to reflect the current expenditure cash flows. It is anticipated that the first houses will be marketed for sale in February 2014 and the initial capital receipts achieved in early 2014/2015. The capital programme includes only construction costs and capital receipts for phase 1 of the development – a separate report will be required to Cabinet for approval before construction can proceed to phases 2 and 3.

3.4 Major Housing Development – Cabinet at the meeting on 30 July 2013 approved capital budget provision of £168,000 to take the major housing development to the procurement award stage. A further report will be required to Cabinet to consider and evaluate the risk and financial implications of the bids and consider the final proposals. The capital programme will need to be updated at that stage with the costs of any works required to progress the major housing development.

4. Capital Programme 2016/2017 and New Bids on the Capital Programme 2014-2017

4.1 In refreshing the Financial Plan it is customary to add a third year to the capital programme that is set against available capital resources. Schemes required to maintain the current levels of service are included in the programme for 2016/2017. In addition the 2016/2017 programme includes schemes rephased from earlier years, including the £1.9m for utilities at the NORA site.

4.2 Given the current financial position of the Council and the limited capital resources available, new bids on the capital programme have had to be controlled.

4.3 The following additional schemes are proposed for inclusion in the 2014-2017 capital programme:

	2014/2015	2015/2016	2016/2017
	£	£	£
Maintenance Schemes			
Schemes which require funding:			
Downham Market Leisure Centre – Refurbishment of Ladies Changing Rooms	15,000		
Hardwick Narrows – New Grounds Nursery – health and safety and operational requirement	120,000		
Supports the Corporate Business Plan ‘stimulate business growth and investment’			
Hunstanton – Regeneration			60,000
Total	135,000	0	60,000

5. Capital Programme 2013/2017

5.1 The table below summarises the revised Capital Programme 2012-2016 including all amendments, rephasing and new bids detailed above. The detailed Programme 2013-2017 is presented at Appendix 1. The table shows the revised capital programme in a new format that has moved away from the past themes such as Community and Democracy and Environmental Improvement and Protection. Capital projects, including section 106 funded schemes and joint venture arrangements are shown under Major Projects and all operational schemes are shown under the appropriate Executive Director.

	Programme 2013/2014	Programme 2014/2015	Programme 2015/2016	Programme 2016/2017
	£	£	£	£
Major Projects	6,235,600	11,130,780	1,630,900	2,129,000
Central and Community Services	2,251,100	1,296,000	1,437,000	1,522,160
Chief Executive	569,200	95,000	60,000	60,000
Commercial Services	2,698,260	1,269,670	654,200	1,186,570
Environment and Planning	6,000	42,800	0	0
Resources	899,540	625,500	400,000	235,000
Total	12,659,700	14,459,750	4,182,100	5,132,730

6. Capital Resources 2013-2017

- 6.1 The report to Cabinet on the 17 June 2013 updated the total capital resources available for the period 2013 to 2016. The available resources have been updated to include those that become available in 2016/2017, against which capital bids would be considered. It has been possible to fund the proposed capital programme 2013/2017.
- 6.2 The Table below provides details of the revised estimated capital resources for the period 2013-2017, updated for amendments and rephasing detailed in sections 2 and 3 above and new bids detailed in section 4 above. Where rephasing is made between years, the funding will follow. Where external borrowing is required the borrowing costs are included in the revenue estimates. The revenue budget will be amended as part of the estimates process to reflect this position. These changes are reported as part of the Financial Plan 2013/2017 on this Cabinet Agenda.

	2013/2014	2014/2015	2015/2016	2016/2017	Total
	£'000	£'000	£'000	£'000	£'000
Sources of Finance:					
Specific Capital Grants	577	604	604	604	2,389
Capital Receipts Housing	150	150	150	150	600
Capital Receipts General	787	3,639	1,900	200	6,526
External Borrowing	1,299	1,970	0	0	3,269
Resources for Specific Schemes:					
Reserves	1,250	1,152	288	410	3,100
Unsupported Borrowing	782	514	712	587	2,595
Salix	57	0	0	0	57
S106 Funds	190	1,546	26	0	1,762
Reserves:					
Capital Reserves	822	0	0	537	1,359
Useable Capital Receipts	1,097	(733)	502	231	1,097
VAT Shelter	1,621	0	0	2,414	4,035
Joint Venture – NORA Housing					
Sale Receipts	0	7,965	0	0	7,965
External Borrowing	4,028	(2,347)	0	0	1,681
Total Resources Available	12,660	14,460	4,182	5,133	36,435
Revised Capital Programme	12,660	14,460	4,182	5,133	36,435
(Available)/Shortfall in Funding	0	0	0	0	0

6.3 Clearly the council's commitment to a number of major projects means that the disposals programme and generation of capital receipts, and securing external funding from for example the LEP and lottery funding is crucial.

7. Equality Impact Assessment

7.1 The Council has a statutory requirement to carry out Equality Impact Assessments (EIAs) as part of the service planning and policy proposal processes. This includes significant policy or significant changes to a service and includes potential capital bids, revenue growth bids and proposed reductions in service.

- 7.2 The Council may be required to carry out an impact assessment if the proposal impacts on any of the following:
- Equalities (including impact on issues of race, gender, disability, religion, sexual orientation, age)
 - Community cohesion (whether there is a potential positive or negative impact on relations between different communities)

7.3 The relevant service managers, with the assistance of the Policy officers, review each capital programme scheme to check and assess any impact of the intended outcome. Although a provisional capital budget will be included in the capital programme, it will be necessary for a report on the impact to be made to Cabinet before the scheme progresses.

8. Prudential Framework

8.1 The Prudential Framework for local authority capital investment was introduced as part the Local Government Act 2003 with effect from the 1 April 2004. The key objectives of the Prudential Code are to ensure, within a clear framework, that the capital investment plans of the Council are affordable, prudent and sustainable. The Council will need to demonstrate that treasury management decisions are taken in accordance with good professional practice and that local strategic planning, asset management and proper option appraisal is supported.

8.2 Within the Revenue Budget 2013-2017 the Council will enter into unsupported borrowing where it can demonstrate that financial savings can be achieved by outright purchase of equipment, as opposed to the use of an operating lease and the payment of an annual lease. The Capital Programme 2013-2017 includes details of the borrowing under the framework and this is confirmed as being affordable and is included within the Budget and Council Tax calculations.

8.3 The proposed borrowing will be met within the Prudential Indicators set as the Operational Boundary (Limit of Borrowing) under the Treasury Management Strategy. The current Operational Boundary in 2013/2014 is set at £20m with a maximum of 60% of the total value being held as short term loans or variable rate loans. The revised Strategy for 2014/2015 will be submitted for approval to Council in March 2014 and will take account of any future borrowing requirements.

9. Financial Implications

9.1 The financing arrangements for the capital programme are within budget. Where rephasing is to be made then the funding will follow.

9.2 The revenue implications of all capital schemes will be included in the estimates to be reported to the Cabinet meeting on 5 February 2014.

10. Risk Implications and Sensitivity Analysis

- 10.1 Risk is inherent in any projection of future funding. The estimated resources available to fund the capital programme 2013-2017 and the risk implications and sensitivity/consequences are detailed in the table below. The level of risk is based on the impact on the funding of the capital programme 2013-2017 if the resources are not achieved at the estimated level or at the time expected. This section updates the position as reported in the Capital Programme and Resources 2013-2016 report to Cabinet on 17 June 2013.

Source of Funding	Risk Implications and Sensitivity	Level of Risk
Capital Grant	<p>Risk The capital grant and specific grant included in the resources is a contribution towards housing capital expenditure and Disabled Facilities Grants (DFG). The level of grant included for 2013/2014 and 2014/2015 is based on the confirmed level of grant and future years are included at this the same level as 2014/2015. The level of grant is confirmed by Central Government annually and can vary from year to year.</p> <p>Sensitivity/Consequences This funding represents 7% of total general fund resources over the 4 year period. If the level of grants were to vary significantly the budget allocated for DFGs and the proposed schemes within the programme would need to be revised</p>	Medium
Capital Receipts	<p>Risk Capital receipts represent 41% of the general fund resources available over the 4 year period 2013-2017. The actual amount and timing of capital receipts can vary significantly. The achievement of capital receipts is monitored and reported in the monthly monitoring reports to ensure no over commitment.</p> <p>Sensitivity/Consequences Capital receipts represent a high proportion of the total general fund resources available to fund the capital programme. The actual level of capital receipts that are achieved is sensitive to market conditions including demand for land and buildings, values and interest rates. The sum total of capital receipts included in the funding table of £7.1m plus £7.9m of sales receipts from the housing joint venture, is a challenging target in the current economic climate. In the event that capital receipts are not achieved at the level or within the year estimated it may be necessary to take on additional temporary borrowing at the prevailing interest rates.</p>	High

Source of Funding	Risk Implications and Sensitivity	Level of Risk
Unsupport- ed Borrowing	<p>Risk The proposed capital programme 2013-2017 includes unsupported borrowing for the purchase of equipment and vehicles.</p> <p>Sensitivity/Consequences The Council will enter into unsupported borrowing where it can demonstrate that financial savings can be achieved by outright purchase of equipment, as opposed to the use of an operating lease and the payment of an annual lease.</p>	Low
Temporary Borrowing	<p>Risk Temporary borrowing is included for cash flow purposes to ensure a balanced funding of the capital programme in each of the financial years and in advance of capital receipts.</p> <p>Sensitivity/Consequences The actual required temporary borrowing will depend on rephasing in the capital programme and capital receipts achieved in each year. Temporary borrowing will be maintained at the minimum level required and reported as part of the outturn. The cost of funding the temporary borrowing is included in the revenue budget and is confirmed as affordable.</p>	Low
External Borrowing	<p>Risk £3.3m of external borrowing is included in the resources available for the capital programme. The external borrowing will fund the purchase of the black bins and the cost of works to replace the cremators at Mintlyn. The borrowing costs are included in the revenue budget.</p> <p>Sensitivity/Consequences Fixed term external borrowing will be taken and drawn down as expenditure is required and rates are favourable – it is intended to take borrowing through market loans or PWLB depending on rates.</p>	Low

Source of Funding	Risk Implications and Sensitivity	Level of Risk
Reserves	<p>Risk Contributions from reserves are based on actual balances as at 1 April 2013. In the case of the VAT Shelter, the Council receives a share of the VAT recovered by Freebridge Community Housing from housing improvement works. The monies are held in reserve and will be used to fund capital expenditure. The amounts included in the resources for the period 2013-2017 are based on the continuing programme of improvement works being carried out towards the decent homes standard. The final year of monies being received under the VAT sharing agreement is 2015/2016.</p> <p>Sensitivity/Consequences The reserves are available and as such the sensitivity is low. In the case of the VAT Shelter there is a contractual agreement between the Borough and Freebridge Community Housing for the sharing of VAT reclaimed. In the event that the VAT share was not received as estimated in the capital resources, temporary borrowing would be incurred to ensure a balanced funding of the capital programme in each of the financial years.</p>	Low

10.2 Experience shows that the costs of schemes can also vary. Expenditure on the capital programme is included as part of the monthly monitoring report. Any significant variations on individual schemes will be reported and appropriate action taken

11. Policy Implications

The establishment and management of the capital programme is in accordance with the Council's Capital Strategy 2009.

12. Statutory Considerations

None

13. Consultations

Management Team

14. Access to Information

Cabinet Reports
Financial Plan 2012-2016
Monthly Monitoring Reports 2013/2014

Capital Programme 2013-2017				Appendix 1
Scheme Title	Revised Programme 2013/2014	Revised Programme 2014/2015	Revised Programme 2015/2016	Programme 2016/2017
	£	£	£	£
<u>Major Projects</u>				
<u>S106 Funded Projects</u>				
Tesco Gaywood £50,000				
Finger Posts expended 2012/2013 £9,100				
Car Parks and Visitor Signage		25,000		
To be allocated public realm enhancements			15,900	
Tesco Hardwick £898,790				
Bus Station Improvements		500,000		
Market Contributions - Enhancing KL markets		90,000		
Town Centre Promotion - Marketing/events		50,000		
CCTV - Extend / upgrade system	20,000	38,790		
Town Centre public realm / signage / shop frontage improvements:				
Saturday market place refurbishment		190,000		
To be allocated public realm enhancements			10,000	
Sainsbury Hardwick £822,500				
Car Park Intelligent Signage	100,000	90,000		
Environmental Enhancements:				
Inner Purfleet	70,000			
To be allocated environmental enhancements		30,000		
Bus Station Improvements		500,000		
CCTV - Extend/upgrade system		32,500		
Total S106 Funded Projects	190,000	1,546,290	25,900	
<u>Other Major Projects</u>				
Sports Pavilion, Kingsway - Replacement	149,250	174,250		
<i>Third Party Contribution - Sport England</i>	(74,250)	(74,250)		
Net Expenditure - Sports Pavilion, Kingsway	75,000	100,000		
Town Hall / Archive	186,000	100,000	2,436,850	
Saturday Market Place Enhancements		160,000		
<i>Third Party Contribution - NCC public realm</i>		(60,000)		
<i>Third Party Contribution - Fundraising</i>			(181,850)	
<i>Third Party Contribution - Heritage Lottery Grant</i>	(126,000)		(1,845,000)	
Net Expenditure - Town Hall / Archive	60,000	200,000	410,000	

Scheme Title	Revised Programme 2013/2014	Revised Programme 2014/2015	Revised Programme 2015/2016	Programme 2016/2017
	£	£	£	£
<u>Other Major Projects Contd</u>				
Townscape Heritage Development Phase	60,260	7,500		
<i>Third Party Contribution - Townscape Heritage</i>	(37,760)			
Net Expenditure - Townscape Heritage Project	22500	7500		
Townscape Heritage Initiative		200,000	400,000	400,000
Heritage Lottery Funding		(100,000)	(200,000)	(200,000)
Net Expenditure - Townscape Heritage Initiative		100,000	200,000	200,000
Tuesday Market Place Refurb	915,400			
<i>NCC Contribution to St Lighting</i>	(10,000)			
Net Expenditure - Tuesday Market Place	905,400			
Nar Ouse Regeneration Area				
Remediation	50,000	25,000	25,000	
Millienium Community Construction	60,000			
Utilities				1,900,000
Landscaping	30,000	30,000	30,000	29,000
Marketing	10,000	10,000		
Other Project Costs	40,000	40,000	40,000	
Total Nar Ouse Regeneration Area	190,000	105,000	95,000	1,929,000
Joint Venture / Housing Developments	60,000	60,000		
Road Widening Works adjacent to QE Hospital	300,000			
<i>Third Party Contribution</i>	(100,000)			
Net Expenditure - Road Widening adjacent QE hospital	200,000			
Access Road - Edward Benefer Way / Lynnsport (shovel ready)	80,000	281,170		
Lynnsport - Works to allow development of Land		200,000		
Lynnsport - Resite hockey pitch	210,000	210,000		
Major Housing Development - Procurement Phase	85,000	83,000		
Enterprise Centre - Ground Works		150,000	100,000	
Enterprise Centre		500,000	500,000	
Mintlyn Crematorium - Replace existing 3 Cremators	130,000	1,970,000	300,000	
Total Other Major Projects	2,017,900	3,966,670	1,605,000	2,129,000

Scheme Title	Revised Programme 2013/2014	Revised Programme 2014/2015	Revised Programme 2015/2016	Programme 2016/2017
	£	£	£	£
<u>Joint Venture - NORA Housing</u>				
Phase 1 - Ground and Infrastructure Works	634,440	652,430		
Phase 1 - Construction	2,371,890	3,388,040		
Phase 1 - Project Fees	208,400	138,490		
Phase 1 - Land		500,000		
Phase 1 - NCC Contributions	(100,000)			
Phase 2 and 3 - Ground and Infrastructure Works	912,970	938,860		
Total Joint Venture - NORA Housing	4,027,700	5,617,820		
Total Major Projects	6,235,600	11,130,780	1,630,900	2,129,000
<u>Operational Schemes</u>				
<u>Central and Community Services</u>				
Community Projects	20,000	50,000	50,000	50,000
Disabled Facilities grants	746,200	550,000	600,000	650,000
Adapt Grant	967,800	550,000	600,000	650,000
Home Repair Assistance Loan	60,000	60,000	60,000	60,000
Emergency Repair Grant	6,000	6,000	6,000	6,000
Additional Adaptation Assistance Loan	10,000	10,000	10,000	10,000
Careline Grant	30,000	30,000	30,000	30,000
Safe and Secure Grant	30,000	30,000	30,000	30,000
Total Private Sector Housing Assistance	1,850,000	1,236,000	1,336,000	1,436,000
Warmer West Norfolk	185,500			
Careline - Replacement vehicles				26,160
Careline - Replacement alarm units		10,000	10,000	10,000
Care and Repair - Vehicles			41,000	
WNP - Fairstead Centre Point Resurfacing	45,600			
COWA - New University Build	150,000			
Total Central and Community Services	2,251,100	1,296,000	1,437,000	1,522,160

Scheme Title	Revised Programme 2013/2014	Revised Programme 2014/2015	Revised Programme 2015/2016	Programme 2016/2017
	£	£	£	£
Chief Executive				
Public Art - Maritime Trail	10,000			
Tourist Signs A47		25,000		
Hunstanton Regeneration				
Town Centre Enhancement	285,740	40,000	60,000	60,000
Sailing Club Project	82,760			
Town Team	10,000			
Grant	(10,000)			
Net Expenditure - Hunstanton Regeneration	368,500	40,000	60,000	60,000
King's Lynn Waterfront / Regeneration Projects	15,000	30,000		
Pontoons	175,700			
Total Chief Executive	569,200	95,000	60,000	60,000
Commercial Services				
Arts Centre Roof Repairs	32,500			
Car Parks - Pay & Display Machine Replacement	89,600			
Car Parks - Counting Machine - Hunstanton	10,000			
Car Parks - Counting Machine - Kings Lynn	10,000			
Car Parks - Resurfacing		224,500	50,300	209,000
Car Parks - Electronic Handhelds				30,000
Car parks - Vehicles			10,700	
CCTV Control Room Upgrade	70,000			
CCTV Wireless Transmission and Camera Replacement		260,000		
Corn Exchange - Auditorium remedial works				20,000
Corn Exchange - Internal decoration / refurbishment				80,000
Corn Exchange - Emergency Lights	7,100			
Corn Exchange - Refurb / replace café / bar furniture including outside furniture and extend bars	80,000			
Corn Exchange - Front of House Heating	30,000			
Corn Exchange - Front of House / toilets - refurb / replacement equipment / redeck		29,000		
Corn Exchange - Replace current house lighting system				20,000
Corn Exchange - Replace flying trusses			10,000	
Corn Exchange - Replace Followspots			15,000	
Corn Exchange - Replace rooftop chiller unit	49,200			
Corn Exchange - Repoint brickwork				20,000

Scheme Title	Revised Programme 2013/2014	Revised Programme 2014/2015	Revised Programme 2015/2016	Programme 2016/2017
	£	£	£	£
Commercial Services Contd				
Downham Market Leisure Ctr - Air Conditioning Fitness Suite				25,000
Downham Market Leisure Ctr - Hot Water Calorifier				10,000
Downham Market Leisure Ctr - Refurb Toilets	15,000			
Downham Market Leisure Centre - Ladies Changing Room Refurb		15,000		
Downham Market Leisure Centre - Flooring Replacement	20,000			
Downham Market leisure Centre - Replacement Fitness Equipment			100,000	
Downham Market Leisure Centre - Replacement Spin Bikes			20,000	
Grounds Maintenance Equipment	40,220	43,370	71,690	63,480
Grounds Maintenance Vehicles	124,490		63,700	309,790
Guildhall - Replace lighting system		20,000		
Leisure Card - Gladstone server Platform Upgrade / learn 2 system	41,100	15,000		
Lynnsport - Car Park & Path Repairs		41,000		
Lynnsport - Floor / Surface Replacement - General areas / Athletic track / Gymnastics			84,000	
Lynnsport - Replacement PA system	19,600			
Lynnsport - Barn / track area asphalt / slabs replacement		10,000		
Lynnsport - Equipment	10,000		8,880	
Lynnsport - Extension / layout existing car park	10,000	190,000		
Lynnsport - Female changing room refurbishment	15,000			
Lynnsport - Fire Alarm System Upgrade	8,600			
Lynnsport - Fitness Area - replacement air conditioning		10,000		
Lynnsport - Fitness equipment spin bikes				11,000
Lynnsport - Replacement of Track Sweeper		10,000		
Lynnsport - Retractable seating	25,000			
Lynnsport - Skatepark replacement ramps				50,000
Lynnsport - Sports Hall - Heating Replacement		15,000		
Lynnsport - Sports Hall - Retractable Dividing Wall	10,000			
Lynnsport - Front Entrance	40,000			
Lynnsport - Parking Barrier				12,000
Oasis - Cafeteria & Poolside Furniture			20,000	
Oasis - Fitness Equipment Replacement				125,000
Oasis - Funcastle Vinyl products replacement			15,000	
Oasis - Plant Room Refurbishment				37,500
Oasis - Pool Covers / Jacuzzi Refurb		20,000		

Scheme Title	Revised Programme 2013/2014	Revised Programme 2014/2015	Revised Programme 2015/2016	Programme 2016/2017
	£	£	£	£
Commercial Services contd				
Play Activities	11,000			
Play Areas - Replacement Equipment	30,000	30,000	30,000	30,000
Princess Theatre	41,000			
Resort - Beach Safety Signage			15,000	
Resort - Refurb Crazy Golf Course	18,500			
Resort - Vinyl & Banner printer	12,000			
Resort - Promenade flood defence gates	75,000			
St James Pool - Floor / surface replacements		14,000		
St James Pool - Replacement automatic entrance doors and windows	270			
St James Pool - Boiler Replacement	90,000			
St James Pool - Fitness Equipment				60,000
Public Conveniences - Improvements	24,000	27,500		
Refuse - Black 240 litre bins for new contract	1,299,000			
Refuse - Black bins				30,800
Refuse - Communal Waste Containers	45,000			
Refuse - Brown Composting bins (replacements)	37,100	15,000	15,000	15,000
Refuse - Green Recycling bins		60,000	28,000	28,000
Refuse - Trade Bins	10,600			
Street Lighting - Saturday market places KL		10,000		
Public Cleansing Sweepers / Vehicles	165,100	60,300	84,400	
Public Cleansing Equipment			12,530	
Neighbourhood Teams vehicles and equipment	74,280			
New Nursery Hardwick Narrows		120,000		
King's Lynn Depot - Fencing	2,000			
St Edmunds Church DMkt - Relocating grave stones		30,000		
Hardwick Rd Cemetery - Replacement Bridge	6,000			
Total Commercial Services	2,698,260	1,269,670	654,200	1,186,570
Environment and Planning				
Environmental Monitoring		42,800		
Decommission flood warning sirens	6,000			
Total Environment and Planning	6,000	42,800		

Scheme Title	Revised Programme 2013/2014	Revised Programme 2014/2015	Revised Programme 2015/2016	Programme 2016/2017
	£	£	£	£
Resources				
Estate Roads - Resurfacing (former HRA)	10,500	10,500	10,000	10,000
STW - Refurb / connect to public sewer	134,000	140,000		
STW - Decommission redundant sites / Refurb pumping stations	50,000	25,000	25,000	25,000
DDA stage 2 works	20,000		20,000	
Health and Safety - Council Facilities		15,000		
Stock Condition Priority Works	29,000		145,000	
ICT Development Programme	424,040	150,000	150,000	150,000
ICT Microsoft Enterprise Agreement	50,000	50,000	50,000	50,000
King's Court - Relocate Post Room to Ground Floor		15,000		
King's Court - Front Doors / Lobby	25,000			
King's Court - Toilet Refurbs	140,000			
King's Court - Lightning Protection	17,000			
Historic Town Wall		10,000		
Works to Oldsunway Bridge		20,000		
North Lynn Industrial Estate - 1-8 Brygen Rd reroof		150,000		
Hardwick Industrial Estate unit 55/56 - Externalise drainage downpipes		40,000		
Total Resources	899,540	625,500	400,000	235,000
Total Operational Schemes	6,424,100	3,328,970	2,551,200	3,003,730
Total Capital Programme	12,659,700	14,459,750	4,182,100	5,132,730

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary	(a) Be entirely within cabinet's powers to decide YES (b) Need to be recommendations to Council NO (c) Be partly for recommendations to Council NO and partly within Cabinets powers –		
Lead Member: Cllr N Daubney & Cllr Mrs E Nockolds E-mail: cllr.nick.daubney@west-norfolk.gov.uk & cllr.elizabeth.nockolds@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr David Pope, Cllr Alistair Beales		
Lead Officer: Chris Bamfield E-mail: chris.bamfield@west-norfolk.gov.uk Direct Dial: 01553 616648		Other Members consulted: REC Panel		
Other Officers consulted: David Thomason, Ray Harding, Les Miller, Mark Fuller, Pam Lynn, Martin Chisholm, Ostap Paparega, Geoff Hall, Alistair Cox				
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 5th February 2014

3 KING'S LYNN TOWN HALL AND PUBLIC REALM

Summary

The report details the proposals for a Public Realm Scheme to enhance the Saturday Market Place and the project for the King's Lynn Town Hall to be submitted to the Heritage Lottery Fund (HLF) for grant aid.

Recommendation

That Cabinet:

- 1) Approve the proposals for the Saturday Market Place
- 2) Approve the Stage 2 application to the HLF for the Town Hall including an additional contribution of £60,000 from the Town Hall reserves.
- 3) Agree that in the event of a successful award from the HLF that the Council undertake to meet any shortfall in this project to enable the project to progress.
- 4) Delegate authority to the Executive Director of Commercial Services in consultation with the Portfolio Holders for Health and Wellbeing, Assets, Resources, Regeneration to make any minor amendments to the scheme prior to its final submission to the HLF.

Reason for Decision

To enable an application from grant aid to be made to the HLF and improvement works to be carried out to King's Lynn Town Hall and Public Realm.

1. Background

- 1.1 In May 2013 the Council received Stage 1 approval from the Heritage Lottery Fund (HLF) for a scheme to redevelop the King's Lynn Town Hall. The approval included funding of £126,000 towards eligible costs of £176,000 to develop the proposal further to enable a Stage 2 application to be made.
- 1.2 At its meeting on 27th November 2013, the Regeneration, Environment and Community Panel received a detailed report on progress as part of a mid-stage 1 review. The report included presentations on the proposal from the relevant officers from the Borough and County Council and the consultants engaged with the scheme. The Panel resolved that, subject to finance being agreed by all parties, the Regeneration, Environment and Community Panel supported the different elements of the proposals, including:
 - Public realm
 - Architectural proposals
 - Exhibition scheme
 - Activity plan

2. Public Realm

- 2.1 Work has progressed with the County Council to create an overall improvement to the public realm area in the Saturday Market Place and the County Council are undertaking a statutory consultation process during January with regards to the scheme.
- 2.2 Attached at Appendix 1 is a copy of the plan for the Saturday Market Place which is the basis of the consultation. This differs from the plan considered by the Regeneration, Environment and Community Panel:
 - A time limited loading bay has been introduced to the North East of the highway (photo attached at Appendix 2 illustrates the arrangement planned).
 - Reduction of two car parking spaces at the East end of the Market Place following feedback from the Minister to leave 28 spaces in total.
 - Traffic signage details for the junction of Saturday Market Place at Church Street/St James Street. Appendix 2 shows the overall traffic proposals for the area.
- 2.3 Further work has taken place on final costs for the scheme. The County Council have confirmed a contribution of £60,000 towards the costs.
- 2.4 A contribution of approximately £140,000 is sought from the Townscape Heritage Initiative (THI) scheme and a meeting of the THI Partnership Board is due to take place in January to confirm this. A verbal update will be available at the meeting.

2.5 The estimated £500,000 cost of the scheme would be met from:

	£
Car Park Reserve	80,000
Section 106 Public Realm	190,000
Street Lighting KLWN	10,000
DDA Budget	20,000
County Highways	60,000
Townscape Heritage Initiative circa	140,000
	<hr/>
	500,000
	<hr/>
Cost excluding THI	360,000

2.6 On the advice of the HLF the £360,000 cost excluding the THI contribution has been included within the overall Town Hall bid as this has the effect of reducing the overall percentage contribution towards the scheme from the HLF to 63% from originally 72.55% and would make it better value for money in terms of any HLF contribution.

2.7 A verbal update will be available to Cabinet on the results of the County Council statutory consultation process for Saturday Market Place.

3. Town Hall Scheme

3.1 Subsequent to the Regeneration, Environment and Community Panel report feedback has been received from the HLF as part of the mid stage review. The main issue is around the total grant award from the HLF and the value for money of the project. The grant required had risen from £1,690,600 to £1,995,000, just below the £2 million maximum. The HLF commented that while it is not in the best interest of the project to be restricted to the original budget, the Council should take advantage of any opportunities to contain costs within the grant requirement in order to be satisfied that the proposals meet the project needs, constitute a strong case for investment, are cost effective, sustainable and offer value for money.

3.2 A number of options for budget reduction have been identified to the proposals in the mid stage review to attempt to balance the comments from the HLF and achieve a successful grant application:

3.2.1 The original proposals for the activity plan was for three years, but as part of the Stage 1 approval, based on comments from the HLF, this was increased to five years. Given the feedback this has now become four years giving a budget reduction of £50,000.

3.2.2 Change in materials on the new lift/stair extension from glazing to wood cladding gives a budget reduction of £15,000.

3.2.3 Reduction in the CCTV budget from £30,000 to £15,000 gives a budget reduction of £15,000

- 3.2.4 Lighting to the front of the Town Hall at a cost of £10,000 is excluded from the project and to be included in new paving work as part of the Saturday Market Place public realm. Budget reduction of £10,000
 - 3.2.5 Remove decoration of the Stone Hall/Assembly Rooms from the scheme. Budget reduction £20,000.
 - 3.2.6 Do not fit out the multi-purpose area. Budget reduction £40,000
 - 3.2.7 Total reduction of £150,000 with other minor amendments has an overall reduction of the HLF grant from £1,995,000 to £1,850,600 but an increase of £160,000 from the original request of £1,690,600.
- 3.3 In discussions with the Deputy Chief Executive and Executive Director for Resources and the Portfolio Holders it has been determined that items 3.2.5 and 3.2.6 be funded as additional items by the Council from the Town Hall reserves. This increased the cost to the Council by £60,000.
- 3.4 The total scheme cost is estimated at £2,935,579.

4. Architectural Proposals

- 4.1 The Stage I Bid proposal, as required by the HLF, was worked up to RIBA (Royal Institute of British Architects) Work Stage B (Basic Proposals). Following the Stage I approval the design team has commenced developing the proposals to RIBA Work Stage D Detailed Proposals).
- 4.2 To develop the proposals to Work Stage D has required further detailed investigation into the Town Hall structure. This has resulted in the following amendments to the Stage I proposal.
- 4.3 Attached at Appendix 2 is the current proposed Ground Floor Plan.
- 4.4 In the Stage I Bid it was proposed that the Archive be housed in the unused, ground floor, undercroft at the rear of the complex. Following further investigations it is considered that this area of the building is not structurally suitable for a heavy watertight structure required to house the archive.
- 4.5 On reviewing the complex it is considered that the archive document depository should remain in its current location but a larger improved facility. The same area will incorporate a Collections Storage Facility, in developing the Conservation Management Plan it has been suggested that the non-display collections are not housed in ideal conditions and this proposal will address this concern.

- 4.6 The area of the undercroft that was initially identified as the Archive will now become an Archive / Collections Resource Area, this area will provide public access at all times and access to digitised key documents when the archive is not open.
- 4.7 The rear half of the undercroft will become a Flexible Learning and Display Space, complete with toilet provision. This area will provide flexible accommodation that can be utilised by school and educational groups plus flexible display space.
- 4.8 In the Stage I Bid it was proposed to add an extension to the rear of the building to house a lift and stair access. The area of the building that this adjoins, the former pantry (late 18th C – early 19th C) has historically moved and been monitored for several years. To resolve the movement in this part of the building would take considerable expense, before the extension is constructed.
- 4.9 On reviewing the structure it is considered that it could be part demolished, subject to consent from English Heritage, without detrimental effect to the building, it has no significant architectural features and presents a far from pleasing elevation. The new lift and stair extension can then be integrated into the existing building, addressing the comments of English Heritage who had slight concerns over the ‘mass’ of the proposed extension.
- 4.10 Other less significant changes include the proposed ‘opening up’ of the current Regalia area, which will house the new ‘Stories of Lynn’ visitor attraction, to reveal the vaulted undercroft structure. The reopening of two historic door openings to incorporate the current office into the attraction becoming the ‘treasury’ area displaying the King John Cup, silver and Regalia collections.
- 4.11 These items, and the continued use of the main entrance to the Gaol House, are the significant changes to the Stage I Bid proposals in terms of the building.

5. Exhibition Scheme

- 5.1 The project will bring to life the stories from King’s Lynn seafarers to merchants, explorers to adventurers, mayors to magistrates. The exhibition will draw on the outstanding archives of King’s Lynn as well as the Regalia and silver collections of the borough and help create a sustainable high quality heritage resource central to the life of the local community and attractive to visitors.
- 5.2 The vision is to tell the Stories of Lynn through the eyes of the community whose lives are recorded and reflected in the archives, collections and the fabric of the buildings themselves. It aims to create sustainable connections to the other heritage sites and attractions in King’s Lynn and to function, therefore, as a gateway to the next steps in visitors’ exploration of the town.

5.3 The key objectives for interpretation have been defined as follows:

Visitors will:

- Know that much of King's Lynn's history survives in its buildings and collections
- Be able to use the archives and other collections to support their own research
- Feel inspired and wowed by the buildings and collections ('King's Bling')
- Have a sense of pride in King's Lynn's past and present
- Discover King's Lynn and understand the buildings and the changes to the area
- Enjoy discovering the curious and gruesome stories of King's Lynn's criminal past
- Understand the power and control the Corporation had over the land and the sea through its courts

5.4 Through client and stakeholder consultation the key messages have been identified as:

A Gateway to the Stories of Lynn

King's Lynn, its collections and archives are a treasure trove of stories waiting to be discovered.

A Frontier Spirit

Adventure and trade made King's Lynn and defined its people.

Cosmopolitan King's Lynn

King's Lynn's identity has been, and continues to be, shaped by its international connections and communities.

Only King's Lynn

Our pride and sense of belonging to King's Lynn is revealed in our ceremonies, traditions, collections and buildings.

In addition, specific messages relating to the Gaol House are:

The Power in Town and Port

King's Lynn's courts dispensed justice across both land and sea.

The Good, the Bad and the Unrepentant

Discover the curious stories of crime, criminals and their punishments here in the Old Gaol House.

5.5 Visitors will not see the above messages or their titles in the interpretation itself, rather these will guide the decision-making around content for the project team.

5.6 The following interpretive principles arising from consultation have been identified:

- The project will develop and improve the physical and intellectual access to the stories, collections and archives
- There will be layers of content to engage with visitors of varying levels of interest and knowledge
- Flexibility within object displays will be required to enable the removal of key terms of regalia for use in city events / processions etc without impacting on the visitor experience. Alternative access to objects when they are in use elsewhere is therefore required
- Opportunities to place objects on open display are to be encouraged where security and health and safety as well as the care of the objects can be achieved
- Display of the regalia will be to case specifications defined by the Norwich and Norfolk Archives and Museums and informed by insurance requirements
- Visitors will be inspired to research their own history and family tree and will be directed to the opportunities available within the onsite archives and at Norwich
- No original archive documents will be displayed. Facsimile documents will be used (either those already made or new facsimiles will be required). Archives will be further represented through audio of the content and through replicating sections within graphics as images
- Interpretation will be developed taking account of the historic fabric and interiors of the Town Hall and Gaol and guided by the conservation management plan and architect advice
- Mixed use of media including digital and low tech interactives, graphics and collections display to suit all audience needs

6. Activity Plan

- 6.1 A key part of the Stage II HLF funding bid is the development of an Activity Plan. The structure of the Activity Plan is set out in accordance with HLF guidelines and details all of the events and activities which will take place during the life of the project.
- 6.2 The Activity Plan is being produced by Norfolk Museums & Archaeology Service (NMAS), supported by a Working Group, with membership also being drawn from the Borough Council and Norfolk Record Office (NRO).
- 6.3 The Activity Plan has been shaped by the public and stakeholder consultation that has been undertaken for this project, alongside a review of heritage volunteering across King's Lynn. A range of pilot events was successfully delivered in the Town Hall during the school summer holidays, including two 'History Alive!' family living history days and lunchtime talks on archives and fine art. These pilot events attracted nearly 700 participants, which is very encouraging.
- 6.4 The Activity Plan includes proposals for a broad range of HLF-funded activities taking place over a four year period and includes funding for a dedicated Learning & Engagement Officer post. Many of the activities will be delivered in partnership with NMAS and NRO under the terms of

Service Level Agreements. A significant number of the activities will generate income, supporting the development of a sustainable programme once HLF funding ends.

- 6.5 The activities outlined in the Activity Plan are designed to help a broad range of new audiences to engage with the Town Hall including local families, tourists, young people, school children, special interest groups and researchers. The activities will also encourage visitors to explore other heritage sites and attractions across the town.

Proposed activities include:

- ‘Stories of Lynn’ activities, signposting visitors to other heritage sites
- Living history events for families during school holidays
- A range of schools programmes for KS1-3
- Programmes of trails and guided tours, including a regular Sunday tour
- Youth engagement projects, with some accredited for Arts Awards
- ‘Masterclass’ and ‘Meet the Expert’ sessions, exploring the archives
- Volunteer recruitment and development
- Social media and enhanced on-line access to archive and other collections information

7. Timetable

- 7.1 It is intended to submit a Stage II application to the HLF by 10th February 2014. Based on this submission date the key timetable will be;

Cabinet	4 February 2014
HLF Application Deadline	10 February 2014
HLF Decision	June 2014
Progress to final tender/tender works	July 2014 to February 2015
Commence works	March 2015
Completion of works	Early 2016

8. Financial Implications

- 8.1 The total estimated scheme cost is now £2,916,355 including the Saturday Market Place Public realm works.

8.2

	£
Borough Council original contribution	450,000
Borough Council from Town Hall reserves	60,000
Volunteer Time	22,500
Non Cash Contribution	7,000
Fundraising from other schemes	185,479
HLF grant request (63%)	1,850,600
Public Realm BCKLWN	300,000
Public Realm NCC	60,000
TOTAL	2,935,579

Original HLF request £1,690,600 (72.55%)

8.3 Fundraising applications

Additional funding is being sought from other grant bodies to meet the £185,479 target. It is unlikely that a decision on these applications will be available by 5 February. The HLF will require an undertaking from the Borough Council that in the event of a funding shortfall, the Council would act as a backstop to cover this.

	£
1. WREN (NET)	60,000
2. SITA Trust	45,000
3. Big Lottery Fund – Reaching communities	50,000
4. Miscellaneous applications	50,000

- 8.4 In the event that one or all of the above bids are unsuccessful and the Council is obliged to meet any shortfall in the target of £185,479 then it will be necessary to meet any such costs from existing Capital reserves. In preparing the 2013/2017 Financial Plan a sum of £180,000 has been set aside in 2014/15 as a revenue contribution to capital.

9. Consultation

9.1 The Consultative Forum

9.1.1 The Consultative Forum met twice between July and October 2013 and two working groups (with the remit 'Learning and Interpretation' and 'Access Inside and Out') have been formed. These groups have provided useful feedback that has and still is shaping plans relating to interpretation in the permanent exhibition, links to and the cross-promotion of other historic venues in the town, and the involvement of the Town Guides in developing trails that incorporate the Stories of Lynn.

9.1.2 A final meeting of the Consultative Forum took place on 16th January and gave support to the application as detailed in this report.

9.2 Summer Events Programme

9.2.1 History Alive! Events

Both days were designed as pilot events to gauge the level of interest from families, particularly local families, to activities being offered during the school holidays.

9.2.2 There were 325 visits to the Medieval Experience day (157 children and 168 adults), and 268 visits to the Crack the Crime day (127 children and 141 adults). In total, 222 surveys (representing a 37% response rate) were completed by visitors to these events; roughly two thirds were by children under the

age of 16. Approximately 90% of audiences to the two events came in family groups and around 80% of visitors were local to King's Lynn and its environs.

9.2.3 Visitors were very positive about both events. The majority of people had come specifically because they knew about the events in advance, many people were drawn by the opportunity to entertain the whole family for an afternoon, because they had an interest in history and/or to learn something new. Visitors to the Crack the Crime event also indicated that they were attracted by the chance to get involved 'by solving a crime'. Audiences liked the range of activities on offer and the opportunity to get 'hands on'. Their feedback suggests that they experienced many positive outcomes, from an increase in knowledge, improvements in certain skills (e.g. communication, investigation) and plans to follow up their experiences with other activities.

9.2.4 The overwhelming message from visitors was a strong sense of enjoyment. For example, an unsolicited letter from one visitor said *'My girlfriend and I were totally enthralled by the whole event. Young and old totally enjoyed it. Long may these events continue.'* This echoes a further 109 comments from visitors who stated that the Town Hall should continue to offer such events in future. A small number of suggestions were made in terms of further improvements to future events, most visitors reported that they could think of nothing that would improve them.

9.2.5 The demographic data and feedback collected at the event demonstrates that opportunities do exist to build (local) family audiences through an events programme and that this audience is receptive to such activities in future.

9.3 Heritage Open Day and Lunchtime Talks

9.3.1 There were 1292 visits at the Heritage Open Day, anecdotal evidence suggesting that a good proportion (perhaps as much as 10%) were tourists to King's Lynn. Visitors were asked to provide feedback via a survey (38 completed responses were collected) and interview (17 people participated in this). Two lunchtime talks received 123 attendances; the first talk was so popular that a second impromptu slot had to be offered to cope with the number of over-subscribers.

9.3.2 Visitors at the Heritage Open Day were genuinely pleased to be able to see inside the building. They appreciated seeing the architecture, collections, performances of 18th century dancing and learning more from the Town Guides who were on hand that day. Many people said it had lived up to or exceeded their expectations.

- 9.3.3 Audiences at the lunchtime talks reported having had favourable experiences. Many said that as a result of the talks they had learnt something new or planned to follow it up with further research.
- 9.3.4 The majority of people who completed surveys at the event and talks said they would be interested in a future events programme; forty six comments in favour of improved access to the Town Hall were also recorded.

9.4 The Lynn Vote

- 9.4.1 A total of 90 people responded to the online poll, with 89% of them having a local connection to West Norfolk (being a current or previous resident of the area).
- 9.4.2 The 'People's Choice' items reflects things that are unique to the history of King's Lynn and indeed this is the reason that people gave for choosing them.
- 9.4.3 The most popular items were: the King John Cup, the Horn lantern known as 'The Moone', a ducking stool, the Cresswell Tankard, a fairground galloper manufactured by Savages, King John's charter to the burgesses of Lynn and a document about the men of Lynn who fought and died in the Great War. 'Runner up' items include: a portrait of Frederick Savage, a Medieval oak carving from Walter Coney's house in King's Lynn, the King John sword, a human skull without jaw (from a local murdered, Eugene Aram) and a painting showing a view of the Tuesday Market Place.
- 9.4.4 As well as providing an explanation for their choices, people were also able to indicate what further information about the items they would like to have. This has revealed some interesting and thought provoking questions. All such comments therefore will be forwarded to the Exhibition Designers, Norfolk Record Office and Norfolk Museums for the purposes of developing interpretation in the exhibition and trail.

9.5 Consultation with local teachers

- 9.5.1 One response was received from the survey that was sent out to approximately forty five teachers. This teacher commented that they were fairly likely to make use of the Town Hall and its collections to support the learning of pupils in the classroom. However, no strong conclusions can be drawn from this as it is based on feedback from one person. Further consultation with teachers is needed to develop an offer for schools that meets the needs of this audience.

9.6 Interviews with local people about the permanent exhibitions

- 9.6.1 Feedback was collected from forty five people representing a good mix of ages (44% were aged between 25 and 54 years, 51% were aged 55 to 74 years). Just over one quarter of people interviewed had never been inside the Town Hall before.
- 9.6.2 Themes of 'stories' about King's Lynn had been mapped from the available collections. There was good support for all the potential stories. The most popular were: Adventurers and Travellers, King's Lynn Merchants and their Trade, Links to King John, the Archives and what they tell us about King's Lynn people.
- 9.6.3 Whilst there was interest in all the proposed forms of interpretation, the most popular were: Audio Visual touchscreens, Family Friendly Interactives, Projected film, Interactive displays, Characters and Stories on graphics. Essentially the feedback suggests that a mix of interpretation methods will ensure that the needs of a wide range of audiences are met.
- 9.6.4 Ninety one percent of people interviewed agreed that they would visit the Town Hall if the Stories of Lynn project went ahead.
- 9.6.5 People made positive comments about the concept designs for the permanent exhibition space. They liked the sense of space, the mix of old (i.e. the building, the Red Register of Lynn) and new (modern displays), the range of interpretation methods (some of the interactive were particularly popular with children, e.g. the wall of talking portraits, the interactive ship) and being able to walk round displays.

10. Risks

- 10.1 There are a number of risks associated with the project that the Project Team are working to mitigate.
- Obtaining HLF Stage II award.
 - Obtaining third party funding.
 - Securing statutory consents for works to the Listed Buildings.
 - Ensuring effective consultation and public engagement particularly with regard to the Activity Plan and Exhibition display to the satisfaction of the HLF.

11. HLF Application

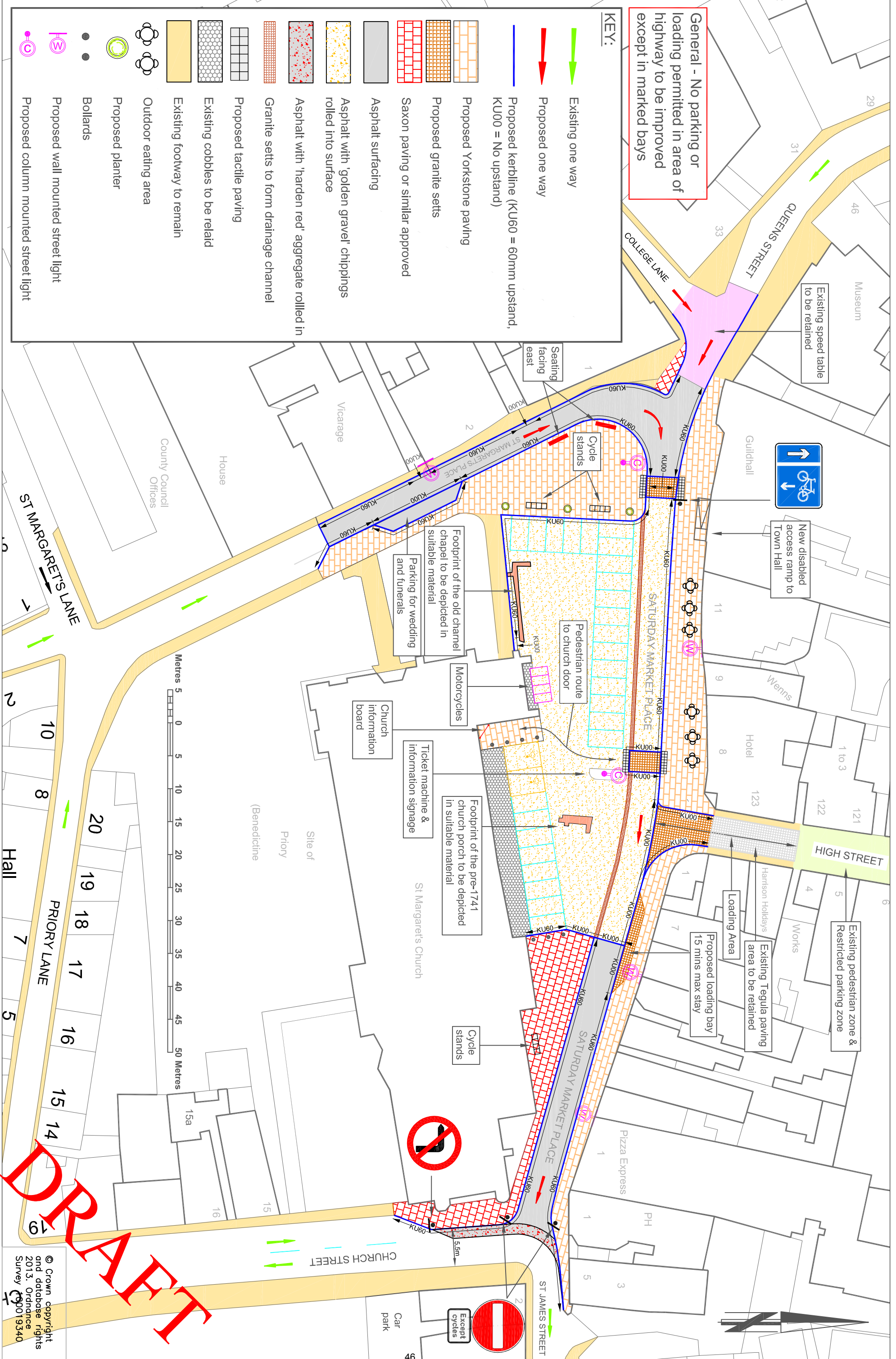
- 11.1 The HLF application deadline is the 10th February and Officers will be working to finalise documentation up to this date.

- 11.2 It is therefore recommended in the report that the Executive Director, Commercial Services, in consultation with the Portfolio Holder for Health and Well Being, Assets, Resources and Regeneration is delegated authority to make any minor amendments to the proposals up to the deadline date.

General - No parking or loading permitted in area of highway to be improved except in marked bays

KEY:

- Existing one way
- Proposed one way
- Proposed kerbline (KU60 = 60mm upstand, KU00 = No upstand)
- Proposed Yorkstone paving
- Proposed granite sets
- Saxon paving or similar approved
- Asphalt surfacing
- Asphalt with 'golden gravel' chippings rolled into surface
- Asphalt with 'harden red' aggregate rolled in
- Granite sets to form drainage channel
- Proposed tactile paving
- Existing cobbles to be relaid
- Existing footway to remain
- Outdoor eating area
- Proposed planter
- Bollards
- Proposed wall mounted street light
- Proposed column mounted street light

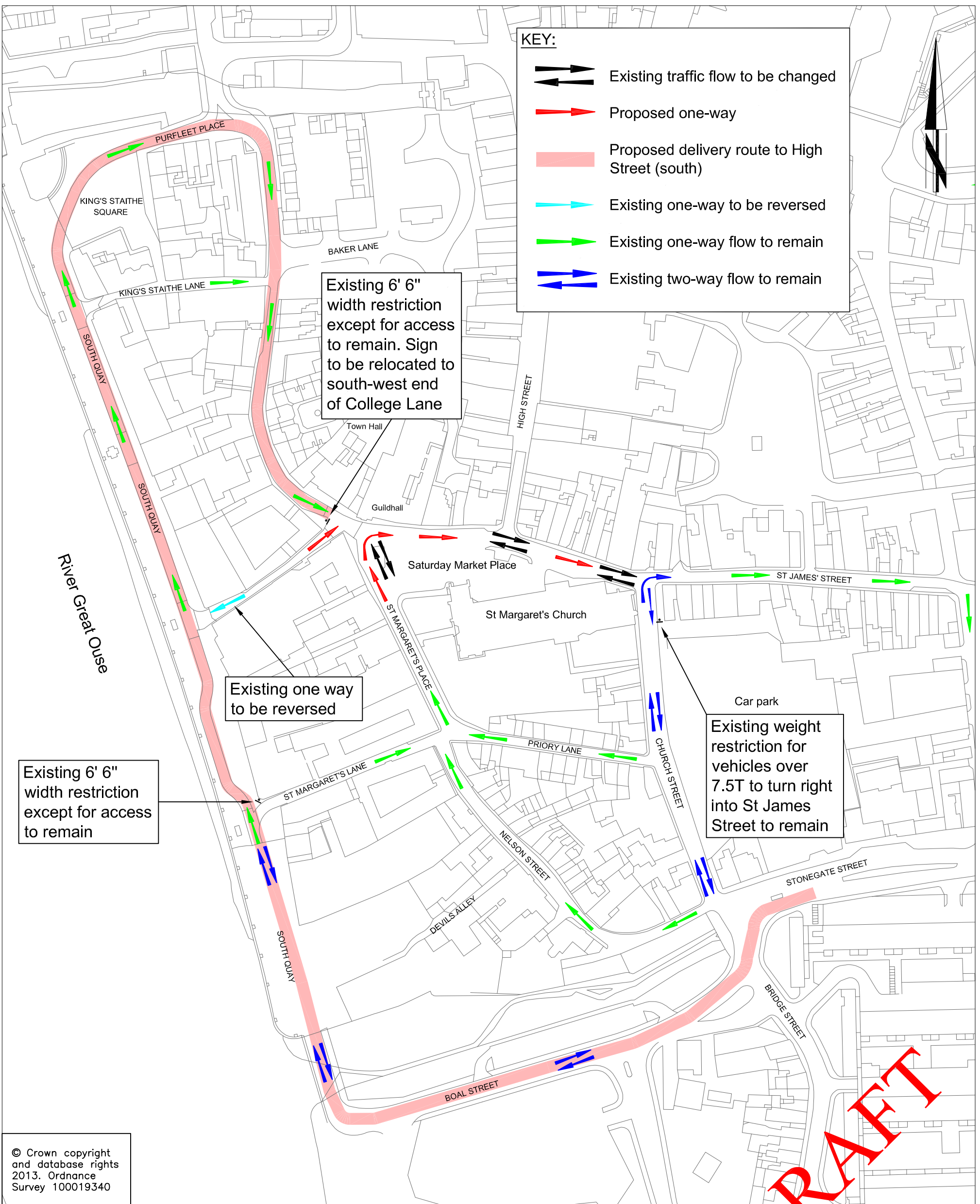


REV.	DESCRIPTION	CHECKED	DATE

INITIALS	DATE	DRAWING No.
OS	2013	PK50064MP-004
DESIGNED BY	08/13	PROJECT TITLE
DRAWN BY	12/13	King's Lynn, Saturday Market Place Pedestrian Improvements
CHECKED BY	TL	SCALE
		1:500 @ A3
		FILE No. PK5006

© Crown copyright and database rights 2013. Ordnance Survey 09019340

DRAFT



KEY:

- Existing traffic flow to be changed
- Proposed one-way
- Proposed delivery route to High Street (south)
- Existing one-way to be reversed
- Existing one-way flow to remain
- Existing two-way flow to remain

Existing 6' 6" width restriction except for access to remain. Sign to be relocated to south-west end of College Lane

Existing one way to be reversed

Existing 6' 6" width restriction except for access to remain

Existing weight restriction for vehicles over 7.5T to turn right into St James Street to remain

© Crown copyright and database rights 2013. Ordnance Survey 100019340

DRAFT

Norfolk County Council
working with

DRAWING TITLE
King's Lynn, Saturday Market Place
Pedestrian Improvements
Proposed one-way changes

Tom McCabe
Interim Director of Environment,
Transport and Development
Norfolk County Council
County Hall
Martineau Lane
Norwich NR1 2SG

REV.	DESCRIPTION	CHECKED	DATE

SURVEYED BY	INIT.	DATE	DRAWING No. PK5086-MP-003
DESIGNED BY			PROJECT TITLE
			Saturday Market Place Pedestrian Improvements
DRAWN BY			SCALE
			NTS
CHECKED BY			FILE No.
			PK5086



BIDWELLS
To Let
01603 768935

Travelodge Reception

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary	(a) Be entirely within cabinet's powers to decide YES		
	Operational	(b) Need to be recommendations to Council NO		
		(c) Be partly for recommendations to Council and partly within Cabinets powers – NO		
Lead Member: Cllr Lawrence E-mail:		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Sheila Farley E-mail: sheila.farley@west-norfolk.gov.uk Direct Dial: 01553 616174		Other Officers consulted: Duncan Hall Karl Patterson, Ross Hefford, Steve Dougall		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES/ If YES: Pre-screening	Risk Management Implications YES

Date of meeting: 5th February 2014

4 DISCHARGE OF HOMELESSNESS DUTY BY PRIVATE RENTED SECTOR OFFER OF ACCOMMODATION

This report sets out the legislative and procedural arrangements for discharge of homelessness duty by a Private Rented Sector Offer of accommodation as set out in the Social Housing Allocations Policy adopted by Council in June 2013

Recommendation

- 1) That the Private Rented Sector Offer Policy and Procedure detailed in Appendix A be approved for discharge of homelessness duty.
- 2) That the Chief Executive in consultation with the portfolio Holder with responsibility for housing is delegated authority to make minor amendments to this Policy.

Reason for Decision

The use of Private Rented Sector Offers for discharge of homelessness duty is a power conferred by virtue of the Localism Act 2011 and the use of such offers has been established as part of the Social Housing Allocations Policy. Appendix A sets out the Council's detailed policy and procedural arrangements

1 Background

1.1 Where a household is accepted as statutorily homeless, the local housing authority has a duty to secure suitable, available accommodation for

the household (s193 of the Act). This has, to date, usually been by an offer of social housing accommodation.

1.2 An offer of suitable private rented accommodation can also be made in order to prevent homelessness. The Council has made use of private rented sector to assist in the prevention of homelessness and, in 2012/13, 69 homeless household prevention cases involved the private rented sector.

1.3 An offer of private rented accommodation can be made to the homeless household but, until November 2012, it always required the consent of the applicant.

1.4 The Localism Act 2011 (s148 and 149) amended the 1996 Act and new statutory regulations have been produced and allow suitable Private Sector Rented Offers to be used to end the full homelessness duty without requiring the applicant's agreement. This brings the use of Private Rented Sector Offers in line with the use of social housing offers.

1.5 The Social Housing Allocations Policy adopted by Council in June 2013 established the Council's intention to use the new powers to discharge homelessness duty with an offer of suitable accommodation via a Private Rented Sector Offer. Hence, there is no guarantee that an unintentionally homeless household will be guaranteed a social housing offer.

1.6 The use of a Private Rented Sector Offer enables more housing options for homeless households and could reduce waiting time in temporary accommodation pending full discharge of duty.

1.7 This is particularly relevant as homelessness acceptances are rising and there is a need to secure accommodation for more homeless households. In 2012/13 there were 81 households in this category for whom we owed a duty and this will be exceeded in 2013/14 – with 78 acceptances at 31 December 2013.

1.8 The Council's policy in relation to discharge of duty and Private Rented Sector Offers is contained in Appendix A and is consistent with Government guidance in relation to

- Condition of property
- Management of property
- Adherence to legislative requirements
- Suitability having regard to the circumstances and needs of the household

2 Policy Implications

2.1 The report in Appendix A will form the Council's detailed policy and procedure on Private Sector Rented Offers in relation to discharge of duty. It supports the Council's Homelessness Strategy 2012-14 and sets out the implementation of Private Rented Sector Offers as contained in the Social

Housing Allocations Policy 2013. The policy will be implemented following the decision of Cabinet.

3 Financial Implications

3.1 There are no adverse financial implications arising from this report. The use of private sector offers may eliminate the need for costly temporary accommodation if social housing offers are not immediately available to homeless households and could, hence, have a positive impact in the future.

4 Staffing Implications

4.1 Managing the process of Private Rented Sector Offers will be met within existing staffing resources

5 Statutory Considerations

5.1 Existing legislation (principally Housing Act 1996 as amended by Homelessness Act 2002) allows a local housing authority to discharge their homelessness duties following accepting a household as statutory homeless through securing suitable, available accommodation (s193). The Localism Act 2011 (sections 148 and 149) has amended the 1996 Housing Act and provides for a new power to allow suitable private sector offers to be used to end the main homelessness duty. Government regulations have been introduced which set out requirements on local authorities. The detail in Appendix A is consistent with this legislation and Homelessness (Suitability of Accommodation (England) Order 2012.

6 Equality Impact Assessments (EIA's)

6.1 No groups have been identified as being disadvantaged by this report. Statutory homelessness operates within a legal framework which identifies 'priority need' groups so specific groups such as households with children are over-represented in homelessness acceptances. The policy specifically recognises affordability issues which impact on those with insufficient resources to access or maintain private rented accommodation.

7 Risk Management

7.1 Failure to set out transparent information in relation to discharge of duty and communicate these may lead to challenge and negative understanding and perceptions of the policy. The document in Appendix A clarifies the implementation of the policy in detail and proposes that all households who are owed the main duty on the date of implementation of the policy be advised of the change. Information will also be made available to new applicants with communications to be changed to reflect this.

8 Background Papers

EIA

Discharge of Homelessness Duty by Private Rented Sector Offer of Accommodation - Appendix A

1. Background

- 1.1 Under Part VII of the Housing Act 1996, Local Authorities owe applicants who are homeless, eligible for assistance, in priority need and not intentionally homeless a full homelessness duty to secure suitable accommodation (unless a referral to another local authority can be made under the local connection provisions). Applicants can currently remain in temporary accommodation for a long period while they wait for a permanent offer of social housing.
- 1.2 The Localism Act 2011 introduces a new power to allow local authorities to discharge the full homelessness duty by a private rented sector offer. This must be an assured shorthold tenancy with a minimum fixed term of one year.
- 1.3 This new power was brought into force on 9 November 2012 by the Localism Act (Commencement No. 2 and Transitional Provisions) (England) Order 2012.
- 1.4 The Homelessness (Suitability of Accommodation) (England) Order 2012 sets out requirements for councils utilising the Private Rent Sector for discharging homelessness duty.

2. Policy Aims

- 2.1 To increase the supply of suitable accommodation available to the Council to secure for those who the Council has determined it owes the full homelessness duty.
- 2.2 To make best use of all available homes having regard to the prevailing housing circumstances and to end the guarantee that those households accepted as unintentionally homeless will be offered social housing.
- 2.3 To enable homeless households to receive an offer of suitable accommodation in the shortest possible time
- 2.4 To retain a balance between offering homeless applicants an element of choice and avoiding homeless households spending large periods of time in temporary accommodation.

3. Policy Overview

- 3.1 This document relates to the policy and procedural arrangements for discharging the full homelessness duty through a private rented sector offer. The document will be referred to as “the policy”.
- 3.2 This policy complies with:
 - The Housing Act 1996, as amended by the Homelessness Act 2002
 - The Localism Act 2011
 - Equality Act 2010

- Suitability of Accommodation Order 2012
 - Supplementary Guidance on the homelessness changes in the Localism Act 2011 and on Homelessness (Suitability of Accommodation) (England) Order 2012
 - Homelessness Code of Guidance 2006
 - West Norfolk Homechoice Policy
- 3.3 It is hoped that using private rented sector offers will lead to a reduction in the amount of time that households remain in temporary accommodation as well as relieving some of the pressure on demand for social housing.
- 3.4 Before making a private rented sector offer, the Council will assess whether the property is suitable for the individual household taking into account factors including the location and condition of the property and any health conditions or other specific needs of the household.
- 3.5 Any offer made under this policy will be deemed to be suitable and will cease any duty to secure accommodation.
- 3.6 Private Rented Sector Offer's will be considered for all households accepted as homeless in accordance with this policy.
- 3.7 The number of applicants that receive a private rented sector offer will be determined by the level of private rented sector properties that become available for a minimum period of a year.
- 3.8 Applicants owed the full homelessness duty will continue to be entitled to apply for social housing through West Norfolk Homechoice and will receive reasonable preference in accordance with West Norfolk Homechoice allocations policy until duty has been discharged.
- 3.9 If no successful bid through West Norfolk Homechoice is made within 6 weeks, then the Homelessness duty may be discharged by
- The Council bidding for all suitable properties on West Norfolk Homechoice
 - For those persons temporarily accommodated in a Housing Association property on licence, an offer of the tenancy of the property they are occupying, or
 - A private rented sector offer
- 3.10 A person provided with accommodation in the private rented sector as final discharge of homelessness duty will have no 'reasonable preference' for an allocation of permanent housing by reason of homelessness.
- 3.11 If a household has been excluded from the housing register by West Norfolk Homechoice, the council may make a private rented sector offer to discharge its duty immediately.
- 3.12 Before making a private rented sector offer, the Council will carry out a financial assessment using the applicant's income and expenditure in order to assess the affordability of the property. A private rented sector offer will only be made if the Council is satisfied that the property is affordable for the individual household.
- 3.13 Any offer of accommodation made in accordance with this policy will be subject to a review on the suitability of the accommodation offered.

- 3.14 Households accepted as homeless before the implementation of this policy will be notified in writing that the council may discharge its duty with a private rented sector offer.

4. Location

- 4.1 The Council will seek to make private rented sector offers to applicants within the Borough subject to the following exceptions:
- 4.1.1 Where the applicant has identified another area in which they would be willing to move to.
 - 4.1.2 Where there is no available property suitable within the Borough to meet the needs of the applicant
 - 4.1.3 Where it is not suitable for the applicant to remain in the district, or some part of it and, as determined by the council, there is little prospect of a property becoming available in any part of the Borough that may be reasonable for the applicant.
 - 4.1.4 Where it is not reasonably practicable to secure accommodation within the Borough within a reasonable time having regard to the demand and supply of housing.
- 4.2 In regards to section 3.1, when considering an offer of accommodation outside of the Borough, the Council will not make a private rented sector offer out of the Borough if it would cause exceptional hardship to the applicant or a member of their household. Exceptional hardship is a detriment that would not otherwise apply to most other applicants moving to that location.
- 4.3 Private rented sector offers within or close to the town or village from where the applicant was made homeless will usually be held to be suitable unless there is an overwhelming reason that would make it unsuitable to remain in that location.
- 4.4 The following factors will be considered when determining whether the location of a private rented sector offer is suitable for an applicant:
- 4.4.1 Disruption to existing caring and support services – where this would reduce the level of service that would be provided or create exceptional hardship for the applicant in retaining access to these services
 - 4.4.2 Disruption to education or employment – where this would result in the inability for the applicant or a member of their household to either remain in employment or education, either at the existing establishment or an alternative establishment which offers a similar level of employment or education. Particular consideration will be given to members of households who are at critical stages of education where disruption may have a disproportionate effect on their qualifications.
 - 4.4.3 Disruption to the care and support of others – it may not always be possible to secure accommodation close to family or others who rely on care or support from the applicant or a member of their household. Where the nature of this support is unique to the relationship between the applicant and others, for example recognised by relevant agencies as a carer, the Council will seek

to secure accommodation as close to the other household as possible if that is the most important criterion for the applicant.

4.4.4 The prevailing housing circumstances in the Borough. Due to the rural nature of the Borough, some areas of the Borough have very low availability of properties. This means that it will be impossible to avoid disruption for some applicants.

4.4.5 When considering private rented sector offers outside of King's Lynn, Hunstanton and Downham Market, the Council will take into account the needs of the applicant along with the amenities available in the area, such as public transport, shops and other facilities, in order to avoid placing households in accommodation where they may become isolated.

5. Condition and Management

5.1 Properties which are subject to a private rented sector offer should be free of major hazards (Category 1 hazards as defined by the Housing Health and Safety Rating System, Housing Act 2004)

5.2 Properties which are subject to a private rented sector offer should be fitted with a carbon Monoxide monitor and smoke alarms.

5.3 All properties that are subject to a private rented sector offer will be visited by a competent Council Officer before being offered in order to ensure that the property is suitable and complies with 4.1.

5.4 Landlords will be required to provide a valid Energy Performance Certificate and Gas Safety Certificate (where applicable) before the property is offered.

5.5 Accommodation in a House in Multiple Occupation (HMO) will be a suitable offer providing it a) meets the requirements of 4.1 b) that it meets the amenity standards set by the Council and c) that it complies with licensing requirements if a licensable HMO .

5.6 The Council will seek to ensure that landlords of properties being used for Private Rented Sector Offers are fit and proper persons to act as a landlord. This will be consistent with the approach taken by the council when licencing Houses in Multiple Occupation in accordance with the Housing Act 2004 and will include:

5.6.1 Enquiries within the Council to establish if there has been any enforcement action against the landlord

5.6.2 Ensuring that the landlord has an adequate written tenancy agreement to use for the purposes of a private rented sector offer.

5.6.3 A signed declaration from the landlord stating that he is a fit and proper person and giving consent for further investigations to be made with external agencies.

5.6.4 Confirmation that the landlord is aware of and compliant with good standards of management including Tenancy Deposit Protection.

6. Allocation of Private Rented Sector Properties

- 6.1 Available private rented properties will be offered to those households that have been accepted as homeless for the longest period of time and in accordance with this policy.
- 6.2 The landlord of the property will have the final decision on who will be offered the property.

7 Monitoring and review

- 7.1 Details of the number of households receiving a private rented sector offer will be reviewed quarterly alongside other homelessness data contained within the Government P1E returns.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Ray Harding E-mail: ray.harding@west-norfolk.gov.uk Direct Dial:		Other Officers consulted: Management Team		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 5 February 2014

5 COAST SHARE

Summary

This report proposes that the Borough Council joins Coastshare Limited, a not for profit company established by North Norfolk District Council and Great Yarmouth Borough Council. The Coastshare is a not for profit company set up in light of the change in the Finance Act 2012 that allows for the provision of services at cost to not for profit organisations without a requirement to charge VAT.

Recommendation

Cabinet is recommended to:-

- 1) Agree that the Borough Council joins Coastshare Limited.
- 2) Appoints two Members to join the Coastshare Executive Board.

Reason for Decision

To respond to the invitation from NNDC/GYBC to join Coastshare and to enable the Borough Council to provide services to not for profit organisations VAT free and hence reduce their running costs.

1 Background

1.1 Coastshare was established in 2013 by North Norfolk District Council and Great Yarmouth Borough Council. It is a not for profit company that facilitates the provision of services to charitable and not for profit member organisations without the requirement to charge VAT. Such services can only be charged 'at cost' and cannot include a profit element. Full cost recovery which would include overheads and support service recharges is however permitted.

1.2 Coastshare itself is a not for profit company and the service providers are responsible for the support costs incurred in running Coastshare.

2 Payment Provisions

2.1 Coastshare has been established as a cost sharing group whereby services supplied by Coastshare itself and the providers to the recipients within the group shall be exempt from VAT pursuant to the Finance Act 2012, amending schedule 9 of the VAT Act 1994 in accordance with Article 132(1) (H) of the Principle VAT Directive 2006/112/EC.

2.2 In consideration for providing services each Member shall pay to the relevant provider the providers costs.

3 Executive Board

3.1 The Executive Board is responsible for the management and administration of Coastshare. The Executive Board currently comprises of two directors nominated by NNDC and two nominated by GYBC plus an independent chairman nominated – elected by the Executive Board.

3.2 The Borough Council of King's Lynn and West Norfolk is invited to nominate two additional board members in the event that the Council agrees to join Coastshare Limited.

4 Services

4.1 At the present time Coastshare is able to provide a range of administrative and support services including finance, human resources, legal, projects and contract management, communications, ICT, heritage conservation and other administrative services including reprographics in addition to a range of property related services including repairs and maintenance, project advisory services, and grounds maintenance.

4.2 In the event that the Borough Council joins Coastshare the range of services which may be provided will be extended to include car park management, communications, data analysis, CCTV, facilities management, graphics and other such services that the Borough Council may wish to provide to members.

5 Rationale/Advantages

5.1 The principle rationale for the Borough Council joining Coastshare is to enable the Council to take further steps to share (reduce) its overhead costs through the provision of full cost recovery services to not for profit partner organisations VAT 'free'. This also provides an immediate saving of 20% to member organisations which are unable to recover their VAT costs. Services are required to be provided 'at cost' prohibiting providers from making a profit from the provision of the service.

5.2 In broad terms this will therefore assist the Borough Council's cost reduction programme by reducing the net costs of services to the Council Tax

and Business ratepayer. In light of the government's confirmation that the austerity regime is to continue until 2020 it is essential that the Borough Council continues to bear down on the net cost of services.

5.3 The Borough Council already shares services with or provides services to a number of locally based public and voluntary organisations many of which have also indicated an interest in joining the Coastshare group. This will facilitate the on-going process of cost sharing within the public sector as advocated by DCLG Ministers.

5.4 Organisations that become part of Coastshare are able to access a 'menu' of services through their website. Any member is able to provide a service to any other member and be reimbursed at cost for the delivery of that service.

6 Options Considered

6.1 The alternative option considered was to set up a separate West Norfolk Cost Sharing Group. However this option was dismissed as it would entail additional costs in terms of legal advice (Counsel) and set up costs, but would offer no additional benefits or savings.

7 Policy Implications

7.1 This represents a new development for the Borough Council but follows the broad principles of the Leisure Trust/Company model in seeking to minimise leakage of Council funds and to maximise the benefits to local residents and community/voluntary groups.

7.2 This proposal will facilitate the sharing of costs and services with other public bodies without the cost, bureaucracy and delay associated with traditional shared services arrangements.

8 Financial Implications

8.1 There are no direct financial implications if the Council joins the Coast Share Group. There is however potential to provide services to other members of the Group that will assist in gaining third party contributions towards the operations of the Council. Full recovery of costs would include the recovery of overhead recharges.

9 Personnel Implications

9.1 There are no identifiable personnel implications from this report in respect of Borough Council staff.

10 Statutory Considerations

10.1 Coast Share Ltd has been established in accordance with the provisions of the Finance Act 2012, amending schedule 9 of the VAT Act

1994 the accordance with Article 132(1) (H) of the Principle VAT Directive 2006/112/EC.

11 Equality Impact Assessment (EIA)

11.1 Pre screening report as a background paper

12 Risk Management Implications

12.1 This is a new piece of legislation and consequently the establishment and operation of Coastshare is “cutting edge”.

12.2 This will involve using an exemption to the VAT rules but specialist advice has been sought to protect the Councils position from both the Council’s VAT advisors and specialist Counsel.

12.3 There is no indication that HMRC would seek to challenge the Council’s interpretation of the legislation, however any impact at this early stage would be limited.

13 Declarations of Interest / Dispensations Granted

13.1 None

14 Background Papers

14.1 Members Agreement relating to Coastshare Limited.