

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET SCRUTINY COMMITTEE

**Minutes of a Meeting of the Cabinet Scrutiny Committee
held on Thursday 17th July 2014 at 6pm
in the Committee Suite, King's Court, Chapel Street, King's Lynn.**

PRESENT:

Councillors C Joyce (Chairman)
J Collop, P Foster (Vice-Chairman), J Loveless, A Lovett,
Mrs K Mellish, Ms S Sandell and D Whitby

Portfolio Holders Present:

Councillor D Pope, Portfolio Holder for ICT, Leisure and Public Space
Councillor N Daubney, Leader.

Management Team/Officers:

D Thomason, Deputy Chief Executive
D Gates, Executive Director
M Chisholm, Business Manager
A Cox, Town Centres Manager

An apology for absence was received from Councillor I Gourlay

CSC24: **MINUTES**

The Minutes of the Meeting held on 16th June 2014 were agreed as a correct record and signed by the Chairman.

CSC25: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

CSC26: **DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

CSC27: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor M Pitcher for item CSC33.

CSC28: **CHAIRMAN'S CORRESPONDENCE**

The Chairman had no correspondence to report.

CSC29: **RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

There were no previous Committee recommendations.

CSC30: **MATTERS CALLED-IN PURSUANT TO STANDING ORDER 12**

There were no matters called-in pursuant to Standing Order 12.

CSC31: **DELEGATION OF APPROVAL OF THE COUNCIL TAXBASE TO THE S151 OFFICER IN CONSULTATION WITH THE COUNCIL LEADER**

Councillor Joyce invited questions from the Committee however none were raised. Councillor Loveless asked why the item was on the agenda if no-one had a concern or question.

Councillor Joyce confirmed that the item had been identified at the sifting meeting.

Councillor Foster then asked why the delegation of approval of the Council Taxbase could not be in consultation with the Council Leader or in his absence the Deputy Leader.

Councillor Daubney explained that it was usual practice for delegation to be to a Senior Officer in consultation with the Leader and Portfolio Holder for Resources.

Councillor Joyce added that in this instance the Portfolio Holder for Resources happened to be the Leader of the Council. He further asked what would happen if the Leader was unavailable and whether the S151 Officer could delegate authority to someone else.

Councillor Daubney explained that if that was the case then a report would have to go to Cabinet asking to re-delegate authority through the democratic process.

CSC32: **BUSINESS RATES AND COUNCIL TAX – AMENDMENTS TO FLOODING RELIEFS**

Councillor Loveless referred to the recommendation that Council Tax discount be extended for properties adversely affected by flooding from three months to an indefinite time in line with Central Government guidance, and asked if the public would be made aware of why the Council was extending the period.

Councillor Daubney explained that the public would be made aware as detailed in the Cabinet report. He added that there had been an initial reaction to the tidal surges to assist businesses straight away and some businesses would take longer to recover than others. The Government had relaxed the length of discount and now the Council could do the same.

Councillor Manley, whilst fully supporting the scheme, made reference to the fact that the discount would apply to those properties

which had been adversely affected by the floods, and asked who would monitor this.

Councillor Daubey explained that every claim would be verified and made reference to businesses which applied for rate relief where each claim was considered on an individual basis. Consideration would be given to whether the business had ceased trading whilst repairs were carried out or stock had been damaged.

The Deputy Chief Executive advised that Council Tax flood relief would apply whilst a property was unable to be occupied. He added that there was a post within Emergency Planning which was checking each claim.

Councillor Loveless referred to the Cabinet report which he understood referred to Council Tax relief. Following discussion, it was acknowledged that no amendments had been made to the Business Rates Flood Relief discount which remained at a three month discount, which was detailed at paragraph 2.2 of the Cabinet report.

Councillor Lovett made reference to page 29 of the Cabinet report, and asked what an indefinite period would be for example would it apply for months or years. In response, it was clarified that it related to the period whilst a property could not be occupied.

CSC33: **A-BOARDS**

Councillor Joyce asked whether there was anything in the report which had been amended. Councillor Pope explained that the cost of the permit had been amended from £50.00 per annum to £25.00 per annum.

In accordance with Standing Order 34, Councillor Pitcher asked whether the A-Boards would require advertisement consent. Councillor Pope responded that he believed that planning permission would be required.

Councillor Pitcher asked how much this would cost. Councillor Pope referred to the Business Manager to outline the latest developments.

The Business Manager explained the background to the Committee, in that County Highways had required all A-Boards to be removed unless a scheme was in place to regulate them. A report had been presented to the Regeneration, Environment & Community Panel (REC) in January. It was proposed to mirror the arrangements currently in place at North Norfolk District Council.

The Business Manager further explained that following on from the REC Panel, consultation had taken place with the Disability Forum and other bodies. The Disability Forum had concluded that they

would prefer not to see any A-Boards at all, however, they considered that some form of regulation would be better than current arrangements.

The Business Manager referred to the comment by Councillor Pope that planning permission would be required. He explained that under the Advertisement Regulations 2007, express consent would be required with a fee of £110.00. Work was currently being undertaken with the Planning Department to try to formulise a single application process. The charge for express planning consent would be regulatory. He added that it was regrettable to have got this far in the process and although there was very little which could be done regarding the cost, it was hoped to be able to streamline the process. Once the express planning consent fee had been paid, there would be a yearly fee of £25.00.

Councillor Pitcher stated that he still believed that A-Boards whether licenced or not should not be allowed.

Councillor Joyce asked how, even with consent, the A-Boards would be monitored to ensure that people with disabilities did not have to encounter additional problems.

Councillor Pope referred the Committee to the report and outlined the criteria of the A-Boards, which he considered was the safeguard. He added that if problems were encountered then the relevant business would be visited and if they continued to offend then their licence could be taken away.

Councillor Loveless asked what Cabinet was doing in respect of the rest of the powers delegated to them in relation to tables and chairs, litter bins etc.

Councillor Pope explained that the idea of the policy was to control obstructions on the highway.

Councillor Collop asked for clarification from the Portfolio Holder if the issue of tables and chairs, litter bins, etc were in the report, which had been considered by the REC Panel.

The Business Manager explained that they were in the process of drafting policy and guidance notes. He added that what constituted an A-Board could be an ice-cream cone outside a shop and explained that this would be dealt with in the same way as an A-Board.

Councillor Collop asked whether this also included people advertising businesses on street furniture. In response the Business Manager explained that this referred to flyposting which was already dealt with by separate policy and County Highways were responsible for this.

Councillor Collop asked which organisations had been consulted during formation of the Cabinet report. In response, Councillor Pope explained that the REC Panel had been consulted in January and the King's Lynn Town Centre Partnership. Consultation had also been carried out with the Chamber of Trade and West Norfolk Disability Forum in February and the REC Panel again in June.

Councillor Collop further asked whether the REC Panel and Cabinet had been made aware of the organisations that had been consulted.

The Town Centres Manager explained that when the REC Panel considered the report in January, a member of the Panel suggested that the West Norfolk Disability Forum should be consulted. This took place and the King's Lynn Town Centre Partnership was also consulted, both at the request of the REC Panel.

Councillor Collop asked whether the results of the consultation were included in the Cabinet Report.

The Town Centres Manager explained that the West Norfolk Disability Forum requested that all A-Boards should be removed. However a balance of all views was sought and a presentation was given to the REC Panel in June and the Town Centre Partnership and Chamber of Trade.

In response to a question, Councillor Pope explained that if there had been a lot of adverse comments to the proposal then it would not have progressed as it did. He emphasised that he had not been Portfolio Holder at the start of the scheme.

Councillor Daubney reminded the Committee of the Cabinet decision.

Councillor Foster asked why the fee had been reduced from £50.00 to £25.00 as the Liverpool model was £50.00 per annum.

The Business Manager responded that the Liverpool model had a single application process and it was the Council's desire to use that model. He explained that if there was not a single application process then a business could apply for advertisement consent only to make an application for an A Board which did not meet the criteria. He added that advertisement consent would be £110.00 and the Council did not have the ability to waive that fee. He would be investigating how Liverpool could administer the scheme for a £50.00 fee.

Councillor Foster asked whether the Portfolio Holder was happy that the proposed fee of £25.00 was lower than that charged by other authorities.

Councillor Pope explained that by reducing the fee to £25.00 per annum, this allowed officers the ability to inspect the public liability

insurance on renewal, which had to be displayed alongside the permit.

CSC34: **PORTFOLIO HOLDERS' DECISIONS MADE UNDER DELEGATED POWERS**

There were no Portfolio Holders' Decisions to consider.

CSC35: **DATE OF NEXT MEETING**

It was noted that the next meeting of the Cabinet Scrutiny Committee was scheduled to be held on Thursday 14th August 2014 at 6pm.

Meeting closed at 6.49 pm