

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Tuesday, 1 April 2014 at 5.30pm in the Committee Suite, King's Court,
Chapel Street, King's Lynn**

PRESENT: Councillor N J Daubney (Chairman).
Councillors A Beales, A Lawrence, B Long,
Mrs E Nockolds, D Pope and Mrs V M Spikings.

An apology for absence was received from Councillor Lord Howard.

CAB150: **MINUTES**

RESOLVED: The Minutes of the Meeting held on 5 March 2014
were approved as a correct record and signed by the Chairman.

CAB151: **URGENT BUSINESS**

There was no urgent business.

CAB152: **DECLARATIONS OF INTEREST**

None.

CAB153: **CHAIRMAN'S CORRESPONDENCE**

None.

CAB154: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

None

CAB155: **CALLED IN MATTERS**

None

CAB156: **FORWARD DECISIONS LIST**

The forward decision list was noted.

CAB157: **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

i) **Resources and Performance: 25 March 2014**

The Panel made the following recommendations to Cabinet, which were dealt with when Cabinet considered the reports on the agenda:

RP124: Cabinet Report: Pay Award 2014/2015

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

- (1) That an annual pay award of 1% be implemented with effect from 1 April 2014.
- (2) That the authority introduces a minimum wage of £7 per hour and adjusts the bottom of PG13 accordingly.
- (3) That the authority continues its practice of matching the bottom point of PG13 to the lowest point on the national pay scales should this exceed £7 per hour following negotiations.

PR125: Cabinet Report: Business Rates And Council Tax – Discretionary Reliefs

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

- (1) Cabinet recommend to Council to agree to temporarily amend the Discretionary Relief Policy to include the following new Discretionary Reliefs:
 - (a) A Business Rates Retail Relief for properties meeting the criteria at 2.2 and the description of 'Retail' as shown at Appendix C, where a valid application form had been received (paragraph 2.7).
 - (b) A Business Rates Retail Reoccupation Relief for properties meeting the criteria shown at 3.2, where a valid application form has been received (paragraph 3.4).
 - (c) A Business Rates Flooding Relief for properties meeting the criteria shown at paragraph 4.4 and the definition of 'flood', whether or not a valid application form has been received (paragraph 4.8).
 - (d) A Council Tax Flooding Relief for properties meeting the criteria shown at paragraph 5.4 where the definition of 'flood' is also met, whether or not a valid application form has been received (paragraph 5.8).

PR126: Business Improvement District (Bid) Vote

RESOLVED: That the Panel support the recommendation to Cabinet as follows:

Cabinet is recommended to instruct the Deputy Chief Executive to vote in favour of the BID on behalf of the Council.

ii) Regeneration, Environment and Community Panel – 26 March 2014

The Panel made the following recommendations to Cabinet, which were dealt with when Cabinet considered the reports on the agenda:

REC143: Cabinet Report – St Margaret’s Conservation Area Appraisal And Management Plan

RESOLVED: That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as set out below:

That Cabinet formally adopts the St Margaret’s Conservation Area Character Appraisal and Management plan, noting that, despite the broad wording of some recommendations in the Management Plan, that they are used to inform current and future planning policy and decisions within the St Margaret’s Conservation Area only, in consultation with the Portfolio Holder for Development.

REC144: Borough Council Food Safety Service Plan And Update

RESOLVED: (i) That the update be noted.

(ii) That the Regeneration, Environment and Community Panel support the recommendation to Cabinet as set out below:

That the Council approves the Food Safety Service Plan.

iii) Joint Employee Committee - 26 March 2014

The comments of the Committee and the Unions were taken into account on consideration of the agenda item.

(i) Pay Award 2014/15

RESOLVED: That the Joint Employee Committee supports the following recommendations and Cabinet’s attention be drawn to the comments from the Unions outlined above:

1. That an annual pay award of 1% be implemented with effect from 1st April 2014.
2. That the authority introduces a minimum wage of £7 per hour and adjusts the bottom point of PG13 accordingly.
3. That the authority continued its practice of matching the bottom point of PG13 to the lowest point on the national pay scales should this exceed £7 per hour following negotiations.

CAB158: **ST MARGARET'S CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLAN**

Councillor Beales presented a report which reminded Members that on 10th February 2014, the Borough Council submitted its stage 2 bid for a £1m grant from the Heritage Lottery Fund's Townscape Heritage Initiative (THI). The outcome of the stage 2 bid was expected in June 2014 and if successful, the scheme would run for 5 years. An essential component of the Stage 2 bid was the preparation of a Conservation Area Appraisal and Management Plan and it was a condition of the funding that these documents be approved and adopted by the Council prior to the HLF taking its decision on the bid. The scheme would deliver significant regeneration and economic development outputs in line with the Council's main priorities as stated in the Corporate Business Plan.

In presenting the report Councillor Beales drew attention to the fact that the reports prepared highlighted the number of significant buildings that area of the town held, and the fact that the plans presented would help the Council to achieve improvements to that area if the funding was achieved. He explained that local expertise would be listened to as it would inform opinion on the importance of local buildings.

Councillor Daubney commended the report which highlighted what a lovely area it was.

Councillor Mrs Nockolds, in supporting the report, commented that even the negative points noted in the report were not so large as to be too costly to improve.

Councillor Beales reminded Members that the scheme was for the St Margaret's Conservation Area only, and that any changes in the future to planning policy would be carried out in consultation with the Development Portfolio Holder.

The Regeneration, Environment and Community Panel had considered the report and supported the recommendations.

RECOMMENDED: That the St Margaret's Conservation Area Appraisal and Management Plan be adopted, noting that, despite the

broad wording of some recommendations in the Management Plan, that they are used to inform current and future planning policy and decisions within the St Margaret's Conservation Area only, in consultation with the Portfolio Holder for Development.

CAB159: **BUSINESS RATES AND COUNCIL TAX- DISCRETIONARY RELIEFS**

The Leader presented a report which explained that Central Government had recently introduced a number of temporary measures to help businesses and taxpayers. These measures were introduced through the Discretionary Reliefs system and therefore required Council approval. All the measures which were outlined below were fully funded by Central Government:

- A new Business Rates Retail Relief had been introduced for 2014/2015 and 2015/2016 where properties wholly or mainly used as a shop, restaurant or drinking establishment could benefit from an annual £1,000 reduction on their rates bill.
- A new Business Rates Retail Re-occupation Relief had been introduced for 2014/2015 and 2015/2016 that allows ratepayers to claim a 50% reduction on their business rates bill for 18 months if they occupy retail premises that were previously empty for more than a year.
- On 12 February 2014 the Prime Minister announced new schemes for Business Rates Flooding Relief and Council Tax Flooding Relief for properties that had been flooded.

In commenting on the report Councillor Daubney commended the additional funding which would help small businesses, particularly where they had been hit by flooding. He informed Members that as the Government was keen to support businesses, following a meeting held with the Minister, he would be writing to Brandon Lewis MP to ask for doubling of the relief on business rates for properties that had been flooded.

In response to a question from Councillor Beales, the Deputy Chief Executive explained that the issuing of Business Rates reliefs were subject to the state aid restrictions, so relief given to a national firm had to be taken into account across the country to ensure it did not breach the rule of 200,000 Euros over a 3 year period.

Councillor Long commended the recommendations which assisted businesses who were suffering due to flooding.

The Resources and Performance Panel had considered the report and supported the recommendations.

RECOMMENDED: That the Discretionary Relief Policy be temporarily amended to include the following new Discretionary Reliefs:

- a) A Business Rates Retail Relief for properties meeting the criteria at 2.2 and the description of 'Retail' as shown at Appendix B, where a valid application form has been received (paragraph 2.7 of the report)
- b) A Business Rates Retail Reoccupation Relief for properties meeting the criteria shown at 3.2, where a valid application form has been received (paragraph 3.4 of the report)
- c) A Business Rates Flooding Relief for properties meeting the criteria shown at paragraph 4.4 and the definition of 'flood', whether or not a valid application form has been received (paragraph 4.8 of the report)
- d) A Council Tax Flooding Relief for properties meeting the criteria shown at paragraph 5.4 where the definition of 'flood' is also met, whether or not a valid application form has been received (paragraph 5.8 of the report)

CAB160: FOOD SAFETY SERVICE PLAN

The Environmental Health Manager presented a report which explained that Food authorities were required by the Food Standards Agency to set out a scheme for the planning and delivery of food law enforcement. They expected that this scheme would take the form of a formally adopted service plan.

The Environmental Health Manager explained that the Council had the responsibility to ensure food businesses within the Borough maintained satisfactory standards of hygiene thus reducing the likelihood of food borne disease.

If the Council chose not to adopt the service plan the authority may be classed as a failing authority in the view of the Food Standards Agency.

Councillor Beales commented on the good presentation given to the Regeneration Environment and Community Panel who had considered the report, and supported the recommendations.

Councillor Long drew attention to the large number of food premises in the Borough which required visits by the Team.

Councillors Pope and Beales asked for clarification on the unrated properties referred to in the report. It was explained that they were properties which were awaiting an inspection by the food team, which were initially risk assessed on the type of business and risk to clients in order to prioritise the visits.

The Environmental Health Manager was congratulated on the report.

The Regeneration, Environment and Community Panel had considered the report and supported the recommendations.

RECOMMENDED: That the Food Safety Service Plan be approved.

CAB161: **BUSINESS IMPROVEMENT DISTRICT (BID) – VOTE**

Councillor Daubney presented a report which explained that at the Council meeting on 28 November 2013 it approved the Business Plan for King's Lynn Town Centre submitted by the Business Improvement District representatives. The report reminded Members that the Council had an interest in the ballot in that there were Council owned premises within the defined area of the BID that would be subject to the levy. The Council as an owner of the premises had received notification that the ballot would be held on 10 April 2014 and had been invited to vote.

Councillor Daubney in proposing the recommendations expressed support for the Town Centre businesses who were pulling together to promote the BID and the additional resources which would come from a "yes" vote for the benefit of the town centre.

The report proposed that the Council continued with its support of the BID and the Business Plan and instructed the Deputy Chief Executive to vote accordingly on behalf of the Council.

The Resources and Performance Panel had considered the report and supported the recommendations.

RESOLVED: That the Deputy Chief Executive be instructed to vote in favour of the BID on behalf of the Council.

CAB162: **POLLING DISTRICT AND POLLING PLACE REVIEW**

Councillor Daubney presented a report which explained the Council's duty to undertake a review of the polling districts and polling places in respect of Parliamentary electoral areas that fell within the boundaries of the Borough.

Views had been sought from all MEPs, MPs, County Councillors and Borough Councillors and political groups who contested the last UK Parliamentary Election. In addition, Parish Councils and the Borough Council's Access Officer had been consulted together with Disability Groups.

Two proposals affecting Bircham, Syderstone and Stanhoe had been considered as a result of consultations undertaken, and all electors affected were written to and asked to express a preference. The outcome of those did not give clear indications of preference so in the

interests of encouraging participation the Returning Officer had decided no change to those polling stations would be implemented at present.

The Schedule of Polling Districts and Polling Places had minor adjustments in the Downham Old Town Ward and St Margaret's with St Nicholas Ward. Those areas of proposed change had been arrived at by considering the overall effectiveness of the administration of the elections, which was intended to be of beneficial effect for the electorate.

RECOMMENDED: That the Polling District and Polling Place Review Schedule included with the report be adopted.

CAB163: **PAY AWARD 2014/15**

Executive Director, Debbie Gates presented a report which reminded Members that the Council's annual pay increase for all employees was locally determined, having regard to national regional and local pay and labour market information. The report recommended a 1% increase for all staff and a minimum wage of £7 per hour in line with the Chancellor's recent submission to the Low Pay Commission.

As part of the consultation process, at the Joint Employee Committee Meeting held on 25 March 2014 the discussions with staff representatives on the proposed pay award had resulted in the following comments:

UNISON:

"UNISON thanks management for the opportunity to respond to this Report about the Pay Award for 2014/15. Union members have been consulted about the content and replies have been précised.

We are pleased the Council is recommending a 1% pay award for staff from 1st April 2014 along with a commitment for all employees to receive at least £7 per hour.

It would help staff morale if the authority gave a commitment to work towards introducing the Living Wage as a minimum for your valued staff, and for staff on any service contracts working for the authority. We did have feedback from members voicing their disappointment that the Living Wage would not be implemented in this authority unlike many other local authorities.

UNISON would like to remind management and councillors that we do have members of staff in this authority struggling to survive financially due to high inflation causing rocketing food and fuel prices. Increased costs mean many people cannot survive financially, with monthly expenditure being often higher than monthly income causing stress and illness which can lead in turn to family break-ups due to the pressure of the individual's financial problems."

GMB comments:

“Despite yesterday’s good news on the Consumer Prices Index, pay awards continue to lag behind inflation and this is not a situation which can be sustained indefinitely. Anyone who thinks that inflation will fall significantly below 1% and moreover, stay there for any length of time is frankly living in cloud cuckoo land. This means that in all probability our members will be beyond the end of this decade before they have any prospect of a higher standard of living than that enjoyed before the down turn

That said however, the immediate increase in the minimum hourly rate to £7.00 along with the undertaking to match any increase on this figure awarded nationally is clearly welcomed and will, for our lowest paid members at least, come as a much needed boost to their living standards.

The 1% across the board increase proposed falls well short of what GMB is calling for nationally, but it is locally accepted that this increase falls within the limits set by central government and is a sustainable increase which will not require redundancies in order to fund it.”

The UNISON regional representative had asked Cabinet to consider giving a commitment to the living wage.

In response to this point, the Chairman responded that given the current circumstances nationally and locally, the determination made was fair and affordable, and it was proposed to limit the commitment to that level for the moment.

The Resources and Performance Panel had considered the report and supported the recommendations.

RESOLVED: 1) That an annual pay award of 1% be implemented with effect from 1st April 2014.
 2) That the authority introduces a minimum wage of £7 per hour and adjusts the bottom point of PG13 accordingly.
 3) That the authority continues its practice of matching the bottom point of PG13 to the lowest point on the national pay scales should this exceed £7 per hour following negotiations.

The Meeting closed at 6.00 pm