

# **BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK**

## **CABINET DECISION SHEET**

**Decision Sheet from the Meeting of the Cabinet held on  
Tuesday, 13 January 2015 at 5.30pm in the Committee Suite, King's  
Court, Chapel Street, King's Lynn**

**PRESENT:** Councillor N J Daubney (Chairman)  
Councillors A Beales, Lord Howard, A Lawrence, B Long,  
Mrs E Nockolds and D Pope.

Apologies for absence were received from Councillor Mrs V M Spikings.

1. **MINUTES**

**RESOLVED:** The Minutes of the Meeting held on 2 December 2014 were approved as a correct record and signed by the Chairman.

2. **URGENT BUSINESS**

There was no urgent business.

3. **DECLARATIONS OF INTEREST**

Councillor A Beales declared a pecuniary interest in item 10 (3) Planning obligations and Affordable Housing Implications of the recent Government Announcement on revised thresholds and left the room during its consideration.

Councillor N Daubney declared a pecuniary interest in item 10 (8) King's Lynn Innovation Hub Site Infrastructure and left the room during its consideration.

4. **CHAIRMAN'S CORRESPONDENCE**

None.

5. **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor Mrs K Mellish and J Moriarty attended to address Cabinet on items 10 (9) and 10 (3) & (8) respectively.

7. **CALLED IN MATTERS**

There were no called in matters.

8. **FORWARD DECISIONS LIST**

The forward decision list was noted.

9. **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

i) **Resources and Performance Panel: 6 January 2015**

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

RP100: Exempt Cabinet Report: Major Housing Development – Final Approval

RESOLVED: That the Panel support the recommendations to Cabinet as set out in the report

RP101: Cabinet Report: Pension Fund – Employer’s Policy Statement

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

(1) That the Borough Council of King’s Lynn and West Norfolk would not normally exercise their discretion to fund Additional Pension for scheme members.

(2) That the Borough Council of King’s Lynn and West Norfolk would not normally exercise their discretion to consent to the immediate payment of benefits to a scheme member who is aged 55 or more and has left the Authority’s employment prior to April 2014 without an entitlement to immediate LGPS benefits. However, it will give consideration to granting consent in those cases where there are no costs to the Authority associated with early payment. This discretion will be exercised by the Executive Director (Central and Community Services) in consultation with the Resources Portfolio Holder.

(3) If the benefits payable under (2) above would normally be reduced for early payment the Authority would not normally agree to waive all or part of the reduction on any grounds, including compassionate.

(4) That reference to discretions relating to Award of Additional Membership and Absence Contribution Time Limits will be removed from the Authority’s Policy Statement.

ii) **Regeneration Environment and Community Panel: 7 January 2015**

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

REC96: Cabinet Report – Planning Obligations And Affordable Housing – Implications Of The Recent Government Announcement On Revised Thresholds

RESOLVED: That the Regeneration, Environment and Community Panel recommend that Cabinet modify the existing two tier approach to affordable housing to:

- a. Increase the number of settlements eligible for the higher threshold of eleven to include King's Lynn, Downham Market, Hunstanton, Dersingham, Heacham, South Wootton and Terrington St Clement; and
- b. For all remaining settlements apply a threshold of five units where a financial contribution will be sought towards affordable housing rather than on site provision as is currently the case.

REC97: Cabinet Report – Hackney Carriage Stands – Bus Station

RESOLVED: That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

That Cabinet approve and adopt two new taxi stands on the lower floor car park and on the Old Sunway, King's Lynn to replace the existing taxi stand adjacent to the King's Lynn Bus Station.

REC98: Cabinet Report – Homelessness Strategy Update

RESOLVED: That the Regeneration, Environment and Community Panel support the recommendation to Cabinet as follows:

That the Homelessness Strategy 2015 to 2019 as attached at Appendix A and Action Plan at Appendix B are recommended for approval by Council.

REC100: Exempt Cabinet Report – King's Lynn Innovation Hub Site Infrastructure

RESOLVED: (i) That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as set out in the report.

(ii) That Cabinet consider establishing an enabling fund for any potential future development on the site.

**REPORTS**

<p>1) Council Tax Discounts For Second Homes And Empty Properties (page 8)</p>	<p><b>RECOMMENDED:</b> That Council resolves that, under Section 11A of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003, Section 11B of the Local Government Finance Act 1992, as enacted by Section 11 and Section 12 of the Local Government Finance Act 2012 and in accordance with the provisions of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the Council determines:</p> <ol style="list-style-type: none"> <li>1. That the council tax discount for second homes defined as being within Class A of the Regulations is set at 5% for 2015/2016;</li> <li>2. That the council tax discount for second homes as defined by Class B of the Regulations is set at 5% for 2015/2016;</li> <li>3. That the council tax discount for empty dwellings defined as being within Class C of the Regulations is set at the following for 2015/2016: <ol style="list-style-type: none"> <li>a. 100% for three months starting on the day the property becomes unfurnished</li> <li>b. 0% once the three month period has expired;</li> </ol> </li> <li>4. That the council tax discount for uninhabitable dwellings defined as being within Class D of the Regulations is set at the following for 2015/2016: <ol style="list-style-type: none"> <li>a. 50% for 12 months starting on the day the property becomes uninhabitable</li> <li>b. 0% once the 12 month period</li> </ol> </li> </ol>
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has expired;

5. That the levy rate for Long Term Empty Properties as defined in the Regulations is set at 50% for 2015/2016;
6. That any period of occupation of less than six weeks shall be disregarded when calculating the maximum period of a reduction or the start date of the levy; and
7. That delegated authority be given to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider individual applications to the Discretionary Hardship Fund
8. In accordance with Section 11A (6) of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003 and the Local Government Finance Act 2012, these determinations shall be published in at least one newspaper circulating in West Norfolk before the end of the period of 21 days beginning with the date of the determinations.

**Reason for Decision**

To ensure that the levels of Council Tax Discounts for Second Homes and Empty Properties are agreed for 2015/2016 by 31 January 2015.

<p>2) Homelessness Strategy 2015-19 (page 14)</p>	<p><b>RECOMMENDED:</b> That the Homelessness Strategy 2015 to 19 as attached at Appendix A and Action Plan at Appendix B in the report be approved.</p> <p><b>Reason for Decision</b></p> <p>It is a statutory requirement for the Council to adopt a Homelessness Strategy following a review and consultation involving partners and public.</p>
<p>3) Planning Obligations And Affordable Housing - Implications Of The Recent Government Announcement On Revised Thresholds (page 45)</p>	<p><b>RECOMMENDED:</b> That the existing two tier approach to affordable housing be modified to:</p> <p>a) Increase the number of settlements eligible for the higher threshold of 11 to include King's Lynn, Downham Market, Hunstanton, Dersingham, Heacham, South Wootton and Terrington St Clement; and</p> <p>b) For all remaining settlements apply a threshold of 5 units where a financial contribution will be sought towards affordable housing rather than on site provision as is currently the case;</p> <p><b>Reason for Decision</b></p> <p>To avoid uncertainty when dealing with planning applications and to ensure a stream of affordable houses is built in the Borough.</p>
<p>4) Pension Fund – Employer's Policy Statement (page 59)</p>	<p><b>RECOMMENDED:</b> 1) That the Borough Council of King's Lynn and West Norfolk would not normally exercise their discretion to fund Additional Pension for scheme members.</p> <p>2) That the Borough Council of King's Lynn and West Norfolk would not normally exercise their discretion to consent to the immediate payment of benefits to a scheme member who is aged 55 or more and has left the Authority's employment prior to April 2014 without an entitlement to immediate LGPS benefits. However, it will give consideration to granting consent in those cases where there are no costs to the</p>

	<p>Authority associated with early payment. This discretion will be exercised by the Executive Director (Central and Community Services) in consultation with the Resources Portfolio Holder.</p> <p>3) If the benefits payable under 2) above would normally be reduced for early payment the Authority would not normally agree to waive all or part of the reduction on any grounds, including compassionate.</p> <p>4) That reference to discretions relating to Award of Additional Membership and Absence Contribution Time Limits will be removed from the Authority's Policy Statement.</p> <p><b>Reason for Decision</b></p> <p>To comply with LGPS legislation in respect of the exercise of discretions provided by the Scheme.</p>
<p>5) Hackney Carriage Stand, King's Lynn Bus Station (Page 63)</p>	<p><b>RESOLVED:</b> That the two new taxi stands on the lower floor of the car park and on the Old Sunway, King's Lynn be approved to replace the existing taxi Stand adjacent to the King's Lynn Bus Station.</p> <p><b>Reason for Decision</b></p> <p>To move the current rank which ensures the redevelopment of the King's Lynn Transport Interchange is able to progress.</p>
<p>6) Calendar of Meetings (Page 67)</p>	<p><b>RESOLVED:</b> That the Timetable for the 2015/16 Municipal Year be approved.</p> <p><b>Reason for Decision</b></p> <p>To enable the decision making process to take place. The updated timetable was distributed.</p>
<p>7) Alive Leisure Appointment of Representative (Page 69)</p>	<p><b>RESOLVED:</b> That Councillor Mrs E Nockolds be re-appointed to serve on the Alive Leisure Trust from February 2015.</p>

	<p><b>Reason for decision</b></p> <p>To ensure continued involvement by the Council.</p>
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**EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED:** “That under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.”

<p>8) King’s Lynn Innovation Hub Site Infrastructure (page 71)</p>	<p><b>RESOLVED:</b> 1) That the submission of an application for £1,075,000 funding to the Norfolk Business Rate Pool to provide the site infrastructure to enable the delivery of the innovation hub on whole of plot E1a on the plan enclosed with the agenda be endorsed.</p> <p>2) That in the event that the bids to the Norfolk Business Rate Pool and outcome of other LEP funding discussions are not successful, the Council underwrites the cost up to £423,000 to meet the cost of abnormal site works and site infrastructure to facilitate the development of KLIC and the wider site in consultation with the Portfolio holder for Regeneration.</p> <p><b>Reason for Decision</b> The Borough Council’s Corporate Business Plan 2011-2015 identifies support for enterprise and business start-ups as a top priority. This proposal will provide the infrastructure to facilitate the development of KLIC and the remaining site which is line with a council key priority.</p>
<p>9) Major Housing Development – Final Approval (page 78)</p>	<p><b>RESOLVED:</b> 1) That consideration of the matter be adjourned for a short time to permit officers and the Portfolio holder to re-work the report:</p> <ul style="list-style-type: none"> <li>• Enabling account to be taken of the responses from the 3 public consultation exercises.</li> <li>• Evaluate the impact on the</li> </ul>



	<p>proposed leisure facilities.</p> <ul style="list-style-type: none"><li>• Change the emphasis on Investco from a long term investment model to a company that will hold and manage properties that have not been sold during a phase.</li><li>• Expand Section 9 to explain how Cabinet and Council will be involved with the future authorisation of later “contracted Phases” of development.</li></ul> <p>2) The meeting will be re-convened on Monday 26 January 2015 at 4.30pm to consider the amended report.</p> <p><b>Reason for Decision</b> To allow the Portfolio Holder and Officers to prepare responses to the consultation exercise, and to respond to concerns of some members.</p>
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**The Meeting adjourned at 6.35 pm**