

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET DECISION SHEET

**Decision Sheet from the Meeting of the Cabinet held on
Tuesday, 3 March 2015 at 5.30pm in the Committee Suite, King's Court,
Chapel Street, King's Lynn**

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

Apologies for absence were received from Councillors A Beales
and Lord Howard.

1. **MINUTES**

RESOLVED: The Minutes of the Meeting held on 3 February
2015 were approved as a correct record and signed by the Chairman.

2. **URGENT BUSINESS**

There was no urgent business.

3. **DECLARATIONS OF INTEREST**

None.

4. **CHAIRMAN'S CORRESPONDENCE**

None.

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

None.

6. **CALLED IN MATTERS**

There were matters which had been successfully called in.

7. **FORWARD DECISIONS LIST**

The forward decision list was noted.

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

i) **Resources and Performance Panel: 24 February 2015**

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

RP124: Cabinet Report: Treasury Management Strategy

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

Cabinet is asked to recommend to Council:

- 1) The Treasury Management Strategy Statement 2015/2016, including treasury indicators for 2015/2018.
- 2) The Investment Strategy 2015/2016.
- 3) The Minimum Revenue Provision Policy 2015/2016.
- 4) Adopt the revised Treasury Management Practices (TMPs).

RP125: Cabinet Report: Members It Solution

Resolved: The Panel supports the recommendation to Cabinet as follows:

Cabinet resolves

- 1) To provide each Member with an iPad tablet device, Citrix access and a mobile phone, replacing the current Council ICT solution, unless Members choose to utilise their own compatible equipment.
- 2) That the 3G option is not entered into except on an exceptions basis.
- 3) To implement an allowance of £10 per month towards the cost of Broadband and ICT peripherals.
- 4) To introduce Members Computer Usage Guidelines.

ii) **Regeneration Environment and Community Panel: 25 March 2015**

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

REC122: Cabinet Report: Byelaws For Skin Piercing Activities

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

1. The Council approves the byelaws as set out in Appendix 1 and authorising the affixing of the common seal to the byelaws.
2. Authorise Legal Services Manager to apply to the Secretary of State for confirmation of the byelaws.

REC123: Antisocial Behaviour, Crime And Policing Act 2014

Resolved: That the Regeneration, Environment and Community Panel supported the recommendations to Cabinet as follows:

That Cabinet:

1. Notes the new powers under the Antisocial Behaviour and Policing Act 2014.
2. Delegates the Executive Director Central and Community Services to authorise officers of the Council under the Act.
3. Delegates powers under Section 53 of the Act to the Executive Director Central and Community Services to authorise designated persons to issue Community Protection Notices and Fixed Penalty Notices, subject to such training and accreditation deemed appropriate.
4. Sets the level of Fixed Penalty Notice at £80 reduced to £60 if paid within 14 days.

REC124: Cabinet Report: Delegation Of Decision Making For Neighbourhood Development Plan Processes

Resolved: That the Regeneration, Environment and Community Panel supports the recommendations to Cabinet as follows:

That the Cabinet:

1. Reserves to itself decisions
 - 1.1 as to whether a neighbourhood plan should proceed to a referendum, and if so whether the plan must first be amended to meet the relevant statutory requirements; and
 - 1.2 designation of a neighbourhood forum where there are competing groups applying for designation.
2. Delegates authority to the Executive Director for Environment and Planning, in consultation with the Portfolio Holder for Development, to make decisions on.
 - 2.1 designation of a neighbourhood forum, unless there are competing groups applying for designation.
 - 2.2 Designation of a neighbourhood area (as per existing delegated authority).
 - 2.3 Formal representations in response to consultation (pre-submission and publication stages) on draft neighbourhood plans; and
 - 2.4 'Making' (adopting) a neighbourhood plan. (Note that the Council has no choice by to do so if a neighbourhood plan if it passes the local referendum).
3. Delegates authority to the Executive Director for Environment and Planning to make decisions on.
 - 3.1 screening neighbourhood plans under the environmental assessment regulations;
 - 3.2 informal comments on emerging neighbourhood plans (pre-submission);

- 3.3 whether a neighbourhood plan submitted to the Borough Council meets the statutory requirements of completeness;
 - 3.4 timing of publication, and scope of associated publicity and consultation;
 - 3.5 appointment of independent examiner;
 - 3.6 the details of any changes required to the neighbourhood plan by the Cabinet decision at 1 above; and
 - 3.7 minor amendments, corrections or updates to any of the decisions above (including 1 to 4), and issuing of any statutory notices of publicity notifying such decisions.
4. Congratulates Brancaster and South Wootton Parish Councils on their preparation of a draft neighbourhood plans for their respective areas, and for being the first two in the Borough to be submitted.

REC125: Cabinet Report – Award Of The Honorary Freedom Of The Borough – Honorary Alderman Dr Paul R Richards

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

1. That an Extraordinary Meeting of the Council be held prior to the Council meeting on 23 April 2015 in order to approve the award of the Honorary of Freedom of the Borough to Honorary Alderman Dr Paul Richards, under section 249 of the Local Government Act 1972, in recognition of the eminent service that Dr Richards has given to the Borough, the promotion of its history and Hanse connections.
2. That the common seal of the Council be affixed to a certificate to be presented to Dr Richards at a formal ceremony at the Town Hall after the Council meeting on the evening of 23 April 2015.

REC127: Exempt Cabinet Report – King's Lynn Town Hall

Resolved: (i) That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

That Cabinet agree to appoint the selected contractor for the Town Hall scheme as detailed in the report.

- (ii) That the Panel were supportive of the proposed refurbishment works to the first floor toilets.

9.

REPORTS

<p>1) AWARD OF THE HONORARY FREEDOM OF THE BOROUGH – HONORARY ALDERMAN DR PAUL R RICHARDS (Page 11)</p>	<p>RECOMMENDED: 1) That an Extraordinary Meeting of the Council be held prior to the Council meeting on 23 April 2015 in order to approve the award of the Honorary of Freedom of the Borough Honorary Alderman Dr Paul Richards, under s249 of the Local Government Act 1972, in recognition of the eminent service that Dr Richards has given to the Borough, the promotion of its history and Hanse connections.</p> <p>2) That the common seal of the Council be affixed to a certificate to be presented to Dr Richards at a formal ceremony at the Town Hall after the Council meeting on the evening of 23 April 2015.</p> <p>Reason for Decision To formally recognise Dr P R Richards and the service he has given to the Borough</p>
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<p>2) DELEGATION OF DECISION MAKING FOR NEIGHBOURHOOD DEVELOPMENT PROCESSES (Page 15)</p>	<p>RESOLVED: 1) That Cabinet reserves to itself decisions</p> <p>1.1.as to whether a neighbourhood plan should proceed to a referendum, and if so whether the plan must first be amended to meet the relevant statutory requirements; and</p> <p>1.2.designation of a neighbourhood forum where there are competing groups applying for designation.</p> <p>2) That delegated authority be given to the Executive Director for Environment and Planning, in consultation with the Portfolio Holder for Development, to make decisions on</p> <p>2.1.designation of a neighbourhood forum, unless there are competing groups applying for designation;</p> <p>2.2.designation of a neighbourhood area (as per existing delegated authority);</p> <p>2.3.formal representations in response to consultation (pre-submission and publication stages) on draft neighbourhood plans; and</p> <p>2.4.'Making' (adopting) a neighbourhood plan. (Note that the Council has no choice but to do so if a neighbourhood plan if it passes the local referendum.)</p> <p>3) That delegated authority be granted to the Executive Director for Environment and Planning to make decisions on:</p> <p>3.1.screening neighbourhood plans under the environmental assessment regulations;</p> <p>3.2.informal comments on emerging neighbourhood plans (pre-submission);</p>
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	<p>3.3. whether a neighbourhood plan submitted to the Borough Council meets the statutory requirements of completeness;</p> <p>3.4. timing of publication, and scope of associated publicity and consultation;</p> <p>3.5. appointment of independent examiner;</p> <p>3.6. the details of any changes required to the neighbourhood plan by the Cabinet decision at 1 above; and</p> <p>3.7. minor amendments, corrections or updates to any of the decisions above (including 1 to 4), and issuing of any statutory notices or publicity notifying such decisions.</p> <p>4) That Brancaster and South Wootton Parish Councils be congratulated on their preparation of a draft neighbourhood plans for their respective areas, and for being the first two in the Borough to be submitted.</p> <p>Reason for Decision</p> <p>To ensure decisions can be made in a timely fashion, and at the most appropriate level within the Council, in order to fulfil obligations under the Localism Act, and to congratulate those parish councils on their achievement of reaching this stage.</p>
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<p>3) TREASURY MANAGEMENT STRATEGY STATEMENT, MINIMUM REVENUE PROVISION POLICY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2015/2016 (Page 25)</p>	<p>RECOMMENDED: 1) The Treasury Management Strategy Statement 2015/2016, including treasury indicators for 2015/2018.</p> <p>2) The Investment Strategy 2015/2016.</p> <p>3) The Minimum Revenue Provision Policy 2015/2016.</p> <p>4) Adopt the revised Treasury Management Practices (TMPs).</p> <p>Reason for the Decision The Council must produce a Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2015/2016 by 31 March 2015.</p>
<p>4) PROPOSED MEMBERS ICT SOLUTION (Page 48)</p>	<p>RESOLVED: 1) To provide each Member with an iPad tablet device, Citrix access and a mobile phone, replacing the current Council ICT solution, unless Members choose to utilise their own compatible equipment.</p> <p>2) That the 3G option is not entered into except on an exceptions basis.</p> <p>3) To implement an allowance of £10 per month towards the cost of Broadband and ICT peripherals.</p> <p>4) To introduce Members Computer Usage Guidelines.</p> <p>Reason for Decision To ensure that Members have access to ICT in a secure and efficient manner that reflects up to date technical advancements and good practice.</p>
<p>5) ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (Page 76)</p>	<p>RESOLVED: 1) That the new powers under the Anti-Social Behaviour and Policing Act 2014 be noted.</p> <p>2) That the Executive Director Central and Community Services be delegated to authorise officers of the Council under the Act.</p> <p>3) That powers under s53 of the Act be delegated to Executive Director Central and Community Services to</p>

	<p>authorise designated persons to issue Community Protection Notices and Fixed Penalty Notices, subject to such training and accreditation deemed appropriate.</p> <p>4) That the level of Fixed Penalty Notice be set at £80 reduced to £60 if paid within 14 days.</p> <p>Reason for Decision To enable effective use of powers available under the Act to deal with Anti-Social Behaviour.</p>
<p>6) BYELAWS FOR SKIN PIERCING ACTIVITIES (Page 82)</p>	<p>RECOMMENDED: 1) That the byelaws as set out in Appendix 1 to the report be approved and the affixing of the common seal to the byelaws be authorised.</p> <p>2) That the Legal Services Manager be authorised to apply to the Secretary of State for confirmation of the byelaws.</p> <p>Reason for Decision The Council has the responsibility to ensure that the skin piercing activities carried out within the Borough do not pose a public health threat.</p> <p>By not adopting the byelaws persons and premises would be able to trade without any controls or hygiene standards in place.</p>
<p>7) UPDATE TO THE CODE OF CORPORATE GOVERNANCE (page 93)</p>	<p>RECOMMENDED: That the Code of Corporate Governance be approved.</p> <p>Reason for Decision To ensure good governance of the Borough Council of King’s Lynn and West Norfolk.</p>

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 item of business on the grounds that it involves 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 TOWN HALL (Page 107)</p>	<p>RESOLVED: That Pentaco Construction be appointed for the Town Hall scheme as detailed in the report.</p> <p>Reason for Decision</p> <p>To enable the building works to commence in April with completion early in 2016.</p>
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The Meeting closed at 6.14 pm