

**RECOMMENDATIONS TO CABINET ON 3 MARCH 2015 FROM THE  
REGENERATION, ENVIRONMENT AND COMMUNITY PANEL MEETING ON 25  
FEBRUARY 2015**

**REC122: CABINET REPORT: BYELAWS FOR SKIN PIERCING ACTIVITIES**

The Environmental Health Manager (Commercial) presented the Cabinet report which contained a proposal to adopt new byelaws relating to skin piercing activities and the adoption of the national Tattoo Hygiene Rating Scheme.

The Panel was informed that the byelaws had last been updated in 2007.

The Environmental Health Manager (Commercial) explained that the Council was carrying out education in schools on tattoos and skin piercing and also educating practices that carried out the licensable activities.

The Panel was shown a DVD which was provided to educate schools and showed the dangers of using unregulated and unlicensed service providers.

The Chairman thanked the Environmental Health Manager (Commercial) for her report and invited questions and comments from the Panel, some of which are summarised below.

In response to a comment from Councillor Baron Chenery of Horsbrugh the Environmental Health Manager (Commercial) explained that the byelaws covered all body art, including piercings, acupuncture and specialist activities. She stressed the importance of using a registered practice which would be compliant of the byelaws and subject to regular inspections.

Councillor Mrs Leamon addressed the Panel under Standing Order 34. She asked what publicity would be carried out to highlight the importance of using registered premises. She also asked if there were any age limits on ear piercing. The Environmental Health Manager (Commercial) explained that poster campaigns had been carried out in the past which highlighted the risk of contracting a disease if equipment was contaminated. The introduction of the revised Byelaws and the tattoo hygiene rating scheme would be promoted and publicised. The Environmental Health Manager (Commercial) confirmed that there was no age limit for ear piercing.

**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**

The Environmental Health Officer presented the Cabinet report which provided an overview of the Antisocial Behaviour and Policing Act 2014 which came into force in October 2014. He explained how it was proposed to amend the delegation of powers to allow for the implementation of new powers and to agree the level of Fixed Penalty Fines.

The Chairman thanked the Environmental Health Officer for his report and invited questions and comments from the Panel, some of which are summarised below.

In response to a question from the Chairman, the Environmental Health Officer explained that there was a three year leeway on Designated Public Place Orders before they transferred to the new powers. All areas subject to Orders would be reviewed to check if there was a need to keep them and would be subject to three yearly reviews.

In response to a question from Councillor Mrs Collingham, the Environmental Health Manager confirmed that parking fines were a civil enforcement issue and not part of the Antisocial Behaviour, Crime and Policing Act. The Executive Director agreed to send details of how powers had been challenged to Councillor Mrs Collingham.

In response to a question from Councillor Baron Chenery of Horsburgh, the Antisocial Behaviour Officer explained that some Crack Houses had been closed down in the Borough and were dealt with by the Police.

In response to a further question from Councillor Baron Chenery of Horsburgh, the Environmental Health Officer explained that under the new powers a community protection order could be issued to make owners of premises clean up in cases where there were problems with littering just outside of the premises.

Councillor Bubb asked if the powers were limited to public areas. The Environmental Health Officer explained that closure orders could be issued in extreme cases to exclude people from properties. The Police could deal with issues in public spaces and each case would need to be looked at with regards to technicality and enforceability.

**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**

The LDF Manager presented the Cabinet Report. He explained that several Neighbourhood Development Plans were in preparation by Parish Councils and two had now been submitted to the Borough Council. The Panel was informed that the Borough Council would now be required to make a series of formal decisions and the Cabinet report set out how the Council could make the necessary decisions.

The LDF Manager referred the Panel to part three of his report which set out the sequence of decisions the Borough Council would be required to make in its various roles throughout the process and the recommended level within the Council for the particular decision to be taken. The LDF Manager explained that the early stages of the process were usually informal, however once the plan was at submission stage it would be published for consultation and representations before being formally submitted for examination.

The LDF Manager explained that Brancaster and South Wootton Parish Councils had submitted their draft plans to the Borough Council for processing and decision-making. The LDF Manager congratulated the Parish Councils for getting to this stage as an immense amount of work had been involved.

The Chairman thanked the LDF Manager for his report and invited questions and comments from the Panel, some of which are summarised below.

Councillor Crofts asked if previous Village Appraisals which were taken as a material consideration in considering planning applications would be superseded by Neighbourhood Plans. The LDF Manager explained that Neighbourhood Plans were voluntary and were much more detailed than Village Appraisals. If a Neighbourhood Plan was adopted it would become part of the Council's formal Development Plan and carry the same weight when considering planning applications.

Councillor Mrs Collingham asked for clarification on the Council's involvement in assisting with the preparation of Neighbourhood Plans. The LDF Manager explained that it was a requirement for Local Authorities to assist with the process, but a proportional approach was required. It was important that the Borough Council was involved in the process so that Neighbourhood Plans did not contradict the Borough Council's Local Development Framework.

**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**

The Deputy Leader of the Council presented the report. He felt that the reasoning behind the report was clear and apparent and informed those present that the award of the Honorary Freedom of the Borough was a very high honour to bestow, and felt that Honorary Alderman Dr P Richards was well deserving of the award.

The Chairman thanked the Deputy Leader of the Council for presenting the report and invited questions and comments from the Panel, some of which are summarised below.

Councillor Collis commented that it was a marvellous thing that the Borough was doing. He reminded those present that Norfolk County Council had recognised the contributions made by Dr Richards by appointing him Deputy Lieutenant of Norfolk. Councillor Collis explained that he had worked with Dr Richards over a number of years and he had tremendous energy and promoted a wide range of activities. Councillor Collis explained that he felt honoured to know him and he was a tremendous asset to the Borough. Councillor Collis commented that he whole-heartedly supported the proposals.

Councillor Crofts commented that he knew Dr Richards through his involvement in Marriott's Warehouse and his enthusiasm for the promotion of King's Lynn could not be doubted. Councillor Crofts explained that Dr Richards deeply deserved the award and he supported the proposals.

The Chairman explained that Dr Richards knowledge had benefited him greatly during his term as Mayor and he supported the proposals.

**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.

REC126: **EXCLUSION OF PUBLIC AND PRESS**

**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 paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Act.

REC127: **EXEMPT CABINET REPORT – KING’S LYNN TOWN HALL**

The Executive Director presented the report which detailed the result of a tender exercise for the building work elements of the Town Hall project.

The Chairman thanked the Executive Director for his report and invited questions and comments from the Panel, some of which are summarised below.

Councillor Mrs Leamon addressed the Panel under Standing Order 34 and in response to her question the Executive Director explained that he was confident that the company who won the tender exercise would carry out the works to a high standard.

Councillor Mrs Watson commented that she was thrilled that the works would be going ahead and the treasures of Lynn would be made more accessible.

The Portfolio Holder for Culture, Tourism and Marketing, Councillor Mrs Nockolds, referred the Panel to part 1.2 of the report which explained that the Council had included options for additional works to be carried out which were not part of the original Heritage Lottery Fund scheme including refurbishment of the toilets on the first floor. The Portfolio Holder for Culture Tourism and Marketing asked for the Panel’s views on the potential additional works to the first floor toilets. The Panel agreed that the upgrading of the facilities would be welcomed.

**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.

**RETURN TO OPEN SESSION**