

Borough Council of
**King's Lynn &
West Norfolk**



COUNCIL MEETING

Agenda

Thursday, 29 January 2015

*In the
Assembly Room
Town Hall
Saturday Market Place
King's Lynn*



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Borough Council of
**King's Lynn &
West Norfolk**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
Fax: 01553 691663

21 January 2015

Dear Councillor

You are hereby summoned to attend a meeting of the **Borough Council of King's Lynn and West Norfolk** which will commence at **6.30pm** on **Thursday, 29 January 2015** in **The Assembly Room, Town Hall, Saturday Market Place, King's Lynn** to transact the business shown below.

Yours sincerely

Ray Harding
Chief Executive

BUSINESS TO BE TRANSACTED

1 PRAYERS

2 APOLOGIES

To receive apologies for absence

3 MINUTES

To confirm as a correct record the Minutes of the Meetings of the Council held on 27 November 2014 (previously circulated, pages 422-437).

4 DECLARATION OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

5 MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS

To receive Mayor's communications and announcements.

6 URGENT BUSINESS

To receive any items of business which in the opinion of the Mayor are urgent.

7 PETITIONS AND PUBLIC QUESTIONS

To receive petitions and public questions in accordance with Standing Order 9.

8 CABINET MEMBERS REPORTS

In accordance with Standing Order 11.1 to receive reports from Cabinet Members in the following order and under Standing Order 11.2 (a) Members of the Council may ask questions of the Cabinet Member on their reports and Portfolio areas:

(Councillors are reminded that this is a question and answer session not a debate.)

Culture Tourism and Marketing	- Page 6
Development	- Page 8
Housing and Community	- Page 11
ICT Leisure and Public Space	- Page 14
Regeneration and Industrial Assets	- Page 16
Special Projects	- Page 18
Deputy Leader & Environment	- Page 19
Leader	- Page 21

9 MEMBERS QUESTION TIME

In accordance with Standing Order 11.2 (b), Members of the Council may ask any questions of the Chairman of any Council Body (except the Cabinet) on any items in the Minutes of that Council Body being presented to the Council which have been previously circulated.

10 RECOMMENDATIONS FROM COUNCIL BODIES

To consider the following recommendations to Council :

i) **Cabinet: 2 December 2014 : page 23**

- CAB114: Updates Of : Freedom Of Information; Environmental Information Policy; Data Protection Act Policy And The Publication Scheme
- CAB116: Council Tax Support Scheme For 2015/16
- CAB117: The Wash East Coastal Management Strategy

ii) **Cabinet: 13 January 2015** :(page 26)

CAB126: Council Tax Discounts For Second Homes And Empty Properties

CAB127: Homelessness Strategy 2015-19

CAB128: Planning Obligations And Affordable Housing - Implications Of The Recent Government Announcement On Revised Thresholds

CAB129: Pension Fund – Employer’s Policy Statement

iii) **Cabinet Scrutiny Committee: 22 January 2015**

To consider any recommendations arising from the above meeting which meets after the dispatch of the Council agenda.

11 **PROPORTIONALITY**

To give consideration to the report on proportionality changes set out on page 31

Ray Harding
Chief Executive

CABINET MEMBERS REPORT TO COUNCIL

29 January 2015

**COUNCILLOR MRS EA NOCKOLDS
CABINET MEMBER FOR CULTURE, TOURISM AND MARKETING**

For the period 28 November 2014 to 17th January 2015

1 Progress on Portfolio Matters.



Art Cities & Landscape

The remaining balance of the Amiens project funded by the European Commission is being used to fund a Light Festival during March 2015. Young French artists have been invited to design a light projection for 5 buildings in King's Lynn, they are The Minster, St Nicholas Chapel, Greyfriars Tower, a building in Baxters Plain and a building on the Tuesday Market. Place. The funding will purchase light projectors to be positioned at each building. The designs will be evaluated by the Amiens Artistic Committee who will also meet with the candidates.

The Learning & Engagement Officer and the Project Curator for the 'Stories of Lynn' Town Hall project have been appointed and started work during the first week of January, they are based in the Museum office at the Town Hall. The Marketing & Promotions Officer starts in February. The full time post for The Archivists is currently being advertised.

The Records and collections in both the Archive and Regalia Rooms will be catalogued, wrapped and boxed during February and transported to Norfolk Records Office.

The short listed contractors for the Town Hall project are being invited to tender with a return date in February, with the aim of starting work in April.

Visit West-Norfolk web-site had 98,000 users during 2014, a 25% increase on the same period 2013. The popular pages are Hunstanton during the Summer season and King's Lynn during Spring and Autumn. A mobile phone App is

being designed in partnership with the King's Lynn Town Centre Partnership ready for the Summer season, which will inform users of where the restaurants and accommodation places are as well as events and attractions. At King's Lynn Bus Station a Visitor Information 24hour touch screen will be installed at the kiosk giving information on accommodation and events.

A short film showing the heritage within our Borough is at the moment being shown on Visit Britain's 'Britain is great' campaign web-site, www.britainisgreat.com/west-norfolk it is also on our web-site and 'Visit Norfolk' web-site. During February another web-site campaign will focus on, visiting King's Lynn in the Spring which will be shown on 'Visit England' web-site named, 'Heritage in Spring', as well as a mention on Classic.FM radio.

2 Forthcoming Activities and Developments.

During the week of the 19th-25th January a programme of events was arranged by the King's Lynn & West Norfolk Archaeological Society in partnership with Lynn Museum, Trues Yard, ourselves and many others to commemorate the January 1914 Zeppelin raid. The week started with a 'Service of Commemoration' at All Saints Church and a light projection of the Zeppelin Raid shown on the Customs House which will be shown each evening during the week. ITV News have been filming artefacts at the Lynn Museum, BBC Look East has requested to broadcast live from the Customs House showing the light projection. During the week poetry, lectures, a themed 'Coffee Morning' and Marham's Military Wives Choir have been arranged for the public to attend.

The excellent graphics for the light projection has been put together by the French Artist, Julia Dantonnet, who has been successful for both the 'Night Sailors' and Frederick Savage's images.

Planning is well advanced for the 10th GEAR 10K Run. Bepak have agreed to sponsor the Run for the next 3 years and are paying for pupils from 10 West Norfolk Primary Schools to take part in the Mini GEAR offering prize money to the school with the highest percentage of pupils taking part. Norfolk Green has offered the use of a double-decker bus for the use of the Race Commentator. Ryston Runners are offering six weeks of training nights at Lynnsport.

From late Spring, visitors to Hunstanton will have a new activity to enjoy at the cliff top end of the resort, a 9 hole Foot Golf course has been added to the Pitch & Putt field.

Alive Leisure is working in partnership with Active Norfolk to offer 'Get into Golf' courses which will provide training for beginners during 4 weeks. Roller Skating sessions are on offer at Lynnsport and Downham Market.

Another Active Norfolk programme is the 'Fit Together' Health Walks which range from 1.5 miles to under 6 miles and continues until May 2015.

3 Meetings Attended and Meetings Scheduled

Portfolio meetings with;

Chris Bamfield Exe. Director Commercial Services
Ostap Paparega Econ. Dev. Officer
Tim Humphreys Tourism Manager
Becky Box Personnel Services Manager

Cabinet

Regeneration Environment & Community Panel
Alive Leisure Trust Board including Governance and Audit Committees
Norfolk Records Committee
Amiens Artistic Committee
Norfolk Joint Museums Committee
Norfolk Police and Crime Panel meeting
Norfolk Citizens Advice Bureau Chief Executive
The North Norfolk Coast and Countryside Ltd. Board Meeting
West Norfolk Tourism Executive Committee
King's Lynn Festival Board Meeting
KLFM Sports Selection Panel and Awards Evening
The Mart 2015 Working Group
GEAR 10K Steering Group
Hanse 2015 Festival Working Group
West Norfolk Voluntary Community Action Board Meeting
Active Norfolk Committee meeting
Gaywood SNAP Panel
Woottons SNAP Panel
A47 Member briefing

CABINET MEMBERS REPORT TO COUNCIL

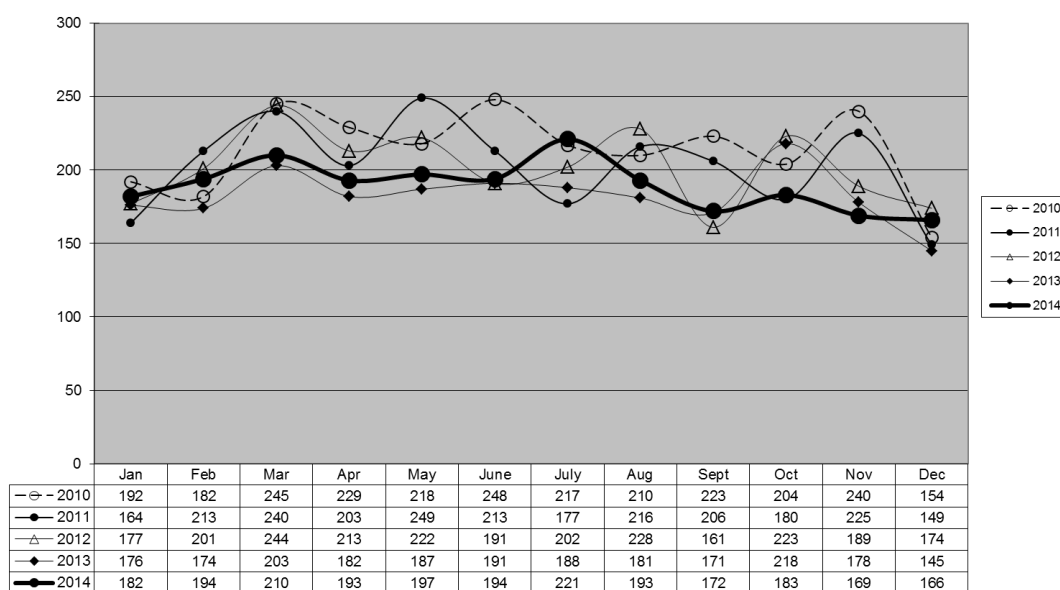
29 January 2015

COUNCILLOR VIVIENNE SPIKINGS - CABINET MEMBER FOR DEVELOPMENT

For the period

1 Progress on Portfolio Matters.

Planning and discharge of condition applications received



The Government has published their response to the consultation on securing sustainable drainage systems. The expectation is that sustainable drainage systems will be provided in new developments wherever this is appropriate.

To this effect, local planning policies and decisions on planning applications relating to major development – developments of 10 dwellings or more; or equivalent non-residential or mixed development, to ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.

Under these arrangements, local planning authorities should consult the relevant lead local flood authority on the management of surface water; satisfy themselves that the proposed minimum standards of operation are appropriate and ensure that through the use of planning conditions or obligations that there are clear arrangements in place for the ongoing maintenance of the lifetime of the development. They should be economically proportionate. These changes come into effect in April 2015.

These changes will be taken into account in the preparation of local and neighbourhood plans, and may be a material consideration in planning decisions.

We will publish a revised planning guidance in time for the policy changes to take effect.

The Government will also begin consultations on a proposal to make lead local flood authorities a statutory consultee on planning applications for surface water management, and changes to the statutory consultee role of the Environment Agency to better reflect the Agency's strategic expertise and reflect the new responsibilities for local flood management exercised by lead local flood authorities.

CNC (Central Norfolk Consortium)

I was pleased to attend at the Boathouse House, Wisbech, the joining of Fenland Council to the Building Control Consortium. A warm welcome was extended to them and the staff from King's Lynn will join Fenland working at the Boathouse.

LDF

The Parish Council Briefing sessions for the Sites plan were held over 3 sessions i.e.

King's Lynn, Town Hall attended by 16 people representing 13 town/parishes.
Downham Market Town Hall attended by 16 people representing 9 town/parishes
Hunstanton Town Hall attended by 23 people representing 9 town/parishes

Our key message was whatever your viewpoint please join in the Examination process and make your representations to the Inspector.

2 Meetings Attended and Meetings Scheduled

- Planning
- Planning Site Visits
- Cabinet
- CNC
- A47 Stakeholder
- Portfolio holder briefing
- LDF

CABINET MEMBERS REPORT TO COUNCIL

29 January 2015

COUNCILLOR ADRIAN LAWRENCE - CABINET MEMBER FOR HOUSING & COMMUNITY

For the period 28 November 2014 to 19 January 2015

1 Progress on Portfolio Matters.

Public Health/Licensing

New by-laws have been drafted for skin piercing activities and these will be forwarded to Cabinet for approval in due course. Additionally the Health and Safety team in conjunction with Legal Services are looking at the feasibility of introducing by-laws controlling other body modification activities.

The Christmas period was quiet for licensed premises with only 3 reports received from the police involving incidents.

Food Hygiene

New Food Information Regulations came into force in England on 14th December 2014. The Food team are working with local business to support them in complying with the new requirements. A bespoke training course will be offered free of charge to all food businesses later in the year.

Housing

The total on the register prior to the change of policy on 1st October 2014 was 2,494 and at the end of December 2014 was 2,424, a drop of 70.

68 applicants were housed during December into Housing Association accommodation.

21 new applicants were not admitted to the housing register during December as they did not meet the local connection criteria.

95 new applicants were accepted onto the register during December.

Homelessness over Christmas

Temporary accommodation – Christmas closure (provision & usage) – Emergency direct access beds (EDAB's) at Merchants Terrace. These are available all year round with 24/7 access, there are 4 bed spaces available for single people and they can accommodate both male and females as there are two separate rooms. 1 x female and 4 x males were accommodated over the Christmas period with a total of 22 nights stay between them.

None of the other accommodation provisions were used.

Redress Schemes - Managing Agents

From 1st October 2014, a lettings agent or property manager must join one of 3 national redress schemes set up by Government

Some private agents have already long been a member of such a scheme but now this is compulsory

Each scheme will consider any disputes between consumers/tenants and the agents or property managers who are members. They will investigate complaints by listening to both sides and looking at the facts. They will decide what action, if any, should be taken when a consumer/tenant and a property manager are unable to agree.

'Lettings Agency work' is anything done by someone other than the landlord in response to instructions from the landlord such as:

It could apply to individuals – not just high street agencies

There are some exemptions such as

- Online advertising platforms
- Registered Providers (Housing Associations) like Freebridge Community Housing as they are already a member of the Housing Ombudsman Scheme
- A friend who is looking after a property as a favour, for example when the owner is on holiday and who is not being paid, as the arrangements are informal.

If a letting agent or manager does not join a scheme they can be fined up to £5,000.

The Borough Council is responsible for monitoring and taking action. There needs to be a fair and effective action where the legal requirement to join a scheme has not been met.

Initially we are making people aware and advising anyone who we believe to be an agent, in case they are unaware of their legal responsibilities.

However, it is the responsibility of agencies and individuals to join such a scheme and they should be making arrangements to do so. If, in the longer term, they do not meet their legal obligations, we will consider enforcement action.

Help For Single Homeless Fund Application

I am delighted to inform you that the Borough Council of King's Lynn and West Norfolk's application for up to **£250,000** funding over two years, working in partnership with Norwich CC, Great Yarmouth BC, Broadland DC, Breckland Council, Waveney DC, West Norfolk Council and South Norfolk Council, under the Help for Single Homeless Fund has been successful.

On the basis of our successful application we have been awarded an allocation of up to **£93,750** in 2014-15. We have also been provisionally awarded up to **£156,250** in 2015-16, and will be subject to HM Treasury consent.

The purpose of the Help for Single Homeless Fund is to:

Break the route into rough sleeping by improving co-ordination for single homeless clients across local authority boundaries, agencies (such as public health, probation services) and the voluntary sector; and to

Spread good practice to improve the quality and consistency of the service for single homeless people.

I hope you will all agree this is fantastic news

2 Meetings Attended and Meetings Scheduled

Cabinet Scrutiny
Cabinet Siftings
Cabinet Meetings
Regeneration Environment & Community Meetings
Resources & Performance Meetings
Meeting with Freebridge
Visit to Discovery Centre
Portfolio Meetings
Major Housing Development Meeting
Visit to Care & Repair
CIL Briefing
Meetings with Officers
Meeting with Citizens Advice Bureau

CABINET MEMBERS REPORT TO COUNCIL

COUNCILLOR DAVID POPE CABINET MEMBER FOR LEISURE AND OPERATIONAL ASSETS

For the period 1st December 2014 to 29th January 2015

1 Progress on Portfolio Matters.

1. I was pleased to receive a report on the footfall figures for King's Lynn Town Centre which showed that Saturday 20th December reached 41,000 with 216,000 in total for the week. This is the highest ever recorded for King's Lynn. The figures are also reflected in the Council's parking income which is 6% up on the previous year to the end of December, approximately £130,000.
2. Work is progressing satisfactorily on the Kingsway Pavilion changing facilities which should be completed in the spring.
3. The Capital scheme to replace the Oasis Swimming Pool air handling system was completed in December. The early indications are that the system will prove effective in improving problems with damp and condensation in the pool and reducing energy costs. The project was completed within budget.
4. The public toilets in the St James Multi-storey car park have been refurbished to a standard that better fits with the overall quality of the car park. I am very pleased with the work.
5. I wrote to the press earlier in the month with regard to two letters in the Lynn News concerning the Crematorium which I felt were unfairly critical of the Council. I am satisfied that the Council's staff is extremely conscientious and appreciate how sensitive the services they provide are.
6. A planning application has been submitted for the relocation of the Council's Nursery to our Depot from the existing site at Gayton Road.
7. Grounds work is progressing to carry out some amendments to the Pitch and Putt areas at Hunstanton to allow one of the two 9 hole courses to be used for foot golf in the coming season.

2 Meetings Attended and Meetings Scheduled

02 Dec	Alive Management meeting Cabinet
03 Dec	ICT meeting WN Sports – nominations
08 Dec	Panto – Corn Exchange
11 Dec	Mayor at Home – Town Hall
15 Dec	Cabinet sifting
05 Jan	SNAP overview meeting
06 Jan	R & P meeting
07 Jan	Portfolio meeting – Chris Bamfield SNAP meeting – Downham Mkt
12 Jan	Cabinet sifting
13 Jan	Cabinet
15 Jan	South Lynn football field inspection – Chris Durham
16 Jan	A47 Hardwick junction – member briefing
22 Jan	Willows meeting – interested parties
26 Jan	Upwell IDB meeting
28 Jan	Portfolio meeting – Chris Bamfield
29 Jan	Full Council

CABINET MEMBERS REPORT TO COUNCIL

29 January 2015

COUNCILLOR ALISTAIR BEALES - CABINET MEMBER FOR REGENERATION & INDUSTRIAL ASSETS

For the period 28 November 2014 to 21 January 2015

1 Progress on Portfolio Matters.

With 124 industrial units, nearly 40 shops and other retail units, seafront kiosks and cafes, ground rents and concessions to manage, the purchase and sale of land and property to transact as well as regeneration projects this is a busy portfolio. The recent past has seen major regeneration projects like Tuesday Market Place and Saturday Market Place and currently the proposal for residential development at Lynnsport/Marsh Lane is one of the most significant projects this portfolio has brought before members for consideration.

Given the significance of the proposal I have been at pains to ensure there is good public consultation and we recently held an extra event at Lynnsport on 9th January and extended the consultation period to 16th January. As members may be aware, there has been public concern at some aspects of the proposals and I have slowed the progress of the report to allow public consultation to be collated and possible changes to the scheme evaluated for consideration by special Cabinet (and if approved) Council. Of particular concern was the possibility of Marsh Lane being blocked to through traffic (by bollards) adjacent to the now redundant Alderman Jackson school site. I have been very clear and say again that this is just an initial proposal and nothing is set in stone. I have been to see the owners of the shop on Marsh Lane who were particularly concerned at the possible impact upon their trade and will take all comment into very serious account.

I hope to arrange a pre Council briefing to share as much information with members as possible – but I must stress that some financial information remains commercially sensitive and if and when this proposal comes to Council if members wish to debate this then the debate may have to be in camera.

2 Forthcoming Activities and Developments.

Work continues to go well on the Kings Lynn Bus Station (which started on 6th January) and I will report progress to Council in due course.

3 Meetings Attended and Meetings Scheduled

2nd Dec – Cabinet
3rd Dec – ICT Development Group
8th Dec – Gayton PC
9th Dec – Broadcasting Task Group
10th Dec – CIL update
10th Dec – Leziate PC
12th Dec – portfolio meeting
15th Dec – Cabinet sifting
15th Dec – meeting with Corporate Projects Officer
6th Jan – Radio Norfolk interview at King’s Lynn Bus Station
6th Jan – KLFM interview
6th Jan – Resources & Performance Panel
13th Jan – Cabinet
20th Jan – meeting at Bawsey
21st Jan – meeting with residents at Lynnsport/Marsh Lane
21st Jan – portfolio meeting
22nd Jan – Cabinet Scrutiny Committee
26th Jan – Special Cabinet
28th Jan – media briefing
29th Jan – full Council

CABINET MEMBERS REPORT TO COUNCIL

29 January 2015

COUNCILLOR LORD HOWARD - CABINET MEMBER FOR SPECIAL PROJECTS

For the period 28 November 2014 to 29 January 2015
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1 Progress on Portfolio Matters.

Works to the Saturday Market Place are now substantially completed. The final parts of the scheme including lighting to the Town Hall, picking out the outline of the Charnel Chapel and interpretation.
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2 Meetings Attended and Meetings Scheduled

Council Cabinet

CABINET MEMBERS REPORT TO COUNCIL

29 January 2015

COUNCILLOR BRIAN LONG – DEPUTY LEADER & CABINET MEMBER FOR ENVIRONMENT.

For the period 28 November 2014 to 18 January 2015

1 Progress on Portfolio Matters.

Brown Bin – Garden Waste Service.

The brown bin figure for the end of December 2014 is 19935 with 1424 names currently on the waiting list. An additional quantity of Brown bins are now on order for delivery before the end of January and those on the waiting list are being contacted to see if they wish to still have one, as capacity has been increased from then.

Trolley Collection Service.

The trial with TCS has now finished and the Supermarkets have in place their own scheme. We are monitoring the situation to make certain abandoned trollies do not start appearing around the borough.

Waste & Recycling Service.

Over Christmas and New Year collections were moved back in all cases to avoid holiday dates. Those alterations to collections are now finished with very few complaints about missed collections. Moving a collection back is always preferable to moving them forward and I have instructed our contractors to plan for the same next Christmas/ New Year.

2 Forthcoming Activities and Developments.

Food Waste Collection Service

Following request from members, the 240 litre bins used to decant off food waste now all contain the phrase “FOOD WASTE FOR COMPOSTING” on stickers on each bin.

Tidal Surge Commemoration.

On December 5th, a commemoration was held to remember the works of The Borough Council, Environment Agency, Police and Fire Services on 5th December 2013. A number of plaques were unveiled, including one by Henry Bellingham MP, on the flood defence wall near to the Bank House

3 Meetings Attended and Meetings Scheduled

In addition to my usual round of Cabinet and Portfolio Meetings I have also attended the following:

Coastal Districts Liaison meeting

Norfolk Coast Partnership

Water Management Alliance

Wash and North Norfolk Coast European Marine Site

Kings Lynn Conservancy Board

Consultation Meeting with Non Domestic Ratepayers.

CABINET MEMBERS REPORT TO COUNCIL

29 January 2015

COUNCILLOR NICK DAUBNEY – LEADER AND CABINET MEMBER FOR RESOURCES

For the period 28 November 2014 to 29 January 2015

1 Progress on Portfolio Matters.

Budget 2014/2015

The current year budget for 2014/2015 forms part of the revised Financial Plan 2014/2018. In the report to the February 2015 Cabinet and Council I am pleased to note that we have once again maintained control of our finances, made net savings of £130,000 and will end the year in March 2015 with a level of balances that will be available to the Council to help build a sound financial platform for future years.

Financial Plan 2014/2018

Earlier this month the papers were published showing an update on our medium term Financial Plan 2014/2018. The Plan shows the record of the Council over the past year and sets out the proposals to continue to maintain council tax at the same level since April 2010 whilst continuing to deliver a wide range of quality services to the residents, businesses and visitors to the borough. I look forward to the debate at the next Council when the formalities of setting council tax will be on the agenda.

Mayors Business Awards

Visits have been undertaken to engage with nominated businesses. We look forward to announcing the Winner at the Awards ceremony on 6th March

Christmas in West Norfolk

Many colleagues, town/parish councils and council officers worked very hard to ensure a great Christmas atmosphere for West Norfolk. I congratulate and thank all. The lights, light show, pantomime were terrific. These splendid efforts are good for community and business.

Hansa Business Matters

15th May will see the opening of a most important international business conference to be held in King' Lynn. In this regard we welcomed a visit from the Managing Director of The Business Hanse and The Board Vice Chairman earlier in January. They took the time to meet West Norfolk members of the Business Hanse and to appoint King's Lynn as the first "Kontor" of the Business Hanse.

There are now over one hundred private business members of the organisation from all over Northern Europe, The Baltic States and Russia.

2 Meetings Attended and Meetings Scheduled

Attended Since Last Council

LGA Safer and Stronger Communities Board
Alive Management Board
Cabinet
Tidal Surge Commemoration
NWES Board Meeting
Norfolk Leaders
College Board
Litcham School Question Time
Cabinet Scrutiny
KLFM Young Heroes Awards
Hanse Business Mayors Business Awards

Planned Before Council 29 January

Town Centre Partnership
Meeting CITB (construction College)
Holocaust Memorial Day
Cabinet
Resources and Performance Panel
Regeneration and Environment Panel

**RECOMMENDATIONS TO COUNCIL ON 29 JANUARY 2015 FROM CABINET
ON 2 DECEMBER 2014**

CAB114: **UPDATES OF : FREEDOM OF INFORMATION; ENVIRONMENTAL
INFORMATION POLICY; DATA PROTECTION ACT POLICY AND THE
PUBLICATION SCHEME**

The Legal Services Manager presented a report which reminded Members that the Council had various statutory obligations concerning management of and access to information. The amended Data Protection Policy and Freedom of Information (FOI) policies, were now merged with the Environmental Obligations for ease of administration as their accessibility rights were the same. The policies and Publication Scheme were attached to the report and set out how the Council would implement these statutory obligations whilst assuring transparency in terms of the information available.

Under Standing Order 34, Councillor J Moriarty addressed the Cabinet. He made reference to the fact that he had had drawn to his attention a case where officers had informed someone that because they hadn't stated they wanted information under the Freedom of Information Act then they wouldn't provide it. He urged that all Officers be trained in the requirements of the legislation, records be kept of the staff training, and that staff should deal with enquiries direct, rather than having to go to the specific FOI officer.

The Legal Services Manager confirmed that an FOI request didn't have to be made in that specific terminology, as officers should be actioning the request regardless of how the request was worded. She confirmed that a schedule of training for officers was prepared and once the new policy had been agreed would begin to be rolled out. It was also confirmed that records were kept of staff training. She drew attention to the fact that because eastlaw operated legal services across more than one organisation, there was more expertise and staff to draw on for advice and guidance. It was scheduled to provide training for Members on the requirements of the Acts and the rights of members to information from the organisation.

With regard to the compliance rate of responses to FOI requests, Members attention was drawn to the fact that the Information Commissioners target was set at 85% compliance, whereas the compliance rate target for the authority was 95%, with the majority exceeding that target and being dealt with within the statutory timeframe.

Councillor Daubney acknowledged the fact that the issue of ongoing training was important for officers and Members.

Councillor Beales also acknowledged the training issue, and the need for Members to be trained on the subject ensuring the broader issues were covered. He commented that officers should be trained to recognise the issue generally but that the specialist staff needed to be in place to ensure compliance. He further commented that the Member training should deliver information on the exemptions to FOI and that it be in plain English. He drew

attention to the difficulty of finding information on the Information Commissioners website.

Councillor Daubney drew attention to his correspondence with the Information Commissioner which had been far from plain English and clear. He confirmed that the training would be built into schedules if it wasn't already.

Councillor Long asked whether there were statistics which showed how many of the 800 requests logged were able to be signposted to the website. The Legal Services Manager commented that a large number of requests came from commercial organisations and journalists, and a number of requests were received about business rates which required formatting in different ways, it was planned to format a report on the business rates information for the web site to signpost people to. The Publication Scheme was intended to reduce the amount of work involved in dealing with the requests.

RECOMMENDED: That the updated policies and publication scheme be approved.

CAB116: **COUNCIL TAX SUPPORT SCHEME FOR 2015/16**

Councillor Daubney presented a report which reminded Members that Local Council Tax Support schemes had been introduced from 1 April 2013. The national scheme of Council Tax Benefit was abolished and central government devolved responsibility to local authorities to design schemes to help residents on low incomes with their council tax costs. The funding for these schemes was also devolved and cut by 10 percent. The Council scheme gave protection to pensioners, families with children under 5 and other vulnerable groups.

The Deputy Chief Executive explained that in the first year of operation, 2013/2014, the Council determined to continue to operate a scheme similar to the old Council Tax Benefit Scheme as the Council received a transitional grant from central government to partly offset the loss of funding. In 2014/2015 the Council introduced a Council Tax Support Scheme that reduced the cost of the scheme to fit within the reduced funding from Government. The report explained that each financial year a billing authority must review its Council Tax Support scheme and, by 31 January, adopt its scheme for the forthcoming financial year.

It was noted that on 10 September 2014 Cabinet agreed that the Council Tax Support Scheme for 2014/2015, updated for changes in benefit legislation during 2014/2015 together with uprating of allowances and premiums for pension age claimants as the draft scheme for 2015/2016 would go to public consultation. The consultation period ran over a six week period from 19 September 2014 to 31 October 2014.

There were three responses to the consultation exercise which were noted in the report. The report proposed that the Council adopt the draft Council Tax Support Scheme, approved on 10 September 2014, as the Council Tax Support Scheme for 2015/2016.

Councillor Beales drew attention to the protection in place for vulnerable groups and asked for further explanation on the work incentives mentioned in the report. The Deputy Chief Executive explained that the levels of work incentive income set out would not be included in the calculation for benefit per week.

It was noted that the Resources and Performance Panel at its meeting had supported the recommendations.

RECOMMENDED: That the Council Tax Support Scheme as approved on 10 September 2014 be adopted as the Council Tax Support Scheme for 2015/2016.

CAB117: **THE WASH EAST COASTAL MANAGEMENT STRATEGY**

Councillor Long presented a report which sought approval for The Wash East Coastal Management Strategy (WECMS) covering the coastline from Hunstanton Cliffs to Wolferton Creek (Snettisham beach) area. The documentation presented was the culmination of work that evolved from the Shoreline Management Plan dealing with the more practical measures of dealing with the coastal areas. The Environment Agency was the lead agency for the document, and if accepted by the Council would go to them for adoption nationally.

Councillor Long drew attention to the coastal recharge scheme to the south of Hunstanton which was proving to be problematical as it wasn't just a one off capital recharge scheme, it needed regular recharges resulting in ongoing revenue costs. He drew attention to the good work by Peter Jermany, Water Management Officer on the document.

It was acknowledged that some of the print had not produced well in the hard copy of the appendix, but it was clear exactly what was proposed, and the version on line did not have the same problem.

Councillor Beales drew attention to the discussions held at the Regeneration Environment and Community Panel which he felt had been dealt with well. He felt it was clearly set out what was proposed, and should be supported.

RECOMMENDED: That the Wash East Coastal Management Strategy (WECMS) be approved.

RECOMMENDATIONS TO COUNCIL ON 29 JANUARY 2015 FROM CABINET
ON 13 JANUARY 2015

CAB126: **COUNCIL TAX DISCOUNTS FOR SECOND HOMES AND EMPTY PROPERTIES**

The Deputy Chief Executive presented a report which explained that the Local Government Acts of 2003 and 2012 gave the Council powers to determine the discounts for second homes and long term empty properties. The Council was obliged to approve its determination afresh for each class of dwelling for each financial year, in order to enable the Tax Base to be set for budget purposes by 31 January 2015. The report put forward proposals for no change to the current level of discounts and empty property levy for the financial year 2015/2016.

Councillor Daubney commented that he was often asked why the discount was given for second home owners, to which he explained that in doing so they were identifiable and therefore it was advantageous financially for the Council to do so because a proportion of the additional money collected came to the Council.

RECOMMENDED: 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:

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;
2. That the council tax discount for second homes as defined by Class B of the Regulations is set at 5% for 2015/2016;
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:
 - a. 100% for three months starting on the day the property becomes unfurnished
 - b. 0% once the three month period has expired;
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:
 - a. 50% for 12 months starting on the day the property becomes uninhabitable
 - b. 0% once the 12 month period 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.

CAB127: **HOMELESSNESS STRATEGY 2015-19**

Councillor Lawrence presented a report which explained that the Borough Council as the statutory housing authority for the area had a duty to carry out a review of homelessness in the area and to publish a specific Homelessness Strategy to meet needs identified including:

- Addressing the causes of homelessness
- Introducing initiatives to prevent homelessness wherever possible
- Securing sufficient accommodation for homeless people or those who may become homeless
- Ensuring appropriate support to prevent repeat homelessness

The Housing Manager – Operations further drew attention to the content of the report which explained that between April and May 2014 a review of data and statistics was undertaken which informed the development of the draft Homelessness Strategy. This included analysis of housing needs, wider causes and trends in statutory homelessness over the last 3 years.

A draft Homelessness Strategy Document was approved for consultation in July 2014. Public consultation commenced in August 2014 and ended in November 2014.

Partners had been asked to comment and the consultation was publicised with articles appearing in the local press. 9 formal responses were received and an analysis of the views was included within the report. Consultation responses supported the Council's analysis of homelessness as well as the aims of the Strategy. Consultation responses indicated that homelessness prevention was the highest priority. The Housing Options Forum met in November and issues related to household debt were highlighted.

The final Homelessness Strategy had been developed having regard to responses. An Action Plan had been produced to ensure the continued

prevention of homelessness whenever possible, meet the Council's statutory obligations and support the wider objectives of the Homelessness Strategy.

There was a link with the Affordable Housing requirements to ensure that new social housing came forward in the Borough. This includes a 3 year scheme to bring forward 30 homes via the empty homes project in partnership with Freebridge Community Housing due to complete on 31st March 2015.

Councillor Beales commended the report and the work with Freebridge which was vital to bringing back empty homes into use, when many homeowners didn't know how to do so.

RECOMMENDED: That the Homelessness Strategy 2015 to 19 as attached at Appendix A and Action Plan at Appendix B in the report be approved.

CAB128: **PLANNING OBLIGATIONS AND AFFORDABLE HOUSING - IMPLICATIONS OF THE RECENT GOVERNMENT ANNOUNCEMENT ON REVISED THRESHOLDS**

Councillor Lawrence presented a report which explained that consultation had taken place earlier this year on a proposed new 11-unit threshold for section 106 affordable housing contributions within national policy to reduce planning costs to developers. The Government proposed to implement this, but gave discretion to local authorities in certain areas to have a lower 5 unit threshold. The choice of providing extra benefit for small builders or continuing to support affordable housing fell to the Borough Council under the new provisions. The issue needed to be positively addressed by the Borough Council to provide clarity in dealing with planning applications.

The report explained that parts of West Norfolk had been designated rural area status under section 157 of the Housing Act 1985, and settlements in an Area of Outstanding Natural Beauty (AONB) were also eligible for the lower threshold. The affected areas were all settlements with the exception of King's Lynn, Downham Market, Hunstanton, Dersingham, Heacham, South Wootton and Terrington St Clement.

It was commented that the adoption of a policy would avoid doubt when dealing with planning applications and to ensure a stream of affordable houses was built in the Borough allowing developers to be able to stabilise their cash flows for each development.

The Housing Strategy Officer informed members that the current policy for the contribution per affordable dwelling was £60,000, which was utilised in those areas required.

Under Standing Order 34, Councillor J Moriarty made reference to the debate at the Regeneration, Environment and Community Panel where the vast majority of Members had opted for option 1 in the report. He commented that he felt those who supported option 2 were responding to other people's experiences. He felt there was some concern expressed about where the financial contribution would be spent when it was made.

Councillor Lawrence explained that if a developer could prove that a site would not be viable if the required contributions were made, there was the ability to negotiate the sums involved. He also made reference to the important link to the Homeless Strategy which had previously been considered to ensure social housing could be provided.

Councillor Nockolds drew attention to the fact that the contributions would help rural exception sites. The Housing Strategy Officer confirmed that the sums could help pump prime sites, such as the 27 sites which had been provided in the past 10 years.

The comments, debate and recommendations from the Regeneration Environment and Community Panel were noted.

RECOMMENDED: That the existing two tier approach to affordable housing be modified to:

- 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
- 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.

CAB129: **PENSION FUND – EMPLOYER'S POLICY STATEMENT**

Executive Director, D Gates presented a report which explained that the Local Government Pension Scheme (LGPS) legislation required the Authority to issue a written Policy Statement on how it would exercise the various discretions provided by the scheme. The changes introduced by the 2014 revisions required corresponding updates to this Authority's Policy Statement.

Cabinet's attention was drawn to the following sections of the report:

- Section 3: Discretions to be Revised – Early Payment of Pension.
- Section 4: Discretions to be Removed.

In conclusion, the Executive Director explained that as a result of the corresponding updates to the Authority's Policy Statement, there was no change in policy and therefore no cost to the Council.

Cabinet noted the comments and recommendations from the Resources and Performance Panel.

RECOMMENDED: 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.

REPORT TO COUNCIL

Open				
Lead Officer: Sam Winter E-mail: sam.winter@west-norfolk.gov.uk Direct Dial: 01553 616327			Other Officers consulted: Chief Executive, Monitoring Officer	
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications YES	Equality Impact Assessment req'd NO	Risk Management Implications NO

Date of Meeting : 29 January 2015

11 REVIEW OF PROPORTIONALITY

It is the duty of the Council to review annually the entitlement of political groups to seats on committees in line with the proportionality rules set out in the Local Government and Housing Act 1989. The rules allow adjustments to be made to make whole numbers of seats and, once the Council has determined how adjustments should be made, appointments are made to committees on that basis. Council is now required to review its proportionality following further Group Membership changes.

RECOMMENDED: That the proportionality be amended in accordance with the attached table and the appropriate membership sought.

1 Background

The rules around proportionality are as set out below:

- (1) No political group can have all the places on a committee (the exception is the Cabinet).
- (2) A group having an overall majority on the Council is entitled to a majority of seats on each committee.
- (3) The aggregate number of seats across all committees is allocated in accordance with each group's entitlement.
- (4) The number of seats on each committee is allocated in accordance with each group's entitlement.

2 Group Changes

Since the Council meeting on 31 July 2014 where the proportionality was last considered, a new Group has been formed as the UKIP and Independent Group. This Group consists of 7 Members: Councillors R Bird, A Collins, P Foster, M Langwade, J Leamon, M Pitcher, S Smeaton.

The result of this is that the Independent Alliance Group and the Independent Group no longer exist.

The overall numbers per Groups are now 39 Conservatives, 12 Labour, 7 UKIP/Independent and 2 Lib Dems.

Two Councillors are not part of any Group.

3 Amended level of Seats Allocated

Council is invited to approve the amended table of proportionality attached.

POLITICAL PROPORTIONALITY - JANUARY 2015

	Total Membership	Conservative Group	Labour Group	Liberal Democratic Group	UKIP / Independent Group	Check Total
Total No. of Members	62	39	12	2	7	60
Appointments Board	9	6	2	0	1	9
Planning Committee	18	11	4	1	2	18
Licensing Cttee	15	10	3	0	2	15
Licensing and Appeals Board	15	9	3	1	2	15
Standards Committee	7	5	1	0	1	7
RP Scrutiny Panel	15	10	3	0	2	15
REC Scrutiny Panel	15	10	3	1	1	15
Total Seats	94	61	19	3	11	94

2 members not in any group