

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Tuesday, 10 January 2012 at 5.30pm in the Committee Suite, King's
Court, Chapel Street, King's Lynn**

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

An apology for absence was received from Councillor Lord Howard.

CAB127: **MINUTES**

RESOLVED: That the Minutes of the Meeting held on 6
December 2011 be approved as a correct record and signed by the
Chairman.

CAB128: **URGENT BUSINESS**

There was no urgent business.

CAB129: **DECLARATIONS OF INTEREST**

None

CAB130: **CHAIRMAN'S CORRESPONDENCE**

None

CAB131: **CALLED IN MATTERS**

None

CAB132: **FORWARD DECISIONS LIST**

The forward decision list was noted with the addition of the Pay Policy
to 6 March agenda.

CAB133: **MATTERS REFERRED TO CABINET FROM COUNCIL
BODIES**

i) **Resources and Performance Panel: 4 January 2012**

The Committee had made the following recommendation to Cabinet,
which was dealt with when Cabinet considered the report on the
agenda.

RP96: Nar Ouse Regeneration Area (Land To The East Of Nar Ouse Way) – Proposed Land Disposal

RESOLVED: That

- 1) The Council should proceed with the disposal of NORA land for a leisure-orientated development and therefore a variation to the original Nar Ouse Regeneration Area vision.
- 2) Subject to Cabinet's decision in respect of (1) above, the disposal of this land asset is progressed along the lines set out within this report in consultation with the Regeneration and Commercial Services Portfolio Holder.
- 3) That delegated authority is given to the Property Services Manager to negotiate and finalise the terms of the proposed disposals set out within this report.
- 4) That delegated authority is given to the Regeneration Manager to seek agreement from the NORA/MCA partners to the proposed variation to the original NORA vision.
- 5) Authority is granted to the Legal Services Manager to progress the necessary transfer, or any other associated, documentation through to completion.

RP97: Budget Monitoring 2011/2012

RESOLVED: It is recommended that Cabinet approve:

The changes, transfers to/from reserves and revised revenue estimates for 2011/2012 as detailed in section 1 of the report.

ii) Regeneration, Environment and Community Panel Meeting: 5 January 2012

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

REC54: Draft Statement Of Policy – Sex Establishments

RESOLVED: That Cabinet be informed that the Regeneration, Environment and Community Panel support the recommendation to Cabinet, subject to the Cabinet taking into account the Panel's suggested alterations to the policy as follows:

- (i) Insertion of "The representatives must comply with the conditions of the licence and should not be someone who

would not be granted a licence in their own right subject to paragraph 10.2”

Paragraph 12.2 to now read:

In accordance with Paragraph 15 of Schedule 3 to the Act, in the event of the death of a licence-holder, the licence will be deemed to have been granted to his personal representatives and will remain in force for 3 months from the date of death, unless previously revoked. **The representatives must comply with the conditions of the licence and should not be someone who would not normally be granted a licence in their own right subject to paragraph 10.2**

- (ii) Deletion of “telephone numbers or business cards” and replaced with "personal contact details e.g. telephone number, email, social network contact, etc.”

Paragraph 14.10 to now read:

Performers shall not take or give **personal contact details, e.g. telephone number, email, social network contact, etc.**

CAB134: **BUDGET 2011/2012- MONITORING**

The Chief Accountant presented a report which updated the 2011/2012 revenue estimates and the projections for 2012 to 2014. These figures formed the base on which the new Financial Plan 2011/2015 would be formulated for council tax setting purposes in February 2012. Formal approval was required by Cabinet for the amendments to the 2011/2012 revenue estimates. The amendments had been reported to members as part of the monthly monitoring reports for April to October 2011.

Councillor Beales asked whether the financial situation was worse than anticipated, to which the Chief Accountant explained that income was lower than hoped because of the nationwide economic situation and the utilities costs had increased considerably, however, the level of savings made to date was greater than anticipated, achieved earlier than planned, which would be ongoing therefore making the situation no worse than predicted.

It was noted that the Resources and Performance had considered the report and supported the recommendations.

RESOLVED: That the changes, transfers to/from reserves and revised revenue estimates for 2011/2012 as detailed in section 1 of the report be approved.

CAB135: **LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 – STATEMENT OF LICENSING POLICY FOR SEX ESTABLISHMENTS**

Councillor Long presented a report which explained that the Borough Council did not currently have an adopted policy on the licensing of sex establishments under the Local Government (Miscellaneous Provisions) Act 1982.

Whilst there was no legal requirement that the Council adopt a Statement of Licensing Policy for Sex Establishments it was considered good practice to do so. The policy set out the Borough Council's functions in relation to the licensing of sex establishments in a clear and transparent way for the benefit of potential applicants, relevant stakeholders and the general public.

Councillor Beales in supporting the recommendations commented that having a policy enabled the Council to monitor and enforce the conditions rather than having no recourse.

Cabinet gave consideration to the comments of the Regeneration, Environment and Community Panel on the item and accepted the recommendations set out below:

- (i) Insertion of "The representatives must comply with the conditions of the licence and should not be someone who would not be granted a licence in their own right subject to paragraph 10.2"

Paragraph 12.2 to now read:

In accordance with Paragraph 15 of Schedule 3 to the Act, in the event of the death of a licence-holder, the licence will be deemed to have been granted to his personal representatives and will remain in force for 3 months from the date of death, unless previously revoked. **The representatives must comply with the conditions of the licence and should not be someone who would not normally be granted a licence in their own right subject to paragraph 10.2**

- (ii) Deletion of "telephone numbers or business cards" and replaced with "personal contact details e.g. telephone number, email, social network contact, etc."

Paragraph 14.10 to now read:

Performers shall not take or give **personal contact details, e.g. telephone number, email, social network contact, etc.**

RECOMMENDED: That Council be invited to adopt the attached Statement of Licensing Policy for Sex Establishments including the comments from the Regeneration Environment and Community Panel above, with immediate effect.

CAB136: **TIMETABLE OF MEETINGS FOR 2012/13**

Cabinet considered a report which set out a draft timetable of meetings for the 2012/13 Municipal Year. The timetable enabled the decision making process to take place.

RESOLVED: That the Timetable for the 2012/13 Municipal Year be approved.

CAB137: **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.

CAB138: **ASSET MANAGEMENT - NAR OUSE REGENERATION AREA (LAND TO THE EAST OF NAR OUSE WAY) – PROPOSED LAND DISPOSAL**

Councillor Beales presented a report which explained that the Borough Council was the freehold owner of a parcel of land at the Nar Ouse Regeneration Area (NORA), King's Lynn. The overall NORA site had been assembled and works had been undertaken to remediate and provide infrastructure in order to provide a supply of commercial, employment, retail, and residential development land.

An approach had been made to the Council in respect of a major leisure orientated development. This form of development was a departure from the original vision for the Nar Ouse Regeneration Area, and Cabinet was requested to consider whether or not the Council should proceed with the disposal of NORA land for the proposed uses set out within the report.

The report set out the initial terms for the proposed disposal of a parcel of land at NORA, and authority was sought from Cabinet to progress negotiations for the disposal and ultimately through to completion.

It was noted that the Resources and Performance Panel had debated the report and supported the recommendations.

RESOLVED: 1) That the disposal of NORA land for a leisure-orientated development and therefore a variation to the original Nar Ouse Regeneration Area vision be approved.

2) That the disposal of this land asset be progressed along the lines set out within this report in consultation with the Regeneration and Commercial Services Portfolio Holder.

3) That delegated authority be given to the Property Services Manager to negotiate and finalise the terms of the proposed disposals set out within this report.

4) That delegated authority be given to the Regeneration Manager to seek agreement from the NORA/MCA partners to the proposed variation to the original NORA vision.

5) That authority be granted to the Legal Services Manager to progress the necessary transfer, or any other associated, documentation through to completion.

The Meeting closed at 6.00pm