

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Tuesday, 4 December 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, A Lawrence, B Long,
D Pope and Mrs V Spikings.

Apologies for absence were received from Councillors Lord Howard
and Mrs E Nockolds.

CAB128: **MINUTES**

RESOLVED: The Minutes of the Meeting held on 30 October
2012 were approved as a correct record and signed by the Chairman.

CAB129: **URGENT BUSINESS**

There was no urgent business.

CAB130: **DECLARATIONS OF INTEREST**

Councillor N Daubney declared a pecuniary interest in item 9 (5):
King's Lynn Enterprise and Innovation Centre. He left the meeting
during its consideration. Councillor Long took the Chair for that item.

CAB131: **CHAIRMAN'S CORRESPONDENCE**

None.

CAB132: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor Mrs Mellish addressed the Cabinet for item 9 (3) Asset
Management - Downham Market - Potential Sale of Land.

CAB133: **CALLED IN MATTERS**

None.

CAB134: **FORWARD DECISIONS LIST**

The Forward Decision List was noted.

CAB135: **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

i) **Resources and Performance Panel: 27 November 2012**

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

RP83: Asset Management Report

RESOLVED: The Panel noted the report.

RP84: Asset Management, Downham Market – Potential Sale Of Land

RESOLVED: That Cabinet be informed that the Resources and Performance Panel supports the recommendations as set out in the report to Cabinet.

RP85: Cost Reduction Programme – Application For Early Retirement

RESOLVED: That Cabinet be informed that the Resources and Performance Panel supports the recommendations as set out in the report to Cabinet.

RP86: Local Council Tax Support Scheme – End Of Consultation Period

RESOLVED: That Cabinet be informed that the Resources and Performance Panel supports the recommendations as set out in the report to Cabinet.

ii) **Regeneration, Community and Environment Panel – 28 November 2012**

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

REC100: King's Lynn Enterprise And Innovation Centre (KLIC)

RECOMMENDED: That the Panel supported the recommendations to Cabinet as set out the report

REC101: Community Infrastructure Levy – Early Stage Consultation On Methodology For Viability Assessment

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

That Cabinet:

- 1) Agrees to a consultation exercise being carried out in connection with the preparation of a Viability Assessment by our consultant as part of the preparation of a draft CIL Charging Schedule.
- 2) Notes that the results of the consultation will be reported back to Cabinet before proceeding to the next stage in the process.

CAB136: LOCAL COUNCIL TAX SUPPORT SCHEME

Jo Stanton, Revenues and Benefits Manager presented her report and explained that the Welfare Reform Act 2012 abolished the current system of Council Tax Benefit (CTB) on 31 March 2013. The Local Government Finance Act 2012 then introduced a statutory requirement for Billing Authorities to devise their own local schemes for Council Tax Support (CTS) for those in their area on low incomes. The new schemes were due to start from 1 April 2013.

To reduce the Welfare bill by over £450million the Government had cut the funding for CTS by 10 per cent compared to estimated CTB expenditure for 2013/2014. Billing Authorities had to decide how to manage this reduction in income and distribute the funds available between its residents. The Government had also set certain other parameters around the scheme to be taken into consideration.

Local schemes for CTS for Year 1 (2013/2014) had to be agreed by the Council and be in place by 31 January 2013. The Council agreed a draft CTS scheme for consultation on 21 August 2012 and consulted between 23 August 2012 and 18 October 2012.

The report summarised the draft scheme for CTS, responses to the consultation and made recommendations for the final CTS scheme for Year 1 (2013/2014). The full Equality Impact Assessment was included.

Cabinet was also informed of the announcement by Rt Hon Eric Pickles after the consultation period offering Councils a relatively small unringfenced grant of £28,178 to prevent Councils from making cuts in order to minimise the impact on households. It was recommended that the Government additional grant be accepted for 2013/14 and the deficit be made up from the Council Tax technical reforms money, and the scheme set out in the report and consulted on be adopted for implementation in 2014/15.

The Chairman explained that it was likely that most other Norfolk Authorities would take a similar approach, although most are planning to levy 8.5% Council Tax to working age people who had previously received the full benefit. The Borough Council considered this to be an economic approach to pursue and highly likely to have an adverse

impact on collection rates. It was noted that by recommending this option the Notice of Motion submitted to Council by Councillor Collop would not now be applicable.

RECOMMENDED: That :

- 1) The existing scheme of Council Tax Benefit be adopted as the full Council Tax Support scheme for 2013/2014
- 2) The draft Council Tax Support scheme outlined in this report be adopted for 2014/2015 subject to the addition of those in receipt of Carers Allowance being treated as a protected group in addition to those previously specified
- 3) The Transitional Grant announced by the Department of Communities and Local Government in October 2012 be claimed.
- 4) £85,000 of the additional income raised through Technical Changes to Council Tax be used to meet the funding shortfall for CTS in 2013/2014.
- 5) With regard to the Notice of Motion proposed at the Council meeting of 27 September 2012 that the proposal to retain the existing scheme for 2013/2014 will overcome the issues raised in the notice of Motion for this period.

CAB137: **COMMUNITY INFRASTRUCTURE LEVY – EARLY STAGE CONSULTATION ON METHODOLOGY FOR VIABILITY ASSESSMENT**

Alan Gomm, The LDF Manager presented a report which reminded Members that the Government had decided that a tariff based charge on new development known as the Community Infrastructure Levy (or CIL) provided the best framework to fund new infrastructure required to support growth. From April 2014 the Council's ability to pool S106 agreements towards the provision of infrastructure would be effectively removed leaving CIL as the appropriate mechanism if the Council was to help support the infrastructure needs of development in West Norfolk.

He reported that as part of introducing CIL, the Council must identify the scale of infrastructure needed to support growth and then set a rate that would seek to raise a contribution whilst striking an appropriate balance between the desirability of funding infrastructure and the potential effects of the imposition of the levy upon the economic viability of development across the area. This draft schedule would be subject to an extensive process of public consultation and to a public inquiry at which an Inspector would consider if the charges set were reasonable and based upon sound evidence of viability.

Councillor Mrs Spikings, in commending the report, explained that when it came time for a decision to be taken on the level of CIL it would be a political judgement, having considered the implications to encourage growth and not deter development.

RESOLVED: 1) That a consultation exercise be carried out in connection with the preparation of a Viability Assessment by our consultant as part of the preparation of a draft CIL Charging Schedule.

2) That the results of the consultation be reported back to Cabinet before proceeding to the next stage in the process.

CAB138: **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 paragraphs 1 & 3 of Part 1 of Schedule 12A to the Act.

CAB139: **ASSET MANAGEMENT- DOWNHAM MARKET - POTENTIAL SALE OF LAND**

The Deputy Chief Executive presented a report which set out the proposed disposal of land at Church Road, Downham Market to a residential housing developer. The site was currently open space, and it had therefore been necessary to advertise the Council's intention to dispose of such land as required by the Local Government Act 1972. Three objections had been received to the proposed disposal.

The report set out the proposed disposal terms, and the letters of objection received, in order that they could be duly considered in the decision-making process in respect of whether or not to proceed with the proposed disposal on the terms outlined within this report.

Under Standing Order 34, Councillor Mrs Mellish addressed the Cabinet in support of the proposed disposal. She referred to the discussions held in the Resources and Performance Panel meeting which supported the proposals, whilst ensuring that the Council's position was protected.

Councillor Beales commended the report to Cabinet with the agreement that the Council's interests would be protected in the negotiations.

RESOLVED: 1) That the proposed disposal terms set out within this report, be approved and the representations made objecting to the proposed disposal be noted.

2) That delegated authority be granted to the Council's Property Services Manager to finalise the sale terms with the prospective purchasers, and grant delegated authority to the Council's Legal Services Manager to progress the necessary transfer, or any other associated, documentation through to completion.

CAB140: **COST REDUCTION PROGRAMME – APPLICATION FOR EARLY RETIREMENT**

The Chief Executive presented a report which set out the delegated decision taken by him in consultation with the Leader for early retirement from the Executive Director for Environment and Housing. The report considered the anticipated future funding position of local government services, and recommended that in order to do so a number of services were re-allocated on an interim basis by the Chief Executive whilst the post was held vacant. The decision would enable the Council to trial a smaller management team whilst some clarity emerged with respect to the impact of the major changes to the funding regime for local government and the scale of further reductions in government support in the next comprehensive spending review period 2015/16 – 2019/20.

The report also recommended to Council that that the Chief Accountant post be designated to act as Chief Financial Officer under S.114 of the Local Government Finance Act 1988 and S.151 of the Local Government Act 1972.

RESOLVED: That the decision of the Chief Executive, in consultation with the Leader that the request for early retirement of the post of Executive Director for Environment Health and Housing be accepted to take effect from 1st April 2013 be noted.

RECOMMENDED: That Council be approve that the Chief Accountant post be designated to act as Chief Financial Officer under S.114 of the Local Government Finance Act 1988 and S.151 of the Local Government Act 1972.

Councillor Long took the Chair for this item following the departure of Councillor Daubney.

CAB141: **KING'S LYNN ENTERPRISE AND INNOVATION CENTRE**

Ostap Paparega Regeneration Manager presented a report to Cabinet which set out the Heads of Terms of a partnership agreement between the Borough Council and Norfolk and Waveney Enterprise Services (NWES) to build an enterprise and innovation centre in King's Lynn (KLIC) and the Heads of Terms of the New Anglia Growing Places Fund loan granted to the Council, as a contribution towards the centre's construction costs.

The Borough Council's Corporate Business Plan 2011-2015 identified support for enterprise and business start-ups as a top priority. This proposal to deliver an enterprise and innovation centre in King's Lynn met both a Council key priority and the need to fill the gap in business support provision left after Business Links demise.

Councillor Beales, in commending the report which would bring a much needed facility to King's Lynn drew members' attention to the fact that the Leader had declared an interest in this item, and pointed out that the Leader had not had any involvement with the report or the project, it had been solely in the Regeneration Portfolio.

RECOMMENDED: 1) That the Heads of Terms of the Partnership Agreement with Norfolk and Waveney Enterprise Services (NWES), as detailed in Appendix 1 to the report be approved.

2) That delegated authority be granted to the Chief Executive in consultation with the Cabinet Member for Regeneration to sign the Partnership Agreement with NWES.

3) That the Heads of Terms of the New Anglia Growing Places Fund Loan Agreement, as detailed in Appendix 2 to the report be approved.

4) That delegated authority be granted to the Chief Executive in consultation with the Cabinet Member for Regeneration to sign the Loan Agreement

The Meeting closed at 6.05 pm