

**BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK**

**CABINET**

**Minutes from the Meeting of the Cabinet held on  
Tuesday, 8 January 2013 at 5.30pm in the Committee Suite,  
King's Court, Chapel Street, King's Lynn**

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

CAB142: **MINUTES**

**RESOLVED:** The Minutes of the Meeting held on 4 December 2012 were approved as a correct record and signed by the Chairman.

CAB143: **URGENT BUSINESS**

There was no urgent business.

CAB144: **DECLARATIONS OF INTEREST**

None.

CAB145: **CHAIRMAN'S CORRESPONDENCE**

None.

CAB146: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

The following Councillors attended under Standing Order 34 for the items shown:

Councillor D J Collis – Item CAB150,  
Councillor P Foster – Items CAB150, 152 and 154  
Councillor J Moriarty - Item CAB152

CAB147: **CALLED IN MATTERS**

None

CAB148: **FORWARD DECISIONS LIST**

The Forward Decision List was noted.

CAB149: **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

i) **Resources and Performance Panel: 2 January 2013**

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

RP96: Procurement Review

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

RP97: Council Tax Technical Reforms To Exemptions And Discounts For Empty Properties And Second Homes

RESOLVED: That Cabinet be informed that the Resources and Performance Panel supports the recommendations as set out in the report to Cabinet, subject to recommendation 7 being amended to read:

7) Delegated authority is given to the Portfolio Holder for Resources in consultation with other Members (to be agreed) to consider individual applications to the Discretionary Hardship Fund.

RP98: Capital Programme And Resources 2012 - 2016

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 – 3 January 2013**

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

REC112: Mintlyn Crematorium – New Cremator Hall And Cremators

RECOMMENDED:

(1) That the Panel supported the recommendations to Cabinet as follows:

That Cabinet:

- (i) Authorise officers to procure the works laid out in section 3.2 of the report.
- (ii) Approve the procurement timetable laid on in section 4.
- (iii) Requires further reports to Members as laid out in the report.

(2) That consideration be given to 'future-proofing' the Crematorium and that any work involved had due regard to any work that may be required in the future.

(3) That a further update report be presented to Panel in March 2013 and the Panel be given the opportunity to suggest improvements.

CAB150: **REVIEW OF CAPITAL PROGRAMME**

The Chief Accountant presented a report which explained that the current economic conditions continued to depress activity in the local residential property market. The Council had achieved successes during 2012 with land sales in King's Lynn and Hunstanton for commercial development which had generated significant capital receipts. Land sales of housing sites had come to a halt reflecting the lack of investment by housing developers. The Council had been investigating ways to encourage development of its housing sites, options included the Large Scale Housing Development (Cabinet on 30 October 2012) and the NORA Housing Joint Venture (Cabinet 6 June 2012).

The Council was faced with a situation where capital resources to fund the capital programme continued to be limited and as a consequence had had to further revise its capital ambitions and current plans.

The report set out a programme for 2012/2016 that could be delivered if predicted land sales come about. Certain capital funds come from grants, VAT shelter receipts and reserves but a large part of funds were to come from land sales. These sums included in 2012/2016 were anticipated receipts from identified sites and the large scale housing development but if the market fell back further then it may be necessary to revise the programme.

The report:

- revised the 2012/2013 projections for spending on the capital programme
- set out an estimate of capital resources that were available for 2012-2016
- detailed new capital bids that were recommended to be included in the capital programme for the period 2013-2016
- outlined provisional figures for capital expenditure for the period 2012-2016

Councillor Beales drew attention to the pragmatic approach being taken for the rescheduling of schemes where appropriate which would have to continue to be reviewed depending on what came forward.

Under Standing Order 34, Councillor Foster asked for clarification on the cost of the MUGA on the NORA site which was referred to in 2 sections of the report. The Chief Accountant explained that the first reference of £18,000 was the adjustment required to the 2012/13 year and the second reference of £77,000 was the total scheme cost.

Councillor Foster asked what the long terms gains for the Council were in selling off its land, other than for short term gains, which would leave the Council without a land bank in later years. Councillor Daubney explained that the Council held, purchased and sold land for a number of reasons,

some of which were for long term tactical reasons in order to facilitate developments or schemes.

Councillor Beales reminded Councillor Foster that the question he raised was one of a wider nature than the Capital Programme now being considered and was better discussed as part of the review of Economic Strategy which was about to take place.

The Deputy Chief Executive drew Members attention to the sale of the land which was formerly the lorry park in King's Lynn, and the Marston's site in Hunstanton which was previously costing money to maintain, and now would give a capital receipt and ongoing business rates.

Under Standing Order 34, Councillor D J Collis asked if works to the bus route on the NORA site should be included in the Programme in order to bring it into use to do away with the pinch point on the roadway. Councillor Daubney explained that the bus route was a County Council responsibility so would not have to be funded by the Borough. Councillor Beales explained that it had featured in Borough Council papers as a partner to the scheme which featured in this Council's reports due to the CIF2 funding requirements. The issues with the road had included disparate ownership on one side and flood defences on the other, but the County Council had carried out some works to the road. He undertook to update Members on the situation.

Councillor Collis also asked whether works to the Fisher Fleet were likely to be added to the Capital Programme in future years. Councillor Daubney explained that any work to the Fleet was not within the Council's responsibility, and was happy to discuss the matter with Councillor Collis.

Cabinet noted that the Resources and Performance Panel had considered the matter in depth and supported the recommendations.

**RECOMMENDED:** 1) That the amendments to capital schemes and resources for the 2012-2016 capital programme as detailed in the report be approved.

2) That new capital bids of £2,925,000 be funded from available capital resources and included in the capital programme 2013-2016.

CAB151: **BUDGET 2012/2013 – MONITORING**

The Chief Accountant presented a report which showed that the original budget 2012/2013 was approved by Council on the 23 February 2012. Throughout the year the Deputy Chief Executive had monitored the budget and, where necessary, Executive Directors had sought approval for additional budget provision. The purpose of this report was to formally establish base estimates and projections on which a revised Financial Plan for 2012/2016 could be built. This would leave the report to Cabinet and Council in February 2013 to focus on future years.

The variances between the approved original budget and revised budget had been detailed in the monthly Monitoring Reports for April to October 2012 which had been distributed to members.

Councillor Pope asked for confirmation that the Council was recompensed for the money paid to IDBs in the budget. The Deputy Chief Executive confirmed that grant money was paid back by the Government but it was now impossible to ascertain how much was paid back because it was submitted with all of the Council's settlement and no breakdown.

Councillor Beales sought confirmation that the balanced budget was using a much reduced level of reserves than originally planned. This was confirmed.

Councillor Long drew attention to the money now being received from the solar panels on the buildings and the savings made on utility bills. The work of the Energy Efficiency Officer had brought about these savings.

In response to a question from Councillor Lord Howard, it was explained that the funding for refuse and recycling promotion had been brought forward to ensure that households knew what to do with their refuse and recycling under the new contract arrangements.

**RESOLVED:** That the changes, transfers to/from reserves and revised revenue estimates for 2012/2013 as detailed in section 1 of the report be approved.

CAB152: **COUNCIL TAX TECHNICAL REFORMS TO EXEMPTIONS AND DISCOUNTS FOR EMPTY PROPERTIES AND SECOND HOMES.**

The Chief Executive presented a report which detailed the recommended policy changes to the reductions for empty properties and second homes from 1 April 2013. The Local Government Finance Act 2012 enabled Billing Authorities to use their discretion to amend the reductions for certain properties in their area and to retain their share of the additional income raised. Similar proposals were being considered by the Cabinets of all Norfolk District Councils; these proposals had the support of Norfolk County Council and the Police and Crime Commissioner.

The report also explained that the Council also had existing powers to reduce the discount for Long Term empty properties. These had only been enacted for one year in 2008/2009 but they were now included again as part of this package of amendments. Aside from this no other flexibilities were currently possible for any other Council Tax Discounts and Exemptions.

The proposed changes to the policy, which would raise additional income and support the policy of returning empty properties to use had been agreed across Norfolk were summarised as set out in the table below:

<b>Reduction Type</b>	<b>Amount Now</b>	<b>Proposed 1.4.2013</b>
Empty and Unfurnished Properties	100% for 6 months	100% for 3 months 0% after 3 months
Uninhabitable properties	100% for 12 months	50% for 12 months
Long Term Empty Properties	50%	0%
Second Homes without an occupancy restriction	10%	5%
Second Homes with an occupancy restriction*	50%	5%
Properties empty for more than 2 years	No premium	Premium of 50% of the annual council tax

Under Standing Order 34, Councillor Foster raised the question as to whether the proposal for empty properties for more than 2 years was enforceable or whether the current wording permitted any loopholes. It was agreed to look into the wording to make it as water tight as possible.

Under Standing Order 34, Councillor Moriarty drew attention to the proposal to reduce the discount for second homes to 5%, and commented that there would be more income for the Borough with a 0% discount. In response Councillor Daubney explained that it would be difficult to encourage a householder to register as a second home, without a property being declared as such there was not the financial benefit to this Council whereby the County Council had agreed to pass back 50% of the additional monies raised from second homes council tax to the Districts. This had provided circa £0.5million a year to the West Norfolk Partnership which was put towards addressing particular issues in the Borough, and towards the educational attainment work being carried out. The benefits of the additional monies received through this route greatly outweighed those which would be received through a 0% discount, it was therefore in this Council's interests to encourage those householders to declare their second homes voluntarily.

Councillor Pope asked whether the same rules regarding empty properties applied to housing associations as other householders. This would be checked and confirmed.

Councillor Daubney drew attention to the debate held in the Resources and Performance Panel which recommended that the Hardship Fund which would be set up should be administered involving members other than just the Cabinet Member. The Leader proposed that this should be taken on board and proposed that the Ward Member and Chairman of the

Resources and Performance Panel be consulted before the Cabinet Member decided on the application.

**RECOMMENDED:** That the following be approved with effect from 1 April 2013:

- 1) The reduction for empty and unfurnished properties for the first three months after they become empty and unfurnished remains at 100 per cent. Following this no reduction will apply and the full council tax charge will be payable.
- 2) The reduction for uninhabitable properties be reduced from 100 per cent to 50 per cent applicable for 12 months or until the property is reoccupied or habitable again, whichever is sooner.
- 3) The reduction for Long Term Empty Properties be reduced from 50 per cent to zero.
- 4) The reduction for Second Homes without an occupancy restriction be reduced from 10 per cent to 5 per cent.
- 5) The reduction for Second Homes with an occupancy restriction be reduced from 50 per cent to 5 per cent, although the exemption for the period of the occupancy restriction remains unchanged.
- 6) A premium of 50 per cent of the annual council tax be levied for properties empty two years or more, subject to any exceptions in the regulations.
- 7) 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.

**CAB153: NEW CREMATOR HALL AND CREMATORS**

Dale Gagen, Project Officer, presented a report which reminded Members that the Crematorium was built in 1980. In 2006/07 the cremators were replaced together with new mercury abatement equipment. The timing of this refurbishment took advantage of a relaxation of VAT regulations and enabled the Authority to become an early adopter of the new legislation relating to mercury abatement.

Due to both budget and space constraints the technological solution chosen was three cremators with one set of abatement equipment that could abate no more than two cremators at one time. Since then the cremation industry had found that inline abatement for each cremator was a much more efficient way to design a crematorium plant. From 2020 all new cremators must be abated.

The report explained that the Council had made a capital provision of £2.4 million for this project. This was split £1,500,000 for the Cremators and abatement equipment and £900,000 for the building works. All estimates included associated fees.

This report invited Cabinet to approve the start of a procurement project to

- (i) Build a new cremator hall.
- (ii) Purchase 3 new cremators each with single stream inline abatement equipment.
- (iii) Strip out the old cremators.
- (iv) Convert the old cremator hall into much needed office space, meeting rooms and a staff changing room with showering facilities.
- (v) Introduce cost effective energy efficient / environmentally friendly options for heating and cooling the building.

Under Standing Order 34, Councillor Foster sought assurances that the new cremators would have a working life beyond the 7 years the existing ones had had when the projected life was 12-15 years. He commented that there was little detailed information contained within the report to draw on and hoped that lessons had been learnt from the previous project.

Councillor Lawrence invited Members to support the recommendations in order to get the project moving.

Councillor Long explained that in 2007 the laws relating to mercury emissions were changing and it was decided to be ahead of the game at that time. The requirements now were even more stringent. There wasn't sufficient space in the current buildings to add any additional equipment, so new buildings were required. It was appropriate to carry out the works now.

The Project Manager explained that the space required was being drawn up in consultation with the cremator producers, in order to ensure the best layout possible. It was proposed to have the cremator supplier in place before the building works commenced. He confirmed that lessons had been learnt from the previous project.

Councillor Beales concurred that it was disappointing that they needed to be replaced so quickly, but they had also been worked hard during their lifetime. He expressed the hope that as much as possible could be saved on the building work.

Councillor Daubney drew attention to the fact that it was a highly valued service with high satisfaction levels which was regularly scrutinised by the bereaved family and friends at emotional times. He asked for more information on the existing cremators.

Councillor Daubney also drew attention to the recommendations from the Regeneration Environment and Community Panel who had asked Cabinet to give due consideration to future proofing the Crematorium in case any work was required in the future. Cabinet considered this had been done. It also noted that the Panel had requested a further report in March.



**RESOLVED:** 1) That officers be authorised to procure the works laid out in section 3.2 of the report.

2) That the procurement timetable laid out in section 4 of the report be approved.

3) That a further report be presented to Members as laid out in the report.

CAB154: **PROCUREMENT REVIEW**

The Chief Executive presented a report which explained that as part of the service review process the portfolio holder had requested officers to design and procure an external review of the Authorities procurement practices and purchasing arrangements. The Council's procurement team had been in place for 7 years and had played a part in helping to deliver the savings delivered to date and amongst other contracts, the new Refuse contract. This report considered the scope of the task and requested authority to start the process.

Councillor Pope asked who would evaluate the tenders when submitted, to which Councillor Lord Howard informed Members it would come to Cabinet.

**RECOMMENDED:** That the following be approved:

1) the scope of the exercise as laid out in section 2 of this report.

2) officers be instructed to carry out a procurement exercise.

3) officers be instructed to prepare a further report on the outcome of the tender exercise together with a timetable on how the work identified within the tender would be carried out.

CAB155: **TIMETABLE OF MEETINGS 2013/14**

Cabinet considered a draft timetable of meetings for the 2013/14 Municipal Year.

The Cabinet was scheduled to meet on a monthly basis, mirrored by the Cabinet Scrutiny Committee to fit in with the call in timescales. The meetings had been scheduled in line with the previous year, and it was accepted that if there is insufficient business they may be cancelled/dates changed or if there is the requirement of special meetings, they would be called.

The Chairmen of the Panels, Cabinet Scrutiny Committee and Planning Committee and Group Leaders had also been consulted. The Chairman of the Cabinet Scrutiny Committee had raised concerns regarding the timing of the Cabinet Scrutiny Committee Meetings, however, in order to schedule the Cabinet, Panels, Cabinet Scrutiny and Council into the timetable it was difficult to permit any longer timeframes. The main issue was for the Accounts meetings in June and September, it was explained that as much time as reasonably possible had been given between Cabinet and Cabinet

Scrutiny for those meetings, both of which had been moved back as far as possible to give the maximum time between the meetings.

**RESOLVED:** That the Timetable for the 2013/14 Municipal Year be approved.

CAB156: **REGENERATION AND ECONOMIC DEVELOPMENT POLICY TASK GROUP**

Cabinet was reminded that at its November 2012 meeting it set up a Task Group to give consideration to the corporate arms of Regeneration and Economic Development within the Borough. Following the first meeting of the Group it had transpired that there appeared to be 2 distinct elements of work for the Task Group: 1) Economic Development and Regeneration and 2) Heritage assets i.e. how to preserve and enhance King's Lynn heritage through design guidance. The report put forward proposals for the Task Group to review its work programme and establish a second group to examine Heritage Assets.

**RESOLVED:** 1) That the existing Task Group examine the Economic and Regeneration stream of work and  
2) That a further Task Group be established to examine the Heritage Assets stream of work, subject to Group Leaders agreement, made up of 1 Member from each political group (in the event of no agreement, a proportionate 5 member group be set up (4 Con 1 Lab)).

CAB157: **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 1 of Part 1 of Schedule 12A to the Act.

CAB158: **CNC / NORSE JOINT VENTURE**

Councillor Mrs Spikings reminded Members that at the meeting of 31<sup>st</sup> July 2012 the Cabinet resolved that CNC building control services should be hosted by South Norfolk District Council (SNDC) with a proposed date for implementation of May 2013.

This change would build upon the existing strengths of CNC whilst providing reduced costs and financial risk for five years at which point the arrangements would be revisited. The report recognised that other opportunities may arise to further reduce costs and that the arrangements for hosting by SNDC would not prevent such opportunities from being explored.

At the time of Cabinet approving this approach discussions began to develop between the four partners and NORSE regarding the possibility

of establishing a Joint Venture Company (under section 95 of the Local Government Act 2003).

**RESOLVED:** 1) That the principle of CNC entering into a Joint Venture arrangement to deliver building control services be approved.

2) That the Executive Director for Development and Regeneration, in consultation with the relevant portfolio holder be delegated to negotiate terms of the joint venture company between CNC and Norse Group Limited under section 95 of the Local Government Act 2003, in accordance with the principles contained in this report.

**The Meeting closed at 6.44 pm**