

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Tuesday, 5 March 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 and B Long

Apologies were received from Councillors D Pope and Mrs V Spikings.

CAB174: **MINUTES**

RESOLVED: The Minutes of the Meeting held on 5 February 2013 were approved as a correct record and signed by the Chairman.

CAB175: **URGENT BUSINESS**

There was no urgent business.

CAB176: **DECLARATIONS OF INTEREST**

None.

CAB177: **CHAIRMAN'S CORRESPONDENCE**

None.

CAB178: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor J Moriarty attended under Standing Order 34 for Item CAB188.

CAB179: **CALLED IN MATTERS**

None

CAB180: **FORWARD DECISIONS LIST**

The Forward Decision List was noted.

CAB181: **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

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

i) **Regeneration, Community and Environment Panel – 27 February 2013**

REC137: Affordable Housing Investment (Freebridge Community Housing Capital Investment)

RESOLVED: That the Panel supported the recommendations to Cabinet as set out in the report.

REC139: Leisure Service Provision

RESOLVED: That the Panel supported the recommendations to Cabinet as set out in the report.

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

REC97: Residential and Holiday Caravan Site Licensing

That the Panel approved the site licence conditions for residential and holiday caravan sites.

CAB182: **TREASURY MANAGEMENT STRATEGY**

The Chief Accountant presented the report which explained that each year the Council was required to receive and approve a Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy which covered –

- Capital plans, including prudential indicators
- A Minimum Revenue Provision (MRP) Policy
- The Treasury Management Strategy
- An Investment Strategy

The report covered the requirements of the Local Government Act 2003, the Chartered Institute of Public Finance Accountants (CIPFA) Prudential Code, the Department of Communities and Local Government (DCLG) MRP Guidance, the CIPFA Treasury Management Code and the DCLG Investment Guidance.

This report looked at the period 2013/2016 which fitted with the Council's Financial Plan and capital programme. The report was based upon the Treasury officers' views on interest rates, supplemented with leading market forecasts provided by the Council's treasury advisor, Sector Treasury Services Ltd.

The Chief Accountant explained that the changes from the previous Strategy included the provision of the Local Authority Mortgage Scheme which had been approved by Council in June 2012. A mortgage company was being sought to provide this service.

The report was also required to explain any breaches of the Strategy during the previous year, it explained that after consultation with Sector and the Sector Benchmarking group, an investment was placed with Nationwide in December 2012 for a period of 6 months (instead of the recommended 3 months), taking into account credit risk and possible future rate changes. On the Credit Listing for 28th January 2013 from Sector, Nationwide had now been extended to 6 months terms. Alternative options for Investment were also being considered for the future year as an alternative to traditional investments.

The Chairman asked for an explanation of 4.2 of the report of raising the authorised borrowing limits from £5m to £10m in 2013/14 and future years. This was explained as providing the ability if required to borrow for the potential major Housing Development which was being investigated. In effect it provided for a degree of flexibility if borrowing became necessary.

Councillor Beales asked for clarification on how much uncommitted capital was available. It was explained that the level of £28m was not all Capital money available, as it included money in transit from such things as benefit or council tax payments about to be made, or precepts to be paid to the County Council which were in the Council's bank at that point in time. Money would not be left in the Council's bank account for any amount of time as it was invested for short periods. There was however potential to use a proportion of the £5.8m of working balances shown in table 3.4.

RECOMMENDED: 1) That the Treasury Management Strategy Statement 2013/2014, including treasury indicators for 2013/2016 be approved.

2) That the Investment Strategy 2013/2014 be approved.

3) That the Minimum Revenue Provision Policy 2013/2014 be approved.

4) That the revised Treasury Management Practices (TMPs) be adopted.

CAB183: **ANNUAL PAY POLICY STATEMENT**

The Executive Director Central Services presented a report which explained that Section 38 of the Localism Act 2011 required English and Welsh local authorities to produce an annual pay policy statement.

The report presented summarised the Borough Council's relevant policies relating to levels and elements of remuneration for Chief Officers and included the relationship between the remuneration of Chief Officers and other officers as recommended within the Hutton report. This report did not change any policies relating to remuneration.

RECOMMENDED: That the Pay Policy Statement for 2013/14 be approved.

CAB184: **AFFORDABLE HOUSING INVESTMENT**

Nikki Patton, Housing Strategy Officer presented a report which detailed a new approach to affordable housing investment and detailed one specific opportunity to trial an approach with Freebridge Community Housing. The proposal followed a report to Cabinet on 6th December 2011 where it was agreed that further work would be undertaken on exploring new approaches to affordable housing investment. The proposal represented a shift towards a 'something for something' approach to affordable housing investment and a move away from direct subsidy. Whilst recognising the need for new approaches it was important that the Council's exposure to risk and liability was limited. It was therefore proposed that the new area discussed in this report was carried out on a trial basis.

Councillor Lawrence proposed the recommendations and drew attention to the fact that the proposal provided a good solution for the Council with more housing available to assist the overall housing register and a return on the investment.

Councillor Long re-iterated Councillor Lawrence's support.

Councillor Beales in supporting the proposals drew attention to the fact that it would act as an economic stimulus for housing. He questioned the overall return figure stated in the report, to which it was explained that the money would be lent at a 5% return, with a revaluation of the property at the end of the period with the Council taking a share of any additional increase in value.

The Regeneration and Environment Panel had considered the item and had supported the recommendations.

RESOLVED: That the Freebridge Capital Investment model outlined in the report be approved and delegated authority be given to the Chief Executive in consultation with Portfolio Holder Community to authorise further investment beyond the trial.

CAB185: **HOLIDAY/TOURING/RESIDENTIAL CARAVAN SITES – LICENSING PROCEDURES AND STANDARD CONDITIONS**

Vicki Hopps, Environmental Health Manager presented a report which explained that the Council was responsible for the licensing and regulation of caravan sites within the Borough. Housing Standards had regulatory responsibility for residential sites and Licensing of holiday sites.

Operational procedures and revised site licence conditions had been reviewed and were presented in line with current statutory guidance and looked to bring the Council's practices in line with current government policy. The report was recommending that all new and existing sites be included in the proposals.

Attention was drawn to the fact that the following wording would need to be added to the conditions as they had inadvertently been removed in the drafting process:

- i) All caravans stationed on the site shall be maintained in a good state of decorative, structural and mechanical repair, to the satisfaction of the Licensing Authority.
- ii) Every caravan brought onto the site must comply with BS3632 (2005)*

Where specific British Standards are referred to the licence holder should note that where these are superseded, the updated standard will automatically apply.

Councillor Beales asked why it was proposing to include all existing and new sites, and whose judgement would be used for judging the decorative order of the caravans.

It was explained that this would set a level playing field and allow officers to ensure compliance across the board. The officers would take a view on the condition of the caravan to ensure that it was of a satisfactory standard.

RECOMMENDED: That the site licence conditions for residential and holiday caravan sites for all sites (new and existing) across the Borough be approved, with the addition of the following wording:

- “i) All caravans stationed on the site shall be maintained in a good state of decorative, structural and mechanical repair, to the satisfaction of the Licensing Authority.
- ii) Every caravan brought onto the site must comply with BS3632 (2005)*

Where specific British Standards are referred to the licence holder should note that where these are superseded, the updated standard will automatically apply.

CAB186: **CLARIFICATION ON THE POLICY ON UNREASONABLY PERSISTENT COMPLAINANTS**

The Chairman presented a report which reminded Members that in May 2007 the Council adopted a policy for dealing with unreasonably persistent complainants. For clarification purposes, the report now presented set out some minor additional wording to clarify where on rare occasions senior officers would cease responding to those complainants after every avenue of complaint had been considered and exhausted. The Chairman explained that in those circumstances continued or further complaints often on the same matter did on occasion end up costing large amounts of money in time to respond to in the same vein as previously.

Councillor Beales, in expressing his dislike of having to consider such routes accepted that when circumstances required it, such actions were occasionally necessary.

Councillor Long acknowledged that it was not a route gone down lightly, but where all avenues, including Ombudsman investigations had been covered, and no fault found, it was occasionally necessary to take such an action.

RESOLVED: That the minor additional points of clarification to the policy be approved.

CAB187: **AMENDMENTS TO THE SCHEME OF DELEGATION**

The Chairman presented a report which recommended an updated scheme of delegation for approval. The Scheme had been amended to take account of the changes in the Executive Director responsibilities following the departure of the Executive Director Health and Housing at the end of March.

RECOMMENDED: 1) That the amended Scheme of Delegation be approved.

2) That the Chief Executive, in consultation with the Leader be given delegated Authority to make minor amendments to the Scheme to resolve any anomalies which may occur.

CAB188: **LEISURE SERVICE PROVISION**

Cabinet held no discussion on what was an exempt report, the item was deferred in order for further consideration to be given to the issue.

The Meeting closed at 6.07 pm