

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

**CABINET**

**Minutes from the Meeting of the Cabinet held on  
Tuesday, 12th January, 2016 at 5.30 pm in the Committee Suite, King's  
Court, Chapel Street, King's Lynn**

**PRESENT:** Councillor N Daubney (Chairman)  
Councillors A Beales, R Blunt, A Lawrence, B Long, Mrs E Nockolds and D Pope

An apology for absence was received from Councillor Lord Howard

CAB95 **MINUTES**

**RESOLVED:** The Minutes of the meeting held on 1 December 2015 were approved as a correct record and signed by the Chairman.

CAB96 **URGENT BUSINESS**

None.

CAB97 **DECLARATIONS OF INTEREST**

Councillor Daubney declared a personal interest in item CAB112, Proposed Surgery Development: King's Lynn

CAB98 **CHAIRMAN'S CORRESPONDENCE**

None

CAB99 **MEMBERS PRESENT UNDER STANDING ORDER 34**

None

CAB100 **CALLED IN MATTERS**

None

CAB101 **FORWARD DECISIONS**

The Forward Decisions list was noted.

CAB102 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

The following comments/recommendations were referred from Panels,

they were considered with the relevant item on the agenda:

**i) Resources and Performance Panel – 5 January 2016**

RP94: Cabinet Report: Final Council Tax Support Scheme 2016/2017

RESOLVED: That the Panel support the recommendations to Cabinet as set out below:

- 1) Members note the results of the consultation exercise, and
- 2) The draft Council Tax Support Scheme as approved on 9 September 2015 is adopted as the full Council Tax Support Scheme for 2016/2017.

RP95: Cabinet Report: Housing Benefit And Council Tax Support Risk Based Verification: Policy Update

RESOLVED: That the Panel support the recommendation to Cabinet as follows:

Members agree to adopt the updated Risk Based Verification policy so it covers new claims and changes in circumstances.

RP96: Cabinet Report: 2015/2016 Budget Monitoring

RESOLVED: That the Panel support the recommendation to Cabinet as set out below:

The changes, transfers to/from reserves and revised revenue estimates for 2015/2016 as detailed in section 1 of the report.

RP97: Cabinet Report: Corporate Business Plan 2015/2019

RESOLVED: That the Panel support the recommendation to Cabinet as follows with the additional recommendation (2) set out below:

- (1) That the attached Corporate Business Plan is adopted.
- (2) That Cabinet be asked to consider rebranding the Corporate Business Plan to Corporate Business Plan – Policy Framework with a clear suite of documents underneath to support the plan.

**ii) Regeneration and Development Panel – 6 January 2016**

RD20: Lynnsport Development

RESOLVED: That the Regeneration and Development Panel support the recommendations to Cabinet as set out below:

Cabinet is recommended to:

(i) Agree to incorporate the management of the new facilities at Lynnsport in the current arrangements with Alive Leisure and Alive Management.

(ii) Agree the appointment of a three year Tennis Development Officer to maximise the use of the new courts.

RD22: Exempt Cabinet Report – Proposed Surgery Development – King’s Lynn

RESOLVED: That the Regeneration and Development Panel support the recommendations to Cabinet as set out in the report.

RD23: Exempt Cabinet Report – Nar Ouse Regeneration Area – Proposed Sale Of Land

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

RD24: Exempt Cabinet Report – King’s Lynn Acquisition – Boal Quay And The Friars

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

RD25: Exempt Cabinet Report – King’s Lynn Land Acquisition – Wisbech Road

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

iii) **Environment and Community Panel – 6 January 2016**

EC21: Smoke And Carbon Monoxide Regulations

RESOLVED: The Environment and Community Panel support the recommendations to Cabinet as set out below:

(i) Cabinet note the report.

(ii) Cabinet recommend the approval of the statement of principles in relation to determining the amount of the penalty charge as detailed in Appendix A to Council.

**CAB103 FINAL COUNCIL TAX SUPPORT SCHEME 2016/2017**

The Leader presented a report which was linked to the Cabinet Report '2016/2017 Draft Council Tax Support Scheme for Consultation' of 9 September 2015.

The report which summarised the results of the Council Tax Support consultation exercise, noted the responses to the consultation and proposed that the Council adopted the draft Council Tax Support scheme, approved on 9 September 2015, as the Council Tax Support scheme for 2016/2017.

The report reminded Members that the Council must review and agree its Council Tax Support scheme each financial year, must consult with its major preceptors (the County Council and the Police and Crime Commissioner), publish its draft Council Tax Support scheme, consult with interested parties then publish its final Council Tax Support scheme.

The draft Council Tax Support scheme was agreed by Members on 9 September 2015 and published on 18 September 2015. The consultation period concluded on 30 October 2015. Seven responses to the consultation had been received, of which, only 1 was from someone in receipt of the benefit, but they fell within the protected group, three were in favour of the scheme, two were against and one answered don't know. The Equality Impact assessment was attached with the agenda.

The matter had been discussed at the Resources and Performance Panel and the proposed scheme was supported.

**RECOMMENDED:** 1) That the results of the consultation exercise be noted, and

2) That the draft Council Tax Support scheme as approved on 9 September 2015 be adopted as the full Council Tax Support scheme for 2016/2017

**CAB104 BUDGET 2015/2016 - MONITORING REPORT**

The Chief Financial Officer presented a report which updated the 2015/2016 revenue estimates and the projections for 2016 to 2018. These figures would form the base on which the new Financial Plan 2015/2020 would be formulated for council tax setting purposes in February 2016.

Councillor Pope sought clarification on the support services cost amendment made in the report. The Chief Financial officer explained that when the consolidated changes for Alive Management and the

Trust were implemented it became clear that the £313,000 recharge had been duplicated accidentally in the figures. This was now rectified in the Monitoring report.

Councillor Pope also commented that the Channel Shift saving shown in the Monitoring report was small. It was explained that further savings would come through in the next Monitoring report.

Councillor Pope asked whether the projected balances in the General Fund for the coming years were too high. The Chief Financial Officer reported that it was a planned approach to keep those balances high as they would be drawn from over the coming years. The Chief Executive commented that many local authorities were trying to increase their reserves in response to the change in business rates regime which often resulted in local authorities having to pay large sums when Business Rates Appeals were successful.

The report had been submitted to the Resources and Performance Panel which had supported the recommendations.

**RESOLVED:** That the changes, transfers to/from reserves and revised revenue estimates for 2015/2016 as detailed in section 1 of the report be approved.

CAB105 **DRAFT SMOKE AND CARBON MONOXIDE REGULATIONS REPORT AND STATEMENT OF PRINCIPLES**

Councillor Lawrence presented a report which explained that from 1 October 2015 the Smoke and Carbon Monoxide Alarm (England) Regulations came into force. The report outlined the impact of these regulations where landlords were required to ensure that when the premises were tenanted, they were fitted with smoke and carbon monoxide alarms. The role of the Council was as enforcing authority, with the report recommending the power to impose a penalty charge of up to £5,000 in cases of non-compliance.

In response to a question, the Strategic Housing Manager acknowledged that the potential fines were high, but the cost of installing the alarms was small, and the risk of dying in a house with no smoke or carbon monoxide alarms was four times more likely than in one with them, but a proportionate approach would be taken.

Councillor Lawrence reported that properties would not be specifically inspected to see if they were present, but if the properties were visited for any other reason they would be checked, and tenants would normally be quick to report no alarms present. A number had been distributed free at the Landlord Forum meeting, sponsored by the fire service.

Councillor Beales asked how the exemptions in the scheme had been identified, to which it was reported that they were specifically laid out in the legislation but it could be assumed that it was because the Registered Social landlords had their own requirements, a house with up to 2 lodgers had the owner in control of the premises and those with long leases would normally be treated as though they were the tenants own property, but he would check to see if there was any further information in the guidance.

It was noted that the Environment and Community Panel had supported the approach and recommendations.

**RECOMMENDED:** That the report be noted and the statement of principles in relation to determining the amount of the penalty charge as detailed in Appendix A to the report be approved.

#### CAB106 **CORPORATE BUSINESS PLAN 2015/16 - 2018/19**

Councillor Daubney presented a report which set out the proposed corporate business plan for the four-year administrative term 2015/16 to 2019/20. The Plan had been informed by an assessment of local need, local political priorities and the changing policy framework within which the Council operated. He commended the document as being much more succinct and easy to read than previous versions as it had been developed in a more focused format as much of the detail underpinning the strategy already existed in other documents. There was a short narrative which set out the direction of travel and the context within which the organisation operated.

The six priority areas covered the Council's internal focus on service delivery (providing important local services within our available resources), community focus (economic and housing growth, clean and safe communities, local heritage and culture) and focus on West Norfolk as a place (standing up for local interests, working with our local partners).

The Executive Director, D Gates explained that the Plan would feed into all priorities within the organisation and down through to the targets of all staff.

Councillor Blunt asked how could it be ensured that everyone was aware of the document, to which it was explained that once formally approved it there would be a communication plan for its dissemination.

Councillor Beales drew attention to the debate on the item at the Resources and Performance Panel where the title of the report had been discussed. He drew attention to the comment that it wasn't a Business Plan which could be presented as such, but drew attention to

the fact that the document clearly made reference to a suite of documents which supported it. He felt it clearly laid out what the Administration wanted to achieve.

In referring to the comments made at the Panel meeting, it was noted that the document would be updated to ensure it encompassed 2015/2020. Cabinet was content to leave the Business Plan with its existing title as other documents were signposted from it clearly within the document.

**RECOMMENDED:** That the corporate business plan as now amended be adopted.

#### CAB107 **LYNNSPORT DEVELOPMENT**

Councillor Pope presented a report which proposed amendments to the current agreements/leases with Alive Leisure and Alive Management for the future operation of the new tennis courts and multi-purpose synthetic pitch including the appointment of a Tennis Development Officer.

The new facilities were expected to open for public use in late March or early April 2016.

Councillor Mrs Nockolds commented that the proposal was good news for Lynnsport and the town.

Councillor Daubney commented that the investment by the Lawn Tennis association resulting in the new courts and the Development Officer came about by continued growth in the area.

The Regeneration and Development Panel had considered the report and supported the recommendations.

**RESOLVED:** 1) That the management of the new facilities at Lynnsport in the current arrangements with Alive Leisure and Alive Management be approved.

2) That the appointment of a three year Tennis Development Officer to maximise use of the new courts be approved.

#### CAB108 **UPDATE TO THE SCHEME OF DELEGATION**

The Leader presented a report which recommended an updated scheme of delegation for approval. The Scheme had been amended to take account of the changes in Portfolio responsibilities.

**RECOMMENDED:** 1) That the management of the new facilities at Lynnsport in the current arrangements with Alive Leisure and Alive Management 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.

**CAB109 YOUTH AND HERITAGE CHAMPIONS**

The Leader presented a report which recommended the appointment of a Youth Champion to work with Young People across the Borough to raise awareness of the democratic processes.

The report also recommended the appointment of a Heritage Champion to promote the areas heritage and heritage strategy.

Both appointments would be working with the Portfolio Holder for Culture Heritage and Health. Assurance was also given that if there was any overlap with the Regeneration portfolio matters he would also be kept informed.

**RESOLVED:** 1) That Councillor P Rochford be appointed as the Council's Youth Champion

2) That Councillor Mrs A Wright be appointed as the Council's Heritage Champion.

**CAB110 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 paragraph 3 of Part 1 of Schedule 12A to the Act."

**CAB111 RISK BASED VERIFICATION POLICY UPDATE**

The Revenues and Benefits Manager presented a report which explained that the Council used risk based verification to assess the risk of fraud and error in new claims for housing benefit and council tax support and determine the level of checking needed for each claim. The policy had been updated to extend risk based verification to claims where a change in circumstances had been reported. The Equality Impact Assessment was attached with the agenda.

Councillor Beales drew attention to the fact that the process was an indication of those cases which needed looking at more closely than others.

The Resources and Performance Panel had considered the item and supported the recommendations.

**RECOMMENDED:** That the updated risk based verification policy be adopted so it covers new claims and changes in circumstances.

CAB112 **PROPOSED SURGERY DEVELOPMENT - KING'S LYNN**

Councillor Beales presented a report which recommended an important step in diversifying the Council's investment property portfolio from its current concentration on relatively low yielding asset classes (primarily money markets) and significantly improving its rate of return, whilst helping to facilitate and enhance the delivery of medical services within King's Lynn.

The proposal would contribute to savings required as part of the cost reduction programme which will be the subject of a separate report to Cabinet once the implications of the 2015 Spending Review had been fully assessed and incorporated with the Council's financial plan.

A discussion ensued on the potential loan arrangements for the proposal, and the lease arrangements. Councillor Mrs Nockolds commended the site for the surgery which would have better access arrangements than the existing. It was noted that if successful, it was hoped the premises would be open Autumn 2018.

The Regeneration and Development Panel had supported the proposals.

**RECOMMENDED: 1)** That the Property Services Manager be given the delegated authority to finalise negotiations with NHS England and the St James' Medical Practice Partners in consultation with the Portfolio Holder for Regeneration and Industrial Assets, the Chief Executive, the Executive Director Commercial Services and the Chief Finance Officer.

2) That delegated authority be given to the Portfolio Holder for Regeneration and Industrial Assets in consultation with the Chief Executive and the Chief Finance Officer to decide the appropriate means of funding the investment proposal set out within this report.

3) That delegated authority be given to the Portfolio Holder for Regeneration and Industrial Assets to vary the capital required for the delivery of the project up to a maximum of £250,000.

4) That the Legal Services Manager be given delegated authority to draft and finalise all necessary documentation, contractual or otherwise, associated with the proposed development and investment in this property asset.

CAB113 **NORA - SALE OF LAND**

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.

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

A discussion ensued on the potential benefits in the sale of the land for the Nora area and redevelopment of the existing premises of the purchasers.

The Regeneration and Development Panel had supported the proposals.

**RESOLVED:** 1) That the disposal of this land asset be progressed along the lines set out within the report.  
 2) That delegated authority be given to the Property Services Manager to finalise the terms of the proposed disposals set out within the report.  
 3) That authority be granted to the Legal Services Manager to progress the necessary transfer, or any other associated, documentation through to completion.

CAB114 **KING'S LYNN : LAND ACQUISITION - BOAL QUAY AND THE FRIARS**

Councillor Beales presented a report which set out the provisionally agreed terms for the proposed acquisition of parcels of land at Boal Quay/The Friars, and sought authority from Cabinet to progress the acquisition through to completion.

The Regeneration and Development Panel had supported the proposals.

**RESOLVED:** 1) That the acquisition of the land asset is progressed along the lines set out within the report.  
 2) That delegated authority be given to the Property Services Manager to finalise the terms of the proposed disposals set out within the report.  
 3) That authority be granted to the Legal Services Manager to progress the necessary transfer, or any other associated, documentation through to completion.

**CAB115 PROPOSED ACQUISITION : LAND AT WISBECH ROAD**

Councillor Beales presented a report which set out outline terms for the proposed acquisition of a parcel of land at the southern end of the Waterfront Regeneration Area and sought authority from Cabinet to progress the acquisition through to completion subject to agreeing acceptable terms in consultation with the Cabinet Member for Regeneration and Industrial Assets.

A discussion was held on the detail of the site and its existing buildings

The Regeneration and Development Panel had supported the proposals.

- RECOMMENDED:**
- 1) That the acquisition of the land asset be progressed along the lines set out within the report.
  - 2) That the Capital Programme be adjusted to accommodate the acquisition of the site identified within the report.
  - 3) That delegated authority be given to the Property Services Manager to finalise the terms of the proposed disposals set out within the report in consultation with the Cabinet Member for Regeneration and Industrial Assets
  - 4) 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 6.40 pm**