

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on Tuesday, 25th October, 2016
at 5.30 pm in the Committee Suite, King's Court, Chapel Street, King's Lynn**

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

In attendance – Deputy Cabinet Members: Councillors I Devereux, S Squire
and J Westrop.

Apologies for absence were received from Councillors P Hodson, S Sandell
and A Wright.

CAB72 **MINUTES**

RESOLVED: The Minutes of the Meetings held on 7 and 14 September 2016 were approved as a correct record and signed by the Chairman.

CAB73 **URGENT BUSINESS**

None

CAB74 **DECLARATIONS OF INTEREST**

None

CAB75 **CHAIRMAN'S CORRESPONDENCE**

None

CAB76 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor D Pope attended under Standing Order 34 for the whole agenda.

CAB77 **CALLED IN MATTERS**

None

CAB78 **FORWARD DECISIONS**

The Forward Decision List was noted.

CAB79 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

King's Lynn Area Consultative Committee had recommended some specific wording for their terms of reference. The matter was considered with the item on the agenda below.

The Regeneration and Environment Panel commented on the Asset Management – Council Development Sites.

The comments were taken with the item on the agenda.

CAB80 **CHANGES TO ARRANGEMENTS FOR APPOINTMENT OF EXTERNAL AUDITORS**

Councillor Daubney presented a report which reminded Cabinet that the Local Audit and Accountability Act 2014 brought to a close the Audit Commission and established PSAA to manage the transitional arrangements for the appointment of external auditors and the setting of audit fees for local government. These transitional arrangements had been extended by one year to also include the audit of the accounts for 2017/18.

The Council's current external auditor was Ernst & Young, who were appointed for the audit year 2012/13. The final year of audit under the existing arrangement was 2016/17. When the current transitional arrangements came to an end on 31 March 2018 the Council would need to have a new auditor in place.

The number of routes set out below by which the appointments could be made were considered:

1. To make a stand-alone appointment
2. Set up a Joint Auditor Panel/local joint procurement arrangements
3. Opt-in to a sector led body (SLB)
4. Do Nothing (Not recommended)

The Audit Committee considered the four options and recommended to 'opt-in' to the procurement process by the Sector Led Body (SLB).

Under Standing Order 34, Councillor Pope referred to the Audit Committee's deliberations of the matter and endorsed the recommendations set out in the report.

In response to a question on the level of fees which would be charged it was explained that it would be subject to the tender process, but that

many smaller companies would be unable to tender as they would not be able to meet certain levels of competencies.

RECOMMENDED: That the intention to “opt-in” to the procurement process by Public Sector Audit Appointments Ltd (PSAA), as the national Sector Led Body (SLB) be approved.

Reason for Decision

To comply with the requirements of the Local Audit and Accountability Act 2014.

CAB81 **TERMS OF REFERENCE OF THE KING'S LYNN AREA CONSULTATIVE COMMITTEE - PARISH PARTNERSHIP PROGRAMME**

Cabinet considered a report which proposed an additional element to the Terms of Reference of the King's Lynn Area Consultative Committee (KLACC), allowing the Committee to make recommendations to Cabinet about potential match funding proposals put forward through the Parish Partnership Scheme, or other similar Parish funding schemes.

Councillor Long presented the report which explained that the Norfolk County Council Parish Partnership Programme had been running for 5 years, aimed at delivering small co-funded highway improvements for local communities. It was open to all Town/Parish Councils in Norfolk, with the deadline for the submission of bids for 2017/18 being 16 December 2016. The scheme required match funding, with a maximum County Council contribution of £25,000. The scheme had been expanded by the County Council, to allow bids for schemes in the unparished areas of the County.

The KLACC had considered the issue and had recommended that Cabinet approve the following wording as an addition to their terms of reference:

“To make recommendations to Cabinet on proposed highway improvement schemes, which have been supported by a business case and are within the unparished areas of King's Lynn and West Lynn, for match funding through the County Council's Parish Partnership Programme, or similar parish funding schemes.”

Cabinet discussed the proposals and sought clarification as to who would work up and submit the schemes and how any accepted proposals would feed into the Council's budget process. It was agreed that any proposals should initially be brought and worked up by the Ward Members, then submitted by Borough Council officers. The deadline for the submissions was 16 December which would then feed

into the Council's budget process in time for the Special Expenses decisions to be taken.

It was agreed that in order to ensure all applications fed into the Council's budget timeframes the appropriate wording be added to the terms of reference.

Under Standing Order 34 Councillor Pope questioned the lifespan a project would be allocated for to which it was explained that the life span would be set as appropriate for the item which would be considered on its merit.

RECOMMENDED: That the consideration of items under the Parish Partnership Programme or other similar funding scheme be added to the King's Lynn Area Consultative Committee terms of reference with the following wording:

"Within the deadlines of the Scheme and in a timely fashion to feed into the Council's budget process make recommendations to Cabinet on proposed highway improvement schemes, which have been supported by a business case and are within the unparished areas of King's Lynn and West Lynn, for match funding through the County Council's Parish Partnership Programme, or similar parish funding schemes."

Reason for Decision

To provide a mechanism which will allow for funding bids under the Parish Partnership Programme, for small-scale highway improvement schemes, to come forward within the unparished areas of King's Lynn & West Lynn. KLACC has supported the recommendation to amend its terms of reference.

The budgetary element of the recommendation is added to ensure that any recommendations co-ordinate with the preparation and agreement of the Council's budget.

CAB82 **NORA ENTERPRISE ZONE DISCRETIONARY BUSINESS RATES DISCOUNT**

Cabinet considered a report which explained that in 2015 the New Anglia Local Enterprise Partnership (NALEP) made a bid to central government to designate a number of sites across East Anglia as Enterprise Zones (EZs). One of these sites was the NORA site at South Lynn. The Cabinet Report of 9 September 2015 contained the full details of this process. The NALEP bid was successful and the NORA site was awarded Enterprise Zone (EZ) status from April 2016.

An EZ allowed businesses located within the zone to benefit from reduced burdens including lower tax levels, planning, regulatory and other administrative burdens. To help reduce the tax burden on businesses within the EZ the Council could choose to award a business rates discount of up to 100% of the business rates bill for a

maximum of five years. Central government would fully reimburse the cost of any discretionary business rates discount awarded within these parameters.

The report detailed the recommendations for these discounts. Cabinet confirmed that this was an important initiative to support growth in the area which was funded by Central Government.

Under Standing Order 34, Councillor Pope asked whether if a business entered the zone for example after 2 years if the 5 year discount would still apply or if it would then only be 3 years discount. The Asst Director explained that she believed it would be 5 years, but she would let members know if it was not.

RECOMMENDED: That Council be invited to agree the following discretionary business rates discounts for properties within the NORA Enterprise Zone from 1 April 2016:

- A 100% discount for up to five years for occupied properties,
- A maximum nine month discount for unoccupied properties, rising to 12 months if the property is classed as industrial, and
- A 100% discount for up to five years for both occupied and unoccupied properties within the KLIC building

Reason for Decision

To ensure the discretionary business rates discounts are agreed for properties within the Enterprise Zone.

CAB83 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.

CAB84 REFUSE AND RECYCLING CONTRACT ARRANGEMENTS

Cabinet considered the report which detailed options and proposals for dealing with the changes made by Norfolk County Council to the point where residual waste collections were tipped for disposal by the County Council and the knock on impact of the increased cost involved. Cabinet expressed concern at the implications for the Borough by the decision taken by the County Council.

The Executive Director, C Bamfield gave Members a further update on recent discussions with the contractor, and set out the time frame

which the Council would have to work within. Discussions were held on the costs involved.

RECOMMENDED: 1) That the budget be amended to reflect the additional costs incurred for the tip and haul of 60% of collected residual waste and that the Executive Director – Commercial Services, is authorised complete the negotiation with Kier and NEWS in consultation with the Leader and Legal Services Manager to bring the arrangements in to effect.

2) That a further discussion be held with waste partners to identify cost savings.

Reason for Decision

To ensure that waste is collected and delivered to the County Council for disposal in the most efficient and cost effective way for the Borough Council.

CAB85 **KING'S COURT OFFICE ACCOMMODATION**

Councillor Beales presented a report which set out the provisionally agreed terms for the proposed commercial leasing arrangements for surplus office accommodation at the Borough Council's main administrative office building : King's Court, Chapel Street, King's Lynn, and sought authority from Cabinet to enter into formal lease agreements with the prospective tenants.

The report also set out some of the potential operational, logistical and practical issues that would arise from the proposals, which would need to be considered as part of the decision making process.

The proposed commercial leasing arrangements identified within the report would make a significant contribution to savings required as part of the Cost Reduction Programme.

Cabinet welcomed the proposals for the changing of the venue of many Council meetings should the proposals come to fruition, and wished to continue to see the Council's corporate identity maintained.

Under Standing Order 34, Councillor Pope asked what the additional costs of moving the Council meetings would be, to which it was confirmed that at this stage the additional costs had not been drilled down into, but that the proposals would deliver savings for the tax payer.

RECOMMENDED: 1) That the Property Services Manager be given the delegated authority to finalise negotiations with the prospective tenants identified within this report 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 to amend the Capital Programme if necessary for the delivery of this project up to a maximum outlined within this report.

3) That the Legal Services Manager be given delegated authority to draft and finalise all necessary documentation, contractual or otherwise, associated with the proposed leasing arrangements for King's Court.

Reason for Decision

The proposals set out within this report will facilitate closer working between public sector bodies whilst generating revenue income and sharing the operating costs of King's Court thereby contributing towards the Council's Cost Reduction Programme.

CAB86 ASSET MANAGEMENT - HOUSING DEVELOPMENT SITES - OPTIONS

Councillor Beales presented a report which set out proposals for housing development sites owned by the Borough Council together with a number of options for the Council to consider. The report requested that Authority was appropriately delegated from Cabinet to facilitate the successful delivery of the proposals set out within the report.

Under Standing Order 34, Councillor Pope commented that the stand alone sites could be sold quickly and asked that high quality housing be built, to which it was confirmed that this would be the proposal for some of the sites, although some may be used for the wider benefit, Members attention was drawn to the fact that high quality building was being undertaken with lower density than many other areas.

It was pointed out that the Regeneration and Development Panel had given consideration to the report and its proposals and supported them, whilst acknowledging the importance of the ability to be proactive so as not to miss opportunities because of the democratic processes required.

RECOMMENDED: 1) That Delegated Authority be given to the Property Services Manager in consultation with the Portfolio Holder for Regeneration and Industrial Assets and the Council's Chief Finance Officer (and Section 151 Officer) to :

- a) assess the options and financial viability, including options for development funding, for each site outlined within this report;
 - b) decide which option to pursue in the Council's financial interest; and
 - c) progress delivery of the sites identified in Schedule 1 within this report
- 2) That the Capital Programme be adjusted as necessary if capital expenditure is required to deliver any of the housing units; and
- 3) 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 the Council owned property assets set out within this report, including the creation of a wholly owned Limited Company, or companies, where necessary.
- 4) That Delegated Authority be given to the Portfolio Holder for Regeneration and Industrial Assets and the Council's Chief Executive to consider and approve, or otherwise, Businesses Cases put forward in respect of the creation of any wholly owned Limited Company, or companies necessary for the delivery and/or management of the sites identified within this report.

Reason for Decision

To facilitate the Council in delivering housing units, seeking the best possible approach in delivery and generating capital receipts and revenue income to contribute to the Council's Capital Programme and revenue budgets.

The meeting closed at 6.53 pm