

Borough Council of
**King's Lynn &
West Norfolk**



Cabinet

Agenda

Tuesday, 25th October, 2016
at 5.30 pm

in the

**Committee Suite
King's Court
Chapel Street
King's Lynn**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
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CABINET AGENDA

DATE: CABINET - TUESDAY, 25TH OCTOBER, 2016

VENUE: COMMITTEE SUITE, KING'S COURT, CHAPEL STREET, KING'S LYNN

TIME: 5.30 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - Items 14-16 below will be considered in private.

Should you wish to make any representations in relation to the meeting being held in private for the consideration of the above item, you should contact Democratic Services

1. MINUTES

To approve the Minutes of the Meetings held on 7 and 14 September 2016 (previously circulated).

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it

relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

6. MEMBERS PRESENT UNDER STANDING ORDER 34

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

7. CALLED IN MATTERS

To report on any Cabinet Decisions called in.

8. FORWARD DECISIONS (Pages 6 - 9)

A copy of the Forward Decisions List is attached

9. MATTERS REFERRED TO CABINET FROM OTHER BODIES

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda.

10. CHANGES TO ARRANGEMENTS FOR APPOINTMENT OF EXTERNAL AUDITORS (Pages 10 - 13)

11. TERMS OF REFERENCE OF THE KING'S LYNN AREA CONSULTATIVE COMMITTEE - PARISH PARTNERSHIP PROGRAMME (Pages 14 - 17)

12. NORA ENTERPRISE ZONE DISCRETIONARY BUSINESS RATES DISCOUNT (Pages 18 - 22)

13. EXCLUSION OF THE PRESS AND PUBLIC

The Cabinet is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PRIVATE ITEM

Details of any representations received about why the following reports should be considered in public will be reported at the meeting.

14. **REFUSE AND RECYCLING CONTRACT ARRANGEMENTS** (Pages 23 - 29)
15. **KING'S COURT OFFICE ACCOMMODATION** (Pages 30 - 37)
16. **ASSET MANAGEMENT - HOUSING DEVELOPMENT SITES - OPTIONS**
(Pages 38 - 71)

To: Members of the Cabinet

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

Deputy Cabinet Members

For Further information, please contact:

Sam Winter, Democratic Services Manager 01553 616327
Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street
King's Lynn PE30 1EX

FORWARD DECISIONS LIST

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
25 October 2016	Changes to arrangements for appointing External Auditors		Non	Council	Performance Asst Dir – L Gore		Public
	NORA Enterprise Zone Discretionary Business Rates Relief		Non	Council	Leader Asst Dir – L Gore		Public
	Asset Management : Land with Development Potential		Key	Council	Regeneration Exec Dir – C Bamfield		Private- Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
9	Refuse and Recycling Contract Arrangements		Key	Cabinet	Leader Exec Dir – C Bamfield		Private- Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	King’s Court Office Accommodation		Non	Cabinet	Regeneration Property Services Manager		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)

Agenda Item 8

	KLACC Terms of Reference		Non	Council	Cllr B Long Asst Dir – S Ashworth		Public
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Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
6 December 2016	Insurance Contract Tender		Key	Cabinet	Leader Deputy Chief Executive		Private- Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
7	Council Tax Support Scheme 2017/18	Final Scheme for approval	Key	Council	Leader Deputy Chief Executive		Public
	Care & Repair framework agreement for aids and adaption works		Key	Cabinet	Housing & Community Exec Dir – D Gates		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Review of Hackney Carriage and Private Hire Licensing Procedures and Conditions			Council	Housing and Community Exec Director – G Hall		Public
	Review of Financial Regulations		Non	Council	Leader Asst Exec Dir – L Gore		Public
	Results of the BID vote		Non	Cabinet	Human Resources and Shared Services Exec Dir – C Bamfield		Public
	CIL – Result of Examination		Key	Council	Development Exec Dir- G Hall		Public

	Notice of Motion – Coastal Economy		Non	Cabinet	Regeneration Chief Executive		Public
	Enterprise Zone Development and Infrastructure		Key	Cabinet	Regeneration Exec Dir – C Bamfield and Chief Executive		Private- Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Members Code of Good Practice for Planning		Non	Council	Development Asst Dir – S Ashworth		Public
	Local Sea Defense Funding Update		Non	Cabinet	Leader Exec Dir – G Hall		Public
	Council Tax Discounts for Empty & Unfurnished and Uninhabitable Properties		Non	Council	Leader Asst Dir – L Gore		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
31 January 2017	Budget		Key	Council	Leader Dep Exec Dir – L Gore		Public
	Electoral Review		Key	Council	Leader Chief Executive		Public
	Borough Council Contaminated Land Inspection Policy		Non	Council	Environment Exec Dir – G Hall		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
28 February 2017							

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
11 April 2017							

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards None	Mandatory	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: Cllr Daubney E-mail: cldr.Nick.Daubney@West-Norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Kate Littlewood E-mail: kate.littlewood@west-norfolk.gov.uk Direct Dial: 01553 616252		Other Officers consulted: Lorraine Gore, Assistant Director (s151 Officer) Management Team		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 25th October 2016

Changes to arrangements for appointment of External Auditors

<p>Summary To consider a proposal for the new arrangements to appoint external auditors.</p> <p>Recommendation To recommend the intention to “opt-in” to the procurement process by Public Sector Audit Appointments Ltd (PSAA), as the national Sector Led Body (SLB).</p> <p>Reason for Decision To comply with the requirements of the Local Audit and Accountability Act 2014.</p>

1.0 Background

- 1.1 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 have been extended by one year to also include the audit of the accounts for 2017/18.
- 1.2 The Council's current external auditor is Ernst & Young, who were appointed for the audit year 2012/13. The final year of audit under the existing arrangement is 2016/17. When the current transitional arrangements come to an end on 31 March 2018 the Council will need to have a new auditor in place.
- 1.3 Not all accounting firms will be eligible to compete for the work. They will need to demonstrate that they have the required skills and experience, and be registered with the Institute of Chartered Accounts for England and Wales

(ICAEW) who are the Registered Supervising Body approved by the Financial Reporting Council. It is unlikely that small local independent firms will meet the eligibility criteria.

- 1.4 Previous external audit contracts have included Grant Certification work that audits the benefits administered on behalf of the Department for Work and Pensions (DWP). The new contracts will only cover the audit of the accounts. Arrangements for the Grant Certification work are being developed by DWP with the support of PSAA.

2.0 Options Considered

- 2.1 There are a number of routes by which the appointments can be made, each with varying risks and opportunities:
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)
- 2.2 Audit Committee considered the four options and recommend to ‘opt-in’ to the procurement process by the Sector Led Body (SLB). The link to the report considered by the Audit Committee is provided in the Background papers section of this report.
- 2.3 On 22nd July 2016 PSAA was specified by the Government to become the SLB authorised to make future audit appointments on behalf of principal local authorities.
- 2.4 As such the PSAA will have the ability to negotiate contracts with the firms nationally, maximising the opportunities for the most economic and efficient approach to procurement of external audit on behalf of the whole sector. In a recent survey, 58% of local authority respondents expressed an interest in this option and recent discussions with the other Finance Officers in Norfolk have indicated that this is their preferred option.

3.0 Policy Implications

This will be a new method of appointing external auditors and must be seen to be an independent process.

4.0 Financial Implications

The option chosen will affect the costs incurred by the selection process and potentially the level of fees charged by the external audit. It is anticipated that by opting-in to the national process that economies of scale can be achieved.

5.0 Personnel Implications

There are no personnel implications

6.0 Statutory Considerations

Local Audit and Accountability Act 2014:

Sec 7 – a local authority must appoint an auditor no later than December of the preceding year

Sec 8 – governs the procedure to appoint and specifies that the Full Council must appoint.

Sec 12 – where a local authority fails to appoint an auditor, the Secretary of State will appoint one.

Sec 17 - gives the Secretary of State the ability to enable a Sector Led Body (SLB) to become the appointing person.

7.0 Equality Impact Assessment (EIA)

There are no equality implications.

8.0 Risk Management Implications

There is no immediate risk to the Council. However, early consideration by the Council of its preferred approach will enable detailed planning to take place so as to achieve successful transition to the new arrangement in a timely and efficient manner.

9.0 Declarations of Interest / Dispensations Granted

None required.

10.0 Supporting Information

The following web links provide Members with useful guidance and information:

CIPFA ‘Guide to Auditor Panels’

<http://www.cipfa.org/policy-and-guidance/publications/g/guide-to-auditor-panels-pdf>

PSAA Corporate Plan 2015-18

<http://www.psaa.co.uk/about-us/what-we-do/corporate-plan-2015-2018/>

Local Audit and Accountability Act 2014

<http://www.legislation.gov.uk/ukpga/2014/2/contents>

11.0 Declarations of Interest / Dispensations Granted

None

12.0 Background Papers

Audit Committee report on the Changes to Arrangements for the Appointment of External Auditors can be found at:

<http://democracy.west-norfolk.gov.uk/mgchoosedocpack.aspx?id=1477>



Pre-Screening Equality Impact Assessment

Name of policy/service/function	Arrangements for appointment of External Auditors				
Is this a new or existing policy/ service/function?	New				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	To comply with the Local Audit and Accountability Act 2014, new arrangements have to be made for the appointment of external auditors following the closure of the Audit Commission and the expiry of the current external audit contracts.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			✓	
	Disability			✓	
	Gender			✓	
	Gender Re-assignment			✓	
	Marriage/civil partnership			✓	
	Pregnancy & maternity			✓	
	Race			✓	
	Religion or belief			✓	
	Sexual orientation			✓	
Other (eg low income)			✓		
Question	Answer	Comments			
<p>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	No				
<p>3. Could this policy/service be perceived as impacting on communities differently?</p>	No				
<p>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	No	<p>Actions:</p> <p>Actions agreed by EWG member:</p>			
<p>Assessment completed by: Name Kate Littlewood</p>					
<p>Job title Audit Manager</p>	<p>Date 6/9/16</p>				

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards King's Lynn &, West Lynn wards	Discretionary /	Be entirely within Cabinet's powers to decide	NO	
	Operational	Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: Cllr B Long E-mail: cllr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted: King's Lynn Area Consultative Committee (KLACC)		
Lead Officer: S Ashworth E-mail: stuart.ashworth@west-norfolk.gov.uk Direct Dial: 01553-616417		Other Officers consulted: Lorraine Gore – Assistant Director (S.151 Officer), Chris Bamfield – Director – Leisure & Public Space		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment NO	Risk Management Implications NO

Date of meeting: 25 October 2016

TERMS OF REFERENCE OF THE KING'S LYNN AREA CONSULTATIVE COMMITTEE – PARISH PARTNERSHIP PROGRAMME

Summary

The report proposes 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.

The Parish Partnership Programme has been running for 5 years, aimed at delivering small co-funded highway improvements for local communities. It is 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 requires match funding, with a maximum County Council contribution of £25,000. The scheme has been expanded by the County Council, to allow bids for schemes in the unparished areas of the County.

Recommendation

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.

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.

Background

1.0 Introduction

- 1.1 The County Council has been operating the Parish Partnership Programme (PPP) from 2011, which has involved inviting Parish and Town Councils to submit bids for local highway improvements in their areas, with the County Council potentially funding up to 50% of a scheme's costs through the PPP. A total funding pot of £380,000 has currently been set aside by the County Council for the year 17/18, for this purpose.
- 1.2 In the time it has been operating, the County Council has been made aware of concerns that the Parish Partnership Programme (PPP) excluded the unparished areas of the County, including King's Lynn and West Lynn. As such it has agreed to amend the scheme to allow bids to come forward from unparished areas as well as from Parish Councils.
- 1.3 The County Council also proposed to invite unparished wards to submit bids via their elected County Council Members, which could be an alternative way of dealing with this issue.
- 1.4 It is understood that through further discussion that Norwich City and Great Yarmouth Borough Council (the other areas with unparished areas) are also proposing to have a group/Committee to represent the unparished areas and to consider bids put forward in the same way as proposed and recommended for this Committee.
- 1.5 In Parished areas it is understood that Parish Councils will carry out initial discussions with the County Council as highway authority on the potential feasibility and costs of a scheme, before submission of a formal bid to the County Council. Within the unparished areas this is likely to be carried out by Borough Ward Members initially.

2 Key Issues

- 2.1 A mechanism is required so that potential highway schemes under the PPP in King's Lynn & West Lynn are considered by the King's Lynn Area Consultative Committee (KLACC), and put forward for consideration by Cabinet, relating to whether to commit match funding to identified highway schemes, which would then be submitted as part of the bidding process to the County Council.
- 2.2 It is important that the financial implications of any bid are properly considered and understood. It is proposed that a business case would need to be put forward by a Ward Member with any bid, showing the costs of any proposed scheme, along with how it is supported by local residents.

3.0 Proposal

- 3.1 The proposal is to amend the terms of reference of the King's Lynn Area Consultative Committee (KLACC) to allow it to make recommendations to Cabinet regarding the Borough Council match funding potential small-scale highway improvement schemes, within the unparished areas of King's Lynn and West Lynn.

- 3.2 If the terms of reference are amended as recommended, then potential highway schemes will need to be considered on an annual basis by the Committee, to be forwarded to Cabinet to allow any bids considered acceptable to be submitted to the County Council within the bid deadline.
- 3.3 Small-scale highway schemes would have to be put forward, and given the limited funding pot across the County, and indeed recognising the financial constraints within the Borough Council, it is recommended that each scheme put forward should be accompanied by a business plan. The County Council have stated that they need the following information, which would be included in a business plan
- Details of the scheme, its cost and your Match funding figure?
 - Who, and how many people will benefit
 - How it supports the objectives of the Local Transport Plan
 - Local support, particularly from your local County Council Member, frontagers and land owners
 - For 'off highway' schemes, your proposals for future maintenance
- 3.4 As part of the proposal the Committee would need to consider how schemes put forward are to be funded. In the same way as Parishes will fund highway works in their areas through their precepts, the King's Lynn Special Expenses charge would need to be utilised to fund schemes in the unparished area. However, this could be spread over the lifetime of a scheme, which would minimise the impact on Special Expenses. For example, if £10,000 is sought for match funding, on a scheme with a lifespan of 25 years, this would be £400 per year on Special Expenses. If this is divided by the current tax base of 9636 (based on band D) in the unparished area, then this would add 4p per year to Special Expenses going forward. Last year King's Lynn Special Expenses was £43.30.
- 3.5 It is also worth noting that additional houses will of course come forward within the unparished areas of the town, thereby adding to the tax base.
- 3.6 The deadline for the latest round of bids for the 2017/18 funding year is 16 December 2016

4.0 Feedback from KLACC

At its meeting on 5 October 2016, KLACC considered the report and proposals and supported the addition to its' Terms of Reference.

5.0 Corporate Priorities

- 5.1 This proposal meets the objectives of the following corporate priorities:
- Priority one: provide important local services within our available resources
 - Priority three: work with our communities to ensure they remain clean and safe
 - Priority six: work with our partners on important services for the Borough

6.0 Options Considered

The following options are available for Cabinet to consider:

- 6.1 Add to the KLACC terms of reference to allow it to make recommendations on the proposed funding pot for the benefit of King's Lynn & West Lynn.

This will allow the Committee to act as a representative body where schemes in the unparished areas can be considered and put through to Cabinet for potential match funding. It will be a more co-ordinated approach. It will also allow some potential match funding to come forward from the Borough Council, although the financial implications of each scheme will need to be carefully considered. It is understood that Norwich City and Great Yarmouth Borough Councils will be taking a similar approach to their unparished areas, through an appointed body making recommendations on proposed schemes.

- 6.2 Do not alter the KLACC terms of reference and leave it to local groups to submit bids through their elected County Council Member.

This is an alternative put forward by the County Council which would mean local groups would need to be co-ordinated to a level acceptable to the County Council, and bids would need to be submitted by the local County Councillor on their behalf. This approach is less likely to be effective than a co-ordinated approach. The funding required would also have to come from those local groups.

7.0 Financial Implications

- 7.1 There will be financial implications of match funding small-scale highway improvements. Any match funding would have to be put to Special Expenses for the unparished area.

8.0 Any other Implications/Risks

- 8.1 Agreed bids may need to be coordinated and submitted by Borough Council staff.

9.0 Equal Opportunity Considerations

- 9.1 There are no particular equal opportunity concerns with this proposal.

10.0 Consultation

- 10.1 King's Lynn Area Consultative Committee.

11.0 Risk Management Implications

None

12.0 Declarations of Interest / Dispensations Granted

None

Background Papers

8 July 2016 Norfolk County Council - Report to Environment Development and Transport Committee-Highway Parish Partnership Programme – unparished wards

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards South and West Lynn	Discretionary	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: E-mail: Cllr Brian Long Cllr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted:		
Lead Officer: Jo Stanton, Revenues and Benefits Manager E-mail: joanne.stanton@west-norfolk.gov.uk Direct Dial:01553 616349		Other Members consulted: Corporate Performance Panel		
Other Officers consulted: Ray Harding, Chief Executive Lorraine Gore, Asst Director and s151 Officer Ostap Paparega, Regeneration and Economic Development Manager				
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment YES If YES: Pre-screening only	Risk Management Implications NO

Date of meeting: 25 October 2016

NORA ENTERPRISE ZONE DISCRETIONARY BUSINESS RATES DISCOUNT

Summary

The Council has the discretion to award a business rates discount to properties located with an Enterprise Zone. This report details the recommendations for these discounts.

Recommendation

Cabinet are asked to recommend that full Council 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.

1. Background

- 1.1. 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 contains the full details of this process. The NALEP bid was successful and the NORA site was awarded Enterprise Zone (EZ) status from April 2016.
- 1.2. An EZ allows 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 can choose to award a business rates discount of up to 100% of the business rates bill for a maximum of five years (subject to State Aid limits – see Appendix B).
- 1.3. Central government will fully reimburse the cost of any discretionary business rates discount awarded within these parameters.
- 1.4. The business rates discount is discretionary and the Council is free to decide what amount of discount to award, any specific categories of business or types of occupation to award the discount to, and for what length of time.
- 1.5. All the other business rates reductions and reliefs apply as usual including Small Business Rate Relief, Mandatory Relief and the three month exemption period for unoccupied properties (six months for industrial properties). Any EZ discretionary discount is awarded after all other relevant reliefs have been applied. Businesses can also still apply for Hardship Relief.
- 1.6. Under the Business Rate Retention scheme, any business rates growth within the EZ is accounted for separately and outside the Business Rates pool. It is fully retained and not subject to any levy payment. It is then split between the Borough Council, the County Council and NALEP for investment in infrastructure in the EZ and priorities in the Strategic Economic Plan.

2. Occupied and Unoccupied Property Discounts

- 2.1. The purpose of the discount is to reduce the tax burden for business within the EZ. A 100% discount is recommended for occupied properties to encourage businesses to locate within the EZ and to free up resources so they can grow.
- 2.2. Those liable for business rates for unoccupied properties outside the EZ normally receive the statutory three month exemption from payment of business rates, rising to six months if the property is classed as industrial. After this the full business rates are payable again.
- 2.3. Awarding a 100% discount for unoccupied properties within the EZ makes it more beneficial for the owner to have an unoccupied property within the EZ than outside it. However a six month extension of the

statutory exemption period is recommended to encourage businesses to locate to the EZ and remove some of the risk of having an empty, or partly empty, property as they become established. This means an empty property would receive a maximum exemption of nine months, rising to 12 months for industrial properties.

- 2.4. The King's Lynn Innovation Centre (KLIC) offers an 'Easy In, Easy Out' approach to encourage new businesses. This may mean more time when the offices are unoccupied. It is recommended that a 100% business rates discount is awarded on all business rates bills for KLIC.
- 2.5. All business rates discounts are subject to a maximum time limit of five years, and are subject to the rules on State Aid, limiting the amount of discretionary relief any one business can receive to approximately £275,000 over five years.
- 2.6. The discounts detailed above have been considered and recommended by the Corporate Performance Panel.

3. Policy Implications

- 3.1. The EZ discretionary discount will be a new policy and will be added to the Business Rates Discretionary Relief policy.

4. Financial Implications

- 4.1. The cost of awarding the EZ relief for up to five years is fully funded by central government through the Business Rate Retention Scheme.
- 4.2. Growth and income from the EZ is accounted for outside of the Business Rates Retention Scheme for the next 25 years. The growth can be used to support future borrowing and investment in the EZ.

5. Equality Impact Assessment (EIA)

- 5.1 A Pre-screening report is attached at Appendix A. A full Equality Impact Assessment is not required.

6. Declarations of Interest / Dispensations Granted

- 6.1 None

7. Background Papers

- 7.1 None

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy	Business Rates Discretionary Discounts for Enterprise Zones				
Is this a new or existing policy/ service/function?	New				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	The Council can award a discretionary discount to ratepayers within an Enterprise Zone and the cost is fully funded by central government. The rules for awarding the discount are at the discretion of the Council.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			√	
	Disability			√	
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
	Other (eg low income)			√	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Name Jo Stanton					
Job title Revenues and Benefits Manager	Date 12 September 2016				

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.

Appendix B: State Aid

Any relief from taxes, including non-domestic rates, can constitute State Aid. This includes discretionary relief for properties in an Enterprise Zone, as well as other non-domestic rates discounts.

There is a de-minimus limit of €200,000 for any one business over a three year period. This equates to around £55,000 a year per business, so over the five year period the maximum amount of discretionary discount any one business can receive is £275,000.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 14

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