

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

**CABINET SCRUTINY COMMITTEE**

**Minutes from the Meeting of the Cabinet Scrutiny Committee held on Thursday, 17th September, 2015 at 6.00 pm in the Committee Suite, King's Court, Chapel Street, King's Lynn**

**PRESENT:** Councillor  
Councillors R Blunt, Mrs J Collingham, P Gidney, I Gourlay, C Joyce, C Kittow,  
Mrs K Mellish and T Wing-Pentelow

An apology for absence was received from Councillor J Collop and P Kunes

CSC:35 **MINUTES**

**RESOLVED:** That the Minutes of the meeting held on 20 August 2015 be approved as a correct record and signed by the Chair.

CSC:36 **URGENT BUSINESS UNDER STANDING ORDER 7**

None

CSC:37 **APPOINTMENT OF VICE-CHAIRMAN FOR THE MEETING**

**RESOLVED:** That Councillor C Kittow be appointed as Vice-Chairman for the Meeting.

CSC:38 **DECLARATIONS OF INTEREST**

None

CSC:39 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor G McGuinness attended under Standing Order 34 for consideration of the Cabinet Agenda items 9 a, b and c.

CSC:40 **CHAIRMAN'S CORRESPONDENCE**

None

CSC:41 **RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

None

CSC:42 **MATTERS CALLED IN PURSUANT TO STANDING ORDER 12**

None

CSC:43 **SCRUTINY OF CABINET REPORT - 2016/17 DRAFT COUNCIL TAX SUPPORT SCHEME FOR CONSULTATION**

The Chairman, Councillor Gourlay, had requested that this item should feature on the Agenda.

Under Standing Order 34, Councillor G McGuinness referred to the fact that when the Scheme had come through Cabinet the previous year he had referred to a number of questions asked about the financial impact of the scheme in relation to the “bedroom tax”. He asked if there was enough data to carry out an impact analysis to see if there were any particularly hard hit groups.

The Benefits Manager explained that there was not specific data on types of groups and the effects on those groups because each case was looked at on its merits, and if someone was affected by multiple hits on their benefits for example those who weren't pensioners or with small children they would often be the recipient of the discretionary scheme. An applicant was only refused once all of someone's income and outgoings had been looked at in detail and deemed ineligible for the scheme.

Councillor McGuinness asked if there was an opportunity to carry out an impact analysis on this. The Benefits Manager responded that a form of analysis could be carried out but it would be inconclusive because of the variety of different levels of claims and awards.

Councillor Gourlay referred to the newspaper report on the level of bailiff use by the Borough Council at 3,800 incidents, he asked if the level was this high due to the non payment of Council Tax following the changes to the scheme. The Benefits Manager responded that the high usage of the enforcement was for a number of reasons, and would not be reflective of the actual usage for King's Lynn and West Norfolk only because the Borough carried out the car parking and its enforcement for a number of other Councils so their figures would appear less and ours higher.

Councillor Gourlay asked what was being done in the consultation process to get the level of participation in the consultation up on previous years. The Benefits Manager explained that she had carried out considerable consultation the previous year including roadshows to different sites, mail shots etc with a very limited response.

Councillor Daubney responded that the response reflected the national picture, but he felt that the most effective thing that could be done was to keep the level of Council Tax low as the Council had been doing.

Councillor Gourlay referred to the assumption that the self-employed would be assumed to be earning the minimum wage for benefits purposes over the last 2 years which was often not the case. He asked why that stance had been taken. The Benefits Manager responded that it had been brought in during the first year of the Scheme to link with the requirements of Universal Credit. She explained that some self-employed claimed tax credits etc and when they initially started in business were given a start up period of 6 months to enable the income received to build over that time. The income level would be reviewed after the 6 months.

Councillor Gourlay asked if the things taken into account for the self-employed included an element of advertising for the new business, to which it was confirmed that it did.

Councillor McGuinness referred to the reference to the cost of the Council Tax Scheme in 6.4 of the report and asked if it was the national scheme for Council Tax customers. The Benefits Manager responded that the term referred to the old scheme and those protected by it, as there was no national scheme for the working age. She agreed to look at the terminology used.

Councillor McGuinness referred to 6.5 of the report and the level of deficit for the County and Borough and Parishes compared to the previous year. He asked what the difference in the scheme was on the previous year and whether it would affect all precepting authorities equally. The Benefits Manager responded that it was due to the caseload change which affected the levels of impact on the precepting authority. She did not have the detail of the previous years figures to hand and agreed to look at the differences on two years and provide the figures from the previous year to Councillor McGuinness.

Councillor Joyce drew attention to the fact that the administration of the discretionary hardship scheme fell to the Borough Council to fund, he asked what was the average of pass and fails for the assessments for the relief. The Benefits Manager explained that there was not a meaningful average because the average figure worked out on numbers of cases and levels did not give a true reflection. Councillor Daubney considered that any figure worked out in this way would potentially be meaningless because there wasn't a norm, particularly as some people had to take into account the costs of care and support etc.

Councillor Gourlay made reference to those Councils who were not operating the Council Tax Support Scheme, and asked if the Council Tax Payers in the Borough were paying more because of it. He suggested that some things could be given up in the Council's budget to fund it. Councillor Daubney responded that the Council's budgets were balanced against no increase in Council Tax, whereas those authorities not operating a scheme were loading large costs against those people who were paying Council Tax.

With regard to the lack of response from the County Council on the scheme which had been sent out for consultation, the Chief Executive informed Members that he had raised it with the Chief Executive of the County Council who she assured would give a response.

Councillor Joyce asked if the Council or the Government picked up the tab for the protection of pensioners in the scheme. Councillor Daubney explained that the Government Policy was that pensioners would be protected, which brought a cost, for which there was a cost which had to be absorbed by the Council and its adopted scheme.

Councillor McGuinness asked if the Council was required to have the discretionary fund, to which he was informed that whilst the local authority had a discretion to have one, but if one was not in place the Council could be taken to a tribunal.

As suggested by Councillor McGuinness, Councillor Gourlay moved that full impact analysis be carried out on the previous schemes. Councillor Collingham asked what benefit requiring officers to carry out the additional work would bring any benefit to the scheme. On being put to the vote the proposal was lost.

CSC:44 **CABINET REPORT - NAR OUSE BUSINESS PARK ENTERPRISE ZONE**

This item had been brought to the Committee at the request of the Chairman, Councillor Gourlay.

Councillor Gourlay made reference to the fact that the report and proposal was working with the New Anglia LEP, and commented that he believed the Council was also working with the Greater Cambridge & Greater Peterborough LEP, he asked why they were not included in this proposal. Councillor Daubney confirmed that the Council was working with both LEPs because of the links with both sides of the Borough, but this request had come from the New Anglia LEP.

Councillor Gourlay asked why when the Council was working in the scientific corridor from Cambridge the proposal was for “heavy industry base”. Councillor Daubney responded that King’s Lynn and its businesses were growing and the Enterprise Zone was particularly for “advanced engineering”, rather than heavy engineering. He drew attention to the fact that the advanced engineering element of business inward enquiries for the Borough comprised over 60% of the enquiries made, and made up a large amount of the business in the Borough with companies such as BaE, Williams Refrigeration and Bepak, with the Enterprise Zone forming a small element of it. He further explained that the biggest challenge for the Borough was to retain that industry in West Norfolk by maintaining and improving on skills levels and training in the Borough.

Under Standing Order 34, Councillor McGuinness asked if there was a danger that a company would move from an existing site in the Borough for the attractive business rates in the enterprise zone, leaving a vacuum from where they moved. Councillor Daubney confirmed this was a potential situation which had been raised as a potential issue, but a judgement had to be made.

Councillor Joyce asked if any investigation had been undertaken with the pharmaceutical industry due to the need for large amounts of sugar in their industry and the proximity of the sugar beet factory. He also asked why the Broadband for the area was limited to 100 megabites. Councillor Daubney shared frustrations around the digital infrastructure and its limitations, but explained that he had just signed off an initiative with the County Council to help towards this, he acknowledged that there was still more to do.

Councillor McGuinness asked if the level of enquiries set out in the report were distinct enquiries or several from the same companies. It was confirmed that they were distinct.

Councillor Gourlay asked if the Council had the £3m required to pay for the project, to which Councillor Daubney explained that the Council had a requirement to make the land fir for purpose, and it would access funding available to make it happen. The Chief Executive further explained that the NORA development had stalled due to the level of funding required to install the infrastructure on the site up front of selling plots to companies, and the Enterprise Status would enable to LEP to borrow to fund the work against future income. The situation with the 5 years of no Business Rates was attractive to businesses.

Councillor McGuinness asked if a bridge would be installed over the railway track from South Lynn which he believed had been discussed at the time of the Tesco development. Councillor Daubney recalled some discussion on the matter some time ago, but was not aware if this had been an undertaking or requirement.

Councillor Collingham expressed delight that the profile of the industry was as set out in the report as she considered that a lean to the science park would not necessarily lead to sustainable jobs in companies that would stay in the area.

CSC:45 **CABINET REPORT - SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN - RESPONSES TO INSPECTORS REQUEST FOR FURTHER INFORMATION**

The item had been brought to the Committee at the request of the Chairman Councillor Gourlay.

Councillor Joyce made reference to the discussion he had held with the LDF Manager and p54 of the report which set out the levels of houses which would be required. He asked if the minimum level of 3500 was needed or if it was the 7-7500 target required.

The LDF Manager explained that it was the 7-7500 figure, dependent on the sites which were considered as part of King's Lynn. The overall total of 16500 properties would be required for the total period of time, 9000 of which had already been completed.

Councillor Gourlay asked how the targets set out in the Plan had been decided upon, and who would live in the additional properties. The LDF Manager explained that the figures had been derived from analysis from the Core Strategy, and from population increase forecasts. There were also changes in family structures, with more homes needed to cope with the current population, with the current demand of 660-690 new units pa.

Under Standing Order 34, Councillor McGuinness asked why housing growth was not being built upwards as in Cambridge, rather than outwards. The LDF Manager responded that there were different markets operating in the 2 geographical areas, and the properties were developed to match to needs of the population, the land values and the construction costs of the build type. He undertook to provide Councillor McGuinness with some further information on the issue.

Councillor Joyce made reference to the point he raised at the Cabinet meeting on the consistency of advice received from other agencies when planning consents were sought on flood plains. He commented on the fact that the Planning Inspector had raised the issue of flood risk but referred to the level of flood risk being shown by the Environment Agency for a site adjacent to the river as opposed to one further inland. He asked how confident the Council was in the advice received from them or the County Council. The LDF Manager responded that the confidence was that neither bodies had raised strategic objections to the Plan.

The LDF Manager reminded Members that the area was growing and it was important to make use of the land, as being in a flood plain did not preclude development, but required a flood risk assessment to be undertaken and if those mitigation measures were found to be acceptable by the Environment Agency it was possible to build.

Councillor Gourlay made reference to a presentation received some years before at a Panel meeting that the risk of King's Lynn flooding was a 1 in 150 year episode. Councillor Gidney commented that the latest Environment Agency flood breach modelling was awaited, but it was necessary to go with the advice of the experts.

Councillor Joyce made further reference to the point he had made in the Cabinet meeting on some schools being over subscribed, The LDF

Manager responded that there was not the capacity in all schools, but they would include the increase in school places where required.

Councillor McGuinness commented that in the days of the PCT, they were consulted over the provision of healthcare for the future. He asked if this was still taking place with the new CCG. The LDF Manager confirmed that liaison and advice had taken place on the public health requirements to 2026.

Following a question on the issue of the 5 year land supply, the Executive Director, G Hall explained the situation which was not part of this report. Councillor Gourlay asked if when the report and plan was adopted developers would be able to develop elsewhere than those sites in the Plan, to which the Executive Director explained that the adoption of the Plan didn't mean that the Inspectorate considered there was a 5 year land supply, as in other areas their adopted Local Plan was only 2 months old and they were found not to have the 5 year supply. The figures set out in the local Plan were not maximum figures and the onus was on the Council to find the sites for housing.

Councillor Joyce asked what the acreage was in King's Lynn for people to potentially walk a dog, and whether that had been taken into account in the space required for the town. The LDF Manager undertook to send him the acreage figure, and confirmed that the green infrastructure with the habitat requirements etc were being taken into account as part of the Cabinet report.

Councillor Blunt asked if the fact that the windfall developments were to be included in the numbers would this be attributed back to the parishes. The LDF Manager reported that every completion was taken into account, and the Inspector had referred to flexibility in windfall sites, specific numbers for which wouldn't be attributed to specific parishes. Councillor Blunt asked why the parishes had not been informed of the potential levels previously as they could potentially be significant in some parishes, to which the LDF Manager responded that it was not how the Government had asked for the information to be brought forward.

CSC:46 **DATE OF NEXT MEETING**

The next scheduled meeting was 22 October 2015.

**The meeting closed at 7.30 pm**