

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



COUNCIL MEETING

Agenda

Thursday, 19th January, 2017
at 6.30 pm

in the

**Assembly Room
Town Hall
Saturday Market Place
King's Lynn**



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

You are hereby summoned to attend a meeting of the **Borough Council of King's Lynn and West Norfolk** which will commence at **6.30 pm** on **Thursday, 19th January, 2017** in **The Assembly Room, Town Hall, Saturday Market Place, King's Lynn** to transact the business shown below.

Yours sincerely

Ray Harding
Chief Executive

BUSINESS TO BE TRANSACTED

1. PRAYERS

2. APOLOGIES FOR ABSENCE

3. MINUTES

To confirm as a correct record the Minutes of the Meeting of the Council held on 17 November 2016 (previously circulated).

4. DECLARATION 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.

5. MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS

To receive Mayor's communications and announcements.

6. URGENT BUSINESS

To receive any items of business which in the opinion of the Mayor are urgent.

7. PETITIONS AND PUBLIC QUESTIONS

To receive petitions and public questions in accordance with Standing Order 9.

8. CABINET MEMBERS REPORTS

In accordance with Standing Order 11.1 to receive reports from Cabinet Members in the following order and under Standing Order 11.2 (a) Members of the Council may ask questions of the Cabinet Member on their reports and Portfolio areas:

(Councillors are reminded that this is a question and answer session not a debate.)

- 1) **Development - Councillor R Blunt** (Pages 6 - 7)
- 2) **Environment - Councillor I Devereux** (Pages 8 - 9)
- 3) **Housing and Community - Councillor A Lawrence** (Pages 10 - 11)
- 4) **Human Resources, Facilities and Shared Services - Councillor Mrs K Mellish** (Pages 12 - 13)
- 5) **Regeneration - Councillor A Beales** (Page 14)
- 6) **Systems and Economic Development - Councillor N J Daubney** (Pages 15 - 16)
- 7) **Deputy Leader and Culture Heritage and Health - Councillor Mrs E Nockolds** (Pages 17 - 19)
- 8) **Leader and Environment - Councillor B Long** (Pages 20 - 21)

9. MEMBERS QUESTION TIME

In accordance with Standing Order 11.2 (b), Members of the Council may ask any questions of the Chairman of any Council Body (except the Cabinet).

10. RECOMMENDATIONS FROM COUNCIL BODIES

To consider the following recommendations to Council:

- 1) **Cabinet: 6 December 2016** (Pages 22 - 25)

To consider the following recommendations from the Cabinet meeting on 6 December 2016:

CAB98: Council Tax Discounts For Empty, Unfurnished And Uninhabitable Properties

CAB99: Council Tax Support Scheme 2017/18

CAB101: Review Of Financial Regulations

CAB102: Review Of Hackney Carriage And Private Hire Licensing Procedures And Conditions

CAB103: CIL - Result Of Examination

CAB106: Polling District And Polling Place Review

11. DETERMINATION OF COUNCIL TAX DISCOUNTS RELATING TO SECOND HOMES AND EMPTY DWELLINGS FOR 2017/2018 (Pages 26 - 30)

To consider the report and recommendations attached.

Ray Harding
Chief Executive

CABINET MEMBERS REPORT TO COUNCIL

19 January 2017

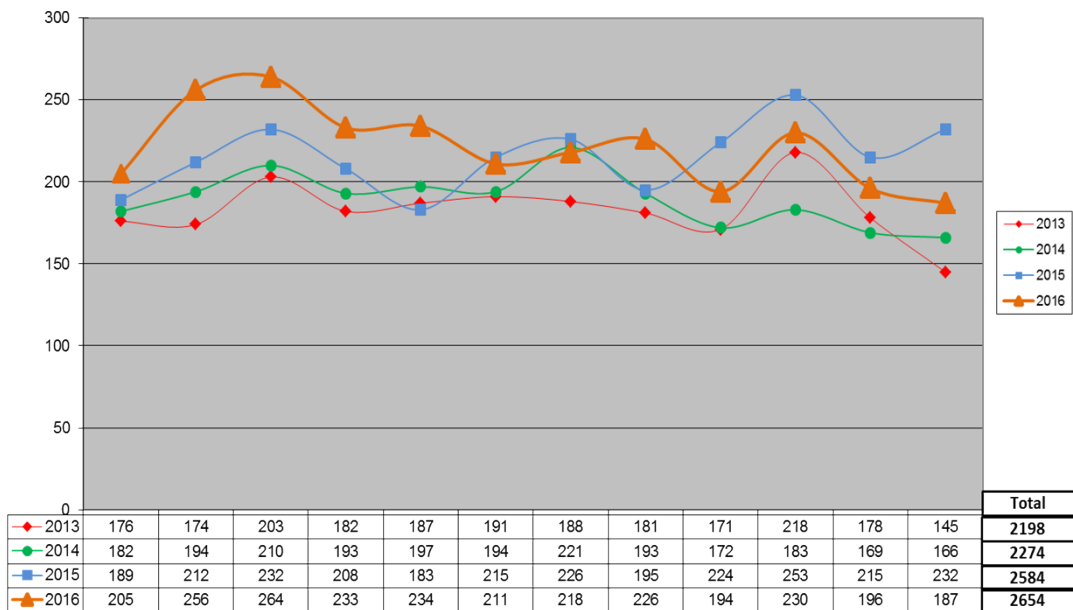
COUNCILLOR RICHARD BLUNT - CABINET MEMBER FOR DEVELOPMENT

For the period 3 November 2016 to 5 January 2017

1 Progress on Portfolio Matters.

Planning Applications

Planning and discharge of condition applications received



Application numbers remain high for this time of year and although not as high as last year, they are greater than the same period in 2013 and 2014.

Total applications in 2016 shows a slight (2%) increase on 2015 applications and taking into account that in 2015 the majority of the year the Borough did not have a 5 year land supply, the increase is more significant.

Local Plan

The Local Plan Task Group continues to develop the approach for the Plan Review to 2036. The Task Group reports and agendas can be found on the website. Progress is being made on the overall strategic approach and early stage work on settlement hierarchies and custom and self-build policies. The

'Call for Sites' consultation has brought forward sites in 550 locations across the Borough, the analysis of the sites has already commenced. We continue to engage with other council's under the Duty to Co-operate requirements, particularly the Norfolk Strategic Framework.

Inquiries

The Public Inquiry regarding further residential development at the former Fosters site in Clenchwarton scheduled for the 6 December was cancelled as the as the appellatant withdrew their appeal.

Community Infrastructure Levy

Final preparations are well advanced for the projected start date for the charging of Community Infrastructure Levy on 15 February subject to Council approval.

Neighbourhood Plans

Neighbourhood Plans are progressing well.

Currently there are 8 designated areas (the first stage and preparing a plan).
2 Fully adopted plans.

10 Parishes have expressed an interest and are proceeding to the initial designation stage.

Most of these have come forward in the last 6 months. There is definitely an increased level of interest across the Borough.

There are workload implications.

2 Meetings Attended and Meetings Scheduled

Council
Cabinet
Cabinet Sifting
Local Plan Task Group
Various meetings with Officers
Meetings with Leader
Planning Committee
Regeneration and Development Panel
Self Build and Custom Build Task Group

CABINET MEMBERS REPORT TO COUNCIL

19 January 2017

COUNCILLOR IAN DEVEREUX- CABINET MEMBER FOR ENVIRONMENT

For the period January 2017

1 Progress on Portfolio Matters.

Refuse Collection & Recycling. In the 3 months to the end of December a further 1,410 brown bin subscriptions were taken out taking the total to 24,284. The mild weather and additional bin sales meant that the amount of Garden Waste collected in Brown Bins was up 39% this December compared to last year at 400 Tonnes.

Food waste collections for the week following Christmas saw an increase in the amount collected of 55%. The additional 35 Tonnes being equal to 35,000 Christmas puddings in one week.

In the same time the number of queries over bins not being collected fell 58% to 32 or about 6 each day. **The work of the collection crews** in delivering the service when many people are not working over the holiday period **deserves our special thanks.**

Contamination in Green bins remains a problem. Levels of contamination in samples of material taken in the last 3 months are set out below

October – 11.2%

November – 19.8%

December – 21.9%

Average for Q3 – 17.7%

Average since April – 16%

Efforts must continue to reduce this.

Negative press comments do not appear to have had a negative impact on use of green bins – the Materials Recovery Facility (MRF) is full and contingency arrangements are in place to safely store some materials until the post new year surge in recycling reduces. This is at no cost to the council.

Contaminated Land Inspection Strategy. This strategy has been updated following the issue of the revised DEFRA guidance and the Central Government decision to remove the contaminated land grant. The strategy defines the approach for ensuring that costs lie with the land owner wherever possible. The report is scheduled for review by Cabinet on 31st January.

Sea Defence. A report on the progress with Local Sea Defence Funding is

being finalised for consideration by Cabinet on 31st January. The Multi Agency Funding Group has raised over £206,000 towards the cost of the annual beach recycling works which will be carried out by the Environment Agency in February 2017. Additional funding is still needed to cover the more extensive beach recharging work required every 5 to 10 years depending on rates of erosion and local conditions.

Much of this success in is due to the East Wash Coastal Management **Community Interest Company** set up in 2015 which **is to be congratulated for their efforts in raising funds** from local businesses, caravan parks, land owners and beach bungalows.

Local Parish Councils were briefed on the work programme and funding arrangements in December

2 Forthcoming Activities and Developments.

Recycling. Work to add recycling advice pages to the Council Website is being tested and planned for release in the next few weeks.

Further Meetings with Officers and Facility visits are being planned

3 Meetings Attended and Meetings Scheduled

From January 3rd:
Briefings from the Council Leader on Portfolio matters
Acquaint meetings with Officers responsible for portfolio elements

CABINET MEMBERS REPORT TO COUNCIL

19 January 2017

COUNCILLOR ADRIAN LAWRENCE - CABINET MEMBER FOR HOUSING AND COMMUNITY

For the period November 2016 to January 2017

Progress on Portfolio Matters.

Home Choice

The number on the housing register at the end of December was 1331-248 High band, 370 -medium band and 713 - Low band.

30 applicants were housed into housing association accommodation in December.

Rough Sleeping

There has been an increase in the number of people sleeping rough on the streets, in tents or caravans in King's Lynn.

If you, or a member of the public is aware of someone sleeping rough they can report this via the Council's website – which links to a website called StreetLink which is funded by government. This provides more information about rough sleeping and enables the public to report a rough sleeper and for rough sleepers to report themselves.

The Council works with partners to provide advice and assistance to rough sleepers including providing a small number of Emergency Direct Access Beds – which provide an overnight bed when people are found to be sleeping rough.

Benjamin Foundation

I was privileged to be invited to The Benjamin Foundation in Norwich to discuss possible funding cuts by Norfolk County Council, it was quite clear that the work that is done to protect young adults is vital. It was also clear that support given to these young people helps them build a future and become self sufficient which has to be a good thing.

Food Team

During quarter 3 the food team has dealt with 35 reports of infectious diseases: 25 Cryptosporidium, 5 Giardia and 5 Salmonellosis.

There have been 68 food complaints made and investigated – including complaints about premises and food items.

The team have also dealt with 2 burst water mains affecting a significant number of food businesses in the Borough and have also been alerted to 3 incidents of clandestine travellers in food vehicles.

It is also pleasing to report that 96% of food businesses score 3 or more in the Food Hygiene Rating Scheme and there are no zero rated premises.

Licensing Team

1 Taxi driver has had their license revoked and 2 new drivers have had their applications refused in quarter 3. There have been no hearings for the Licensing Sub-Committee.

Community Housing Fund

The Borough Council has been awarded £1.8million by the government as part of the new Community Housing Fund. This is a response to problems associated with high concentrations of second homes which can crowd out first time buyers by boosting housing supply in these locations. The funds will be targeted at the community led housing sector & be distributed to local groups such as community land trusts. Funding in the first year is primarily for capacity building. Officers are working to establish how we can maximise the impact of this funding in West Norfolk

Meetings Attended and Meetings Scheduled

Cabinet Sifting
Meeting Benjamin Foundation
Cabinet
Full Council
Special Cabinet after Full Council
Local Authority Housing Company
E&C
R&D
Purfleet Trust
Portfolio Meeting
KLFM
Meetings with Officers

CABINET MEMBERS REPORT TO COUNCIL

19 January 2017

COUNCILLOR MRS KATHY MELLISH - CABINET MEMBER FOR HUMAN RESOURCES, FACILITIES AND SHARED SERVICES

For the period 18 November 2016 to 19 January 2017

1 Progress on Portfolio Matters.

Firstly, Happy New Year to Members and Officers and I hope you all have a healthy and successful 2017.

Footfall in King's Lynn was up 6.1% against 2015 and December showed a 3.1% increase.

Whilst many of us were taking a break the CCTV control room continued to function 24/7. Over the holiday period they recorded 226 various incidents. Over Christmas and Boxing day alone they dealt with 7 public order incidents, 2 attempted suicide, 2 missing persons, 2 anti-social behaviour and 1 critical incident on the Walks. There were also 15 out of hours calls logged and a further 252 phone calls/radio communications.

The Crematorium at Mintlyn is used by a great many people and therefore parking can be an issue at certain times. Although the Funeral Directors are consulted It is very difficult to plan when there will be a large gathering with a lot of vehicles and of course no one should be turned away so we are looking at the feasibility of adding more spaces in the current car parks. It is challenging project due to the position of the trees and the water table but whatever can be done to add more spaces and accommodate safely all who want to be present at what is a very difficult time will be explored. The road is a County responsibility but we are lobbying, as are others, to try to make this a safer area.

A new addition to my Portfolio is Kings Court and with that the use of surplus accommodation. So far, we have successfully invited West Norfolk Clinical Commissioning Group, Community Action Norfolk and West Norfolk Health to take up office space. Further work is ongoing with another organisation however they require significant space which made it necessary to relocate the Print Room function to the Depot. This happened over two days in December with relocation of the Waste Contractors, the Pubic Services Team and additional new printing equipment. The Town Hall is being looked at for better use of meeting spaces and more Council meetings. I will update Members on progress made with all aspects of King's Court or the Town Hall as and when I have information available.

2	Forthcoming Activities and Developments.
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Regular meetings with Officers and Executive Directors Familiarisation of new areas of Portfolio

3	Meetings Attended and Meetings Scheduled
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Officer meetings Cabinet meetings and Portfolio updates Cabinet Sifting Panel meetings – attending or observing CPE at County Hall Alive Management Board TCP meetings Darren Taylor re BID and Steering group Overview with relevant officers for additions to Portfolio

CABINET MEMBERS REPORT TO COUNCIL

17 November 2016

COUNCILLOR ALISTAIR BEALES - CABINET MEMBER FOR REGENERATION

For the period November 2016 to January 2017

1 Progress on Portfolio Matters.

I am very pleased to report that having promised that the new Lynnsport road would be open by Christmas 2016 that it opened on 23rd December 2016. For those that have not yet been and had a look at the changes to Lynnsport I would recommend a visit; it really is transformational with the new access road completed and in use, new car parks fully open and accessible, cycle paths renewed and sports facilities finished.

I am also pleased to report that the Fields in Trust application has been completed and lodged with the charity for approval. I hope to have a verbal update on progress at Council.

2 Forthcoming Activities and Developments.

In addition to standing down as Deputy Leader, portfolio responsibilities are changing and I look forward to reporting under the new structure in due course.

Subject to those changes, I propose to bring forward an update report on the financial and logistical outcome of the Major Housing Scheme to date.

CABINET MEMBERS REPORT TO COUNCIL**19 January 2017****COUNCILLOR N DAUBNEY - CABINET MEMBER FOR SYSTEMS AND ECONOMIC DEVELOPMENT**

For the period November 2016 to January 2017

1 Progress on Portfolio Matters.**Website – Socitm**

Socitm (Society of Information Technology Management) undertake regular reviews of council website to establish their ease of use for customers. A recent study of our website, focusing on the Building Control service awarded our website 3 stars. This is an excellent result, especially considering the council does not carry out the Building Control function. In fact, this was the best result of all council's using CNC Building Control.

Borough Council Website

Our Web Team have developed a solution for our website by which customers who have set their location via 'Find my Nearest' will be automatically notified of their forthcoming waste collection days and any planning applications which have been submitted near to where they live. This will be available on the website from 11th January via 'Notifications' on the home page. I am pleased to report that we already have 9,000 households already registered to 'Find my Nearest' so these customers will benefit from the changes immediately.

'My Account' – OneVu

I reported that 'My Account' was to launch during November. This was delayed due to a problem with the system being discovered late in the month. Staff have been rigorously testing the fix supplied and the system is now almost ready to launch. There will be a soft launch to internal staff mid-January and if all goes well, the system should be available to customers w/c 23rd January. This will be a big step forwards in our journey towards digitalisation of our services and staff will be encouraging customers to go online and self-serve as much as possible. It is important that customers use the new services and we see corresponding reductions in the number of visits and telephone calls we receive.

Economic Development

We are working with:

- colleagues across the seven local authorities and the county council on preparing an Economic Growth Strategy for the county, which will be completed later this year.
- New Anglia LEP and Greater Cambridge Greater Peterborough LEP on refreshing the Strategic Economic Plans (SEPS) for the two LEPs. The SEPs will set out the strategic priorities for the two LEPs to deliver economic growth and also provide the evidence base for the implementation of the Growth Deals across the two LEPs
- New Anglia LEP and Greater Cambridge Greater Peterborough LEP on developing a pipeline of projects for the Growth Deal Round 3

2 Meetings Attended and Meetings Scheduled

Portfolio Meetings
Cabinet
College Corporation Meeting
ICT Development Group

CABINET MEMBERS REPORT TO COUNCIL**19 January 2017**

**COUNCILLOR MRS EA NOCKOLDS
CABINET MEMBER FOR CULTURE, HERITAGE AND HEALTH AND
DEPUTY LEADER**

For the period December 2016 to January 13th 2017

1 Progress on Portfolio Matters.

To improve and enhance the Gaywood River, from where it meets the Bawsey river north of Lynnsport and some open space, which is currently redundant land, an application to the HLF, "Our Heritage" programme is going to be submitted. If granted it will be used to create a woodland and wild flower area, and enhance the Gaywood Rivers biodiversity as well as installing pond dipping areas. Within the project an activities plan will be delivered. The aim of the plan is to increase visitor numbers to the area with activities such as pond dipping, planting days, traditional skills such as willow weaving and a timetable of lectures.

Visit England have funded the National Coastal Tourism Academy who are creating videos, launching them this month, featuring the beauty and assets of the east coastline. The videos will provide digital content aimed at inspiring visitors to see more of our area. Many of west Norfolk tourism businesses are involved. This project is being trialled with visitors from the Netherlands who are drawn to the east coast because of the wide choice of camping and caravan sites as well as the cycle paths, and have easy access from the ports of Hull and Harwich.

3 candidates for the post of Archivist at the Town Hall were interviewed with the successful person commencing work at the KL Archives in December. This is a trainee post and the person will enrol on to a structured archivists course.

The application to the Heritage Lottery Fund for the St Georges Guildhall Project was submitted on the 7th December 2016. Feedback from the HLF is expected to be late March 2017.

2 Forthcoming Activities and Developments.

A special display of Anglo-Saxon treasure on loan from the British Museum is on display at Lynn Museum. The display features 2 of the 6 silver Pentney Brooches which were dug up during 1977 in Pentney churchyard. Norfolk

Museums Curator of Archaeology will be giving a talk about the brooches and the Anglo-Saxon period on 8th February.

Lynn Museum has been donated items relating to Captain Samuel Cresswell Gurney, who lived in Kings Lynn and later was an Arctic Explorer. Among the items is a ceremonial sword, a cabinet, scroll and epaulettes which was presented to Cresswell by the people of Kings Lynn in 1853. We are planning to have these items incorporated into the Stories of Lynn displays in the Town Hall.

Under the terms of the SLA with Norfolk Museums Service the Lynn Museum continues to have free admission until end of March.

The events for Summer 2017 are being planned with the Borough Council working in partnership with Norfolk Museum service, Vancouver Quarter, KL Festival, Festival Too, KL Civic Society and many other community groups.

KLFM who are working in partnership with Alive Leisure and the Borough Council are presenting their Sports Awards at the Corn Exchange next week.

Funding from WREN and Sport England amounting to £176,000 will enable improvements to the insulation and a mezzanine floor for The Shed Skatepark. 'Awards for All' funding of £10,000 will be used to purchase new equipment. The Shed will be closed until early March.

Alive Leisure are working in partnership with Active Norfolk organising Coaching Courses for Leaders of sport, Fit4Work activities and encouraging women to take part in 'This Girl Can' campaign, such as netball, swimming and running. As all staff of Alive Leisure have attended Safeguarding training as agreed in their Safeguarding policy Alive Leisure have been awarded Safer Accreditation.

3 Meetings Attended and Meetings Scheduled

Portfolio meetings with;

Ray Harding Chief Executive
Chris Bamfield Commercial Services Exe. Director
Simon McKenna CEO Alive Leisure
Tim Humphreys Tourism Manager

Cabinet

Leader with Sir Henry Bellingham MP and Elizabeth Truss MP

Environment & Community Panel

Regeneration & Development Panel

KL & WN Area Museums Committee

LILY Board

N.Norfolk Coast & Countryside Ltd. Board meeting

Alive Management

Norfolk Joint Museums Committee

Active Norfolk

KLFM Sports Awards Judging Panel

WN Sports Council
KL Festival Board
KL & WN Girls' Schools' Trust

CABINET MEMBERS REPORT TO COUNCIL

19 January 2017

COUNCILLOR BRIAN LONG – LEADER OF THE COUNCIL

For the period November 2016 to 5 January 2017

1 Progress on Portfolio Matters.

Cabinet Membership

Following Cllr Beales' request to stand down as Deputy Leader, I have taken the opportunity to reshuffle portfolios as previously advised by Democratic Services. I thank Alistair for his help and support over the last seven months. In carrying out this reshuffle I have decided to end the Deputy Cabinet Member role, whilst I appreciate the effort of the DCMs and the acceleration of learning they have had within the roles their constitutional constraints prevented them from being as involved as much as I had hoped. I do thank them for their service.

I have asked Cllr Ian Deveraux to take over the role of Environment Portfolio, a role that I have held since 2004, I am certain he will relish this challenge as I have over the years.

Finally I have asked Cllr Elizabeth Nockolds to be my Deputy and look forward to working together as a team going forward.

Finance Position and Budget

Our revenue support grant settlement from Government was announced on the 15/12/17 and was in line with expected figure (having agreed with government a 3 year funding settlement previously).

November Monitoring report showed we have achieved a further £62,450 in savings against our annual target. To 1st December 2016 we have achieved 81% of savings target for year 16/17 year.

We will be having a members briefing on the Budget on 26th. January, which I would urge all Councillors to attend.

2 Forthcoming Activities and Developments.

Boundary Review

Following a meeting I have with representatives of the Boundary Commission we have to prepare a review of our ward size and make-up of the Council. This is triggered by a number of factors, one is passage of time (it has been

well over 10 years since the last review) another is the disparity in our ward sizes (the largest is 22% over average size and the smallest is 31% under average size). I will be arranging for a full briefing session ahead of next full Council, as well as briefing for Political group leaders with the Boundary Commission.

3 Meetings Attended and Meetings Scheduled

In addition to the usual round of Portfolio and Cabinet Meetings I have also attended the following:

- Local Green Points – Delivery Meeting
- Boundary Committee – Electoral Review of West Norfolk
- Freebridge Housing Board Meeting
- Alive Management Board Meeting
- Local Authority Housing Company Meeting
- Norfolk Waste Partnership
- Major Housing Project Consultative Group
- Meeting with Royal Mail Operatives at Sorting Office
- Water Management Alliance
- West Lynn Forum
- Meetings with other Norfolk Councils Leaders
- Norfolk Coast Partnership
- Kings Lynn Area Consultative Meeting
- KLFM Young Heroes Awards
- Local Sea Defence Funding Meeting

At the time of writing I also have the following scheduled.

- Freebridge Housing Board Meeting
- Kings Lynn IDB
- Meetings with Local MPs.

CAB98 **COUNCIL TAX DISCOUNTS FOR EMPTY, UNFURNISHED AND UNINHABITABLE PROPERTIES**

Cabinet considered a report which explained that since April 2004 the Council had had the power to increase the council tax charge for second homes. Since April 2013 the Council had had the power to further increase the council tax charge for second homes, and to increase the charge for properties which were unfurnished, uninhabitable or long term empty, and to charge a premium of a maximum additional 50% for properties left empty for more than two years.

The aim of these powers was to encourage properties back into use and raise additional revenue for areas affected by high numbers of second homes. The report set out 3 options for changing discounts, giving the financial implications for each option.

Cabinet debated the issue, and points were raised on the importance of bringing properties back into use, and the fact that the exemptions that were in place included for probate purposes, and that for general sale purposes, a month would be permitted.

Under Standing Order 34, Councillor C Joyce asked how the Council would respond when a tenant had notified the Council they had moved, and at a later date the Landlord stated that the tenant was still in occupation to a certain date and therefore liable for the Council Tax rather than the Landlord. Councillor Joyce also asked how a property was deemed uninhabitable.

The Revenues and Benefits Manager explained that the Council would look at all aspects of a case and each case would be considered on its merits. With regard to deeming a property uninhabitable it was explained that the condition of the property and the level of furnishings within the property, such as a bed and a kitchen would be looked at.

Councillor Long proposed Option 3 as a recommendation to Council drawing attention to the fact that it would give a month's grace and a discount of 25% would bring increased finances into the Authority.

RECOMMENDED: That option 3 set out in the report (to reduce the discount on empty properties to a period of one month and a discount on uninhabitable properties to 25% for 12 months) regarding the discounts for uninhabitable properties to 25% for 12 months) regarding the discounts for empty / unfurnished and uninhabitable properties be implemented from 1 April 2017 be adopted.

Reason for Decision

Amending the discounts will encourage owners of empty properties to bring them back into use and reduce the cost of awarding council tax discounts, bringing in extra income.

CAB99 **COUNCIL TAX SUPPORT SCHEME 2017/18**

Cabinet considered a report which explained that the Council must review and agree its Council Tax Support scheme each financial year. This process included consulting with major preceptors, publishing a draft Council Tax Support scheme and then consulting with interested parties before the final Council Tax Support scheme is approved.

The draft Council Tax Support scheme for consultation was agreed by Cabinet on 7 September 2016. The consultation period ended on 23 October 2016. The report detailed the results of the consultation and recommended the final Council Tax Support scheme for 2017/2018.

It was noted that child benefit and child maintenance were not taken into account in income terms, and also that the level of response to the consultation process was greater than previous years.

RECOMMENDED: 1) That the responses from the Council Tax Support consultation at Section 2 of the report be noted.

2) That the draft Council Tax support scheme detailed in the Cabinet report of 7 September 2016 be recommended to Council as the final Council Tax Support scheme for 2017/2018

Reason for Decision

To ensure a Council Tax Support scheme for 2017/2018 is agreed by full Council by 31 January 2017

CAB101 REVIEW OF FINANCIAL REGULATIONS

Cabinet received a report which showed that the Financial Regulations were last reviewed in 2011/12 and were due for review. In that time there had been a number of changes in the structure of the Council and new issues had arisen that needed to be included in the regulations.

A copy of the proposed revisions was presented. The Audit Committee had considered the document and was content with the proposals.

RECOMMENDED: That the revised Financial Regulations be adopted.

Reason for Decision

Financial Regulations are key to the way in which the Council conducts its financial affairs and it is essential that they are a robust platform to instruct officers and provide assurance of good governance.

CAB102 REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING PROCEDURES AND CONDITIONS

Cabinet considered a report which explained that following high profile cases of child sexual exploitation (CSE) involving taxi drivers in places such as Rotherham, the Borough Council wished to introduce safeguarding awareness training for members of the taxi trade. To ensure that members of the trade complete this training would require an amendment to licensing conditions. The amendment to conditions would empower the Licensing & Appeals Board to take action against those who do not complete the training voluntarily.

It was therefore proposed that the Borough Council's Hackney Carriage and Private Hire Licensing Procedures & Conditions be amended to include a requirement that all existing licensed combined drivers and new applicants for combined drivers either attend safeguarding training or pass the 'safeguarding' element of the Borough Council's Knowledge Test.

It was noted that whilst introducing this new requirement the opportunity had been taken to make minor amendments to three existing licensing conditions; Driver Standard Agency (DSA), window tints and 'MOT tests for hackney carriages and private hire vehicles.

In endorsing the proposals Members drew attention to the fact that a large number of drivers had already voluntarily attended a safeguarding training session.

RECOMMENDED: That the revised licensing procedures and conditions be adopted.

Reason for Decision

To introduce safeguarding awareness for combined drivers and keep the current procedures and conditions up to date and fit for purpose.

CAB103 **CIL - RESULT OF EXAMINATION**

Cabinet consider the report which covered three subjects:

- The CIL Examination in September and the outcomes
- The implementation of CIL
- Possible mechanisms for deciding how to allocate funds raised from CIL

The CIL Examiner had reported and concluded that with specified modifications the Borough Council could implement a CIL Charging Schedule. His modifications included the requirement that the proposed CIL of £10m² in King's Lynn be reduced to £0m² having regard to the values found in the town.

Progress on the operation of a CIL was outlined showing the process of integrating CIL into our current systems to ensure liability to pay and the mechanisms to collect CIL were adequate. A start date for liability to pay CIL was proposed as 15 February 2017.

A preferred mechanism of a new Task Group recommending to Cabinet for the CIL spend was proposed. Discussions and consideration of the requirements and requests of other bodies were built in to the process.

In response to a question on the straddling of the charging zones of the Knight's Hill Site, the LDF Manager explained that the zones were in line with parish boundaries. With regard to the issue of State Aid referred to in the Inspector's report, he confirmed that legal advice had been taken which meant the Council believed it was compliant.

Under Standing Order 34, Councillor Pope spoke against the high level of CIL to be charged in some areas. He asked whether the applications which were completed by February would be subject to CIL, whether the distribution of CIL money would be clear, and whether there would be a time limit by which any CIL money would have to be spent by parishes before it was withdrawn.

The LDF Manager explained that the timescale related to the date the permission was finalised and granted so if completed before 15 February they would not be liable. He further explained that there were s106 agreements in the mix at the moment, and there would still continue to be so after CIL was introduced. He confirmed there was no "use by" date for CIL money raised, although there were clear requirements on the accounting for the spend.

Cabinet debated the issue of developers being able to budget against CIL levels better than some S106 agreements. The question of it being a further tax on developers which could potentially bankrupt some builders if the economy took a down turn was also raised, but it was noted that the costs were known up front before development.

It was also noted that the Council could choose to review its CIL scheme, but the whole process would have to be started again.

RECOMMENDED: 1) That the Borough Council adopts a CIL Charging Schedule as amended by the Examiner.

2) That a formal start date for CIL is set as 15 February 2017.

3) That the Borough Council agrees to have a policy which allows for payment in kind to be accepted.

4) That the provisions for the collection and operation of CIL are noted.

5) The Borough Council works towards a method of CIL governance as outlined in Appendix 4 to the report.

6) That delegated authority be given to the Executive Director - Planning and Environment in consultation with the Portfolio Holder for Development to

set up arrangements for CIL governance having regard to the Preferred Option.

Reason for Decision

In order to implement CIL in the Borough

CAB106 POLLING DISTRICT AND POLLING PLACE REVIEW

Cabinet considered a report which presented a revised polling district and polling place review schedule to ensure polling stations were available where the usual ones were no longer available. The following changes were proposed:

Ward/Polling Districts	Polling Station	Comment	Proposed Solution
Gaywood Chase PL1 St. Margarets with St. Nicholas PM2	Highgate Community Centre	Premises closed	King's Centre, Wellesley Street
St. Margarets with St. Nicholas PM1	Red Cross Society, Austin Fields	Premises closed	King's Centre, Wellesley Street

RECOMMENDED: That the Polling District and Polling Place Review Schedule be adopted.

Reason for Decision

To ensure that the Council meets its statutory obligations.

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

Council Meeting – 19 January 2017

DETERMINATION OF COUNCIL TAX DISCOUNTS RELATING TO SECOND HOMES AND EMPTY DWELLINGS FOR 2017/2018

1. Section 75 of the Local Government Act 2003 gives billing authorities the power to determine the discounts for second homes and long-term empty dwellings. Section 11 of the Local Government Finance Act 2012 gives billing authorities powers to determine discounts for further classes of empty dwellings. Section 12 of the Local Government Finance Act 2012 gives billing authorities powers to set a higher amount of council tax for long term empty dwellings. The Council has to approve its determination afresh for each Class of dwelling for each financial year.
2. The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 prescribe the following classes of dwelling:
 - 2.1. **Class A** – a chargeable dwelling:
 - (a) which is not the sole or main residence of an individual;
 - (b) which is furnished; and
 - (c) the occupation of which is prohibited by law for a continuous period of at least 28 days in the relevant year.

Class A dwellings are commonly known as **Second Homes with an Occupancy Restriction**.

The reduction for Class A dwellings for 2016/2017 is 0% with an exemption for the period of the occupancy restriction.

- 2.2. **Class B** – a chargeable dwelling
 - (a) which is not the sole or main residence of an individual;
 - (b) which is furnished; and
 - (c) the occupation of which is not prohibited by law for a continuous period of at least 28 days in the relevant year.

Class B dwellings are commonly known as **Second Homes**.

The reduction for Class B dwellings for 2016/2017 is 0%.

- 2.3. **Class C** – a chargeable dwelling which is:
 - (a) which is unoccupied; and
 - (b) which is substantially unfurnished

Class C dwellings are commonly known as **Empty Dwellings**

The reduction for a Class C dwelling for 2016/2017 is 100% for three months from the first day the dwelling becomes unfurnished. Once the three months expire a reduction of 0% applies.

2.4. Class D – a chargeable dwelling

- (a) which has satisfied the requirements of (b) for less than 12 months
- (b) which is vacant; and
 - i. requires or is undergoing major repair work to render it habitable
 - ii. is undergoing structural alteration
 - iii. has undergone major repair work to render it habitable if less than six months have elapsed since the date on which the alteration was substantially completed and the dwelling has continuously remained vacant since that date
- (c) for the purpose of (b) 'major repair work' includes structural repair work
NB once the 12 month time limit has expired dwellings in Class D fall to be treated as dwellings in Class C

Class D dwellings are commonly known as **Uninhabitable Dwellings**.

The reduction for a Class D dwelling for 2016/2017 is 50% for the 12 month maximum period. Once the 12 months expire a reduction of 0% applies.

2.5. Class A and Class B dwellings do not include any dwelling which consists of a pitch occupied by a caravan or a mooring occupied by a boat. Neither do they include any dwelling where a qualifying person in relation to that dwelling is a qualifying person in relation to another dwelling which for him/her is job-related.

2.6. Long Term Empty Dwelling Levy

2.7. The Local Government Finance Act 2012 allows billing authorities to increase the amount of council tax payable in respect of a long term empty dwelling by a specified percentage of not more than 50%.

2.8. The Act defines a Long Term Empty Dwelling as 'a dwelling that is unoccupied and substantially unfurnished for a continuous period of at least two years'. Any period of occupation of less than six weeks is discounted when establishing the continuous two year period.

2.9. The Act also allows Central Government to prescribe classes of dwelling exempt from the Long Term Empty Dwelling levy. The Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 prescribe the following classes of dwelling to which the levy will not apply:

2.10. **Class E** – a chargeable dwelling which would be the sole or main residence of a person but is empty because that person is resident in Ministry of Defence accommodation by reason of their employment.

2.11. **Class F** – a chargeable dwelling which is an annexe of a main dwelling but is being used as a part of that dwelling.

2.12. The additional levy for long term empty dwellings for 2016/2017 is 50%. Dwellings falling into Class E and Class F are exempt from the Long Term Empty Dwelling Levy.

3. Proposals

3.1. The levels of discount for 2016/2017 are shown above and no changes are proposed to the discounts for Second Homes or the Long Term Empty Dwelling Levy for 2017/2018.

3.2. The recommendation is to reduce the discount for Empty / Unfurnished dwellings falling in Class C to 100% for one month only from 1 April 2017.

3.3. There are 433 Empty / Unfurnished dwellings in the Borough who will be affected by a reduction in the discount.

3.4. The recommendation is also to reduce the discount for Uninhabitable dwellings falling in Class D to 25% for 12 months from 1 April 2017.

3.5. There are 83 Uninhabitable dwellings in the Borough who will be affected by a reduction in the discount.

3.6. In accordance with the statutory council tax reductions any period of occupation of less than six weeks will be disregarded when calculating the maximum time a reduction can be awarded for, and when calculating the start date of any levy payment. The occupier will still be charged the occupied council tax rate for the time they live in the dwelling, but the clock will not be reset when they leave if they have been in occupation for less than six weeks.

3.7. A Discretionary Hardship fund of £10,000 has been provided for in the Financial Plan. The recommendation is to continue to delegate authority to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider any applications to the Discretionary Hardship Fund.

3.8. The regulations stipulate these determinations must be published in at least one local newspaper within 21 days of Council agreement.

4. Policy Implications

4.1. The decision is a continuation of part of the Council policy from 2016/2017 which was determined in the light of the level of discount determined by a number of Norfolk Councils.

4.2. The decision to amend the discounts for Empty / Unfurnished dwellings and Uninhabitable dwellings is a change of policy for 2017/2018.

5. Financial Implications

- 5.1. Reducing the discounts for Empty / Unfurnished and Uninhabitable dwellings increases the taxbase by approximately 388 Band D properties.
- 5.2. If the composition of the Tax Base changes then there may be implications. For example, an increase in long term empty dwellings would impact on the taxbase calculations.

6. Recommendation:

Council resolves that, under Section 11A of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003, Section 11B of the Local Government Finance Act 1992, as enacted by Section 11 and Section 12 of the Local Government Finance Act 2012 and in accordance with the provisions of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the Council determines:

- 1. That the council tax discount for Second Homes defined as being within Class A of the Regulations is set at 0% for 2017/2018;**
- 2. That the council tax discount for Second Homes as defined by Class B of the Regulations is set at 0% for 2017/2018;**
- 3. That the council tax discount for Empty / Unfurnished dwellings defined as being within Class C of the Regulations is set at the following for 2017/2018:**
 - a. 100% for one month starting on the day the dwelling becomes unfurnished; then**
 - b. 0% once the one month period has expired;**
- 4. That the council tax discount for Uninhabitable dwellings defined as being within Class D of the Regulations is set at the following for 2017/2018:**
 - a. 25% for 12 months starting on the day the dwelling becomes uninhabitable; then**
 - b. 0% once the 12 month period has expired;**
- 5. That the levy rate for Long Term Empty Dwellings as defined in the Regulations is set at 50% for 2017/2018;**
- 6. That any period of occupation of less than six weeks shall be disregarded when calculating the maximum period of a reduction or the start date of the Levy**

- 7. That delegated authority be given to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider individual applications to the Discretionary Hardship Fund**

- 8. In accordance with Section 11A(6) of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003 and the Local Government Finance Act 2012, these determinations shall be published in at least one newspaper circulating in West Norfolk before the end of the period of 21 days beginning with the date of the determinations.**