

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



# **COUNCIL MEETING**

## ***Agenda***

Thursday, 29th November, 2018  
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  
Fax: 01553 691663

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, 29th November, 2018** 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 6 September 2018 (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. DECLARATION OF VACANCY (Pages 6 - 7)**

To consider the attached report.

**9. 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) **Corporate Projects and Assets - Councillor A Beales** (Pages 8 - 10)
- 2) **Development - Councillor R Blunt** (Pages 11 - 13)
- 3) **Housing and Community - Councillor A Lawrence** (Pages 14 - 15)
- 4) **Environment - Councillor I Devereux** (Pages 16 - 17)
- 5) **Facilities and IT - Councillor Mrs K Mellish** (Pages 18 - 19)
- 6) **Performance - Councillor P Hodson** (Pages 20 - 21)
- 7) **Deputy Leader and Culture, Heritage and Health - Councillor Mrs E Nockolds** (Pages 22 - 24)
- 8) **Leader and Resources - Councillor B Long** (Pages 25 - 27)

**10. 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).

**11. RECOMMENDATIONS FROM COUNCIL BODIES**

**(Members are reminded this is a debate, not a question and answer session)**

To consider the following recommendations to Council:

- 1) **Cabinet: 2 October 2018** (Page 28)

CAB70: Council Tax Discounts 2019/20

2) **Special Cabinet: 17 October 2018** (Page 29)

CAB80: Revision to the Local Property Investment Fund Criteria

3) **Cabinet: 13 November 2018** (Pages 30 - 34)

CAB 91: West Winch/North Runcton Strategic Growth Area -  
Infrastructure Delivery Plan

CAB92: Gambling Act 2005 - Review Of Policy

CAB94: Corn Exchange Cinema

Exempt Item

CAB96: Re-Fit - Energy Performance Contract

**12. DETERMINATION OF COUNCIL TAX DISCOUNTS RELATING TO SECOND HOMES AND EMPTY DWELLINGS FOR 2019/2020** (Pages 35 - 38)

Ray Harding  
Chief Executive

**REPORT TO COUNCIL**

<b>Open</b>				
<b>Any especially affected Wards</b>		Mandatory		
West Winch				
Lead Member: Cllr B Long E-mail: <i>cllr.brian.long@west-norfolk.gov.uk</i>		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Ray Harding E-mail: <i>ray.harding@west-norfolk.gov.uk</i> Direct Dial: 01553 616245		Other Officers consulted: Democratic Services Manager, Monitoring Officer, Electoral Services Manager		
Financial Implications No	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications NO

Date of meeting: 29 November 2018

**DECLARATION OF VACANCY**

**Summary**

A vacancy in the West Winch ward has arisen and Council is asked to declare the vacancy.

Council is required to make a declaration of vacancy for the ward under s86(1) Local Government Act 2016.

**Recommendation**

That Council:

1. Notes that Baljinder Anota has ceased to be a member of this authority;
2. Declares as vacant the office held by Baljinder Anota as a councillor for the West Winch ward;
3. Notes that as the vacancy has fallen within 6 months of the scheduled Borough Council election on 2 May 2018 the position will be held vacant.

**Reason for Decision**

It is a Statutory requirement

**1. Introduction**

To note that Cllr Anota ceased to be a councillor by virtue of his absence and to formally declare a vacancy in the West Winch Ward.

**2. Background**

Cllr Anota has not attended a meeting of the authority for six months. Under section 85 of the Local Government Act 1972 if a councillor fails throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the authority, he/she shall,

unless the failure was due to some reason approved by Council before the expiry of that period, cease to be a member of the authority.

Section 86 of the Local Government Act 1972 requires an authority to declare a vacancy in such circumstances.

### **3. Attendance**

Cllr Anota last attended a meeting of the Borough Council on 10 May 2018 when he attended the Annual Council meeting. He therefore had until midnight on 10 November 2018 to attend a further meeting to avoid the effect of section 85 set out in paragraph two of this report.

Officers have undertaken thorough checks of attendance records and minutes of meetings. There is no record of Cllr Anota attending a meeting between 10 May 2018 and 10 November 2018. Within that period Council has not given its approval to any reason for failure to attend and therefore Cllr Anota ceased to be a councillor by virtue of section 85 of the Local Government Act 1972.

### **4. Declaration of Vacancy**

Section 86(1)(c) of the Local Government Act 1972 provides that where a councillor ceases to be a member of the authority by reason of failure to attend meetings of the authority, the authority shall, except in any cases in which a declaration has been made by the High Court, forthwith declare the office to be vacant. This is a statutory duty on the Council. Officers recommend that Council declares the vacancy.

### **5. Next steps**

Under section 87(1) (f) of the Local Government Act 1972 the vacancy is deemed to be the date on which Council declares the vacancy – 29 November 2018. Public notice of the vacancy must be given immediately after this declaration.

Section 89 of the Local Government Act 1972, provides that where a casual vacancy is declared, the Returning Officer will make arrangements for the election to that vacancy to be held in accordance with the statutory timetable. As the vacancy has fallen within 6 months of the scheduled Borough Council elections on 2 May 2018 it is proposed to leave the position vacant until that date.

### **6. Financial Implications to the Council**

Basic Allowance will no longer be payable.

### **7. Legal Implications to the Council**

As set out in the body of the report

### **8. Background Papers**

None

**CABINET MEMBERS REPORT TO COUNCIL**

**29 November 2018**

**COUNCILLOR ALISTAIR BEALES - CABINET MEMBER FOR CORPORATE PROJECTS & ASSETS**

For the period 6 September to 19 November 2018

**1 Progress on Portfolio Matters.**

Members may recall that in order to develop the Enterprise Zone site on the Nar Ouse Regeneration Area that a high pressure gas main had to be diverted. The picture below shows the new pipe connected to the existing pipe adjacent to the cemetery to the north of the site. To date the project has gone to programme and is due to be completed sometime in November 2018.



On Wednesday 3<sup>rd</sup> October, I spent the day visiting the development sites that are being developed as part of the Major Housing Scheme. This had been organised by Dale Gagen, the Council's Corporate Project Manager and we were accompanied by representatives of Lovells, our private sector partners in the shape of the Regional Managing Director and Regional Operations Director. Sites visited as follows:



- Marsh Lane – this 130 home site is progressing well and the eastern end around the orchard is nearing completion with many homes now sold and occupied and a real sense of community beginning to emerge. The main access road through the site will soon be open to traffic which will see the northern and southern sections of Marsh Lane come together as one through route as was always intended.
- Dewside (Lynnsport 4 & 5 along Green Park Avenue) has seen show homes opened in the last few weeks and early sales enquiries are encouraging. This 89 home site offers a more contemporary design and is well placed for the open green spaces and facilities of Lynnsport.
- NORA phase 3 – this 50 homes site, mainly 3 and 4 bed homes with a handful of 5 beds of which 42 are open market and 8 rented and shared ownership is due for completion in spring 2019. The completion of this last phase of the original NORA site sees a changed landscape from run down waste land to pleasant riverside neighbourhood.

## **2 Forthcoming Activities and Developments.**

Work has started on the NORA 4 site to enable future development of 95 modular homes. The near 7 acre site is currently being decontaminated which requires the whole site to be dug down to some 3 metres, all soil/subsoil put through a crusher to sort and enable removal of steel and concrete from old shed bases, piles etc. Most soil is then replaced on site and during late stages of development will be covered with geotextile membrane and covered over with a metre or so of clean soil brought onto site. The largest pieces of concrete (some 3 metres thick in places) are being removed and tipped separately for crushing at a later date using a larger crusher. All crushed concrete, (a few thousand tonnes of it), will be re-used on site for road bases etc. Such remediation is of course expensive, and £1.5 million discount was negotiated from the purchase price of the land for this very reason with circa £840K in the budget to remediate this site. In addition, this is one of the developments that will benefit from Accelerated Construction Programme monies, which on this site is worth circa £1.2 million.

## **3 Meetings Attended and Meetings Scheduled**

10/9/18 – Portfolio briefing  
 10/9/18 – Corporate Performance Panel  
 11/9/18 – Hunstanton Southern Seafront Project Board  
 11/9/18 – Wayne Hemingway walk around Hunstanton  
 11/9/18 – Regeneration & Development Panel  
 12/9/18 – Cabinet briefing  
 18/9/18 – Special Cabinet

19/9/18 – meeting with leaseholders of Princess Theatre, Hunstanton.  
21/9/18 – meeting with NWES Chief Exec  
21/9/18 – meeting with Leader of the Council  
2/10/18 – Cabinet (apologies given)  
3/10/18 – Major Housing Scheme site visits  
11/10/18 – Environment & Community Panel  
15/10/18 – portfolio briefing  
17/10/18 – Special Cabinet  
29/10/18 – Aecom briefing on Nelson Quay  
8/11-18 – meeting with Cllr. Andrew Jamieson and Corporate Projects Officer  
8/11/18 – meeting with NWES Chief Exec  
14/11/18 – meeting with Corporate Project officer  
19/11/18 – Nelson Quay event  
20/11/18 – meeting with Hemingway Design  
21/11/18 – portfolio briefing  
29/11/18 – full Council. (Apologies given).

**CABINET MEMBERS REPORT TO COUNCIL**

**29 November 2018**

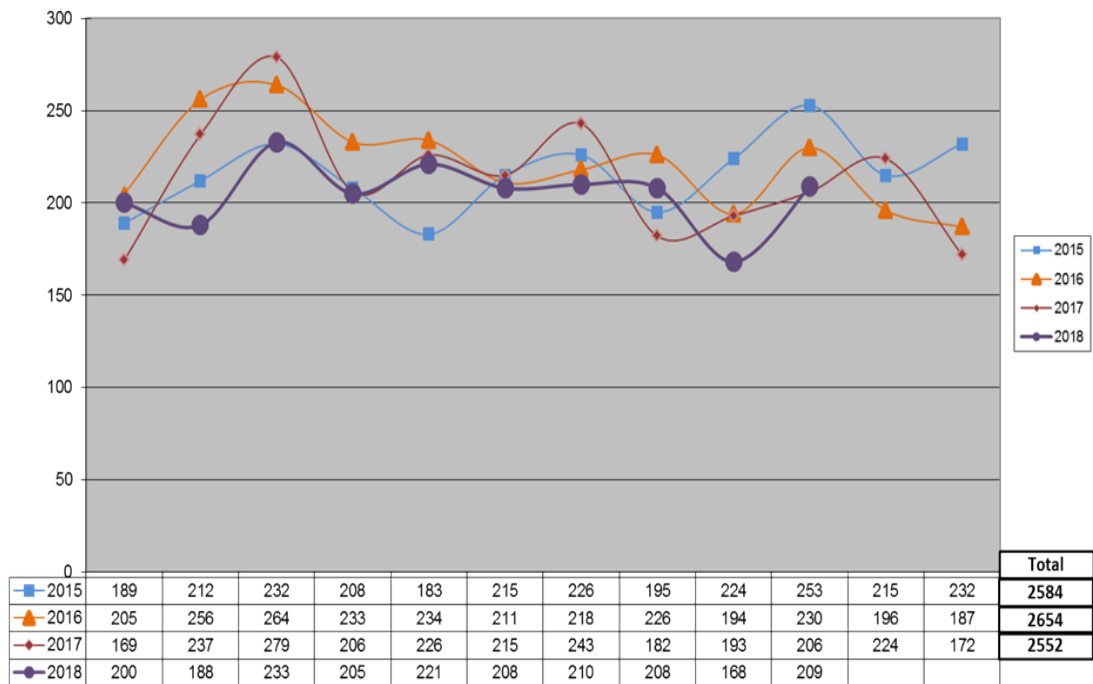
**COUNCILLOR RICHARD BLUNT - CABINET MEMBER FOR DEVELOPMENT**

For the period 9 October 2018 to 16 November 2018

**1 Progress on Portfolio Matters.**

**Planning Applications**

Planning and discharge of condition applications received



**Planning Applications**

Although we saw a rise applications last month, the applications are tracking the trend for the year. The total applications to date are about 5% down on last year, but the application fees are ahead of budget.

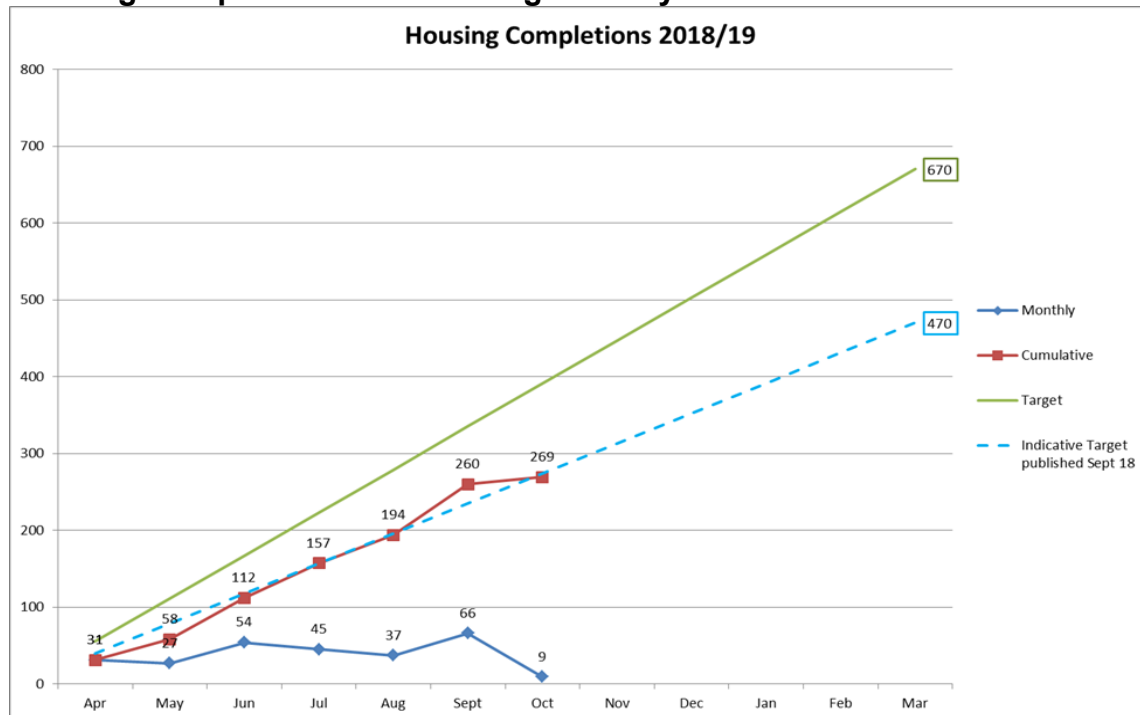
## Planning Portal Financial Transaction Service

On the 10<sup>th</sup> September the Planning Portal introduced a submission fee of £20 per application. This has resulted in an increase in applications being received by email, 71 extra applications have been received by email in the period 10/9/18 – 10/11/18 compared to the same period last year (45% increase), see Table 1. Applications received via the Planning Portal automatically populate the back office case management system but emailed applications have to be loaded manually and therefore causing additional work for the validation team. This trend is likely to continue and therefore options are being considered to try and reduce emailed applications.

**Table 1**

	10/9/17 – 10/11/17	10/9/18 – 10/11/18
<b>Applications received</b>	495	501
<b>Applications submitted via the Planning Portal</b>	408 = 82%	343 = 68%
<b>Applications submitted via email</b>	87 = 18%	158 = 32%

## Housing Completions and Housing Delivery Test



## Public Inquiry

The public inquiry into a proposed housing development within Gayton has been re-scheduled for 26 February – 1 March 2019. It will be held at the South Lynn community centre. This follows a previous High Court decision which led to the

quashing of original decision by the Planning Inspectorate in 2017.

### **Neighbourhood Plans**

On 29 November 2018 voters in Snettisham will go to the polls to vote in the area's Neighbourhood Planning referendum. Voting will be at the Memorial Hall, 10 Old Church Road, Snettisham, King's Lynn, PE31 7NW. The polling station will be open from 7am to 10pm.

### **Local Plan Task Group**

The Local Plan Task Group has been working through policies and potential development locations over the past 6-9 months. However it has only been very recently that we have had sufficient clarity about housing numbers from Government to enable us to make realistic choices. We need to have the quantum of houses to plan for the right sizes and locations of sites across the Borough. In trying to finalise the numbers (an approximate minimum figure of 555 units per annum) we are very conscious to try and bring forward the draft plan for consultation as soon as practicable. If possible we will do this very early in the New Year.

### **Kings Lynn Transport Study**

The various issues raised at workshops and other sources have been converted into a "long list".

The building of the microsimulation traffic model of the central area of the town which will be used to test possible transport schemes is reaching completion. The model will test used various scenario suggested from the "long list". It is hoped to present the outcomes of the modelling to Cabinet in the new year.

### **Meetings Attended**

Cabinet Sifting  
Cabinet  
Various meetings with Officer  
Local Plan Task Group  
Custom and Self Build Task Group  
Environment and Community Panel  
Regeneration and Development Panel  
Norfolk Strategic Planning Forum  
CNC  
Wisbech Access Strategy Steering Group  
Derelict Land and Building Group  
A47 Alliance  
Planning Committee

**CABINET MEMBERS REPORT TO COUNCIL**

**29 November 2018**

**COUNCILLOR ADRIAN LAWRENCE - CABINET MEMBER FOR HOUSING AND COMMUNITY**

For the period to 20 November 2018

**1 Progress on Portfolio Matters.**

**Home Choice**

For the month of October there were 1100 live applications

194 high  
329 medium  
577 low

35 housed

**Warm Homes Funding**

Broadland District Council led a Norfolk wide bid for £3.1m of funding from the Warm Homes Fund. This was funding to predominantly install first time central heating systems into domestic premises across Norfolk. BCKLWN have been part of the project from inception and are now making referrals via Housing Standards and Care & Repair on behalf of West Norfolk residents. The scheme also offers landlords a 75% grant towards first time central heating systems in private rented properties.

**Night Shelter opens its doors**

The Night Shelter opened as planned on the 1st of November. Now operating as a registered charity the initiative operated for the first time least winter having been formed by a local 'Churches Together' group. The project last year opened for 2 nights a week – this year it is running 7 nights a week. It exists to give a safe and secure shelter for people who would otherwise be facing the prospect of rough sleeping over the winter months. The charity employs a manager and co-ordinators but also relies on volunteers.

For further information visit the King's Lynn Churches Together Night Shelter web page: <http://www.churchestogetherkingslynn.com/night-shelter/>  
If you're concerned for someone sleeping rough, or are sleeping rough yourself, call Streetlink on 0300 500 0914 or visit [www.streetlink.org.uk](http://www.streetlink.org.uk)  
Custom and Self-Build

Work has been completed on drafting a strategy that will come forward to Cabinet / Council. The plan builds upon a two day challenge session with the National Association of Custom and Self Build task force. Further promotion/ awareness activities are planned along with some policy modifications. A demand assessment has been commissioned – the findings of which we will have in the next few weeks. The opportunities afforded by Custom and Self-Build were highlighted in a report the Council contributed to the KL Magazine 'Home Design and Build' publication (October 2018).

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**2 Meetings Attended**

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Cabinet  
Special Cabinet  
Portfolio Meetings  
Meetings with Officers  
Housing Company Meeting  
E & C Meeting

**CABINET MEMBERS REPORT TO COUNCIL**

**29 November 2018**

**COUNCILLOR IAN DEVEREUX-CABINET MEMBER FOR ENVIRONMENT**

For the period 9 October to 15 November 2018

**1 Progress on Portfolio Matters.**

The work of the “Habitat Regulations Assessment, Monitoring, Mitigation and Green Infrastructure Panel” (HRAMMGI) has progressed over the summer. The systems, processes and criteria for potential projects that help to offset the ecological impact of new Housing developments across the Borough were defined and the first call for projects completed. We are now finalising negotiations on the first tranche of project proposals, most of which will start early in the New Year. Applicants include the National Trust, Natural England, Norfolk Wildlife Trust and the Wash & North Norfolk Marine Partnership. The projects encompass a broad range of topics across our key sites of National and International scientific importance. The work is being closely coordinated with the Norfolk Coastal Partnership, the Wash & North Norfolk Marine Partnership and Norfolk County Council. I will ensure Members are briefed on the suite of projects once the contractual arrangements have been completed.

Despite our publicity campaigns and face-to face interactions with communities on waste collection, recycling and recyclables, we have failed to achieve the required levels of contamination-free waste. As a consequence we encouraged our contractor to increase their checking process as they handle the Green Bins. This has highlighted a high proportion of bins with non-recyclables, particularly the use of black or white plastic bags to contain other items. This leads to rejection at the Recycling Facility because such bags often contain unacceptable materials such as food waste, nappies and other hazardous materials. So it is important that we all follow the simple mantra of “**Clean, Dry and Loose**” when we fill our Green bins! Unfortunately, some of the “Red Tags” attached to some contaminated bins to notify those responsible that the bin contents were unacceptable for collection, were of an obsolete 2014 design with superseded recycling instructions. This error was corrected within three days, however, I apologise for any confusion this may have caused.



We received a visit from the Environment Agency Anglian Coastal Monitoring Team to brief us on the nature, scope and scale of their programme of terrestrial, marine and airborne measurements of the coastline, wave dynamics and sedimentation and their subsequent mapping processes. These regular outputs will quantify trends and provide vital evidence to support our Flood Prevention and Coastal Erosion investigations and the evolution of our Coastal Management Plans for the Hunstanton Cliffs and Promenade.

I was formally appointed as a Trustee and Director of the Alive Leisure Trust.

## **2 Forthcoming Activities and Developments.**

Signing of the Partnership Agreement between the North Norfolk District, Brecklands District and KL&WN Borough Councils for the new Joint Waste Collection Contract is planned for 23 November.

## **3 Meetings Attended and Meetings Scheduled**

East of Ouse, Nar and Polver Internal Drainage Board  
Anglian (Central) Regional Flood & Coastal Committee at Brampton  
Special E&C  
Norfolk Coastal Partnership Core Management Group at Morston Quay  
E&C  
Cabinet & Special Cabinet Meetings and Briefings  
Portfolio Meetings (Waste collection, Coastal Planning)  
R&D  
Single Use Plastics Informal Working Group  
Wash and North Norfolk Marine Partnership Board  
Meeting with the EA Anglian Coastal Monitoring Programme Team.  
HRAMMGI Planning Meeting

### Scheduled

CPP  
Alive Leisure Trust Board  
HRAMMGI Panel.

**CABINET MEMBERS REPORT TO COUNCIL**

**29 November 2018**

**COUNCILLOR MRS KATHY MELLISH - CABINET MEMBER FOR FACILITIES AND ICT**

For the period 19 October to 29 November 2018

**1 Progress on Portfolio Matters.**

Due to our forced cancellation of last months Full Council meeting I thought it a good time to take this opportunity to express my thanks and appreciation to the numerous Borough Officers who worked alongside the Emergency Services helping to mitigate what could have been a very different scenario. When fire took hold and destroyed the Sue Ryder charity shop at the southern end of the High Street our Officers undertook the following work:

The CCTV control room staff escalated the emerging event internally and ensured a Senior Manager took control and provided support and resources where necessary, utilising their existing dedicated TV link to the Police Operational Command Control Centre in Wymondham sending live images of the fire from when it started as a small incident through to the fully engulfed building. CCTV was a great help when you consider at one point the blaze took hold at the back of the building which is not apparent when you are on the High Street, the Baker Lane cameras were invaluable to allow the Fire crew full knowledge of fire spread to both sides of the building.

Our Parking staff both those usually deployed to on-street and others who are normally office bound along with the Town Centre Manager deployed to the scene and helped the Police to quickly establish the cordon and maintain that cordon to ensure Public safety whilst the myriad of emergency services sprang into action to deal with the fire itself.

Colleagues from Emergency Planning and Housing dealt with issues around potential pollution and helping those displaced with accommodation needs. Our CIC and Communication team staff took and dealt with calls during the incident.

Following on from that once the fire was under control the Public Open Space Manager and his team of street cleaning staff were already engaged in clearing the ash debris which had extended around the Saturday Market Place and the site in general. As soon as it was safe to do so our electricians worked with the Fire Service to remove Christmas light fittings immediately in front of the store allowing the Fire Service to then better evaluate the extent of the damage with the Building Control Officers.

With the help of all concerned the High Street reopened to pedestrian traffic within 7 hours of the initial fire call. Our street cleaning staff revisited several times to sweep and scrub the High Street of soot which had been washed for quite some distance due to the firefighting efforts.

The Town Hall itself being approximately 20 feet from the centre of the blaze was evacuated early on having ensured that the fireproof document archive store was secured.

This displaced an internal training course which was able to recommence shortly afterwards at a different venue, as was a meeting and a Registration Service marriage ceremony was also relocated.

As soon as it was safe to do so the staff inspecting the Town Hall identified a significant amount of smoke odour which, given there was a marriage ceremony the following day triggered a collective response from the Town Hall staff themselves and an external contractor was called in who worked into the night to deal with the lingering smell and returned at 6am the following day to ensure that the wedding planned for that Friday could go ahead without interruption. Full Council was cancelled for two reasons – the initial lingering effect of the smoke and the clean-up issue for the Town Hall itself and for the wedding the next day. The Bride and Groom were on site at the time the fire broke out, taking into account their initial distress and consideration of a whole lot of planning potentially resulting in no wedding they were reassured and kept updated throughout the afternoon with a final call at 5pm to confirm all was ok and works had been arranged for the evening/night to ensure all was perfect for them to continue as planned for their special day. Many phone calls occurred but at all times my discussion with staff was, please do whatever you can to ensure their wedding happens and the staff certainly did do so. In summary this was an exemplary example of Borough Council staff and Emergency Services working together to not only deal with an emerging incident but also to ensure that normality was resumed as quickly as possible with the minimum impact to all those affected both immediately and from a wider aspect.

There has also been a further cheque donation at Mintlyn of £5000 to the Big C charity. I was pleased to be able to be there and meet the organiser and CEO who were very grateful for the donation which will be spent locally to provide a wider support service for those affected and their families.

## **2 Forthcoming Activities and Developments.**

Regular meetings with Officers and Executive Directors

## **3 Meetings Attended and Meetings Scheduled**

Officer meetings  
Cabinet meeting and Portfolio updates  
Cheque presentation at Mintlyn  
Cabinet Sifting

**CABINET MEMBERS REPORT TO COUNCIL**  
**29 November 2018**

**COUNCILLOR PETER HODSON - CABINET MEMBER FOR PERFORMANCE AND ECONOMIC DEVELOPMENT**

For the period to 19 November 2018

**1 Progress on Portfolio Matters.**

**International Aerospace Academy RAF Marham (IAA-M)**

The project appraisal has been completed and the borough council is working with the Aviation Skills Partnership (ASP) on preparing a bid to be submitted to the Local Enterprise Partnerships' Growth Deal Fund in October. IAA-M follows Norwich, RAF Syerston and RAF Cosford as 'first of kind' Academies for the United Kingdom by providing the complete integration of education, training and industry pathways for the aerospace and aviation industry. Aviation Skills Partnership (ASP) has identified six areas of aerospace skills and aviation skills requirements and the IAA-M will provide pathways through school, college and university for all skills levels and for all job types.

**Hunstanton Southern Seafront.**

Hemingway Design are well underway with the masterplanning study of the Southern Seafront area, an online portal was launched in August inviting the public to suggest and respond to the initial ideas and suggestions put forward by Hemingway Design. The portal closed on 14th October and the results will inform the masterplan options to be developed by Hemingway Design. Public consultation on the option is anticipated in early 2019.

Good news - Jemma Curtis has successfully processed and passed stage 1 of the application to the Coastal Community Fund for the 'Sail The Wash' Project.

- The Council is the lead applicant but the project is in partnership with Fenland District Council and Lincolnshire County Council.
- We are seeking 100% capital and revenue grant for the project which specifically for King's Lynn includes an extension to the South Quay pontoons, improved anchorage and navigation around the Wash.
- A 2 year Marine Officer for King's Lynn and Sail the wash marketing officer post
- All funds must be spent by March 2021

We can now apply for stage 2.

### **King's Lynn Town Centre Lighting**

In regard to the towns street lighting NCC have agreed to upgrade King's Lynn's town centre with new LED lighting, Which should brighten things up a bit. Date to be confirmed.

### **3 Meetings Attended and Meetings Scheduled**

Cabinet Meetings  
Cabinet Siftings  
Coastal Community Meeting  
Hunstanton Coastal team meeting  
Martin Chisholm  
Ostap Paparega  
R & D Panel Meeting  
Portfolio Meeting  
Chris Bamfield  
Watlington Wildlife Park Developers  
Paul Harrison

**CABINET MEMBERS REPORT TO COUNCIL**

**29th November 2018**

**COUNCILLOR MRS EA NOCKOLDS  
CABINET MEMBER FOR CULTURE, HERITAGE & HEALTH**

For the period 6th September to 11th November 2018

**1 Progress on Portfolio Matters.**

The new 'Lily' online directory will go live next month, the original one has over 2,400 directory entries which will be assigned to the new one shortly. During August and September there was 60,674 daily page requests and 17 events attended throughout west Norfolk to many community events and social activities. The Lily information recorded on the InfoPoint at the QE hospital is proving to be helpful for both patients and relatives. The Lily Co-ordinator has trained the staff at west Norfolk's libraries who will be 'Lily Champions'. There are 23 Lily Advisors across the 5 voluntary organisations that are part of the Lily project.

Fields in Trust are currently leading a national initiative on Centenary Fields aimed at securing recreational spaces in perpetuity in honour of the memory of those who lost their lives in the WW1. The Council has entered into an arrangement with Fields in Trust and committed the Tower Gardens to a Deed of Dedication. As there are a number of war memorials located in the Tower Gardens the Deed of Dedication will enable the Council to support its Armed Forces Covenant.

To enable other groups in west Norfolk to commemorate the ending of the WW1 the Council has given small grants to 20 villages and community groups towards events, cleaning memorials, research and exhibitions.

Our Tourism Dept., are now working towards the 2019 campaign, offering accommodation providers the opportunity to advertise in the WN Holiday Guide brochure and the visit west Norfolk website and mobile phone App. West Norfolk advertisers also qualify for 12months free membership of Visit East Anglia web site. As a Council we encourage accommodation providers and tourism attractions to list themselves on englandscoast.com as the Coastal Tourism Academy promotes the coastal areas to Germany, Holland and France through trade and press trips, travel fairs and tour operators. A recent report from the Economic Impact of Tourism in west Norfolk shows an increase of 2.9%, (10,632), of actual jobs from 2016 to 2017 were created through Tourism, also the number of overnight trips has increased by 7.4%, (527,200).

Norfolk Museums Service has received funding from the Government's Coastal Communities Fund to promote sustainable tourism and new ways of accessing the wealth of heritage in the coastal area between Kings Lynn and Burnham Market. The project named, 'Coastal Treasures', will develop walking and cycling trails using modern technology to bring heritage assets to life, such as the Seahenge and Snettisham Iron Torcs. Two Teaching Museum trainees are designing the trails and are funded via the project. The Coastal Treasures project aims to complement the WN Rural Churches Trails for which the Council received funding from the EU Leader grant. This project was reported in my last Council report.

## **2 Forthcoming Activities and Developments.**

The SLA between the Council and the Lynn Museum is providing free admission to visitors until end of March. During this month on each Wednesday the Museum is offering a programme of afternoon talks, and the 4th Wednesday of each month Coffee, Cake and Collection mornings are organised. A new programme to encourage parents and under 5's to visit the Museum has been launched.

REVEAL is an active-reality adventure arts project which was launched last week. The public are invited to use mobile phones to discover clues and other content each day which will be brought together via large scale light projections. This major new arts and tech project has been created by a team of 30 artists, musicians and playwrights working with Collusion an arts organisation.

## **3 Meetings Attended and Meetings Scheduled**

Portfolio meetings with

Ray Harding Chief Executive  
Lorraine Gore Deputy Chief Executive & Director of Finance  
Chris Bamfield Director of Commercial Services  
Claire Thompsett Grounds & Open Space  
Roger Partridge Heritage Gardens Outreach Officer  
Undina Reinfelde WN Tourism Trails Dev. Officer  
Norfolk Museums Coastal Treasures Dev. Officers  
Karen Robson LILY Co-ordinator

Cabinet

Regeneration & Development Panel

Environment & Community Panel

Norfolk Arts Forum

Health & Wellbeing Board

Norfolk Records Committee

Joint Norfolk Museums Committee

Norfolk Armed Forces Covenant Board

NCC Walking & Cycling Working Party

NHS WNCCG Primary Care Commissioning Committee

Anglia In Bloom Presentations

WN Tourism Forum AGM

KL Internal Drainage Board  
Alive Management Board  
Alive Leisure Trust AGM  
KL & WN Cultural Board Meeting  
Friends of Lynn Museum AGM  
The Garage Performing Arts Norwich  
WN & KL School Girls Trust  
WN Community Transport AGM  
Norfolk Relate



**CABINET MEMBERS REPORT TO COUNCIL****29 November 2018****COUNCILLOR BRIAN LONG – LEADER & CABINET MEMBER FOR RESOURCES**

For the period 6 September to 19 November 2018.

**1 Progress on Portfolio Matters.****Combined Report for October and November****Potential of Further Joint Working**

Myself, Deputy Leader and Chief Executive had a joint meeting with Leaders and Chief Officer of Breckland and South Holland Districts further exploring opportunities for possible merger of management teams.

The report looking into this did identify the potential for a number of savings, mainly from us working with Breckland at the expense of their original ties. Savings identified were discussed with Cabinet Colleagues and whilst savings still need to be found for 20/21 year I was not convinced that sharing our management and the capacity they bring to project delivery was not the way to achieve savings.

**August Monitoring Report**

As at 31/8/18 the monthly budget monitoring report noted a favourable variance of £30,350. As per previous months this amount has been included into balances that are accruing to fund revenue cost pressures budgeted for 2020/21.

I am pleased to announce turnover savings of £106,290 have been achieved so far against a target of £125,866 for the whole year.

I will continue to advise council as the year progresses of any further changes.

**Energy Efficiency**

The Salix energy efficiency project has now ended. Following the end of this agreement the budgeted contributions to the energy efficiency reserve are

now no longer required and as such a saving of £21,100 was included within this month's monitoring report. We will of course continue with the schemes started utilising the Salix funding and going forward will utilise the REFIT project for energy saving measures. This has advantages of allowing a longer payback period than the Salix scheme.

### **Staff Wellbeing**

This year as previous years' staff and members have had the opportunity to have a "flu jab" either at the office or by obtaining a voucher to use at Boots Chemist. This year take up was good with 121 having the injection in the office and 61 vouchers being issued.

It is noteworthy that variety of Job this year meant that staff and members over 65 had to have a different vaccine, which was not available via the scheme, however over 65s do qualify for a flu jab from their doctors.

### **Emergency Planning**

This month I took a day out of the office to be involved with "Operation Springboard" a multi-agency training exercise for Emergency Planning. The exercise concentrated on the recovery phase after a tidal surge and extreme weather event affecting the whole East Coast. The benefits of such a process do allow each agency to think and plan should anything of this nature occur. Preparation and readiness for such events are an important in how deal with the real emergencies as they unfold.

## **2 Forthcoming Activities and Developments.**

### **Housing Borrowing Cap**

It was announced at the Conservative Party Conference that the borrowing cap for Local Councils to invest in Social Housing stock is to be lifted. This will enable new build Council Housing Stock to be built. I will of course advise as further detail becomes available.

### **Negative Revenue Support Grant**

For several District Councils the revenue support grant received from Central Government was not just going to be reduced to zero over the next few years but was due to become a payment back to Central Government. Following ongoing negotiations and support from the District Councils Network, Government has indicated that "Negative RSG" is now not going to happen. Again I will advise as further detail comes available.

### **Revenues and Benefits Software Upgrade**

As part of the move to new software within Revenues and Benefits department some functionality between this system and our "OneVu" platform has been lost, this should be restored during December. Both systems are working however interaction between them has been reduced.

### **3 Meetings Attended and Meetings Scheduled**

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

#### **September / October**

Mini Meet In The Market Place  
Classic Car Day  
Hunstanton Soap Box Derby  
Discovery Centre Open Day for Freebridge Community Housing  
Environment and Community Panel  
Regeneration and Development Panel  
Protected Landscape and Planning Conference  
Meetings with Sir Henry Bellingham MP  
Norfolk Leaders Meeting  
Kings Lynn area consultative Committee  
Kings Lynn Internal Drainage Board  
Norfolk Enterprise Festival  
Various Meetings - Freebridge Community Housing  
Water Management Alliance  
Norfolk Emergency Planning Exercise  
Mayors Design Awards  
Meeting with Hunstanton Mayor  
Meeting with Downham Market Mayor  
Yes I can Event

#### **November**

Remembrance Sunday Events including Beacon Lighting  
Kings Lynn Internal Drainage Board.  
Kings Lynn area transport meeting  
Wash and North Norfolk Marine Partnership  
Freebridge Board Meeting & Appraisal  
Norfolk Coast Partnership –Trust  
Regenerating Seaside Towns – LGA  
Meeting with Cambridgeshire Mayor  
Meeting with Cllr Wilkinson (Breckland) - Business Rates on Public Toilets.

**RECOMMENDATION FROM CABINET ON 2 OCTOBER 2018 TO COUNCIL ON 18 OCTOBER 2018**

**CAB70: COUNCIL TAX DISCOUNTS 2019/20**

Cabinet considered a report which covered three proposed changes to Council Tax discounts for 2018/2019 and 2019/2020. The first was a review of the one month, 100% discount for empty and unfurnished properties. The second was the increased premiums payable for long term empty properties. The third was the introduction of a 100% discount for care leavers. The first two changes were proposed to take effect starting from 1 April 2019, with the Care Leavers' discount starting from 1 April 2018. The report also covered a change to the delegated authority for considering individual discount applications.

The Corporate Performance Panel at its meeting on 10 September 2018 had considered the report and commented that relating to the Care Leavers discount, it indicated that when a carer leaver moved in with a single household who then lost their single resident discount then it might be considered to extend a care leaver discount to that residence and that Cabinet be asked to consider this when determining the decision. This point had been incorporated into the proposals.

In response to questions relating to the potential exclusion of Almshouses with residency criteria which meant the properties may be empty whilst suitable tenants were found, or older properties undergoing renovation which may take longer to carry out than the year permitted under the empty property regime, it was noted that there was a Hardship Fund which individuals could apply to.

The recommendation to remove the one month discount, and the high costs in officer time of the administration of the discount were discussed.

The Cabinet fully supported the comments from the Corporate Performance Panel regarding the disregarding of care leavers moving into properties.

**RECOMMENDED:** 1) That the proposal to remove the one month 100% discount for empty and unfurnished properties from 1 April 2019 be approved.  
2) That the maximum increases to the long term empty property premium starting from 1 April 2019 be approved.  
3) That the introduction of the Care Leavers' local discount from 1 April 2018 on the criteria listed in the report be approved.  
4) That the wording for delegated authority for individual applications be amended to "Applications will be determined by the Revenues and Benefits Manager in consultation with the Portfolio Holder for Resources and Performance and the relevant Ward Member".

**Reasons for Decisions**

To ensure council tax discounts are reviewed and updated in line with recent changes and to take into account the comments from the Corporate Performance Panel.

**RECOMMENDATIONS TO COUNCIL ON 29 NOVEMBER 2018  
FROM SPECIAL CABINET ON 17 OCTOBER 2018**

**CAB80: REVISION TO THE LOCAL PROPERTY INVESTMENT FUND CRITERIA**

Cabinet considered a report which showed that the Capital and Local Property Investment Fund Strategy, supported by a number of other documents, provided a framework for the delivery of the capital programme and ensured that capital investment was directed to the Council's Corporate Priorities and helps achieve the Financial Sustainability Plan. It therefore provided the rationale for any capital spending and property investment plans.

It was proposed that the restriction limiting property investment opportunities to the local area be removed and the criteria extended to include the whole of Norfolk. This would provide greater opportunity to acquire investment properties whilst still maintaining the benefit of sustaining/growing business rates in Norfolk from which the Borough Council would also benefit as a member of the Norfolk Business Rates Pool.

In discussing the proposal it was agreed that it was a pragmatic approach, and that the business rate pooling was important. The proposal allowed for the Council to bolster its position but to remain in Norfolk.

Under Standing Order 34 Councillor Pope expressed the opinion that he would prefer to see investment in West Norfolk which could help encourage businesses and create employment. Councillor Long referred to investments made by other authorities in properties outside their area which had proved profitable.

**RECOMMENDED:** That the criteria for the Local Property Investment Fund is revised to remove the restriction limiting property investment opportunities to the local area and extend the criteria to the whole of Norfolk as detailed in the report.

**Reason for Decision**

To increase flexibility within the Local Property Investment Fund.

**Cabinet recommendations from 13 November 2018 to Council on 29 November 2018**

CAB91 **WEST WINCH/NORTH RUNCTON STRATEGIC GROWTH AREA -  
INFRASTRUCTURE DELIVERY PLAN**

The Planning Policy Manager presented a report which explained that the Infrastructure Delivery Plan (IDP) had taken the requirements of the Local Plan and Neighbourhood Plan, for the strategic growth area at West Winch / North Runcton, and assessed the financial cost of these. The viability of the overall potential housing scheme was considered. It concluded that a viable scheme meeting the requirements could come forward. The IDP would be used as a basis for a S106 agreement to accompany planning applications for the area.

The IDP, as presented, had taken into consideration the comments and views of the various stakeholders. To give it appropriate status it was brought to Cabinet for consideration and endorsement by the Borough Council.

Beyond the IDP it was important that the Borough Council continued to use all available mechanisms to bring forward development on the site. The co-ordination of and submission of a planning application was proposed.

The Council's consultant James Brierley from Geraldeve, gave Cabinet some further explanations around the reasoning behind the approach:

- It would add the next level of granularity to proposed IPD;
- Allow for further engagement with all Stakeholders;
- Provide catalyst for holistic delivery;
- Create framework for physical delivery;
- Provide additional clarity
- Support all Stakeholders in delivery, minimising dead ends;
- Reduce duplication and support Stakeholders in commercial objectives

Cabinet debated the proposals and it was confirmed that if the major developer did not participate then it would put the whole site at risk of non delivery but there were potential compulsory purchase order routes if necessary.

Councillor Blunt explained that he wanted to work with all parties, drawing attention to the fact that some of the landowners needed support through the process, so it was to help them to help the council to deliver the major piece of work. It was confirmed that the Local Plan inspector was keen to look at the site from a holistic point of view as a community, not just houses. Councillor Blunt proposed an additional recommendation as follows which was agreed:

5) That officers seek to establish a South East King's Lynn Delivery Group (comprised the Borough Council, Norfolk County Council, landowners/developers and parish councils) to co-ordinate the preparation and submission of a masterplan; outline planning application for the whole area (excluding Hopkins Homes area) and the associated processes.

It was explained that the Hopkins Homes planning application was now being considered in accordance with the local plan policy.

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

**RECOMMENDED:** 1) That the Infrastructure Delivery Plan (IDP) document and the levels of costs outlined within it are used to prepare a suitable S106 agreement to accompany planning approvals for development sites on the Growth Area.

2) Authority is delegated to the Chief Executive in consultation with the Leader to agree the form of planning application and associated documents and submit them.

3) Authority is delegated to the Chief Executive and Deputy Chief Executive in consultation with the Leader to sign off Option 3 if the Business Rates Pool bid is successful, or the use of alternative funding options if necessary, and the appropriate amendments to the Capital Programme are made.

4) Authority is delegated to the Property Services Manager in consultation with the Leader and Portfolio Holder to acquire land within the growth area should the situation arise.

5) That officers seek to establish a South East King's Lynn Delivery Group (comprised the Borough Council, Norfolk County Council, landowners/developers and parish councils) to co-ordinate the preparation and submission of a masterplan; outline planning application for the whole area (excluding Hopkins Homes area) and the associated processes.

#### **Reason for Decision**

To aid the co-ordinated development of the Strategic Growth Area

#### **CAB92 GAMBLING ACT 2005 - REVIEW OF POLICY**

Cabinet considered a report which explained that the Gambling Act 2005 required all local authorities to publish a Statement of Principles each three-year period. The Council's current policy was approved by Full Council on the 26th November 2015. An amended policy was presented for consideration.

Regulations required that local authorities had their statement of principles in place by the 31st January 2019.

**RECOMMENDED:** That the Council be invited to adopt the Statement of Principles in accordance with the requirements of the Gambling Act 2005.

#### **Reason for Report**

It is a Statutory requirement that the Council adopts a Statement of Principles

CAB94 **CORN EXCHANGE CINEMA**

Cabinet agreed to consider the report in open session, with the Appendix to the report remaining exempt under paragraph 3.

Councillor Nockolds presented a report which proposed a capital investment in the Corn Exchange of circa £1 million to create a 2 screen cinema offer. The cinema would occupy the upper bar area, currently an under used space and create a new income stream for the Corn Exchange. In addition to the benefits for the Corn Exchange, the cinema screen would also help to support the on-going viability of the King's Lynn Town Centre.

In discussing the proposals it was confirmed that officers had worked closely with the Majestic Cinema in order to improve the offer for King's Lynn town centre visitors and traders alike.

The Regeneration and Development Panel had received a presentation on the proposed cinema and supported the two screen option.

**RECOMMENDED:** That the Capital programme be amended to include a scheme to Centre a 2 screen Cinema in the upper bar area of the Corn Exchange.

**Reason for Decision**

To improve facilities at the Corn Exchange and generate additional use whilst contributing to the Council Cost reduction programme.

CAB95 **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED:** That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB96 **RE-FIT - ENERGY PERFORMANCE CONTRACT**

Cabinet considered a report which reminded Members that the Borough Council had entered into an arrangement with Local Partnerships to deliver the Re:fit energy performance contract.

Following a tendering exercise Ameresco were the Council's preferred partner in delivering this project.

An initial High Level Appraisal (HLA) of 15 council buildings and in excess of 800 street lights has identified a guaranteed saving on a payback of 9.87 years and a rate of return of 10.13%.

The HLA document offered the "worst case" scenario that Ameresco guaranteed in line with the contract. When moving to Investment Grade Proposal (IGP) stage



Ameresco were committed to providing an improved position on guaranteed payback. In the event that they were unable to achieve this then the Council was not required to pay for this work.

The Defined Performance Parameters guarantee a minimum emission reduction of at least 478 tonnes CO<sup>2</sup>

A detailed monitoring and verification plan would be developed and agreed during the IGP stage to ensure that both parties were able to demonstrate and agree savings for the life of the project.

With appropriate approvals work could begin in March 2019 with estimated completion in July 2019.

The Leader explained that as Amaresco were continuing to find invest to save options he proposed to amend recommendation 2 to increase the capital programme to up to £2,000,000 to enable inclusion of those additional proposals.

Cabinet asked that in the monitoring of the contract that the CO<sup>2</sup> savings be included.

The Corporate Performance Panel had considered the report and endorsed its proposals with some minor additions which were taken on board by Cabinet, and would be monitoring the progress of the contract.

**RECOMMENDED:** 1) That all schemes be progressed to Investment Grade Proposal (IGP) stage at the tendered price of £20,500. The capital programme to be amended accordingly and funded from the Major Projects Reserve.

2) That provision be made in the capital programme for it to be increased by up to £2,000,000 to progress schemes outlined in Appendix A to the report- High Level Appraisal and additional schemes identified in the IGP, and funded by borrowing.

3) That delegated authority be granted to the Executive Director for Commercial Services and Deputy Chief Executive in consultation with the Council Leader to authorise go ahead for the identified schemes assuming that they remain at, or offer improved payback terms than those identified in Appendix A, High Level Appraisal in the report.

4) Enabling Works may be required to allow installation of some Energy Conservation Measures (ECMs), these will be identified at the IGP stage. Delegated authority to be given to the Executive Director for Commercial Services and Deputy Chief Executive in consultation with the Leader to authorise this work where cost effective and to report this expenditure through the monthly monitoring report.

### **Reason for Decision**

Moving to IGP will provide a further, more detailed assessment of which ECMs can best deliver the council guaranteed energy and financial savings. The defined performance parameters are:

Minimum emission reduction of at least 478 tonnes CO<sub>2</sub>

Maximum payback no more than 9.87 years

Amending the capital programme will provide the necessary funds to finance the project.

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

**Council Meeting – 29 November 2018**

**DETERMINATION OF COUNCIL TAX DISCOUNTS RELATING TO SECOND HOMES AND EMPTY DWELLINGS FOR 2019/2020**

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 Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 allows billing authorities to further increase the amount of council tax for long term empty dwellings from 1 April 2019. 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 2018/2019 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 2018/2019 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 2018/2019 is 100% for one month from the first day the dwelling becomes unfurnished. Once the one month expires 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 2018/2019 is 25% 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% up to 31 March 2019. The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 allows billing authorities to increase this to 100% from 1 April 2019.

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 2018/2019 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 2018/2019 are shown above. Two changes are proposed to the discounts and levies for 2019/2020. Firstly, the one month 100% discount for Class C properties is abolished, and secondly, the levy for long term empty properties is increased to 100% in accordance with the new regulations.

3.2. 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.

3.3. A Discretionary Hardship fund of £10,000 has been provided for in the Financial Plan. The recommendation is that individual applications be determined by the Revenues and Benefits Manager in consultation with the Portfolio Holder for Resources and Performance and the relevant Ward Member.

3.4. 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 an update of the council's policy on Council Tax discounts.

### **5. Financial Implications**

5.1. Amending the discounts for 2019/2020 will result in an initial increase in the taxbase. However, if the changes are successful at bringing empty properties back in to use, this may not be a long term increase. For this reason the increases have not been included in the taxbase calculations.

## **6. Recommendation:**

**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, the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 and the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 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 2019/2020;**
- 2. That the council tax discount for Second Homes as defined by Class B of the Regulations is set at 0% for 2019/2020;**
- 3. That the council tax discount for Empty / Unfurnished dwellings defined as being within Class C of the Regulations is set at 0% for 2019/2020;**
- 4. That the council tax discount for Uninhabitable dwellings defined as being within Class D of the Regulations is set at the following for 2019/2020:**
  - 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 100% for 2019/2020;**
- 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 for individual applications under s13a Local Government Finance Act 1992 be determined by the Revenues and Benefits Manager in consultation with the Portfolio Holder for Resources and Performance and the relevant Ward Member.**
- 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.**