



# Cabinet

## Agenda

Tuesday, 17th November, 2020  
at 3.00 pm

in the

**Remote Meeting on Zoom and available for  
the public to view on [WestNorfolkBC on You  
Tube](#)**





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

**CABINET AGENDA**

**DATE: CABINET - TUESDAY, 17TH NOVEMBER, 2020**

**VENUE: REMOTE MEETING ON ZOOM AND AVAILABLE FOR THE PUBLIC TO VIEW ON WESTNORFOLKBC ON YOU TUBE - ZOOM AND YOU TUBE**

**TIME: 3.00 pm**

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - Items 16 & 17 below will be considered in private.

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

**1. MINUTES**

To approve the Minutes of the Meetings held on 22 September and 26 October 2020 (previously circulated).

**2. APOLOGIES**

To receive apologies for absence.

**3. URGENT BUSINESS**

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

**4. DECLARATIONS OF INTEREST**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not

already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

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

**5. CHAIR'S CORRESPONDENCE**

To receive any Chair's correspondence.

**6. MEMBERS PRESENT UNDER STANDING ORDER 34**

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

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

**7. CALLED IN MATTERS**

To report on any Cabinet Decisions called in.

**8. FORWARD DECISIONS**

A copy of the Forward Decisions List is attached

**9. MATTERS REFERRED TO CABINET FROM OTHER BODIES (Page 6)**

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

Environment and Community comments on Licensing Policy are attached.

**10. STATEMENT OF LICENSING POLICY (Pages 7 - 32)**

**11. COVID 19 RESPONSE AND RECOVERY PLAN (Pages 33 - 55)**

**12. ASSET MANAGEMENT - COMMERCIAL PORTFOLIO - VARIATION TO DELEGATION (Pages 56 - 65)**

**13. DELEGATED AUTHORITY COVID DISCRETIONARY SCHEMES (Pages 66 - 70)**

**14. SCHEME OF DELEGATION (Pages 71 - 109)**

**15. EXCLUSION OF THE PRESS AND PUBLIC**

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

**PRIVATE ITEM**

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

16. **CARELINE ALARMS CONTRACT** (Pages 110 - 114)

17. **CARE AND REPAIR CONTRACTORS FRAMEWORK FOR AID AND ADAPTATIONS** (Pages 115 - 121)

To: Members of the Cabinet

Councillors R Blunt, P Gidney, P Kunes, A Lawrence, B Long (Chair),  
G Middleton and E Nockolds

For Further information, please contact:

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

**Recommendations to Cabinet – 17<sup>th</sup> November 2020 from the Environment and Community Panel Meeting on 20<sup>th</sup> October 2020.**

**EC133: Statement of Licensing Policy**

[Click here to view the You Tube recording of this item.](#)

The Senior Licensing Officer presented the report.

The Chair thanked the Senior Licensing Officer for her report and invited questions and comments from the Panel, as summarised below.

The Panel was informed that two correspondence had been received, as attached.

Councillor de Whalley referred to paragraph 4.1 and the definition of Cumulative Impact and the Senior Licensing Officer provided clarification. He suggested that the paragraph be made clearer. He also referred to the term 'evidence available' and the Senior Licensing Officer explained that it meant evidence from responsible authorities.

The Senior Licensing Officer would amend the typo 'do' to 'do so' in Paragraph 23.4.

Councillor Kemp referred to the Coronavirus Pandemic and the Senior Licensing Officer explained that at the next meeting of the Environment and Community Panel in December the Panel would be provided with information on Covid Safe events and she would also produce a guidance note which could be circulated to the Panel.

Councillor Rust addressed the Panel under Standing Order 34. She referred to the removal of weblinks within the Policy as they were no longer valid. It was suggested by the Panel that a link to the Borough Council's Homepage be included in the document.

Councillor Morley addressed the Panel under Standing Order 34. He referred to paragraph 4.4 which was the to encourage measures outside of the licensed premises and felt that suggested measures should be included. The Senior Licensing Officer referred to public space protection orders and reminded the Panel that Section 182 guidance stated that the Policy needed to make clear that Licensing Law was not the primary mechanism for dealing with nuisance and antisocial behaviour.

Councillor Ryves addressed the Panel under Standing Order 34 he referred to public safety, the Coronavirus Pandemic and Temporary Event Licences. The Senior Licensing Officer explained that unfortunately Public Health was not a licensing objective. She reminded the Panel that each application would be considered on its own merit.

In response to a question from Councillor Kemp, the Senior Licensing Officer explained that licensed premises still had to comply with Coronavirus Legislation and conduct a risk assessment.

The Chair informed the Panel that he had received a request from a Member to consider Temporary Event Notices during the pandemic.

**RESOLVED:** The Panel reviewed the recommended changes and agreed that the Council be invited to adopt the revised statement of Licensing Policy in accordance with the requirements of the Licensing Act 2003.

**REPORT TO CABINET**

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Operational	Be entirely within Cabinet's powers to decide		YES/NO	
		Need to be recommendations to Council		YES/NO	
		Is it a Key Decision		YES/NO	
Lead Member: Cllr Paul Kunes E-mail: cllr.paul.kunes@West-norfolk.gov.uk			Other Cabinet Members consulted:		
			Other Members consulted: Licensing Committee		
Lead Officer: Vicki Hopps E-mail: vicki.hopps@West-norfolk.gov.uk Direct Dial: 01553 616307			Other Officers consulted: Geoff Hall, Licensing Team, Legal services		
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications NO	Environmental Consideration NO

Date of meeting: 17<sup>th</sup> November 2020

**LICENSING ACT 2003 – STATEMENT OF LICENSING POLICY****Summary**

The current 'Statement of Licensing Policy' was approved by Full Council on the 26th November 2015 and was effective from 7<sup>th</sup> January 2016. Regulations require that the policy is reviewed every five years and a replacement for our current policy must be in place by the 7th January 2021. The policy has been drawn up in accordance with the Licensing Act 2003 and the current guidance issued under Section 182 of the Licensing Act 2003.

**Recommendation**

That the Council be invited to adopt the revised Statement of Licensing Policy in accordance with the requirements of the Licensing Act 2003.

**Reason for Decision**

It is a statutory requirement that the Council adopts a Statement of Licensing Policy and review and publish that policy each five year period.

**1 Background**

- 1.0 Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a statement of licensing policy every five years. Such a policy must be published before the authority carries out any function in respect of individual applications made under the terms of the Act. Regulations require that we have the new policy in place by the 7<sup>th</sup> January 2021.
- 1.1 In reviewing this policy statement, the Borough Council has taken account of new revised Guidance issued by the Home Office in March 2018.

1.2 Before determining our policy for any five year period Section 5(3) of the Act states that we must consult with the following:

- Police
- Fire Authority
- Public Health England
- Persons/bodies representative of premises licence holders
- Persons/bodies representative of club premises certificate holders
- Persons/bodies representative of personal licence holders
- Persons/bodies representative of business and residents
- Any other persons or bodies the Council deems appropriate

1.3 The views of all these persons/bodies should be given appropriate weight when the policy is determined.

1.4 The proposed amendments to our Statement of Licensing Policy specified below were consulted upon between the 24<sup>th</sup> August 2020 and the 12<sup>th</sup> October 2020. These proposals and a request for comments and suggestions on our current policy were widely circulated and published on the Borough Council's website.

1.5 The consultation ended on 12<sup>th</sup> October 2020 and two comments were received, copies of which are attached as Appendix 1.

1.6 At the time of writing, recommendations made by the Environment and Community Panel on 20<sup>th</sup> October 2020 have not been included but will be further considered.

## **2 Options Considered**

2.0 There are no significant proposed changes to the existing Policy. Proposed changes are shown in red in the attached document, Appendix 2.

2.1 A summary of the proposed changes are listed below:

- 1.5 - Addition of information stating which five year period the policy relates to, as required by regulations.
- 2.1 - Population update.
- 4.0 - Changes to wording of the cumulative impact section. Previously cumulative impact was not mentioned within the Act.
- 15.2 & 22.1 - Removal of links to Council website re Equality Policy and list of Responsible Authorities. Council website links change in time so better excluding them from this Policy to maintain accuracy.
- 22.2 & 21.3 - Removal of requirement for applicant's to complete a 'certificate of service/display'. These forms have been obsolete for over 5 years as most applications are now submitted online.
- 24.5 - Addition of paragraph re data protection/retention policy (GDPR).

## **3 Policy Implications**



3.0 The proposals to our current policy do not impact on any other Council Policies.

#### **4 Financial Implications**

4.0 None

#### **5 Personnel Implications**

5.0 None

#### **6 Environmental Considerations**

6.0 None

#### **7 Statutory Considerations**

7.0 The statutory consultees listed at point 1.2 above were sent this review document and no comments have been made in relation to the proposed amendments or the current policy.

#### **8 Equality Impact Assessment (EIA)**

8.0 No impact

#### **9 Risk Management Implications**

9.0 Unless the statement of policy is in place by the 7<sup>th</sup> January 2021 we will be unable to carry out our statutory functions under the Licensing Act 2003.

#### **10 Declarations of Interest / Dispensations Granted**

10.0 None

#### **11 Background Papers**

11.0 Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

11.1 Borough Council of King's Lynn & West Norfolk Statement of Licensing Policy – approved by Full Council 26<sup>th</sup> November 2015.

**Pre-Screening Equality Impact Assessment**

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



Name of policy/service/function	Licensing Act 2003 – Statement of Licensing Policy				
Is this a new or existing policy/service/function?	Existing policy under review				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>The purpose of the policy is to clearly set out the principles that the Council propose to apply when determining licence applications, permits and registrations under The Licensing Act 2003.</p> <p>Unless the statement of policy is in place by the 7<sup>th</sup> January 2021 we will be unable to carry out our statutory functions under the Licensing Act 2003.</p>				
<b>Question</b>	<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			√	
	Disability			√	
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
	Other (eg low income)			√	





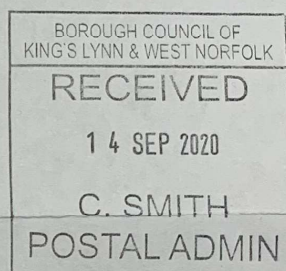
## SOUTH WOOTTON PARISH COUNCIL

Tel: 01553 671692  
e-mail: [info@southwoottonpc.co.uk](mailto:info@southwoottonpc.co.uk)

The Parish Office  
24 Church Lane  
South Wootton  
King's Lynn  
PE30 3LJ

10<sup>th</sup> September 2020

Borough Council of Kings Lynn & West Norfolk  
Senior Licensing Officer  
Kings Court  
Chapel Street  
Kings Lynn  
PE30 1EX




Dear Ms Malt

Re: Licensing Act 2003  
Statement of Licensing Policy Review

Thank you for your letter dated 24<sup>th</sup> August 2020 relating to the consultation for the Statement of Licensing Policy Review.

The Parish Council has read the document carefully, noted the changes and have no objections to the Policy.

Yours sincerely

  
Tracey Cornwell  
Parish Clerk

**From:** Lee Osler <[Lee.Osler@West-Norfolk.gov.uk](mailto:Lee.Osler@West-Norfolk.gov.uk)>

**Sent:** 01 September 2020 14:40

**To:** Marie Malt <[Marie.malt@west-norfolk.gov.uk](mailto:Marie.malt@west-norfolk.gov.uk)>; Lorraine Gore <[Lorraine.Gore@West-Norfolk.gov.uk](mailto:Lorraine.Gore@West-Norfolk.gov.uk)>; Geoff Hall <[geoff.hall@West-Norfolk.gov.uk](mailto:geoff.hall@West-Norfolk.gov.uk)>; Debbie Gates <[debbie.gates@west-norfolk.gov.uk](mailto:debbie.gates@west-norfolk.gov.uk)>; Assistant Directors <[AssistantDirectors4644@westnorfolk.onmicrosoft.com](mailto:AssistantDirectors4644@westnorfolk.onmicrosoft.com)>

**Cc:** Dave Robson <[Dave.Robson@West-Norfolk.gov.uk](mailto:Dave.Robson@West-Norfolk.gov.uk)>; Vicki Hopps <[vicki.hopps@west-norfolk.gov.uk](mailto:vicki.hopps@west-norfolk.gov.uk)>

**Subject:** RE: Statement of Licensing Policy Review - Licensing Act 2003

Marie

Suggested changes to the Data Protection para

24.5 Data Protection. The Licensing Authority also recognises its responsibilities under the Data Protection Act 2018, and the General Data Protection Regulations (GDPR) 2016 when it comes to handling and storing personal data, and has ~~created~~ published a data retention and ~~sharing~~ disposal policy which can be found on the Borough Council's website.

Thanks

Lee

Lee Osler  
Office Manager / Deputy Senior Information Risk Officer  
Environment & Planning Service  
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Email: [lee.osler@west-norfolk.gov.uk](mailto:lee.osler@west-norfolk.gov.uk)  
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Borough Council of  
**King's Lynn &  
West Norfolk**



# Licensing Act 2003

## Statement of Licensing Policy

Approved by Full Council: ~~26<sup>th</sup> November 2015~~

Commences: ~~7<sup>th</sup> January 2016~~

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## 1.0 Summary

1.1 The Borough Council of King's Lynn & West Norfolk (hereafter referred to as the Borough Council) is the licensing authority under the Licensing Act 2003 and is responsible for the licensing of licensable activities as defined under the Act. These are:

- The sale by retail of alcohol;
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- The provision of regulated entertainment;
- The provision of late night refreshment (i.e. the supply of hot food or hot drink between 11pm & 5am).

1.2 Regulated entertainment is where the entertainment takes place in the presence of an audience and is provided for the purpose of entertaining that audience. The descriptions of entertainment are:

- a performance of a play,
- an exhibition of a film,
- an indoor sporting event,
- a boxing or wrestling entertainment,
- a performance of live music,
- any playing of recorded music,
- a performance of dance,
- entertainment of a similar description to a performance of live music, recorded music or performance of dance.

1.3 This policy shall apply to all applications and notices given under the Act in respect of the following:

- Premises licences;
- Club Premises Certificates;
- Personal Licences;
- Temporary Event Notices;

1.4 This policy statement will not seek to regulate matters which are provided for in other legislation e.g. planning, health & safety, fire safety etc.

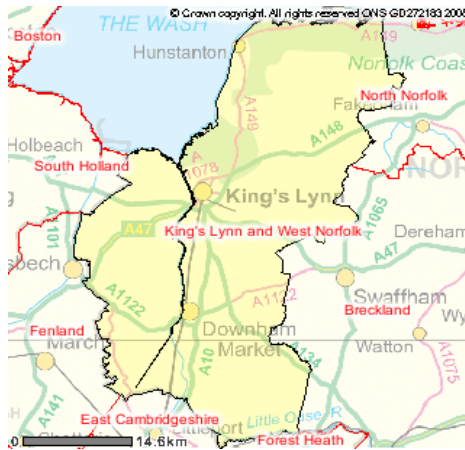
1.5 This policy statement will be the basis for all licensing decisions taken by the Borough Council as the Licensing Authority over the next five years, commencing on the 7<sup>th</sup> January 2021.

Formatted: Superscript



## 2.0 Introduction

- 2.1 The Borough Council of King's Lynn & West Norfolk is situated in the County of Norfolk. The Council area has a population of ~~147,454~~151,800 (2011 [Census Norfolk Insight 2016](#)) making it the largest in the County in terms of population. In terms of area it is also the largest, covering 1429 square kilometres (~~552–551~~ square miles). The Council area is mainly rural with urban areas of King's Lynn, Downham Market and Hunstanton. These areas are shown in the map below.



- 2.2 In accordance with the Act the Borough Council will prepare and publish a statement of its licensing policy every five years. During the five year period the policy will be kept under review and The Borough Council may make such revisions as considered appropriate, for instance in the light of feedback from the local community on whether the statutory objectives are being met.
- 2.3 Before determining its policy for any five year period, the Borough Council will consult the community and in particular:
- (a) the chief officer of police for the area (Norfolk Constabulary);
  - (b) the fire authority for the area (Norfolk Fire Service);
  - (c) persons/bodies representative of local holders of premises licences;
  - (d) persons/bodies representative of local holders of club premises certificates;
  - (e) persons/bodies representative of local holders of personal licences; and
  - (f) persons/bodies representative of businesses and residents in its area.
- 2.4 The views of all these persons/bodies listed will be given appropriate weight when the policy is determined. It is recognised that it may be difficult to identify persons or bodies representative for all parts of industry affected by the provisions of the 2003 Act, but the Borough Council will make reasonable efforts to identify persons or bodies concerned.

- 2.5 In determining its policy, the Borough Council will have regard to the guidance issued under Section 182 of the Licensing Act 2003 and give appropriate weight to the views of those it has consulted.

### **3.0 Fundamental principles**

- 3.1 The 2003 Act requires that the Council carries out its various licensing functions so as to promote the following four licensing objectives:
- the prevention of crime and disorder,
  - public safety,
  - the prevention of public nuisance, and
  - the protection of children from harm.
- 3.2 Nothing in this 'Statement of Policy' will:
- 3.2.1 Undermine the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its own merits;
- 3.2.2 Override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.
- 3.3 Every application will be dealt with impartially and on its individual merits. The Borough Council will not refuse to grant or vary an application unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or other persons, such as a local resident or local business, which is a relevant representation. A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives.
- 3.4 Licensing is about regulating licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act, and any conditions that are attached to premises licences or club premises certificates will be focused on matters which are within the control of the individual licensee or club, i.e. the premises and its vicinity.
- 3.5 Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. The Borough Council, in addressing this matter, will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 3.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy throughout the borough.

## 4.0 Cumulative Impact

- 4.1 ~~There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives, for example, on crime and disorder. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for the licensing authority in discharging its licensing functions or for its statement of licensing policy. “Need” is a matter for the market. ‘Cumulative impact’ means the potential impact upon the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider in developing its Statement of Licensing Policy.~~
- 4.2 ~~“Cumulative impact” is not mentioned in the 2003 Act. The guidance issued under Section 182 describes it as the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. For instance, the potential impact on crime and disorder or public nuisance in a town centre of a large concentration of licensed premises in that area.~~
- 4.23 ~~Where, after considering the~~The Licensing Authority can only adopt a cumulative impact policy where there is an evidential basis to do so. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for considering whether a cumulative impact policy is appropriate and necessary to promote the licensing objectives. available evidence and consulting those individuals and organisations listed in Section 5(3) of the Act and any others, the Borough Council is satisfied that it is appropriate and necessary to include an approach to cumulative impact ~~—It may adopt a special policy of refusing new licences whenever relevant representations are received about the cumulative impact on the licensing objectives.~~
- 4.3 ~~At the time of publishing this policy the Licensing Authority, having regard to the evidence available, considers that there is no particular part of the district causing a cumulative impact which undermines the licensing objectives.~~
- 4.4 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. To enable the general public to appreciate the breadth of the strategy for addressing these problems, the Borough Council encourages the use of other mechanisms both within and outside the licensing regime that are available for addressing such issues. Such as:
- planning control;
  - CCTV;
  - powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
  - the confiscation of alcohol from adults and children in designated areas;
  - police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
  - prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);

- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate.

## **5.0 Licensing Hours**

- 5.1 With regard to licensing hours, due consideration which will be given to the individual merits of an application. The Borough Council recognises that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which could lead to disorder and disturbance.
- 5.2 The Borough Council wants to ensure that licensing hours do not inhibit the development of thriving and safe night-time local economies. This is important for investment, local employment and attractive to domestic and international tourists. Providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.
- 5.3 With regard to shops, stores and supermarkets, it is the policy of the Borough Council that such premises should be free to provided sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are very good reasons for restricting those hours.
- 5.4 It is important to note that “opening hours”, the times when premises are open to the public, are not necessarily identical to the hours during which licensable activities may take place.

## **6.0 Portman Group Code of Practice**

- 6.1 The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Borough Council commends the Code. Further details of the Portman Group Code of Practice can be found at Annex A.

## **7.0 Review Process**

- 7.1 The review process represents a key protection for the community where problems associated with the licensing objectives are occurring after the grant or variation of a premises licence. At any stage, following the grant of a premises

licence, a responsible authority, or other persons, may apply to the Borough Council to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.

- 7.3 In every case, the representation must relate to particular premises for which a premises licence is in existence and must be relevant to the promotion of the licensing objectives. After a licence or certificate has been granted or varied, a complaint relating to a general (crime and disorder) situation in a town centre should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 7.4 The Borough Council recognises that the promotion of the licensing objectives relies heavily on a partnership between licence holders, authorised persons, other persons and responsible authorities in pursuit of common aims. It is therefore equally important that reviews are not used to drive a wedge between these groups in a way that would undermine the benefits of co-operation. The Borough Council encourages the good practice for authorised persons and responsible authorities to give licence holders early warning of their concerns about problems identified at the premises concerned and of the need for improvement. A failure to respond to such warnings is expected to lead to a decision to request a review.
- 7.5 Where the request originates from other persons – e.g. a local resident, residents' association, local business or trade association – the Borough Council will first consider whether the complaint made is relevant, vexatious, frivolous or repetitious.

## **8.0 Prevention of Crime & Disorder**

- 8.1 The Borough Council acknowledges that the Police are the main source of advice on crime and disorder.
- 8.2 Licensed premises, especially those open late night/early morning can be a source of crime and disorder problems. The Borough Council expects operating schedules to satisfactorily address these issues, as appropriate from the design of the premises to the daily operation of the business.

## **9.0 Public Safety**

- 9.1 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.

- 9.2 A number of matters should be considered in relation to public safety. These could include:
- Fire safety;
  - Ensuring appropriate access for emergency services such as ambulances;
  - Good communication with emergency services;
  - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
  - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
  - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
  - Ensuring appropriate limits on the maximum capacity of the premises; and
  - Considering the use of CCTV.
- 9.3 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. The Borough Council expects applicants to consider these when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they will achieve that.

## **10.0 Prevention of Public Nuisance**

- 10.1 Licensed premises, especially those operating late at night and early in the morning can cause a range of nuisances which impact on people or businesses in the vicinity. The concerns will mainly relate to noise but could also include light pollution and noxious smells. The Borough Council expect operating schedules to satisfactorily address these issues, as appropriate.

## **11.0 Children**

- 11.1 It is an offence under the 2003 Act to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice.
- 11.2 In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or temporary event notice. Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. Between 5am and midnight the offence would not necessarily apply to many restaurants, hotels, cinemas and even many pubs where the main business activity is the consumption of both food and drink. This does not mean that children should automatically be admitted to such premises.

- 11.3 It is not intended that the definition “exclusively or primarily” in relation to the consumption of alcohol should be applied in a particular way by reference to turnover, floor space or any similar measure. The expression should be given its ordinary and natural meaning in the context of the particular circumstances. It will normally be quite clear that the business being operated at the premises is predominantly the sale and consumption of alcohol. Mixed businesses may be harder to pigeon hole and we would advise operators to consult with enforcement agencies where necessary about their respective interpretations of the activities taking place on the premises before any moves are taken which might lead to prosecution.
- 11.4 The Borough Council will support all measures that protect children from harm but will not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm to them.
- 11.5 Conditions requiring the admission of children to any premises cannot be justified and will not be attached to licences or certificates. Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club or person who has given a temporary event notice. Venue operators seeking premises licences and club premises certificates may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. Where no relevant representations are made, these volunteered prohibitions and restrictions will become conditions attaching to the licence or certificate and will be enforceable as such. No other conditions concerning the presence of children on premises will be imposed by the Borough Council in these circumstances.
- 11.6 The Borough Council recognises the Norfolk Safeguarding Children’s Board as the lead responsible authority in relation to the protection of children from harm.

## **12.0 Children and Cinemas**

- 12.1 In the case of premises giving film exhibitions, the Borough Council will expect licensees or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or if not classified by the BBFC in accordance with any recommendations made by the Borough Council of King's Lynn & West Norfolk.

## **13.0 Cultural Activities**

- 13.1 The Borough Council recognises the need to encourage and promote a broad range of entertainment for the wider cultural benefit of communities. A natural concern to prevent disturbance in neighbourhoods will always be carefully balanced with these wider cultural benefits. In determining what conditions should be attached to licence and certificates as a matter of necessity for the promotion of the licensing objectives, the Borough Council is aware of the need to avoid measures which deter regulated entertainment by imposing indirect costs of a disproportionate nature.

## 14.0 Planning & Building Control

- 14.1 Planning, Building Control and licensing are separated and consider different (albeit related) matters. For instance, licensing considers public nuisance whereas planning considers amenity. As such licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. Licensing Committees are not bound by decisions made by a planning committee, and vice versa.
- 14.2 Applications for premises licences should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission is sought or granted by the planning authority.
- 14.3 The granting by the licensing committee of any variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control where appropriate.
- 14.4 There may be circumstances when as a condition of planning permission a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission could be liable to enforcement action under planning laws.

## 15.0 Promotion of Equality

- 15.1 The Borough Council recognise that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 15.2 Information on the Borough Council's approach and compliance with the Equality Act 2010 can be found on the Borough Council's website, ~~on the following link:~~ <http://www.west-norfolk.gov.uk/default.aspx?page=26570>

## 16.0 Duplication

- 16.1 The Borough Council has a firm commitment to avoid duplication with other regulatory regimes so far as possible. For example, legislation governing health and safety at work and fire safety will place a range of general duties on the self-employed, employers and operators of venues both in respect of employees and of the general public when on the premises in question. Similarly, many aspects of fire safety will be covered by existing and future legislation. Conditions in respect of public safety will only be attached to premises licences and club premises certificates that are "necessary" for the promotion of that licensing objective and if already provided for in other legislation, they cannot be considered as necessary in the context of licensing law. Such regulations will not



however always cover the unique circumstances that arise in connection with licensable activities, particularly regulated entertainment, at specific premises and tailored conditions may be necessary.

## **17.0 Conditions**

17.1 The Borough Council will not impose conditions unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or other persons, such as a local resident or local business, which is a relevant representation, or is offered in the applicant's Operating Schedule. Any conditions will be proportional and appropriate to achieve the licensing objectives.

## **18.0 Enforcement**

18.1 The Borough Council recognises that most licence, certificate and notice holders seek to comply with the law. Notwithstanding, any enforcement action will take a graduated approach and in the first instance will include education and guidance. Where holders of authorisations continue to flout the law or act irresponsibly then firm action, including prosecution will be taken.

18.2 The Borough Council has established an enforcement protocol which has been agreed with all seven Norfolk authorities, Norfolk Constabulary, Norfolk Fire Service, Customs & Excise and Trading Standards. This should provide for a more efficient deployment of staff and police officers who are commonly engaged in enforcing licensing law and the inspection of licensed premises".

18.3 In particular, these protocols should also provide for the targeting of agreed problem and high-risk premises, which require greater attention, while providing a lighter touch in respect of low risk premises, which are well run. The 2003 Act does not require inspections to take place save at the discretion of those charged with this role. The principle of risk assessment and targeting will prevail and inspections will not be taken routinely but if and when they are judged necessary. This should ensure that resources are more effectively concentrated on problem premises.

## **19.0 Temporary Event Notices**

19.1 The Act requires that a minimum of 10-working days notice must be given for a standard temporary event notice and a minimum of 5-working days notice for a late temporary event notice. Section 193 of the Act defines "working day" as any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales. "Working days" notice means working days exclusive of the day on which the event is to start, and exclusive of the day on which the notice is given.

19.2 There is no discretion to relax either the 10-working days notice or the five-working days notice so the Borough Council encourage notice givers to provide the earliest possible notice within 12 months of events likely to take place. The maximum notice of 12 months should enable the Norfolk Constabulary and the Borough Council's Community Safety team to make a sensible assessment as

notices made too far in advance could lead to objections that could be otherwise avoided.

## 20.0 Personal Licences

- 20.1 An application for a personal licence and 'disclosure of convictions & declaration' form should be dated by the applicant within one calendar month of the application being received by the Borough Council. This is to ensure that the information on the application is as current as the basic disclosure.

## 21.0 Premises Licence/Club Premises Certificate Applications

- 21.1 Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by two sets of plans, one of which will be endorsed and issued with the premises licence/club premises certificate.

~~21.2 Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by a 'certificate of display'. This acknowledges the applicants understanding for the displaying notices and should avoid any undue delay in the application process.~~

~~21.3 Applications for the grant or variation of a premises licence or club premises certificate should be accompanied by a 'certificate of service'. This acknowledges the applicants understanding for giving a copy of the application to the responsible authorities and should avoid any undue delay in the application process.~~

- 21.42 Where applications have to be advertised, licensing officers will routinely check that public notices are displayed at the premises and in a local newspaper as part of the application validation process.

- 21.53 The Borough Council is required under the Act to suspend premises licenses and club premises certificates where the annual fee has not been paid. The Borough Council will invoice each licence holder/club when the annual fee is due setting out the fee that is due. Where the fee has not been paid or there has been no claim of administrative error, the Borough Council will serve a notice to suspend the licence.

## 22.0 Responsible Authorities and Other Persons

- 22.1 Responsible authorities are public bodies that are statutory consultees that must be notified of licensing applications. ~~A list of the responsible authorities in respect of applications and notices made to the Borough Council can be found on the following link:~~

~~<http://www.west-norfolk.gov.uk/pdf/Responsible%20Authorities%20SEP%202012.pdf>~~

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- 22.2 When dealing with licensing applications for premises licences and club premises certificates the Borough Council is obliged to consider representations from two categories of persons, referred to as 'responsible authorities' and 'other persons'. This allows for a broad range of comment to be received both for and against licensing applications.

22.3 The Borough Council has carefully considered its role as the Licensing Authority as a Responsible Authority under the Act. It will achieve a separation of responsibilities through procedures and approved delegations within the authority to ensure procedural fairness and eliminate conflicts of interest. A separation is achieved by allocating distinct functions (i.e. those of Licensing Authority and Responsible Authority) to different officers within the licensing team. The Borough Council does not expect to act as a Responsible Authority on behalf of third parties but accepts that there may be exceptional circumstances where this approach may be required.

### **23.0 Administration, Exercise & Delegation of Functions**

23.1 The Borough Council appreciates the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process. The Borough Council will delegate certain decisions and functions and has appointed officers and established sub-committees to deal with them.

23.2 Where under the provisions of the Act, there are no relevant representations on an application for the grant of a premises licence or club premises certificate or police objection to an application for a personal licence or to an activity taking place under the authority of a temporary event notice, these matters will be dealt with by officers to speed matters through the system. The Borough Council accepts the Secretary of State's recommendation and delegation will be achieved as set out at Annex B.

23.3 Regulation 24 of the Licensing Act 2003 (Hearings) Regulations requires the Borough Council to give all parties at licensing hearings an equal maximum period of time to present their case. For the purpose of this regulation it is the Borough Council's policy that a maximum of 15 minutes will be allowed.

23.4 Copies of applications and letters of representation will be included within the Licensing Manager's report and distributed prior to hearings before a Licensing Sub-Committee. Applicants, responsible authorities and other persons wishing to present additional evidence in support of their application/representation should do so at least 3-working days before the hearing starts. Failure to do may result in the Licensing Sub-Committee disregarding this additional evidence.

### **24.0 Other Relevant Matters**

24.1 Adult entertainment. The Licensing Authority has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and premises offering regular entertainment of a sexual nature must be licensed as a sex establishment under those provisions. The Borough Council acknowledges that there is an exemption which allows sexual entertainment to be provided at premises licensed under the Licensing Act 2003, as long as it is provided on no more than 11 occasions within 12 months and with at least 1 month between each occasion. Premises using this exemption should ensure that procedures are in place to exclude children when entertainment of this nature is offered.

24.2 Gaming machines in licensed premises - Automatic entitlement. There is provision in the Gambling Act 2005 (GA2005) for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines of category C and/or D.

24.3 Gaming Machine Permit – If a premises wishes to have more than 2 machines of categories C and/or D, then it needs to apply for a permit and the Borough Council will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under section 25 of the Act, and such matters as licensing officers consider relevant.

24.4 Exempt Gaming. Premises licensed under the Licensing Act 2003 may offer gaming such as poker and bingo provided the stakes and prizes do not exceed permitted levels. Details of these limits are available from the Borough Council or the Gambling Commission.

24.5 Data Protection. The Licensing Authority also recognises its responsibilities under the Data Protection Act 2018, and the General Data Protection Regulations (GDPR) 2016 when it comes to handling and storing personal data, and has created published a data retention and sharing disposal policy which can be found on the Borough Council's website.

## 25.0 Further Advice

25.1 Information and advice on all aspects of licensing can be obtained by either:

- Visiting the website on [www.west-norfolk.gov.uk](http://www.west-norfolk.gov.uk), or
- Telephoning the Borough Council's Information Centre on (01553) 616200, or
- By email to [ELicensing@west-norfolk.gov.uk](mailto:ELicensing@west-norfolk.gov.uk) or
- By writing to:  
Environment & Planning and Health - Licensing  
King's Court  
Chapel Street  
King's Lynn  
PE30 1EX
- In person at King's Court

25.2 The Licensing Act 2003 and Guidance issued under Section 182 can be viewed on the Home Office website at <http://www.homeoffice.gov.uk/>

Annex A To  
The Borough Council of King's Lynn & West Norfolk  
Statement of Licensing Policy  
Dated 26<sup>th</sup> November 2015

### **The Portman Group Code of Practice**

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's website ([www.portman-group.org.uk](http://www.portman-group.org.uk)), in the trade press and in an annual report. If a product's packaging or point-of-sale advertising is found to be in a breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important weapon in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner, which may appeal to or attract minors. The Borough Council commends the Code.

**Table of Delegations of Licensing Functions**

<b>Matter to be Dealt With</b>	<b>Licensing Sub-Committee</b>	<b>Officers</b>
Application for personal licence	If a police objection	If no objection made
Application for personal licence, with unspent convictions	All cases	
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club registration Certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Application for Interim Authorities	If a police objection	All other cases
Application to review premises licence/club premises Certificate	All cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc		All cases
Decision to object when local authority is a consultee and not the lead authority	All cases	
Determination of an objection to a temporary event notice	All cases	
Minor Variation to a Premises License / Club Premises Certificate		All cases
Determination of application to vary premises licence at community premises to include alternative licence condition	If police objection	All other cases

Borough Council of King's Lynn & West Norfolk –  
Licensing Act 2003 – Statement of Licensing Policy – 2015

<b>Matter to be Dealt With</b>	<b>Licensing Sub-Committee</b>	<b>Officers</b>
Decision whether to consult other responsible authorities on minor variation application.		All Cases
Determination of minor variation application		All cases





**REPORT TO CABINET**

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	Discretionary /	Be entirely within Cabinet’s powers to decide	NO	
		Need to be recommendations to Council	YES	
	Operational	Is it a Key Decision	YES	
Lead Member: Brian Long E-mail: Cllr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted: All Cabinet		
		Other Members consulted: CP Panel		
Lead Officers: Debbie Gates/Geoff Hall E-mail: Debbie.Gates@west-norfolk.gov.uk Direct Dial: 01553 616605 E-mail: <a href="mailto:Geoff.Hall@west-norfolk.gov.uk">Geoff.Hall@west-norfolk.gov.uk</a> Direct Dial: 01553 616618		Other Officers consulted: Management Team Assistant Directors		
Financial Implications	Policy/Personnel Implications	Statutory Implications	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications YES

Date of meeting: 17 November 2020

**COVID 19 Response and Recovery – Action Plan**

**Summary**

The Council adopted a Covid-19 Recovery Strategy for the Authority on 30.6.20. This report details the actions that the Council is taking, together with partners where appropriate, to facilitate recovery from the Coronavirus Pandemic. It includes both internal actions for the Authority and those that are externally focussed upon the economy and community served by the Council.

**Recommendation**

That Cabinet recommend to Council that the proposed Recovery Action Plan attached to this report is adopted.

**Reason for Decision**

To facilitate the achievement of objectives outlined in the Council’s Covid-19 Recovery Strategy. Also, to enable the prioritisation and resource allocation necessary to promote recovery from Covid-19, whilst also retaining the ability to react quickly to further peaks, local outbreaks or national initiatives relating to Covid-19.

## **Background**

This recovery action plan was presented to the Corporate Performance Panel on 7.10.20 where it was supported.

- The Recovery Action Plan sets out action under each of the key priorities outline within the Corporate Business Plan and progress will be subject to regular monitoring and reports to the Corporate Performance Panel. A set of indicators to support the Plan will be considered by the Corporate Performance Panel at their meeting to be held on 11<sup>th</sup> November 2020.
- In addition, the activities outline in the Plan will be incorporated into annual directorate and service plans, which in turn are cascaded into annual performance targets for employees through the Council's Performance Management Scheme.
- The additional workloads relating to Covid-19 Response and Recovery will impact upon the capacity of the Authority to progress other projects and work streams relating to Corporate Business Plan priorities during 2020/21. The position will be reviewed towards the end of the financial year, when we may be in a position to adopt a more traditional Corporate Business Plan, but this be dependent upon the progression of Covid-19 and the resulting workloads for the Authority over the winter period.
- We recognise that recovery will not be a linear process and we will need to retain the capacity and ability to react quickly to further peaks, local outbreaks and national initiatives to contain the spread of the virus.

## **Policy Implications**

This document supports the Council's COVID-19 Recovery Strategy and is a key component of the Council's policy framework for the next 12-24 months.

## **Financial Implications**

The financial implications of Covid-19 on income, expenditure and capital budgets will be reported regularly to Cabinet and the Financial Plan will be reviewed and updated for the period 2021/2025.

## **Personnel Implications**

The Recovery Action Plan takes into account the fact that elements of the response phase will continue. The Council also needs to retain the ability to react quickly to further peaks, local outbreaks and national initiatives, such as test and trace. This will impact upon the capacity of the Authority to progress other projects and work streams relating to Corporate Business Plan priorities during 2020/21.

## **Environmental Considerations**

The importance of environmental prioritises is recognised within Key Priority 3 of the Action Plan. These will be further developed when the Authority has the capacity to adopt the more traditional Corporate Business Plan.

## **Statutory Considerations**

None.

### **Risk Management Implications**

There are risks that without the benefit of a cohort recovery strategy the work of the Council could lack a clear focus and sense of direction. This Action Plan provides clarity to our work and aligns it to local and national priorities.

The corporate risk register will be reviewed to ensure it is aligned with the new Recovery Strategy and Action Plan.

### **Equality Impact Assessment (EIA)**

None. See attached pre-screening form

# Pre-Screening Equality Impact Assessment

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



Name of policy/service/function	COVID19 Recovery Action Plan				
Is this a new or existing policy/service/function?	New				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	Action Plan to support the Council's COVID19 Recovery Strategy				
<b>Question</b>	<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			√	
	Disability			√	
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
Other (low income)			√		

Question	Answer	Comments
<p><b>2.</b> Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	No	
<p><b>3.</b> Could this policy/service be perceived as impacting on communities differently?</p>	No	
<p><b>4.</b> Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	No	
<p><b>5.</b> Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?  If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	<p><b>Actions agreed by EWG member:</b></p>
<p><b>Assessment completed by:</b> <b>Name</b></p>	Becky Box	
<p><b>Job title</b></p>	Assistant Director Central Services	
<p><b>Date</b></p>	22 <sup>nd</sup> October 2020	

## **Recovery Plan Monitoring/Progress Report September 2020**

### **Introduction:**

- This Recovery Plan supports the Council’s Covid-19 Recovery Strategy which was adopted by the Cabinet on 30<sup>th</sup> June 2020. It sets out Actions under each of the Key Priorities outlined within the Corporate Business Plan and progress will be subject to monthly monitoring and reporting to Management Team and Members.
- Each Priority is supported by a range of indicators to measure the extent of Recovery within the local economy and communities together with both internal and external facing functions of the Authority.
- In addition to the specific Actions detailed in the Action Plan, the Council will be restoring and adapting Council services, taking account of national guidelines and community need. This will reflect the “new normal” operating environment and will include harnessing positive changes made in response to Covid-19 in areas such as increased digital transactions and use of technology to reduce business travel across the County/Region.
- The Council recognises that Recovery will not be a linear process and it will retain the ability to react quickly to further peaks, local outbreaks or national measures/initiatives to contain the spread of the virus, such as those announced on 31<sup>st</sup> October which will be in place until early December.
- Officers will continue to monitor the impact of other external factors, such as the outcome of the current “Brexit” negotiations, which may impact upon workloads for some groups of staff and affect the ability of the organisation to progress Recovery priorities. Any issues identified will be reported as part of the monthly monitoring process.
- Recovery will be underpinned by stable finances and the Council will continue to monitor the impact of Covid-19 on income and expenditure budgets and to review and update the Financial Plan for the period 2021/2025.

### **Key Priority:**

#### **1. Focusing on Delivery:**

<b>Action</b>	<b>Progress to date and milestones/projects/planned opportunities</b>
1.1 Ensure that staff are equipped and supported to undertake their duties in	<ul style="list-style-type: none"><li>• Revisions to homeworking policy have been developed, agreed with</li></ul>

accordance with the Recovery Plan priorities by:

- Providing Covid-19 safe working environments through maximising use of available Council buildings and assets;
- Increased use of flexible working arrangements, to include provision of technology that enables home working on a regular or ad hoc basis;
- Provision of welfare support activities.

Management Team and Unison and are now being implemented, including full homeworking risk assessments for dedicated homeworkers.

- A corporate COVID19 risk assessment has been produced to ensure all working environments for Council employees are safe, and service specific risk assessments have been developed to support different operational areas.
- A range of adjustments have been made to office layouts and working arrangements to ensure the risk assessment is adhered to. This has included relocating some staff to alternative locations, changing office layouts or moving employees to different areas of the building and introducing screening
- All Council owned properties that are occupied by staff have been COVID19 risk assessed and “signed off” as Covid secure.
- Plans have been developed and implemented to support staff returning to work at the end of the shielding period, with additional support and guidance provided to employees and Managers where required
- Many teams are utilising rotas balance effective delivery of services, response / recovery requirements and the number of staff working from King’s Court at any time.
- Additional IT equipment has been provided to enable a large number of employees to undertake work from home. Training is being developed to support employees in maximising the use of the new technology available on an ongoing basis.
- Welfare support and practical guidance on health related issues linked to COVID19 continue to be provided.
- Continue implementation and provision of ICT connections & infrastructure to support/enhance adapted working methods including virtual meetings
- Personnel co-ordinate COVID19 testing for employees.
- *Within Alive West Norfolk* - Secure plans are in place for Leisure and Corn Exchange and available on website. This includes an overarching Risk Assessment and detail of action taken to ensure safety of customers and staff.

<p>1.2 Ensure that staff resources are deployed effectively to deliver the Recovery Plan and the future needs of the Borough, to include the ability to respond rapidly to subsequent waves of Covid-19 and/or local or national lockdowns. This may involve short or medium term redeployment of staff to address priority tasks.</p>	<ul style="list-style-type: none"> <li>• Redeployment of staff within the Council to response / recovery duties has been co-ordinated centrally to ensure an effective matching of knowledge and skills to the needs of those teams requiring additional resources.</li> <li>• The process of managing the return of redeployees to their normal job role has also been managed centrally, to balance the needs of redeployed and ‘home’ services.</li> <li>• Work to identify the potential resource implications of a second wave/local lockdown for the resilience hub has been undertaken and work to prepare for the delivery of other priority functions is being progressed.</li> <li>• “Lessons learnt” log being compiled from outbreaks in other areas and a desktop reponse exercise is being carried out.</li> <li>• Work on building sites is now progressing well and keeping to programme. Temperature testing and social distancing should help keep the sites open should a second wave hit this area.</li> </ul>
<p>1.3 Ensure that procedures and technology are in place to enable democratic processes to run effectively and to support Elected Members to perform their roles in the new operating environment.</p>	<ul style="list-style-type: none"> <li>• All Elected Member meetings have been moved to Teams or Zoom with the provision of additional support and advice to Members to ensure they are able to operate the associated equipment successfully.</li> <li>• Adjustments to protocols and formats for meetings, including the live streaming of formal meetings, have been successfully implemented.</li> <li>• Implementation and provision of ICT connections &amp; infrastructure will continue to support/enhance adapted working methods where identified</li> </ul>
<p>1.4 Use of innovative methods to keep staff, partners and customers informed during the Recovery period, to include effective communications support for corporate campaigns.</p>	<ul style="list-style-type: none"> <li>• The COVID19 response has seen a significant increase in the use of social media to communicate with customers and this will continue into the recovery phase.</li> <li>• Regular staff updates have been circulated and have been welcomed by staff, leading to a new weekly email briefing on a range of issues to keep staff well informed.</li> </ul>



	<ul style="list-style-type: none"> <li>• Production of the staff newsletter has recommenced following a break during the response phase.</li> <li>• <i>Within Alive West Norfolk</i> – board reports, management meetings and staff updates are in place</li> </ul>
<p>1.5 Ensure that Council buildings open to the public in a Covid-19 safe manner, whilst capitalising on the innovative solutions used during the Covid-19 Response phase to offer equal opportunities for all residents to access services and support. This will include support for services in developing digital solutions such as cashless payment facilities and on-line applications.</p>	<ul style="list-style-type: none"> <li>• Plans for the safe re-opening of King's Court have been developed based on Government guidance and the necessary adjustments to the layout of reception and screening for interview rooms is currently being progressed.</li> <li>• A communications plan is being developed to advise customers of the appointment only service that will be introduced when King's Court does re-open to the public.</li> <li>• Communications with DWP are ongoing to ensure a consistent approach between building users.</li> <li>• Services will be supported with further development of digital solutions – cashless payment facilities, online applications, development of customer digital experience</li> <li>• Working with the Department of Work and Pensions (Job Centre) for their operations, and service delivery, within King's Court and examining scope to offer an extended service and public accessibility to help with potential employment issues arising from COVID19</li> <li>• <i>Within Alive West Norfolk</i> - Secure Plans are in place for Leisure and Corn Exchange and available on website. Contains overarching Risk Assessment and detail of action taken to ensure safety of customers and staff.</li> </ul>
<p>1.6 Closely monitor the financial implications of Covid-19 on income and expenditure budgets and provide regular updates to Management Team and Cabinet.</p>	<ul style="list-style-type: none"> <li>• Draft revenue and capital outturn position reported to Cabinet on 19 August 2020</li> <li>• Budget Monitoring information provided to Management Team and Cabinet up to and including July 2020 (Report to Cabinet 22 September 2020)</li> <li>• Revised budget presented to Cabinet 22 September 2020 including actions to</li> </ul>

	<p>identify savings including refresh of cost reduction/income generation plan and corporate projects for 2021/22</p> <ul style="list-style-type: none"> <li>• Further budget monitoring reports to continue during the financial year</li> <li>• Estimates and Financial Plan to be developed for 2021/22 – 2025/26 to report to Cabinet and Council in February 2021</li> <li>• Cashflow forecast updated and being monitored</li> <li>• Where tenants of the Council’s commercial property portfolio have been adversely affected, the Council will work with those tenants to manage service charge and rent arrear issues over a period of time on a case-by-case basis</li> <li>• <i>Within Alive West Norfolk</i> - Reports to Board on effect of closure and budget implications</li> </ul>
<p>1.7 Conduct a Council wide review of expenditure and service provision, to focus resource on recovery and update the Council’s Cost Reduction Programme from 2020/21 onwards.</p>	<ul style="list-style-type: none"> <li>• Revised budget presented to Cabinet 22 September 2020 including actions to identify savings including refresh of cost reduction/income generation plan and corporate projects for 2021/22</li> <li>• <i>Within Alive West Norfolk</i> – initiating of further cost reduction plans has commenced</li> </ul>
<p>1.8 Review and prioritise projects within the Capital Programme to ensure that it reflects changes to the Council’s financial position and affordability, while also supporting investment projects that deliver inclusive growth and a reduction in the Council’s carbon footprint.</p>	<ul style="list-style-type: none"> <li>• Capital outturn position reported to Cabinet on 19 August 2020 which included rephasing of some capital projects going forward</li> <li>• PRS units identified early on Dewside and Cowper Place, where none were planned, to help the Councils revenue position</li> <li>• Although some projects have stalled owing to Coronavirus issues, an on-going dialogue with a number of potential investors and/or occupiers has been maintained throughout the Recovery period.</li> <li>• Projects such as the Nar Ouse Enterprise Zone have been progressed and funding opportunities have been secured. Potential sales of land with purchasers looking to develop sites themselves for their own occupation have</li> </ul>

	<p>been progressed and interest from potential occupiers of speculative build offices and light industrial units (funded by the council in partnership with the New Anglia Enterprise Partnership) has been maintained. The council is progressing the construction of secondary road, and utility, infrastructure with its public and private sector partners to open-up this important site in order to facilitate future growth, development and investment.</p> <ul style="list-style-type: none"> <li>• Contact has been maintained with potential occupiers of investment project opportunities</li> <li>• <i>Within Alive West Norfolk</i> – Leisure and Arts capital programme to be reviewed</li> </ul>
<p>1.9 Provide relevant financial updates to MHCLG or other Government Departments as required to support and lobby for further financial support or compensation in respect of the financial impact of Covid-19. Assist AWN to claim maximum grants and assistance from Government funding schemes following prolonged periods of closure and limited capacity on re-opening due to social distancing measures.</p>	<ul style="list-style-type: none"> <li>• MHCLG returns completed for April – July periods and will continue. These returns have been used by MHCLG to assess the impact of COVID on local authorities and has generated £1.9m of emergency COVID funding to date</li> <li>• Review of Sales, Fees and Charges loss of income being undertaken in order to claim for reimbursement as part of the Government’s Sales, Fees and Charges Grant Scheme for the period April – July 2020 with opportunity to submit further claims due during 2020/21. Leisure provision by AWN not eligible.</li> <li>• Supported AWN to submit claim of £247k for arts and culture services (awaiting confirmation if successful)</li> <li>• Awaiting further announcements of financial packages to support leisure industry</li> <li>• <i>Within Alive West Norfolk</i> - Application in for £248,000 to Arts Council, awaiting any updates on whether grants will be available for Leisure losses</li> </ul>
<p>1.10 Continue implementation and provision of ICT connections and infrastructure to support and enhance adapted working methods, including virtual meetings. Report regularly on Cyber Security activity and implement mitigating actions where applicable.</p>	<ul style="list-style-type: none"> <li>• Implemented and provided support for homeworking solutions and office relocation as required and approved by Management Team</li> <li>• Implementation/rollout of Teams and Zoom to enable virtual meetings where necessary has been completed</li> <li>• Will continue with implementation and provision of ICT connections &amp; infrastructure to support/enhance adapted working methods where identified</li> </ul>

	<ul style="list-style-type: none"><li>• ICT will continue to carry out health checks and remediate actions to ensure ICT and changes to infrastructure and networks are operating in a secure, safe environment</li></ul>
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**Key Priority:**

**2 Delivering growth in the economy and the provision of local housing**

45

Action	Progress to date and milestones/projects/planned opportunities
<p>2.1 Ensure that action is taken to support re-opening the high street and tourism activities in West Norfolk, making use of available grants and innovative campaigns and with a particular focus on safe shopping and outdoor activities.</p>	<ul style="list-style-type: none"> <li>• Now implementing activities identified in the re-opening the high street grants allocation (£134k).</li> <li>• Introduce ‘West Norfolk Welcomes’ promotional campaign to promote safe shopping, consumer and business confidence and innovation.</li> <li>• Implementing measures to support tourism as part of the £360k funding from the Norfolk Strategic Fund. Measures include improvements to public realm, outdoor seating, digital signage and enhanced cleaning of public spaces.</li> <li>• Create an events programme for the next 12 Months with particular focus on ‘little and often’ outdoor activities including engagement with schools for a digital creativity and skills programme.</li> <li>• Work in partnership with Visit East of England to deliver a £500,000 ‘Unexplored England’ marketing campaign to extend the holiday season safely in Norfolk and Suffolk with the support of all the region’s tourism organisations, local authorities and the UK Government ‘</li> <li>• Advice is being provided by Environmental Health officers to businesses throughout the Borough</li> </ul>
<p>2.2 Provide a range of support to local businesses to assist with their recovery from the COVID19 pandemic, including the provision of advice, information and accommodation / space for retail and food operators.</p>	<ul style="list-style-type: none"> <li>• Reviewing communication strategy to provide more targeted advice to businesses (particularly around opening businesses safely, changes in govt advice or access to business support). Consider greater use of targeted emails, use of webpage, business forums to ensure businesses are aware of initiatives to help support them</li> </ul>

	<ul style="list-style-type: none"> <li>• Prepare an overarching strategy for the economic development of King’s Lynn, Downham Market and Hunstanton to ensure that external funders/investors understand the broader vision for these areas and identified actions/projects to achieve those ambitions.</li> <li>• Accelerate the construction of business units within the Enterprise Zone to provide high quality business accommodation.</li> <li>• Facilitate and signpost grant funding support available to businesses from central government, LEP and Norfolk Strategic Fund to support business adaption, resilience and growth.</li> <li>• Provide support to businesses to minimise the impact of redundancies in the district, signposting to partner organisations for support where appropriate.</li> <li>• Work with the LEP to promote the redundancy ‘triage’ service for support to individuals who have been made redundant.</li> <li>• Advice is being provided by Environmental Health officers to businesses throughout the Borough</li> <li>• Working with the council’s occupiers of its commercial property portfolio to help to manage Covid-19 related cash flow issues, particularly in the hardest hit sectors such as retail, leisure and tourism</li> <li>• Maintain an on-going dialogue with large-scale investors in the town centre to identify opportunities for collaboration, or joint working, to help reinvigorate King’s Lynn town centre in-line with other initiatives such as Future High Street Fund, Town Deal and High Street Heritage Action Zone</li> </ul>
<p>2.3 Ensure opportunities for funding to support economic recovery in West Norfolk are maximised. To include working closely with partner organisations, in particular the LEP and NCC, promoting and administering</p>	<ul style="list-style-type: none"> <li>• Future High Street submission made in June – unlikely to hear before end of October 2020</li> <li>• Town Investment Plan (TIP) and long and short list of proposals for financial package drafted, and subject to consultation with Town Deal Board, Cabinet, and wider identified stakeholders. To be submitted end of October, Heads of</li> </ul>

<p>grant schemes and engaging with national consultations with an economical and financial impact on growth across the Borough.</p>	<p>Agreement with Government anticipated by end of December.</p> <ul style="list-style-type: none"> <li>• Submitted Accelerated Town Fund proposals (School of Nursing and Public Realm package) in August. Notified that these bids were successful in September 2020.</li> <li>• Worked with LEP to provide details of projects to align with the Norfolk Investment Plan, Norfolk Infrastructure Plan – and liaising closely with LEP on commissioning a demand analysis for a collaboration and innovation centre</li> <li>• Have paid out over £39m of business grants (August 2020) to local businesses</li> <li>• Discretionary Grant Scheme Phase 1 and Phase 2 developed and implemented resulting in payment of circa £800k to businesses. Scheme now closed with final payment date of 30 September confirmed by Government</li> <li>• Business rates relief has been applied to all relevant businesses in accordance with Government guidance (need figure)</li> </ul>
<p>2.4 Develop a new strategy to respond to 'Everyone In' initiative, increasing the supply of suitable housing in appropriate locations</p>	<ul style="list-style-type: none"> <li>• Planning permission submitted for Reid Way - delivery of 7 new modular homes to directly support Next Steps accommodation programme (that follows Everyone in)- planned delivery on site January 2021.</li> <li>• New Norfolk wide partnership formed for coordinating housing related support recognising the value of support in preventing homelessness.</li> <li>• Agreed arrangements for operating the Winter Night shelter in a covid-safe way</li> <li>• Identifying some opportunities for conversion of redundant town centre retail to residential using external funding.</li> <li>• Identifying a number of council-owned sites that may be suitable for the delivery of housing units and bringing them through the initial phases of development by undertaking site investigations and planning enquiries/permissions to de-risk these sites.</li> </ul>

**Key Priority:**

**3 Protecting and enhancing the environment including tackling climate change**

48

Action	Progress to date and milestones/projects/planned opportunities
<p>3.1 Ensure that the Council’s commitment to its carbon reduction strategy remains a high priority during the COVID19 recovery phase. Ensure the impact of COVID19 is reviewed to identify any impacts on existing plans to address carbon reduction, revising actions and timescales as appropriate.</p>	<ul style="list-style-type: none"> <li>• Encourage Active travel for customers and staff</li> <li>• Investigate cycle to work scheme to encourage active travel for staff</li> <li>• Encourage meetings through Teams / Zoom to reduce vehicle travel wherever appropriate</li> <li>• Review policies in the Local Plan to promote sustainable development</li> <li>• ‘Local Cycling &amp; Walking Infrastructure Plan’ for King’s Lynn has been commissioned and work is underway – with expected completion October/November</li> <li>• Work with NCC to identify areas for improvements to cycling infrastructure under the phase 2 emergency funding</li> <li>• Supporting services with developing digital solutions – cashless payment facilities, online applications, development of customer digital experience to reduce travel for our customers</li> <li>• The Council’s climate change policy went to Cabinet on 22 September.</li> </ul>
<p>3.2 Ensure the Refit project is completed with measurement processes in place to confirm savings.</p>	<ul style="list-style-type: none"> <li>• Develop phase 2 of the Refit programme to determine additional opportunities available to the Council</li> </ul>
<p>3.3 Work with partners and the community to improve our natural environment.</p>	<ul style="list-style-type: none"> <li>• Continuing to attend interest groups such as the BC Habitat Monitoring &amp; Mitigation &amp; GI Coordination Panel, and the Wash and North Norfolk Marine Partnership.</li> </ul>
<p>3.4 Ensure that the impact of COVID19</p>	<ul style="list-style-type: none"> <li>• Progress the transfer of the current Waste and Recycling contract to a new</li> </ul>



on waste and recycling activities within the Borough are reviewed and that food waste collection is returned to normal in an effective manner. Take steps to ensure that COVID19 does not impact on the transfer to the new Waste and Recycling contract in April 2021 and ensure that any learning from the pandemic is fed into the arrangements for the new contract.

contractor at the end of the current financial year. This work is on-going.

- Explore options for reintroduction of food waste collection as soon as it is practically safe to do so. Vehicles for the new fleet due 01/04/2021 have been ordered, these included food pods similar to those on the current fleet.
- Provide an effective communication strategy to promote the reintroduction of a food waste service when the service is reintroduced.

**Key Priority:**

**4 Improving Social Mobility and Inclusion**

50

Action	Progress to date and milestones/projects/planned opportunities
<p>4.1 Ensure that our vulnerable residents have access to advice, information and services which will enable them to maximise the opportunities and support available to them. In particular ensure the provision of sufficient resources to respond to the needs of residents in the event of a second wave of COVID19 or a local lockdown</p>	<ul style="list-style-type: none"> <li>• Promote, maintain and expand the LILY database and service</li> <li>• Provide sufficient resources to the LILY team to ensure the additional burdens of managing the support to the vulnerable is achievable.</li> <li>• Be an active voice within Norfolk – supporting and promoting the Norfolk Vulnerability Hub</li> <li>• Support the Voluntary Sector and mutual aid groups to improve their capacity</li> <li>• Provide advice and information to our residents, businesses and visitors</li> <li>• Working with the Department of Work and Pensions [Job Centre] for their operations, and service delivery, within King’s Court and examining the scope to offer an extended service and public accessibility to help with potential employment issues arising from Covid-19</li> <li>•</li> </ul>
<p>4.2 Ensure that action is taken to respond to new opportunities/funding arising from COVID19 to address homelessness, meet housing needs, improve housing conditions and ensure homes are accessible.</p>	<ul style="list-style-type: none"> <li>• Submitted a bid for circa £1m under the MHCLG Next Steps Accommodation programme to provide 10 move on flats (already completed to be transferred to a housing association under a lease arrangement with associated support capacity) and 6 units of ‘housing first’ (commitment for a housing association to acquire 6 separate units of accommodation over the next 6 months) with significant</li> <li>• Secured with Norfolk County Council funding from MHCLG to provide services to homeless people with no recourse to public funds</li> <li>• Evaluating proposals formulated by NCC for a support service (with local delivery arrangements) that includes accessing ‘Life Chances Funding’ (DCMS)</li> </ul>
<p>4.3 Ensure the Council participates in initiatives arising from the COVID19 pandemic which support the development of skills in and pathways</p>	<ul style="list-style-type: none"> <li>• Work in partnership with NCC to support the delivery of the ‘Youth Pledge’</li> <li>• Develop skills initiatives in the Town Investment Plan to reflect the local skills needs of businesses and provide future career opportunities for local people.</li> <li>• Work with local stakeholder and businesses to ensure that “Kickstart”</li> </ul>

to work for local people	placements are available to you people across the Borough.
4.4 Ensure that opportunities and funding for the provision of new/additional apprenticeships are maximised, both by the Council as an employer and by supporting local businesses to maximise use of apprenticeship schemes.	<ul style="list-style-type: none"> <li>• Monitoring of opportunities for the Council (as an employer) to access funding for apprenticeships is ongoing</li> </ul>
4.5 Review and re-prioritise/re-focus the Council's improving educational attainment programme in light of the impact of COVID19 on primary and secondary schools, supporting our local schools to respond to the challenges of delivering a high quality education to young people in the Borough.	<ul style="list-style-type: none"> <li>• A plan to re-engage with schools with a view to establishing priority areas for projects which will support new priorities for schools is being developed.</li> <li>• Projects are likely to support activities to bridge the gap in learning since lockdown to help ensure children achieve required standards will be a priority in the first instance.</li> </ul>

**Key Priority:**

**5 Creating and maintaining good quality places that make a positive difference to people’s lives**

52

<b>Action</b>	<b>Progress to date and milestones/projects/planned opportunities</b>
<p>5.1 Identify and prioritise areas (including town centres and resorts) that should be kept clean and litter free to help build confidence for residents and visitors wishing to use these areas.</p>	<ul style="list-style-type: none"> <li>• Staff have been re-tasked to prioritise keeping town centres and resorts looking clean and litter free to help build confidence for people wishing to visit these areas. Additionally funding secured to continue this which, due to value, is to be tendered.</li> <li>• Grant funding to provide deploy innovative ‘compacting’ refuse binds for higher footfall areas within the town centres and resort areas has been secured. This will provide circa 10 units to priority areas ideally linking to the NCC LoraWan network for reporting. These are about to be tendered, with installation likely for January.</li> <li>• Improve the information to visitors both static and dynamic to aide safe decision making especially in high footfall areas. Digital signage is being procured and static signage has being produced and is being updated as needed by changes in ‘situation’.</li> <li>• Bring forward innovative solutions to encourage more responsible waste disposal and collection and reduce the littering in the resort and beauty spot areas – this has stalled due to issues with NCC and the fixing of signs to their lampposts etc, discussions are on-going.</li> </ul>
<p>5.2 Develop dynamic and responsible systems for receiving feedback and complaints about littering and fly tipping.</p>	<ul style="list-style-type: none"> <li>• Develop a more dynamic and responsive system for receiving feedback and complaints of littering and/or fly-tipping along with operational issues. – this will be looked at later this financial year as not a priority as existing systems fulfil most urgent need.</li> <li>• Actively investigate and where appropriate prosecute offenders for fly tipping</li> </ul>

	and/or dog fouling
5.3 Instil a greater priority of 'first impressions' be it vehicles, uniforms or social interaction with service users amongst front line staff.	<ul style="list-style-type: none"> <li>• Actively updating and maintaining uniform as opportunities present. Not able to prioritise as current management resource demand exceeds capability.</li> </ul>
5.4 Ensure public realm assets which have an impact on residents and visitors first impression are appropriately maintained and that any improvements required to add value to the customer experience and comply with social distancing requirements are identified and progressed,	<ul style="list-style-type: none"> <li>• Actively invest time in maintaining public realm assets to reduce creeping degradation and improve the overall first impression. A condition survey has been completed for Hunstanton and is ongoing for King's Lynn with a view to creating a prioritised list of works and areas for attention.</li> <li>• Review aging toilet facilities and prioritise projects that add value to the customer experience and comply with the revised social distancing objectives – this work is scheduled for end of season.</li> <li>• Consider working with partners/private sector to bring forward revised facilities benefiting the local communities. (Heacham – South Beach Toilets), discussions with the car park at Heacham are on-going.</li> </ul>

**Key Priority:**

**6 Helping to improve the health and wellbeing of our communities**

54

Action	Progress to date and milestones/projects/planned opportunities
<p>6.1 Work with partners, in particular the County Council, the CCG and the NHS, to understand local data and potential links between Covid-19 and social inequality and to support existing and new health and wellbeing initiatives.</p>	<ul style="list-style-type: none"> <li>• The West Norfolk Local Delivery Group’s first meeting since March 2020 has set the issue of Inequality as its first and paramount objective. The NHS will lead partners in initially understanding the data for Covid death and infections in order to address the root causes . For example initial indicators show diabetes as a high risk factor. Actions will follow</li> <li>• The Norfolk Vulnerability Hub has been set up as a database of vulnerable residents within Norfolk. This database initially to deal with the crisis is now being expanded to hold wider details with all agencies contributing data in secure manner.</li> </ul>
<p>6.2 Work with Alive West Norfolk to develop an outdoor activity offer within the Borough, to include Boot Camps, Yoga/Pilates/Tai Chi, Running Clubs and Walking Groups</p>	<ul style="list-style-type: none"> <li>• AWN – Community Development plan being established</li> </ul>
<p>6.3 Develop and implement hardship grant to target local support to the most vulnerable individuals in our communities and process applications for financial support such as Universal Credit and Council Tax Support claims promptly to alleviate financial hardship faced by individuals across the Borough.</p>	<ul style="list-style-type: none"> <li>• CTS Hardship Fund Round 1 distributed an additional £150 CTS to individuals in May 2020 – total awarded to date is nearly £400k</li> <li>• Remaining CTS Hardship Fund to be distributed as impact of furlough ending becomes clearer throughout the remainder of the year</li> <li>• CTS claims being processed in an average of 10 days meaning help is promptly given to those in need</li> </ul>
<p>6.4 Provide support for the Voluntary Sector to recover from the impacts of Covid-19 on their operations and to</p>	<ul style="list-style-type: none"> <li>• Continue to support Community Action Norfolk and other umbrella groups via SLAs and other joint agreements</li> <li>• Look for joint funding bids with voluntary partners</li> </ul>

<p>harness the support demonstrated by the public during the response to the pandemic into support for vulnerable people within communities on an ongoing basis.</p>	<ul style="list-style-type: none"> <li>• Continue to utilise voluntary support via the LILY service</li> <li>• Continue to support the King's Lynn Food Bank by providing premises from the council's commercial property portfolio to help maintain support for vulnerable residents</li> </ul>
<p>6.5 Support and actively engage with the Norfolk Vulnerability Hub and build on the success of the LILY model during the response phase to support those in need during recovery, ensuring that resources are in place to provide advice and information to vulnerable residents.</p>	<ul style="list-style-type: none"> <li>• Increase the scope of the LILY service via the website and other media</li> <li>• Maintain staffing levels within the LILY team to meet the extraordinary demands of supporting the vulnerable through the recovery period</li> <li>• Within Norfolk, with other statutory and voluntary sectors partners, develop the NVH. Work underway to increase the scope and depth of the Hub database.</li> <li>• Work with partners to identify and support the vulnerable. Use data to pinpoint risk area and groups.</li> </ul>

**REPORT TO CABINET**

<b>Exempt</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Discretionary	Be entirely within Cabinet's powers to decide		YES	
		Need to be recommendations to Council		NO	
		Is it a Key Decision		NO	
Lead Member: Cllr Graham Middleton E-mail: <i>cllr.graham.middleton@west-norfolk.gov.uk</i>		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Matthew Henry E-mail: <i>matthew.henry@west-norfolk.gov.uk</i> Direct Dial: 01553 616272		Other Officers consulted: Lorraine Gore, Debbie Gates, Geoff Hall			
Financial Implications YES	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment If YES: Pre-screening/ Full Assessment NO	Risk Management Implications YES	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting:

**ASSET MANAGEMENT – COMMERCIAL PROPERTY PORTFOLIO VARIATION TO SCHEME OF DELEGATION**

<p><b>Summary</b></p> <p>The Borough Council manages a mixed portfolio of commercial premises that generates an income for the Council and provides business accommodation for small and medium sized businesses.</p> <p>The current Scheme of Delegation is relatively prescriptive and it is considered that, in the current economic climate due to the coronavirus pandemic, the Assistant Director – Property and Projects needs a greater degree of flexibility in managing the commercial portfolio.</p> <p><b>Recommendation</b></p> <p>1) That authority is given to the Assistant Director – Property and Projects to revise the lease arrangements, as outlined for the specific case detailed within this report.</p> <p>2) To delegate authority to the Assistant Director – Property and Projects, in consultation with the Portfolio Holder for Business Development, and the Council's Assistant Director – Resources, the ability to review individual lease arrangements for the commercial portfolio, on a case by case basis, as they arise in line with the parameters set out in the report.</p> <p><b>Reason for Decision</b></p> <p>To ensure adequate flexibility to protect the Council's financial interests and work with local businesses during the current challenging economic climate.</p>
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## **1 Background**

- 1.1 The Borough Council owns and manages a mixed portfolio of light industrial, retail, and other commercial premises. The parameters for managing this portfolio are set out within the current Scheme of Delegation.
- 1.2 The Scheme of Delegation is quite prescriptive, and during recent times of relative economic growth this has not caused any particular problems in managing this portfolio.
- 1.3 The recent impact of the coronavirus pandemic however is presenting certain issues that, in order for it to be managed as effectively as possible, there will need to be a greater degree of flexibility than is currently provided for within the existing Scheme of Delegation.
- 1.4 The current Scheme of Delegation provides authority to the Executive Director and Portfolio holder, and in turn the Assistant Director – Property and Projects to authorise property transactions at “market rent/value”, subject to upper limits (Officer Delegation 3.3.1.)
- 1.5 Once the terms for a commercial letting are agreed, approved and legally documented, officers have limited authority to revise the terms without reference to the portfolio holder, or Cabinet.
- 1.6 With the current economic uncertainty, it is likely that some business tenants, occupying the Council’s commercial portfolio, will encounter financial difficulties and find it difficult to continue operating their businesses.
- 1.7 Ultimately some businesses may fail and this may result in void periods before re-letting the units potentially at rents at a lower level.
- 1.8 The above situation will have a number of impacts:
  - The council will lose rental income
  - Business Rates income will fall
  - Current legislation provides that the council will be liable for Empty Property Business Rates
  - Increase in local unemployment rates
- 1.9 A number of approaches have been already been made from a small number of Council commercial tenants stating that they are having operating difficulties.

## **2 Options Considered**

- 2.1 To protect the income from the commercial portfolio, the Assistant Director – Property and Projects needs a greater degree of flexibility to assess the circumstances of individual tenants claiming to have operating problems, and thereafter take action to vary lease/tenancy terms.
- 2.2 In assessing a tenant’s claim that they are suffering financial difficulty the tenant will be required to provide evidence by the submission of :
  - the most recent audited accounts
  - current profit and loss figures

- turnover predictions
- an accountant's letter certifying the financial information and providing a statement on the current trading position.

2.3 With this information, the Assistant Director – Property and Projects will in consultation with the Assistant Director – Resources and the Portfolio Holder for Business Development, consider the appropriate measures to be taken.

2.4 Appropriate measures could include (but not exclusively):

- monthly payment of rent (as opposed to quarterly)
- temporary rent reduction
- rent holiday for periods of closure
- deferment of rent payment
- other measures as may be appropriate

2.5 The above measures will only be implemented if it is considered that the measures will help to save the business and that the action is in the Council's interest. Any ongoing measures implemented will be reviewed at 6 monthly intervals.

2.6 The aim of this proposal is not only to assist local businesses, but also to protect the Council's revenue income. A lost tenant represents lost income whereas a retained tenant on a temporarily reduced rent, for example, represents a greater degree of protection to the Council's income stream in the short term.

### **3 Policy Implications**

3.1 None

### **4 Financial Implications**

4.1 The precise financial implications to the Council are difficult to assess

4.2 Any measures taken will be "capped" at £35,000 per case per request and will be reported through to Corporate Performance Panel as part of the periodic Asset Management Report.

4.3 The cost of any assistance will be met from within Property Services budgets, namely Miscellaneous Land Sales (below £10,000) that are available as revenue funding, and the Industrial Estates Reserve. If support becomes necessary over a longer period then Cabinet will be asked to reconsider the funding issue.

### **5 Personnel Implications**

5.1 None

### **6 Environmental Considerations**

6.1 None

### **7 Statutory Considerations**

7.1 State aid legislation applies to assistance of a value over €200,000 over a rolling three year period; the Commission view is that aid under this level is

too low to make any impact on competition. In order to ensure compliance, it is proposed that we apply a budget limit of £150,000 in the assistance we can offer under this scheme.

## **8 Equality Impact Assessment (EIA)**

8.1 Not required

## **9 Risk Management Implications**

9.1 Without the introduction of the proposed flexibility to the current Scheme of Delegation, Officers would need to report financial information to Cabinet on a case by case basis, as they arose. This process could be too slow and delay could have an adverse impact both upon the tenant concerned, and the Council.

9.2 There is a risk of adverse publicity around grants; both from public perception of assisting businesses who rent property from the borough council or from demanding rent from our tenants and being seen as working against local businesses.

## **10 Declarations of Interest / Dispensations Granted**

## **11 Background Papers**

(Definition : Unpublished work relied on to a material extent in preparing the report that disclose facts or matters on which the report or an important part of the report is based. A copy of all background papers must be supplied to Democratic Services with the report for publishing with the agenda)

**Pre-Screening Equality Impact Assessment**

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



Name of policy/service/function						
Is this a new or existing policy/service/function?						
New / Existing (delete as appropriate)						
Brief summary/description of the main aims of the policy/service/function being screened.						
Please state if this policy/service is rigidly constrained by statutory obligations						
<b>Question</b>		<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>			Positive	Negative	Neutral	Unsure
		Age				
		Disability				
		Gender				
		Gender Re-assignment				
		Marriage/civil partnership				
		Pregnancy & maternity				
		Race				
		Religion or belief				
		Sexual orientation				
Other (eg low income)						



## Section 1 - Grant Funding and Business Support

Please complete the below table to evidence what support you have received so far:

<b>Business Support</b>	<b>1. Have you applied for this support? (Y/N)</b>	<b>2. If no to Q1, please explain why (If not eligible, please give reasons why you are not eligible)</b>	<b>3. If yes to Q1, was your application: A) Successful B) Pending C) Rejected</b>	<b>4. If you were successful (Q3), please provide detail as to how the money has been spent, and how much is remaining, alongside evidence of this expenditure</b>	<b>5. If your application was rejected (Q3), please explain why</b>
<i>Coronavirus Small Business Grant Fund</i>					
<i>Coronavirus Retail, Hospitality and Leisure Grant Fund</i>					
<i>Local Authority Discretionary Grants Fund</i>					
<i>Business Resilience and Recovery Grant Scheme Criteria - New Anglia Local Enterprise Partnership</i>					
<i>The Coronavirus Large Business Interruption Loan Scheme (CLBILS)</i>					
<i>COVID-19 Corporate Financing Facility</i>					
<i>Coronavirus Business Interruption Loan Scheme</i>					
<i>Coronavirus Future Fund</i>					
<i>Coronavirus Bounce Back Loan</i>					
<i>Any other coronavirus related business support (please detail below):</i>					

**Section 2 - Business Information**

1. Please advise as to the status of your business, i.e. Limited Company, Sole Trader etc	
2. Is the premises you rent from the Borough Council of King's Lynn and West Norfolk your only business premises?	
3. Did your business close as a result of the coronavirus pandemic? If so, please confirm the dates of closure	
4. Please advise how many staff you employ at the premises, and the numbers that were furloughed	
5. Please confirm whether your employees received any pay cuts or redundancies	
6. Please detail your reasoning as to why you feel your business needs additional support from the Borough Council of King's Lynn and West Norfolk, acting in capacity as Landlord, and exactly what support you are seeking.	
7. Please detail what other actions you have taken to protect your business going forward.	

### Section 3 - Consents

Please can you confirm you are prepared to provide the following as part of your application:

1. Consent to have a personal / limited company credit check undertaken (depending on the answer given in S2 Q1)	
2. Formal company accounts for the previous three years showing detailed income and expenditure on a monthly basis, showing the period impacted by coronavirus	



## **Marking criteria for C-19 assistance questionnaire**

### **Overall Process**

- Applications received by case officer
- Case officer reviews and ensures all essential criteria are met (essential criteria underlined)
- Case officer submits information and recommendation to the Assistant Director – Property and Projects and the relevant Portfolio Holder for a decision.
- Corporate Performance Panel will be updated on developments every three months.

### **Section 1 – Grant funding available**

- Applicants will need to satisfy borough council that all available grants have been applied for.
- Applicants will need to have had their applications determined on all available grant funding before we will continue with their application.
- Applicants will need to have applied for relevant loans offered by central government.
- A holistic assessment will be made on how grant funding has been spent in connection with section 3, including assessment on:
  - Have all funds been spent or are some reserved? If not all spent, why?
  - Have funds been spent on non-essentials i.e. non-essential staff not being furloughed, dividends/directors salaries etc.
  - Funds being set aside for future advertising and promotions as attempts to remedy the impact on their business from C-19 will not have a negative impact on the assessment.

### **Section 2 – Business Case**

- Applicants will need to satisfy the borough council that they have taken all reasonable steps to ensure the survival of the business.
- Applicants will need to justify where furlough has not been used on staff.
- If the Applicants were not forced to stop trading, any request for assistance will be capped at a maximum of £10,000.
- A holistic assessment will be made as to whether the applicant has demonstrated a need for financial assistance in relation to their tenancy where the borough council is their landlord.
- The assessment will take into consideration any historic rent arrears issues at the property over the previous twelve months before March 2020.

### **Section 3 – Consents and information provided**

- Full accounts for the previous three years must be provided (exceptions being where the business is less than three years old)
- Applicants must be prepared and able to answer questions from borough council officers on details in the accounts.
- Applicants must be able to demonstrate within the accounts where grant funding / loans were received and how this money was spent.

**REPORT TO CABINET**

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b> None	Discretionary	Be entirely within Cabinet's powers to decide		YES	
		Need to be recommendations to Council		NO	
		Is it a Key Decision		NO	
Lead Member: E-mail: Cllr Brian Long <a href="mailto:cldr.brian.long@west-norfolk.gov.uk">cldr.brian.long@west-norfolk.gov.uk</a>		Other Cabinet Members consulted: All Cabinet Members			
		Other Members consulted: NA			
Lead Officer: Jo Stanton, Revenues and Benefits Manager E-mail: <a href="mailto:joanne.stanton@west-norfolk.gov.uk">joanne.stanton@west-norfolk.gov.uk</a> Direct Dial:01553 616349		Other Officers consulted: Michelle Drewery, s151 Officer and Assistant Director, Resources			
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment NO If YES: Pre-screening	Risk Management Implications NO	Environmental Considerations NO

Date of meeting: 17 November 2020

**DELEGATION OF AUTHORITY TO DECIDE CRITERIA FOR DISCRETIONARY COVID-19 SCHEMES**

**Summary**

Since March 2020 the government has announced a number of grant schemes and discounts to support businesses and residents during the Covid-19 pandemic. These are usually based on a set of mandatory criteria specified by government, but often include a discretionary element where certain criteria can be decided locally. This report recommends delegating authority to decide these discretionary criteria to the Revenues and Benefits Manager, in consultation with the s151 Officer and Council Leader.

**Recommendation**

**Authority is delegated to the Revenues and Benefits Manager, in consultation with the s151 Officer and Council Leader, to decide the discretionary criteria for government Covid-19 support schemes and discounts where they:**

- **Are part of a central government Covid-19 support initiative,**
- **Are funded by central government, and**
- **Will be administered by the Revenues and Benefits section**

**Reason for Decision**

To ensure decisions on discretionary criteria for Covid-19 support schemes can be made in a fair and timely manner so grants and discounts can be awarded quickly to residents and businesses in financial need.

**1. Background**

- 1.1. Since March 2020 the government has announced a number of grant schemes and discounts to support businesses and residents during the Covid-19 pandemic. These include the Expanded Retail Discount, Business Grants, Council Tax Support Hardship Fund and the Test & Trace Support Payment.
- 1.2. These schemes are normally based on a set of mandatory criteria specified by government, but often include a discretionary element where certain criteria can be decided locally. The discretionary element is included to allow local authorities to assist people who may have fallen through the cracks of the mandatory scheme, or to allow any unique local circumstances to be included.
- 1.3. Funding is provided by central government for both the mandatory and discretionary elements of these schemes and discounts. The funding is ringfenced and is often a generous amount for the mandatory schemes. However funding for discretionary schemes is usually much smaller fixed amount, limiting the scope of any discretionary criteria.

## **2. Options Considered**

- 2.1. Due to the nature of these schemes the emphasis is always on making payments to those in need as quickly as possible. Delays paying grants and awarding discounts cause financial hardship for businesses and residents in immediate financial need.
- 2.2. Delegating authority to decide these discretionary criteria to the Revenues and Benefits Manager, in consultation with the s151 Officer and Council Leader, means the criteria can be decided in a fair and timely manner, and help given to residents and businesses as quickly as possible.

## **3. Policy Implications**

- 3.1. None

## **4. Financial Implications**

- 4.1. None

## **5. Personnel Implications**

- 5.1. None

## **6. Environmental Considerations**

- 6.1. None

## **7. Statutory Considerations**

- 7.1. None

**8. Equality Impact Assessment (EIA)**

8.1. Pre-screening only

**9. Risk Management Implications**

9.1. None

**10. Declarations of Interest / Dispensations Granted**

10.1. None

**11. Background Papers**

11.1. None

**Pre-Screening Equality Impact Assessment**

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



Name of policy/service/function	Delegation of Authority for Discretionary Covid-19 Schemes				
Is this a new or existing policy/service/function?	New				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	Delegation of authority to decide the criteria for discretionary Covid-19 grant schemes				
<b>Question</b>	<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
Age				✓	
Disability				✓	
Gender				✓	
Gender Re-assignment				✓	
Marriage/civil partnership				✓	
Pregnancy & maternity				✓	
Race				✓	
Religion or belief				✓	
Sexual orientation				✓	
Other (eg low income)				✓	



**REPORT TO CABINET**

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide		NO	
	Discretionary /	Need to be recommendations to Council		YES	
	Operational	Is it a Key Decision		NO	
Lead Member: Cllr Long E-mail: <i>cllr.brian.long@west-norfolk.gov.uk</i>		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Sam Winter E-mail: <i>sam.winter@west-norfolk.gov.uk</i> Direct Dial:		Other Officers consulted: Monitoring Officer			
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment NO	Risk Management Implications NO	Environmental Considerations NO

Date of meeting: 17 November 2020

**AMENDMENTS TO THE SCHEME OF DELEGATION**

**Summary**

Following changes to the list of portfolio responsibilities, amendments are required to the Scheme of Delegation so the two documents align.

**Recommendation**

**That the amended Scheme of Delegation be approved.**

**Reason for Decision**

To ensure the scheme of delegation is in line with the portfolio areas of responsibility.

**1 Background**

The leader has amended the list of Cabinet responsibilities, this requires the scheme of delegation to amended accordingly.

**2 Options Considered**

The Scheme of delegation must accord with those areas of responsibility.

**3 Policy Implications**

None

**4 Financial Implications**

None

**5 Personnel Implications**

None

**6 Environmental Considerations**

None

**7 Statutory Considerations**

none

**8 Equality Impact Assessment (EIA)**

(Pre screening report template attached)

None

**9 Risk Management Implications**

The Scheme of Delegation must accord with the portfolio list.

**10 Declarations of Interest / Dispensations Granted**

None

**11 Background Papers**

Previous scheme and portfolio list



**Pre-Screening Equality Impact Assessment**

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



Name of policy/service/function						
Is this a new or existing policy/service/function?						
New / Existing (delete as appropriate)						
Brief summary/description of the main aims of the policy/service/function being screened.						
Please state if this policy/service is rigidly constrained by statutory obligations						
<b>Question</b>		<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>			Positive	Negative	Neutral	Unsure
		Age				
		Disability				
		Gender				
		Gender Re-assignment				
		Marriage/civil partnership				
		Pregnancy & maternity				
		Race				
		Religion or belief				
		Sexual orientation				
Other (eg low income)						

Question	Answer	Comments
<p><b>2.</b> Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	Yes / No	
<p><b>3.</b> Could this policy/service be perceived as impacting on communities differently?</p>	Yes / No	
<p><b>4.</b> Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	Yes / No	
<p><b>5.</b> Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes / No	<p><b>Actions:</b></p>
		<p><b>Actions agreed by EWG member:</b></p> <p>.....</p>
<p><b>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</b></p> <p><b>Decision agreed by EWG member:</b> .....</p>		
<p><b>Assessment completed by:</b></p> <p><b>Name</b></p>		
<p><b>Job title</b></p>		
<p><b>Date</b></p>		

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



# SCHEME OF DELEGATION

| [Q4 July 2019](#)[October 2020](#)

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

### SCHEME OF DELEGATION

The attached represents the Scheme of Delegation across the Council. It is shown in tabular form with the first 3 columns showing the Council body, its functions and its consultation requirements and the last two columns showing the delegations to officers in respect of those functions and the limits on those delegations. Throughout the following abbreviations are used:-

C	=	Consultation
WM	=	A Ward Member in the Ward affected
PH	=	Portfolio Holder
CE	=	Chief Executive
MO	=	Monitoring Officer
CFO	=	Chief Financial Officer
ED	=	Relevant Executive Director
LAC	=	Licensing and Appeals Committee/Board

#### PORTFOLIO HOLDER DELEGATIONS

The following Scheme sets out the areas delegated to Portfolio Holders to make decisions and complies with the Council's Financial Regulations. Key Decisions are not delegated to Portfolio Holders and must be considered in Cabinet. Key Decisions are defined as:-

an executive decision which is likely –

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effect on communities living or working in the area comprising two or more wards and electoral divisions in the Council's areas

where significant under a) above is £500,000 or more and significant under b) above is one third of the resident population in a ward.

Decisions involving transfers between budget are limited to £250,000 for individual Portfolio Holders, and additional resources from reserves are permissible for any Portfolio Holder up to a maximum of £50,000 per portfolio in any financial year.

Where a reserve exists for a specific purpose (eg renewal or repair reserve), the Director - Resources may withdraw funds from that reserve, PROVIDED THAT the withdrawal is to finance an item or items of expenditure related to the reasons for the existence of the reserve, up to a value of £100,000 per annum. Any necessary withdrawal that exceeds this amount additionally requires the approval of the relevant Portfolio Holder.

Decisions where more than one Portfolio Holder is required to make a decision must go to Cabinet. For the avoidance of doubt each Portfolio Holder has complete freedom to utilise his or her budget without further recourse to the Leader provided it is not a key decision and subject to the restrictions mentioned above.

It is the responsibility of each Portfolio Holder in consultation with the relevant Executive Director to ensure that every decision is made with the full knowledge of a Democratic Services Officer who shall ensure each decision is properly recorded, reasons given and reference made to the report to the Member concerned.

It is also the responsibility of the Portfolio Holder, in consultation with the relevant Executive Director in making decisions to abide by the Council's Financial Regulations and other policy and procedure documents of the Authority as appropriate.

The Portfolio Holder may make decisions in all the areas set out below subject to the conditions and consultations and onward limits on delegation except where the matter under consideration is in excess of £250,000 or beyond the budget of the Portfolio Holder or has a significant effect on two or more wards in the Borough or where the decision to be reached requires the decision of an additional Portfolio Holder.

#### General Powers

The exercise of delegated powers is to the person to whom it is expressly delegated under this Scheme.

An officer who is authorised to exercise a delegated power under this scheme may authorise other officers to exercise that power on their behalf. Such authorisation shall be made in writing setting out:

- a. The name(s) of the officers who may exercise a power
- b. The power which may be exercised
- c. Any limitations on the exercise of that power

A copy of every authorisation should be passed to the Monitoring Officer before the officer who is authorised exercises any power

#### Contracts

An Executive Director may authorise and execute on behalf of the Council a contract for works services or goods provided:

- a. the value of the contract does not exceed £100,000.00 or any limit prescribed at any time by contract standing orders
- b. the contract is not part of a series of agreements for the provision of the same or substantially the same works, goods or services
- c. the Executive Director retains a copy of every contract that they make

### **OFFICER DECISIONS**

It is the responsibility of the officer in making decisions to abide by the Council's Financial Regulations and other policy and procedure documents of the Authority as appropriate.

A delegation of a role when a number of officers hold the job description will mean that for the purposes of the scheme, the power is delegated to all of those officers.

In the absence of the Chief Executive any powers falling to be exercised by them may be exercised by any Executive Director.

Any delegation of power delegated by any Executive Director can be exercised by the Chief Executive.

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
78 1 Corporate /Strategic Issues, Resources THE LEADER	1.1 Review of Corporate Policy including the budget or the Corporate Plan having first been recommended by Cabinet and approved by Council	CE/CFO/MO Requires rec to Council for any change.	<b>1.1.1 Management Team / Monitoring Officer/Executive Directors / CFO</b> – Ensure Executive decisions are taken in accordance with the law and financial and policy guidelines.	
	1.2 Cross Cutting /Cross Remit issues	CE & ED & Portfolio holders		
	1.3 Democratic Processes	MO	<b>1.3.1 Executive Directors</b> Day to day management of the Council's democratic processes. Timetable of Meetings	
	1.4 Legal	CE and MO	<b>1.4.1 Chief Executive / Monitoring Officer</b> Sign and serve any notice, order or document or act as proper officer under Section 234 of the Local Government Act 1972 where no other officer is currently appointed. To affix and attest the common seal of the Council where the common seal is required pursuant to any decision of the Council. To take any measures necessary to recover possession of land owned or leased by the Council, including encampments (whether or not on Council owned land). Authorise the postponement of charges made on Council property. Day to Day management of assigning budget resources to all legal matters.	

	1.5 Treasury Management including banking, revenue and capital programmes	CFO	<p><b>1.5.1 Executive Directors / CFO</b> Write Off irrecoverable debts Administration of banking arrangements Manage insurance for the Council, its property and employees Exchequer services including raising and repayment of loans. Approval and publication of Statement of Accounts Authorisation of virements and budget transfers Authorise urgent payments</p> <p><b>1.5.2 Executive Directors / CFO</b> Collect, administer, demand and recover Council Tax and National Non Domestic Rate precepts and any other Tax or Charge levied by the Council. Collection of rents.</p>	See authorisations given effect by Financial Regulations
	1.6 Fees and Charges	CFO	<p><b>1.6.1 Executive Directors</b></p> <p>Variation of fees and charges</p>	
	1.7 Procurement	ED	<p><b>1.7.1 Executive Directors / CFO</b> Day to day management and enforcement of the Council's Procurement Strategy.</p>	
	<del>1.8 Public and Civil Emergencies</del>	<del>Civil Emergency Liaison and CE Leader, Deputy Leader, MO</del>	<p><del><b>1.8.1 Chief Executive</b> To exercise any power to protect the interests and well-being of the inhabitants of the Borough in cases of emergency</del></p> <p><del><b>1.8.2 Executive Directors</b> Day to day management of the Civil Emergency Plan</del></p>	<del>C Cabinet as soon as reasonably practical</del>

	1.98 Business Continuity	ED	<b>1.98.1 Executive Directors</b> Day to day management of the process	
	1.40-9 Policies relating to Employment, Personnel, salaries, Pensions, Training and equalities (as an employer)	ED	<b>1.409.1 Executive Directors</b> Implementation of service re-organisations and re-structuring within budget.  Approval for the funding of training courses for both full and part time study for all employees  Updating the Performance Management Scheme  <b>1.409.2 Chief Executive</b> Changes to posts for senior staff (Executive Directors)	C ED     C ED on Settlement agreements.
	1.44-10 Health and Safety as an employer		<b>1.4410.1 Chief Executive</b> Day to day responsibility for the Council's Health and Safety function	
	1.42-11 Civics	CE, Officer  Civics  Mayor or Deputy Mayor	<b>1.4211.1 Chief Executive</b> To determine applications to use the Council's coat of arms  <b>1.112.2 Executive Directors</b> Day to management of the office of the Mayor and Deputy Mayor and civic ceremony	
	1.43-12 Equal Opportunities (not as the employer)		<b>1.4312.1 Executive Directors</b> Day to day management	
	1.44-13 Communication	ED	<b>1.4413.1 Executive Directors</b>	

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			Day to day management of communications on behalf of the Council, in accordance with Council Policy	
	1.4514 Performance Management	ED	1.4514.1 Executive Directors Implementation of performance management reviews and production of performance management information.	
	1.46-15 Audit, Fraud and Risk Management	External Audit, Internal Audit, MO as necessary	1.4615.1 Executive Directors / CFO Responsibilities under S.151 and S114 (Chief Financial Officer). Enforcement of Financial Regulations Day to day management of the Internal Audit function and process. 1.4615.2 Chief Executive Day to day management of the Corporate Risk Register Service Level Risks	

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Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
<b>2 Culture and Deputy Leader</b>				
	2.1 Museums	ED	<b>2.1.1 Executive Directors</b> Day to day management of museum premises owned by the Council, including Stories of Lynn.	

	2.2 Financial Assistance Schemes for sports and arts	WM	<b>2.2.1 Executive Directors</b> Administer award the grants within the Sports Training and Coach Education grants scheme after consultation with the Alive Leisure Trust.	
	2.3 Financial Assistance Schemes	Relevant ED	<b>2.3.1 Executive Directors / CFO</b> Administration of the Council's financial assistance schemes (except sports and arts).	
	2.4 Management of Ancient Corporate Estates		<b>2.4.1 Executive Directors</b> Day to day management of the ancient corporate estates.	
	2.5 Health improvement and promotion including public health and community care <u>and Lily</u>		<b>2.5.1 Executive Directors</b> Day to day management	
	2.6 Local Health Partnerships		<b>2.6.1 Chief Executive</b>	
	2.7 Development and promotion of cycling related matters		<b>2.7.1 Executive Directors</b>	
	2.8 Promotion and Marketing of the Borough	ED	<b>2.8.1 Executive Directors</b> Day to day promotion and marketing of the Borough	

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	2.9 Tourism	ED	<p><b>2.9.1 Executive Directors</b> Day to day management of tourism premises owned or operated by the Council Day to day management of Heritage premises in the Council's ownership.</p> <p><b>2.9.2 Executive Directors</b> Day to day management of the tourism issues including management. Arranging or overseeing exhibitions, conferences and tourism as appropriate</p>	
	2.10 Leisure, Arts and Green Spaces policies and strategies	ED	<p><b>2.10.1 Executive Directors</b> Day to day operation of the policies</p>	
	2.11 Parks, Gardens and amenity areas including play areas and allotments	WM, ED	<p><b>2.11.1 Executive Directors</b> Day to day management of such facilities including exclusion of persons as necessary</p>	
	2.12 Determination of Applications for Circuses on Council property.		<p><b>2.12.1 Executive Directors</b> Determination of applications to hold circuses on council land</p>	
	2.13 Resort and Seafront Management	WM, ED	<p><b>2.13.1 Executive Directors</b> Day to day management of resorts and seafront</p>	
	2.14 Sports facilities, venues	ED	<p><b>2.14.1 Through ALIVE <u>Management-West Norfolk</u> - Executive Directors</b> Management and Maintenance of the fabric of all leisure and sports buildings</p>	
	2.15 Arts/Theatre/Entertainment facilities, venues	ED	<p><b>2.15.1 Through ALIVE <u>Management-West Norfolk</u> - Executive Directors</b></p>	

			Management and Maintenance of the fabric of all arts and entertainment.	
	2.16 Community Facilities	WM	2.16.1 <b>Through ALIVE <u>Management West Norfolk</u>- Executive Directors</b> Management and Maintenance of the fabric of the buildings 2.16.2 <b>Executive Directors</b> Operational Management of miscellaneous community centres.	
	<u>2.17 Pontoons and Ferry</u>		<u>2.17.1 Executive Directors</u> <u>Management of the Pontoons and day to day liaison regarding the West Lynn Ferry operation</u>	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
3 Project Delivery				
	3.1 Regeneration strategy, policy, projects and implementation	ED	<b>3.1.1 Executive Directors</b> Day to day management of Regeneration Projects  Submission of bids for and Management of Regeneration projects  <b>3.1.2 Executive Directors</b> Authorisation to retain professional expertise as required	C PH.

	3.2 Redevelopment & Development projects	ED	<b>3.2.1 Executive Directors</b> Oversight, day to day management and implementation of redevelopment projects	C PH
	3.3 Property (not Industrial Estates)	ED PH where property is in another portfolio holders functional area	<b>3.3.1 Executive Directors</b> Management of Council property interests together with the ability to authorise all related property transactions at market rent/value. Subject to: <ul style="list-style-type: none"> <li>• Acquisition or disposal of freehold land up to £100,000.</li> <li>• Acquisition or disposal of leasehold land up to an annual rental value of £100,000.*</li> <li>• Discharge or relaxation of freehold or leasehold covenants.</li> <li>• Determine all applications for the assignment of lease agreements**.</li> <li>• To approve or refuse applications to the Council as Landlord for any approval or consent</li> <li>• Authorise non Housing Act tenancies and licences.</li> <li>• Authorise the applications to release or relax restrictive covenants attached to houses formally owned by the Council.</li> </ul>	C ED, PH * Financial limit not applicable to industrial estates where an unlimited rental is allowed. ** except where residential element. C ED C ED, PH, WM C ED, PH

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on delegation
4 <b>Development (Full Planning Scheme of Delegation is a separate document)</b>				
	4.1 Local Plan, planning and Land Use Policy		<b>4.1.1 Executive Directors</b> Minor consequential amendments to planning policy in accordance with national and regional policy changes. Issuing of Local Plan guidance and information. Implementation of major strategic allocations <u>Day to day management of the Planning service.</u>	C - ED
	4.2 Transport policies		<b>4.2.1 Executive Directors</b> Responding to consultations on traffic regulation orders	
	<u>4.3 Planning Enforcement</u>		<u>4.3 Executive Directors</u> <u>Day to day management of the Planning Enforcement operation</u>	
	4.3.4 Building Control		<b>4.3.1 CNC – Executive Directors</b> The exercise of all local authority functions under the Building Act 1984, the Housing Acts and Public Health Acts so far as they	

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			relate to the function of the Council as a Building Control Authority. Act as appointing officer under the Party Wall Act 1996. Building Control enforcement and exercise the right of entry to land and premises.	
	4.4-5 Street naming and numbering	WM	<b>4.45.1 Executive Directors</b> Street numbering and naming	
	4.56 Commons		<b>4.56.1 Executive Directors</b>	
	4.67 Compulsory Purchase Orders and Enforced Sale Procedures		<b>4.67.1 Executive Directors</b>	
	4.78 Land Charges		<b>4.78.1 Executive Directors</b> Maintain the Register of Local Land Charges and Land Terrier.	
	4.89 Derelict Land and Buildings		<b>4.89.1 Executive Directors</b> Day to day management	
	4.910 CIL		<b>4.910.1 Executive Directors</b> Day to Day management	
	4.4011 Planning and Delivery of Custom and Self Build Strategy		<b>4.4011.1 Executive Directors</b> Day to day management	
	4.4412 Bus Shelters		<b>4.4412.1 Executive Directors</b> Day to day management	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on delegation
5 <b><u>Environmental Services and Public Protection</u></b>				
	<u>5.1 Public and Civil Emergencies</u>	<u>Civil Emergency Liaison and CE Leader, Deputy Leader, MO</u>	<b><u>5.1.1 Chief Executive</u></b> <u>To exercise any power to protect the interests and well-being of the inhabitants of the Borough in cases of emergency</u>  <b><u>5.1.2 Executive Directors</u></b> <u>Day to day management of the Civil Emergency Plan</u>	<i>C – Cabinet as soon as reasonably practical</i>
	<del>5.4</del> <u>2</u> Policies and strategies relating to: Environmental Strategy, <del>including air quality,</del> contaminated land, water quality/usage.	ED	<b><u>5.4.2.1 Executive Directors</u></b> Day to day management	
	<del>5.2</del> <u>3</u> Control of noise, odour, light, dust, smoke and other pollutants, Public Health Land drainage and sewerage issues Planning and Licensing consultations regarding the above		<b><u>5.2.3.1 Executive Directors</u></b> Day to day management	

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	Waste Management enforcement. Building Act 1984 and Housing Acts as relevant to environmental health			
	<del>5.3 Bio-diversity, Local character</del>		<del>5.3.1 Executive Directors</del> <del>Day to day management</del>	
	5.4.1 All aspects of Recycling and refuse collection including waste minimisation and composting,		<b>5.4.1 Executive Directors</b> Day to day management	
	5.5 Street scene and public cleansing		<b>5.5.1 Executive Directors</b> Day to day management	
	5.6 Energy strategy and issues	ED	<b>5.6.1 Executive Directors</b> Monitoring of energy efficiency measures to Council buildings.	
	5.7 Community Safety/Neighbourhood nuisance service		<b>5.7.1 Executive Directors</b> General day to day management of the community safety service and compliance with any legislative provisions relating to crime, disorder and nuisance.  Investigations, authorisations and interventions relating to anti-social behaviour including service of notices, warrants and any other statutory enforcement.	

	5.8 Street Lighting		<b>5.8.1 Executive Directors</b> Day to day management of the Council's street lighting	
	5.9 Food		<b>5.9.1 Executive Directors</b> Day to day management of the food related services	
	<del>6.9</del> <b>5.10</b> <u>Licensing Policies</u>		<del>6.9</del> <b>5.10.1 Executive Directors</b> <u>Day to day implementation of the Licensing Policies and associated matters including signature and service of all notices under the relevant legislation including any and all enforcement</u>	Formatted: Font: Not Bold
	<del>6.10</del> <b>5.11</b> <u>Health and Safety where not as the employer</u>		<del>6.10</del> <b>5.11.1 Executive Directors</b> <u>Approval of Health and Safety Inspectors under the relevant legislation</u>  <u>Day to day responsibility of the Health and Safety process where not as the employer including the signature and service of all notices under the relevant legislation.</u>	Formatted: Font: Not Bold
	<del>6.11</del> <b>5.12</b> <u>To carry out the Council's functions as a Port Health Authority.</u>		<del>6.11</del> <b>5.12.1 Executive Directors</b> <u>To carry out the day to day functions of the Port Health Authority</u>	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
6 <u>Climate Change and Commercial Services</u>				
	6.1 Equal Opportunities (not as the employer)		<b>6.1.1 Executive Directors</b> Day to day management	
	6.2 Cemeteries and Crematorium		<b>6.2.1 Executive Directors</b> The day to day management of the Council's cemeteries and crematorium and the granting of exclusive burial rights.	
	6.3 Car Parking		<b>6.3.1 Executive Directors</b> Day to day administration of Council owned car parks in the Borough, including amendments to Car Parking Orders in consultation with portfolio holder.  <b>6.3.2 Executive Directors</b> Day to day operation of parking enforcement carried out on behalf of third parties.  <b>6.3.3 Executive Directors</b> Management Responsibility for civil parking enforcement.	
	6.4 CCTV		<b>6.4.1 Executive Directors</b> Day to day management of the CCTV function	
	6.5 King's Court, Office and Depot Accommodation	Property Services Manager	<b>6.5.1 Executive Directors</b> Day to day facilities management of King's Court and any other office and Depot accommodation operated by the Council.	

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	6.6 Town Hall Complex		<b>6.6.1 Executive Directors</b> Day to day management of the complex	
	6.7 ICT and the web site	ED	<b>6.7.1 Executive Directors</b> Day to day management of the service	
	6.8 GDPR, Freedom of Information and Data Protection	MO	<b>6.8.1 Monitoring Officer</b> Respond to requests for information under the GDPR, Freedom of Information and Environmental Information legislation , requests under Data Protection legislation within statutory timescales. Maintain FOI Publication Scheme Maintain Council's Data Protection registration and act as Data Protection Officer. Authorise the use, loan or reproduction of the Councils archive material.	
	<del>6.9 Licensing Policies</del>		<del><b>6.9.1 Executive Directors</b> Day to day implomentation of the Licnensing Policies and associated matters including signature and service of all notices under the relevant legislation including any and all enforcement</del>	
	<del>6.10 Health and Safety where not as the employer</del>		<del><b>6.10.1 Executive Directors</b> Approval of Health and Safety Inspectors under the rolevant legislation  Day to day responsibility of the Health and Safety process where not as the employer including the signature and service of all notices under the relevant legislation.</del>	

	<del>6.11 To carry out the Council's functions as a Port Health Authority.</del>		<del>6.11.1 Executive Directors</del> <del>To carry out the day to day functions of the Port Health Authority</del>	
	6.9 Policies relating to air quality,		<b>6.9.1. Executive Directors</b> <u>Day to day management</u>	
	<del>5.3</del> 6.10 <u>Bio-diversity,</u> <u>Local character</u>		<del>5.3</del> <b>6.10.1 Executive Directors</b> <u>Day to day management</u>	

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Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
<b>7 Housing</b>				
	7.1 Housing Strategies and Associated Policies		<b>7.1.1 Chief Executive and Housing Services Manager</b> Day to day delivery of housing and homeless strategies and policies including administration of the Council's Housing policies	
	7.2 Housing Register		<b>7.2.1 Chief Executive and Housing Services Manager</b> Management of Housing Register in accordance with policy and nominations of households to Registered Providers.	
	7.3 Homelessness		<b>7.3.1 Chief Executive and Housing Services Manager</b> Exercise of homelessness functions.	
	7.4 Housing Standards in the Private Sector		<b>7.4.1 Chief Executive and Executive Directors</b> Day to day delivery of housing standards role including housing enforcement and compliance functions.	
	7.5 Houses in Multiple Occupation (HMO)		<b>7.5.1 Chief Executive and Executive Directors</b> Grant, renew and revoke all licences and issues under the relevant housing legislation	

	7.6 Home Improvement Agency, Care and Repair and associated operations and Careline		<b>7.6.1 Executive Directors</b> Day to day management of the Home Improvement Agency, Care and Repair and associated operations and Careline	
	7.7 Residential Caravan Site Licensing		<b>7.7.1 Chief Executive and Executive Directors</b> To grant, transfer or revoke licenses and exercise of duties in relation to residential caravans.	
	7.8 Loans and grants for housing	CFO	<b>7.8.1 Chief Executive and Executive Directors</b> Approval/refusal/withdrawal and authorisation of renovation grant scheme payments.	
	7.9 Social Inclusion		<b>7.9.1 Executive Directors</b> Day to day management	
	7.10 Gypsy, Roma and Travellers	WM	<b>7.10.1 Chief Executive</b> Exercise of function. Dealing with unauthorised encampments	
	7.11 Housing benefit, welfare benefits and advice	ED	<b>7.11.1 Executive Directors and CFO</b> Administration of housing benefit and Council Tax benefit and discretionary housing payments	

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Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
<b>8 Business Development</b>				
	8.1 Economic Development Policy and Strategy and Economic related External funding, and submission of funding applications.	ED	<b>8.1.1 Executive Directors</b> Day to day management of the process	
	8.2 Management of the Industrial Estates		<b>8.2.1 Executive Directors</b> Day to day management of the process Management of Council Industrial Estates interests together with the ability to authorise all related transactions at market rent/value. Subject to: <ul style="list-style-type: none"> <li>• Acquisition or disposal of freehold land up to £100,000.</li> <li>• Acquisition or disposal of leasehold land up to an annual rental value of £100,000.*</li> <li>• Discharge or relaxation of freehold or leasehold covenants.</li> <li>• Determine all applications for the assignment of lease agreements**.</li> <li>• To approve or refuse applications to the Council as Landlord for any approval or consent</li> <li>• Authorise non Housing Act tenancies and licences.</li> <li>• Authorise the applications to release or relax restrictive covenants attached to houses formally owned by the Council.</li> </ul>	



	8.3 Industrial and Commercial Promotion		<b>8.3.1 Executive Directors</b> Day to day management of the process	
	8.4 West Norfolk Partnership	ED	<b>8.4.1 Executive Directors</b> Management of the Council's involvement in the Partnership	
	8.5 Asset Register	Property Services Manager	<b>8.5.1 Executive Directors</b> Day to day management of the Asset Register, and matters arising therefrom	
	8.6 Community Asset Register		<b>8.6.1 Chief Executive</b> Retention of the Community Asset Register	
	8.7 Town Centre Management and liaison with the BID		<b>8.7.1 Executive Directors</b> Oversight and day to day management of town centres	
	8.8 Christmas Lighting		<b>8.8.1 Executive Directors</b> Provision of Christmas lighting across the Borough	
	8.9 Events in King's Lynn and Markets and Fairs		<b>8.9.1 Executive Directors</b> Day to day administration of events in King's Lynn and Markets and Fairs in the Borough	
	8.10 Public conveniences	WM	<b>8.10.1 Executive Directors</b> Management and maintenance of the Council's public conveniences.	
	8.11 Local Enterprise Partnerships	ED	<b>8.11.1 Chief Executive</b> Attendance and liaison with the LEP	

Body	Functions	Consultations	Officer Delegations	Limits on delegation
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<p><b>9 Council</b></p>	<p>9.1 The Constitution.            9.2 Adopting the Council's Policy Framework and determining matters involving a change or deviation from approved policy.            9.3 Approving the Council's position relating to local government boundaries, electoral divisions or number of Council Members.            9.4 By-law creating and management and promotion or making of local Acts.            9.5 Determining matters referred to Council by other bodies.            9.6 Appointments (staff and Members)            9.7 Determining the Council's Executive Arrangements.            9.8 Appointment of Honorary Aldermen or bestowing Freedom of the Borough.</p>		<p><b>Chief Executive</b></p> <p>To act as Head of Paid Service under and for the purposes of section 4 of the Local Government and Housing Act 1989 and lead the senior management team</p> <p>To act as Electoral Registration Officer and Returning Officer for all elections, Parish Polls and Referendums and to take such action as is necessary to carry out those duties.</p> <p><b>D Gates, Executive Director</b></p> <p>To act as Deputy Electoral Registration Officer and Returning Officer</p> <p><b>Chief Executive</b></p> <p>To act as the Proper Officer for the Council, as defined by Section 270 (3) Local Government Act1972</p> <p>To exercise any power to protect the interests and well being of the inhabitants of the Borough and the Council where it is considered necessary and desirable, in consultation with the Leader of the Council and the relevant Portfolio Holder and subject to notification of the relevant decision making body</p>	<p>C –Cabinet as soon as reasonably practical and report to Council at next meeting</p> <p>Consultation with the Leader and Cabinet Member for Personnel.</p>
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			<p>Staff Restructuring within budget including staff redundancies</p> <p>Day to day management of the Council's democratic processes. Member Substitutions at meetings</p> <p>Following resignation from a Council body, substitution of Members from same political group onto the Body for the remainder of the year.</p> <p>Replacement/substitution of members on Outside Bodies.</p> <p><b>Executive Directors</b> Day to day management of personnel function within the Council, including development of appropriate protocols in accordance with policy across the Council, including pay award negotiation, performance related pay, honoraria (as advised by Service managers or Management Team in the case of service head or above), leave arrangements, recruitment arrangements, disciplinary arrangements including suspension of service/compromise/termination arrangements, retirement arrangements, implementation of job evaluation.</p> <p>Variation and termination of employment contracts, extension of service following retirement</p>	<p>-Subject to notification from Group Leader or individual member</p> <p>-Subject to notification from Group Leader and agreement of CE.</p>
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			<p>age, suspension, confirmation of employment following completion of probationary period.</p> <p>Appointment of Temporary employees for up to 12 months (PG6-13)</p> <p>Authorisation of payment of loans, pay in lieu, allowances, compensation and grants etc to staff and waiver of such repayments or payments due in appropriate cases in accordance with policy</p> <p>Designation and associated work related to casual/essential user car allowances/ loans/hiring.</p> <p>Development of necessary protocols in accordance with overall legislation/policy</p>	
	9.10 Statutory Functions		<p><b><u>Legal Services Manager</u></b><b><u>Monitoring Officer</u></b></p> <p>To maintain and update a list of statutory provisions under which the Council acting through any Executive Director may exercise powers devolved to the Council</p> <p>Authorise, a prosecution, rights of entry, the commencement, defence or settlement of any legal proceedings brought by or against the Council, except in the case of Health and Safety at work prosecutions taken under the act or regulations made under the Act when the power to issue legal proceedings is given to the Health and Safety Inspectors be authorised under the relevant Health and Safety legislation.</p>	

		<p>To act as Monitoring Officer (Local Government &amp; Housing Act 1989), Registrar of Local Land Charges, Authorised Officer (under the Regulation of Investigatory Powers Act 2000), Parish Trustee. To Act as Money Laundering Officer (Proceeds of Crime Act 1995)</p> <p>Sign and serve any notice, order or document or act as proper officer Local Government legislation where no other officer is currently appointed.</p> <p>To affix and attest the common seal of the Council where the common seal is required pursuant to any decision of the Council.</p> <p><b>Assistant Director Resources</b> <del>Directors</del> <b>Executive</b> (Agreed Cncl 240113)</p> <p>To act as Chief Financial Officer under S.114 of the Local Government Finance Act 1988 and S.151 of the Local Government Act 1972</p> <p><b>Chief Executive</b> Authorised Officer under the Regulation of Investigatory Powers Act</p> <p>To exercise the delegated powers of any Executive Director where they are absent for any reason or the post is vacant.</p> <p>Officers identified in the Council's Scheme of Delegation are permitted to authorise other officers</p>	<p>*excluding any action involving the</p>
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			to exercise delegated function, unless specifically (whether by statute or otherwise) prohibited from doing so.	commencement of civil or criminal proceedings (delegated to LSM)
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Body	Functions	Consultations	Officer Delegations	Limits on delegation
10 <b>Cabinet</b>	<p>Individual delegations set out as per Portfolios above.</p> <p>10.1 Make recommendations to Council on corporate strategic and service policies and the detailed implementation of those policies</p> <p>10.2 Delivery of Services within the approved policy and budgetary framework and reviewing the operational framework functions and resources within it. Virement of funds in accordance with Financial Regulations</p> <p>10.3 Monitoring of the Councils Resources, make recommendations to Council on the overall Budget, Council Tax, and carry out any consultation required.</p> <p>10.4 To exercise any Executive function duty, action or power which is not delegated to any other</p>	<p>Delegations to individual portfolio holders apply equally to the Cabinet as a whole</p> <p>Report to Council</p> <p>Rec to Council</p>	Delegations as set out in portfolio groups	

	<p>Council Body in order to protect the Council's interests.</p> <p>10.5 Appoint representatives to Outside Bodies where they are Executive appointments.</p> <p>10.6 Refer any matter to Council for consideration.</p> <p>10.7 Commission Research into any matter or hold an enquiry into a particular issue or issues relating to the Borough or the Council at their discretion.</p>			
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**Body****Functions****Consultations****Officer Delegations****Limits on delegation**



<p><b>11 Licensing and Appeals Committee and Sub-Committees thereof.</b></p>	<p>11.1 To decide on Licensing applications including under the Licensing Act 2003 where objections have been received, applications to review premises licence/club premises certificate and whether to object to licenses when Authority is a consultee. 11.2 To decide on applications under the Gambling Act 2005.</p>	<p>ED             ED</p>	<p><b>Executive Directors</b> To administer and decide on Licensing applications under the Relevant legislation where no objections have been made, or have been withdrawn.</p> <p><b>Executive Directors</b> To administer and determine Gambling Act applications where no objections have been made, or have been withdrawn.</p>	<p>Where irresolvable objections/representations made - LAC</p>
<p><b>12 Licensing and Appeals Board and Panels thereof.</b></p>	<p>12.1 To decide on appeals/disciplinary matters for hackney carriages and private hire vehicle driver licences and Homelessness appeals and staffing appeals</p>		<p><b>Executive Directors</b> Approval of applications for hackney carriages and private hire vehicle driver licences except those falling within the categories in paragraphs (i) to (v) below, when they will go to the Licensing and Appeals Board or panels thereof:-</p> <ul style="list-style-type: none"> <li>(i) Applications which disclose that the applicant has been convicted of an offence involving indecency or violence;</li> <li>(ii) Applications which disclose that the applicant has been convicted of an offence involving dishonesty or drugs;</li> </ul>	

			<ul style="list-style-type: none"> <li>(iii) Applications which disclose that the applicant has been convicted of an offence under the provisions of the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976;</li> <li>(iv) Applications which disclose that the applicant has been convicted of an offence relating to the driving or ownership of a motor vehicle and has more than six penalty points on his/her licence;</li> <li>(v) Applications which disclose that the applicant has committed a breach of, or failed to comply with, the terms of an existing or previous hackney carriage or private hire licence.</li> </ul> <p>To approve applications for hackney carriage and private hire drivers licences that fall within any of the categories set out in paragraphs (i) to (v) of the preceding paragraph if in the opinion of the Executive Director – G Hall, any offence by the applicant is so minor or irrelevant as to have no proper bearing on the determination of the application.</p>	
		Consultation with Chr & V Chr and	Road Traffic legislation - to "suspend or revoke a Hackney Carriage or Private Hire	

		post decision to L&A Board for info	driver's licence with immediate effect where the Licensing Authority are of the opinion that the interests of public safety require such course of action 21.3.13 L&AB	
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Body	Functions	Consultations	Officer Delegations	Limits on delegation
<p>13 <b>Appointments Board</b></p>	<p>13.1 Full Board to appoint Chief Executive  13.2 Panels of Board to appoint Chief Officers  13.3 Panels of Board appoint Independent and Parish Council members of the Standards Committee*    13.4 Panels of the Board appoint members to the Independent Allowances Panel</p>	<p>Cabinet    Cabinet &amp; CE    *Chairman/Vice-Chairman of Standards Committee</p>		

Body	Functions	Consultations	Officer Delegations	Limits on delegation
<p><b>14 Standards Committee</b></p>	<p>14.1 Promote high standards of conduct within the Council</p> <p>14.2 Monitor the implementation and operation of the Codes of Conduct for Members, officers and towns &amp; parishes and confidential reporting codes, including development of protocols</p> <p>14.3 As a whole or in a Panel of the Committee to determine complaints made regarding breaches of the Code of Conduct</p>	<p>MO</p>	<p><del>Legal Services Manager</del> / <b>Monitoring Officer</b></p> <p>On behalf of the Committee to administer the local assessment of complaints and carry out investigations on complaints made under the Code of Conduct.</p> <p>To provide advice to Members and Towns &amp; Parishes including Clerks and Members on aspects of the Code</p>	

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