



GREAT YARMOUTH
BOROUGH COUNCIL

AGENDA

for the

CABINET

19 November 2008

at 6.00 pm

**LARGER PRINT COPY AVAILABLE
PLEASE TELEPHONE: 01493 846325**

CABINET

**To be held in the Supper Room, Town Hall, Great Yarmouth
on Wednesday, 19 November 2008 at 6.00 pm**

A G E N D A

DECLARATIONS OF INTEREST

You have a **PERSONAL INTEREST** in a matter being discussed at a meeting IF

- It relates to something on your Register of Interests form; or
- A decision on it would affect you, your family or friends more than other people in your Ward.

You have a **PREJUDICIAL INTEREST** in a matter being discussed at a meeting IF

- It affects your financial position or that of your family or friends more than other people in your Ward; or
- It concerns a planning or licensing application you or they have submitted
- **AND IN EITHER CASE** a reasonable member of the public would consider it to be so significant that you could not reach an unbiased decision.

If your interest is only **PERSONAL**, you must declare it but can still speak and vote. If your interest is **PREJUDICIAL**, you must leave the room. However, you have the same rights as a member of the public to address the meeting before leaving.

1. MINUTES

... To confirm the minutes of 3 and 22 October 2008 (pages 1-6).

2. ISSUES ARISING FROM SCRUTINY, ADVISORY GROUPS AND REGULATORY COMMITTEES

To consider any issues.

3. FORWARD PLAN – 1 NOVEMBER 2008 – 28 FEBRUARY 2009

The Forward Plan will follow.

4. COUNCIL TAX – TAX BASE

... The Revenue Services – Service Manager's (Enforcement) report is attached (pages 7-11).

5. MEMBERS ALLOWANCES 2008/09

... The Member Services Manager and Scrutiny Officer's report is attached (pages 12-13).

6. 2008/09 BUDGET MONITORING

The Head of Financial Services' report will follow.

7. To consider such other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

8. EXCLUSION OF PUBLIC

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

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

9. NEW LEASE OF EAST QUAY TO GREAT YARMOUTH PORT COMPANY

The Property Services Manager's confidential report to follow.

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CABINET

3 October 2008 – 11.30 am

PRESENT:

Councillor B Coleman (in the Chair); Councillors Ames, Plant, Shrimplin and Stone.

An apology for absence was received from Councillor Peck.

Mr R Packham (Managing Director), Mr T Howard (Head of Regeneration and Environment) and Mr R Hodds (Member Services Manager and Scrutiny Officer).

1. EXCLUSION OF PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the said Act.

(Councillors B Coleman and Shrimplin declared a personal non prejudicial interest in the following item in their capacity as a Borough Council and County Council representative on the Great Yarmouth Port Authority respectively, but in accordance with the provisions of the Members Code of Conduct they were allowed to speak and vote on the item.)

2. ISSUE DETERMINED BY THE CABINET UNDER THE TERMS OF THE CONSTITUTION

- (a) **Freehold Disposal of the Former Omnipac Site, Great Yarmouth**

3. CLOSURE OF MEETING

The meeting ended at 12.25 pm.

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CABINET

22 October 2008 – 6.00 pm

PRESENT:

Councillor B Coleman (in the Chair); Councillors Ames, Peck, Plant, Shrimplin and Stone.

Councillor Castle attended by invitation.

An apology for absence was received from Councillor Williamson.

Mr R Packham (Managing Director), Mrs J Ratcliffe (Executive Director – Customers and Resources), Mrs L Bigg (Bereavement Services Manager), Mr S Duncan (Head of Financial Services), Mrs L Mockford (Licensing and Elections Manager), Mr S Mutten (Service Manager – Environment), Mr B Partridge (Consultant Supporting Policy and Improvement), Mr M Smith (Environmental Services Officer) and Mr R Hodds (Member Services Manager and Scrutiny Officer).

1. MINUTES

The minutes of 24 September 2008 were confirmed.

2. PUBLIC RIGHT OF WAY – EAST ROAD TO ST NICHOLAS ROAD (SAINSBURY'S)

In accordance with paragraph 2.5 (e) of the Cabinet Procedure Rules of the Constitution, Councillor Castle requested Cabinet to consider the overnight closure of the public right of way at East Road to St Nicholas Road (Sainsbury's). Councillor Castle also presented a petition requesting the Borough Council to reverse its decision to close this pathway overnight as it causes needless inconvenience to local people going about their business.

The Cabinet Member (Environment) reported that the public right of way was in fact on land in the ownership of the Church but was maintained by the Borough Council. The gates had been provided through the Police Partnership. The Cabinet Member reported that Canon Woods had indicated that he did not wish for the gates to be shut but that as a compromise he had agreed to the closing of the gates at 7.00 pm each evening and the Police had agreed to carry out the closure and locking of the gates.

RESOLVED:

That approval be given to the compromise as outlined above and that the gates for this public right of way be closed and locked at 7.00 pm each evening by the Police and that the signs be amended accordingly.

3. ISSUES ARISING FROM SCRUTINY, ADVISORY GROUPS AND REGULATORY COMMITTEES

(a) Safer Neighbourhood Teams (SNT's)

Following the Scrutiny Committee's review into SNT's, Cabinet was recommended to agree that all Borough Councillors should work more formally with the SNT's and to have a nominated Councillor who would receive a monthly briefing from the Superintendent of Police at Great Yarmouth on issues occurring in the Borough.

RESOLVED:

That the Cabinet Member (Environment) be the nominated Councillor to receive a monthly briefing from the Superintendent of Police at Great Yarmouth.

4. FORWARD PLAN – 1 OCTOBER 2008 TO 31 JANUARY 2009

Cabinet received the Forward Plan for the period 1 October 2008 to 31 January 2009.

5. THE COUNCIL'S CORPORATE PLAN

Cabinet considered the report of the Consultant Supporting Policy and Improvement with regard to the Council's Corporate Plan 2008 to 2011.

The Consultant Supporting Policy and Improvement reported that the Corporate Plan now reflected a number of changes which impact upon the Council including:-

- The revisions taking place to the Sustainable Community Strategy.
- To reflect priorities agreed in the Norfolk Local Area Agreement which the Council have a duty to co-operate to deliver.
- To building key improvement priorities identified which will help the Council on its improvement journey including areas such as:-
 - Improving the Council's use of resources assessment.
 - Responding to issues raised in the Annual Audit and Inspection Letter and other Audit Commission Inspections.
 - Responding to recommendations made in the Customer Services Peer Review.
 - Moving forward key improvement areas such as Asset Management, Equality and Diversity.
- To reflect recent changes including the impact of fuel poverty and of issues raised by recent research such as the Holden-McAllister report.
- To give a stronger sense of direction about the Council's priorities particularly over the next 18 months.
- To reflect changes occurring in Performance Indicators with BVPI's having been replaced by the new National Indicator set.

The Cabinet was advised that the document would still need some further refinement and these would be made following Members' input into the document before the Council meeting next week.

RESOLVED:

That Council be recommended to approve the Corporate Plan 2008 to 2011.

6. SUSTAINABLE COMMUNITY STRATEGY

Cabinet considered the Interim LGR Advisor's report on a Sustainable Community Strategy for Great Yarmouth. Members were advised that the Strategy is a key policy document prepared by the Local Strategic Partnership which sets out a long-term vision for Great Yarmouth and how this will be delivered by partners working together. The Strategy had been revised in the light of new Government guidance to meet the requirements of Comprehensive Area Assessment and to make it a practical document to inform the actions of all agencies involved in the LSP. Some of the changes which have been made include:-

- Adding information on areas which did not previously appear (eg Housing, Social Cohesion, Young People).
- Clarifying its relationship with other key documents (eg the Norfolk LAA and the LDF).
- Giving more attention to "people issues" to ensure that local people benefit from the regeneration and economic development of the Borough.
- Responding to the needs of the Borough and consultation carried out. Members were also advised that a detailed Delivery Plan was being developed to take forward the Sustainable Community Strategy and this would be reported to the LSP Board for approval.

RESOLVED:

That the Sustainable Community Strategy for Great Yarmouth be recommended to Council for approval.

7. BUDGET MID-YEAR REPORT

Cabinet considered the Head of Financial Services' report which presented a General Fund Revenue Budget Mid-Year Review based upon the Budget Monitoring Performance report as at 31 August for the five months from 1 April to 31 August 2008.

RESOLVED:

That the Head of Financial Services' report on the Mid-Year Review be approved and referred to Council for approval.

8. 2008/09 BUDGET MONITORING

Cabinet received the Head of Financial Services' report which presented a General Fund Revenue Budget Performance Review as at 30 September for the six months from 1 April to 30 September 2008.

9. GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES FOR LARGE CASINO

Cabinet considered the Licensing and Elections Manager's report which sought approval to the Licensing Authorities' Draft Gambling Statement of Licensing Principles in relation to the Large Casino Licence. The Licensing and Elections Manager informed Members that Section 349 of the Gambling Act 2005 requires the Licensing Authority to prepare and publish a Statement of the Principles that it proposed to apply in exercising its functions under the Act. The Borough Council approved this policy on 23 November 2006 and it came into effect on 31 January 2007. This policy must be reviewed at least every three years. The Licensing and Elections Manager also tabled proposed revisions to the Statement of Principles for consideration by Cabinet.

RESOLVED:

That, subject to the inclusion of the agreed amendments, Council be recommended to approve the Licensing Authorities' Draft Gambling Statement of Licensing Principles in relation to the Large Casino Licence.

(Councillor Ames declared a personal interest in the following item in his capacity as a Director of SeaChange).

10. KING JOHN'S CHARTER CELEBRATIONS – MARKET CROSS STATUE

The Deputy Leader advised Cabinet that as part of the King John's Charter 800 Year Celebrations the Working Party set up to co-ordinate events had agreed that a Market Cross Monument should be provided in the area of the Market Place. As a result, a number of rocks had been donated from the Outer Harbour Development which it was proposed would provide such a monument on a proposed site outside the Fishermen's Hospital on the Market Place. However, following examination of the ground conditions this site would now not be suitable and accordingly, following a site visit by a Sub-Group of the Working Party, it was now proposed to site this Monument in the entertainment area of the Market Place adjacent to Burtons.

Members were also advised that as part of the "Out There" initiative being pursued by SeaChange, a number of blacksmiths would be visiting Great Yarmouth next weekend and it was proposed that they be asked to provide some wrought iron work to be provided in the form of recessed arches to the six entrances to the Six-Day Market. Cabinet was asked to endorse the King John's Working Party proposal that a sum of £3,000 be under-written towards the cost of this blacksmiths work.

Cabinet endorsed the proposals to provide the Market Cross Monument within the entertainment area in the Market Place on the lines outlined above, together with endorsement of the under-writing of the sum of £3,000 towards the cost associated with blacksmiths providing the wrought iron work for both the Six-Day Market and also possibly wrought iron work as part of the Market Cross Monument.

11. ISSUES DETERMINED BY THE CABINET UNDER THE TERMS OF THE CONSTITUTION

- (a) **Consultation on Directly Elected Members of the Broads Authority/Parish Members of the Broads Authority**
- (b) **Adoption of the Norfolk Climate Change Strategy.**

12. CLOSURE OF MEETING

The meeting ended at 6.50 pm.

2008/09

Subject:

Council Tax – Tax Base

AGENDA
RES.10
ITEM

4

Is this decision for:

Full Executive	Yes	Is it a Key Decision?	No
Single Member	No	Is it a Key Decision?	No
		Portfolio Holder:	Councillor S Ames
or a Key Decision for an Officer			No

Date for Decision:

19 November 2008

**For publication/
Not for
publication?**

If not for publication, why is the information exempt?

Report by:

Revenue Services - Service Manager (Enforcement)

Matter for decision

The Council Tax base has to be formally set each year. The attached report asks the Cabinet to approve the calculation of the 2009/10 tax base totalling 31,286. It is recommended that the estimated tax bases for the Borough and for each parish, as shown in Appendix A be approved.

Existing relevant Council policies	
None	
Budget details	
None	
Consultations	
Head of Financial Services endorses the report	
Possible options and recommendations	
To approve the calculation of the 2009/10 tax base totalling 31,286 and the estimated tax bases for the Borough and for each parish, as shown in Appendix A.	
Background Papers	
Local Authority (Calculation of Tax Base) Regulations 1992. The Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003. ODPM Council Tax Information Letters 7 and 8 2003 Collection Fund (Tax Base) Directions 1993. Joint ADC/AMA Practice Note, 17 October 1993. Print out of analysis of tax base.	
Notes: (1) Non confidential reports to Executive must be publicly available for five days beforehand. (2) Non confidential reports dealing with key decisions to be taken by a single Executive Member or Officer must be publicly available for five days before the decision is taken. Whether or not such a report is confidential, a copy must be given as soon as practicable to the relevant Overview and Scrutiny Chairman.	
For Member Services Department Use Report No. Date circulated to Members of Council Expiry of call in Called in	RES10

TAX BASE -EQUIVALENT BAND'D' for 2009/2010

Appendix A

	Current Data base after discounts	Adjustments for Assumptions					Adjusted total	Non- collection 1.00%	TAX BASE	% props in parish
		+ New Props	Less Appeals	Less Seasonal person discounts	Single person discounts					
PARISH:										
Gt Yarmouth/Gorleston	15197	121	0	0	0	15318	-153	15165	48.14%	
Ashby with Oby	23	0	0	0	0	23	0	23	0.07%	
Belton with Browston	1239	1	0	0	0	1240	-12	1228	3.92%	
Bradwell	3525	32	0	0	0	3557	-36	3521	11.17%	
Burgh Castle	475	5	0	-10	0	470	-5	465	1.50%	
Caister on Sea	3089	16	0	0	0	3105	-31	3074	9.79%	
Filby	289	2	0	0	0	291	-3	288	0.92%	
Fleggburgh	356	6	0	0	0	362	-4	358	1.13%	
Fritton with St Olaves	247	0	0	0	0	247	-2	245	0.78%	
Hemsby	1441	20	0	-115	0	1346	-13	1333	4.56%	
Hopton	1095	2	0	0	0	1097	-11	1086	3.47%	
Martham	1126	18	0	0	0	1144	-11	1133	3.57%	
Mautby	146	0	0	0	0	146	-1	145	0.46%	
Ormesby St Margaret	1702	6	0	-51	0	1657	-17	1640	5.39%	
Ormesby St Michael	121	1	0	0	0	122	-1	121	0.38%	
Repps with Bastwick	168	0	0	0	0	168	-2	166	0.53%	
Rollesby	368	2	0	0	0	370	-4	366	1.17%	
Somerton	111	0	0	0	0	111	-1	110	0.35%	
Stokesby	119	1	0	0	0	120	-1	119	0.38%	
Thurne	53	0	0	0	0	53	-1	52	0.17%	
West Caister	78	0	0	0	0	78	-1	77	0.25%	
Winterton	599	7	0	-29	0	577	-6	571	1.90%	
TOTAL	31567	240	0	-205	0	31602	-316	31286	100.00%	

STUARTTAXBASE2009-2010\tbac01for09-01 (sheet 'C')

Subject: Council Tax – Tax Base

Report to: Cabinet –19 November 2008

Report by: Revenue Services - Service Manager (Enforcement)

The Council Tax base is a technical calculation that has to be formally set each year. It is the first stage of the Council Tax setting process that will be finalised once the budgets have been agreed. This report asks the Cabinet to approve the calculation of the 2009/10 tax base totalling 31,286. This is the total number of domestic properties in the Borough using band D as the average property band. It is recommended that the estimated tax bases for the Borough and for each parish, as shown in Appendix A be approved.

1 Tax base calculation

1.1 Dwellings have been valued in accordance with the following valuation bands:

<i>Valuation</i>	<i>Range of Values</i>	<i>Proportion of 'Band D charge'</i>
A	Up to £40,000	6/9=2/3
B	Over £40,000 up to £52,000	7/9
C	Over £52,000 up to £68,000	8/9
D	Over £68,000 up to £88,000	9/9=1
E	Over £88,000 up to £120,000	11/9
F	Over £120,000 up to £160,000	13/9
G	Over £160,000 up to £320,000	15/9=5/3
H	Over £320,000	18/9=2

The tax bill for each band is calculated in proportion to band D, which is deemed to be the average for these purposes. Accordingly, a taxpayer whose home is in band A will pay two-thirds of what someone whose home is in band D will pay; a taxpayer whose home is in band H will pay twice what someone whose home is in band D will pay.

1.2 A tax base calculation has to be done in accordance with the Local Authority (Calculation of Council Tax Base) Regulations 1992 as amended for each parish based on the number of taxable dwellings calculation in terms of band D equivalent.

1.3 The calculation involves the following:

- (a) the number of current chargeable dwellings for each band shown in the valuation list;
- (b) the number of discounts and disabled reductions which apply to those dwellings;
- (c) the estimated changes during the coming year, for example, for new properties, discounts and appeals;
- (d) the proportion which dwellings in a band bear to dwellings in band D (as shown in paragraph 1.1); and
- (e) the estimated collection rate.

1.4 The main assumptions used are:

- (a) The estimated collection rate is 99%; and
 - (b) The estimated net number of new properties to be added during next year is about 240.
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Departmental reference: taxbase report-Executive-19-11-08

Date: 19 November 2008

Background papers: Local Authority (Calculation of Tax Base) Regulations 1992.

The Local Authorities (Calculation of Council Tax Base)
(Amendment) (England) Regulations 2003.

ODPM Council Tax Information Letters 7 and 8 2003

Collection Fund (Tax Base) Directions 1993.

Joint ADC/AMA Practice Note, 17 October 1993.

Print out of analysis of tax base.

Subject: **MEMBERS' ALLOWANCES 2008/09**

Report to: Cabinet – 19 November 2008
Council – 8 January 2009

Report by: Member Services Manager and Scrutiny Officer

SUBJECT MATTER/RECOMMENDATIONS:

This report sets out the recommendations for Members' Allowances for the Municipal Year 2008/09, and will be effective as from 1 May 2008.

1. INTRODUCTION/BACKGROUND

1.1 Members are reminded that Council in April 2006 agreed that, in future, Members' Allowances will be annually index-linked to the Local Government Staff Pay Award. Whilst the pay award has not been formally agreed by the Management and UNISON the offer on the table of a 2.45% increase has now been paid to staff in anticipation of agreement being reached in the near future. In the event of the employers offer being increased then obviously the necessary adjustments will be made.

Pending the final agreement being reached it is proposed that the Members' Allowances be increased by 2.45%, and then adjusted if necessary.

1.2 Members are also reminded that as well as determining the increase to the basic allowance, the Schedule of Special Responsibility Allowances (SRA's) also need to be agreed.

2. RECOMMENDATIONS

2.1 Cabinet is asked to recommend to Council the following scheme of Members' Allowances with effect from 1 May 2008:-

(a) To increase the basic allowance from £3,483 to £3,568.

(b) SRA's as follows:-

		£
Leader	1	9,828
Cabinet Members	5	5,459
Shadow Cabinet Members	5	891
Cabinet Support Members	5	891
Shadow Leader	1	4,139
Mayor (Chairman of Council)	1	1,783
Deputy Mayor	1	715

Scrutiny Committee

Chairman	1	3,568
Vice-Chairman	1	715

Audit and Risk Committee

Chairman	1	3,568
Vice-Chairman	1	715

Regulatory Committees

- Housing Appeals	Chairman	1	891
- Licensing	Chairman	1	1,871
- Appeals	Chairman	1	270

Development Control Committee

Chairman	1	3,568
Vice-Chairman	1	715

BASIC ALLOWANCES

All Members	39	3,568
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Does this report raise any legal, financial, sustainability, equality, Crime and Disorder or Human Rights issues and, if so, have they been considered?	Issues	
	Legal	No
	Financial	Yes
	Sustainability	No
	Equality	No
	Crime and Disorder	No
	Human Rights	No
Every Child Matters	No	

Dept Reference: REGH/SYB/Y:\HMLS\MemberServices\Robin Hodds\Reports\Members' Allowances - Cabinet 19.11 and Council 08.01.09.doc

Date: 6 November 2008

Background Papers: