



**GREAT YARMOUTH**  
BOROUGH COUNCIL

**ADDITIONAL PAPERS**

**for the**

**CABINET**

**20 June 2007**

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**CABINET**

**20 June 2007**

## **ADDITIONAL PAPERS**

**1. MINUTES**

... The minutes of 23 May 2007 are attached (pages 34 - 37), and Confidential minutes of 23 May are also attached (pages 40 - 41, green paper).

**9. SCRUTINY SUPPORT**

... The Head of Central Services' report is attached (pages 38 - 39).

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**THE CABINET**

**23 May 2007 – 6.30 pm**

**PRESENT:**

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

Councillor Wainwright attended by invitation.

Mr R Packham (Managing Director), Mrs J Ratcliffe (Executive Director – Resources), Mr J Hemsworth (Transition Manager), Mr R Neve (Property Services Manager), Mr M Gorringe (Acting Head of Financial Services) and Mr R Hodds (Member Services Manager).

Sue Dukes and Laura Tomlinson (Audit Commission) also attended.

**1. MINUTES**

The minutes of 18 April 2007 were confirmed.

**2. ANNUAL AUDIT AND INSPECTION LETTER – AUDIT COMMISSION**

Members considered presentations from Ms S Dukes and Ms L Tomlinson from the Audit Commission in respect of the Annual Audit Letter 2005/06. The representatives explained that the letter provided an overall summary of the Audit Commission's assessment of the Council. It draws on the findings and conclusions from the Audit of the Council and from any inspections that had been undertaken in the last year. The letter also includes the Commission's review of how well the Council has progressed and the Auditor's assessment of how well the Council has managed its finances.

The representatives reported that the main messages for the Council included in the Commission's report were:-

- Overall, performance is improving across a wider front than last year. But this improvement remains variable and although the rate of improvement is close to the national average, it is slower than the Council would like. Parts of the services that matter most to the public continue to improve but there is no comprehensive trend of improvement across most services. There has been a recent turnaround in the performance of Revenues and Benefits, but overall performance continues to rise and fall in priority services such as Housing Management, Environmental Services and Planning. Much good regeneration work is coming to fruition, although efforts to create jobs, develop the road infrastructure and have more impact at regional level, have been less successful. Community safety and community housing largely continue to improve well.

- Improved management and performance, in some areas, has enabled the Council recently to turnaround some under performing services and realise efficiencies, such as in Housing Benefits, Customer Services and Land Searches. However, action to address other under performing areas such as ensuring equality and diversity of service provision has been lacking. Further work is needed to improve corporate building blocks such as performance management, scrutiny, procurement, asset management, training, development of a "responsive, can do culture" and IT support.
- However, the Council has carried out a full and honest organisational review into how to improve performance and ensure local people get the best services; it is starting to work through the action plans resulting from the review.
- As a consequence of inadequate supporting working papers and significant amendments being required to the accounts submitted for audit, the Auditor's opinion was delayed beyond the statutory deadline of 13 September. The Auditor anticipates being in a position to provide an unqualified opinion on the revised accounts by the end of March 2007.
- The Auditor's conclusion on the Council's value for money (VFM) arrangements at 31 March 2006 should also be issued by the end of March 2007. An adverse opinion will be issued to reflect the fact that these arrangements are inadequate currently. This opinion draws on a number of elements of the Use of Resources Assessment. The Commission's assessment of the Council's Use of Resources for 2007 is that minimum standards are not met overall.

The representatives reported that the action needed by the Council was as follows:-

- Ensure the sustainability of service improvements through close scrutiny of performance.
- Address equality and diversity in service provision to ensure local people are getting equitable access to services.
- Continue to implement the improvement plan resulting from the organisational review.
- Ensure the improvement of key corporate building blocks such as performance management, procurement and asset management.
- Ensure that the recommendations made in the Appointed Auditor's Annual Governance Report are addressed.
- Address the issues necessary to improve the Council's Use of Resources Assessment.

RESOLVED:

That the Audit Commission's Annual Audit Letter 2005/06 be received, and the action points as detailed in the letter be referred to Council for approval.

### 3. 2005/06 FINAL AUDITED STATEMENT OF ACCOUNTS

Cabinet noted the Interim Head of Financial Services report which detailed the material changes between the 2005/06 draft (un-audited) Statement of Accounts approved by Cabinet in June 2006, and the Final (audited) Accounts that had recently been signed off.

**4. ISSUES ARISING FROM SCRUTINY, POLICY DEVELOPMENT AND REGULATORY COMMITTEES**

**(a) Member Structure/Training**

On reference from the Scrutiny Committee of 23 April 2007, Cabinet was recommended to:-

- (i) To consider the establishment of a cross party working group to look into the current member structure and fora.
- (ii) The issue of member training to be looked into as detailed in the Corporate Director (Social Policy) report.
- (iii) The Cabinet structure be looked into to ensure that members can feed any comments into the Cabinet.
- (iv) The State of the Borough Debate to be reviewed in the light of the comment made regarding the introduction of consultative meetings.

RESOLVED:

That recommendations (i) to (iv) above be approved.

**5. FORWARD PLAN – 1 APRIL TO 31 JULY 2007**

Cabinet received the Forward Plan for the period 1 April to 31 July 2007.

**6. EXCLUSION OF THE 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.

**7. ISSUES DETERMINED BY THE CABINET UNDER THE TERMS OF THE CONSTITUTION**

(Councillors Coleman and Shrimplin declared their interests in the following two items in their capacity as the Borough Council and County Council's respective nominated representatives on the Great Yarmouth Port Authority, and were both allowed to speak and vote on the following two items).

- (a) Outer Harbour – Property Transactions
- (b) Land for Inclusion within Outer Harbour

(Confidential minutes in respect of items (a) and (b) above.)

**8. CLOSURE OF MEETING**

The meeting ended at 7.20 pm.

**Subject:**

Scrutiny Support	LD2 <b>AGENDA</b> ITEM
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**Is this decision for:**

<b>Full Executive</b>	Yes	<b>Is it a Key Decision?</b>	No
	No	<b>Is it a Key Decision?</b>	No
<b>Single Member</b>		<b>Portfolio Holder:</b>	Barry Coleman
<b>or a Key Decision for an Officer</b>			No

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**Date for Decision:**

20 June 2007
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**For publication/ Not for publication?**

If not for publication, why is the information exempt?
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**Report by:**

Head of Central Services
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**Matter for decision**

Scrutiny Support

1. Scrutiny Committees have been a feature of the local government scene since they were introduced by the Local Government Act 2000. The support given to Scrutiny committees varies from council to council. Some authorities employ dedicated Scrutiny Officers; some provide no specific support.
2. At Great Yarmouth we have trialed various Scrutiny options. We started off in 2002 with four Scrutiny Committees and 3.5 days of officer support a week. In 2004 the four Committees were replaced with just one Committee and 1.5 days of officer support. In August 2006 the Senior Member Services and Scrutiny Officer left. Since then the Member Services Manager has assisted with the Scrutiny process. (It is worthwhile mentioning that the 1.5 days of Scrutiny support is continually being squeezed, with the Member Services Team being assigned additional meetings to minute and with civic events increasing.)
3. Over the past six months consideration has been given on several occasions to providing a dedicated Scrutiny Officer. For a number of reasons this suggestion has been rejected.
4. The officer support for Scrutiny now needs to be formalised as, for the foreseeable future, it is unlikely that additional resources will be available. It is therefore proposed that the Member Services Manager specifically be designated as the Council's Scrutiny Officer. This will give members and officers a specific point of contact on Scrutiny issues. It will also enable additional training to be provided to the Head of Member Services to enable him to fulfill the role more effectively. (It has not been worthwhile providing this training while the future of Scrutiny support has been uncertain.)

Council leases, and the Port Company Limited had sought confirmation from the Council as to how it intends to deal with them. The purpose of the letter is to agree with the Port Company Limited how the Council intends to deal with the following matters:-

- (1) Part of the land included in the lease comprises public highway, which in the future be permanently stopped-up as part of the Outer Harbour development. The precise terminal points for the length of highway which would be stopped-up had not been agreed with the Highways Authority. The Council therefore agrees to amend the lease plan should the length of highway which is actually stopped-up be different from that included in the current lease plan.
- (2) Nine leases granted by the Council to the Port Authority are, as part of the Outer Harbour transaction, to be assigned/underlet by the Port Authority to the Great Yarmouth Port Company Limited (the Council leases). The Council will as soon as reasonably practicable enter into negotiations with the Port Company Limited on the basis of granting to them new 99 year leases to replace the Council leases. The Council agrees that it is minded to grant such replacement leases subject to:-
  - The rent review process being modernised
  - There being no detriment to the Council in terms of the rent payable
  - The forfeiture provisions being the same as those in the lease.
- (3) The Council is mindful of the advice in ODPM Circular 6/2004 and will consider sympathetically any request to compulsorily acquire land needed for the expansion of the Outer Harbour. The Council recognises that the South Denes peninsula is of strategic importance for port expansion.
- (4) The Council has further indicated that it is minded to pursue a Compulsory Purchase Order in respect of the "Tent and Tank" site under Section 226(1)(a) of the Town and Country Planning Act 1990, if necessary so that the land can be used for strategic port uses in connection with the Outer Harbour. This is subject to the Great Yarmouth Port Company Limited underwriting the Council's costs relating to the Order. The Council will consider a detailed report on this matter as soon as reasonably practicable.