



GREAT YARMOUTH
BOROUGH COUNCIL

Council

Date: Thursday, 22 March 2018
Time: 19:00
Venue: Council Chamber
Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

2 **DECLARATIONS OF INTEREST**

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

3 ITEMS OF URGENT BUSINESS

To consider any items of urgent business.

4 MAYOR'S ANNOUNCEMENTS

To consider any announcements from Her Worship the Mayor.

5 MINUTES

4 - 20

To confirm the minutes of the meeting held on the 20 February 2018.

6 PUBLIC QUESTION TIME

Members are advised that no public questions have been submitted for consideration at this meeting.

**7 SERVICE COMMITTEE DECISION LIST FOR THE PERIOD 7
FEBRUARY TO 5 MARCH 2018**

21 - 21

Report attached.

**8 AMENDMENT TO COUNCIL PROCEDURE RULES - RECORDED
VOTES AT BUDGET MEETINGS**

22 - 24

Report attached.

9 APPOINTMENTS TO COMMITTEES 2017/18

To consider the appointment of a replacement for Councillor Thirtle as a Member of the Local Authority Trading Company Shareholder Committee.

10 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 involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

11 CONFIDENTIAL SERVICE COMMITTEE DECISION LIST FOR
THE PERIOD 7 FEBRUARY TO 5 MARCH 2018

Details

Council

Minutes

Tuesday, 20 February 2018 at 19:00

Present :

Her Worship the Mayor Councillor Robinson-Payne (in the Chair), Councillors Andrews, Annison, Bensly, Bird, Borg, Carpenter, B Coleman, M Coleman, Connell, Cutting, Fairhead, Flaxman-Taylor, Grant, A Grey, K Grey, Hacon, Hammond, Hanton, Jeal, Jones, Lawn, Mavroudis, Myers, Plant, Pratt, Smith, Thirtle, Wainwright, Walch, Walker, Waters-Bunn, Weymouth, Williamson and Wright.

Also in attendance :-

Mrs S Oxtoby (Chief Executive Officer), Ms C Whatling (Monitoring Officer), Ms K Sly (Finance Director), Mrs K Watts (Finance Director), Mrs J Cooke (Head of Organisational Development) and Mr R Hodds (Corporate Governance Manager)

1 FORMER COUNCILLOR COLLINS

Members stood in one minute silence as a tribute following the recent death of former Councillor Bert Collins.

2 COUNCILLOR PENNY CARPENTER

Council recorded their best wishes to Councillor Carpenter following her return to Council duties following illness.

3 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Davis, Reynolds, Rodwell and Stenhouse.

4 ITEMS OF URGENT BUSINESS

Her Worship the Mayor reported that there were no items of urgent business for consideration.

5 DECLARATIONS OF INTEREST

Councillor Jeal declared a personal interest in the item relating to the Budget 2018/19 in relation to reference to First Move Furnishaid but was allowed to speak and vote on the item.

6 MAYOR'S ANNOUNCEMENTS

Her Worship the Mayor reported that there were no Mayor's announcements.

7 MINUTES

Council considered the minutes of the Council meeting held on the 14 December 2017.

Proposer : Councillor Plant

Seconder : Councillor B Coleman

That the minutes of the Council meeting held on the 14 December 2017 be approved.

CARRIED

8 PUBLIC QUESTION TIME

Council considered the following question from Mr L Sutton (Great Yarmouth Trades Union Council) :-

"Please can the Leader of GYBC explain and justify the Council's continuing and significant expenditure on the local tourist industry in the face of projected £2.94 million funding gap (2020/21); that Great Yarmouth Trades Union Council believe does not represent a good use of public money, given the industry is typified by low wages, seasonal and casual employment that leaves many workers reliant on state benefits, amounting to a further state subsidy for

the industry, that perpetuates the cycle of deprivation, and despair in the town?"

In response, the Leader reported it is quite an indictment on our very successful £590m tourism industry, which, as you have rightly stated, is supported and partially owned by the rate payers of this Borough.

The assets owned by the Borough have various commercial value's, so are leased out on individual arrangements, to help pay towards the services received by the residents, whether they pay rates or not.

As we are all aware GY is now a business improvement district, with many businesses and Council members contributing to the tourism and business offer through this medium. The Council as part of its budget process does review areas of spend, and recognises the importance of the tourism industry on the borough. Of the 4,898 rateable properties in the Borough, 1,364 are tourism related, 28%. In rateable value the total RV in the borough is £77.4m of which £14.8m are tourist related 19%. To correct your figure of a £2.94m funding gap, it is actually £2.6m in 2020/21.

The future funding beyond the multiyear settlement which runs to 2019/20 is not known and further work nationally will be undertaken on the fair funding review and increased retention of business rates from 2020/21. The net budget for 2018/19 that the council spends on tourism is £513'877, this budget includes external income of £282,962 from sales, tourism guides and advertising.

Mr Cannell gives a whistle stop tour of GY history, lamenting the loss of its fishing industry, of the old fortnight holidays when people used coaches, buses, and trains to arrive in town for their holiday, the advent of the car and cheap foreign holidays promising the sun has had its affect, and people are holidaying in different ways, staying on our wonderful holiday parks, which, if I read your piece correctly are only paying the minimum wage.

Today there was a visit from the CEO big lottery fund praising our staff on the Neighbourhood that Work Scheme funded to the tune of £3m to help residents in difficulty.

No mention of 50 years of oil and gas, the jobs on Harfreys, Gaptun, the quays, the Euro Centre, Beacon Park, the river, and now the Port serving the offshore wind, decommissioning, Britain's largest grain exporter, and largest aggregate importer. I know there are many more smaller companies in the supply chain.

The claim in your question is that the industry is typified by low wages,(in your article you claim that today's industry is different "run by large, national and multinational companies. They pay the minimum wage and employ people on zero-hour contracts")

The larger multi nationals are few, Haven and Parkdean are two, who employ people, some all year round on good wages to retain them, and have seasonal

staff, who are paid the going rate for the work they do on a national basis, not particularly because they work or live in GY. There are many examples of local businesses that work in the tourism industry who are not multinationals.

Mr Sutton was then entitled, in accordance with the Constitution, to ask a supplementary question as follows :-

"The Trades Union Council recognises that one in three workers in Great Yarmouth are involved in tourism and the industry is worth £600 million to the local economy however it is evident for anyone looking at the town that not all are reaping the benefits.

The 2013-18 tourism strategy adopted by the council recognises the need to improve employment practices of tourism employers and develop training that addresses skills gaps. It does not address the issue of low pay.

Will the Leader of the Council ensure that the tourism strategy addresses the issue of low pay in the industry by agreeing a strategy that encourages businesses to adopt the real living wage, currently £8.75 per hour and will the council use its influence and leverage in terms of resources used supporting the industry, to bring about the early adoption of the real living wage by Haven Leisure and Parkdean Resorts? The benefits of improving pay, and therefore increasing disposable income I hope will not be lost on the council trying to regenerate the town centre."

In response, the Leader reported that the Borough Council would not put in place a strategy that would have an adverse effect on the Borough's thriving Tourism industry.

The Mayor reported that this was the conclusion of this item.

9 SERVICE COMMITTEE DECISION LIST FOR THE PERIOD 7 DECEMBER 2017 TO 6 FEBRUARY 2018

Council considered the Service Committee Decision List for the period 7 December 2017 to 6 February 2018.

Proposer : Councillor Plant

Seconder : Councillor B Coleman

That the Decision List for the Period 7 December 2017 to 6 February 2018 be received.

CARRIED

10 HOUSING REVENUE ACCOUNT BUDGET SETTING 2018-19

Council considered the Head of Community Development & Regeneration's report which set out the Housing Revenue Account Budget 2018/19 to 2022/23, HRA Capital Programme 2018/19 to 2022/23, HRA Rent and Service Charge proposal 2018 to 19 and the revised HRA revenue and capital forecasts for 2017 to 18.

The Leader reported that as a stock holding authority the Council is required to set the annual budget for the Housing Revenue Account for the forthcoming year.

The Housing Revenue Account Budget has been pulled together within the current debt cap limits, there have been announcements of future increase to debt caps although these will be subject to a bidding process for which further details are still to be announced, clearly this is something that the Council will be bidding for.

The business plan for the HRA has been informed by the outcome of the stock condition survey completed during the current financial year. The survey has identified the need to increase the capital works to the stock over the next five years.

Over the period 2018/19 to 2021/22 there is an increased requirement of capital spend on the current stock of just under £8 million which has been factored into the plan.

In terms of the revenue position the business plan reflects the rent reduction programme, which along with the increase to the number of right to buys has reduced the resources to the revenue account.

In the medium term the HRA business plan is reliant on the use of reserves over the short term and is currently forecast to have a funding gap in 2022/23 based on the current debt cap limits.

There is further work to be carried out on the business plan in the short term to achieve a sustainable position moving forward and this will be informed by further work during 2018/19.

Councillor Williamson commented that in his view there was a lack of government commitment to provide Social Housing. The Leader referred to the plans to build Social Housing throughout the Borough.

Proposer : Councillor Grant

Seconder : Councillor Plant

(1) To note the reduction in rents of 1%, as set out in the Welfare Reform and Work Act 2016.

(2) To review and recommend revenue and capital budget estimates 2018/19 to 2022/2023.

(3) To agree the proposed Fees and Charges for 2018/19.

(4) To agree the revised forecast for 2017/18

CARRIED

11 TREASURY MANAGEMENT STRATEGY 2018-19

Council considered the Finance Director's report on the Treasury Management Strategy and Annual Investment Strategy for 2018/19.

Proposer : Councillor Plant

Seconder : Councillor Carpenter

(1) That the Treasury Management Strategy for 2018/19 be approved

(2) That the Annual Investment Strategy be approved.

(3) That the Operational Boundary and Authorised Limits be approved.

CARRIED

12 2018/19 BUDGET REPORT

Council was reminded that the Local Authorities (Standing Orders) (England) Regulations 2014 require Local Authorities to take recorded votes at Budget Council meetings in relation to the item regarding the setting of the Local Authorities Budget.

The budget report is the culmination of many months work by both officers and Members. This has included informal workshops with members of the Policy and Resources Committee to consider savings and capital bid proposals to inform the budget that is set in front of you for approval this evening.

The budget has been informed by the four year finance settlement for which 2018/19 is year three. This means we have one year remaining where we are certain of the level of revenue support grant that will be received in 2019/20.

The report covers the 2018/19 budget and also includes indicative forecasts up to 2020/21.

Beyond 2019/20 there will be a new funding system that comes into being which will see a greater share of business rates income retained locally along with the outcomes of the Fair Funding review which will take into account various factors including need to spend and ability to generate resources locally. Significant work is being carried out on what the new system will look like both nationally and through regional groups. However at this time the projections for 2020/21 show the significant reduction in government funding from the removal of revenue support grant of £2 million.

The recommendations for the setting of the council tax for Boroughs element is in line with the national assumptions of council tax increases which amounts to a £5 increase for a band D per annum, and £3.33 for a band A.

The Council does continue to hold a number of earmarked reserves and along with the general reserve provides some financial stability, whilst the use of reserves should only be seen as a one-off source of funding, use of reserves in this way can provide one-off upfront funding for projects and schemes that can deliver future savings and efficiencies.

For 2018/19 I am pleased to be recommending a budget that delivers a small surplus for the year which will be allocated to the general reserve.

Work on the future financial planning for the Authority will commence early in the new financial year to deliver a balanced position for 2019/20.

Councillor Walch referred to the proposal within the Budget to close the Market Gates toilets and he asked Council to give consideration to these toilets remaining open with any associated costs to be met by the Town Centre Initiative fund.

Councillor Wainwright also referred to the costs associated with the recent provision over the Christmas period of the ice rink in the Town Centre. he also referred to the recent budgetary increases as agreed by Norfolk County Council and by the Police Authority and on the proposal to increase the Council Tax on Band D Properties by approximately £100 per year.

Councillor Myers also referred to the decision to close the Market Gates toilets and referred to the need to provide quality toilets in the Borough especially those associated with people having disability issues. Councillor Myers felt that there should be more toilets provided throughout the Borough.

Councillor Walker referred to recent comments attributed to the Leader with regard to areas in the Borough where he felt that visitors would not be taken.

Councillor Jeal referred to the operation of the Six Day Market and he asked Council to give consideration to a proposal whereby there would be a 5% discount for Market Traders on the Six Day Market in addition to the 5% discount that had previously been agreed. He felt that the additional cost of this 5% of £12,000 could be met from the Town Centre Initiative fund for 1 year only.

Councillor Smith reported that with regard to the closure of the Market Place toilets this matter had been discussed at the Policy and Resources Budget Setting away day meeting.

Councillor Hammond commented that as the Market Place Rents would be discussed by the Economic Development Committee in April he felt that the issue of the further 5 % increase could be discussed at that time.

In response to the comment made by Councillor Walker, the Leader stated that his comment with regard to certain areas within the Borough related to the need for those persons visiting Great Yarmouth on the cruise ships to be selective as to where the tourists would visit due to the short time they would have on shore.

Proposer : Councillor Walch

Seconder : Councillor Myers

That the Market Gates toilets will continue to remain open and that the cost will be met from the Town Centre Initiative fund and that consideration of toilet provision in the Borough be referred for consideration to the Environment Committee.

That a recorded vote be taken on this issue as follows :-

For the Motion - Councillors Andrews, Annison, Bensly, Bird, Borg, Carpenter, B Coleman, M Coleman, Connell, Cutting, Fairhead, Flaxman-Taylor, Grant, A Grey, K Grey, Hacon, Hammond, Hanton, Jeal, Jones, Lawn, Mavroudis, Myers, Plant, Pratt, Robinson-Payne, Smith, Thirtle, Wainwright, Walch, Walker, Waters-Bunn, Weymouth, Williamson and Wright.

Against the Motion :- None

Abstentions :- None

CARRIED

Proposer : Councillor Jeal

Seconder : Councillor Wainwright

That a 5% discount be offered to the Six Day Market Traders, and for clarification this would be in addition to the 5% discount already agreed to be offered only to those Traders paying their rent by Direct Debit (meaning only those traders who paid by Direct Debit would benefit from a total 10% discount) such cost of this proposal to be met for one year only from the Town Centre Initiative Fund.

That a recorded vote be taken on this issue as follows :-

For the Motion - Councillors Andrews, Annison, Bensly, Bird, Borg, Carpenter, B Coleman, M Coleman, Connell, Cutting, Fairhead, Flaxman-Taylor, Grant, A Grey, K Grey, Hacon, Hanton, Jeal, Jones, Lawn, Mavroudis, Myers, Plant, Pratt, Robinson-Payne, Smith, Thirtle, Wainwright, Walch, Walker, Waters-Bunn, Weymouth, Williamson and Wright.

Against the Motion :- None

Abstentions :- Councillor Hammond

CARRIED

Proposer : Councillor Plant

Seconder : Councillor Thirtle

(1) That the 2018/19 General Fund Revenue Budget as detailed in Appendix A of the report be approved.

(2) That the Fees and Charges as detailed at Appendix D (in addition to those previously agreed in December 2017) of the report be approved.

(3) That the Council Tax for 2018/19 for the Borough Council Tax be £156.48 (for an average band D).

(4) That the demand of the Collection Fund for 2018/19 will be :-

(a) £4,391,451 for the Borough Council purposes

(b) £377,953 for Parish Precepts

(5) That the Statement of and movement on the Reserves as detailed at Appendix F of the report be agreed.

(6) That the policy framework for Reserves as detailed at Appendix G be approved.

(7) That the updated Capital Programme and financing for 2017/18 to 2020/21 as detailed at appendix H of the report be approved.

(8) That the Prudential Indicators and Minimum Revenue Provision Policy as detailed at Appendix J of the report be approved.

(9) That Members note the current financial projections for the period 2019/20 to 2020/21.

That a recorded vote be taken on this issue as follows :-

For the Motion - Councillors Andrews, Annison, Bensly, Bird, Borg, Carpenter, B Coleman, M Coleman, Connell, Cutting, Fairhead, Flaxman-Taylor, Grant, A Grey, K Grey, Hacon, Hammond, Hanton, Jeal, Jones, Lawn, Mavroudis,

Myers, Plant, Pratt, Robinson-Payne, Smith, Thirtle, Wainwright, Walch, Walker, Waters-Bunn, Weymouth, Williamson and Wright.

Against the Motion :- None

Abstentions :- None

CARRIED

13 COUNCIL TAX SETTING 2018/19

Council considered the Finance Director's report which presented for approval the budget for 2018/19 and to make statutory calculations in accordance with the Local Government Finance Act 1992 to set the Council Tax for 2018/19. The report also included the Chief Financial Officer's report on the robustness of the estimates and adequacy of reserves.

The Finance Director reported that ahead of making decisions in relation to setting the Council Tax each year, the Chief Financial Officer is required to report to the Council on the robustness of the estimates made for the purpose of the calculations along with the adequacy of reserves held by the Council.

In respect of the Robustness of the Estimates – the report provides details of the process carried out in producing the budget which has being presented for approval.

It highlights a number of the more significant financial risks facing the authority including:-

- Income that is demand led for example car parking, planning and crematorium ;
- The risks around the delivery of planned savings and additional income and
- The localised retention of business rates.

In order to mitigate these risks estimates should be put together within a robust framework which reflects past performance and current service delivery.

The budget for 2018/19 has been informed by the in-year monitoring reports in addition to input from ELT, budget managers and through budget workshops with members of the Policy and Resources committee.

Alongside the robustness of the estimates the adequacy of the Council's reserves also needs to be considered as part of the approval of the budget for the coming year. The report provides a commentary on the adequacy of reserves held by the Council, including both earmarked and general reserves.

The policy framework for reserves outlines the process for determining the minimum level of general reserve which takes into account a number of

factors, the recommended minimum level of the general reserve for the coming year is £2.5 million.

In conclusion, it is my opinion as the Chief Financial Officer that, there is sufficient contingency within the current general reserve balance and the overall level of reserves held remains adequate in the short to medium term.

After considering this report you are now required to make the statutory calculation of the council tax for 2018/19.

Section 4 of the report sets out the statutory calculation and refers to Appendices B to C as amended.

The calculation reflects the precepts that have been issued to the Council as the billing authority on behalf of the Parishes, the Police and County to arrive at the determination made in Appendix B.

Proposer : Councillor Plant

Seconder : Councillor Carpenter

(1) That the Budget 2018/19 as detailed in the Budget report to the Policy and Resources Committee and outlined at Appendix A be approved.

(2) That Members undertake the Council Tax and Statutory Calculations as set out in Section 4 of the report and set the Council Tax for 2018/19.

(3) That the demand on the Collection Fund for 2018/18 will be :-

(a) £4,391,455 for the Borough Council purposes

(b) £377,953 for Parish Precepts

That a recorded vote be taken on this issue as follows :-

For the Motion - Councillors Annison, Bensly, Bird, Borg, Carpenter, B Coleman, M Coleman, Cutting, Fairhead, Flaxman-Taylor, Grant, A Grey, K Grey, Hacon, Hammond, Hanton, Jeal, Jones, Lawn, Mavroudis, Plant, Pratt, Robinson-Payne, Smith, Thirtle, Wainwright, Walch, Walker, Waters-Bunn, Weymouth, Williamson and Wright.

Against the Motion :- Councillors Andrews, Connell, Myers

Abstentions :- None

CARRIED

14 PAY POLICY STATEMENT 2018-19

Council considered the Head of Organisational Development's report with regard to the Pay Policy Statement 2018/19.

Councillor Wainwright referred to Paragraph 1.4 of the Pay Policy Statement which stated that the foundation living wage was currently £8.25 per hour whereas in fact this should read £8.75 per hour.

Councillor Walker referred to previous consideration of the issue regarding the Foundation Living Wage and stated that Council had previously asked for a further report on this issue to be considered by Members. The Chief Executive Officer confirmed that she would investigate this outstanding recommendation and will bring a report back to Members on this issue as soon as possible.

Proposer : Councillor Plant

Seconder : Councillor Thirtle

That, subject to the amendment of the figure relating to the Foundation Living Wage to change this from £8.25 per hour to £8.75 per hour, the Pay Policy Statement for 2018/19 be adopted and be published on the Council's website.

CARRIED

15 COMMITTEE TIMETABLE 2018/19

Council considered the proposed Committee Timetable for 2018/19.

Proposer : Councillor Plant

Seconder : Councillor Smith

That the proposed Committee Timetable for 2018/19 be approved.

CARRIED

16 APPOINTMENT TO OUTSIDE BODIES 2017/18

Proposer : Councillor Plant

Seconder : Councillor Carpenter

That Councillor Annison replace Councillor Grant on the Norfolk Strategic Planning Framework.

CARRIED

17 MOTIONS ON NOTICE

Council considered the following Motions on Notice :-

(a) Motion from Councillors Bensly, Plant, M Coleman, K Grey, A Grey and Grant.

"This Council resolves to write to the Right Honourable Brandon Lewis MP and Her Majesty's Principal Secretary of State for Transport Chris Grayling, expressing our appreciation for the multi-million pounds of funding for the Third River Crossing and additional transport infrastructure currently being planned and implemented, and the confidence this demonstrates in the Borough. This crucial investment in Great Yarmouth is fundamental to secure Great Yarmouth's future economy for the next 40 years or so, ensuring Great Yarmouth is at the forefront of the offshore energy offer."

Councillor Wainwright commented that the Third River Crossing had been in the Government's programme for a number of years and that both the LEP and Norfolk County Council had been heavily involved in the process. He stated that he would expect the local Member of Parliament to lobby on behalf of the Borough Council to provide the Third River Crossing.

Councillor Walker reaffirmed Councillor Wainwright's comments and stated that he felt most of the work on this project had been carried out by Local and County Councils.

Proposer : Councillor Plant

Seconder : Councillor B Coleman

That the Motion as submitted by Councillors Bensly, Plant, M Coleman, K Grey, A Grey and Grant as outlined above be agreed.

CARRIED

(b) Motion from Councillors Grant, Plant, Bensly, K Grey, A Grey and Hacon

" This Council resolves to write to Sajid Javid Secretary of State for Housing Communities and Local Government and to Philip Hammond the Chancellor of the Exchequer to welcome the Government's commitment to build 300,000 homes a year and for the increased £2billion announced in the budget for affordable housing.

However we believe that Councils have a huge part to play and in particular those with HRA have an opportunity to go much further and faster than is currently envisaged. We therefore ask the Government to :-

Remove the debt cap for HRAs

Remove the HRA debt from the public sector debt to the private sector as it has with the housing associations.

Allow Local Authorities to keep all proceeds from right to buy sales, allow greater flexibility with the way its spent and allow discounts to be set locally.

Give greater financial freedoms and devolve powers to all Councils to invest in housing of all types of tenure that it requires and needs as opposed to a one size fits all policy."

Councillor Williamson stated that he felt this was a disingenuous Motion and felt that the Government would take little notice of the Motion if agreed. He referred to the proposed buildings on plot 25 Beacon Park and on the need for a real investment in the provision of Social Housing by the Government. He felt that there had been no recognition of the need for Social Housing.

The Leader reported that the Council was working with the Local Government Association and the Government to make sure that the Borough Council can provide Social Housing provision in the future. He commented that the next 200 houses constructed on Beacon Park would contain a proportion for Social Housing.

Councillor Wainwright commented that he felt that this was a disingenuous Motion and he referred to a document from the Local Government Association that referred to the shortfall of the provision of Social Housing and throughout the Country.

Councillor Jeal commented on the need for Council's to be provide more affordable homes for residents in their areas.

Councillor Walker referred to the construction of the Magdalen Estate in Gorleston and stated that this was the type of housing that was needed for the future. The Leader confirmed that he had not criticised the construction of the Magdalen Estate but felt that this type of housing estate accommodation was not being built at the present time. He stated that the overall housing mix would be decided by the Council. Councillor Jones stated that she agreed with the comments expressed in the Motion.

Proposer : Councillor Grant

Seconder : Councillor Plant

That the Motion proposed by Councillors Grant, Plant, Bensly, K Grey, A Grey and Hacon as detailed above be agreed.

CARRIED

18 MOTION ON NOTICE TO RESCIND A PREVIOUS DECISION BY COUNCIL RELATING TO THE CONSTITUTION WORKING PARTY

The Monitoring Officer reported that by way of explanation, this follows the decision of full Council on 14 December 2017, namely item 15 of the December agenda, which was a consideration of proposals by the Constitution

Working Party to:

1. Establish its own terms of reference
2. Amend the Scope of Motion provisions in the Constitution
3. Consider the form and terms of reference of the Learning & Development Group

At December Council, those recommendations were addressed by a single en bloc vote. That process was not well received by all members as not all had understood the vote was intended to be en bloc. The motion to approve the recommendations en bloc was lost, from which it was inferred that

1. The proposed Terms of Reference for the Constitution Working Party were NOT agreed.
2. The proposed amendments to the scope of motions WERE agreed (by implication according to the advice of the MO at that time).
3. The proposed Terms of Reference for Member Learning and Development were NOT agreed.
4. Group leaders were NOT given delegated authority to appoint members to the Member Learning and Development Group.

My advice was that for two reasons, it would be appropriate to revisit this decision.

The first reason is the level of misunderstanding of members in relation to the en bloc vote. The second reason is that I do not find it correct that voting against a negatively framed recommendation would mean that those changes would be made by implication. For that reason, 16 members acting under clause 31.14.1. of the Constitution have signed a notice of Motion to rescind the decisions previously made en bloc. If members vote for that motion to be carried, then Council will be put back in the position it was in prior to the December Council, in other words, it will be able to consider those decisions afresh. [If members vote against, then the decision as set out in the minute extract on page 144 will remain in place.

Proposer : Councillor Williamson

Seconder : Councillor Jeal

That the Motion to rescind the decision made by Full Council on the 14 December 2017 in relation to the recommendations on the Constitution Working Party be agreed.

CARRIED

19 COUNCIL DECISION OF 14 DECEMBER 2017 ON CONSTITUTION WORKING PARTY RECOMMENDATIONS

Council considered the Monitoring Officer's report with regard to the Council decision of the 14 December 2017 on the Constitution Working Party

recommendations relating to the following :-

To consider the recommendations of the Constitution Working Party in relation to :-

- (a) The terms of reference of the Constitution Working Party
- (b) The Scope of Motions
- (c) The Member Learning and Development Group.

Proposer : Councillor Williamson

Seconder : Councillor Carpenter

That Council agree the proposed Terms of Reference of the Constitution Working Party for inclusion in the Council's Constitution subject to the Working Party being politically balanced.

CARRIED

Proposer : Councillor Williamson

Seconder : Councillor Jeal

To add the following clause to the Constitution:

"If the subject matter of any Motion of which notice has been duly given comes within the province of any Sub Committee, Committee or Committees, it shall, upon being moved and seconded, stand referred without discussion to such Sub Committee, Committee or Committees as the Council may determine for consideration and report".

To amend paragraph 31.13.10 of the Constitution (Motions which may be moved during debate) to state :- "(d) To refer something to an appropriate body or individual." Be referred back to the Constitution Working Party for further consideration; and that the amendment proposed to be added to the Constitution that, "The Monitoring Officer and Section 151 Officer may reject a motion that impacts on the Policy and Budget Framework of the Council and required that a report from an Officer be prepared before the matter can go forward to Council for consideration."

CARRIED

Proposer : Councillor Plant

Seconder : Councillor Williamson

That the proposed Terms of Reference for the Member Learning and Development Group be referred back to the Constitution Working Party for further consideration.

CARRIED

Proposer : Councillor Williamson

Seconder : Councillor Jeal

That the Membership of the Member Learning and Development Group will be politically balanced.

CARRIED

20 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

21 CONFIDENTIAL MINUTES

Council received the confidential minutes of the meeting held on the 14 December 2017.

The meeting ended at: 21:27

Decision List for 7 February 2018 to 5 March 2018					
	Decision Item	Committee	Committee Date	Details of Decision	Officer Lead
1	Quarter 3 Performance Report	Environment	14/02/2018	That all Measures be monitored during the next quarter.	Grizelle Britton
2	Approach to Grass Control in the Borough	Environment	14/02/2018	That the Committee agree to an overall approach of strimming only across the Borough, except in the following specific circumstances pavements, obstacles and street furniture on non natural surfaces.	Grizelle Britton
3	Review of Ice Rink - Christmas 2017	Economic Development	19/02/2018	That the Committee would like to place on record their thanks to all Great Yarmouth Borough Council staff involved in producing the ice rink for the Christmas period of 2017 at considerably under budget in relation to the spend, this resulted in Great Yarmouth's footfall figures outstripping national figures throughout December and this helped create a vibrant atmosphere and raise the profile of Town Centre retailing.	Kate Watts
4	Christmas Festival	Economic Development	19/02/2018	(1) That approval be given in principle to the development of a Christmas Festival for Great Yarmouth commencing on Friday 30 October and concluding on Sunday 23 December 2018. (2) That the recommendation in respect of the funding for the Christmas festival be deferred for further consideration to a special meeting of Economic Development Committee on 13 March 2018, prior to its consideration if approved by the Policy and Resources Committee.	Jane Beck
5	Economic Development - Quarter 3 Performance Report 2017/18	Economic Development	19/02/2018	That all Measures be monitored during the next quarter.	David Glason
6	Audit Plan	Audit & Risk	05/03/2018	That the Committee note the Audit Planning report & confirmed its understanding of, and agreement to, the materiality and reporting levels as follows; Planning Materiality of £1.693m, Performance Materiality of £1.270m & Audit Differences of £0.085m (of Gross Expenditure of £84.6m).	Emma Hodds
7	Report on the Status of Audit Recommendations due for implementation between 1 November 2017 and 31 January 2018	Audit & Risk	05/03/2018	(1) That the Committee receives and notes the current position in relation to the implementation of agreed audit recommendations. (2) That a report be presented by Neil Shaw, Strategic Director, regarding Equinox Enterprises Ltd at the next meeting on 18 June 2018.	Emma Hodds
8	Strategic and Annual Internal Audit Plans	Audit & Risk	05/03/2018	That the Committee noted and approved: (1) The Internal Audit Strategy for 2018/19; (2) The Strategic Internal Audit Plans 2018/19 to 2020/21; and (3) The Annual Internal Audit Plan 2018/19.	Emma Hodds

Subject: Amendment to Council Procedure Rules – Recorded Votes at Budget Meetings

Report to: Council – 22 March 2018

Report by: Monitoring Officer

SUBJECT MATTER/RECOMMENDATIONS

That Council amend the wording of the Council's Procedure Rules in order to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

1. PURPOSE OF REPORT

- 1.1 To advise Council on the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which make it mandatory for recorded votes to be taken at budget meetings.

2. MAIN BODY

- 2.1 On 31st January 2014 the Secretary of State for Communities and Local Government issued the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (the Regulations) which require recorded votes to be taken at budget meetings.
- 2.2 The Regulations came into force on 25th February 2014 and made it mandatory for Councils, as soon as practicable, to amend their Standing orders so as to include provisions requiring recorded votes at budget meetings.
- 2.3 The Parliamentary Under Secretary of State of the Department for Communities and Local Government, Brandon Lewis MP, wrote to Leaders about Regulations on 4 February 2014.
- 2.4 The Regulations state immediately after any vote is taken at a budget decision meeting of an authority there must be a recorded vote in the minutes

of the proceedings of the meeting, the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

- 2.5 A budget decision meeting is defined as one where the authority makes a calculation of its budget requirement under relevant sections of the Local Government Finance Act 1992 or issues a precept under the Act. A vote in this context is defined to include a vote on any decision related to the making of the calculation or issuing of the precept. This includes votes on any amendment as well as the substantive motion.

3. **FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications arising from these new requirements.

4. **RISK IMPLICATIONS**

- 4.1 Future compliance with the amended Council Procedure Rules will be required at all meeting, where appropriate.
- 4.2 Details of recorded votes taken at relevant meetings will be available to members of the public.

5. **CONCLUSIONS**

- 5.1 The following insertion be made to Council Procedure Rule 31.15.5 under the sub-heading Mandatory 'recorded vote at Budget Council Meetings.', subject to the approval of the recommendation at paragraph 1.1 of this report.

Immediately after any vote is taken at budget decision meeting there will be a recorded vote in the minutes of the proceedings of that meeting, the names of the persons who cast a vote for the decision, or against the decision, or who abstained from voting.'

- 5.2 To distinguish from 31.15.4 the words "by demand" shall be added after the sub-heading for this rule so that it reads "Recorded vote by Demand."

6. **RECOMMENDATIONS**

- 6.1 That Council amend the wording of the Council's Procedure Rules in order to comply with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

7. BACKGROUND PAPERS

7.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	Yes
Section 151 Officer Consultation:	n/a
Existing Council Policies:	Yes
Financial Implications (including VAT and tax):	No
Legal Implications (including human rights):	Yes
Risk Implications:	No
Equality Issues/EQIA assessment:	No
Crime & Disorder:	No
Every Child Matters:	No