

Council

Minutes

Tuesday, 21 February 2017 at 19:00

Present :

His Worship the Mayor Councillor Bird (in the Chair); Councillors Annison, Bensly, 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, Reynolds, Robinson - Payne, Rodwell, Smith, Stenhouse, Thirtle, Wainwright, Walch, Walker, Waters-Bunn, Weymouth, Williamson and Wright.

Also in attendance :

Mrs S Oxtoby (Chief Executive Officer), Ms K Sly (Section 151 Officer), Mr D Johnson (Deputy Monitoring Officer), Mr R Read (Director of Housing and Neighbourhoods), Mrs K Watts (Transformation Programme Manager), Mrs J Cooke (Head of HR / Organisational Development), Mr R Hodds (Corporate Governance Manager) and Mrs S Harris (HR Manager)

1 MR CHRIS SKINNER - MONITORING OFFICER

His Worship the Mayor referred to the recent death of Mr Chris Skinner Monitoring Officer and Members stood in one minute's silence as a tribute.

2 APPOINTMENT OF MONITORING OFFICER

Council considered the Corporate Governance Manager's report with regard to

the appointment of a Monitoring Officer.

Proposer : Councillor Plant
Seconder : Councillor K Grey

That David Johnson be appointed with immediate effect as the Borough Council's Monitoring Officer.

CARRIED

3 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Andrews and Davis.

4 DECLARATIONS OF INTEREST

With regard to the item relating to the Retroskate Artistic Club, Councillor Wainwright declared a Personal Interest in his capacity as Chair of the Sentinel Partnership Board and Councillors Stenhouse and Walch declared their Personal Interest in their capacity as Trustees of the Sentinel Board.

5 PUBLIC QUESTION TIME

His Worship the Mayor reported that there were no questions to consider at this meeting.

6 PETITION - RETROSKATE ARTISTIC CLUB - MARINA CENTRE

Members were advised that a petition had been received with over 1000 signatures concerning the Retroskate Artistic Club who operate from the Marina Centre.

Article 45 of the Council's Constitution relating to the Petition Scheme states that "If a petition contains more than 900 signatures it will be debated by the full Council".

Accordingly, Mrs Mia McKean presented the petition on behalf of the Retroskate Artistic Club which called upon the Council to support the continuation of the Club and to reject proposals to demolish its venue.

In response to the submission of the petition, the Leader reported that the Marina Centre had been the subject of detailed discussion at the recent meeting of the Policy and Resources Committee and all options with regard to the future of the Marina Centre were currently under consideration. The Leader confirmed that to date no definite decisions had been made by the Borough Council in respect of the future of the Marina Centre.

Councillor Wainwright stated that he concurred with the Leaders comments and reiterated the fact that no decisions had been made about the future of the Centre. Councillor A Grey stated that he supported the decisions of the Policy and Resources Committee who had asked for a further report regarding the future options for the Centre and assured the Retroskate officials that the Council would give full consideration to their comments about the future of the Retroskate Artistic Club.

The Council noted the receipt of the petition from the Retroskate Artistic Club.

7 COUNCIL MINUTES

The Mayor presented the Council Minutes of the 22 December 2016 and 17 January 2017.

With regard to the list of Members present it was agreed that Councillor Walch should be included in the list of those Members present.

With regard to the item in respect of the Electoral Cycle, Councillor B Coleman stated that at the Council meeting it had been indicated that to hold a Referendum with regard to Electoral Cycle would be at no cost to the Council, and he also asked whether procedurally the Policy and Resources Committee had the authority to make an alternative decision to agree the staging of a postal vote for the Referendum which would be contrary to the decision made by Full Council to hold a Referendum on the same date as the Norfolk County Council Elections in May 2017. The Monitoring Officer explained that in accordance with the Council's Constitution the decision made at Council was made at short notice and as a result it had since transpired that that particular decision could not be enacted upon and consequently Policy and Resources Committee whose decision was not a reversal of the Council decision but an alternative decision that could be acted upon by the Council.

Councillor Walker reported that in making his proposition at the Council meeting he was not aware at the time that the County Council would not be prepared to allow a Referendum to be held at the same time as the County Council Elections. He stated that he felt that the Postal Referendum should still go ahead. Councillors K Grey and Jeal both stated that they agreed the Postal Referendum should go ahead.

With regard to the item in respect of the Employment Committee Members were asked to give consideration to increasing Membership on this Committee from 5 Members to 7 to be politically balanced.

Proposer : Councillor Wainwright
Secunder : Councillor Jeal

That the Employment Committee Membership be increased from 5 to 7 Members and that the 2 additional Members to serve on this Committee will be

Councillors Smith and Walker.

CARRIED

In connection with Item 6 Motion on Notice Councillor Wainwright asked whether a response had been received from Brandon Lewis MP and it was confirmed that the MP had declined to attend a public meeting and that a copy of the MP's response would be sent to all Members of Council.

8 SERVICE COMMITTEE MINUTES

Proposer : Councillor Plant

Seconder : Councillor B Coleman

That subject to the inclusion of Councillor Waters Bunn attending the Environment Committee and Councillor Thirtle attending the Economic Development Committee the minutes of the November and December meetings of the Policy and Resources, Economic Development, Environment and Housing and Neighbourhoods Committee be received.

CARRIED

9 HOUSING REVENUE ACCOUNT BUDGET SETTING 2017/18

Council considered the Director of Housing and Neighbourhood's report as presented by the Chair of the Housing and Neighbourhood's Committee which set out the Housing Revenue Account (HRA) Budget 2017/18 to 2021/22, HRA Capital Budget 2017/18 to 2021/22, HRA Rent and Service Charge proposal 2017/18 and the revised HRA Revenue and Capital Forecast for 2016/17.

Proposer : Councillor Carpenter

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 2017/18 to 2021/22.

(3) To agree the proposed fees and charges for 2017/18

(4) To agree the revised forecast for 2016/17

(5) To review Government proposals as set out by the Welfare Reform and Work Act 2016 and Housing Planning Act 2015 impacting on the HRA in the future.

CARRIED.

10 TREASURY MANAGEMENT STRATEGY 2017/18

Council considered the Group Manager (Resource's) report on the Treasury Management Strategy 2017/18.

Proposer : Councillor Plant

Seconder : Councillor Carpenter

- (1) That the Treasury Management Strategy for 2017/18 be approved
- (2) To approve the Prudential Indicators and Limits for the three year period 2017/18 to 2019/20 as detailed in the Group Manager's report.
- (3) To approve the Minimum Revenue Provision Statement
- (4) To approve the Annual Investment Strategy

CARRIED

11 2017-18 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.

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 this evening.

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

- The level of income from a number of demand led services for example car parking, planning, crematorium income and waste and recycling credits, upon which the budget is reliant, for which external factors can have a significant impact on;

- In addition it also flags the risks around the delivery of planned savings and

additional income that are factored into the budget for the year;

- Local Authority funding and in particular the risks around the retention of business rates and the impact of current and new appeals on the level of income retained locally.

In order to mitigate these risks estimates should be put together within a robust framework which reflects past financial performance, along with current service delivery which is regularly monitored within developed financial control processes.

The report highlights that there have been improvements to the financial reporting that is provided to Members during the year, although there are still further developments required to ensure a more proactive approach to budgetary control and financial management.

The budget for 2017/18 has been informed by the in-year monitoring position in addition to input from EMT, budget managers and through budget workshops with members of the Policy and Resources Committee.

The robustness of the estimates is not the only factor that should be considered as part of the approval of the budget for the coming year, the adequacy of the Reserves also needs to be considered.

In relation to the Adequacy of Reserves - 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 £2.5million.

When providing the opinion of the Chief Finance Officer on the adequacy of reserves, the balance of the general reserve is not considered in isolation but alongside:

- the level of earmarked reserves
- the robustness of the estimates that are presented for approval and used for calculating the Council tax

- and the level of financial risks facing the authority.

In conclusion, it is therefore the 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.

In discussing the Budget, Councillor Wainwright commented that he would be reluctantly supporting the budget and also expressed his thanks and appreciation to the Section 151 Officer and her team for the production of the Councils budget.

Proposer : Councillor Plant

Seconder : Councillor Carpenter

(1) That the 2017/18 General Fund revenue budget as detailed at Appendix A of the report be approved.

(2) That the fees and charges as detailed at Appendix D of the report be approved.

(3) That the Council Tax for 2017/18 for the Borough Council tax be £151.48 (for an average Band D).

(4) The Policy framework for reserves as detailed at Appendix G of the report be approved.

(5) That the updated Capital Programme and financing for 2017/18 to 2019/20 as detailed at Appendix H in the report be agreed.

(6) That Members note the current financial projections for the period 2018/19 to 2020/21.

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

For the Motion - Councillors Bensly, Borg, Carpenter, B Coleman, M Coleman, Fairhead, Flaxman-Taylor, Grant, Hanton, Jeal, Lawn, Mavroudis, Myers, Plant, Pratt, Reynolds, Robinson-Payne, Smith, Thirtle, Wainwright, Walker, Waters-Bunn, Weymouth, Williamson and Wright.

Against - Councillor Connell.

Abstentions - Councillors Annison, Bird, Cutting, A Grey, K Grey, Hacon, Hammond, Rodwell, Stenhouse and Walch.

CARRIED

12 REVENUE BUDGET AND COUNCIL TAX SETTING 2017/18

Council considered the Section 151 Officer's report which presented for approval the Budget for 2017/18 and to make statutory calculations in accordance with the Local Government Finance Act 1992 to set the Council Tax for 2017/18. The report also included the Chief Financial Officer's report on the robustness of the Estimates and adequacy of Reserves.

Proposer : Councillor Plant

Seconder : Councillor Myers

(1) That the Budget for 2017/18 as detailed in the Budget report to Policy and Resources Committee and outlined at Appendix A of the report be approved.

(2) That the Statement of and movement on Reserves as detailed in Appendix B of the report be approved.

(3) That Members undertake the Council Tax and Statutory Calculations as set out in Section 4 of the report and set the Council Tax for 2017/18.

(4) That the demand on the Collection Fund for 2017/18 will be :-

(a) £4,141,766 for the Borough Council purposes

(b) £354,487 for Parish Precepts.

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

For the Motion - Councillors Bensly, Borg, Carpenter, B Coleman, M Coleman, Fairhead, Flaxman-Taylor, Grant, Hacon, Hammond, Hanton, Jeal, Lawn, Mavroudis, Myers, Plant, Pratt, Reynolds, Robinson-Payne, Smith, Thirtle, Wainwright, Walker, Waters-Bunn, Weymouth, Williamson and Wright.

Against the Motion - Councillor Connell.

Abstentions - Councillors Annison, Bird, Cutting, A Grey, K Grey, Rodwell, Stenhouse and Walch.

CARRIED

13 REVIEW OF COMMITTEE FORM OF GOVERNANCE AND THE COUNCIL'S CONSTITUTION

Council was advised that the Constitutional Working Party at its meeting on the 23 January 2017 had given detailed consideration to the review of the Committee Form of Governance and the Council's Constitution following six months of operation of the Committee Form of Governance and has subsequently made a number of recommendations for Council to approve as

follows :-

1. Size of Committees Recommendation

That no change be made to the numbers of Members on Committees as at present, with the exception that the Audit and Risk Committee should reduce from 9 Members to 5 Members.

2. Frequency of Meetings Recommendation

That the frequency of meetings remain on the present six weekly basis and that this issue be reviewed in six months time.

3. Number of Service Committees Recommendation

That the number of Service Committees remain at four, namely Policy and Resources, Economic Development, Environment and Housing and Neighbourhoods.

4. Timings of Meetings Recommendation

That the timings of meetings be amended so that all four Service Committees and regulatory Committees commence at 6pm with Full Council commencing at 7pm.

5. Venue of Meetings Recommendation

That the current arrangements for Committee meetings remain unchanged.

6. Terms of Reference of Service Committees Recommendation

That the current Terms of Reference for the Service Committees remain unchanged.

7. Pre Agenda Meetings (PAM's) Recommendation

That the relevant Chairman be asked to agree to fixed times for Pre Agenda Meetings.

8. Scheme of Delegation Recommendations

That the Scheme of Delegation for progressing Neighbourhood Plans be agreed.

That the Scheme of Delegation be reviewed by the Constitutional Working Party in a further six months time with support from the Council's legal Officer's.

9. Council Procedure Rules Recommendation

That a best practice protocol be included in the Constitution with regard to the issue of Members voting at Development Control and Licensing Committee meetings when they do not take part in a full discussion on any particular item, and that an appropriate paragraph be included on both Development Control and Licensing Committee agendas to advise Members on this issue.

That Key Decisions of Service Committees be considered at Council meetings rather than the full set of Service Committee minutes.

10. Training Requirements Recommendation

That approval be given to the establishment of a Member Development Group

to consider an annual training programme for Members.

11. Outside Bodies Recommendation

That the Monitoring Officer undertake a programme of advising all Members of the responsibilities of being on an Outside Body.

That Group Leaders be requested to review Member allocations to Outside Bodies prior to consideration at the annual Council meeting.

12. Review of Constitution Recommendation

That approval be given to the amendments to the Council's Constitution as detailed in the report of the Corporate Governance Manager / Transformation Programme Manager / Deputy Monitoring Officer.

13. Protocol for putting items on Committee agendas

That the Monitoring Officer prepare a protocol for inclusion in the Constitution

Proposer : Councillor Williamson

Seconder : Councillor Plant

(1) That the recommendation with regard to the timings of meeting be amended to state that all four Service Committees and regulatory Committees will commence at 6:30pm with Full Council commencing at 7pm.

(2) That recommendations 1 to 3, and 5 to 13 as outlined above be approved.

CARRIED

14 APPOINTMENTS TO OUTSIDE BODIES

Proposer : Councillor K Grey

Seconder : Councillor Hacon

That the following amendments be made to Appointments to Outside Bodies :-

a) St George's Trust - Councillor K Grey to replace Councillor Walch.

b) Great Yarmouth Preservation Trust - Councillor Stenhouse to replace Councillor A Grey.

c) Great Yarmouth Transport and Infrastructure Steering Group - Councillor K Grey to replace Councillor A Grey.

CARRIED

15 DECISIONS TO EVICT COUNCIL TENANTS WHERE A POSSESSION ORDER HAS BEEN GRANTED

Council considered the Monitoring Officer's report with regard to the recommendation from the Housing and Neighbourhoods Committee to establish a Housing Appeals Committee. He advised Members that the Terms of Reference could be referred to the Chief Executive officer for determination.

Council also considered the issue that in the event of the Housing Appeals Committee being reinstated then Ward Members should be advised of any issues that affect their Wards.

Proposer : Councillor K Grey

Seconder : Councillor A Grey

That the Housing Appeals Committee be established but without the power to make decisions on evictions and that the Terms of Reference for the Housing Appeals Committee be determined by the Chief Executive Officer.

CARRIED

16 ORGANISATIONAL DEVELOPMENT

On reference from the Policy and Resources Committee of the 7 February Council was recommended to agree the following changes in relation to the Senior Management arrangements of the Council as follows :

Recommendation 1

Reduce the size of the management cohort to create a management team which is slightly smaller and more agile with strengthened strategic capacity.

To recruit a management team comprising CEO, two Strategic Directors, Finance Director and eight Heads of Service. Revised job descriptions to be prepared for Strategic Directors and Heads of Service.

Recommendation 2

To appoint a Development Director who will be responsible for driving forward the Council's ambitions in respect of regeneration, commercialisation and asset management with an initial focus on Beacon Park and the Town Centre Initiatives (3 Year Appointment)

Recommendation 3

To review the current Monitoring Officer arrangements with NPLaw to further strengthen internal governance and contract management arrangements.

Proposer : Councillor Plant

Seconder : Councillor K Grey

That the recommendations 1 to 3 as detailed above be approved.

CARRIED

17 PAY POLICY STATEMENT 2017/18

The Committee considered the Head of HR/Organisational Development's report with regard to the Pay Policy Statement 2017/18.

Proposer : Councillor Carpenter

Seconder: Councillor Reynolds

That the Pay Policy Statement for 2017/18 be adopted and be published on the Council's website.

CARRIED

18 COMMITTEE TIMETABLE

Council considered the proposed Committee Timetable for 2017/18.

Proposer : Councillor Plant

Seconder : Councillor Carpenter

That, subject to the amendment of timings on Service and Regulatory Committees and also the Gorleston Area Committee, the Committee Timetable for 2017/18 be approved.

CARRIED

The meeting ended at: 21:00