



**GREAT YARMOUTH**  
BOROUGH COUNCIL

# Council

**Date:** Thursday, 02 November 2017  
**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      MINUTES      6 - 13**
- To confirm the minutes of the meeting held on the 5 October 2017.
- 4      PUBLIC QUESTION TIME**
- Council is advised that no public questions have been received for consideration.
- 5      SERVICE COMMITTEE DECISION LIST FOR THE PERIOD 14      14 - 15**  
**SEPTEMBER TO 17 OCTOBER 2017**
- Report attached.
- 6      TWO DAY MARKET PLACE FEES AND CHARGES AND      16 - 24**  
**AMENDMENTS TO THE MARKET LICENCE POLICY**
- On reference from the Policy and Resources Committee of the 17 October 2017, Council is asked to agree the following :-
- (1) That the recommendations for 2 day fees and charges be as follows :-
- (a) To recommend to Full Council changes to the fees and charges for 2 Day Markets to an annual charge of 50p per foot in 2017/18 with effect from 1st October 2017, and that the additional one off cost be funded from the Town Centre Initiative reserve, and then the charge to revert to £1 per foot after the 12 month period.
- (b) To recommend to Full Council a standard charge of £50 per annum for 2 day and 6 day traders on Fullers Hill Car Park.
- Report considered by the Policy and Resources Committee is attached.
- 7      PRIVATE RENTED HOUSING; PROPOSAL FOR A SELECTIVE      25 - 48**  
**LICENSING SCHEME WITHIN NELSON - CENTRAL AND**  
**NORTHGATE WARDS**
- Report attached.

**8      CONCURRENT FUNCTION AND COUNCIL TAX SUPPORT**  
**GRANTS - 2018-19**

**49 - 55**

On reference from the Policy and Resources Committee of the 17 October 2017, Council is asked to agree the following :-

That Council be recommended to agree :-

(1) That the proposal that the Current Function Grant for 2018/19 be reduced and be provided for parks and open spaces and burial grounds only be not agreed.

(2) That a further review be carried out for the 2019/20 budget process.

(3) That the Council Tax Support Grant Allocations for 2018/19 be limited to £33,710 as outlined within the Finance Director's Report.

Report considered by the Policy and Resources Committee is attached.

**9      APPOINTMENT TO OUTSIDE BODIES 2017/18**

Norfolk Health and Wellbeing Board.

Council is reminded that Councillor Grant has been appointed to the above Board. The County Council have now requested all District Council's to nominate substitute Members for this Board.

Council is now asked to nominate a substitute Member for the Health and Wellbeing Board.

**10     MOTION ON NOTICE**

To consider the following motion from Councillors Wainwright, Williamson, Jeal, Walker, Wright and Fairhead:-

Great Yarmouth Borough Council notes that: -

NJC basic pay has fallen by 21% since 2010 in real terms.  
NJC workers had a three year pay freeze from 2012-2015.  
Local terms and conditions of many NJC employees have also been cut, impacting on their overall earnings.  
NJC pay is the lowest in the Public Sector.  
Job evaluated pay structures are being squeezed and distorted by bottom-loaded NJC pay settlements needed to reflect the increased

National Living Wage and the Foundation Living Wage.  
There are growing equal and fair pay risks resulting from this situation.

This Council therefore supports the NJC pay claim for 2018 of which many GYBC staff will be affected, submitted by UNISON, GMB and Unite on behalf of Council and school workers and calls for an immediate end of public sector pay restraint. NJC pay cannot be allowed to fall further behind other parts of the public sector. This Council also welcomes the joint review of the NJC pay spine to remedy the turbulence caused by bottom-loaded pay settlements. This Council also notes the drastic ongoing cuts to local governments funding and calls on the Government to provide additional funding to fund a decent pay rise for NJC / GYBC employees and the pay spine review. This Council therefore resolves to :-  
Call immediately on the LGA to make urgent representation to Government to fund the NJC claim and pay spine review and notify us of their action in this regard.  
Write to the Prime Minister and Chancellor supporting the NJC pay claim and seeking additional funding to fund a decent pay rise and the pay spine review.  
Meet with the local GYBC Union representative to convey support for the pay claim and the pay spine review.

**11     MARINA LEISURE CENTRE - NEW BUILD OPTIONS APPRAISAL     56 - 66**

Report attached.

**12     ANY OTHER BUSINESS**

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

**13     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."

- 14 **MARINA CENTRE REDEVELOPMENT - RIBA STAGE 1 -  
FEASIBILITY STUDY AND OPTIONS APPRAISAL**  
Details
- 15 **RE-MODELLING OF THE SHELTERED HOUSING SERVICE**  
Details
- 16 **CONFIDENTIAL SERVICE COMMITTEE DECISION LIST FOR  
THE PERIOD 14 SEPTEMBER TO 17 OCTOBER 2017**  
Details
- 17 **CONFIDENTIAL MINUTES**  
Details

# Council

## Minutes

Thursday, 05 October 2017 at 19:00

Present :

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

Also in attendance :-

Mrs S Oxtoby (Chief Executive Officer), Mrs R Crosbie (Monitoring Officer), Mr N Shaw (strategic Director), and Mr R Hodds (Corporate Governance Manager).

### **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Cutting, Rodwell, Smith and Stenhouse.

### **2 DECLARATIONS OF INTEREST**

Councillor Grant declared a personal interest in the item relating to the Motion in respect of the Great Yarmouth Sport and Leisure Trust, and Councillors Wainwright, Wright and Pratt declared personal interest in the item relating to the Motion regarding the Sheltered Housing Services but all were allowed to vote and speak on the items.

### **3 MINUTES**

Council considered the minutes of the Council meeting held on the 13 July 2017.

With regard to the item relating to the Motion on Notice, in response to a question from Councillor Wainwright, the Corporate Governance Manager confirmed that to date no response had been received from either the Prime Minister or the Local MP in respect of this Motion.

With regard to the item in respect of the Redundancy and Redeployment Policy, Councillor K Grey stated that the comments made by Councillor Wainwright at the Council meeting were not correct and Councillor Wainwright apologised for the incorrect statement he had made.

Council also agreed to record that Councillor Walch had been present at the meeting on the 13 July 2017.

Proposer : Councillor Plant

Seconder : Councillor Lawn

That the minutes of the Council meeting held on the 13 July 2017 be approved.

CARRIED

### **4 SERVICE COMMITTEE DECISION LIST FOR THE PERIOD 10 JULY TO 11 SEPTEMBER 2017**

Council considered the Service Committee Decision List for the period 10 July to 11 September 2017.

Proposer : Councillor Plant

Seconder : Councillor Reynolds

That the Decision List for the period 10 July to 11 September 2017 be received.

CARRIED

### **5 ICE RINK**

Council considered the Strategic Director's report with regard to the provision of an ice rink in the Town Centre.

The Monitoring Officer advised Members on the reasons why certain financial information had been withheld in the Strategic Director's report.

Council was reminded that the Economic Development Committee at its meeting on the 7 July 2017 had asked Officers to look at the provision of an ice rink by the Council. Officers were asked to look at both the costs of hire of a rink and also the cost of purchase of a rink. The Economic Development Committee at its meeting on the 11 September 2017 had resolved that Council be recommended to purchase an ice rink and to consider the options for purchase as detailed within the Strategic Directors report. As part of consideration of the report to the Economic Development Committee it was requested and agreed that the Business Case would be reviewed and updated with figures obtained through the Council's procurement process and through additional financial modelling. The Strategic Director's report now presented the updated figures with regard to the provision of an ice rink.

Councillor Wainwright questioned why figures were now being presented as confidential and the Chief Executive Officer explained that the Officers had been securing the best price through negotiation. Councillor Fairhead commented that Members had only received the amended report from the Strategic Director two days ago and that she was disappointed that this had not been received by Members earlier. Both Councillors Jeal and Walker also questioned why the figures in regard to the ice rink were now regarded as confidential.

The Chief Executive Officer stated that all of the headline figures were included in the Strategic Director's public report and could be discussed and felt that the debate on this matter should be in the public domain.

Councillor B Coleman in presenting the report with regard to the provision of an ice rink also presented details of comments made by Town Centre traders who had expressed their support of an ice rink.

Councillor Wainwright questioned whether in face Town Centre traders were in support of the provision of an ice rink as a number had indicated that it had not improved their trade during the period of the ice rink operation in 2015. Councillor Wainwright also raised questions with regard to the details of the sponsorship figures and indicated that he did not feel that the provision of an ice rink was the best use of the Borough Council's funds. Councillor Reynolds stated that the provision of an ice rink would assist with the promotion and wealth of the Town and that it would provide a good atmosphere in the Town Centre during its period of operation. The provision of a ice rink would generate Christmas trading in this area. Councillor Myers stated that in his opinion the financial reality does not add up and that there would be no increase in retail spend. He also stated that the footfall figures in his opinion were speculative. He agreed that the Town centre required further attractions but did not agree with the provision of an ice rink.

Councillor Jeal also referred to the costs involved in providing a ice rink and whether this would be value for money. Councillor K Grey stated that despite her opposition in 2015 she now supported the provision of an ice rink this year. She also felt that both traders and residents would like the ice rink to



return.

Councillor Williamson stated that in the near future the Policy and Resources Committee would be looking to make budget savings and questioned whether funds should be spent on the provision of an ice rink. Councillor A Grey made the point that money for the provision of a ice rink had been set aside in the Town Centre Initiative Fund. He felt that this would be a tangible and visible proposal and would provide the best for the Town Centre. Councillor Hammond also felt the provision of an ice rink would be a statement of intent and that Great Yarmouth would be open for business.

Councillor Plant reported that the use of the town Centre initiative funds was being used to draw people to the town Centre and that it was important to have a vision for the future. He stated that the ice rink had been well used in 2015 and that the Town Centre traders would like it to return.

Councillor Walker stated that in his opinion the Town Centre Initiative funds were not for one off events but should be used for the long term future of the Town Centre. He also raised issues with regard to the amendment within the Strategic Director's report to the contingency figures. Both Councillors M Coleman and Lawn expressed their support for the provision of an ice rink.  
Proposer Councillor B Coleman  
Seconder Councillor K Grey

(1) That based upon the Strategic Director's report the option of hiring an ice rink for the 2017 winter season to be funded by a single payment from the Town Centre Initiative reserve should be pursued.

(2) That the fees for use of the ice rink be set at levels as detailed within the Strategic Director's report.

(3) That Officers review the timing that the ice rink is open and promotion of the event including ticket promotions.

(4) That in order to test the market for such a hirer arrangement contract standing orders relating to acquisition of supplies and services be waived and further quotes be obtained.

(5) That further sponsorship is proactively sought to reduce the net cost of the event.

(6) That a report be presented to the Economic Development Committee in 2018 to review the 2017 ice rink hire and to consider options for future events that support the revitalisation of the Town Centre.

CARRIED

## **6 TERMS OF REFERENCE FOR NEW COMMITTEES**

Council considered the Monitoring Officer's report asking Members to agree the Terms of Reference of the Local Authority Shareholder Committee and the Housing Appeals Committee. Members were advised of slight amendments for the Housing Appeals Committee.

Proposer : Councillor Plant

Seconder : Councillor Carpenter

That the Terms of Reference for the Local Authority Shareholder Committee and the Housing Appeals Committee, as now amended be agreed.

CARRIED

In discussing the above matter Councillor Jeal asked the Chairman of the Housing and Neighbourhoods Committee if he could investigate figures with regard to evictions and the Chairman agreed to look into this matter.

## **7 OFFICER APPOINTMENTS TO DIRECTOR POSTS**

Council noted for information the Chief Executive Officer's decision under delegated authority to appoint the following :-

- Neil Shaw to replace Robert Read as a Director on the Equinox Board
- Neil Shaw to replace Jane Beck as a Director on GYBS
- Jane Beck to replace Robert Read as a Director on GY Norse.

## **8 APPOINTMENTS TO OUTSIDE BODIES 2017/18**

Proposer : Councillor Plant

Seconder : Councillor Jeal

(1) That Councillor Williamson replace Councillor Borg on the Neighbourhood Management Board - Make it Happen (Southtown, Cobholm and Halfway House)

(2) That Councillor Wainwright replace Councillor Borg on the Great Yarmouth Sports Council and Great Yarmouth Sports Partnership.

(3) That Councillor Carpenter be appointed on the Great Yarmouth and Waveney CCG - Primary Care Community Committee.

CARRIED

## **9 APPOINTMENTS TO COMMITTEES 2017/18**

Proposer : Councillor Wainwright

Seconder : Councillor Williamson

That Councillor Wright replace Councillor Waters-Bunn as a Member on the Local Authority Trading Company Shareholder Committee.

CARRIED

## **10 MOTIONS ON NOTICE**

Council considered the following Motions :-

(a) Motion from Councillors Wainwright, Jeal, Walker, Borg, Williamson and Waters-Bunn :-

Councillor Wainwright presented the Motion calling upon the Council to retain the housing related support services of eleven full time equivalent Supported Housing Officers, who are on average each responsible for 94 properties, and the four Supported Housing Officers who provide sickness and holiday cover, and the one full time equivalent manager who oversees the management and delivery of the Sheltered Housing Services.

Councillor Wainwright in support of the Motion stated that this was about remodelling of the Sheltered Housing Service and he referred to the vital service that the wardens provide. He asked the Council to consider retaining the current level of the warden service. Councillor Grant as Chairman of the Housing and Neighbourhoods Committee, reported that this matter had been recently considered by the Housing and Neighbourhoods Committee and that at the present time, the proposals with regard to the sheltered housing services were out for consultation and that in his opinion the motion now presented was premature at this stage.

Councillor K Grey asked whether Councillor Wainwright would be prepared to withdraw this motion until such time as all Members would have the opportunity to examine the report that was considered by the Housing and Neighbourhoods Committee.

Councillor Pratt stated that she felt that there had not been, at this stage, much level of consultation with regard to the proposals contained within the report. The issue of communication would be raised with the Housing Services. The Chief Executive Officer also explained to Members the current consultation process and that by following that process, this matter would be considered further by the Housing and Neighbourhoods Committee.

Councillor Plant explained to Council the details of the current establishment within the Sheltered Housing Service.

In response to a comment from Councillor B Coleman on the issue of whether a Motion at Council could override any decision made by a Service Committee. Members were advised, that the Monitoring Officer would be asked to clarify this matter.

Councillor Walker stated that he felt that Councillors were here to represent the residents of the Borough and that the residents should get the service that they deserve.

Her Worship asked Councillor Wainwright if he wished to withdraw the motion but he declined to do so. The possibility of discussing this motion at the next meeting was raised.

Proposer : Councillor Wainwright

Seconder : Councillor Jeal

We call upon this Council to retain the housing related support services of eleven full time equivalent Supported Housing Officers, who are on average each responsible for 94 properties, and the four Supported Housing Officers who provide sickness and holiday cover, and the one full time equivalent manager who oversees the management and delivery of the Sheltered Housing Services.

LOST

(b) Motion from Councillors Jeal, Wainwright, Walker, Borg, Williamson and Waters-Bunn :-

That this Council immediately freeze the scheduled timetable (previously agreed at the full Council meeting in February 2017) for 2017 to 2018, and that at future Council meetings once the annual timetable for meetings is agreed, it shall not be changed during that year as all Councillors will be aware of these dates and can arrange their diaries accordingly, therefore leaving no one at a disadvantage of a last minute change.

Councillor Jeal in support of the above Motion stated that this Motion was in reaction to individual Service Committee meetings being changed both in time and date.

Councillor A Grey stated that quite often Chairman of those Committees need to re-arrange dates of meetings for good reason.

Proposer : Councillor Jeal

Seconder : Councillor Wainwright

That this Council immediately freeze the scheduled timetable for 2017 to 2018, and that at future Council meetings once the annual timetable for meetings is agreed it shall not be changed during that year as all Councillors will be aware of these dates and can arrange their diaries accordingly therefore leaving no one at a disadvantage of a last minute change.

LOST

(c) Motion from Councillors Wainwright, Jeal, Walker, Borg, Williamson and Waters-Bunn :-

Proposer : Councillor Williamson

Seconder : Councillor Jeal

This Council resolves that GYBC negotiates with the Great Yarmouth Sport and Leisure Trust for them to work in partnership by investing their residual finances into the regeneration of the Wellesley Recreation Ground, and that these finances be used as matched funding for the project for the benefit of Great Yarmouth residents as in accordance with the charitable aims of the Trust.

LOST

## **11 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."

## **12 CONFIDENTIAL COUNCIL MINUTES**

(Confidential Minute on this Item)

## **13 CONFIDENTIAL SERVICE COMMITTEE DECISION LIST FOR THE PERIOD 10 JULY TO 11 SEPTEMBER 2017**

(Confidential Minute on this Item)

The meeting ended at: 21:12

**Decision List for 14 September 2017 to 17 October 2017**

	Decision Item	Committee	Committee Date	Details of Decision	Officer Lead
1	Recommissioning of Voluntary and Community Sector Support Services	Housing & Neighbourhoods	14/09/2017	That, subject to satisfactory delivery and outcomes, as judged through the monitoring process and reported to the Housing & Neighbourhood Committee, and Council's approval of the 2018/19 budgets; approval be given to a further one year award, at the same financial level, to the four organisations funded in 2016/17 as set out in Paragraph 1.1 of the Head of Community Development and Regeneration's report.	Robert Read
2	2017/18 Period 4 HRA Budget Monitoring Report	Housing & Neighbourhoods	14/09/2017	That the Committee approve the 2017/18 Housing Revenue Budget Monitoring position, periods 1 to 4 (April to July 2017), and the full forecast budgets for 2017/18.	Karen Sly
3	Progress Report on Internal Audit Activity 1 April to 30 June 2017	Audit & Risk	25/09/2017	That the Committee received the Progress Report on Internal Audit Activity 1 April to 30 June 2017.	Emma Hodds
4	Audit Recommendations due for Implementation Between 1 April & 31 July 2017	Audit & Risk	25/09/2017	That the Committee notes the current position in relation to the implementation of agreed audit recommendations.	Emma Hodds
5	External Audit Results Report	Audit & Risk	25/09/2017	That the Audit and Risk Committee committee received the External Auditors Report.	Emma Hodds
6	Letter of Representation	Audit & Risk	25/09/2017	That the Committee agreed the Letter of Representation.	Karen Sly
7	2016/17 Statement of Accounts	Audit & Risk	25/09/2017	That the Committee agreed the 2016/17 Statement of Accounts.	Karen Sly
8	The Norfolk and Suffolk Economic Strategy to 2036 - New Anglia Local Enterprise Partnership	Economic Development	09/10/2017	(1) That the Committee endorse the new Norfolk and Suffolk Economic Strategy to 2036 with the inclusion of 'flood defences' in the infrastructure section. (2) That the Chief Executive Officer of the LEP, Mr C Starkie be invited to attend a future meeting of the Economic Development Committee.	Peter Wright
9	2 Day Market Place Fees and Charges and Amendments to The Market Licence Policy	Policy & Resources	17/10/2017	(1) That the recommendations for 2 day fees and charges be as follows :- (a) To recommend to Full Council changes to the fees and charges for 2 day markets to an annual charge of 50p per foot in 2017/18 with effect from 1 October 2017, and that the additional one-off cost be funded from the Town Centre Initiative reserve, and that the charge to revert to £1 per foot after the twelve month period. (b) To recommend to Full Council a standard charge of £50 per annum for 2 day and 6 day traders on Fullers Hill Car Park. (2) Recommendations to Market Licence Policy as follows :- (a) To approve amendments to the current Market Policy to incorporate four free sessions for both 2 day traders and the equivalent for 6 day traders for holiday and sickness (2 days for the remaining 2017/18) for permanent traders only. (b) To approve a 5% discount for 2 day traders if they agree to apy their fees by direct debit in line with other Council's and to encourage regular payments to be made to the Council. (The recommendation as detailed in (a) and (b) above within the revised Market Licence Policy to be reviewed by the Economic Development Committee at its meeting in November 2017.)	Jane Beck
10	Great Yarmouth air Show 2018	Policy & Resources	17/10/2017	That the Committee agree :- (1) To recognise the strategic importance of an air show and note the structures and procedures currently in place to ensure a safe and exciting event. (2) To endorse the approvals as detailed in the report, granted in 2016/17 giving permission to use key Council assets to assist in the staging of the 2018 air show. (3) To approve the use of vacant land on Beacon Park for use as Park and Ride site. (4) To approve, subject to gaining the necessary licences, the use of Great Yarmouth central beach to site beach bars (including the sale of alcohol and ice-cream) during the air show. (5) To grant permission to use the grassed area on Gorleston Cliff Top for cars and concessions to assist in the creation of "family zone", subject to a guarantee from the GY BID that any damage would be put right at no cost to the Council. (6) To agree the request from GYTABIA to waiver staff costs in supporting the planning and delivery of the 2018 air show in line with the expectations of staff time as set out in the report. (7) Members receive a further report on any legal, risk and insurance implications to the Borough Council in staging an air show event. (8) That the ESAG be requested to report to the next meeting on any issues with regard to the staging of the air show that would affect the Borough Council.	Robert Read

	Decision Item	Committee	Committee Date	Details of Decision	Officer Lead
11	Business Rates Pilot 2018/19	Policy & Resources	17/10/2017	<p>(1) That approval be given to the Council participating in an application to DCLG for a Business Rates Pilot in 2018/19.</p> <p>(2) That the Chief Executive Officer, in consultation with the Leader and Finance Director, be given delegated authority to agree the final details of a Pilot Bid in consultation with the other Norfolk Authorities.</p> <p>(3) That approval be given that should the application for 100% Pilot be unsuccessful Great Yarmouth will join the Norfolk Business Rates Pool from 2018/19.</p>	Karen Sly
12	Concurrent Function and Council Tax Support Grants – 2018/19	Policy & Resources	17/10/2017	<p>That Council be recommended to agree:-</p> <p>(1) That the proposal that the Current Function Grant for 2018/19 be reduced and be provided for parks and open spaces and burial grounds only be not agreed.</p> <p>(2) That a further review be carried out for the 2019/20 budget process.</p> <p>(3) That the Council Tax Support Grant Allocations for 2018/19 be limited to £33,710 as outlined within the Finance Director's Report.</p>	Karen Sly

Subject: 2 Day Market Place Fees and Charges and Amendments to the Market Licence Policy

Report to: Management Team 2<sup>nd</sup> October 2017  
Policy and Resources Committee 17<sup>th</sup> October 2017

Report by: Jane Beck, Head of Property and Asset Management

## **RECOMMENDATIONS**

That the Policy and Resources Committee considers the content of this report and recommendations listed below, with the view to making a number of recommendations to Full Council for immediate introduction.

### **Recommendation for Two Day Fees & Charges**

To recommend to Full Council changes to the fees and charges for 2 day Markets to an annual charge of £1.00 per foot (depth calculations will remain unchanged) in 2017/18 with effect from 1<sup>st</sup> October 2017. This could stimulate an increase in traders wishing to obtain a stall at Great Yarmouth market. As demonstrated in Appendix 1 this would bring the market fees in line with other Markets within the area.

To recommend to Full Council a standard charge of £50 per annum for 2 Day and 6 Day Traders on the Fullers Hill Car park. This will reduce pressures in zone A parking and provide affordable alternatives for both existing and new traders. This is in line with towns who currently charge for parking.

### **Recommendations to Market Licence Policy**

To approve amendments to the current Market Policy to incorporate 4 free sessions for 2 Day Traders and the equivalent for 6 day Traders for holiday and sickness (2 days for the remaining 2017/18) for permanent traders only. This will allow existing Traders to take annual leave/sickness days without any penalties in line with other Councils within the area.

To approve a 5% discount for 2 Day Traders if they agree to pay their fees in advance by direct debit in line with other Councils and to encourage regular payments to be made to the Council. This is particularly important given the Council's policy to remove cash payments from April 2018.



## **1. INTRODUCTION**

- 1.1 Great Yarmouth Market is an important part of Great Yarmouth's Town Centre and one of the key priorities for the Council as part of the Town Centre Masterplan to improve the market place.
- 1.2 Under the Town Centre Masterplan work is already progressing on a Design competition and it is envisaged that a new design for the 6 day market will be put to Members early in 2018.
- 1.3 A report was submitted to the Economic Development Committee on the 21st November 2016 with a recommendation to decrease the fees set for 2016/17 by 2.5% due to concerns raised by traders that a reduction was necessary to secure the long term future of the market.
- 1.4 Following the Council's restructure the management of the market has moved to the Property and Asset Management Department. In readiness for this focus groups have been held for both the 2 day and 6 day traders. Whilst the 2 Day Market Traders and the 6 Day Market Traders have a symbiotic relationship it was quite clear that they are in fact two different entities with specific issues.

## **2. BACKGROUND**

- 2.1 In 2014 there were a total of 34 Traders operating on the 2 day market in 2017 that number has reduced to 16 on a Saturday and 8 on a Wednesday.
- 2.2 The first focus group meeting for the 2 Day Market Traders was held on 12<sup>th</sup> September 2017. It was clear from the outset that whilst the reductions in the 2016/17 fee rates were appreciated the effect was reduced by the corresponding requirement to pay for additional frontage to cover all the space occupied.
- 2.2 Representations have also been received from The National Federation of Market Traders, appendix 1, confirming in their view the fees and charges for Great Yarmouth market are above the national average and should be reduced to £1.00 per foot.
- 2.3. In order to verify the representations made by the market traders and the National Federation of Market Traders an exercise was undertaken to review the fees and charges of other Councils within East Anglia. A schedule of comparable evidence, appendix 2, was compiled from information supplied by the following Council's:

- Breckland District Council;
- Dereham Town Council;
- Fakenham Town Council;
- Fenland District Council;
- Great Yarmouth Borough Council;
- Kings Lynn and West Norfolk Borough Council;
- North Norfolk District Council;
- North Walsham Town Council;
- Swaffham Town Council;
- Thetford Town Council; and
- West Suffolk (Forest Heath District Council and St Edmundsbury Borough Council).

### **3. PROPOSED CHANGES**

- 3.1 The schedule of comparable evidence determined the price per foot charged by the Councils detailed in paragraph 2.3 above. It is clear from investigations that depth is not part of the calculation and all areas allow depth in relation to the available space without additional charge.
- 3.2 As you will see from Appendix 2 there is a wide range of variances in the figures from town to town. The top of the table is dominated by Kings Lynn and West Norfolk Council and Bury St Edmunds (West Suffolk Council). It should be borne in mind however that whilst Kings Lynn and West Norfolk Council (Hunstanton) seem to be more expensive they offer an incentive to all permanent market traders of 1 week's free rent per month. Despite this the Council has seen its number of market traders dwindle from 20 to just 8 market traders in recent years. The Bury St Edmund market however is one of the largest markets in the region with over 80 stalls and is still a very popular market.
- 3.3. The 2 Days market traders have raised a number of concerns both locally and a part of the National Federation of Market Traders. These representations have included rent free weeks and parking concessions to bring charges in line with other Councils.
- 3.3 This paper presents the outcome of this review and the need to make changes to the market licence policy in line with other Council's. Officers have considered the Council's medium term financial strategy, representations from market traders and the National Federation of Market Traders.

- 3.4 It is clear that the current charging strategy is having a significant impact on the viability of the Market. Numbers of traders have declined in recent years from 34 stalls (2014) to just 16 remaining in 2017/18; with some existing market traders identifying that they will be unable to continue if action is not taken.
- 3.5 As part of this review two options have been developed for Members to consider.

**Option 1: No change to 2017/18 fees**

The 2017/18 budget for 2 Day market traders is £97,313 it is estimated that based on the beginning of the year this budget should have been £75,350.02

Benefits	Risks
None	There is a risk that further existing market traders may leave.
	Given charges at other local markets it will be difficult to grow trader numbers.
	Estimated budgets may reduce further than the anticipated £31k shortfall if additional traders leave the Market.
	Future years budget impact of approximately £31k per annum.

**Option 2: Reduction of Fees from 1<sup>st</sup> October 2017 - charge of £1.00 per foot (depth variations to remain).**

Benefits	Risks
Charges will be in line with other local Markets.	The fee reduction further reduces budgeted income.
The changes could stimulate new traders to the market and assist in the Council's aim to increase the footfall within the Town.	Existing traders may still leave due to the challenging economic climate.

#### 4. FINANCIAL IMPLICATIONS

- 4.1 The implications of the recommendations from this review as outlined in this report will result in changes to the 2017/18 budget.
- 4.2 If Members approve Option 1 there will remain a potential shortfall in the budgeted income of approximately £31k and could lead to additional Traders deciding to leave.
- 4.3 If Members agree to Option 2 from 1<sup>st</sup> October 2017 the following reduction in income will occur:

	<b>Budgeted Income 2017/18 £</b>	<b>Difference again budget 2017/18 £</b>
Budget for 2 day market Traders income 2017/18	97,313	
Anticipated income based on existing charging and actual Traders (calculated based on current numbers only if Traders further reduce income will be impacted)	65,350	(31,963)
Difference between anticipated income Option 2. *	60,914	(36,399)

\*Please note the above is an estimate of the financial effect for 2017/18, this would be positively impacted by any additional Traders or increased pitch sizes.

- 4.4 As part of the proposal for Option 2 Casual Traders fees are set at +30% of Permanent Trader fees.
- 4.5 From April 2018 it is proposed that the fees will form part of the overall Fees and Charges Policy incurring RPI +2%.
- 4.6 It is anticipated that there will be a future budget impact estimated at between £31k and £36k based on either option.

#### 5. CONCLUSIONS AND RECOMMENDATIONS

That the Policy and Resources Committee considers the content of this report and recommends the following:

### 5.1 Recommendation for Two Day Fees & Charges

- To recommend to Full Council changes to the fees and charges for 2 day Markets to an annual charge of £1.00 per foot in 2017/18 with effect from 1<sup>st</sup> October 2017. This could stimulate an increase in traders wishing to obtain a stall at Great Yarmouth market. As demonstrated in Appendix 1 this would bring the market fees in line with other Councils within the area.
- To recommend to Full Council a standard charge of £50 per annum for 2 Day and 6 Day Traders on the Fullers Hill Car park. This will reduce pressures in zone A parking and provide affordable alternatives for both existing and new traders. This is in line with towns who currently charge for parking.

### 5.2 Recommendation to Market Licence Policy

Below recommendations to be included within the revised Market Licence Policy to be reviewed by Economic Development Committee in November 2017:

- To approve amendments to the current Market Policy to incorporate 4 free sessions for both 2 Day Traders and the equivalent for 6 day Traders for holiday and sickness (2 days for the remaining 2017/18) for permanent traders only. This will allow existing Traders to take annual leave/sickness days without any penalties in line with other Councils within the area.
- To approve a 5% discount for 2 Day Traders if they agree to pay their fees by direct debit in line with other Councils and to encourage regular payments to be made to the Council. This is particularly important given the Council's policy to remove cash payments from April 2018.

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

FAO: Jane Beck  
Customer Services Director  
Great Yarmouth Borough Council  
Town Hall  
Hall Plain  
Great Yarmouth  
Norfolk  
NR30 2QF

Wednesday, 20<sup>th</sup> September 2017

Dear Ms Beck,

I am writing to you in my capacity of Chief Executive of the NMTF, a trade association that represents around 20,000 market and street traders, events retailers and mobile caterers in the UK.

I have previously written to Kate Watts in support of the NMTF Great Yarmouth Group and our members on Great Yarmouth Market who have approached us due to concerns over recent changes to rent charges and letting of space on the two day market which they feel has had a severely negative impact on the market.

My initial letter in May was in regard to the fact that traders on the two day market had been paying a premium for their licensed pitch area whilst using extra space free of charge – a practice that began at the encouragement of market management in order to make the market appear fuller.

Changes this year have seen traders pay for the extra space that they are using, which they believe has forced some businesses to reduce the days they trade or leave entirely.

Furthermore, they report that this has discouraged new business from standing on the market.

To combat this decline, the NMTF Great Yarmouth Group has been liaising with the council, as have we here at the NMTF. We have been advised that this is the best time of year to submit any proposals regarding budgets and suggestions to the rents for your consideration.

As such I would like to re-submit the suggestions made in May:

1. The council to implement eight winter payments at £1 per foot and five summer payments at £1.50 per foot.
2. Bring all market days in line with Friday charges i.e. £1 per foot, however charge this for footage exceeding 30ft as well. Currently, the maximum charge for trading on a Friday is £30 for 30ft. Traders who have bigger pitches will pay for the amount they use up to 50ft.
3. Same as option 1 however, traders who only work April to October will pay £1.50 per foot.
4. On all options, casual traders will pay 50% more than the regular trader charges.

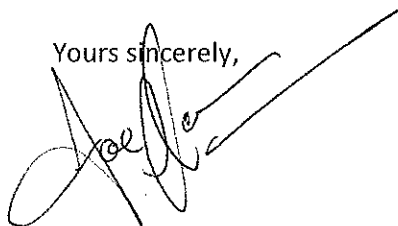
I believe the NMTF Group will also be submitting these proposals for consideration.

[PTO]

I would be grateful if you would take these proposals into consideration. Great Yarmouth had a once thriving market place and with support and cooperation I am sure it can return to its glory days and be the vibrant market place that it once was.

Thank you for your time in this matter. I would encourage you to continue to liaise with the NMTF Group but should you wish to contact the NMTF directly please do not hesitate to do so.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Joe Harrison', with a long, sweeping horizontal line extending to the right.

Joe Harrison  
Chief Executive  
NMTF

## 2 Day Market Traders

Council	Permanent	Casual	Comments
Swaffham Town Council	£0.04	£0.04	
Fakenham Town Council	£0.15	£0.15	
Sheringham & Cromer (Wednesday)	£0.57	£1.45	Summer/Winter Rate (averaged)
Dereham Town Council	£0.85	£1.07	
North Walsham Town Council	£0.85	£1.00	
Brandon Thursday & Saturday	£0.90	£0.90	
Chatteris Non-Market Day Trading	£0.94	£1.35	
Whittlesley Friday	£0.94	£1.36	
Haverhill Saturday	£0.99	£1.26	
Haverhill Wednesday	£0.99	£1.26	
Thetford Town Council	£1.10	£1.35	
Kings Lynn (Saturday) Markets	£1.21	£1.77	
Chatteris Market	£1.23	£1.65	
March Wednesday & Saturday	£1.23	£1.65	
Sheringham Saturday	£1.32	£2.49	Summer/Winter Rate (averaged)
Newmarket -Tuesdays and Saturdays	£1.40	£1.40	
Hunstanton (Wednesday) Markets	£1.42	£2.07	
Kings Lynn (Tuesday) Markets	£1.42	£2.07	
Mildenhall Friday	£1.50	£1.50	
Great Yarmouth Borough Council*	£1.73	£2.59	Summer/Winter Rate (averaged)
Bury St Edmunds (Wednesday & Saturday)	£2.56	£2.56	
Hunstanton (Sunday) Markets	£2.63	£3.94	

\*Note

Great Yarmouth Borough Council

2 Day:

Average

Summer Rate

£2.36

Winter Rate

£1.09

£1.73

Casual

Summer Rate

£3.54

Winter Rate

£1.64

£2.59



Subject: **PRIVATE RENTED HOUSING; PROPOSAL FOR A SELECTIVE LICENSING SCHEME WITHIN NELSON / CENTRAL AND NORTHGATE WARDS**

Report to: Full Council 2<sup>nd</sup> November 2017

Report by: Kate Watts Strategic Director  
Jason Williams Community Protection Manager

### **SUBJECT MATTER/RECOMMENDATIONS**

This report seeks to inform Members of the proposal for a Selective Licencing scheme to address issues connected with the private rented sector within Nelson Ward. The committee is recommended to;

1. Agree that the Council moves forwards with the introduction of a Selective Licencing in accordance with the timescales set out within the business case. The expected final decision by Council following statutory consultation will be in July 2018
2. Agree to the release of £38,788 from the Special Project reserve to fund the development of the scheme to include the appointment of a Housing Licensing Manager to commence consultation and finalise details of proposed scheme
3. Receive regular updates at Housing and Neighbourhoods Committee on the progress of the project

## **1 INTRODUCTION**

- 1.1 This report sets out a proposal for the Council to implement a Selective Licensing scheme in relation to a geographic area comprising parts of the Nelson and Central and Northgate wards of Great Yarmouth in accordance with the provisions of the Housing Act 2004. The scheme aims to tackle significant and persistent levels of Anti-Social Behaviour (ASB), crime and poor housing conditions related to the private rented housing sector.
- 1.2 Bounded by the seafront to the East and South, Regent Road to the North, and South Quay to the west, Nelson Ward in the centre of Great Yarmouth consists

mainly of high density residential areas typically built during the Victorian era. Please see the map at Appendix 1.

- 1.3 The Central and Northgate Ward is bounded by Salisbury Road to the North, the Broads to the West, the sea to the East and Regent Road/Street to the South, forming a boundary with Nelson Ward. Please see map at Appendix 2
- 1.4 Once the heartland of small hotels and guest houses, the nature of the area has changed as holiday styles have changed leaving owners of large properties with little financial alternative but to open their rooms up to residents who need living accommodation hence the growth in the number of houses in multiple occupation (HMO) within the ward. Whilst there are many good landlords with whom the Council has a good relationship with, this situation does lead to a higher risk of unethical landlords that exploit the plight of their tenants, some of whom are the most vulnerable in society. This Council has evidence of this.
- 1.5 Piecemeal interventions by a number of agencies over the years have secured improvements to some of the housing on a generally reactive basis, although it is recognized that attempts at wider area schemes such as the SHARP project have delivered localised improvements to the housing stock.
- 1.6 Coupled with a rise in the number of complaints to agencies such as the police about low level crime and anti-social behaviour, the area has become one of low housing demand where only a significant investment in resources on an area wide basis can secure improvements for residents.
- 1.7 According to the ONS Indices of Deprivation 2015, the Nelson and Central and Northgate wards are amongst the most 10% deprived wards in the Country with parts of the Nelson Ward ranking 20th out of 32, 844 neighbourhoods in England for multiple deprivations.

## **2 OPTIONS APPRAISAL**

- 2.1 The business case for a selective licencing scheme is attached as Appendix 2. As part of this, alternatives to selective licensing were looked at to see if they offered an alternative to achieve the general aims of reducing crime and ASB and improving the housing conditions for residents.
- 2.2 Option 1 – Do Nothing

Maintain current reactive strategy in respect of private rented houses in single occupation. Houses in Multiple Occupation (HMO) of 3 or more storeys rented to 5 or more persons forming 2 or more households are covered by Mandatory Licensing under the Housing Act 2004. The cost of inspection and administration of this scheme is covered by fees according to the size of the building. To do nothing will not bring about wholesale improvements to the area, there being only around 60 licensed HMOs within the whole Borough

### 2.3 Option 2 - Implement Additional Licensing

This scheme would allow the Council to licence all HMOs throughout a designated area of the Borough, irrespective of number of storeys although person and household tests would still be applicable. Overall costs would be partly recoverable via the licence fees. Whilst this option will provide greater scope to tackle more HMOs, there is a lack of evidence to show that it alone will support the overall aims of the proposed area particularly around ASB and crime

### 2.4 Option 3 – Implement Selective Licensing within a specific geographical area

Selective licensing will allow the Council to introduce a scheme to licence all private rented properties, irrespective of tenure and building size. This scheme considers the wider health and community issues associated with poor housing and irresponsible landlords, involving a significant multi-agency approach. The general costs of inspection and administration of the scheme are covered by fees levied for each licence depending on the property description and how it is occupied.

- 2.5 It is considered that a Selective Licensing scheme will be able to best deliver the Council's and partners aspirations for the area and is the preferred option. The options available to Local Authorities is covered in the business case.

## 3 FINANCIAL IMPLICATIONS

- 3.1 Setting up a major scheme such as the Selective Licencing scheme proposed in this report will require significant resources to cover administration and enforcement. The scheme is set to run over 5 years although there are options for the Council should it wish to extend the scheme. A proposed timeline for the

development and implementation of the scheme is included within the business case and at Appendix 3 to this report.

- 3.2 Appendix C of the business case details the predicted financial summary. It should be noted that there is a proposal for the costs incurred within the current financial year to come from the Special Projects Reserve. These have been estimated at £38,788. Income from licence fees has been based on data from Councils that have implemented a selective licencing scheme and will ensure the project is well funded in future years.
- 3.3 In 2021/22, as the project draws to a close a decision will be made on whether the project can cease and the duties absorbed into the day to day work of the existing team. At this time it should also been known whether the project is likely to require an extension.
- 3.4 Funding of the project will be based on the income from licencing fees. A suggested fees and charges schedule is included at Appendix B of the business case. The level of fees and charges will need to be kept under review during the life of the project and adjustments made as necessary to ensure the project is as much self-funding as possible.
- 3.5 The development costs have been estimated at approximately £38,788 which will be funded by the Special Projects Reserve. These will include the employment of a Project Manager and intelligence and data gathering via a third party, printing and stationery etc.
- 3.6 Experience of Councils who have already introduced Selective Licensing suggest that the bulk of licence applications will be received by the end of Year 2 with a reduced but steady income being received through the following years from new and late applications along with that from non-compliant landlords.

## **4 RISK IMPLICATIONS**

- 4.1 There is the risk that the scheme may not receive applications and fees from the predicted number of properties that are assumed to be within the area. However, a very conservative estimate has been used and in part this has been informed by the experiences of other local authorities who have introduced such a scheme and setting realistic fees for the majority of landlords.

- 4.2 A number of schemes across the country have been subject to Judicial Review raised by landlords and landlord associations. These have been successful where Councils have failed to follow the correct processes or have been unable to justify part of their scheme, proposals or evidence base. There is the potential for additional and unfunded legal work to meet any challenges or cases which are brought against the Council.
- 4.3 Effective communication and robust enforcement at the start of the scheme should enable risks to be reduced as much as possible. The early appointment of the Project Manager is seen as critical to ensure early communication with various landlord organisations and to develop a scheme which has considered their views and concerns at an early stage.
- 4.4 Nationally there is a move to extend the current mandatory licensing scheme. If this does take effect and Great Yarmouth has implemented a selective licensing scheme, we will in fact be in a better position to administer and resource this.

## **5 CONCLUSIONS**

- 5.1 The Nelson and Central and Northgate Ward areas experiences community issues around low level crime, ASB and unsatisfactory housing conditions and is classified as an area of low housing demand (Housing Act 2004). Current and previous interventions have failed to secure widespread improvements – a new approach is required. Selective licencing has been shown to work in other areas of the country and delivered in conjunction with other partners and will allow for comprehensive improvements within the Ward.
- The scheme will cover an estimated approximately 1400 properties
  - All properties will be licenced for 5 years and be required to adhere to set conditions.
  - A fees and charging structure will be introduced and finalised during the development stage
  - All HMOs specifically will be covered
  - The Councils housing amenity and fire safety standards will be reviewed as part of the development process and will be applied to the licence conditions.
  - A designated project team will be formed to run the scheme with the initial appointment of the Project Manager to develop the scheme.
  - By its end, the scheme, should have brought about notable improvements in housing and social conditions within the area and with it knock on benefits for health and well

being of the residents and encouraging positive investment.

## **6 RECOMMENDATIONS**

6.1 The Council is recommended to;

- Agree that the Council moves forwards with the introduction of a Selective Licencing in accordance with the timescales set out within the business case. The expected final decision by Council following statutory consultation will be in July 2018
- Agree to the release of £38,788 from the Special Project reserve to fund the development of the scheme to include the appointment of a Housing Licensing Manager to commence consultation and finalise details of proposed scheme
- Receive regular updates at Housing and Neighbourhoods Committee on the progress of the project

## **7 BACKGROUND PAPERS**

Selective Licencing of Private Rented Dwellings: Business case.

<b>Area for consideration</b>	<b>Comment</b>
Monitoring Officer Consultation:	Yes
Section 151 Officer Consultation:	Yes
Existing Council Policies:	Yes
Financial Implications:	Yes
Legal Implications (including human rights):	Yes
Risk Implications:	Yes
Equality Issues/EQIA assessment:	Yes
Crime & Disorder:	Yes
Every Child Matters:	Yes



## **Selective Licensing of Private Rented Dwellings Business Case**

Author	Jason Williams
Date	23 October 2017
Version	4.0
Document Status	Final

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## 2.0 Document Control

Date	Version	Status	Reason	Amended By
14/9/17	V1	Draft	First draft	Jason Williams
15/9/17	V2	Draft	First review	Kate Watts
22/9/17	V3	Draft	Second Review	Jason Williams
23/10/17	V4	Final	Third Review	Jason Williams



### **3.0 Executive Summary**

This business case examines the potential for the Council, in accordance with the Housing Act 2004, to implement a Selective Licensing scheme in relation to privately rented housing in the Nelson and Central and Northgate (NC&N) Wards of Great Yarmouth. The aim of this scheme is to tackle significant and persistent levels of Anti-Social Behaviour (ASB), crime and poor housing conditions related to private rented tenancies.

A review of information on the Borough's ASB, crime rates and housing conditions has been carried out. Analysis of this data concluded that there are consistent indicators of increased ASB and crime rates in the NC&N Wards and high rates of disrepair.

Data gathered from the 2011 Census, extrapolated against the current upward trend in the private rented sector, suggests that there are in the region of 1400 private rented properties that may fall within a Selective Licensing scheme in the NC&N Wards.

Liaison with other Local Authorities who have implemented a selective licensing scheme, alongside calculations regarding the predicted number of licensable properties has determined the number of officers necessary to develop and manage the scheme alongside carrying out the predicted number of property inspections.

Outline fees have also been calculated in this way and it is suggested that the fee for a five year Licence should be set at £250, with reduced fees for accredited landlords and landlords/agents who take advantage of an "Early Application" facility set at £100, if paid within the first 3 months of the scheme. Houses in multiple occupation should conform to the existing payment regime for mandatory licencing which is suggested be set at £770.

### **4.0 Introduction**

The Council and other partner organisations such as the Police, have raised concerns that the NC & N Wards in Great Yarmouth suffer from low housing demand and increased Anti-Social Behaviour (ASB) and general low-level crime. These concerns persist despite the Council and its partners using their enforcement powers and providing guidance to Private Rented Sector (PRS) housing landlords to improve standards over many years.

Low demand is indicated by factors which demonstrate that areas are not as desirable as others, such as high rates of empty property, high rates of occupier turnover, low property values and other social factors.

In addition, according to the ONS Indices of Deprivation 2015, the NC&N wards are amongst the most 10% deprived wards in the Country with parts of the Nelson Ward ranking 20th out of 32, 844 neighbourhoods in England for multiple deprivations.

This Business Case presents the case for setting up a Selective Licensing scheme to tackle these issues which impact on the quality of life of the wider community

and can bring a perception of destabilisation into the neighbourhood. To effectively tackle the problems associated with low housing demand it is necessary to ensure that all stakeholders take their share of responsibility in the areas in which they live, work and invest.

Historically, intervention with problem tenants and properties has been focussed on criminal enforcement methods, which tackle the individual problem at the time, rather than the area as a whole. By ensuring landlords have an investment in their communities, as well as the properties they own, we will influence and enable a reduction in ASB incidents. In a similar way, reactive housing enforcement to complaints about poor housing standards and landlord/tenant relationships can only have a limited and short term impact in areas with entrenched problems.

Poor housing conditions and excessively cold and damp properties have significant health impacts on those occupiers, in addition to the physical safety risks to tenants of poorly maintained property.

The PRS is growing in response to the demand for lower cost housing outside of the social rented sector, and the Council is committed to supporting and promoting private landlords to provide quality and affordable housing. However, there are concerns that standards within the PRS are falling below the minimum expected under the Housing Act 2004.

Because of the concerns about low demand, ASB and the limited impact being made through existing interventions in some of our neighbourhoods, the use of Selective Licensing under the Housing Act 2004 is being considered as a means of ensuring private sector landlords to manage their properties better and to ensure tenants fulfil their responsibilities to the communities they live and work within.

## **5. Background**

The Housing Act 2004 (the Act) provides Councils with the power to introduce the licensing of privately rented properties in specific areas. This is with the aim of improving conditions for local occupiers and the surrounding community. Local Authorities can designate areas of their District/Borough in which private sector rented accommodation must be licenced. A Licence fee for each property must be paid for by the landlord or agent and each Licence contains a set of conditions that the landlord must meet.

Before the council can consider making a selective licensing designation, it needs to ensure that the area in question meets certain legal tests, known as condition, set out in the Housing Act 2004. The council may designate an area if:

- (i) It is, or is likely to become, an area of low housing demand; or
- (ii) It has a significant and persistent problem with anti-social behaviour where the inaction of private landlords is a contributory factor; or
- (iii) Following a review of housing conditions, it is believed that the area is suffering from significant housing condition problems and the council intends to inspect the dwellings concerned; or

- (iv) It has experienced a recent influx in migration, and where the migrants are primarily occupying privately rented accommodation; or  
It suffers from a high level of deprivation which particularly affects the occupiers of privately rented accommodation; or
- (v) It suffers from a high level of crime that affects residents and businesses in the area.

## **6. Initial Scoping**

Following analysis of complaint data held by the Council, along with statistics on crime provided by the Police, it was identified that the NC&N Wards satisfies five of the six tests above. Data on ASB, Crime and Housing disrepair are attached in Appendix A which demonstrates that the NC&N Wards suffers significantly in these areas compared to the rest of the Borough.

The area suffers from low housing demand, ASB is disproportionately high, and poor housing conditions are widespread. The area is also one of the most deprived in England and crime levels are disproportionately high. However, the argument for migration is less convincing as Government guidance suggests that the migration test should relate to relatively sudden increases in migration (say 15% over a 12 month period).

Movement into the area is not a new phenomenon as higher than average levels of migration have been a theme for some years.

While Government has increased the scope for selective licensing, it has also restricted how large schemes can be before Secretary of State approval is needed. Approval must now be sought for any scheme that is more than 20% of the geographical area of the district, or applies to more than 20% of all privately rented properties in the district. It is thought that the designation under consideration would not exceed any of the two 20% tests, and so the council would have general approval to designate the NC&N Wards area for Selective Licensing.

In reaching a decision on whether Selective Licensing is appropriate the Council is required to consider what other courses of action are available that might provide an effective method of achieving the same objectives and that it considers the introduction will significantly assist it in achieving those objectives. Where Selective Licensing is introduced it should form part of a coordinated approach to tackling the problems and not be used in isolation.

### **Alternative approaches to achieve the objectives**

As part of the process of deciding whether or not Selective Licensing should be introduced there is a need to assess whether there are alternative approaches that may achieve the same objectives.

The alternative to the Selective Licensing option is the use of accreditation schemes for landlords. As has been demonstrated, however, previous accreditation schemes have not worked due to a lack of take up by landlords and would require additional resources to facilitate. Experience has shown that accreditation would

only attract the landlords who do want to let properties responsibly and will not effectively tackle the landlords who fail to engage and fail to meet their obligations.

To meet the concerns of landlords who are behaving responsibly and within the law, accreditation should be used as part of any Licensing scheme to provide lighter touch regulation to those landlords who are accredited. Such an accreditation scheme would place additional resource demands on the Council if it were to be the facilitator and alternative national schemes should be explored and promoted as part of any Licensing scheme. Any landlord/ Licence Holder from outside the Borough holds an accreditation with another Local Authority should also benefit from this self-regulation approach.

To intensively manage empty properties in these areas would require additional resources to prioritise property owners and funding to compulsorily purchase those houses which remained empty. However, to manage and process cases at a pace which would have a significant impact as a standalone tool, would require significant additional resources. In addition to this, the Compulsory Purchase Order and Enforced Sale processes do not guarantee that the property will be reoccupied; it will only result in the property being sold.

Reducing crime and ASB is one of the highest priorities in Great Yarmouth. Continuing with the existing and traditional enforcement techniques will not make tenants and landlords manage their own behaviour better. Admittedly, it is not feasible for landlords to tackle crime and ASB they have no direct control over, however, regular checks on properties, better letting practices, ensuring proper tenancy agreements are in place and making sure that tenants are advised of their responsibilities early are all achievable and reasonable actions that all landlords could take.

As an alternative to licensing for ensuring minimum standards are met by landlords for the safety of properties, it would be possible for additional and targeted HHSRS inspections to take place. However, there is short lived success with such activities and they are extremely resource intensive. In addition to this, the lack of accurate information about property ownership and lettings prevents the Council from efficiently targeting properties which are known to be privately rented, on which to then carry out inspection. Licensing would ensure that the rented property in these areas is identified, subject to regulation and initial licensing inspections. Tenants will be more aware of their rights and what they should expect from landlords.

## **7.0 Options appraisal (cost/benefits)**

### **Option 1 - Do nothing**

Maintain current reactive strategy in respect of private rented houses in single occupation. Houses in Multiple Occupation (HMO) of 3 or more storeys comprising over 5 persons forming 2 or more households covered by Mandatory Licensing. Cost of inspection and administration of the scheme covered by fees according to the size of the building. This option has been ruled out due to the minor impact of the scheme.

## **Option 2 - Implement Additional Licensing of HMOs.**

This would involve the licensing of all HMOs throughout the Borough, irrespective of number of storeys although person and household tests would still be applicable. Costs recoverable through licence fees. This option has been ruled out for although it will provide greater scope to tackle more HMO's there is a lack of evidence to show that the scheme will support the overall aims of the proposed area.

## **Option 3 - Implement Selective Licensing within specific geographical area.**

To licence all private rented properties, irrespective of tenure and building size. This scheme considers the wider health and community issues associated with poor housing and irresponsible landlords, involving a significant multi-agency approach. Costs of inspection and administration of the scheme covered by fees. It is considered that a Selective Licensing scheme will be able to best deliver the Council's and partners aspirations for the area and is the preferred option.

## **8.0 Recommendation**

### **Proposals for a Selective Licensing Scheme**

Making designations for Selective Licensing, along with other partnership interventions, will lead to a reduction in the problems which cause low housing demand. It is considered the scheme will drive up housing demand and lead to an improvement in housing standards and see a reduction in ASB and crime.

A designation would require all privately rented properties within the identified boundaries of the NC&N Wards to be licensed for up to 5 years. Each Licence will be charged at a standard rate with the potential for reduced fees.

Each Licence Holder will receive a standard set of conditions. As part of the initial development of this scheme the Council's current conditions would be reviewed to ensure clarity between the conditions required of a single let property and the conditions required if an HMO is run.

These conditions will be monitored through the administration of the scheme and are currently being reviewed.

As part of any application the applicant and, if another person is nominated, the proposed Licence Holder, will be required to declare any relevant unspent criminal convictions and that they are a fit and proper person to hold a Licence. Where gas is supplied to the property, landlords will be required to provide a copy of a current and valid Gas Safety Certificate for the property with their application. Without either of these a Licence would not be granted, as an application would be considered to be incomplete.

The objectives of a designation should be based on the evidence on which the designations are made and these should be:

- Reductions in the turnover of occupiers in areas which will in turn provide a more stable community and greater pride by residents in their area,
- Reductions in rates of empty properties,
- Ensure minimum standards are met by landlords for the safety of properties
- Reductions in crime and ASB as a by-product of more stable communities,
- Increased engagement with landlords and tenants to enable the responsible letting of properties and improved landlord-tenant-GYBC relations.

The Selective Licensing scheme proposals in this report are consistent with the aims and objectives of the Council's Housing Strategy and support the Council's overall aim of providing 'An attractive mix of housing, that will be fit for purpose for all and meet both the borough's existing and future needs. There will be good quality housing for all sectors of the community and workforce.' (The Plan 2015 -2020)

The proposed Licensing scheme will also consider links to the aims of the Council's homelessness strategy in providing advice and support to tenants and landlords and referring people to support services where appropriate. In addition the draft Licence conditions are consistent with the suitability criteria set out in the Localism Act 2011 for placing homeless people in private rented property.

## 9.0 Programme of Work/Timeline

December 2017	-	Manager in post (to develop and implement scheme) Employ contractor to carry out data and intelligence review Initial discussions with internal stakeholders on aims of scheme Discussions with other local authorities with existing schemes Presentation and discussion with Eastern Landlords Association Liaison with software suppliers on set-up of IT system Devise admin processes Discussions with external stakeholders on wider health multi-agency working Agree and produce MoUs with external stakeholders Develop stakeholder consultation document Revise Amenity and Fire Standards for dwellings
April 2018	-	Produce JD for Admin Support Interviews for Admin Support Begin stakeholder consultation
July 2018	-	Stakeholder consultation ends Admin Support in place
August 2018	-	Seek Designation approval from members and amend if necessary Produce JD for Housing Licensing Officers Conduct interviews for Housing Licensing Officers
September 2018	-	Designate Selective Licensing area Full media rollout IT system online and taking payments
November 2018	-	Housing Licensing Officers in post
December 2018	-	Begin inspections
September 2023	-	Scheme ends (if not renewed)



## 10.0 Resources

The administration, compliance monitoring and support for the scheme will be financed in part from the Licence fees received.

Research of other Local Authority Schemes revealed fees ranging from £400 (Liverpool City Council) to £900 (Peterborough Council) per licence. The median licence fee was in the region £550 per licence

Due to uncertainties around levels of landlord compliance in submitting applications, it was decided to benchmark with Thanet Council, a similar local authority who had successfully implemented a 5-year scheme in a similar area in size and demographic. Discussions with Thanet's Project Leader provided a wealth of information on likely compliance rates and Early Application take-up. The indicative fee schedule included at Appendix B has been formulated according to Thanet's data extrapolated against the predicted number of private rented properties in NC&N Wards that would be subject to licensing. Due to the potential variance of predicted against actual numbers that may fall within the scheme, the fee schedule will be subject to review during development and fees will be recommended to the Council. An Early Application fee could be set at £100.

It is expected that the first two years of the scheme will be focussed on processing payments and carrying out inspections of properties let by compliant landlords, followed by a two-year period of investigation of non-compliant landlords. The scheme will be assessed in 2021/22 to determine reasonable staffing levels and how the scheme should be funded to its conclusion. A decision will then be made on whether the Council should seek a re-designation of the scheme for a further 5 years or if the scheme should be ended. A cost analysis of income against expenditure is included in Appendix C. It is projected that the scheme would be self-funding. Initial set-up costs, to be secured via the Special Projects Reserve fund have been calculated at £38,788.

In order to provide the best value for money for landlords, it is desirable that the application handling be fully digital, with online application and automated processing which will reduce the processing time for applications. This will enable the staffing costs for administering the scheme to be kept to a minimum. As a majority of transactions are expected within the first two years of the scheme, it is suggested that the digital platform be procured for an initial two year period. This will allow for a review of the options available as the scheme moves towards the investigation phase.

The proposed staffing needs are:

Title and duration	Role
Housing Licensing Manager 5 year contract	To develop and implement the scheme and review the current housing standards to better define single let property conditions alongside HMO property conditions. To become the Single Point of Contact for landlords

	<p>and licence holder and manager of the administration of the scheme.</p> <p>Responsible for ensuring proper and effective staff management and annual review of the schemes achievements and outcomes. Lead officer in respect of the identification of non-compliant landlords and licence holders. To attend multi-agency meetings around wider remit of licensing schemes and to attend public consultation meetings.</p>
<p>Housing Licensing Officer x 3</p> <p>1FTE – 4 year contract</p> <p>1FTE – 3 year contract</p> <p>1FTE – 2 year contract</p>	<p>Housing inspection specialists to inspect and audit properties against licence conditions and relevant housing legislation, following the receipt of licence applications. To produce written reports and schedules and to undertake enforcement as appropriate.</p>

## 11. Project Risks & Mitigation

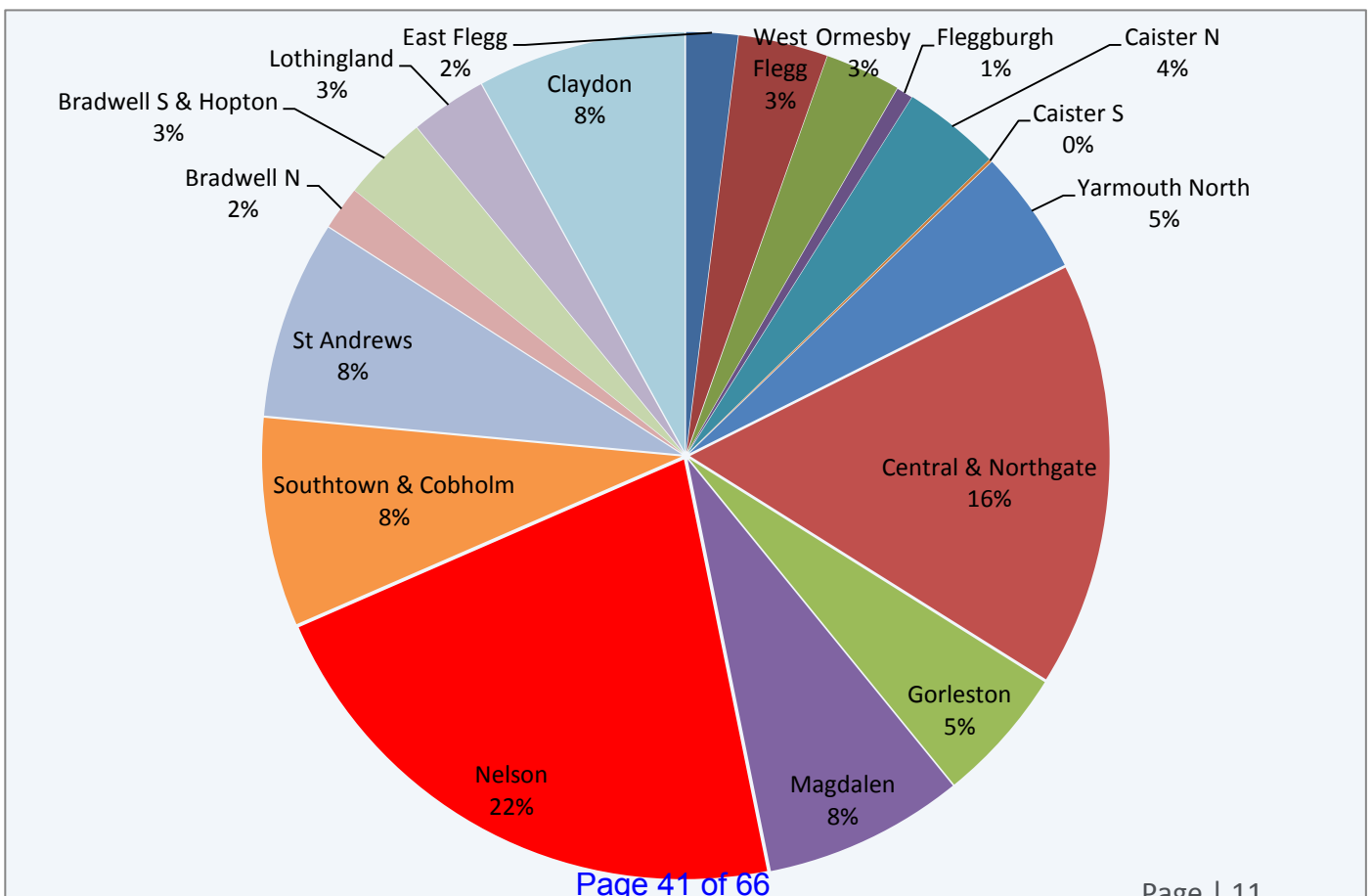
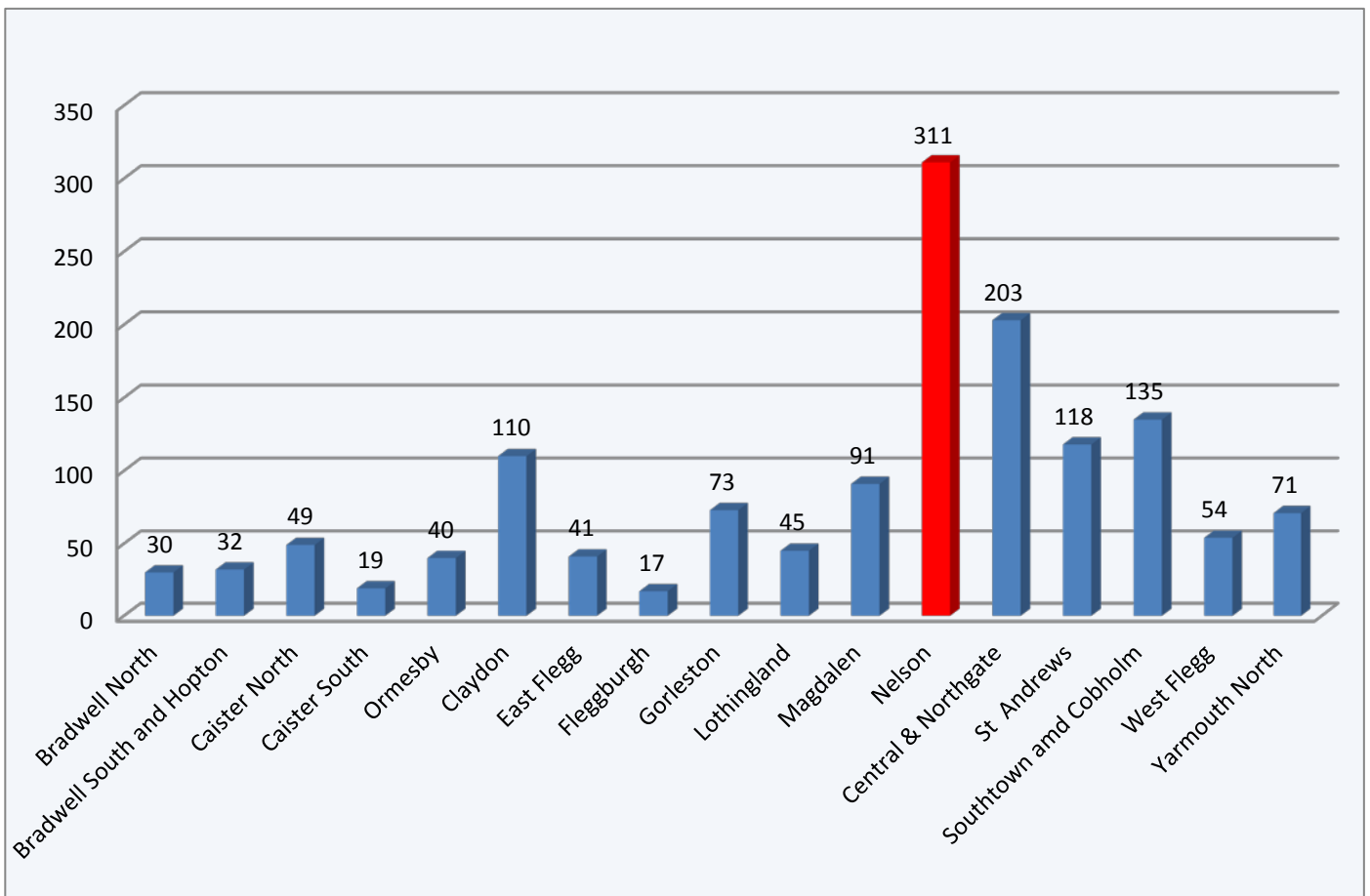
This is a risk of a significant budget shortfall if the scheme does not receive applications and fees from the anticipated number of licensable premises. This has been mitigated by taking a realistic view on the number of potentially licensable premises in the areas concerned and keeping the proposed Licence fee to a minimum.

A number of schemes across the country have been subject to Judicial Review raised by landlords and landlord associations. These have been successful where Councils have failed to follow the correct processes or have been unable to justify part of their scheme, proposals or evidence base. There is the potential for additional and unfunded legal work to meet any challenges or cases which are brought against the Council. To mitigate this risk the appointment of the Manager post is critical to ensure early communication with various landlord organisations to develop a scheme which has considered their views and concerns at an early stage.

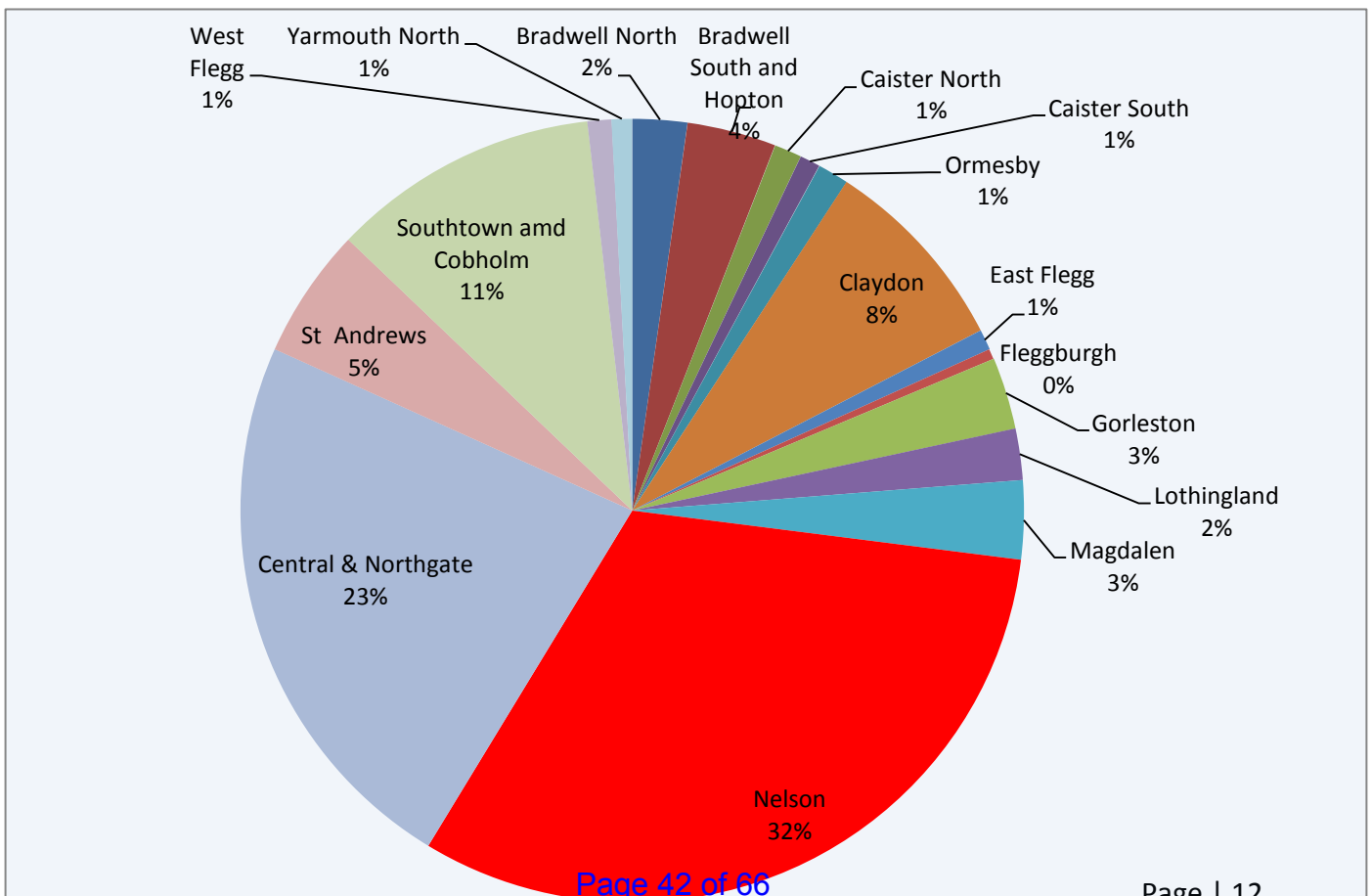
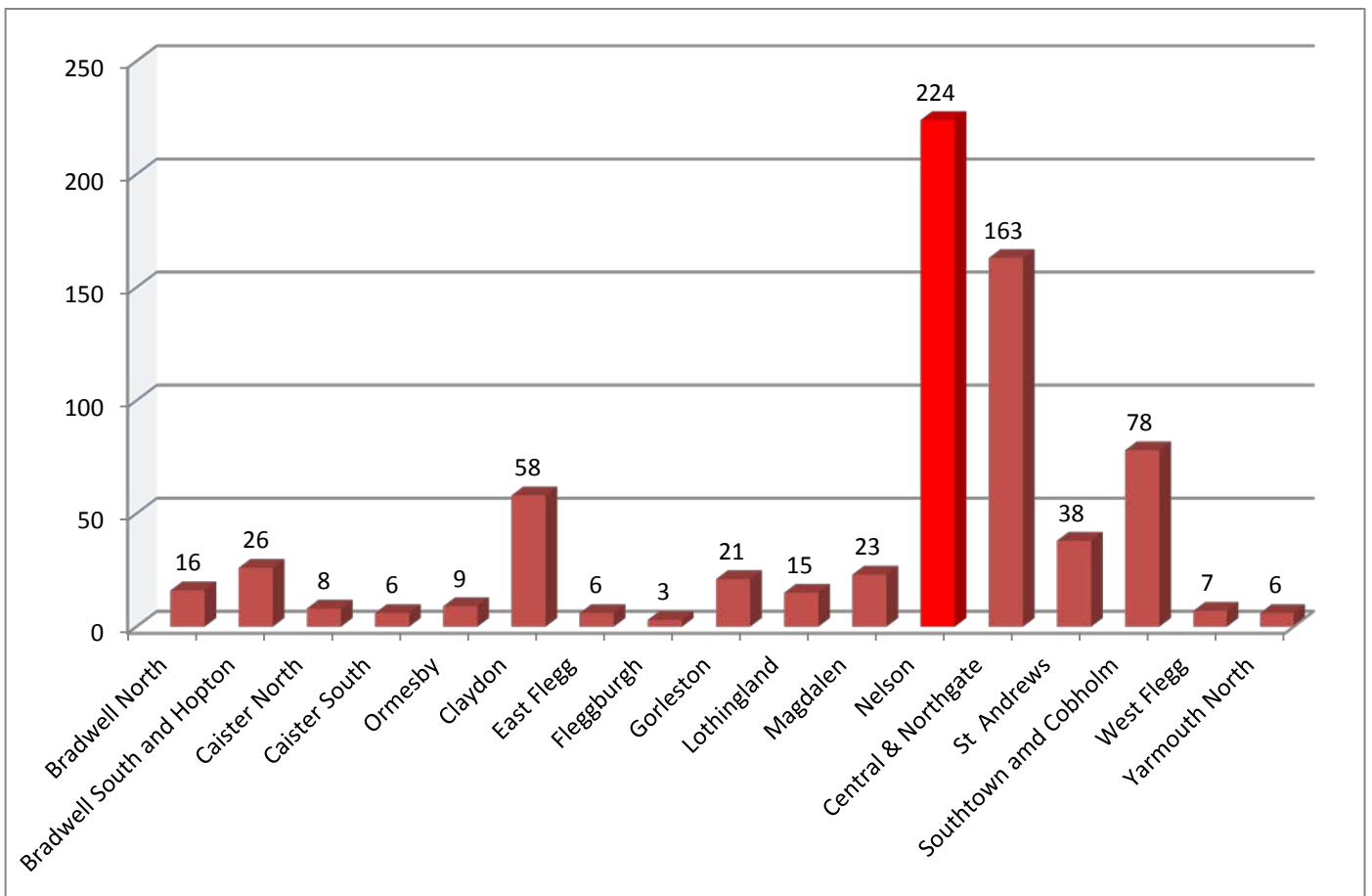
There is a risk that increased enforcement actions may place an additional burden on the Team along with associated legal costs. Effective communication and robust enforcement at the start of the scheme should enable this risk to be reduced as much as possible and reduce the number of enforcement actions required.



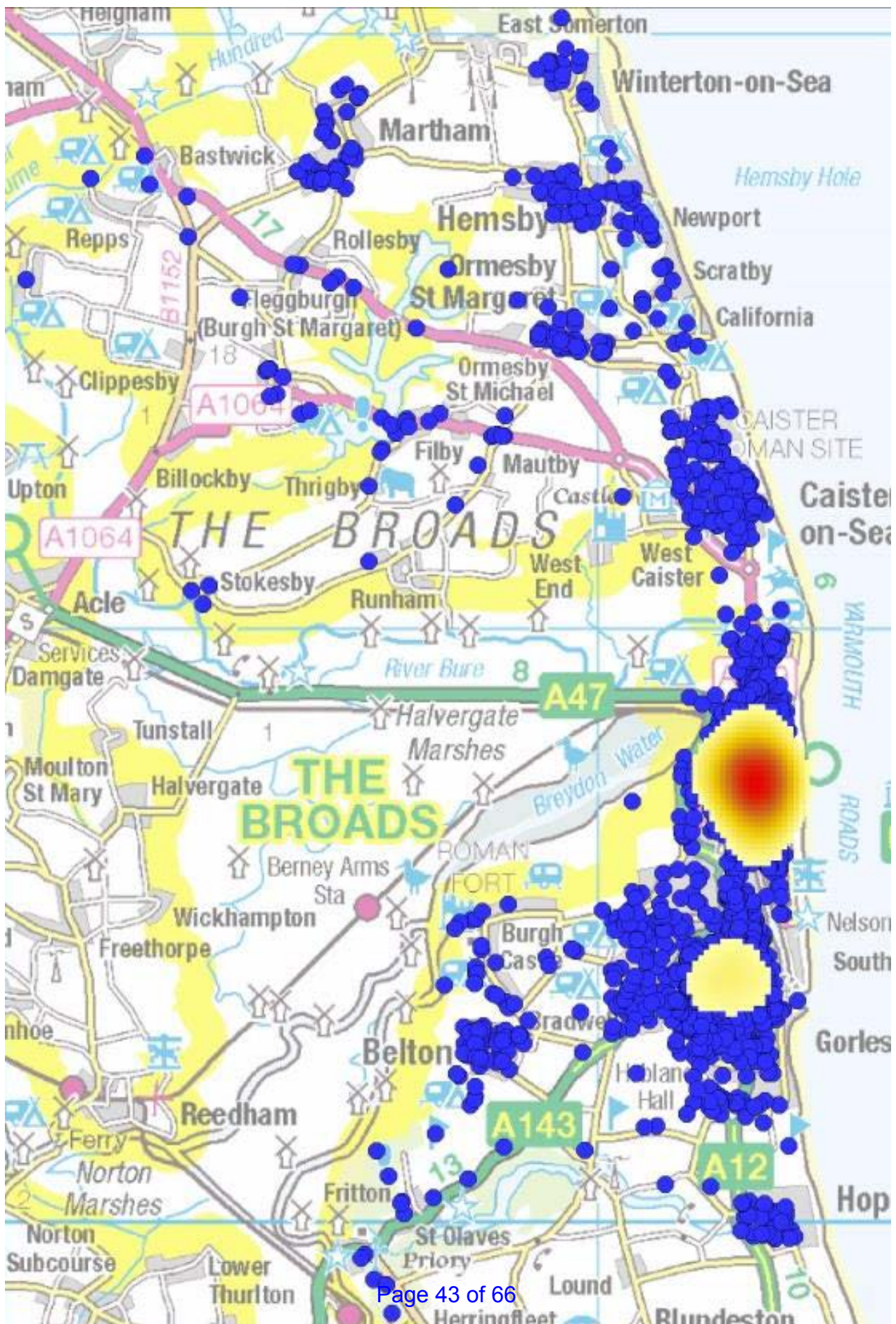
## Appendix A – Complaints of Anti-Social Behaviour 3/2014 – 9/2016



## Housing complaints 3/2014 – 9/2016



## Police ASB complaints





## Appendix B

### Selective Licensing: Fee Schedule (Indicative)

The fees are for the whole period of the Selective Licensing designation, which is for 5 years from December 2018 to November 2023. Fees are based on the running cost and management of the overall scheme. There are a range of fees, which differ for single and multiple unit properties. There are also a range of reduced fees and penalties which relate to certain circumstances.

There are 4 fee scenarios, dependent on the type of building and ownership, as follows:

- 1 **Single unit properties:** This is for dwellings, which are a single unit, which could be a house, or a self-contained flat or non-self contained flat. The standard fee of £250 applies in this case and this requires only one licence or £100 for the early bird fee.
- 2 **Multiple unit properties where the landlord controls the freehold:** Where the landlord has the freehold of a block of flats a single licence will be issued for all the flats owned by the landlord plus the common parts of the building. The licence fee will be the standard fee of £250 for the first flats plus £100 for each extra flat within the same building. So if a landlord with the freehold owns 4 flats in the block, then the total licence fee will be £550 (£250 for the first flat and £300 for the other 3 flats). Where applicable, reduced fees will be applied to the total cost of the licence (see below).
- 3 **Multiple unit properties where the landlord does not control the freehold:** Where the landlord owns multiple flats within a building but does not own the freehold, then each flat will require a separate licence. The licence fee for the first flat will be the standard fee of £250, whilst the licence fee for any extra flats in the block will be £100 for each extra flat. So if a landlord who does not own the freehold owns 3 flats in the block, then they will pay a sum of £450 (£250 for the first licence and £100 each for the other 2 licences). Reduced fees will only be applied to the total cost of the flats to be licensed in the block and will not apply to each individual flat in the block, as the licence fee for the extra flats has already been substantially reduced.
- 4 **Houses in Multiple Occupation:** These are not subject to selective licencing where they are subject to existing mandatory licencing. The proposal is for all other HMOs within the NC&N Wards to pay the same amount for their licence as for those covered by the existing mandatory scheme. This is likely to be £770 in 18/19.

## Standard Fees

Property Type	Standard Fee
<b>Single occupancy household</b>  For each dwelling which is occupied by a single household (eg house, self-contained flat or non self-contained flat)	<b>£250 / £100 (Early Application)</b>
<b>Buildings containing flats where the landlord owns the freehold<sup>(1)</sup></b>  A single licence will be issued covering all of the flats within the control of the landlord	<b>£250 for first flat and then £100 for each additional flat within the same building</b>
<b>Buildings containing flats where the landlord owns more than one flat in a building without owning the freehold</b>  As the landlord does not own the freehold, then each flat will require an individual licence	<b>£250 for first flat and then £100 for each additional flat within the same building</b>
<b>Houses in multiple occupation falling outside the mandatory licensing criteria</b>  Fee in line with 18/19 proposed changes to mandatory licence fees.	<b>£770</b>

Reduced rates <sup>(2)</sup>	Amount
<b>Membership of selected organisation</b>  Reduced fees will apply to members of one of the following organisations:  National Landlords Association Residential Landlords Association National Approved Lettings Scheme	<b>£100</b>
<b>Early application reduced fee</b>  Applies to all licence applications received and fully completed with all requested documentation by March 2019 (ie within first 3 months of commencement of scheme).	<b>£100</b>

## Penalties<sup>(1)</sup>

Penalty	Amount
<b>Late Application<sup>(2)</sup></b>  Applications received after June 2018 (ie 6 months after commencement of scheme).	<b>£1000</b> Applies to each licence application
<b>Finder's Fee<sup>(3)</sup></b>  Applies where a licensable property is identified by the Council after June 2018 and no application has been submitted. Landlords who have failed to licence any such property may also be subject to prosecution by the Council.	<b>£1000</b> Applies to each licence application
<b>Incomplete application</b>  Incomplete application: e.g. incomplete information, application form not signed, failure to provide certificates and requested documentation within an agreed timescale.	<b>£100</b> Applies to each licence application

### Notes

- (1) This only applies where the applicant is in control of the whole building (e.g. a landlord who owns the whole block). In cases where the applicant has one or more flats within a building, but do not have full control of the block, then the applicant will require individual licence applications for each flat in the block.
- (2) Properties in multiple occupation falling outside the mandatory licensing definition will not be eligible for reduced fees. HMOs subject to mandatory licensing under Part 2 of the Housing Act 2004 or those currently licensed within the additional licensing scheme are exempt from selective licensing.
- (3). Where applicable, all reduced rates can apply to the same licence application. In the case of multiple flats within the same building where the landlord is not the freeholder, the rate will only apply to the initial application

Applicants will not be entitled to reduced fees where a penalty fee has been applied.

## Payment schedule

Fees should be paid in full at the time of application

## Appendix C – Cost analysis – Income / Expenditure (Indicative)

<b>Special Projects Reserve Proposal</b>								
<b>Full costs including payback period</b>								
			<b>Note</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>
			<b>Ref.</b>	<b>Year 0</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>
				<b>£'s</b>	<b>£'s</b>	<b>£'s</b>	<b>£'s</b>	<b>£'s</b>
<b>BUDGET</b>								
Current Budget including cost centres			1					
				0	0	0	0	0
<b>COSTS</b>								
Employee: (incl oncosts)								
Housing Licensing Manager - Band 8 Dec 17			2	13,663	42,828	46,024	49,831	50,827
Housing Officer - Band 6 From Nov 18					12,775	32,091	33,816	34,492
Housing Officer - Band 6 Nov 18 - 3 years					12,775	32,091	33,816	20,121
Housing Officer - Band 6 Nov 18 - 2 years					12,775	32,091	19,726	
Other Costs:								
Additional costs – Licensing software from July 18 – Year 1 - £13,300 Year 2 - £9,300				12,625	9,975			
IT/training/printing & stationery/subs/clothing/ phone/ppe/meetings			4	1,000	6,500	3,000	2,000	2,000
Intelligence and data gathering				12,000				
Recruitment costs				500	1,500			
<b>Total cost in year</b>				<b>39,788</b>	<b>99,127</b>	<b>145,297</b>	<b>139,189</b>	<b>107,440</b>
<b>INCOME</b>								
	Fee	No of applications						
Fee Income - Early Bird applications	£100	500			50,000			
Fee Income - Standard Fees	£150	500			75,000			
Fee Income - Late applications / Penalty fees	£1,000	300				120,000	100,000	80,000
Other income - HMO fees	£770	90			69,300			
<b>Total income in year</b>				<b>0</b>	<b>194,300</b>	<b>120,000</b>	<b>100,000</b>	<b>80,000</b>
<b>Net Cost/(Saving) in year</b>					<b>(95,173)</b>	<b>25,297</b>	<b>39,189</b>	<b>27,440</b>
<b>Cumulative cost/(saving)</b>					<b>(95,173)</b>	<b>(69,876)</b>	<b>(30,687)</b>	<b>(3,247)</b>
<b>Special Projects Reserve</b>			3	<b>38,788</b>				
<b>Notes:</b>								
These should provide explanations/clarification around the costs/budgets included above.								
1. Current budgeted position.								
2. Actual costs in current year if proposal is introducing a change part way through the year.								
3. One off costs to be funded from the invest to save reserve.								
4. Laptops, furniture included								
<b>General Notes re completion:</b>								
Note - this template is for non staff related, if staffing related and part of a restructure - use restructuring template in liaison with HR.								
Payback period should be within 4 years. If longer, justification needs to be provided								





**Subject: Concurrent Function and Council Tax Support Grants – 2018/19**

Report to: Policy and Resources Committee - 17 October 2017

Full Council - 2 November 2017

Report by: Finance Director

#### **SUBJECT MATTER/RECOMMENDATIONS**

The report presents a proposal to the Policy and Resources Committee for the future funding arrangements to parish council concurrent functions and further review of the introduction of special expenses for non parished areas. It also recommends reductions in council tax support grant in line with the Council's reductions in funding of the grants receivable.

The content of the report outlines the current funding arrangements for the provision of concurrent function grants and makes recommendations for a reduction in the grant for 2018/19 with a further review for changes in 2019/20.

It is recommended that Policy and Resources Committee consider the options contained within the report and recommend to Full Council:

- 1) That the concurrent function grant for 2018/19 be reduced and be provided for parks and open spaces and burial grounds only;
- 2) That further review is carried out for the 2019/20 budget process;
- 3) That the Council tax Support Grant allocations for 2018/19 be limited to £33,710 as outlined within the report.

### **1. INTRODUCTION AND BACKGROUND**

- 1.1 As part of the 2017/18 budget process a suite of budget savings and income proposals were considered by Members of the Policy and Resources Committee for delivery in the now current and future financial years. One of the proposals covered a review of the concurrent function grants and special expenses to be phased in from 2018/19.
- 1.2 Concurrent functions are services which can be carried out by the Borough Council but are also within the statutory remit of a parish or town council (where these exist). These will cover services that are provided in some parts of the borough by the borough council and in others part of the borough by a parish council. Where this occurs parish taxpayers may be charged twice, for example within the parish charge and the borough council charge.
- 1.3 The services are discretionary to both Borough and Parish Councils whoever carries out the function. To avoid 'double taxation' (where a service which could be provided by either the Borough Council or a parish council is financed from the parish precept in a parished area and by the Borough Council in non-parished areas with no corresponding reduction in Council Tax for the parished areas) the Borough Council provides a scheme of whereby a grant is provided to parish/town councils in the borough for use by these councils against concurrent function expenditure.

- 1.4 Alongside parish precepts which are in place for parishes that chose to set a precept a system of Special expenses can be established in non parished areas. A special expense item is an item which relates to only part of the borough council's area, for example in non parished areas. In order for expenses incurred in performing any function of a borough council to be special expenses, the function must be carried out by the borough in only part of its area, and the same function must be carried out in another part of the district by one or more parish councils. Special expenses are used as a mechanism to charge elements of the Council Tax to specific areas of the borough.
- 1.5 A Council has the ability to recover an element of its Council Tax via a special expense this would form a charge to those within non parished areas. Special Expenses in the main are charges for the upkeep of parks and the maintenance of "open space assets" within non parished areas of the Borough which are owned and maintained by the Borough. In other areas of the Borough open space assets are owned and maintained by parish councils who will charge residents accordingly for these services.
- 1.6 In designing a special expenses scheme, the Council can define some parks and open space areas as being for the benefit of the entire borough. These would tend to be larger parks, although some smaller areas could be defined as borough parks. These areas that are defined as a benefit to the borough as a whole can be included within the Basic Amount of Council Tax (for the borough) to which no special items relate, along with the rest of the Borough Council's costs, those deemed to be outside of this can be charged as a special expense on the basis of the locality.
- 1.7 It was agreed as part of the 2017/18 budget process that funding of concurrent function grants would be reviewed for the 2018/19 budget. This report now recommends proposed changes to the system of paying concurrent function grants for 2018/19 which will provide early notification to the Parish Councils ahead of their timescales for the setting of annual precepts and also recommends further review be carried out for the 2019/20 grants.

## **2. CURRENT SYSTEM**

- 2.1 There are currently 21 parishes within the Borough of Great Yarmouth Council and 19 receive a concurrent function grant. The grants are paid to cover spend in the Parish areas on the following areas:
- Burial Grounds
  - Beach Cleaning
  - Parks and Open Spaces
  - Bus Shelters
- 2.2 Appendix A provides details of the 2017/18 concurrent function grants along with the areas of expenditure they cover and the level of parish precepts for the last two financial years. The total cost to the Borough Council of the concurrent function grants for the last four years is summarised in table 1 below. In 2016/17 contributions to Clerks Salary was removed from the concurrent function grants.

Table 1	2014/15 £	2015/16 £	2016/17 £	2017/18 £
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<b>Table 1</b>	<b>2014/15 £</b>	<b>2015/16 £</b>	<b>2016/17 £</b>	<b>2017/18 £</b>
Burial Grounds	32,897	33,219	34,109	34,109
Beach Cleaning	14,750	14,790	9,240	9,240
Parks and Open Spaces	89,097	91,250	91,435	90,285
Special Works	1,500	0	0	0
Bus Shelters	9,584	9,584	8,714	8,714
Contribution to Clerks Salary	18,477	18,605	0	0
<b>Total</b>	<b>166,305</b>	<b>167,448</b>	<b>143,498</b>	<b>142,348</b>

- 2.3 Parishes have the ability to precept for expenditure incurred within their parish. Currently there are no restrictions on the ability to increase council tax for parish areas and whilst there have been previous discussion nationally around the introduction of capping for parishes, these discussion have focused on the introduction of capping for the larger parishes and in particular those that have an average Band D parish charge in excess of some of the lower second tier authorities (borough, district and cities), capping for parishes has never been implemented. In contrast the Borough has limits on the level of Council that can be increased each year, the current capping restricts annual increases to £5 on a Band D property. The Appendix also illustrates the changes between financial years of the level of precepts set annually by the parishes and the resulting band D council tax for each parish.
- 2.4 The cost of the annual concurrent function grants forms an element of the Borough Council annual spend and is therefore included in the calculation of the £151.48 annual average Band D charge.
- 2.5 The average band D for parish charges for 2017/18 is £12.96 for GYBC, and range from £0 (for parishes that do not set a precept) to £40.23. Comparable averages for the rest of Norfolk (excluding Norwich City as there are no parishes) are £56.10 and nationally for all shire districts are £40.81. These reflect the non parished and parished areas within individual authorities.
- 2.6 The tax base for the borough council is split into parished and non parished areas as follows reflecting that 56% of the tax base is in parished areas:

	2017/18 Tax base
Parished Areas	15,423
Non Parished Areas – Great Yarmouth and Gorleston	11,919
<b>Total Tax Base</b>	<b>27,342</b>

- 2.7 The average band D that is billed for the residents of Great Yarmouth are outlined below for 2017/18:

Average Band D Council Tax Bill	Parished Areas £	Non-Parished Areas £
Norfolk County Council	1,247.94	1,247.94

Average Band D Council Tax Bill	Parished Areas £	Non-Parished Areas £
Police and Crime Commissioner	217.17	217.17
Borough Council	151.48	151.48
Parish Charge*	22.98	N/A
<b>Total Average Band D</b>	<b>1,639.57</b>	<b>1,616.59</b>
*averaged based on the actual precept per parish		

### 3. CONCURRENT FUNCTION GRANTS FROM 2018/19

- 3.1 As mentioned above the last review of concurrent function grants paid by the Borough Council to Parishes was for the 2016/17 budget process which saw the removal of a contribution to the parish clerks salary and a reduction in the beach cleaning grant. No further review has since been carried out and the amounts awarded each year have remained fairly level with no significant changes year on year.
- 3.2 There are few examples available nationally of other LA's providing concurrent function grants to town and parish councils. With the wider funding reductions facing Local Authorities, this spending area was therefore previously recommended as a potential saving.
- 3.3 It is recognized that the funding of concurrent function grants is a complex area in terms of the impact to both the Parishes and the Borough Council and understanding how the concurrent function grants are used by the parishes on what could be deemed as Borough Council responsibilities is not clear. Further work will be required to understand what legal obligations the Council is required to fund in respect of parished areas for which the implications will not be known to inform the budget setting process (for Parish and Borough) for the 2018/19 budget. Within the current grants funding is made available for beach cleaning and bus shelters which are not within the responsibility of the Borough Council.
- 3.4 Therefore the following outlines a suggested approach for 2018/19 along with work for the 2019/20 grant:
  - i. For the 2018/19 grant - Remove the grant for beach cleaning (£9,240) and bus shelters (£8,714) and reduce the grant for parks and open spaces by 15% (£90,285 to £76,742) to be allocated pro-rata across the 2017/18 amounts;
  - ii. For 2019/20 – Review the feasibility of the introduction of special expenses alongside further review of the elements contained within parish spend for the burial grounds and parks and open spaces elements of the funding.
- 3.5 The phasing of reductions will allow transitional arrangements to be put in place with the parish councils and for the Borough Council to provide a more detailed review of future arrangements. The potential impact to the parishes (based on the current year tax base and precept) is included in Appendix A. The actual impact will vary depending on the level of precept set and the tax base for 2018/19. The latter will be set by Full Council in December and draft tax bases will be provided to the parish council's ahead to inform their precept setting for 2018/19.

#### **4. COUNCIL TAX SUPPORT GRANT**

- 4.1 Local Council tax support (LCTS) was introduced in April 2013 as a replacement to Council Tax benefit as part of the national funding reduction programme and to encourage people to work. Previously the scheme was 100% funded through benefit subsidy payable to the Council from the Department for Work and Pensions (DWP) as part of the subsidy process. Since April 2013 each billing authority has had the discretion to set their own local discount scheme.
- 4.2 The local scheme has remained largely the same since the introduction of LCTS in 2013/14 and essentially means that those that were previously entitled to 100% council tax benefit would be required to pay 8.5%.
- 4.3 The funding for LCTS included an element in relation to parishes for 2013/14 (year one) and this was identified separately. The funding was to be used to mitigate the impact essentially from a reduction in the tax base for borough and parishes. From 2014/15 onwards funding for LCTS is no longer received as a separate subsidy grant but is now within the overall Local Government Funding system as non ring-fenced funding within revenue support grant and baseline business rates funding. RSG funding reduces each year and therefore the funding for LCTS has also reduced, although the Council has continued to pass on the grant to the parishes with no reductions annually to reflect the reduction in funding that the Council receives in respect of LCTS and therefore has continued to fund any shortfall as a result of the CTS scheme to the parishes. It is therefore recommended that the allocation of LCTS grant for 2018/19 to parishes be capped at £33,710 (compared to the 2017/18 amount of £46,070) which will bring the grant allocation in line with the reduced level of funding that the Council has received.
- 4.4 Parishes will use the grant for CTS as part of calculating their annual council tax requirement and therefore this is why an decision is required now ahead of the precepting setting process.
- 4.5 There are varying examples nationally of how CTS grants are passed down to parishes including annual reductions in line with overall funding reductions, full withdrawal and combinations of these.

#### **5. FINANCIAL AND RISK IMPLICATIONS**

- 5.1 Introduction of changes to the parishes in terms of reduction to the concurrent function grants paid could have implications to the precept setting and increases to the average band D charge for a parish. This can be mitigated by the parishes in that they will be holding various levels of reserve funds in the same way that the Council is required to hold reserves which can be used to mitigate the reduction in grant. In addition as detailed within the report Parish Councils are not currently subject to capping restrictions.
- 5.2 The Council has continued to face reduction in funding which includes the funding for the council tax support, continuing to protect the parish councils from the impact of council tax support means a greater share of the impact of the introduction of LCTS is funded by the Borough Council.
- 5.3 Parishes set their precepts annually each year and in previous years they have been requested to return their precepts for the following year by mid December. To allow for sufficient time for parishes to set their precepts in the light of the

recommendations contained in the report this deadline will be extended to mid January for the 2018/19 precepts.

- 5.4 The total of the proposals will reduce the direct cost to the Council of Concurrent Function Grants and Council Tax Support Grants by £44,000 for 2018/19.

## **6. CONCLUSIONS**

- 6.1 The allocation of funding to parish councils for concurrent function grants have not been reviewed since 2016/17 and for council tax support grants not since the introduction of CTS in 2013. For the latter the impact to the parish councils of the introduction of LCTS has been fully mitigated by the Borough Council when the overall funding of LCTS has been assumed to reduce within the overall funding settlement for the Council.
- 6.2 The proposals in the report make recommendations for changes to the concurrent function grants for 2018/19 and a reduction to the CTS grant passed to parish councils.

## **7. BACKGROUND PAPERS**

- 7.1 Current concurrent function grant allocations and precepts for 2017/18.

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

<b>Area for consideration</b>	<b>Comment</b>
Monitoring Officer Consultation:	
Section 151 Officer Consultation:	
Existing Council Policies:	
Financial Implications:	Contained within the report
Legal Implications (including human rights):	
Risk Implications:	Detailed in the report
Equality Issues/EQIA assessment:	N/A
Crime & Disorder:	N/A
Every Child Matters:	N/A

	2016/17			2017/18			Council Tax Increase (parish charge only)	2017/18 Band D Including Parish & Borough Charge	Concurrent Function Grant Payable 2017/18					Impact of CCFG Proposed Reduction to band D*
	Tax base	Precept	Council Tax Band D	Tax base	Precept	Council Tax Band D			Burial Grounds	Beach Cleaning	Parks & Open Spaces	Bus Shelters	TOTAL	
		£	£		£	£		£	£	£	£	£	£	£
Ashby with Oby	24	-	-	23	-	-	0.0%	151.48	-	-	-	-	-	-
Belton with Browston	1,087	37,775	34.75	1,111	38,960	35.07	0.9%	186.55	-	-	12,950	-	12,950	0
Bradwell	3,367	45,428	13.49	3,470	45,575	13.13	-2.7%	164.61	1,215	-	14,180	1,015	16,410	0.29
Burgh Castle	384	5,361	13.96	406	5,400	13.30	-4.7%	164.78	1,050	-	1,550	-	2,600	-
Caister on Sea	2,726	62,074	22.77	2,744	71,066	25.90	13.7%	177.38	-	-	2,550	-	2,550	-
Filby	302	3,525	11.67	319	3,538	11.09	-5.0%	162.57	1,450	-	3,400	150	5,000	0.47
Fleggburgh	377	3,362	8.92	385	4,758	12.36	38.6%	163.84	2,300	-	1,240	-	3,540	-
Fritton with St Olaves	274	6,445	23.52	268	6,567	24.50	4.2%	175.98	550	-	-	-	550	-
Hemsby	1,231	32,205	26.16	1,352	14,801	10.95	-58.1%	162.43	5,800	5,000	9,750	5,899	26,449	8.06
Hopton	1,011	28,794	28.48	1,012	28,820	28.48	0.0%	179.96	1,000	-	500	-	1,500	-
Martham	1,076	43,292	40.23	1,081	43,492	40.23	0.0%	191.71	3,800	-	11,400	200	15,400	0.19
Mautby	138	3,004	21.77	143	2,574	18.00	-17.3%	169.48	2,222	-	1,250	-	3,472	-
Ormesby St Margaret w Scratby	1,477	51,412	34.81	1,586	51,761	32.64	-6.2%	184.12	7,500	3,000	15,000	-	25,500	1.89
Ormesby St Michael	108	1,020	9.44	114	1,252	10.98	16.3%	162.46	850	-	3,000	-	3,850	-
Repps with Bastwick	146	3,444	23.59	147	3,252	22.12	-6.2%	173.60	-	-	4,411	-	4,411	-
Rollesby	330	6,208	18.81	336	6,343	18.88	0.4%	170.36	1,300	-	1,900	200	3,400	0.60
Somerton	108	1,704	15.78	116	1,707	14.72	-6.7%	166.20	760	-	1,025	250	2,035	2.16
Stokesby	115	2,808	24.42	118	2,816	23.86	-2.3%	175.34	812	-	1,919	-	2,731	-
Thurne	50	1,122	22.44	49	1,120	22.86	1.9%	174.34	900	-	540	-	1,440	-
West Caister	74	-	-	75	-	-	0.0%	151.48	-	-	-	-	-	-
Winterton	529	15,160	28.66	568	20,685	36.42	27.1%	187.90	2,600	1,240	3,720	1,000	8,560	3.94
Sub Total - Parishes	14,934	354,143		15,423	354,487				<b>34,109</b>	<b>9,240</b>	<b>90,285</b>	<b>8,714</b>	<b>142,348</b>	
Great Yarmouth & Gorleston	11,788	0	0.00	11,919	0	0.00	0.0%	151.48						
<b>TOTAL</b>	<b>26,722</b>	<b>354,143</b>		<b>27,342</b>	<b>354,487</b>									
Average as calculated over tax base		13.25			12.96									
Norfolk:														
Breckland		79.61			83.93									
Broadland		68.95			73.12									
Great Yarmouth		13.25			12.96									
King's Lynn & West Norfolk		41.16			43.85									
North Norfolk		49.76			53.67									
Norwich		0			0	No parishes								
South Norfolk		66.68			69.04									
Shire Districts - nationally - Average		38.38			40.81									

\* Impact to a band D of proposed reductions for 2018/19 based on 2017/18 tax base



Subject: Marina Leisure Centre – New Build Options Appraisal

Report to: Council 2<sup>nd</sup> November 2017

Report by: Kate Watts, Strategic Director

## **EXECUATIVE SUMMARY**

On 7<sup>th</sup> February 2017 Members of the Council's Policy and Resources Committee agreed to further work being undertaken to look at new build options for a new leisure facility to replace the existing Marina Centre.

In considering the detail of the confidential report at Appendix 1, Members are asked to consider each of the new build options and note the officer's recommendation to progress new build option 5 as this provides the most financially viable option for the Council.

## **RECOMMENDATIONS**

- 1) To approve option five as the new build option to replace the existing Marina Centre and move the project into its next phase, which is a detailed feasibility study (RIBA stage 2) and in developing option five as part of stage two, give consideration to incorporating additional leisure water within this facility
- 2) To allocate £120,000.00 of capital funding to progress this project, this will include the procurement of a professional team to deliver RIBA stage 2
- 3) To continue engagement with existing tenants on the site as part of the detailed feasibility study
- 4) To further explore car parking provision options on the seafront as part of RIBA stage 2
- 5) To progress additional funding opportunities to close the funding gap identified



## **1. BACKGROUND**

1.1 In August 2015 Members approved a sports, play and leisure strategy for the Borough. In response, a report was developed highlighting what future capital investment was required by the Council to help deliver this sports, play and leisure strategy. This report was considered on 11<sup>th</sup> February 2015 by Cabinet and subsequently funding of £7.4 million was built into the Council's four year capital programme.

1.2 On 13<sup>th</sup> July 2015 Cabinet released £1.8 million of this capital funding to redevelop the Phoenix Pool, subject to the transfer of the ownership of this site by Norfolk County Council to the Borough Council.

1.3 In September 2016 the works to the Phoenix pool were successfully completed within budget and the site reopened to the public. Whilst these works were being undertaken a Members working group on leisure was formalised and started to investigate the options for future investment in the Marina Centre.

1.4 In August 2016 it was agreed that The Sports Consultancy in partnership with Sports England would be commissioned to review refurbishment and new development options.

1.5 In February 2017 Policy and Resources Committee agreed to further investigations into a new build option to replace the existing Marina Centre leisure facility, alongside the preparation of a development brief for the wider site and the exploration of potential private sector investment into this site.

## **2. INTRODUCTION**

2.1 As a result of the Policy and Resources Committee decision to investigate further a new build option for the Marina Centre leisure facility, The Sports Consultancy was appointed in March 2017 to undertake an initial feasibility study and options appraisal following the Royal Institute of British Architects (RIBA) stage 1 format.

2.2 To undertake this work options were developed detailing differing facility mixes combined to achieve both wet and dry leisure facilities. These options were generated as a result of site visits, stakeholder and Member engagement and concept design work. Six options were developed and are further detailed within Appendix 1.

2.3 This covering report presents an overview of this work and its conclusions, outlining recommendations to Council. The detailed analysis of this work is presented in Appendix 1 “RIBA stage 1 – Feasibility Study and Options Appraisal”.

## **3. METHODOLOGY**

3.1 In undertaking this work the following assumptions were made;

- The new build leisure facility would remain located on the seafront in Great Yarmouth
- That a minimum carpark provision of 250 spaces would be provided for in relation to the new facility
- Financial contingency would be set at 10% (to be refined further if the project is progressed)
- That revenue income/expenditure in relation to management of the facility have been calculated using the projected revenue figures for the existing trust operating the site
- That operator supplies and equipment would be provided by the operator and are not costed as part of this work

- Ongoing refurbishment and maintenance costs of the new build have been excluded from the financial costs at this stage and should be considered if the project is further developed as part of stage 2

3.2 The following methodology used to complete Appendix 1;

- **Background review** – review of all work to date
- **Stakeholder consultation** – to include Council officers and elected Members, Sport England and key national governing bodies of sport
- **Options development** – considering various wet and dry facility mixes
- **Site visits** – To look at recent new build leisure facilities
- **Revenue projections** – for a 14 year period
- **Concept designs** – to include block diagrams and arrangement of proposed facilities for each option
- **Capital costs** – developed by cost managers for each option
- **Business case development and options appraisal** – see Appendix 1
- **Project programme** – to include key milestones and dates to completion for a new build facility
- **Risk and issues** – to maintain a risk and issues log
- **Reporting and presenting** – to Council Officers and Elected Members to further refine this work

#### 4. OPTIONS APPRAISAL

4.1 In undertaking this work six options have been developed and appraised. In summary these options are detailed in the table below;

Table 1: Facility Options Summary

	Core Option	Variant Options to be Tested				
	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6
Activity Area	8 Lane Pool Community Pool	6 Lane Community Pool	8 Lane County Standard Pool	Leisure Water	Clip and Climb	Maximum
Main pool	8 lane x 25m pool	6 lane x 25m pool	8 lane x 25m pool	8 lane x 25m pool	8 lane x 25m pool	8 lane x 25m pool
Health Suite (pool side sauna/steam/spa)	None	None	None	sauna/ steam/spa	sauna/ steam/spa	sauna/ steam/spa
Spectator seating	Poolside seating	Poolside seating	250 tiered seating	Poolside seating	Poolside seating	250 tiered seating
Learner pool	15m x 8.5m with moveable floor	15m x 8.5m with moveable floor	15m x 8.5m with moveable floor	15m x 8.5m with moveable floor	15m x 8.5m with moveable floor	15m x 8.5m with moveable floor
Leisure water	None	None	None	Leisure Water	None	Leisure Water
Clip and Climb	None	None	None	None	20 Features	20 Features
Sports hall	4 courts	4 courts	4 courts	4 courts	4 courts	4 courts
Health and fitness	100 stations	100 stations	100 stations	100 stations	100 stations	100 stations
Fitness studio	1 x studio (30 persons)	1 x studio (30 persons)	1 x studio (30 persons)	1 x studio (30 persons)	1 x studio (30 persons)	1 x studio (30 persons)
Spin studio	1 x studio (20 persons)	1 x studio (20 persons)	1 x studio (20 persons)	1 x studio (20 persons)	1 x studio (20 persons)	1 x studio (20 persons)
Multi purpose room (crèche/meeting/party room)	1 x room (30 persons)	1 x room (30 persons)	1 x room (30 persons)	1 x room (30 persons)	1 x room (30 persons)	1 x room (30 persons)
Squash courts	2 courts	2 courts	2 courts	2 courts	2 courts	2 courts
Café	Included	Included	Included	Included	Included	Included
Parking	250 spaces	250 spaces	250 spaces	250 spaces	250 spaces	250 spaces

4.2 In reviewing these options outline costings have been developed by The Sports Consultancy, which includes the capital cost for the new build of each option and the projected income from each option through the operation of the site. See Appendix 1.

4.3 The capital costs for these new build options range from £20,759,000 to £26,278,000, with the costs depending on the option and its facility mix and include provision for inflation and a 10% contingency. These costings are typical of industry prices for a new build leisure centre and will be further refined as the project is progressed.

4.4 In each case the income projections over a 14 year period have been used to offset capital cost loan repayments and each option generates additional income than currently achieved. This income for each option will fund a large element of the capital costs of each project, however no option generates a break even position.

4.5 Option 5 provides the best return for the capital costs and as a result option 5

is recommended as the most financially viable option for the Council to progress. There is already capital provision of £5.7 million that has been allocated to leisure improvements and with the use of this funding; the funding gap for option 5 is estimated as £2,090,000. These figures have been calculated on assumed revenue income from the operation of the site and will require further analysis as part of stage 2 and could therefore be subject to change.

4.6 The Council has already commenced work to obtain funding to address this shortfall so that no additional pressure is placed on the Council budget to fund a new build leisure centre. During stage 2 of the project applications will be made to formalise these funding arrangements.

4.7 During Member briefings it has been expressed that while option 5 is the most financially viable option it does not include the leisure water facility, and as a result it was felt that there would be a gap between the current Marina Centre's leisure water offer. As a result of this feedback it is proposed that if option 5 progressed to the second stage of this project that during this stage an additional leisure water facility is further explored. Appendix 1 provides some examples of potential leisure water facilities.

4.8 In conclusion it is worth noting that any new build option offers the opportunity for the Council to provide a high quality efficient leisure centre for the community and visitors to the borough. It will provide a longer-term solution with a designed life of up to forty years.

## **5. VIABILITY AND MARKET TESTING CONCLUSIONS**

5.1 The Marina Centre sits within a wider site owned by the Council and forms part of a development brief. Work was subsequently undertaken to better understand the development potential of this land by reviewing the local property market and undertaking a viability assessment and market testing.

5.2 The results of this work conclude that there are potential opportunities for the wider site in terms of sectors such as a commercial leisure facility, a hotel or

ancillary food and beverage offers, but that these opportunities need to be counter balanced with land values and occupier demand.

5.3 It was clear that the development of a new leisure facility would increase any future development opportunities, but in the interim consideration to increasing carparking provision on the wider site would be of benefit to visitors to the Golden Mile and the Council.

## **6. NEXT STEPS**

6.1 If Members were minded to progress to RIBA stage 2 the following steps would need to be undertaken in relation to this project;

- To commence procurement of a professional team
- To develop design briefs for the project as part of refining option 5
- To continue discussions and consultaion with all stakeholders throughout the life of the project
- To finalise construction drawings and obtain the relevant planning permissions
- To report key stages of work to the relevant Committees/Council
- To procure a construction contractor
- Commence build on site

6.2 Initial project planning for the completion of a new build identified a potential completion date within the financial year 2021/2022.

## **7. LEGAL IMPLICATIONS**

7.1 As part of its management of its leisure facilities the Council has entered into the following contracts;

- A fifteen year contract with Sentinel Leisure Trust for the management of both the Phoenix Pool and the Marina Centre, which includes a break clause at years five and ten
- A 30 year lease between GYBC and Sentinel LT for the Marina Centre and Phoenix Centre. This lease can be terminated at any time subject to the relevant notice period of 6 months
- A Partnering Agreement with Rock Merchanting Ltd trading as Pulse (termination clauses allow the Council to redraw from this agreement if required)
- A project agreement with Pulse and the Council for the refurbishment of Phoenix Pool and for business and operational services over a 20 year period.

7.2 Any decision made to move forwards with a new leisure facility will not directly impact on these management contracts, and as such the Council will continue to engage with these contractors using existing governance arrangements.

7.3 Currently Sentinel LT have existing tenant arrangements with other service providers within the Marina Centre site. Consideration will be given to these tenants as the Council develops a preferred option for new build.

## **8. FINANCIAL IMPLICATIONS**

8.1 The financial costings for the options presented by The Sports Consultancy are detailed in Appendix 1. If the project is further progressed to RIBA stage 2 these costs will be subjected to detailed review and may change as a result.

8.2 Included with the outline costs for new build is a 10% allocation for the management of this project through to completion which would include the procurement of contractors and establishment of design team which would fall under the OJEU framework. The subsequent procurement process will need to be reviewed as part of the RIBA stage 2 process.

8.3 The £120,000 to deliver stage 2 of the project will be drawn from the current capital programme budget for leisure improvements. If the project subsequently is aborted these costs will need to then be funded from the revenue account.

8.4 The current capital programme includes a budget of £5.7 million as part of the 2016/17 budget setting process and remains uncommitted within the Council's Capital programme for leisure improvements.

8.5 Whilst funding opportunities have been identified that could be used as contributions to the funding of the project, none have been formalised at this stage of the project. Again this will need to be progressed as part of the RIBA stage 2 process. If no additional funding is identified the Council will need to increase its MRP provision to account for any subsequent shortfall.

8.6 In addition to this, if any decision is made regarding existing contractual arrangements, the financial implications of terminating contracts would need to be fully evaluated and taken into account of the overall project and financial viability of the project moving forwards.

8.7 Whilst Appendix 1 contains some additional scoping for additional car parking on the existing Marina Centre site once this has been demolished, further financial workings around this element of the business plan will need to be undertaken during the RIBA stage 2 process to understand the opportunity of car parking to provide a future revenue benefit to offset additional revenue costs of the project. In addition alternative development opportunities on the site can be considered to mitigate the funding gap and any potential implications on the revenue account.

## **9. RISK IMPLICATIONS**

9.1 The current project is supported by a detailed risk register as part of the Council's formal project management approach and will be maintained throughout the duration of this project.

## **10. CONCLUSIONS**



10.1 Members need to consider the financial implications of each of the options and the shortfall gap for each option. In particular members should note that option 5 presents the most feasible option to be progressed if this project is moved to RIBA stage 2.

## 11. RECOMMENDATIONS

- 1) To approve option five as the new build option to replace the existing Marina Centre and move the project into its next phase, which is a detailed feasibility study (RIBA stage 2) and in developing option five as part of stage two, give consideration to incorporating additional leisure water within this facility
- 2) To allocate £120,000.00 of capital funding to progress this project, this will include the procurement of a professional team to deliver RIBA stage 2
- 3) To continue engagement with existing tenants on the site as part of the detailed feasibility study
- 4) To further explore car parking provision options on the seafront as part of RIBA stage 2
- 5) To progress additional funding opportunities to close the funding gap identified as part of progressing option 5

Area for consideration	Comment
Monitoring Officer Consultation:	Yes - Legal commentary is detailed within the report
Section 151 Officer Consultation:	Financial appraisal detailed in report and in Appendix 1
Existing Council Policies:	Sports, Play and Leisure Strategy
Financial Implications:	Yes – Revenue and capital implications, detailed in report and Appendix 1
Legal Implications (including human rights):	Yes - Legal commentary is detailed within the report
Risk Implications:	Yes – Detailed within the report

Equality Issues/EQIA assessment:	N/A
Crime & Disorder:	N/A
Every Child Matters:	N/A