



GREAT YARMOUTH
BOROUGH COUNCIL

Council

Minutes

Thursday, 21 July 2022 at 19:00

PRESENT:-

His Worship, The Mayor, Councillor Plant; Councillors Annison, Bensly, Bird, Borg, Candon, Cameron, G Carpenter, P Carpenter, Cordiner-Achenbach, Flaxman-Taylor, Fairhead, Freeman, Grant, D Hammond, P Hammond, Hanton, Jeal, Lawn, Mogford, Myers, Price, Robinson-Payne, Smith, Smith-Clare, Stenhouse, Talbot, Thompson, Wainwright, B Walker, C M Walker, Waters-Bunn, Wells, A Wright & B Wright.

Ms S Oxtoby (Chief Executive Officer), Ms C Whatling (Monitoring Officer), Mrs P Boyce (Strategic Director), Ms C Ingram (Media & Communications Officer), Mrs S Wintle (Corporate Services Manager), Mr N Fountain (Senior Strategic Planner), Mr M Brett (IT Support) and Mrs C Webb (Executive Services Officer).

1 FORMER COUNCILLOR MR BRIAN WATTS

His Worship, The Mayor, Councillor Plant asked Council to stand for a minutes silence to remember former long-serving Councillor, Mr Brian Watts, who had sadly passed away recently.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Galer, Hacon, Martin & Williamson.

3 DECLARATIONS OF INTEREST

Councillor Thompson declared a personal interest in item 7 as he was a Borough Councillor.

Councillor Candon declared a personal interest in item 10 as he was a member of Bradwell Parish Council.

Councillor Wells declared a personal interest in item 10 as he worked for Brandon Lewis MP.

Councillor Plant declared a personal interest in item 11 as he was Chairman of Equinox Enterprises Ltd and Equinox Property Holdings. Councillor Plant to leave the meeting during the determination of this item.

Councillor Hanton declared a personal interest in item 12 as he was Chairman of the GY Community Safety Partnership.

However, in accordance with the Council's Constitution, Councillors Candon, Hanton, Thompson & Wells were allowed to both speak and vote on the items.

4 MAYORS ANNOUCEMENTS

The Leader of the Council reported that yesterday evening, the LGC awards were held in London and our Council had been shortlisted in three categories, including the most prestigious category of Council of the Year. The Council was delighted to have been awarded a highly commended in both the categories of Most Improved Council and Council of the Year. We were told that this was quite unusual; and the first time that a Council had achieved this level of success in both categories. The Leader thanked the Executive Leadership Team, the management team, all stakeholders and staff, and Councillor Wainwright for their support and dedication which had resulted in this recognition for all of our collective hard work.

5 ITEMS OF URGENT BUSINESS

His Worship, The Mayor, Councillor Plant reported that he had not been informed of any items of urgent business for discussion at Council this evening.

6 MINUTES

Council received and considered the minutes of the meeting held on 23 June 2022.

Proposer: Councillor Smith
Secunder: Councillor Candon

That the Council minutes of the meeting held on 23 June 2022 be confirmed.

7 SERVICE COMMITTEE DECISION LIST

Council received and considered the Service Committee Decision List dated 24 May 2022.

Proposer: Councillor Smith
Seconder: Councillor Candon

That Council approve the Service Committee Decision List dated 24 May 2022.

8 FLEGGBURGH NEIGHBOURHOOD PLAN ADOPTION

Councillor Annison, Chairman of Development Control Committee, reported that the Fleggburgh Neighbourhood Plan Referendum took place on Thursday 16 June 2022, in the local village hall. The referendum was advertised in accordance with the Regulations, ensuring that residents had every opportunity to be informed what the plan was, and when and where the referendum would take place.

Summary of Fleggburgh Neighbourhood Referendum Results:

- Total ballots 226 (representing a 26% turnout of the electorate)
- Total 'Yes' votes 198
- Total 'No' votes 28
- Plan passes with 88% majority.

In accordance with the Regulations, the Council cannot make any other decision than to 'make' (adopt) the plan as part of the Development Plan unless it considers that the plan would breach any retained EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998) (under section 61E(8) of the Town and Country Planning Act 1990 Act as amended). There are no such reasons to prohibit the Fleggburgh Neighbourhood Plan from being formally adopted. Upon adoption, the plan would need to be published and supported by a final decision statement setting out the reason(s) for the decision, where the decision and document can be inspected, and notifying those who have requested to be notified when the decision is made.

Proposer: Councillor Annison
Seconder: Councillor Freeman

That Council adopts the Fleggburgh Neighbourhood Plan.

9 WAR PENSIONS INCOME DISCRETIONARY DISREGARD

The Leader reported that this report was concerning the continued treatment of War Pensions Income in relation to Housing Benefit & Council Tax Support. Members of the Council were asked to approve the continuation of the discretionary decision to fully disregard this type of income in the calculation of housing benefit and council tax support.

Since 2004, the Government subsidised 75% of the disregarded income, meaning councils are only responsible for the remaining 25%. Disregarding this income in full,

continued to be undertaken by the majority of councils nationally responsible for the administration of these schemes.

Proposer: Councillor Smith
Secunder: Councillor Candon

That the Council endorse the recommendation to continue to apply a 25% income disregard in relation to War Pensions and War Widow(er) Pensions income in the administration and calculation of entitlement to Housing Benefit & Council Tax Support.

10 ADOPTION OF THE GREAT YARMOUTH SUSTAINABILITY STRATEGY ACTION PLAN

Councillor Wells, Chairman of Environment Committee, addressed Council.

Councillor Wells reported the Council's response to climate change:-

The Great Yarmouth Sustainability Strategy, including a target to achieve Net Zero by 2035, is a roadmap to address three related environmental challenges. Those being the climate, protecting nature and its biodiversity and preventing or reducing waste. To be sustainable requires long-term thinking and a recognition that the choices we make today are important. Moving towards sustainability is not something the Council can do on its own. The amount we can achieve will depend on the support we get from residents and local businesses.

As a Borough Council we are committed to finding ways to reduce our own carbon emissions and manage our natural spaces to support nature and provide opportunities for local people to make sustainable choices.

Working collaboratively has been at the core of the Sustainability Strategy's development process and going forward, it is an integral part of our 3-year Action Plan.

The Carbon Trust calculated that the Council's organisational carbon footprint in 2019/20 was 7,843.76 tonne of CO₂e. This is a level similar to other equivalent council organisations in terms of size and scope. The borough of Great Yarmouth as a place currently produces less CO₂ emissions than the other local council areas across Norfolk, with a mainly downward trend since 2005.

We recognise this Strategy is just the first step on a long journey towards sustainability; a journey that brings us together as a community, strengthens our connections to our local surroundings and sets an example for others. We are excited to see what we can achieve together.

Proposer: Councillor Wells
Secunder: Councillor D Hammond.

That Council:-

- (a). Agrees the Action Plan for 2022-2025 as set-out in Appendix 1; and
- (b). Agrees the adoption of the Great Yarmouth Sustainability Strategy and Action Plan.

11 LEVELLING UP FUND

The Leader of the Council reported that this report provides a summary of the current position in respect of the emerging Levelling Up Fund bid for up to £20 million to extend, amplify and build upon capital projects already developed through the Borough's Town Deal programme for enhancement of the Rail Station site and strategic regeneration of North Quay.

In order to lever in Levelling up funding, there is an expectation that bids would be accompanied by a minimum 10% local contribution to overall costs.

This report is asking for approval for £2.2m be included in the capital programme as a matched funding contribution to the wider levelling up bid.

It is proposed that this would be funded from borrowing with the revenue implications mitigated by the anticipated revenue stream including business rates income. The deadline for the submission of the bid has now been confirmed as 2 August.

Councillor Wainwright reported that he would like to thank ELT and all officers who had undertaken a huge amount of work to produce our bid for the funding to carry out the planned improvements at North Quay. However, this funding would not improve the day-to-day lives of the local residents who lived in his Magdalen Ward who were experiencing extreme hardship which would only become worse at the fuel costs increased and the cost of living crisis deepened. The Levelling-up fund did not level up the residents who the Labour councillors represented. In his view, the whole country was being levelled-down not levelled-up.

Councillor Myers was concerned how the leadership battle in the Conservative Party to elect the replacement Prime Minister would affect the roll-out of this fund.

The Leader of the Council summed up. The Levelling-Up Fund had formed part of the Conservative Manifesto and would be delivered. Every constituency could bid for up to £20m of funding as long as this was supported by their MP. The £20m grant applied for would improve North Quay resulting in better homes and jobs for the residents of the Borough. The recession was world wide and it was unfortunate that Councillor Wainwright was opposed to this funding opportunity.

Councillor Jeal called for a point of order, as Councillor Wainwright did not say that he was opposed to the levelling-up fund .

Proposer: Councillor Smith
Secunder: Councillor Candon

That Council:-

- (i) Review the Report's content; and
- (ii) Approve the underwriting/co-investment of £2.2 million (to be included in the capital programme) representing 10% local contribution to overall costs on the basis of future return-on-investment in order to meet Government expectations and maximise the competitiveness of the bid.

12 EQUINOX ENTERPRISES LTD - FINANCING

Her Worship, Mrs Deputy Mayor, Councillor P Carpenter hereby assumed the Chair as His Worship, The Mayor, left the Chamber during the discussion and determination of this item as he had declared a personal interest.

The Leader of the Council reported that earlier this month Policy and Resources committee approved the development of Eastwood Phase 2 by Equinox Enterprises Limited.

Following that approval, Policy and Resources Committee were asked to recommend the financing from the Council to Equinox Enterprises Limited to facility the delivery of phase 2.

This report is asking for approval for a financing facility of up to £10m to be available for the company, to fulfil the new build housing development of Eastwood Phase 2.

At the same time the reporting is recommending an update to the investment strategy as previous approved in February this year to reflect the increase in the loan facility to the Equinox.

Proposer: Councillor Smith
Secunder: Councillor Candon

That Council:-

- (i) Approve the financing for Equinox Enterprises Ltd of up to £10m (from a £7.5m revenue loan facility and £2.5m equity/share capital). The equity share capital £2.5m will need be added to the capital programme following this approval to be funded by borrowing.
- (ii) That the Investment Strategy 2022/23 (updated July 2022) at Appendix A be approved (updated in line with the financing requirements approval for this report); and
- (iii) Delegate the drawdown of the financing facility to the S151 Officer.

13 GENERAL FUND OUTTURN 2021-22

The Leader of the Council reported the outturn position for the 2021/22 financial year for the revenue and capital position for the general fund.

When the budget for the 2021/22 financial year was set , it was at a time when we were experiencing a lockdown with a lack of certainty of what the year ahead had in store.

We had to make assumptions on the level of income to be received from our demand led services and spending pressures at the same time, as continuing to respond to the impact of Covid on the residents and businesses in the Borough.

The budget when set, assumed a planned use of general reserves of £111k, the outturn position now reported reflected a slight increase to the level previously

assumed of £185k, a variance of £74k. This is after allowing for the roll forward of a number of service underspends in the year, for example, where grants have been received ahead of expenditure being incurred and for some ongoing service commitments.

The Leader reported that this report also includes the outturn position on the general fund capital programme in the year which was in the region of approximately £25.5m.

Council will be aware of the ambitious capital programme that we are continuing to deliver against over the next few years as we deliver the outcomes of the Town Deal and Future High Street programmes, and hopefully, the Levelling-up Fund.

As part of approving the capital programme for 2022/23, it is requested that Members approve an amendment to the capital programme as requested in respect of the Future High Street Fund intervention in respect of The Conge. The programme currently assumed this intervention is fully-funded by the Future High Street Fund grant, however, early work on this has highlighted that a contribution of £220k is required for this project which will be funded from borrowing.

The Leader reported the updated reserves statement which shows the balance in the general fund reserve within the recommended balance of £3.5m. In terms of the current position and for next year, we already know there will be challenges on the budgets, not least from rising fuel, utility costs and inflation. These are already under review and will be reflected in the updated medium term financial strategy.

Proposer: Councillor Smith
Seconder Councillor Candon

That Council agree the following to include the Finance Director's requested amendment to the Capital Programme:-

- (i) The outturn position for the general fund for 2021/22 as included in the report and appendices;
- (ii) The transfers to and from reserves as detailed within the report and Appendix A along with an updated reserves statement (Appendix D);
- (iii) The financing of the 2021/22 capital programme as detailed within the report and appendices; and
- (iv) The updated capital programme for 2022/23 as included in the report (section 4) and Appendix E2.

14 FINAL HOUSING REVENUE ACCOUNT OUTTURN 2021-22

Councillor Flaxman-Taylor, Chairman of Housing & Neighbourhoods Committee, reported to Council.

Councillor Flaxman-Taylor explained that this is the final budget monitoring report for the 2021/22 financial year for the HRA including the capital programme. The report and appendices provide the detail of the outturn position for the HRA and the capital programme in relation to the housing stock.

The outturn position shows a surplus of £824k, compared to the original budgeted deficit of £2.784m, resulting in a net underspend of £3.4m.

The main reason for the underspend is largely due to a lower amount being required

to fund the capital programme in the year from revenue, due to slippage in the capital projects, totalling £1.4m underspend.

In addition, there has been an increase in the rent income in the year, largely due to reduced right to buy sales in the current and past years, compared to the level assumed when the budget was set, thereby, delivering additional income of £903k in the year.

The impact of the reduced borrowing in the year has also resulted in an underspend of £361k in the year.

Section 3 of the report, outlines the outturn position on the capital programme. Where programmed work has not been completed in the year, the remaining project budgets have been carried forward to 2022/23.

The report also commented on the right to buys completed in the year which was a total of 18, which whilst it was double that for last year, is still lower than the level prior to the pandemic.

Overall, the HRA has delivered a surplus for the year of £824k which means the HRA reserve to be carried forward into 2022/23 is just under £90.4m.

The HRA, like the general fund, is facing challenges in relation to rising inflation together with increased utility and fuel costs. Whilst the impact in the short term can be mitigated by the use of reserves, the longer term impact to the HRA remains under review and will be updated as part of the budget review.

Councillor Wainwright reported that this report had been presented to P & R Committee last week and that he wished to lay down a marker in respect of the vast underspend. He understood that works were not able to be undertaken during the pandemic, but the pandemic was over now and the pandemic could not be used as an excuse for ever and the Council was non-complaint in a number of areas within our housing stock in the Magdalen, Nelson and Central & Northgate Wards and the Council needed to address this as a matter of urgency. He understood that a new Housing Assets Manager had been appointed and requested that he get to grips with the situation as a matter of the utmost urgency.

Proposer: Councillor Flaxman-Taylor
Secunder: Councillor Grant

That Council :-

- (i) Approve the outturn position for the Housing Revenue Account for 2021/22 as included in the report and appendices
- (ii) Approve the updated 2022/23 HRA revenue and expenditure budget as detailed at Appendix C; and
- (iii) Approve the updated 2022/23 HRA capital programme and associated financing of the as detailed within the report and at Appendix D.

15 ANY OTHER BUSINESS

(i) County Deals.

The Leader gave a verbal update in regard to the current position regarding County Deals.

This to be a standing agenda item.

(ii) Ukrainian Update.

The Leader gave an update regarding the GYBC Homes for Ukrainian project.

This to be a standing agenda item.

(iii) Emergency Services

Councillor Annison asked that Council pay tribute to the Emergency Services, in particular, Norfolk Fire Service, who had attended a huge field fire to the south of Hopton. The Chairman agreed that the Council should thank our Emergency Services and that he was thankful that none of our residents had lost their homes or their lives. Councillor Wainwright also endorsed this request.

Councillor Jeal suggested that the Council send a letter of thanks to all the Emergency Services in the Borough; Norfolk Police, Norfolk Fire Service, East Anglian Ambulance Service, and the Coastguard. The Corporate Services Manager agreed to action this request on behalf of Members.

16 CONFIDENTIAL SERVICE COMMITTEE DECISION LIST

Council received and considered the Confidential Service Committee Decision List.

Proposer: Councillor Smith

Seconder: Councillor Candon

That Council note the Confidential Service Committee Decision List.

17 CONFIDENTIAL MINUTES

Council received and considered the Confidential minutes of the last meeting.

Proposer: Councillor Smith

Seconder: Councillor Candon

That Council approve the confidential minutes of the meeting held on 23 June 2022.

The meeting ended at: TBC