



GREAT YARMOUTH BOROUGH COUNCIL

Council

Date: Thursday, 12 May 2022

Time: 18:00

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 **ELECTION OF MAYOR FOR THE 2022/23 MUNICIPAL YEAR**
- 4 **VOTE OF THANKS TO OUTGOING MAYOR**
- 5 **ELECTION OF DEPUTY MAYOR FOR THE 2022/23 MUNICIPAL YEAR**
- 6 **APPOINTMENT OF CHAPLAIN - 2022/23 MUNICIPAL YEAR**
- 7 **MINUTES OF THE MEETING HELD ON THE 14 APRIL 2022 AND 20 APRIL 2022** 4 - 12
- Report attached.
- 8 **APPOINTMENT OF LEADER OF THE COUNCIL**
- To appoint the Leader of the Council.
- 9 **APPOINTMENT OF DEPUTY LEADER**
- To appoint the Deputy Leader of the Council.
- 10 **COMMITTEE TIMETABLE 2022-23** 13 - 13
- Report attached.
- 11 **LIST OF COMMITTEE MEMBERSHIPS 2022-23** 14 - 15
- Report attached.
- 12 **APPOINTMENT OF CHAIRS AND VICE-CHAIRS 2022-23** 16 - 16
- Report attached.

- 13 **APPOINTMENT TO WORKING GROUPS 2022-23** 17 - 19
- Report attached.
- 14 **OUTSIDE BODIES REPRESENTATION 2022-23** 20 - 23
- Report attached.
- 15 **RENEWAL OF PUBLIC SPACE PROTECTION ORDER No 1 -** 24 - 50
ALCOHOL RELATED ANTI-SOCIAL BEHAVIOUR
- Report attached.
- 16 **PROPOSED CHANGE OF GOVERNANCE SYSTEM** 51 - 58
- Report attached.
- 17 **ANNOUNCEMENTS FROM MAYOR**
- To receive any announcements.
- 18 **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.
- 19 **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."



GREAT YARMOUTH BOROUGH COUNCIL

Council

Minutes

Thursday, 14 April 2022 at 19:00

PRESENT:-

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

Ms S Oxtoby (Chief Executive Officer), Ms C Whatling (Monitoring Officer), Mr J Goffin (Head of Media & Communications Manager), Mrs S Wintle (Corporate Services Manager), and Mrs S Wintle (Corporate Services Manager).

1 WELCOME BY HIS WORSHIP THE MAYOR

His Worship the Mayor welcomed to the meeting the High Steward, Freeman, Honorary Alderman, Councillors and members of the public.

2 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Bensly, Hanton, Grant, Stenhouse, Wainwright, and Wells.

3 MOTION TO GRANT THE HONORARY FREEDOM OF THE BOROUGH TO MICHAEL THOMAS JEAL

The following motion was proposed by Councillor Smith and seconded by Councillor Robinson-Payne.

In recognition of the eminent and valuable services rendered to the people of

the Borough of Great Yarmouth over a period of 36 years that the Honorary Freedom of the Borough is presented to Michael Thomas Jeal.

That in recognition of the eminent and valuable services rendered to the people of the Borough of Great Yarmouth over a period of thirty six years by Michael Thomas Jeal who during such time has served with distinction thrice as Mayor and as Mayor's consort Together with this dedicated service to the Norfolk Fire Service of Thirty years and in many other walks of public life where Councillor Jeal is held in great respect by a wide spectrum of people both in the Borough of Great Yarmouth and in the County of Norfolk.

The motion was CARRIED

4 SIGNING OF THE ROLL OF HONORARY FREEMEN

The Chief Executive read the scroll of the Honorary Freeman which was presented to Michael Thomas Jeal by the Mayor.

Michael Thomas Jeal and the Mayor then signed the roll of honour.

Michael Thomas Jeal then responded to the meeting.

5 BLESSING FOR THE FREEMAN OF THE BOROUGH

The meeting received a blessing from Mr Henry Cator.

6 PRESENTATION OF FREEDOM BADGES

A presentation of Freedom Badges was undertaken.

The meeting ended at: 21:00



Council

Minutes

Wednesday, 20 April 2022 at 19:00

PRESENT:-

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

Ms S Oxtoby (Chief Executive Officer), Ms K Sly (Finance Director), Ms C Whatling (Monitoring Officer), Mrs P Boyce (Strategic Director), Ms K Blakemore (Strategic Director), Mrs N Turner (Housing Director), Mr S Hubbard (Strategic Planning Manager), Mr J Goffin (Head of Media & Communications Manager), Mrs S Wintle (Corporate Services Manager), Mrs S Wintle (Corporate Services Manager) and Mrs C Webb (Executive Services Officer). Mr D Zimmerling (IT Support).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bensly, Talbot and Stenhouse.

2 DECLARATIONS OF INTEREST

His Worship the Mayor declared a personal interest in items 7 and 8 in his capacity as Ward Councillor for Fleggburgh and Filby.

3 MAYORS ANNOUCEMENTS

His Worship the Mayor reminded Members of the following :-

- Civic Service being held on Sunday 28th April.
- Mayors Civic Ball being held on Friday 6th May 2022 at 8pm

4 ITEMS OF URGENT BUSINESS

There were no items of urgent business to be discussed.

5 MINUTES

The minutes of the meeting held on the 22 February 2022 were confirmed.

Councillor Wainwright made reference to a comment that had been made at the previous meeting with regard to the UK Shared Prosperity Fund allocation and a recent announcement that had been made by the Government.

Councillor Wainwright also commented with regard to the Leaders announcements regarding the talks on Devolution and read aloud an email which had been sent by Paul Cracknell. Councillor Wainwright asked the Leader why he had advised he would keep Members informed but on this occasion this had not happened. The Leader advised that all Councils had been required to submit a council deal proforma which looked at "what was the ask" but that to date no decision nor final documents had been produced, and no meetings with the government had taken place, he advised that if the County wanted to they could disregard anything the districts put forward. He again advised Members that when there was anything to report on on as Leader he ensure Members were kept informed.

Proposer : Councillor Smith

Seconder : Councillor Candon

That approval be given to the minutes of the meeting held on the 22 February 2022.

Carried

6 SERVICE COMMITTEE DECISION LIST 31 JANUARY 2022 TO 10 MARCH 2022

Proposer : Councillor Smith

Seconder : Councillor Candon

That approval be given to the Service Committee Decision List for the period 31 January 2022 to 10 March 2022.

Carried.

7 FLEGGBURGH NEIGHBOURHOOD PLAN EXAMINATION AND RECOMMENDATION

Council considered the Senior Strategic Planner's report which provided Members with the Fleggburgh Neighbourhood Plan examiner's report and recommendation.

Councillor Annison reported the following :-

- The preparation of Fleggburgh Neighbourhood Plan has been led by Fleggburgh Parish Council and contains proposed planning policies to be used in determining planning applications in the Fleggburgh parish.
- Once adopted it will sit alongside the Council's and the Broads Authority's Local Plans as part of the development plan for the area.
- The plan contains policies in relation to housing, design, local green spaces, trees and hedgerows, dark skies, heritage assets, drainage and community facilities.
- The plan has been subject to two rounds of public consultation and an examination by an independent examiner. The independent examiner has concluded that the plan meets the basic conditions subject to a number of relatively minor modifications. The report and the appendices detail all the modifications recommended.
- The Local Plan Working Party has reviewed the recommended modifications and has supported the officer's recommendation to accept the Examiner's recommendations and findings.
- Accordingly, it is recommended to that Council agrees that the Fleggburgh Neighbourhood Plan, as modified, proceeds to referendum.
- The decision on whether to proceed to referendum is also made by the Broads Authority. The Broads Authority accepted the Examiner's recommendations to proceed to Referendum on Friday 1st April 2022.
- If approved, it is expected that the referendum will take place on 16th June 2022.

Councillor Myers asked with regard to the adopting of the plan and whether this would cause conflict on local planning recommendations. It was advised that if there were to be a conflict then greater weight would be given to the Neighbourhood Plan but it was reported that this was unlikely to cause an issue.

Proposer : Councillor Annison

Seconder : Councillor Freeman

That Council :-

(1) Approves the recommended modifications to the Neighbourhood Plan as set out in the Examiner's Report

(2) Approves the referendum area as the neighbourhood plan area as recommended in the Examiner's Report.

(3) Agree the Neighbourhood Plan (as modified) proceeds to referendum.

(4) Approves the publication of a Decision Statement setting out the Council's and the Broads Authority's response to the Examiner's recommendations and announcing the intention for the Neighbourhood Plan to proceed to a referendum.

CARRIED

8 ADOPTION OF FILBY NEIGHBOURHOOD PLAN

Council considered the Senior Strategic Planner's report which asked Member to adopt the Filby Neighbourhood Plan.

Councillor Annison summarised the report as follows :-

- Following the Full Council decision to approve the Filby Neighbourhood Plan for referendum, the referendum took place in the local village hall on the 24th February 2022.
- The plan passed the referendum with a 92% majority.
- The Council must now adopt the plan unless it would breach any retained European Union obligation or Convention rights.
- It is considered that the plan does not breach such obligations and rights and therefore the recommendation is for Full Council to adopt the Filby Neighbourhood Plan. This recommendation was endorsed by the Council's Local Plan Working Party on the 17th March 2022.

Proposer : Councillor Annison

Seconder : Councillor Freeman

That Council adopt the Filby Neighbourhood Plan.

Carried

9 ADOPTION OF ROLLESBY NEIGHBOURHOOD PLAN

Council considered the Senior Strategic Planner's report which asked Member to adopt the Rollesby Neighbourhood Plan.

Councillor Annison summarised the report as follows :-

- Following the Full Council decision to approve the Rollesby Neighbourhood Plan for referendum, the referendum took place in the local village hall on the 24th February 2022.
- The plan passed the referendum with a 77% majority.
- The Council must now adopt the plan unless it would breach any retained European Union obligation or Convention rights.
- It is considered that the plan does not breach such obligations and rights and therefore the recommendation is for Full Council to adopt the Rollesby Neighbourhood Plan. This recommendation was endorsed by the Council's Local Plan Working Party on the 17th March 2022.

Proposer : Councillor Annison

Seconder : Councillor Freeman

That Council adopt the Rollesby Neighbourhood Plan.

Carried

10 ADOPTION OF WINTERTON-ON-SEA NEIGHBOURHOOD PLAN

Council considered the Senior Strategic Planner's report which asked Member to adopt the Winterton Neighbourhood Plan.

Councillor Annison summarised the report as follows :-

- Following the Full Council decision to approve the Winterton Neighbourhood Plan for referendum, the referendum took place in the local village hall on the 24th February 2022.
- The plan passed the referendum with a 76% majority.
- The Council must now adopt the plan unless it would breach any retained European Union obligation or Convention rights.
- It is considered that the plan does not breach such obligations and rights and therefore the recommendation is for Full Council to adopt the Winterton Neighbourhood Plan. This recommendation was endorsed by the Council's Local Plan Working Party on the 17th March 2022.

Proposer : Councillor Annison

Seconder : Councillor Freeman

That Council adopt the Winterton Neighbourhood Plan.

Carried

11 SUSTAINABLE WARMTH AND DECARBONISATION

Council considered the Director of Housing's report which provided an update on successful bids for funding to improve the energy efficiency of homes across the borough.

Councillor Grant summarised the report to Council as follows :-

The report previously considered by Housing and Neighbourhoods Committee, provided an update on successful bids for funding to improve the energy efficiency of homes across the borough. In total, across three separate bids, £5.87m has been awarded to the Council which will result in 408 homes benefiting from the installation of energy efficiency measures of which 321 will be owner occupied or privately rented homes and 87 council homes.

The report provided information on the Homes Upgrade Grant and Social Housing Decarbonisation Fund grant funding recently awarded to the Council and how these monies will be used and targeted.

The report also detailed out the Council's approach to decarbonising the Council's housing stock, utilising a fabric first approach by improving the energy performance of the structure of homes – by increasing or improving insulation and/or replacing windows and doors. Such works deliver

immediate benefits. The second part of the approach is to move towards clean heating systems – moving away from heating systems which are reliant on fossil fuels.

Councillor T Wright raised some concern with regard to the total number homes being considered for the project, he commented that he felt there was a need to understand the issues with all properties in Great Yarmouth to identify those that suffer energy loss and are not energy sufficient in light of increase in fuel costs as this could have a huge impact on the residents within the Borough, although Councillor Wright advised that he welcomed the funding. The Housing Director reported that a private home condition stock survey together with a Council home stock condition survey was planned to be undertaken to look at energy efficient properties, and she noted that the Council were mindful of heating homes and the rising costs.

Councillor Jeal asked with regard to Selective Licensing and whether this could be used as part of this programme. It was advised that this would be an item on the Housing and Neighbourhoods Committee to be discussed.

Councillor Myers asked with regard to the requirement for landlord contributions and whether this would be unable to go ahead if the landlord did not contribute. It was advised that landlords would have to agree to the scheme for this to go ahead.

Councillor Price raised some concern with regard to the scheme and whether this could be completed within the anticipated timescales.

Proposer : Councillor Grant

Seconder : Councillor D Hammond

That Council :-

1. Agree Acceptance of the Homes Upgrade Grant (HUG) and Social Housing Decarbonisation Fund (SHDF) grant monies
2. Note the prior completion of the Memorandum of Understanding to secure the SHDF grant monies and completion of the Memorandum of Understanding for the HUG grant award
3. Agree Delegation of all decisions on the use of and spend of the Homes Upgrade Grant and Social Housing Decarbonisation Fund monies in accordance with the requirements of the applicable Memorandum of Understanding to the Head of Property and Asset Management/Director of Housing Assets.
4. Agree to Updating the General Fund and Housing Revenue Account 2022/23 capital programmes to reflect the HUG and SHDF spend.

Carried

12 ANY OTHER BUSINESS

Councillors Smith, Wainwright and Myers passed on their thanks and praise to His Worship the Mayor for his time as Mayor and commented that he had been a credit to the Council.

13 CONFIDENTIAL SERVICE COMMITTEE DECISION LIST 31 JANUARY 2022 TO 10 MARCH 2022 - FINAL

Proposer : Councillor Smith

Seconder : Councillor Candon

That approval be given to the Confidential Service Committee Decision List for the period 31 January 2022 to 10 March 2022.

Carried.

The meeting ended at: 21:00

	May	June	July	August	September	October	November	December	January	February	March	April
M	2			1		3			2			3
T	3			2		4	1 P&R		3			4
W	4	1		3		5 DC	2		4	1	1	5
T	5	2		4	1	6	3	1	5	2	2	6
F	6	3	1	5	2	7	4	2 Appeals	6	3	3	7
M	9	6	4	8	5	10	7	5 Audit and Risk	9 Eco Dev	6	6 Eco Dev Audit and Risk	10
T	10	7	5	9	6	11	8	6 P&R	10 ENV	7 P&R (b)	7 ENV	11
W	11	8 DC	6 DC	10	7 DC	12	9 DC	7 DC	11	8	8	12
T	12 Annual Council	9	7	11	8	13 Council	10 H&N	8	12	9	9	13
F	13	10	8	12	9 Appeals	14	11	9	13	10	10	14
M	16 LIC	13	11 LIC	15	12 Audit and Risk LIC	17	14 Eco Dev	12 LIC	16	13	13 LIC	17
T	17 P&R	14	12 P&R	16	13 ENV	18	15 ENV	13 Standards	17 P&R	14	14 Standards P&R	18
W	18	15	13	17	14	19	16	14	18 DC	15	15	19
T	19 H&N	16	14 H&N	18	15 H&N	20	17	15 Council	19	16	16 H&N	20
F	20	17	15	19	16	21	18	16	20	17	17	21
M	23 Eco Dev	20	18 Audit and Risk Eco Dev	22	19 Eco Dev	24	21	19	23	20	20	24
T	24 P&R	21 Standards	19 ENV	23	20 P&R Standards	25	22	20	24	21	21	25
W	25 ENV	22	20	24	21	26	23	21	25	22 DC	22 DC	26
T	26	23 Council	21 Council	25	22	27	24	22	26 H&N	23 Council (b)	23 Council	27
F	27 Appeals	24	22	26	23	28	25	23	27	24 Appeals	24	28
M	30	27	25	29	26	31 LIC	28	26	30 LIC	27	27 P. Liaison	30
T	31	28	26	30	27 P. Liaison		29	27	31	28	28	
W		29	27	31	28		30	28			29	
T		30	28		29			29			30	
F			29		30			30			31	

Council 7.00pm
 Licensing – 6pm(LIC)
 Policy and Resources 6pm (P&R)
 Standards Committee – 10am (Quarterly)
 Development Control 6pm (DC)
 Audit & Risk – 10am (A&R) (Quarterly)
 Environment – 6.30pm (ENV)
 Parish Liaison - 6pm (P. Liaison)
 Housing and Neighbourhoods -6.30pm (H&N)
 Appeals Committee (10am) (Quarterly)
 Economic Development –6pm (ECO DEV)

Key :



Weeks inc (Election period, August Recess and Christmas)



Norfolk School Holidays



Bank Holidays

AGENDA ITEM 11
ANNUAL GENERAL MEETING
COUNCIL – THURSDAY 12 MAY 2022
COMMITTEE MEMBERSHIPS 2022/23

LIST OF COMMITTEE MEMBERSHIPS 2022/23

POLICY AND RESOURCES
(13) (7-5-1)

P Carpenter
Flaxman-Taylor
Grant
P Hammond
Jeal
Myers
Plant
Smith
Wainwright
B Walker
Wells
Williamson
T Wright

Named Subs :
Any two Members from the Groups.

ENVIRONMENT
(13) (7-5-1)

Annison
Bensly
Bird
Cameron
P Carpenter
Fairhead
D Hammond
Martin
Robinson – Payne
Talbot
Waters – Bunn
Wells
B Wright

Named Subs :
Any two Members from the Groups

ECONOMIC DEVELOPMENT
(13) (7-5-1)

Candon
Cordiner Achenbach
Freeman
P Hammond
Jeal
Lawn
Mogford
Plant
Price
Robinson-Payne
Talbot
B Walker
T Wright

Named Subs :
Any two Members from the Groups.

HOUSING AND
NEIGHBOURHOODS
(13) (7-5-1)

Candon
Cameron
Flaxman – Taylor
Galer
Grant
D Hammond
Jeal
Martin
Price
Talbot
Smith-Clare
Wainwright
Williamson

Named Subs :
Any two Members from the Groups.

AGENDA ITEM 11
ANNUAL GENERAL MEETING
COUNCIL – THURSDAY 12 MAY 2022
COMMITTEE MEMBERSHIPS 2022/23

DEVELOPMENT CONTROL
(13) (7-5-1)

Annison
G Carpenter
Fairhead
Freeman
Flaxman – Taylor
P Hammond
Hanton
Mogford
Myers
Wainwright
Williamson
A Wright
B Wright

Named Subs :
Any two Members from the Groups.

STANDARDS
(5) (3-1-1)

Bird
Freeman
Price
Smith-Clare
Thompson

Named Subs :
Any two Members from the Groups.

APPEALS
(Combined Housing Appeals and Appeals)
(7) (4-2-1)

Bensly
Hacon
Hanton
D Hammond
Lawn
Robinson-Payne
Waters-Bunn

Named Subs :
Any two Members from the Group

LICENSING
(13) (7-4-1-1)

Bensly
Bird
Borg
G Carpenter
Cordiner-Achenbach
Galer
Hacon
Hanton
Lawn
Robinson – Payne
Stenhouse
Thompson
B Walker

Named Subs :
Any two Members from the Groups.

AUDIT AND RISK
(5) (3-2)

Freeman
Grant
Galer
Wainwright
T Wright

Named Subs :
Any two Members from the Groups.

EMPLOYMENT
(5) (3-2)

P Carpenter
Plant
Smith
Wainwright
Waters-Bunn

Named Subs :
Any two Members from the Group

AGENDA ITEM 12
ANNUAL GENERAL MEETING
COUNCIL – THURSDAY 12 MAY 2022
APPOINTMENT OF CHAIRS AND VICE CHAIRS 2022/23

COMMITTEE	CHAIRMAN	VICE CHAIRMAN
Policy and Resources	Smith	P Carpenter
Economic Development	Candon	P Hammond
Environment	Wells	D Hammond
Housing and Neighbourhoods	Flaxman-Taylor	Grant D
Development Control	Annison	Freeman
Licensing	G Carpenter	Hanton
Standards	Bird	Freeman
Audit and Risk	Grant	Galer
Appeals	Lawn	Bensly
Employment Committee	Smith	P Carpenter

AGENDA ITEM 13
ANNUAL GENERAL MEETING
COUNCIL – THURSDAY 12 MAY 2022
APPOINTMENT OF WORKING GROUP MEMBERSHIPS 2022/23

LIST OF WORKING GROUP MEMBERSHIPS 2022/23

**Civic Working Group
(5 Members)**

Bird (C)
Lawn
Fairhead
Flaxman-Taylor
Martin

**Constitution Working Party
(10 Members)**

P Carpenter
Freeman
Hanton
Myers
Plant
Robinson-Payne
Smith (C)
Wainwright
B Walker
Williamson

**Great Yarmouth Area
Museums
(8 Members)**

Bird
Cordiner-Acenbach
Freeman (C)
Jeal
Lawn
Mogford
Robinson-Payne
Price

**Local Plan Working Party
(11 Members)**

Annison (C)
G Carpenter
Freeman
Fairhead
P Hammond
Hanton
Mogford
Talbot
Wainwright
Williamson
T Wright

AGENDA ITEM 13
ANNUAL GENERAL MEETING
COUNCIL – THURSDAY 12 MAY 2022
APPOINTMENT OF WORKING GROUP MEMBERSHIPS 2022/23

LIST OF WORKING GROUP MEMBERSHIPS 2022/23

**Great Yarmouth Town
Centre Masterplan
(9 Members)**

Bird
P Hammond
Jeal
Plant
Smith (C)
Stenhouse
Wainwright
B Walker
Williamson

**Joint Consultative
Working Group
(5 Members)**

P Carpenter (C)
Lawn
Stenhouse
B Walker
Waters-Bunn

**Marina Centre Members
Working Group
(7 Members)**

Flaxman-Taylor
Jeal
Plant
Smith (C)
Wainwright
Williamson

**Middlegate Estate Regen
Working Group
(5 Members)**

Flaxman-Taylor
Grant (C)
D Hammond
Jeal
Robinson-Payne

**Wellesley Recreation
Working Group
(5 Members)**

Bird
Flaxman-Taylor
Grant (C)

**Wintergardens
Working Group
(7 Members)**

Candon
Cordiner-Achenbach
P Hammond

AGENDA ITEM 13
ANNUAL GENERAL MEETING
COUNCIL – THURSDAY 12 MAY 2022
APPOINTMENT OF WORKING GROUP MEMBERSHIPS 2022/23

LIST OF WORKING GROUP MEMBERSHIPS 2022/23

Smith-Clare
Williamson

Jeal
Plant
Smith (C)
Wainwright

**Great Yarmouth Seafront
Working Group
(5 Members)**

**Gorleston Seafront
Working Group
(5 Members)**

Bird
D Hammond
Robinson-Payne
Smith (C)
T Wright

Flaxman-Taylor
Plant (C)
Wainwright
B Wright
Wells

**Great Yarmouth Events
Working Group
(5 Members)**

Flaxman-Taylor (C)
Wells
Candon
Robinson-Payne
C Walker

AGENDA ITEM 14
ANNAUL GENERAL MEETING
COUNCIL – THURSDAY 12th MAY
OUTSIDE BODIES REPRESENTATION 2022/23

Ref.	List of Outside Body	Number of Members	2021/22 Member/s representative	2022/23 Member/s Nominations
1	A47 Alliance	1	Plant	Plant
2	Bowls Tournament Working Party	2	Fairhead Lawn	Fairhead Lawn
3	Broads Authority	1	Mogford	Mogford
4	Broads Internal Drainage Board	6	Bird Fairhead Freeman Galer Lawn Mogford	Bird Fairhead Freeman Galer Lawn Mogford
5	Broadland Future Initiative	1	P Carpenter	P Carpenter
6	Chamber of Commerce - Norfolk (Great Yarmouth Committee) Chamber Council	2	Plant T Wright	Plant T Wright
7	Climate Change Partnership Board	1	Wells	Wells
8	Coastal Partnership East	2	Bensly P Carpenter	Wells Galer
9	Community Rail Partnership	1	Mogford	Mogford
10	Community Safety (Great Yarmouth) Ltd (CCTV Co)	1	G Carpenter	G Carpenter
11	East of England LGA	1	Smith	Smith
12	Freedom Leisure Partnership Board	2	Smith Wainwright	Smith Wainwright
13	Gorleston Poor Land Trustees	2	Flaxman - Taylor B Wright	Flaxman - Taylor B Wright
14	Great Yarmouth Health and Wellbeing Partnership	1		Flaxman-Taylor

AGENDA ITEM 14
ANNAUL GENERAL MEETING
COUNCIL – THURSDAY 12th MAY
OUTSIDE BODIES REPRESENTATION 2022/23

Ref.	List of Outside Body	Number of Members	2021/22 Member/s representative	2022/23 Member/s Nominations
15	Great Yarmouth and Rambouillet Twinning Association	3	Candon Fairhead P Hammond	D Hammond Fairhead P Hammond
16	Great Yarmouth Municipal Charities * 4 Year Appointment *	4	Cordiner-Achenbach D Hammond Jeal Robinson-Payne	Cordiner-Achenbach D Hammond Jeal Robinson-Payne
17	Great Yarmouth Preservation Trust	5	Fairhead Freeman Price Wells Williamson	Fairhead Freeman Price Wells Williamson
18	Great Yarmouth Racecourse	2	Hammond Bensly	Hammond Bird
19	Great Yarmouth Seafarers Centre	1	Borg	Borg
20	Great Yarmouth Transport & Infrastructure Steering Group (formerly Car Parking Strategy Steering Group)	3	Hanton Plant T Wright	Hanton Plant T Wright
21	Greater Yarmouth Tourism & Business Improvement Area Ltd/Interim Board of Directors	4	Bensly T Wright P Hammond Plant	P Carpenter T Wright P Hammond Candon
22	GY Norse Company Board	1	Grant	Flaxman-Taylor
23	GY Norse Liaison Board	3**	P Carpenter Grant Wainwright	P Carpenter Grant Wainwright
24	GYB Services Company Board	1	Chair of Environment Committee	Chair of Environment Committee

AGENDA ITEM 14
ANNAUL GENERAL MEETING
COUNCIL – THURSDAY 12th MAY
OUTSIDE BODIES REPRESENTATION 2022/23

Ref.	List of Outside Body	Number of Members	2021/22 Member/s representative	2022/23 Member/s Nominations
25	GYB Services Liaison Board	2**	Vice - Chair of Environment Committee	Vice - Chair of Environment Committee
26	High School Foundation	1	Grant	Grant
27	James Paget Healthcare NHS Trust (Governors' Council)	1	Flaxman – Taylor	Flaxman – Taylor
28	Local Government Association - Coastal Issues	1	Bensly	Galer
29	Local Government Association - General Assembly	1	Smith	Smith
30	Merchant Navy Welfare Board	1	A Wright	A Wright
31	Neighbourhood Management Board - MESH (Gorleston)	2	Flaxman – Taylor Wainwright	Flaxman – Taylor Wainwright
32	Neighbourhood Management Boards - Make It Happen (Southtown, Cobholm and Halfway House)	2	Cordiner – Achenbach Williamson	Cordiner – Achenbach Williamson
33	Neighbourhood Management Boards - Yarmouth	2	Jeal Robinson-Payne	Jeal Robinson-Payne
34	Norfolk Coast Partnership (Joint Advisory Panel)	1	Bensly	Bensly
35	Norfolk Coastal Board Member Group	2		Galer Wells
36	Norfolk Countywide Community Safety Partnership	1	P Carpenter	P Carpenter
37	Norfolk County Joint Museums Committee	1	Freeman	Freeman
38	Norfolk Health & Wellbeing Board	1	E Flaxman-Taylor D Hammond (Sub)	E Flaxman-Taylor D Hammond (Sub)
39	Norfolk Health Overview & Scrutiny Committee	1	Flaxman-Taylor	Candon

AGENDA ITEM 14
ANNAUL GENERAL MEETING
COUNCIL – THURSDAY 12th MAY
OUTSIDE BODIES REPRESENTATION 2022/23

Ref.	List of Outside Body	Number of Members	2021/22 Member/s representative	2022/23 Member/s Nominations
40	Norfolk Parking Partnership Joint Committee	1	Plant	Plant
41	Norfolk Rail Group	1	Mogford	Mogford
42	Norfolk Records Committee	1	Wainwright	Jeal
43	Norfolk Strategic Planning Framework	1	Plant Annison (Sub)	Plant Annison (Sub)
44	Norfolk Waste Partnership	1	Cameron	Cameron
45	Nplaw Board	1	G Carpenter	G Carpenter
46	Older Peoples Partnership	1	D Hammond	D Hammond
47	Police and Crime Panel	1	Smith-Clare Martin (Sub)	Smith-Clare Martin (Sub)
48	SeaChange Board	1	Flaxman-Taylor	Flaxman-Taylor
49	Great Yarmouth Town Centre Partnership Company (Great Yarmouth) Ltd	1	Smith	Smith
50	Waveney, Lower Yare and Lothingland Internal Drainage Board	3	Annison Cameron Fairhead	Annison Cameron Fairhead
51	Water Resources East	1	P Carpenter Bensly (Sub)	P Carpenter Bensly (Sub)
52	Youth Advisory Board	1	Galer	Galer

* Leaders of political parties invited

** Includes Member on Company Board

Subject: Renewal of Public Space Protection Order NO.1- Alcohol Related Anti-Social Behaviour

Report to: Council – 12th May 2022

Report by: Paul Shucksmith – Environmental Protection and Waste Manager

James Wilson – Head of Environment and Sustainability

SUBJECT MATTER

Public Protection Order No.1 was introduced in 2016 to assist in addressing anti – social behaviour related to the consumption of alcohol in public places. The Order was extended in 2019 and this extension is due to expire on June 2nd 2022. This report seeks Council approval to extend it by a further three years.

RECOMMENDATION

That Council agree to the Order being extended by a further three years.

1. Introduction

- 1.1.** The Anti-Social Behaviour (Crime and Policing) Act 2014 provided local authorities with a range of powers to assist in tackling anti- social behaviour (ASB) within the community. One of these powers is the Public Space Protection Order (PSPO)
- 1.2.** PSPO'S are designed to replace and streamline a range of powers such Byelaws and other types of Orders which have historically been available to local authorities. They can be used to prevent or address behaviour carried out in the public space which have had, are having or could have a detrimental effect on other people in the locality.
- 1.3.** Councils may make a PSPO where there is an evidenced need and as part of its implementation must consult with the Police and appropriate community representation.
- 1.4.** PSPO's last for a duration of up to three years after which time they must be reviewed and renewed if they are still required

- 1.5. Currently the Council has three PSPO's. PSPO no.1 relates to alcohol related anti-social behaviour, PSPO no.2 relates to vehicle related anti-social behaviour and PSPO no.3 related to dog control.

2. Background To PSPO No.1

- 2.1. PSPO NO.1 (Appendix 1) was introduced in June 2016 following a request from the Police to implement such an Order to help address persistent perpetrators of alcohol related low level crime in the public places. As per the requirements a consultation exercise was carried out with the Public who supported the proposal.
- 2.2. The PSPO ran for the period of three years and on the lead up to its review date in 2019 the Police identified that they would like it renewed on the basis that since the PSPO's introduction alcohol related ASB had dropped by 35%. A further consultation was carried out in 2019 and the PSPO again received public support in its renewal for a further 3 years.
- 2.3. The PSPO is due to expire on 2nd June 2022 and must be reviewed. The Police have again indicated they would like it renewed, due its effectiveness in tackling alcohol related ASB.

3. Requirements of the PSPO

- 3.1. PSPO No.1 restricts the consumption of alcohol in public places specifically where it gives rise to Anti-Social behaviour. It does not stop the drinking of alcohol in public where it is being done in a controlled manner and is not negatively affecting other people.
- 3.2. The Order provides authorised Officers, including the Police, with a mechanism to require the surrender of alcohol and/or to stop drinking where individuals are considered to be acting in an anti-social manner, this is very effective and instant tool to stop behaviour as it is happening.
- 3.3. Whilst Councils Officers can also be authorised to enforce the PSPO in practical terms this is carried out by the Police.
- 3.4. In the first instance a warning is issued and alcohol removed, but should this be ignored or there are repeat offenders, it is a criminal offence with the option of issuing a fixed penalty notice or prosecution.
- 3.5. Penalties for a breach of a PSPO is a fine of up to £1000 upon prosecution or, as an option a Fixed Penalty Notice can be offered- for Great Yarmouth this is currently set as £80 or reduced to £60 if paid within ten days.

4. Extension of PSPO No.1

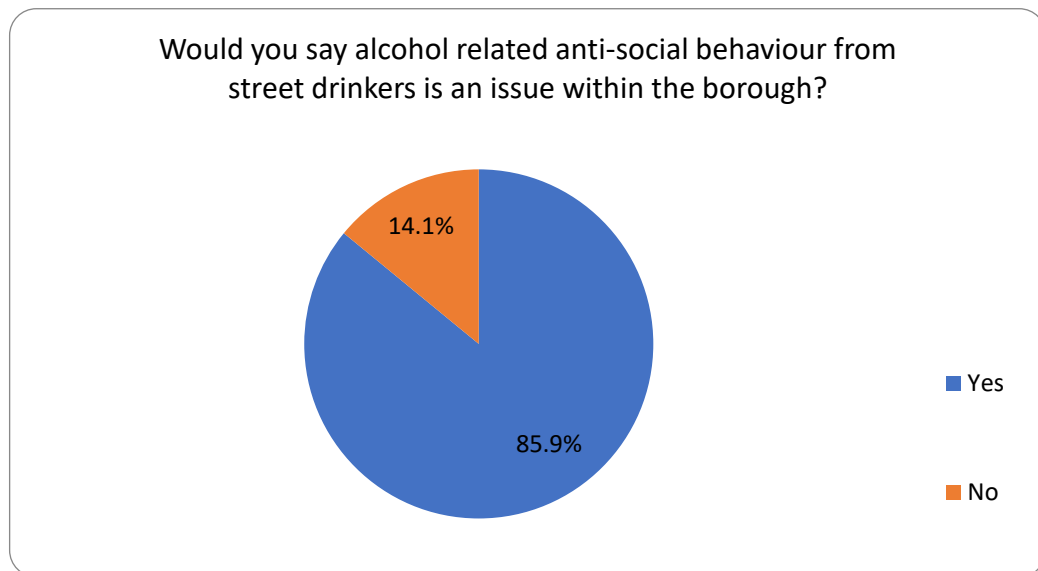
5. Dialogue with the Police in early 2022 identified that they would like to renew PSPO No.1 on the basis it provides them with a mechanism to address alcohol related ASB. Consequently a public consultation was carried out to seek public feeling about this

proposal of an extension . The Police have subsequently provided a letter formally requesting and supporting its renewal (Appendix 2).

6. It is clear from the statement that the Police believe the implementation of the PSPO continues to reduce the amount of alcohol related ASB by 35% with it being an effective tool to address such issues and that without the PSPO being renewed levels of such ASB will rise. They state the need for this PSPO has never been greater with wider alcohol related crime steadily increasing by over 60% over the same period.

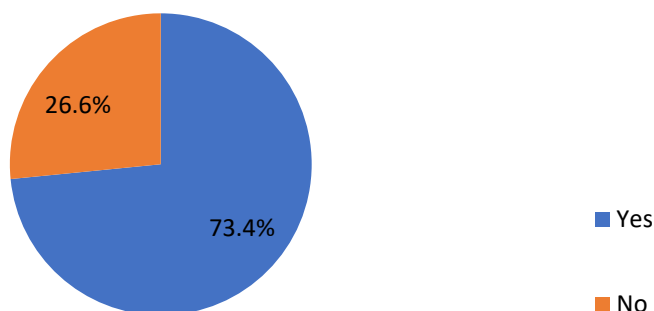
7. Consultation

- 7.1. For the implementation or renewal of a PSPO the Council are obliged to seek the views of the Police and relevant community representation. A formal public consultation was commenced on 7th February 2022 and was appropriately advertised as is required. Closing date for the consultation was 6th March 2022.
- 7.2. Officers also sought views from Partner Agencies at joint working groups including the Community Alcohol Partnership. Whilst partners have not provided written formal response the consensus was at these meetings in support of the renewal of the PSPO.
- 7.3. In total 128 consultation responses were received. An overview of the consultation feedback can be found in Appendix 3.
- 7.4. The Consultation showed that the Public feels there is an issue with alcohol related ASB within the Borough with over three quarters of respondents highlighting this.



Nearly 75% of respondents also said they felt intimidated by street and a similar figure saying they had experienced alcohol related anti- social behaviour-

Have you experienced alcohol related anti-social behaviour from street drinkers within the borough?



- 7.5.** Overall there was an overwhelming support for the PSPO itself and its renewal. Comments within the consultation also suggest that there is public feeling that ASB from drinking affects not only the town centre but Gorleston and the outer Parishes. The main points from the Consultation regarding renewal of the PSPO are-

Are you in support of the current alcohol PSPO?			
Answer Choice		Response Percent	Response Total
1	Yes	89.1%	114
2	No	10.9%	14

Do you support renewing the alcohol PSPO?			
Answer Choice		Response Percent	Response Total
1	Yes	93.0%	119
2	No	7.0%	9

8. Conclusions/Recommendations

- 8.1.** Both the Police and the feedback from the public consultation support the PSPO and its renewal. Based on this it is recommended that the Order is renewed for a further three years from 3rd June 2022.

9. Financial Implications

- 9.1.** There are no current direct financial implications identified

10. Legal Implications

- 10.1.** Section 72 of the 2014 Act requires that in deciding whether to extend a PSPO the Council must have regards to the rights of freedom of expression and freedom of

assembly and association set out in articles 10 and 11 of the Convention for the Protection of Human Rights and Fundamental Freedoms

10.2. Whilst acknowledging that the proposed Order could potentially infringe on an individual's human rights , including the right to respect for private life and potentially the right to freedom of assembly and association, it is considered that these qualified rights may in the this instance be interfered within the interests of public safety , the prevention of crime and disorder and in accordance with the law.

10.3. As required under section 72 of the 2014 Act the Council has carried out the necessary consultation and notification before deciding whether to extend the PSPO or not. If the extension is agreed a notice will be published identifying that the Order has been extended.

11. Risk Implications

11.1. No risks have been identified

Area for consideration	Comment
Monitoring Officer Consultation:	No
Section 151 Officer Consultation:	No
Existing Council Policies:	ASB Strategy
Financial Implications (including VAT and tax):	No
Legal Implications (including human rights):	Yes, but has been in place for 6 years with challenge or issue.
Risk Implications:	No
Equality Issues/EQIA assessment:	No
Crime & Disorder:	Yes -an essential tool to allow police to tackle
Every Child Matters:	No

GREAT YARMOUTH BOROUGH COUNCIL

PUBLIC SPACES PROTECTION ORDER No. 1 OF 2016

1. This Public Spaces Protection Order is made by the Great Yarmouth Borough Council of Town Hall, Great Yarmouth NR30 2QF (hereafter "the council") as the council is satisfied upon reasonable grounds firstly that anti-social behaviour associated with drinking alcohol has been carried on or is likely to be carried on within the public places mentioned in this order and these activities have had or are likely to have a detrimental effect on the quality of life of those in the locality and further that the effect or likely effect of this activity is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the activity unreasonable and justifies the restrictions imposed by this Public Spaces Protection Order (hereafter "order"). This order is made by the council in exercise of its powers under section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act").
2. No person shall at any place to which this order applies consume alcohol after being warned not to consume alcohol by a police officer, a police community support officer or an authorised officer of the council.
3. A warning given under paragraph 2 of this order may be given verbally or in writing.
4. The prohibition contained in paragraph 2 of this order does not apply to any place specified in section 62 of the Act as a place where a prohibition in a public spaces protection order on consuming alcohol does not apply.
5. This order shall apply to all those places within the council's district which area is shown on the plan attached as Appendix A to this order which fall within the following definition:

Any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. This includes but is not limited to: car parks, libraries, sports fields and playing fields and their attached facilities, play areas, parks and recreation grounds, beaches, public highways including footway and verge, market places, esplanades, public open space land and communal open space owned by the council, cemeteries and church yards, places of worship, shopping centres, cinemas and civic buildings, nature reserves, sites of special scientific interest, public w.c's and the curtilage of any such location.

6. This order comes into effect on 3 June 2016 and continues for a period of three years from that date unless extended under section 60 of the Act.

Public Space Protection Order No 1 of 2016
Great Yarmouth Borough Council

7. Under Section 63 of the Act where a police officer, a police community support officer or an authorised officer of the council reasonably believes that a person is or has been consuming alcohol in breach of a prohibition in a public spaces protection order or intends to consume alcohol in circumstances in which doing so would be a breach of such a prohibition then the police officer, police community support officer or authorised officer of the council may require that person not to consume in breach of the order alcohol or anything which the police officer, police community support officer or authorised officer of the council reasonably believes to be alcohol and/or to surrender anything in the person's possession which is, or which the police officer, police community support officer or authorised officer of the council reasonably believes to be, alcohol or a container for alcohol.
8. A police officer, police community support officer or authorised officer of the council who imposes a requirement upon a person under section 63 of the Act as mentioned above must tell the person that failing without reasonable excuse to comply with the requirement is an offence. A requirement imposed is not valid if the police officer, police community support officer or authorised officer of the council fails to show to the person receiving the requirement evidence of his or her authorisation if they are asked to do so by that person.
9. A police officer, police community support officer or authorised officer of the council may dispose of anything surrendered under sub-section (2)(b) of section 63 of the Act in whatever way he or she thinks appropriate.
10. A person who fails without reasonable excuse to comply with a requirement imposed on him or her under section 63 commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
11. Under section 67 of the Act it is an offence for a person without reasonable excuse to do anything that the person is prohibited from doing by a public spaces protection order, or to fail to comply with a requirement to which the person is subject under a public spaces protection order. A person guilty of an offence under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale. However a person does not commit an offence under section 67 of the Act by failing to comply with a prohibition or requirement that the council did not have power to include in the public spaces protection order.
12. Consuming alcohol in breach of a public spaces protection order is not an offence under section 67 of the Act but reference should be made to section 63 of the Act.

Public Space Protection Order No 1 of 2016
Great Yarmouth Borough Council

13. This order may be cited as the "Great Yarmouth Borough Council Public Spaces Protection Order No. 1 of 2016".

Appendix A: Map of PSPO No 1 area attached.

Challenging the Validity of Orders

An interested person may apply to the High Court to question the validity of:-

- a. This Order, or
- b. A future variation of this Order.

"interested person" means an individual who lives in the restricted area or who regularly works or visits that area.

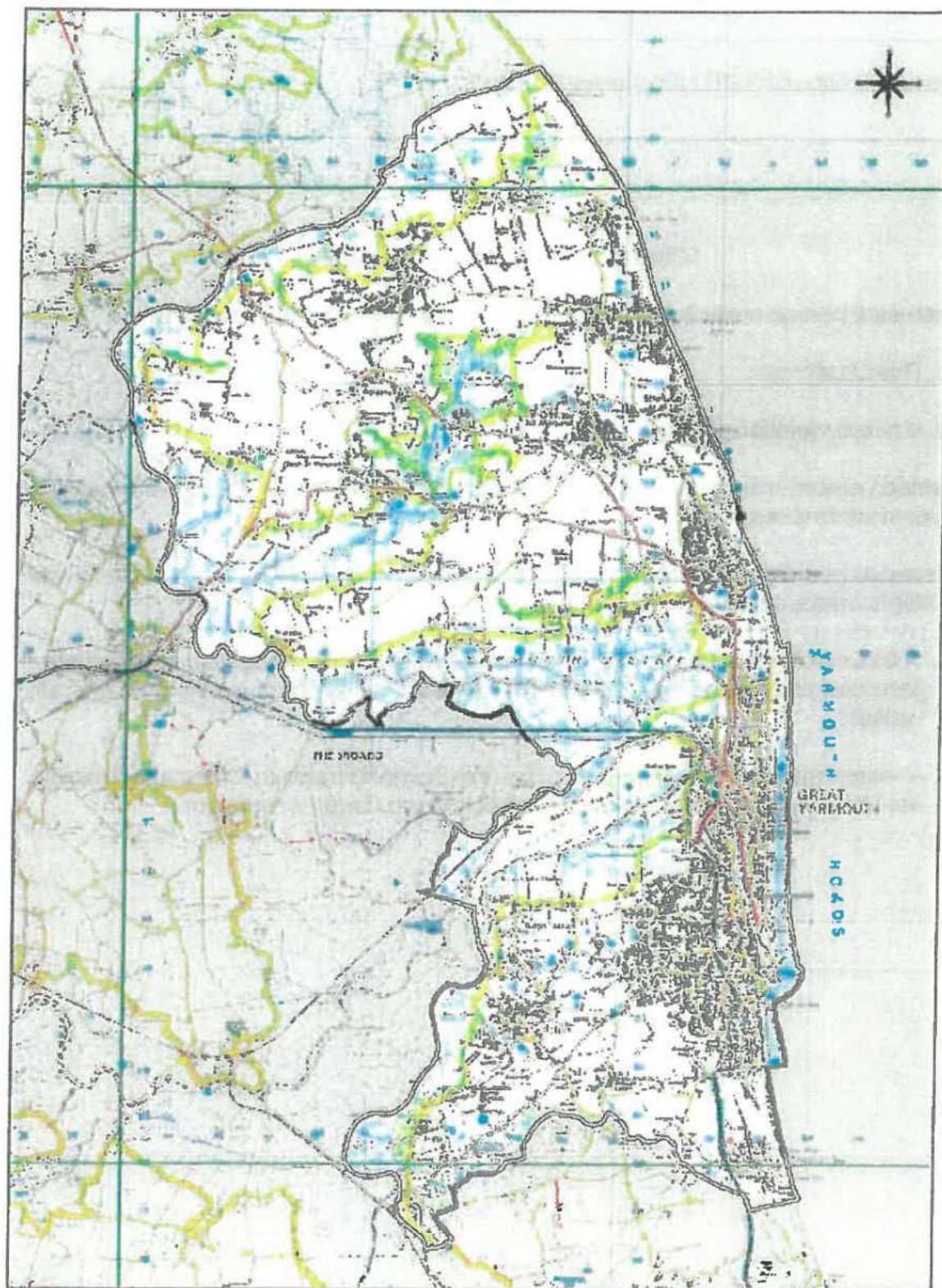
An interested person may apply to the High Court within six weeks from the date in which the Order is made, on the grounds that:

- a. The Council did not have the power to make the order or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied);
- b. A requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the Order or variation.

Public Space Protection Order No 1 of 2016
Great Yarmouth Borough Council

Appendix A: Map of PSPO area

Great Yarmouth Borough Council Boundary



GREAT YARMOUTH
BOROUGH COUNCIL

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Author:	
Editor:	
Designer:	
Date:	2016

Public Space Protection Order No 1 of 2016
Great Yarmouth Borough Council

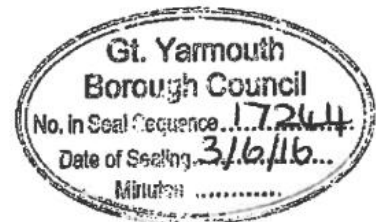
Dated: 3 June 2016

The Common Seal of Great Yarmouth Borough Council was affixed in the presence of

Signature:


.....

Authorised Officer: Jane Beck, Director of Customer Services
Great Yarmouth Borough Council



**Public Spaces Protection Order No 1 of
2016 Great Yarmouth Borough Council**

Extension of Public Spaces Protection Order No.1 of 2016

The Council, following a statutory consultation and in exercise of its powers under section 60 of the Act, at Full Council Meeting on 30th May 2007, Agenda Item 4 has unanimously approved the extension of this PSPO for a further 3 years.

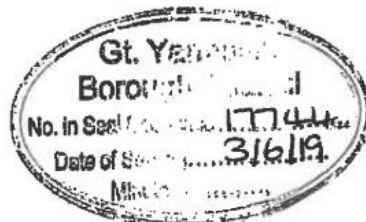
Dated 3rd June 2019

The Common Seal of Great Yarmouth Borough Council was affixed in the presence of

Signature



Authorised Officer: Neil Shaw, Strategic Director
Great Yarmouth Borough Council



STATEMENT OF POLICE SUPERINTENDENT, NATHAN CLARK

The renewal of the Public Space Protection Order (PSPO) is vital in minimising the impact of ASB and alcohol consumption in our borough. The Police Officers that cover the most affected location, the Market Place and St Georges Park, state that it has become an invaluable tool to tackle anti-social behaviour before it starts and even the most persistent offenders have moderated their behaviour since this legislation was implemented.

Strong justifications exist for a focus on street drinking due to the following factors:

- It is a widespread and persistent problem.
- The visibility of such drinking means it is of specific concern to the public.
- Although street drinkers are relatively few, they place huge pressure on services through calls on police time, hospital visits and 999 calls.

Data collated by Norfolk Constabulary Strategic, Business & Operational Services demonstrates how effective PSPO's can be in reducing both ASB and crime in urban areas. Within the Great Yarmouth borough, between 01/04/2018 - 08/03/2022, alcohol-related ASB CADs have reduced by 35%. This highlights the fact that the current Public Space Protection Order (PSPO) has been successful in reducing incidents. It is also clear that more widely alcohol abuse is climbing, between 01/04/18 - 08/03/22, alcohol-related crimes have steadily increased by 61%. It has also been widely reported that the pandemic has exasperated the issue of alcohol abuse. The need for the PSPO has never been greater.

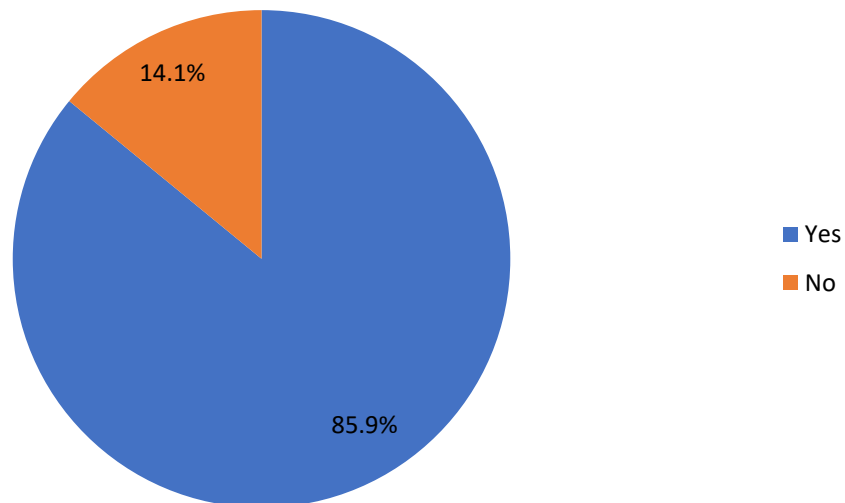
Police officers over the last 4 years have demonstrated this legislation has not been used as a coercive police power. Enforcement has been used in a sensible and proportionate way, with 24 investigations recorded. However, over the same period officers have utilised this legislation nearly every day, it provides the authority to engage street drinkers, remove open alcohol containers and sign post vulnerable users to services and preventative approaches.

Alcohol Public Space Protection Order (PSPO) Consultation Survey

Would you say alcohol related anti-social behaviour from street drinkers is an issue within the borough?

Answer Choice		Response Percent	Response Total
1	Yes	85.9%	110
2	No	14.1%	18
answered			128
skipped			0

Would you say alcohol related anti-social behaviour from street drinkers is an issue within the borough?

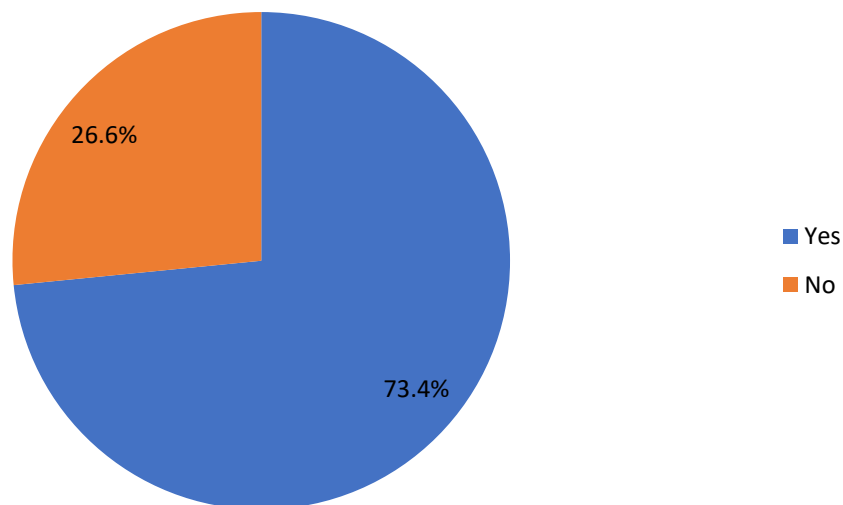


Alcohol Public Space Protection Order (PSPO) Consultation Survey

Have you experienced alcohol related anti-social behaviour from street drinkers within the borough?

Answer Choice		Response Percent	Response Total
1	Yes	73.4%	94
2	No	26.6%	34
answered			128
skipped			0

Have you experienced alcohol related anti-social behaviour from street drinkers within the borough?

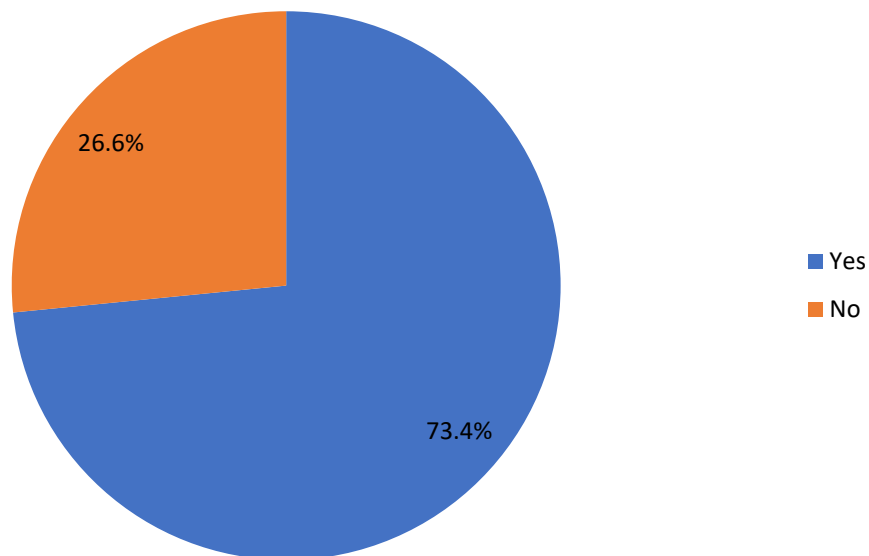


Alcohol Public Space Protection Order (PSPO) Consultation Survey

Have you or your household ever felt intimidated by street drinkers?

Answer Choice		Response Percent	Response Total
1	Yes	73.4%	94
2	No	26.6%	34
answered			128
skipped			0

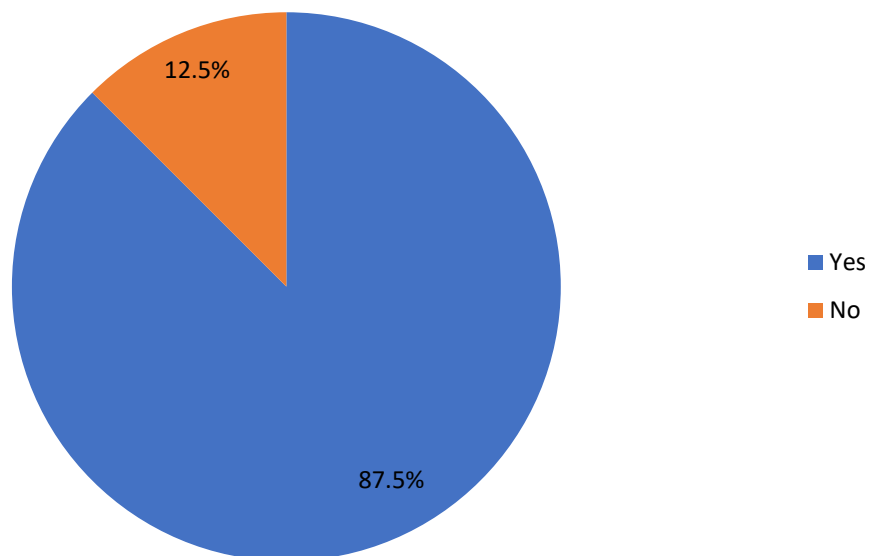
Have you or your household ever felt intimidated by street drinkers?



Alcohol Public Space Protection Order (PSPO) Consultation Survey

Is there an issue with alcohol related litter in the borough?			
Answer Choice		Response Percent	Response Total
1	Yes	87.5%	112
2	No	12.5%	16
answered			128
skipped			0

Is there an issue with alcohol related litter in the borough?

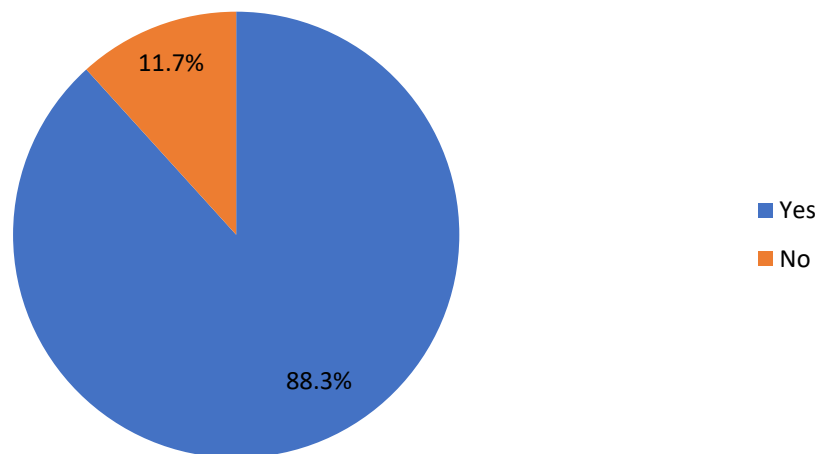


Alcohol Public Space Protection Order (PSPO) Consultation Survey

Do you think that street drinkers are negatively impacting the tourism trade or detracting from the “family friendly” environment in the borough?

Answer Choice		Response Percent	Response Total
1	Yes	88.3%	113
2	No	11.7%	15
answered			128
skipped			0

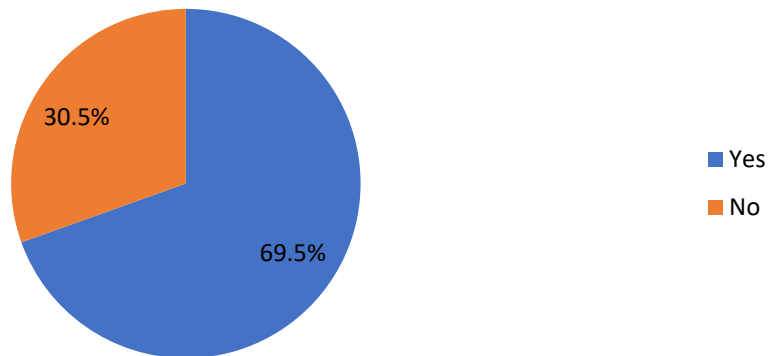
Do you think that street drinkers are negatively impacting the tourism trade or detracting from the “family friendly” environment in the borough?



Alcohol Public Space Protection Order (PSPO) Consultation Survey

Are there areas of the borough that you would avoid because of street drinking?			
Answer Choice		Response Percent	Response Total
1	Yes	69.5%	89
2	No	30.5%	39
If yes, please specify:			86
			answered
			128
			skipped
			0

Are there areas of the borough that you would avoid because of street drinking?

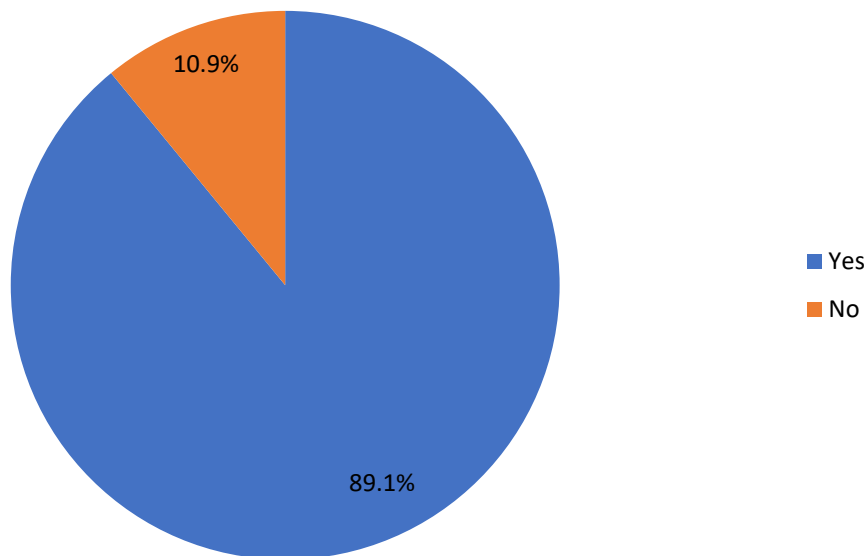


Alcohol Public Space Protection Order (PSPO) Consultation Survey

Are you in support of the current alcohol PSPO?

Answer Choice		Response Percent	Response Total
1	Yes	89.1%	114
2	No	10.9%	14
answered			128
skipped			0

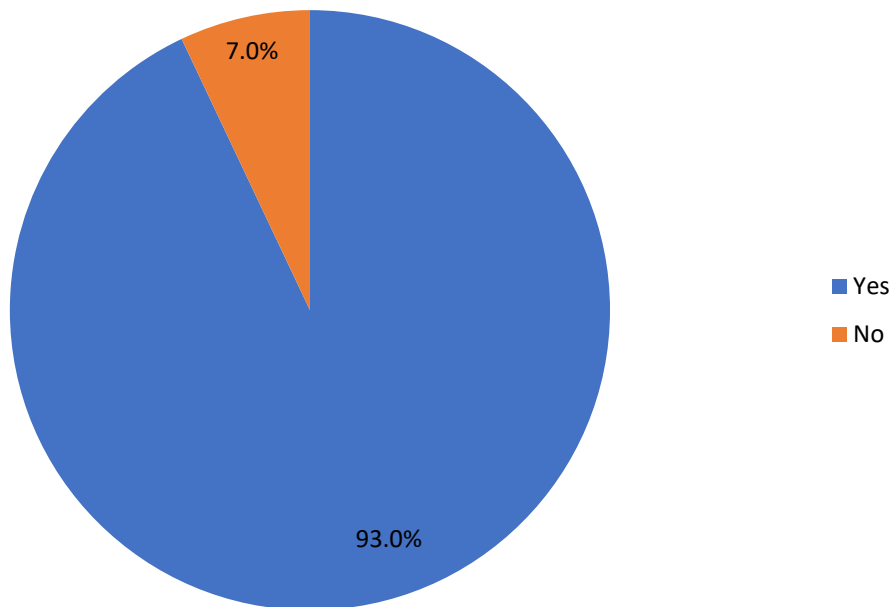
Are you in support of the current alcohol PSPO?



Alcohol Public Space Protection Order (PSPO) Consultation Survey

Do you support renewing the alcohol PSPO?			
Answer Choice		Response Percent	Response Total
1	Yes	93.0%	119
2	No	7.0%	9
answered			128
skipped			0

Do you support renewing the alcohol PSPO?

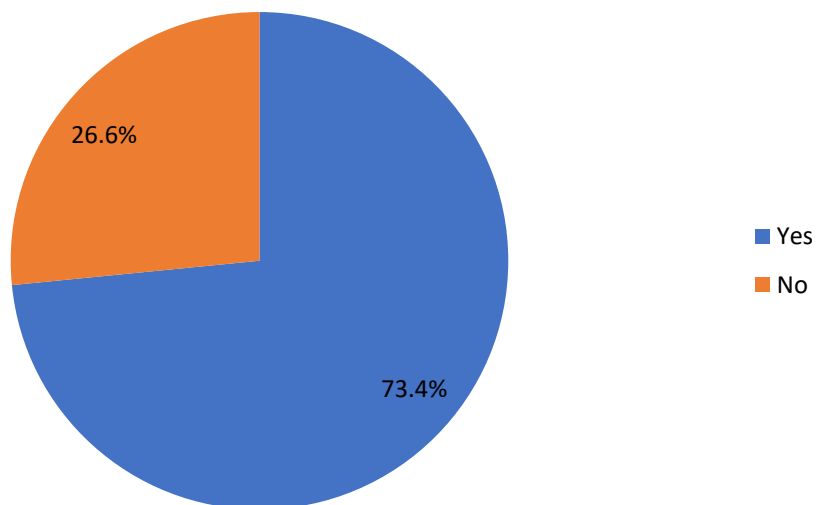


Alcohol Public Space Protection Order (PSPO) Consultation Survey

Have you experienced alcohol related anti-social behaviour from street drinkers within the borough?

Answer Choice		Response Percent	Response Total
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<i>answered</i>			128
<i>skipped</i>			0

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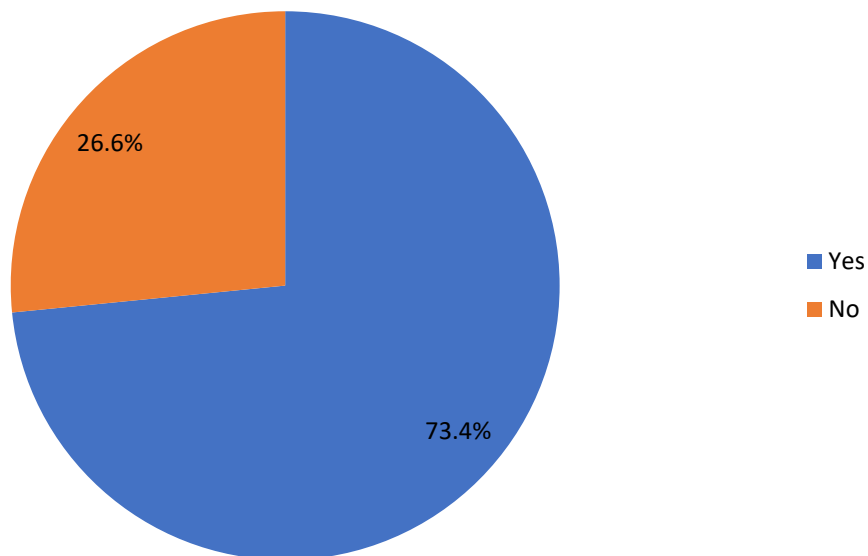


Alcohol Public Space Protection Order (PSPO) Consultation Survey

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answered			128
skipped			0

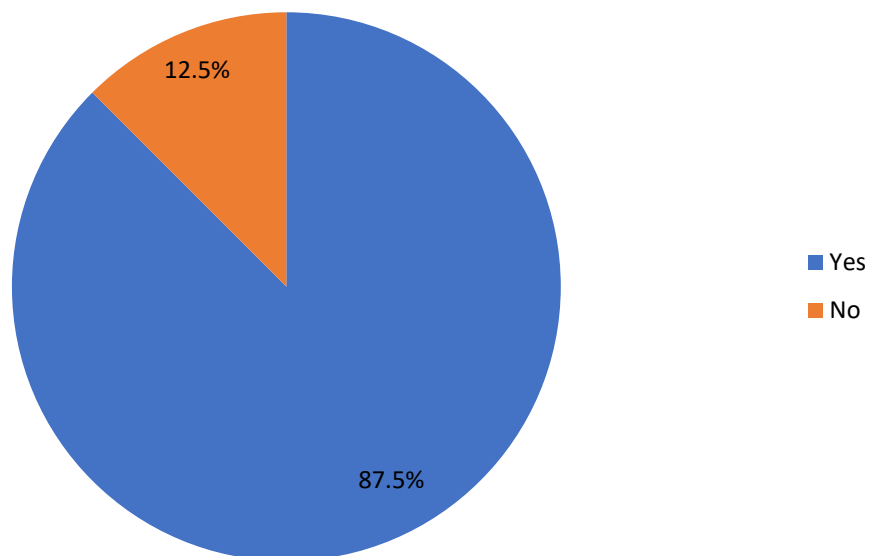
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answered			128
skipped			0

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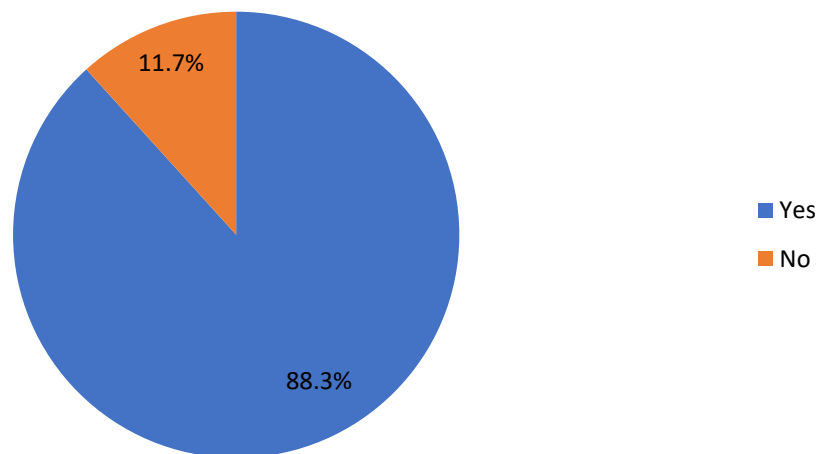


Alcohol Public Space Protection Order (PSPO) Consultation Survey

Do you think that street drinkers are negatively impacting the tourism trade or detracting from the “family friendly” environment in the borough?

Answer Choice		Response Percent	Response Total
1	Yes	88.3%	113
2	No	11.7%	15
answered			128
skipped			0

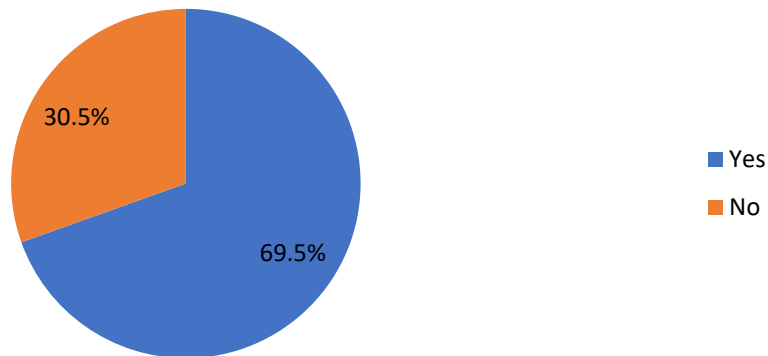
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Alcohol Public Space Protection Order (PSPO) Consultation Survey

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If yes, please specify:			86
			answered
			128
			skipped
			0

Are there areas of the borough that you would avoid because of street drinking?

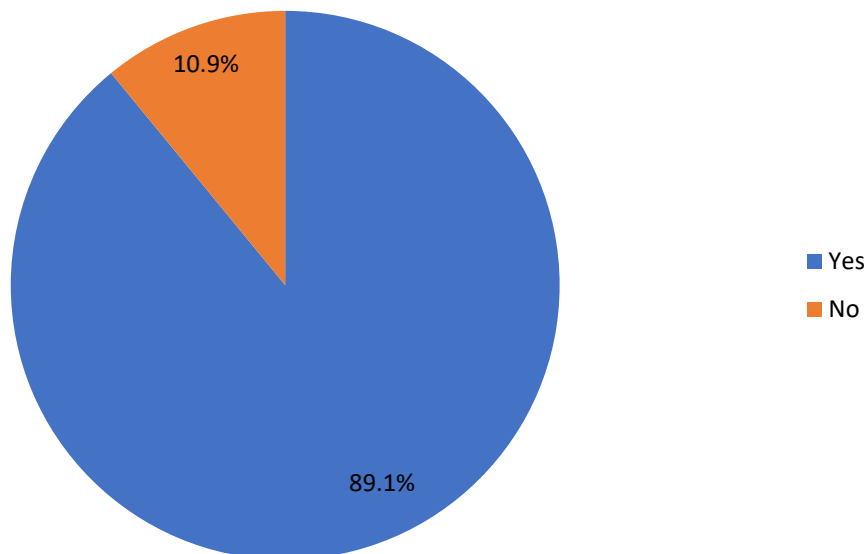


Alcohol Public Space Protection Order (PSPO) Consultation Survey

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answered			128
skipped			0

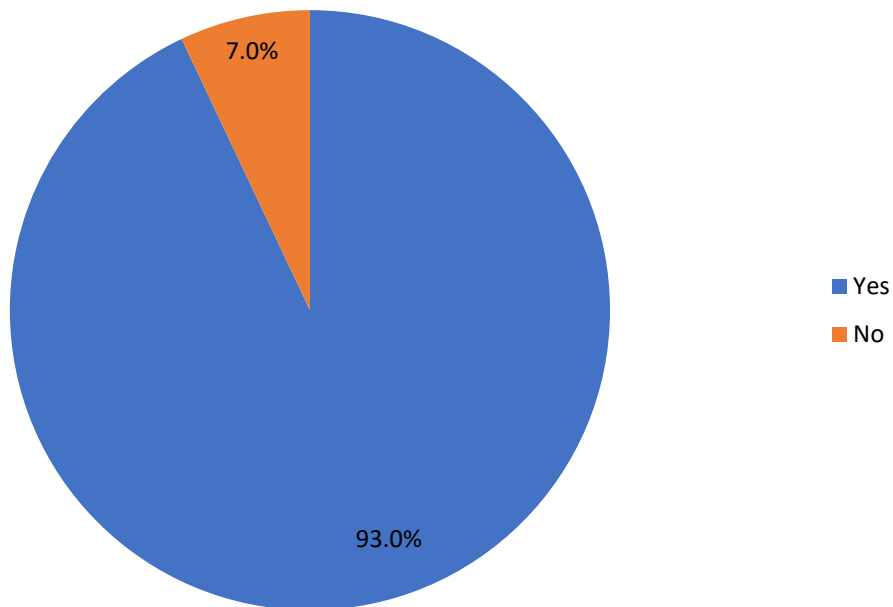
Are you in support of the current alcohol PSPO?



Alcohol Public Space Protection Order (PSPO) Consultation Survey

Do you support renewing the alcohol PSPO?			
Answer Choice		Response Percent	Response Total
1	Yes	93.0%	119
2	No	7.0%	9
answered			128
skipped			0

Do you support renewing the alcohol PSPO?



Subject: Proposed Change of Governance – from Committee to Cabinet System

Report to: Executive Leadership Team – 21 April 2022

Council – 12 May 2022

Report by: Head of Legal & Governance, Monitoring Officer

SUBJECT MATTER

To consider and determine the Council's future governance arrangements, and the proposed programme of work to implement any change in governance

RECOMMENDATIONS

That Council:

1. adopt the 'Leader-Cabinet' form of governance, to be effective from the Annual Meeting of Council in May 2023 in accordance with the provisions of the Localism Act 2011;
- and
2. approve the proposed structures and the approach to preparatory work as set out in this report.

1. INTRODUCTION

- 1.1 This issue is relevant to the Corporate Plan in that good governance is at the core of an "efficient and effective Council", this being one of the organisation's strategic priority areas. It is noted that one of the key outcomes under this priority is "to provide sound governance to enable key decisions and major projects to be progressed, using all the resources available to the Council in the most efficient and business-like way". Adopting the "leader-cabinet" model will help the Council to streamline the decision-making process and allow business to be progressed in a more efficient way, more swiftly, more easily understandable and proportionate to the nature of the business.
- 1.2 This issue will also be of relevance to the work which the Council has been asked to undertake with the Local Government Boundary Commission for England ('LGBCE'). As part of a periodic electoral review the Council will need to provide details of its governance arrangements to the LGBCE as part of its submission. In looking at the size of the authority, the Commission will look at the roles and responsibilities of Councillors.

2. BACKGROUND AND KEY INFORMATION

- 2.1 The Council's governance system changed from Cabinet-Leader to a Committee System in May 2016.

- 2.2 The current Administration has, since its manifesto pledge in the elections of 2019, set out its intention to pursue a move to the 'Leader-Cabinet' governance system.
- 2.3 Advice was given to Council in November 2018 that the authority was effectively "locked in" to the Committee system until May 2021 due to statutory restrictions, and would not be able to change system without a public referendum. It was therefore concluded that the decision should be deferred until after November 2020, when the lock-in period expired (although any change could not have been effected until May 2021).
- 2.4 At that meeting in November 2018 Council resolved to undertake a governance review and allocated the work to a Governance Review Task & Finish Group comprising officers and members. In December 2018 the Group participated in a workshop with a consultant from the Centre for Public Scrutiny (now known as the Centre for Governance & Scrutiny). The workshop examined the strengths and weaknesses of the current committee system, asking participants to reflect on existing system design, culture and practices and to identify actions to enhance the current arrangements. Following a report to Council in February 2020 on the outcomes from the workshop, some adjustments were made to streamline the Committee system, and make other improvements, pending any further consideration of system change.
- 2.5 At the same Council meeting in February 2020, it was advised that prior to the expiry of the lock-in period, the Task & Finish Group or Constitution Working Party (CWP) should further consider the rationale for system change, in preparation for a decision on change prior to May 2021. A separate report on the legal and procedural implications of the change, and the practical steps involved was intended to be taken to an all-member briefing in 2020, prior to CWP providing its views to Council on change. After discussion with Executive Leadership Team and the Leaders of the Labour and Conservative Groups, the briefing which had been contemplated to discuss the rationale for change ahead of expiry of the lock-in period was deferred due to COVID, and accordingly the CWP meeting to consider a potential change was not held at that time.
- 2.6 The CWP meeting which had been deferred due to COVID was held in January 2022. No consensus was reached at that meeting, and it was decided to proceed with the previously agreed all-member briefing which took place on 21 February 2022. As the status of the working group is consultative only, a clear decision to form a recommendation is not required from the group, but a key point of the group's feedback is represented at paragraph 4.1.

Main Features of a Leader-Cabinet Model

- 2.7 A 'Leader-Cabinet' system involves decision-making powers being vested in up to a maximum of ten councillors who form a Cabinet. They are appointed by a Leader, who is appointed by full Council. Cabinet does not need to be politically proportionate. Cabinet may take decisions collectively, or individual members of Cabinet may be empowered to make decisions themselves as 'portfolio holders'.
- 2.8 All decisions of Cabinet (including decisions made by Cabinet members individually) are subject to the usual local government requirements of being published five clear

days before the decision is made. Notification of forthcoming cabinet key decisions is required to be published on a 3 month rolling basis, at least twenty-eight days before a decision can be made, in a 'forward plan'. When any Cabinet decision has been made, other councillors can, within a certain period, "call in" that decision for further discussion by a Scrutiny committee before the decision can be implemented. In some councils some key decisions may also be considered by the Scrutiny committee first, before coming to Cabinet for decision. Collectively these measures are intended to provide a check and balance to the Cabinet decision-making process.

- 2.9 Some Councils with Cabinets also supplement the structure with informal bodies which assist with policy development and other matters. These bodies do not have to meet in public and can be called 'Advisory Panels' or 'Policy Development Groups,' or similar. Task and Finish groups may also exist to support or consult on particular projects.
- 2.10 As with the Committee system, under the Cabinet system a selection of regulatory committees is still required to make decisions on such issues as planning, licensing and audit. The operation of these committees remains the same irrespective of the governance option adopted, as they operate under different legislation.

3. The Proposal and the Supporting Rationale

- 3.1 Since coming into power, the Administration has been clear in its intention to revert to Cabinet system. The proposal now put forward by the Administration is to move the Council to the 'Leader-Cabinet' system from May 2023.
- 3.2 It is the view of the Administration that the adoption of the 'Leader-Cabinet' governance option will strengthen local democracy and make it more effective and efficient for the Council to transact business. The adoption of a 'Leader-Cabinet' model will help to deliver the Council's corporate priorities in a number of ways, including:
- a more consistent, clearer, proportionate and efficient mechanism for decision making, ensuring increased officer and Councillor capacity for delivery;
 - greater levels of openness, transparency and collaboration through a strong Scrutiny Committee function, with legally enshrined mechanisms e.g. 'Key Decision' thresholds and 'Call-ins'
 - increased responsibility, separation, and clarification of functions leading to increased accountability to Council and the electorate;
 - parity and flexibility for the leader and Cabinet to represent the Borough of Great Yarmouth and secure its influence within Norfolk.
- 3.3 The design proposal put forward by the Administration for Cabinet is for six members, including portfolio holders who would make decisions within their respective remits:
- Leader
 - Deputy Leader & Portfolio Holder for Finance
 - Portfolio Holder for Health
 - Portfolio Holder for Housing & Communities
 - Portfolio Holder for Economic Development
 - Portfolio Holder for Environment & Sustainability

The role of portfolio holders would be collectively to:

- contribute to the development and implementation of the Council's policies, budget and strategies, and to take the lead as necessary at Cabinet meetings on items within their own portfolio
- take responsibility for a range of council functions which are delegated to the Cabinet
- make decisions on specific issues within the portfolios as permitted in the Scheme of Delegation and the Council's constitution
- be accountable to the Overview & Scrutiny Committee, the Council and the local community;

and within their area of responsibility, the portfolio holders would:

- act as spokespersons inside and outside the Council
- liaise with relevant Council officers
- ensure they have a clear understanding and knowledge of their portfolio
- ensure the Council has appropriate methods of consultation and communication in place
- attend the Scrutiny Committee, the Audit Committee, Major Projects Committee and advisory panels when required.

3.4 The design proposal includes the following Committees:

- Scrutiny
- Major Projects (supported by Task & Finish Groups/Advisory Panels)
- Licensing
- Development Management
- Audit, Risk & Standards
- Shareholder Committee

4. Discussion of New System Design

- 4.1 It is acknowledged that the above rationale and objectives for change are not the view of all Councillors, and this was reflected in discussions at the CWP meeting of February 2022. In particular, for some members, there were concerns that a Cabinet System might lead to a decrease in consensus decision-making and an emphasis on speed over the quality of decision-making.
- 4.2 In order to avoid such a situation, it is proposed that Councillors should meet at workshops to provide feedback on the development of the more detailed governance structures and cultures that support the 'Leader-Cabinet' model. These include, for example, the Constitution and Scheme of Delegation and Committee Terms of Reference which will be prepared by the Monitoring Officer.
- 4.3 Councillors will have the opportunity to discuss these principles in more depth as part of the design phase of the underlying structures for Cabinet-Leader governance model. The suggested process is set out in section 8 below.

5. Financial Implications

- 5.1 The decision will have financial implications associated with the resource that officers will need to put in place to manage the formal transition to a new governance option, including any legal costs arising from the redesign of the Constitution and any other governance structures. Any one-off costs arising from the process will be funded from general reserves.
- 5.2 There is no evidence to suggest that any one form of governance option (Cabinet system, Committee system, Mayor & Cabinet) is intrinsically more or less expensive to operate than any other, but there are different ways of working within each of these systems that may well have such implications.
- 5.3 No on-going additional costs are anticipated as a result of adopting the 'Leader-Cabinet' model of governance. As set out in this report any such change should be designed to drive further efficiency and increase officer capacity. For example, officers will have to spend less time in putting reports through multiple committees and will be able to increase focus on delivery. The administration associated with the holding of a high number of meetings will also decrease and free up both officer and member time to focus on pro-active service improvement. A Scrutiny Officer will be required, but this role is likely to be fulfilled by adding it to the remit of an existing post.

6. Legal Implications

- 6.1 A local authority may change its governance arrangements to a different type however a resolution of the Council is required before the local authority is able to do so. A notice must also be published informing the public:
- that the local authority intends to change its governance arrangements and a council resolution has been passed in support of this.
 - the date that it intends to change the governance arrangements.
 - what the main feature of the change will be.
 - where copies of any documents detailing the changes can be found, this should be at the local authority's principal office and the address of its principal office should be provided.
- 6.2 The legislation details the timeframe in which the governance changes must be made. This is called the 'relevant change time'. A change in formal governance arrangements must occur at a specified 'change time,' which is at the Council's Annual Meeting (May 2023). Prior to the change time, the Council needs to have resolved formally to make a governance change. There is no minimum period of time between resolution and the change time.
- 6.3 Alongside these legal requirements, the Council must consider any other practical issues. They include:
- **Changes to the Council's Constitution.** This will include not only the changes necessary to reflect a move to cabinet governance (changes to committee structures and terms of reference), but also more detailed considerations such as the Scheme of Delegation to officers;

- **Changes to the Council's financial procedures.** A move to or from Cabinet decision-making involves a shift in the way that major financial decisions are developed and agreed by officers and members;

- **Relationships with partners.** The way that the Council makes decisions are different under different governance arrangements. This has particular relevance both for formal and informal partnerships;

- **Scrutiny.** The 'Leader-Cabinet' system is designed to have robust and effective scrutiny at its heart. Thinking about what this system will entail will be an important element of members' discussions.

6.4 Once a local authority has passed a resolution to change its governance arrangements then it is prevented from doing so again for the next five years (unless a second resolution is approved following a referendum). However, this does not prevent the Council from reviewing and make further adjustments as necessary to its new governance arrangements, such as a reconsideration of committee structures and delegations.

7. Risk Management

7.1 If the Council's governance system does not function effectively, there is a risk of:

- Difficulty in enabling the right decisions to be taken that are appropriate for the environment that we are operating in

- Waste of resource due to unwieldiness or general ineffectiveness of governance system.

8. Timescale for Implementation and suggested approach

8.1 Previous reports have outlined the potential elements to a governance system change:

i) **Governance review** (which has now reached its final stage, i.e. direct decision on whether to change systems).

ii) **Formulation of broad proposals** – the basic design of the Cabinet system and identification of key changes under the new arrangements

iii) **Formal Council resolution** that the authority intends to change its governance arrangements

iv) **Publication of resolution and key arrangements** in accordance with legal requirements

v) **Preparation** by officers, workshops for members and ultimately, approval by members of the legal framework and practical changes which will enable the Council to be able to formally move from one governance option to another at the Council's 2023 Annual Meeting, e.g. the design and drafting new terms of reference, new financial procedures,

the scheme of delegation, and a Constitution that will be necessary to satisfy the requirements of the Local Government Acts and to ensure that the Council is able to make decisions under the ‘Leader-Cabinet’ governance option in accordance with the law.

- vii) What is known as “**Relevant Change Time**” when the transition takes effect, must take place at the Council’s Annual Meeting (in May of any year).

8.2 The timetable below outlines the required steps to move to a Cabinet form of governance, should members decide on that course of action.

Step	Timetable
Council passes formal resolution to change to a Cabinet System of Governance – this is a binding decision to come into effect May 2023	May 2022
Information on resolution for change is published as per the requirements of the Localism Act (this must take place as soon as practicable after the resolution is passed)	May 2022
Member Workshop 1 – to consider design principles	June 2022
Formulation by officers of detailed proposals for change (background preparation for new Constitution, financial procedures, etc)	May – September 2022
Member Workshop 2 – to feed back on draft documents	September 2022
Detailed constitutional changes may be submitted to political groups and considered by CWP for any feedback. May be taken to P&R as necessary for recommendation to Council.	October - December 2022
Council to approve the Cabinet system design arrangements and proposed constitutional changes, following feedback from workshops/CWP and recommendations from P&R/Monitoring Officer as appropriate	January - March 2023
Implementation of new arrangements at Annual Meeting (aka “Relevant Change Time”)	May 2023

9. Appendices None

10. Background Documents None

Area for consideration	Comment
Monitoring Officer Consultation:	N/A
Section 151 Officer Consultation:	As part of the ELT process
Existing Council Policies:	None
Financial Implications (including VAT and tax):	As outlined in the report
Legal Implications (including human rights):	As outlined in the report
Risk Implications:	As outlined in report
Equality Issues/EQIA assessment:	None
Crime & Disorder:	None
Every Child Matters:	None