



GREAT YARMOUTH BOROUGH COUNCIL

Cabinet

Minutes

Tuesday, 14 January 2025 at 14:00

PRESENT:-

Councillor Smith (Leader & Portfolio Holder for Finance, Governance and Major Projects) (in the Chair), Councillor Candon (Portfolio Holder for Economic Development & Growth), Councillor Flaxman-Taylor (Portfolio Holder for Housing, Health & Communities), Councillor Plant (Portfolio Holder for Operational Property & Assets), Councillor Wells (Portfolio Holder for Environment, Sustainability, Licensing and Waste)

Councillors Williamson & Wainwright attended as observers only.

Ms S Oxtoby (Chief Executive Officer), Ms C Whatling (Monitoring Officer), Ms K Sly (Executive Director - Resources), Ms N Hayes (Executive Director - Place), Mrs P Boyce (Executive Director - People), Ms M Lee (Head of Customer Services), Mr S Brabben (Revenues & Benefits Manager), Mr S Hubbard (Head of Planning), Mr N Fountain (Strategic Planning Manager), Ms M Holland (Head of Strategic Housing), Mr T Williams (Media & Communications Manager), Ms S Bolan (Housing Enabling & Strategy Manager), Mrs S Wintle (Corporate & Democratic Services Manager) and Mrs C Webb (Democratic Services Officer).

01 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Bensly, Portfolio Holder for Tourism, Culture & Coastal).

02 DECLARATIONS OF INTEREST

Councillor Wells, Portfolio Holder for Environment, Sustainability, Licensing and Waste, declared a personal interest in item number 7, as he was a member of the Coastal Partnership East Board.

Councillor Flaxman-Taylor, Portfolio Holder for Housing, Health and Communities, declared a personal interest in item number 11, as she was Chair of the GYN Board.

However, in accordance with the Council's Constitution they were allowed to both speak and vote on the matter.

03 ITEMS OF URGENT BUSINESS

The Chair reported that there were no items of urgent business to be considered by Cabinet at the meeting.

04 MINUTES

The minutes of the Cabinet meeting held on 3 December 2024 were confirmed.

05 24-175 - GIRAMS ACTION PLAN & GOVERNANCE ARRANGEMENTS

Cabinet received and considered the report from the Executive Director - Place and the Strategic Planning Manager.

Councillor Candon, Portfolio Holder for Economic Development & Growth, reported that Council already has in place the Green Infrastructure and Recreational Avoidance and Mitigation Strategy (known as "GIRAMS"). This levies a small financial contribution per net new dwelling (or tourist accommodation) to address recreational impacts on the most important habitat sites around Norfolk, with the same charge applied across the other Norfolk authorities. This is essential to ensure that the Borough's development satisfies the requirements of the Habitat Regulations.

The Strategic Planning Member Forum required the GIRAMS to be reviewed which has led to the production of the "Norfolk Recreational Impact Avoidance and Mitigation Strategy Action Plan". This Action Plan is better tailored to specific mitigation measures and has updated the levy charge per dwelling from £221.17 to £293.53, which will have negligible impact upon viability within the Borough. The first recommendation of this report is to adopt the Action Plan, and the second to approve the increased tariff. An update to this report is to remove the value of the tariff from recommendation 2, as this value will be increased annually (in accordance with inflation) as set out within the report.

Further to the Action Plan, this report sets out the proposed governance

arrangements through the Terms of Reference (which is included as Appendix 2 in the report) and a Memorandum of Understanding (which is included as Appendix 3 in the report). They propose that Norwich City Council will provide the function of collecting authority for Norfolk-wide tariff monies to be collected. The spending of funds would be determined by the RAMS Board, comprising a councillor and officer from each participating local authority, and administered by a Delivery Manager. Subject to endorsement of these arrangements, the councillor appointment will be considered by Full Council on 23 January 2025. The third recommendation of this report is to endorse the Governance arrangements for the RAMS Board as set out in appendices 2 and 3 of the report.

Councillor Candon reported that Cabinet are therefore, as detailed on page 13 of the agenda report, recommended to:-

- (i) Adopt the Norfolk Recreational Impact Avoidance and Mitigation Strategy Action Plan on behalf of the Council,
- (ii) Approve the revised developer contributions as set out in the strategy action plan as a method for mitigating impact on designated habitat sites; and
- (iii) Endorse the governance arrangements for the Norfolk Recreational Impact Avoidance Mitigation Strategy (RAMS) Board as set out in:-
 - (a) Terms of Reference - Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Programme Governance And Norfolk Recreational Impact Avoidance and Mitigation Strategy Board (Norfolk RAMS Board); and
 - (b) Memorandum of Understanding - Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Programme Fund Governance and Management.

RESOLVED:-

That Cabinet:-

- (i) Adopt the Norfolk Recreational Impact Avoidance and Mitigation Strategy Action Plan on behalf of the Council,
- (ii) Approve the revised developer contributions as set out in the strategy action plan as a method for mitigating impact on designated habitat sites; and
- (iii) Endorse the governance arrangements for the Norfolk Recreational Impact Avoidance Mitigation Strategy (RAMS) Board as set out in:-
 - (a) Terms of Reference - Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Programme Governance And Norfolk Recreational Impact Avoidance and Mitigation Strategy Board (Norfolk RAMS Board); and
 - (b) Memorandum of Understanding - Norfolk Recreational Impact Avoidance and Mitigation (RAMS) Programme Fund Governance and Management.

06 24-167 - FUTURE COASTAL MANAGEMENT ARRANGEMENTS

Cabinet received and considered the report from the Executive Director - Place.

The Leader, Councillor Smith, Portfolio Holder for Finance, Governance & Major Projects reported on behalf of Councillor Bensly, Portfolio Holder for Tourism, Culture & Coastal, that in 2016 GYBC entered into a Partnership agreement (under Section 113 of the Local Government Act 1972) with Suffolk Coastal, Waveney (now East Suffolk Council) and North Norfolk District Councils to share resources and prioritise activities relating to coastal matters. This created "Coastal Partnership East".

In the intervening years each Council has faced significant demands relating to coastal change, climate change and competing pressures of project delivery and bidding for funding. As a result of this it is a prudent time for each Council to consider its future coastal management resourcing requirements and approach to ensure that its own local priorities are met. This paper discusses these pressures and provides proposals for the dissolution of the partnership and the Council's future approach.

When Coastal Partnership East was established in 2016, coastal management and coastal erosion were very different to where we find ourselves today. As our residents are all too well aware, being on the frontline of one of Europe's fastest changing coastlines is increasingly presenting unique and significant challenges for the borough.

The rapid pace of climate change is affecting all of us and, where once CPE was the most appropriate approach to coastal management and set priorities along more than 100 miles of Norfolk and Suffolk coastline, it is now unwieldy and not responsive enough for us to be able to deliver bespoke, innovative and creative solutions at pace as we adapt to erosion locally.

We have worked hard and collaboratively to find effective responses to this most difficult scenario, within challenging financial times, and a lack of central government funding and strategy on this matter. But for us to meet the specific challenges the borough faces, bringing back Coastal Management responsibilities into the Council is the only way forward.

We have lobbied long and hard for Government to provide more support and help for the borough and its residents, to enable us to ensure our communities - and hugely important tourism sector - can successfully adapt to coastal erosion.

This proposal will empower the Council to be able to do that even more effectively and with more focus, and work closely with the Environment Agency, on priorities for this Borough. Climate change and rapid coastal erosion is here to stay and this is a change that will best help us help our residents as we continue to work closely with our communities, stakeholders and partners.

The Leader reported that Cabinet are therefore, as detailed on page 195 of the agenda report, recommended to:-

- (i) Note the contents of this paper,

(ii) Approve the dissolution of the Coastal Partnership known as Coastal Partnership East with effect from 14th January 2025 (considering the appropriate notice period to end the Section 113 agreement); and

(iii) Continue to support partnership working and explore service level agreements with other Local Authorities as appropriate.

Councillor Candon reported that in his opinion, CPE was no longer fit for purpose due to the fast pace of climate change and its effects on our east coast particularly Hemsby. Councillor Candon fully supported the dissolution of CPE.

Councillor Wells reported that the CPE had been formed at the right time but it had evolved into too big a beast and it was the right time for it to be dissolved as our expectations were not being managed by it. The need for private sector funding is key to securing effective sea defences at Hemsby but residents needed to be realistic as to what sea defences could be provided without private sector money and greater assistance from the Government via the Environment Agency. Councillor Wells highlighted that it was not just GYBC who had decided to withdraw from the CPE, the other LA's involved had also reached the same conclusion and it was better to part as friends than go through an acrimonious divorce.

Councillor Plant reported that he was disappointed with the outcomes from CPE, and although he was a firm believer in partnership working, he felt that the Environment Agency had failed to protect the east coast from the egress of the sea. The Council needed to have a dialogue with the Government and the Environment Agency must be encouraged to change their strategy from coastal retreat to coastal protection.

The Leader reported that he had been the Chair of the CPE when it was first formed and he was certain that all parties concerned would continue work together in the future to secure the best outcome for the east coast and its affected residents.

RESOLVED:-

That Cabinet:-

i) Note the contents of this paper,

(ii) Approve the dissolution of the Coastal Partnership known as Coastal Partnership East with effect from 14th January 2025 (considering the appropriate notice period to end the Section 113 agreement); and

(iii) Continue to support partnership working and explore service level agreements with other Local Authorities as appropriate.

07 24-056 - COUNCIL TAX DISCOUNTS 2025-26

Cabinet received and considered the report from the Head of Customer Services.

The Leader, Councillor Smith, Portfolio Holder for Governance, Finance and Major

Projects reported that this report is seeking a recommendation from Cabinet of the levels of council tax discount that shall apply for 2025/26 as set out in this paper.

For the financial year 2025/26 discussions are ongoing with Norfolk County Council to implement one change to these discounts, regarding Second Home Premiums. At the time of the 2024/25 Council Tax Discounts Report members made a determination to charge a second home premium of 100% on unoccupied and furnished properties following the Royal Assent of the Regeneration and Levelling Up Act 2023. This determination was to charge the Second Home Premium from 1 April 2025. It therefore gave second homeowners a year's notice of the change.

The ability to charge a second home premium has been introduced to recognise the impact that high levels of second home ownership can have in some areas.

At the time of the report, it was anticipated that there would be exceptions to the Second Home Premium and draft regulations were laid before parliament on 8 October 2024 detailing these. These exceptions are detailed within the report.

These exceptions will now reduce the original anticipated revenue from the second home premium stated in the 2024/25 report.

It is difficult to gauge the exact reduction this will be because we do not currently have records indicating the exception types. However it has been suggested at professional forums that the full uplift in revenue would be reduced by at least 30%-40%. Wales have already introduced the second home premium and this range of reduction in the uplift in anticipated revenue has been seen.

Discussions have also been conducted with two Norfolk Councils (West Norfolk Council and North Norfolk Council) who are also considering introducing the Second Homes Premium and it has been agreed that if the premium was introduced, the Councils would operate a reduction of 35% to allow for the exceptions and it is proposed that Great Yarmouth follows the same approach, thus providing a consistent approach.

Table 1 within the report shows the number of second homes in each council tax band and the anticipated additional revenue that would be raised, allowing for the 35% reduction. It also shows the proportion that would be kept by Great Yarmouth Borough Council being £106,170.

Discussions are being had with Norfolk County Council and Great Yarmouth Borough Council in relation to sharing more of the revenue to ensure the benefit of the second homes premium will be more fairly distributed to where the impact will be.

The timescale of these discussions is such that they will not be concluded before the Cabinet meeting. It is proposed that Council takes account of the outcome of these discussions when formally approving the Council Tax Discounts that will apply for 2025/26.

The Leader reported that Cabinet are therefore, as detailed on page 199 of the agenda report, are asked to recommend to Council:-

- (i) Approval of the Council Tax discounts as shown in Table 2 in which will apply for 2025/26; and
- (ii) Subject to reaching agreement with Norfolk County Council on the share of the additional revenue, approve a Second Homes Premium of 100% for Class B properties from 1 April 2025.

RESOLVED:-

That Cabinet recommend to Council that:-

- (i) Approval of the Council Tax discounts as shown in Table 2 in which will apply for 2025/26; and
- (ii) Subject to reaching agreement with Norfolk County Council on the share of the additional revenue, approve a Second Homes Premium of 100% for Class B properties from 1 April 2025.

08 24-057 - COUNCIL TAX BASE 2025-26

Cabinet received and considered the report from the Revenues & Benefits Manager.

Councillor Smith, Leader & Portfolio Holder for Governance, Finance & Major Projects reported that this report is seeking a recommendation from Cabinet for the calculation of the 2025/26 tax base.

The Council Tax base is a technical calculation that must be formally set each year. It is the first stage of the Council Tax setting process that will be finalised once the budgets have been agreed.

The tax bill for each band is calculated in proportion to band D, which is deemed to be the average for these purposes. Accordingly, a taxpayer whose home is in band A will pay two-thirds of what someone whose home is in band D will pay; a taxpayer whose home is in band H will pay twice what someone whose home is in band D will pay.

The Leader reported that Cabinet are therefore, as detailed on page 205 of the agenda report, are asked to recommend to Council:-

Option (1) (subject to Council approving the implementation of a Second Homes Premium of 100% for Class B properties from 1 April 2025) APPROVE the calculation of the 2025/26 tax base totals as 31,567 which represent an increase of 986 in the tax base, and the estimated tax bases for the Borough and for each parish, as shown in Appendix A,

or

Option (2) (if Council does not approve the implementation of a Second Homes Premium of 100% for Class B properties from 1 April 2025) APPROVE the calculation

of the 2025/26 tax base totals as 31,011 which represent an increase of 430 in the tax base, and the estimated tax bases for the Borough and for each parish, as shown in Appendix B.

RESOLVED:-

That Cabinet recommend to Council to approve either Option 1 or Option 2 as detailed below:-

(i) Option (1) (subject to Council approving the implementation of a Second Homes Premium of 100% for Class B properties from 1 April 2025) approve the calculation of the 2025/26 tax base totals as 31,567 which represent an increase of 986 in the tax base, and the estimated tax bases for the Borough and for each parish, as shown in Appendix A,

or

(ii) Option (2) (if Council does not approve the implementation of a Second Homes Premium of 100% for Class B properties from 1 April 2025) approve the calculation of the 2025/26 tax base totals as 31,011 which represent an increase of 430 in the tax base, and the estimated tax bases for the Borough and for each parish, as shown in Appendix B.

09 24-079 - FEES AND CHARGES 2025-26

Cabinet received and considered the report from the Executive Director - Resources.

Councillor Smith, Leader & Portfolio Holder for Governance, Finance and Major Projects, reported that this report recommends for approval the schedule of fees and charges for the 2025/26 financial year which have been set in line with the fees and charges policy 2025/26 to 2029/30.

The Council approved a fees and charges policy in August 2024 covering the period 2025/26 to 2029/30. This policy is part of the financial planning process within which the Council's fees and charges would be set annually. Income from fees and charges provides a key source of income to the Council for the provision of its services.

Fees and charges set within the framework are reported to Cabinet for approval as part of the annual budget setting process, those that are outside of the frame will form a recommendation to Council as part of the later budget report.

The proposed fees and charges for 2025/26 detailed at Appendix 1 have been calculated based on the current fees and charges policy and also reflecting increased cost and inflationary pressures on the Council. The additional income will deliver help to mitigate some of the funding gap currently forecast and mitigate additional costs of service provision. The proposals have been factored into the detailed budget for 2025/26.

The Leader reported that Cabinet are therefore, as detailed on page 210 of the agenda report, are recommended to:-

Approve the schedule of fees and charges for 2025/26 as detailed in appendix A of the report as per the fees and charges policy from 1 April 2025.

RESOLVED:-

That Cabinet approve the schedule of fees and charges for 2025/26 as detailed in appendix A of the report as per the fees and charges policy from 1 April 2025.

10 25-001 - GYN SHAREHOLDER DECISION RE AUDIT LIABILITY AGREEMENT REPORT

Cabinet received and considered the report from the Monitoring Officer.

Councillor Smith, Leader & Portfolio Holder for Finance, Governance and Major Projects reported that the Joint Venture company (JV) Great Yarmouth Norse Ltd (GYN) continues to exist following the transfer of the business of the company to a GYBC in house service.

GYN will continue to exist whilst final administrative and accounting matters are settled, and an over-arching transfer agreement is signed.

GYBC will then relinquish its shareholding in GYN to Norse Commercial Services (NCS), its JV partner. GYBC appointed directors will then resign their positions on the Board. At this point it will fall to NCS to wind up the company.

The accounts for 2023-24 need to be audited, by the Norse Group's external auditors Price Waterhouse Coopers LLP.

The agreement for the auditor to act contains an agreement for the limitation of the auditor's liability.

Legally, the shareholders in a company to which audit services are provided, including its subsidiary companies, are required either to consent to the terms of the Liability Limitation Agreement, or to waive the need for such consent.

In order to consent to the terms, a shareholders meeting would be required.

However consent can be waived by a written resolution of shareholders, which does not require a meeting to take place. Cabinet, acting in its capacity as shareholder, is asked to agree that a written resolution be signed waiving the need for shareholders to consent to terms.

The Leader reported that Cabinet are requested, as detailed on page 244 of the agenda report, to approve the following:-

That Cabinet acting on the Council's behalf as shareholder in GYN Ltd agree a shareholder's written resolution to waive the requirement for shareholder consent to the terms of the Liability Limitation Agreement with PwC as set out in paragraph 2 of this report.

RESOLVED:-

That Cabinet, acting on the Council's behalf as shareholder in GYN Ltd, agree a shareholder's written resolution to waive the requirement for shareholder consent to the terms of the Liability Limitation Agreement with PwC as set out in paragraph 2 of the agenda report.

11 EXCLUSION OF PUBLIC

RESOLVED:-

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act.

12 24-131 - CONFIDENTIAL REPORT - 114 COLOMB ROAD (Confidential Minute on this Item)

13 CONFIDENTIAL MINUTES (Confidential Minute on this Item)

The meeting ended at: 14:39