

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**CABINET SCRUTINY COMMITTEE**

**Minutes of a Meeting of the Cabinet Scrutiny Committee  
held on Wednesday 21<sup>st</sup> August 2013 at 6pm  
in the Committee Suite, King's Court, Chapel Street, King's Lynn.**

**PRESENT:**

Councillors C Joyce (Chairman)  
D J Collis, J Collop, J Loveless (Vice-Chairman), A Lovett,  
T Manley, M Tilbury and D Tyler (substitute)

**Other Members Present:**

Councillor N Daubney, Leader and Portfolio Holder for Resources  
Councillor A Beales, Portfolio Holder for Regeneration  
Councillor A Lawrence, Portfolio Holder for Community  
Councillor B Long, Portfolio Holder for Environment

**Officers:**

Ray Harding, Chief Executive  
Barry Branford, Waste and Recycling Manager  
Dale Gagen, Corporate Project Officer  
Matthew Henry, Property Services Manager

Apologies for absence was received from Councillor Mrs Mellish and Councillor G Sandell.

CSC34: **MINUTES**

The minutes of the meeting held on 17<sup>th</sup> July 2013 were agreed as a correct record and signed by the Chairman.

CSC35: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

CSC36: **DECLARATIONS OF INTEREST**

There were no declarations of interest.

CSC37: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There were none.

CSC38: **CHAIRMAN'S CORRESPONDENCE**

The Chairman had no correspondence to report.

CSC39: **RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

There were no previous Committee recommendations.

CSC40: **MATTERS CALLED-IN PURSUANT TO STANDING ORDER 12**

There were no matters called-in pursuant to Standing Order 12.

CSC41: **MATERIALS RECYCLING FACILITY (MRF)**

Councillor Manley questioned whether the Council, who were acting as the formal Procuring Authority and would be providing the financial management for the project, would incur extra costs than the other District Councils who were participating in the project. The Leader explained that it was important for the Council to be in a position to drive the project forward and he took the opportunity to commend the work undertaken by both the Waste and Recycling Manager and the Corporate Project Officer in the negotiations in what was, at times, difficult circumstances. The Leader explained that the work involved would be undertaken as part of the relevant officers day to day job role, however, if for any reason costs did escalate to such a degree, discussions would be held with the other District Councils involved to ensure that appropriate costs were shared. In response to a further question from Councillor Manley as to what impact the proposals would have on the contract with Material Works, the Portfolio Holder for Environment explained that the changes in materials being delivered for mixed dry recycling were included in the negotiations. The Leader also stated that the proposals would allow the recycling levels across Norfolk to improve significantly.

In response to a question raised by Councillor J Collop in relation to what the impact would be for the Council if recycling credits were withdrawn, the Portfolio Holder for Environment explained that there would need to be a change in the legislation at a national level for this to occur, however any such change would impact on all District Councils.

The Chairman referred to the Cabinet minutes from the meeting held on 30<sup>th</sup> July 2013 and questioned what the savings quoted of £250k to £350k were based on. The Portfolio Holder for Environment explained the savings were estimated on a per annum basis and were anticipated to reach this level when the facility was up and running and the tonnage had increased.

Councillor D J Collis requested clarification as to the implications on the existing relatively new kerb-side collection contract. The Portfolio Holder for Environment explained that the kerb-side collection contract remained in place and was unaffected by the proposals. He explained that the MRF was located at Costessey on the outskirts of

Norwich so the Council's waste would be sent to its own transfer station and then be separated and bulked hauled to the MRF. In response to a further query, the Portfolio Holder for Environment explained that the Council would no longer operate its own community facilities (e.g. bottle banks) but there would still be the opportunity for private companies and charitable organisations to provide such facilities. The Waste and Recycling Manager also explained that currently the Council owned and serviced all the recycling facilities situated at the various supermarkets (with the exception of the new Sainsbury Superstore). This service would cease as a result of the new contract, however it was hoped that the containers could be put to good use.

The Chairman referred to the terms of the Joint Venture Company (JVC) in that each of the District Councils would be entitled to 7% of the shares, amounting to 49% of the company, leaving Norse overall control with 51% of the shares and questioned whether this was a concern for the Council. He also questioned what would happen to a District Council's 7% share if they withdrew from the JVC. The Portfolio Holder for Environment explained that he had no concerns with Norse being the majority shareholder. The Refuse and Recycling Manager also explained that if any of the District Council's withdrew from the agreement, their 7% share would return to Norse. He did however emphasize that the ethos of the agreement was that all parties would work collectively together to ensure that the venture was a success.

In response to a further question from the Chairman as to what direct involvement Norfolk County Council would have, the Portfolio Holder for Environment explained that the Board of the Company would consist of 3 Directors appointed from the District Councils, 3 Directors appointed by Norse and 1 Director appointed from Norfolk County Council. The Portfolio Holder for Environment also clarified that the proposals would provide a wider range of facilities to recycle "on the go".

CSC42: **MAJOR HOUSING DEVELOPMENT – PROCUREMENT PROCESS**

Councillor J Collop referred to what he deemed to be a complex report which had been considered and presented at the recent Resources and Performance Panel meeting. He requested that all Members were kept fully informed as the proposals developed. The Leader stated that the proposals were ambitious and were "breaking new ground" for the Council. However, the proposals would not only benefit the Council but the wider community as a whole and hopefully attract more people to come to live and work in King's Lynn. The Leader acknowledged that it was a complex subject and undertook to keep Members informed.

Councillor Manley referred to Section 2.3 of the report which referred to an ancient orchard being located on the Marsh Lane site and questioned as to the size of the orchard and whether it had to be retained. The Portfolio Holder for Regeneration also acknowledged that the proposals could appear to be complex, however simply explained, it would involve the Council, in partnership with a developer, providing approximately 600 new homes. If for any reason, the properties were not sold, the Council had a fallback position to involve an investor (e.g pension fund provider) to purchase the properties at a price which would reflect the value based on a rental turn. Such investors viewed local authorities as a safe place to invest capital funds. The Portfolio Holder for Regeneration did highlight that the report at this stage was only seeking funding to undertake a procurement exercise. He referred to Section 11.1 which detailed the financial implications of taking the project forward up to the award stage which was estimated to be £168,000 of which £45,000 had been allocated to tree survey and grounds works. This would allow the Council to establish and understand what action was required in terms of the ancient orchard.

Councillor D J Collis stated that he was in support of the proposals, particularly in light of being a local Ward Member but had some concerns in relation to the road network to support such a large scale development(s) which would result in a vast increase in traffic flow. He referred to the recent application for pinch point funding for a new road between Edward Benefer Way and Lynnsport (to support the proposed development on the Marsh Lane site) that had been unsuccessful and requested clarification as to what infrastructure plans were being considered. The Portfolio Holder for Regeneration welcomed the support for the proposals and acknowledged that appropriate infrastructure needed to be put in place to support the development plans. He referred particularly to the Marsh Lane Site stating that it was a condition as part of the Local Development Framework (LDF) agreement that a suitable link road was provided. The Portfolio Holder for Regeneration explained that in due course, planning permission would need to be applied for and detailed traffic impact assessments would need to be carried out.

Councillor J Collop questioned whether the proposed affordable units would be developed across each site rather than in one concentrated area. The Portfolio Holder for Regeneration explained that in line with the Council's current policy, 15% of the overall number of units delivered would be affordable tenure and would be "pepper potted" throughout the various proposed developments. The Portfolio Holder for Community also stated that it was not the intention to create "separate estates" but integrate the affordable housing across each development. Councillor J Collop further questioned whether there was sufficient demand to support the rental market. The Portfolio Holder for Community stated that the general population was increasing thus there was an increase in demand for both private and social housing. The Chief Executive explained that the private rental

market in King's Lynn had doubled in size within the last decade and that an up to date assessment of the housing market was currently being finalised. He also stated that house prices in Norfolk were also rising in line with national averages and that the proposals would provide high quality properties which would boost the rental market in King's Lynn which currently consisted of too many poor quality properties. The Portfolio Holder for Regeneration also explained that as part of the project, Savills had carried out a housing market assessment to establish an understanding of current market conditions. He referred to Section 3 and 4 of the report which reflected that there was sufficient demand for rental properties within King's Lynn.

The Chairman questioned whether rental of the properties should in fact be the preferred option and offered the Council the best investment return. The Portfolio Holder for Regeneration stated that each option would be looked at in considerable detail.

CSC43: **EXCLUSION OF THE PRESS AND PUBLIC**

That under Section 100(a)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act."

CSC44: **ASSET MANAGEMENT – PROPOSED SALE OF LAND AT GAYWOOD**

Councillor Loveless referred to the present fenced part of the eastern side of the site which abutted a cycle/footpath and was a properly recognised route and questioned whether it was possible to modify the boundary of the site which was to be sold in order to retain a strip of land to improve the width of the path. The Property Services Manager explained that there was the potential to modify the boundary in order to improve the width of the footpath and offered to meet Councillor Loveless on-site to discuss any such proposal.

Councillor Loveless also raised concern with the condition of the access road to the site and questioned what the Council were proposing to do to ensure that the road was brought up to a better standard and maintained. The Portfolio Holder for Regeneration referred to the financial implications of the report stating that any variance to the figures would need to be resubmitted for consideration by Cabinet. The proposed development on the site would also be subject to planning permission and any associated conditions. The Property Services Manager also explained what was proposed for the site if sold and the implications on traffic flow. Councillor J Collop reiterated the concerns expressed by Councillor Loveless in relation to the condition of the road.

The Chairman questioned whether improvements and maintenance of the road could be included as part of the condition of sale. The Portfolio Holder for Regeneration undertook to have further discussions with the Property Services Manager, however he did emphasise that the purpose of selling some of the Council's assets (whilst not referring to this particular case) was so that the Council was in a position to finance the repair and maintenance of other Council owned assets. The proposed sale also supported the Council's cost reduction programme and would result in a capital receipt.

CSC45: **PORTFOLIO HOLDERS' DECISIONS MADE UNDER DELEGATED POWERS**

There were no Portfolio Holders' Decisions to note.

CSC46: **DATE OF NEXT MEETING**

It was noted that the next meeting of the Cabinet Scrutiny Committee was scheduled to be held on Thursday 19<sup>th</sup> September 2013 at 6pm.

**Meeting closed at 7.05pm**