

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

**CABINET SCRUTINY COMMITTEE**

**Minutes of a Meeting of the Cabinet Scrutiny Committee  
held on Thursday 22 January 2015 at 6.00 pm in the  
Committee Suite, King's Court, Chapel Street, King's Lynn**

**PRESENT:**

Councillors C Joyce (Chairman),  
J Collop, P Foster, J Loveless, A Lovett, T Manley,  
G McGuinness (*substitute for Councillor I Gourlay*), Mrs K Mellish,  
J M Tilbury and D Whitby

**Portfolio Holders:**

Councillor A Beales – Portfolio Holder for Regeneration & Industrial Assets  
Councillor A Lawrence – Portfolio Holder for Housing & Community  
Councillor B Long – Portfolio Holder for Environment and Deputy Leader (*substitute for  
Councillor N Daubney, Leader*)

**Management Team/Officers:**

Ray Harding – Chief Executive  
Emma Duncan – Monitoring Officer  
Debbie Gates – Executive Director, Central and Community Services  
Geoff Hall – Executive Director, Environment and Planning  
Duncan Hall – Housing Services Manager  
Nikki Patton – Housing Strategy Officer  
Alan Gomm – Local Development Framework Manager  
Matthew Henry – Property Services Manager

**Apologies:**

Apologies for absence were received from Councillors I Gourlay, Miss S Sandell,  
Mrs V M Spikings and N Daubney

CSC93: **MINUTES**

The Minutes of the Meeting held on 16 December 2014 were agreed as a correct record and signed by the Chairman.

CSC94: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

CSC95: **DECLARATIONS OF INTEREST**

Councillor A Beales declared a pecuniary interest in CSC100 and left the meeting during consideration of the item.

CSC96: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There were no Members present under Standing Order 34.

CSC97: **CHAIRMAN'S CORRESPONDENCE**

There was none.

CSC98: **RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

There were no previous Committee recommendations.

CSC99: **CABINET REPORT – HOMELESSNESS STRATEGY**

Councillor Joyce referred to page 18 of the Cabinet Agenda where it referred to non-specific groups who would be homeless and asked for clarification as to whether this referred to those specific groups or people outside those groups who could be homeless.

The Portfolio Holder explained that in relation to non-priority groups, the Council offered the following:

- Housing advice with general information and through interviews;
- The provision of housing benefit;
- Encouraged entry onto the housing register;
- Referred to other agencies eg. Shelter and CAB; and
- Reconnection to home areas or where support was available.

The Housing Services Manager added that in relation to meeting the requirements of households with more complex needs in particular those with mental health issues, the Council had worked in partnership with the Purfleet Trust and secured funding for the town. He added that the prevention of homelessness was key for those in priority groups and non-priority groups.

In response to a question from Councillor Joyce in relation to whether the amount of affordable housing provided had reduced, the Housing Services Manager advised that there had been a reduction in the number of affordable homes developed. He further explained that the majority of affordable housing came through the Planning system and referred to the facts that there had been less building and construction during the recession and other difficulties including a change in the investment regime for affordable housing providers and changes to grants. However, it did appear that there had been some recovery in those numbers.

Councillor Joyce asked why the number of homeless decisions did not correlate with the number of homeless applications. The Housing Services Manager explained that, in some cases, there was not always full acceptance of the homeless applications. The Council would also be working with them to help to find homes.

Councillor Manley, whilst supporting the Strategy, referred to page 22 of the agenda and to the fact that West Norfolk had the highest percentage of people living in caravans and asked whether this was down to people wanting to live in a caravan or that people had no other choice but to do so.

The Housing Strategy Officer explained that this had been identified in the last census, although there had been no particular homeless issues arising from people living in caravans or park homes, but this would be kept under review.

In response to a question from Councillor Collop regarding the under supply of 2 bedroom houses in the social rented sector, the Housing Services Manager explained that the Council could influence the type of affordable units provided through the planning process to help to address this issue.

The Housing Strategy Officer added that there was a higher demand for 2 bedroom properties but Council tried to make sure there was a good supply and recognised the demand on 2 bedroom properties. She explained that King's Lynn did have a higher proportion of 2 bedroom houses.

The Portfolio Holder used an example of the Pilot Cinema, where the first application submitted was refused and then the second application included more 2 bedroom properties.

Councillor Joyce referred to the fact that there had been 127 bids received for each two bedroom house vacancy in King's Lynn compared to an average of 33 bids per vacancy across all property types and locations in the Borough. He asked if there was anything else that could be done to address this issue.

The Portfolio Holder explained that the Council needed to continue to talk to the registered providers to ensure that the correct supply continued. He added that some affordable housing units sited in villages could not be easily let through Homechoice. In addition, Freebridge Community Housing had adjusted some of their refurbishment plans to accommodate the need for more two bedroom properties.

Councillor Collop added that the lack of 2 bedroom houses appeared to be a national issue and hoped that the Council would keep up with the demand.

The Portfolio Holder agreed that it was difficult to predict the future but the Council did have the Strategic Housing Market Assessment to help with future demands.

Councillor Joyce referred to page 23 of the Cabinet Agenda, third bullet point where it referred to *'Young single people, especially men, were*

*highlighted as having special difficulties in gaining accommodation', and asked where that response had come from.*

The Housing Services Manager explained that he was not sure where that source had come from. However evidence from a hostel review had indicated that young men were less able to rely on friends and family for accommodation.

Councillor Joyce further asked whether there was any suggestion that people under 25 were not able to access social housing.

The Housing Strategy Officer explained that the source needed to be clarified but there had been a major speech and debate nationally.

Following the meeting, it was subsequently clarified that:

*A wide ranging national debate occurred following a speech given by the Prime Minister in June 2012. The issue of withdrawing housing benefit for those under 25 was raised as part of this speech. The speech and subsequent discussions and debates questioned the role of parents in providing accommodation for under 25s, entitlements and expectations, working age benefits, access to housing and housing benefit.*

*The housing options for under 25 year olds was mentioned during discussions and consultations on the basis that it would affect access to housing for that client group if changes were to be made that would restrict access to housing.*

*The sentence does not refer to a consultee suggesting this should happen but as part of a debate on potential policy change which may or may not happen during the course of the Strategy.*

*This will be kept under review for any potential future changes and any actions arising will be considered as part of our annual review of the Homelessness Strategy Action Plan.*

Councillor Joyce referred to the downturn in the number of new affordable homes built which was partly down to changes to capital funding introduced through the Homes and Communities Agency from 2010 included reduced grant levels to Housing Associations, and asked what efforts the Council would be looking at to increase funding from Government.

The Housing Services Manager responded that he didn't think that the Council was looking to make representations to Government, but the Council was adjusting to the new regime. He explained that in terms of how that was being carried out some Housing Associations relied on grants and some borrowed against their existing stock. The Council would continue to find opportunities for them.

The Portfolio Holder for Environment pointed out that 40 long term empty properties had been brought back into use and leased to a registered provider and used for social housing, which was an example of the Council working with registered providers.

In relation to the review of debt policy, Councillor Joyce asked how much debt was allowed to accrue before a landlord would take action. In response, the Portfolio Holder explained that it was on a case by case basis but it was key that contact should be made to try to repay some of the debt. The Council would try to mediate with the landlord.

The Housing Services Manager further explained that registered landlords were possibly quicker to respond to a situation of debt but it was recognised that debt was not good for both parties.

CSC100: **CABINET REPORT – PLANNING OBLIGATIONS AND AFFORDABLE HOUSING IMPLICATIONS OF THE RECENT GOVERNMENT ANNOUNCEMENT ON REVISED THRESHOLD**

*Councillor Beales left the meeting during consideration of the item.*

Councillor Foster asked the Portfolio Holder that, in order to avoid uncertainty, could he explain which policy in the Core Strategy the recommendation would alter.

Councillor Lawrence explained that this was a Government amendment and the Council did not have a choice but to implement the changes.

Councillor Foster commented that other councils Core Strategy document did not match with this Council's.

It was explained that this Council was within a designated rural area and had been given the choice to introduce a threshold of more than five units, whereas most other Councils had not been given that choice. Councillor Lawrence further explained that an amendment would be made once the recommendation had been ratified by full Council.

Councillor Foster asked for clarification on recommendation 1.b. as to whether the threshold applied to 5 units or above. The Portfolio Holder explained that it was above 5 units, ie. 6 – 10 and then 11 onwards.

Councillor Foster referred to paragraph 5.3 of the Cabinet report and stated that this had not been included within the recommendation. He further asked why it had not been put forward to change Policy CS09.

The Portfolio Holder explained that it was not possible at present to amend Policy CS09 but an explanation would be available for the public following full Council's resolution.

Councillor Joyce asked whether paragraph 5.3 should have been included within the recommendation that Cabinet made, to which Councillor Lawrence confirmed that it should not have been included.

Councillor Foster added that he had been contacted by an architect who could not understand the recommendation and he read out an example. Councillor Lawrence advised that the architect should be asked to contact officers who could clarify the situation.

Councillor Foster stated that it was a policy situation, and asked the Portfolio Holder whether the wording could have been simpler. The Portfolio Holder responded that he did not think that the wording could have been simpler and added that it was not policy yet until the recommendations had been ratified by full Council.

Councillor Manley referred to the fact that a financial contribution would be made once development had taken place and suggested that if a developer was to go bust then the Council would not receive any financial contribution. The Portfolio Holder explained that as it stood today, affordable housing would need to be provided for 5 or more dwellings. The proposal would mean that a developer would be able to build one more property without the need for any contribution. For schemes 6 – 10 dwellings a developer would be required to provide a commuted sum, as opposed to built units as at present, and for 11 dwellings and above, the requirement would be for the developer to provide dwellings. He added that clear guidelines had tried to be set. He further added that there was also a need to keep a supply of affordable housing. He explained that if a developer was to go bust then the obligation would be with the land and not the developer.

Councillor Collop asked whether the financial contributions on sites above 5 dwellings, could be spent elsewhere and not in the village/parish where the development had taken place. In response, the Portfolio Holder explained that the financial contribution would allow the Council to place the affordable housing where it was needed ie as an exceptions site.

The Housing Strategy Officer explained that having a financial contribution would allow the Council to control where the money was spent. She further explained that some villages and hamlets may not have a need for affordable housing. However, further consideration would be given on how that money was to be spent.

Councillor Joyce asked the Portfolio Holder if the money made through financial contributions would be ring fenced for affordable housing, which the Portfolio Holder confirmed that it would.

Councillor Collop stated that it would be important for Councillors to know where this money would be used, and asked the Portfolio Holder if this was going to happen. The Portfolio Holder explained that information would be provided to Councillors via the Members Bulletin.

The Housing Strategy Officer added that in relation to on-site provision the Council had tried to put money back into the village and surrounding areas it came from through the creation of exception sites.

Councillor Tilbury asked for clarification in relation to the threshold of 5 units and asked when a sum would be payable. The Portfolio Holder explained that currently it was for 5 dwellings but if ratified at full Council it would become payable for the 6<sup>th</sup> dwelling.

It was suggested that recommendation 1.b. was very unclear and an alternative form of words should be sought to help the public understand the changes.

It was proposed and seconded that the wording in recommendation 1.b. should be amended to read:

b. For all remaining settlements apply a threshold of 5 units *above which* a financial contribution will be sought towards affordable housing rather than on site provision as is currently the case.

After having been put to the vote, the amendment was agreed.

**RECOMMENDED:** That recommendation 1.b. should be amended to read:

b. For all remaining settlements apply a threshold of 5 units *above which* a financial contribution will be sought towards affordable housing rather than on site provision as is currently the case.

CSC101 **EXCLUSION OF THE PRESS AND PUBLIC**

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

CSC102 **CABINET REPORT – KING’S LYNN INNOVATION HUB SITE INFRASTRUCTURE** *(this item was taken second at the meeting)*

Councillor Joyce referred to recommendation 2, and asked for clarification as to who would be consulting with the Portfolio Holder.

Councillor Joyce also asked for clarification as to whether Councillor Daubney declared a pecuniary interest or asked for a dispensation.

Councillor Manley asked whether this issue came under the remit of Cabinet Scrutiny. Councillor Joyce responded that the item was considered as an exempt report and he was asking for clarification for the public record. Councillor Joyce also explained that he had been advised that Councillor Daubney had not asked for a dispensation.

Councillor Long, Portfolio Holder for Environment and Deputy Leader explained that at the Cabinet Meeting held on 13 January 2015 when the item was considered, he could confirm that Councillor Daubney declared a pecuniary interest and left the room whilst the item was discussed. Councillor Long had taken the Chair for that item of business.

The Monitoring Officer advised that Members' conduct was not a matter for the Committee to scrutinise and could be raised under the appropriate channels.

Councillor Tilbury expressed concern with the way that the Committee was conducting its business and proposed that the Committee moved to the next business. This was seconded by Councillor Mrs Mellish and after having been put to the vote was agreed.

Councillor Joyce added that he was not prepared to have a report which misled him and could potentially mislead others. Councillor Loveless agreed with the sentiments made by Councillor Joyce.

With regards to recommendation 2) the Chief Executive advised that the resolution could be amended to read:

In the event that the bids to the Norfolk Business Rate Pool and outcome of the other LEP funding discussions are not successful, the Council underwrites the cost up to £423,000 to meet the cost of abnormal site works and site infrastructure to be determined by officers in consultation with the Portfolio Holder for Regeneration to facilitate the development of KLIC and the wider site.

Councillor Beales agreed with the Chief Executive's interpretation.

CSC103: **CABINET REPORT – MAJOR HOUSING DEVELOPMENT – FINAL APPROVAL** *(this item was taken first at the meeting)*

The Chairman reported that as Cabinet had not taken a decision, the item could be removed from the agenda.

CSC104: **PORTFOLIO HOLDERS' DECISIONS MADE UNDER DELEGATED POWERS**

(i) **Valingers Place Car Park, King's Lynn – Proposed Transfer – Exempt**

It was noted that Councillor Miss Bambridge had been consulted on the decision as Ward Member.

Councillor Collop stated that he had called-in the report but this had not been allowed by the Chief Executive. He outlined his reasons for calling-in the report.



Councillor Beales asked for advice in relation to whether this report could be discussed as the call-in had not been upheld.

The Monitoring Officer advised that this and the following report had not technically been called-in but as a courtesy to the Committee, she would advise that the Portfolio Holder answer the Committee's questions.

The Portfolio Holder and Property Services Manager then responded to questions from the Committee.

(ii) Speedway Car Park, Saddlebow, King's Lynn – Lease Renewal - Exempt

Councillor Joyce explained that both himself and Councillor McGuinness had been consulted on the report as Ward Members.

Councillor McGuinness then outlined why he had called-in the report which had not been upheld by the Chief Executive.

The Portfolio Holder and Property Services Manager then responded to questions from the Committee.

**- RETURN TO OPEN SESSION -**

CSC105: **DATE OF NEXT MEETING**

It was noted that the next meeting of the Cabinet Scrutiny Committee was scheduled to be held on Thursday 19 February 2015 at 6 pm.

**Meeting closed at 7.50 pm**