

Borough Council of  
**King's Lynn &  
West Norfolk**



# **CABINET**

## **Agenda**

**TUESDAY, 7 OCTOBER 2014**  
**at 5.30pm**

in the

**Committee Suite  
King's Court  
Chapel Street  
King's Lynn**



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Borough Council of  
**King's Lynn &  
West Norfolk**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616200  
Fax: 01553 691663

**CABINET AGENDA**

**DATE: CABINET – TUESDAY, 7 OCTOBER 2014**

**VENUE: COMMITTEE SUITE, KING'S COURT,  
CHAPEL STREET, KING'S LYNN**

**TIME: 5.30 pm**

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - Item 11 (4) below will be considered in private.

**1. SUSPENSION OF STANDING ORDER 36 – RECORDING OR BROADCASTING OF MEETINGS**

In order to comply with Statutory Instrument 2014 no 2095, The Openness of Local Government Bodies Regulations 2011, Standing Order 36 be suspended for the duration of the meeting.

**2. MINUTES**

To approve the Minutes of the Meeting held on 10 September 2014 (previously circulated pages 326 - 336).

**3. APOLOGIES**

To receive apologies for absence.

**4. URGENT BUSINESS**

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

**5. DECLARATION OF INTEREST**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

**6. CHAIRMAN'S CORRESPONDENCE**

To receive any Chairman's correspondence.

**7. MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

**8. CALLED IN MATTERS**

To report on any Cabinet decisions called in.

**9. FORWARD DECISIONS LIST**

A copy of the Forward Decisions List is attached (Pages 5 )

**10. MATTERS REFERRED TO CABINET FROM OTHER COUNCIL BODIES**

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda. Copies of any comments made will be circulated as soon as they are available.

- Resources and Performance Panel – 30 September 2014
- Regeneration, Environment and Community Panel – 1 October 2014

**11. REPORTS**

**1) Corporate Peer Challenge – page 7**

Earlier this year the Borough Council responded positively to an invitation from the Local Government Association (LGA) to have a

Corporate Peer Challenge as part of their sector level improvement programme.

The scope of the peer challenge was designed to incorporate both an external 'health check' of the organisation, including the core components examined by all corporate peer challenges, together with an examination of how the council can effectively use King's Lynn's tourism, arts, culture and heritage more effectively to strengthen the local economy. The make-up of the peer challenge team was designed to facilitate the two aspects of the challenge.

The review took place in early February and the final report was received towards the end of April 2014. This report summarises the findings of the team's work and outlines the steps currently underway to develop an action plan to address the challenge team's suggestions and ideas for consideration. It is encouraging to note that the positive tone of the report and the fact that most of the issues raised were already being considered and addressed by managers and Cabinet.

## 2) **King's Lynn Town Centre Action Plan – Update** - page 15

Nationally town centres have been facing a number of external challenges to their economic vitality and viability and King's Lynn has not been immune from these. Central government has acknowledged that there are risks to traditional town centres and taken some steps aimed at supporting the viability of town centres and to help mitigate the impacts. However these national initiatives need to be supported and supplemented by local actions in response to local issues and opportunities.

The Action Plan draws together in one place the priorities and plans for the Town Centre and includes those actions which the Borough Council will lead on together with those which will be delivered by partners and the private sector.

As the Plan seeks to be as comprehensive as possible the input and support from the King's Lynn Town Centre Partnership and other key stakeholders is important. The report provides a summary of the responses to the consultation and presents a revised Action Plan.

## 3) **Compulsory Purchase Order – Land Rear of Blackfriars Road, King's Lynn** – Page 45

The purpose of this report is to seek approval for the Council to make use of the powers available to local authorities under Section 226 of the Town and Country Planning Act 1990 (as amended) by promoting a Compulsory Purchase Order for Land Rear Of 7 Blackfriars Road, King's Lynn, Norfolk, PE30 1NR ("the Order Land") to facilitate the carrying out of development in accordance with the Scheme.

## **EXCLUSION OF PUBLIC**

The Cabinet is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **PRIVATE ITEM**

Details of any representations received by the Executive about why the following report should be considered in public will be reported.

#### **4) Major Housing Development – Preferred Bidder Selection – Page 59**

This report updates Members on progress made with the project since the last report to Cabinet on the 30 July 2013.

As part of the process the Council received six bids from three bidders. Each bidder had to submit a compliant bid and was also able under the rules permitted to submit any variant that had been discussed with the Council as part of the dialogue stage. The report sets out the information of the selection.

To: Members of the Cabinet

Councillors N J Daubney (Chairman), A Beales, Lord Howard,  
A Lawrence, B Long, Mrs E A Nockolds, D Pope and Mrs V Spikings.

Cabinet Scrutiny Committee

For further information, please contact:

Samantha Winter  
Democratic Services Manager  
Borough Council of King's Lynn & West Norfolk  
King's Court, Chapel Street  
King's Lynn PE30 1EX  
Telephone: (01553) 616327 Email: [sam.winter@west-norfolk.gov.uk](mailto:sam.winter@west-norfolk.gov.uk)

## FORWARD DECISIONS LIST

| Date of meeting | Report title  | Description of report                                      | Key or Non Key Decision | Decision Maker | Cabinet Member and Lead Officer  | List of Background Papers | Public or Private Meeting  |
|-----------------|---|--|-------------------------|----------------|--|---------------------------|--|
| 7 October 2014  | Major Housing Scheme – Results of Procurement   | Report setting out the results of the procurement exercise | Key                     | Council        | Regeneration Chief Executive   |                           | Exempt Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority) |
|                 | King's Lynn Town Centre Action Plan - Update  | Feedback from stakeholder consultation                     | Non                     | Cabinet        | Regeneration and Industrial Assets and Culture Tourism & Marketing Chief Executive |                           | Public   |
|                 | Potential for Compulsory Purchase Order – Land rear of 7 Blackfriar's Road, King's Lynn | Consideration of the CPO of the land                       | Non                     | Council        | Development Exec Dir – G Hall  |                           | Public   |
|                 | Peer Challenge Report and draft action plan   |  | Non                     | Cabinet        | Leader Chief Executive   |                           | Public   |

| Date of meeting | Report title                                       | Description of report   | Key or Non Key Decision | Decision Maker | Cabinet Member and Lead Officer                  | List of Background Papers  | Public or Private Meeting |
|-----------------|--|---|-------------------------|----------------|--|----------------------------|---------------------------|
| 4 November 2014 | Site Allocations & Development Management Policies | Latest stage in the process   | Key                     | Council        | Development Exec Dir – G Hall                    | Previous reports published | Public                    |
|                 | Community Infrastructure Levy decision (CIL)       | Consideration and decision on a CIL   | Key                     | Council        | Leader Exec Dir – G Hall                         |                            | Public                    |
|                 | King's Lynn Transport Interchange                  | Scheme to improve the bus station and pedestrian link to the train station using S106 funding | Non                     | Cabinet        | Regeneration & Industrial Assets Chief Executive |                            | Public                    |

|  |   |   |     |         |   |  |        |
|--|---|---|-----|---------|---|--|--------|
|  | Update to Freedom of Information and Data Protection Policies | Update of the Council's Freedom of Information and Data Protection Policies | Non | Council | Leader<br>Chief Executive                           |  | Public |
|  | King's Lynn Innovation Infrastructure                         | Update and progress report  | Key | Council | Regeneration & Industrial Assets<br>Chief Executive |  | Public |
|  | Norfolk Coast Project AONB Management Plan                    | Review of the Plan  | Non | Cabinet | Environment<br>Exec Dir – G Hall                    |  | Public |

| <b>Date of meeting</b> | <b>Report title</b> | <b>Description of report</b> | <b>Key or Non Key Decision</b> | <b>Decision Maker</b> | <b>Cabinet Member and Lead Officer</b> | <b>List of Background Papers</b> | <b>Public or Private Meeting</b> |
|------------------------|---------------------|------------------------------|--------------------------------|-----------------------|--|----------------------------------|----------------------------------|
| 2<br>December<br>2014  |                     |                              |                                |                       |  |                                  |                                  |

| <b>Date of meeting</b> | <b>Report title</b> | <b>Description of report</b> | <b>Key or Non Key Decision</b> | <b>Decision Maker</b> | <b>Cabinet Member and Lead Officer</b> | <b>List of Background Papers</b> | <b>Public or Private Meeting</b> |
|------------------------|---------------------|------------------------------|--------------------------------|-----------------------|--|----------------------------------|----------------------------------|
| 13<br>January<br>2015  |                     |                              |                                |                       |  |                                  |                                  |



## REPORT TO CABINET

|   |                                     |   |   |                                    |
|---|-------------------------------------|---|---|------------------------------------|
| <b>Open</b>   |                                     | Would any decisions proposed :  |   |                                    |
| <b>Any especially affected Wards</b>  | Discretionary                       | Be entirely within Cabinet's powers to decide                           | YES   |                                    |
|   |                                     | Need to be recommendations to Council                                   | NO  |                                    |
|   |                                     | Is it a Key Decision  | NO  |                                    |
| Lead Member: Cllr Nick Daubney<br>E-mail: <i>cllr.nick.daubney@west-norfolk.gov.uk</i>                  |                                     | Other Cabinet Members consulted:  |   |                                    |
|   |                                     | Other Members consulted:  |   |                                    |
| Lead Officer: Ray Harding<br>E-mail: <i>ray.harding@west-norfolk.gov.uk</i><br>Direct Dial:01553 616245 |                                     | Other Officers consulted:<br>Management Team / Extended Management Team |   |                                    |
| Financial Implications<br>YES   | Policy/Personnel Implications<br>NO | Statutory Implications<br>NO  | Equal Impact Assessment<br>NO<br>If YES: Pre-screening/ Full Assessment | Risk Management Implications<br>NO |

Date of meeting: 7 October 2014

### 1 CORPORATE PEER CHALLENGE

#### Summary

Earlier this year the Borough Council responded positively to an invitation from the Local Government Association (LGA) to have a Corporate Peer Challenge as part of their sector level improvement programme.

The scope of the peer challenge was designed to incorporate both an external 'health check' of the organisation, including the core components examined by all corporate peer challenges, together with an examination of how the council can effectively use King's Lynn's tourism, arts, culture and heritage more effectively to strengthen the local economy. The make-up of the peer challenge team was designed to facilitate the two aspects of the challenge.

The review took place in early February and the final report was received towards the end of April 2014. This report summarises the findings of the team's work and outlines the steps currently underway to develop an action plan to address the challenge team's suggestions and ideas for consideration. It is encouraging to note that the positive tone of the report and the fact that most of the issues raised were already being considered and addressed by managers and Cabinet.

#### Recommendation

Cabinet is recommended to note the final report of the LGA Peer Challenge Team and to endorse the actions of Management Team to respond to the report's conclusions.

## Reason for Decision

To enable the Council to consider and respond to the findings of the LGA Corporate Peer Challenge.

### 1 Summary of Feedback – Overall Observations and Messages

The following is drawn directly from the Challenge Team’s final report:-

1.1 There is strong political and managerial leadership at KLWN, with mutual respect between political leadership and officers. The senior leadership believes the Council has a clear view of its identity and ambitions, as do external partners. All the staff that we met are proud of their Council’s ambitions and there was a positive ‘can-do’ delivery culture. Plans to improve local wage levels, educational attainment and health are ambitious and demonstrate the council’s vision for the borough. There is an emphasis on staff development and the Council has adopted a “*growing our own*” approach to gaining the skills required. The Council is prepared to be innovative, attempting a variety of projects and accepting the risk that some of these will fail. The ability to deliver has been maintained despite a reduction in headcount of 90, two years ago.

1.2 The Council has a clear understanding of its current financial situation with a medium-term financial plan that provides for balanced budgets. There is an awareness of forthcoming deficits and plans are in place with work underway to identify reductions in costs to meet target savings. Historically the Council has a good track record of managing its overall financial position. The financial reserves are healthy and these offer the Council options when considering its future plans.

1.3 King’s Lynn has a fabulous heritage offer with unique buildings, a character waterfront and open public spaces. You work well with partners to secure external funding and have demonstrable success in undertaking large scale projects, including the Tuesday Market. You have clear ambitions to improve the awareness of your heritage assets through projects that include the Town Hall’s transformation, drawing visitors beyond the High Street shops.

1.4 The Council now needs to have robust conversations about alternative, future business models and longer-term financial considerations. Scrutiny was regarded as ineffective and more robust challenge needs to be undertaken to ensure new ideas are thoroughly tested and fit within the council’s strategic aims. Increasing the involvement of the Policy Development Panels before Cabinet decisions are made and in reviewing the impact of decisions taken could help with this. To ensure that the scrutiny process as a whole is effective and robust you should consider a wide ranging review of scrutiny arrangements, undertaken with external, sector based support. Elected members and staff appear to be enthusiastic and committed to working for KLWN, although communication and understanding of the council’s

strategic goals could be clearer and the corporate strategy post 2014/15 needs to be plainly stated and worked on earlier.

1.5 The strategy for dealing with budget deficits seems evolutionary rather than radical. The Council now needs to be clearer about its financial plans for 2017/18 onwards and whether evolution will deliver. The Council may find it beneficial to state clearly its ambitions in one place, focus efforts on securing projects and funding that deliver these and communicate this so that it is understood by staff, partners and residents. The Council considers that it has poor political relationships with Norfolk County Council (NCC) and these need to be addressed. It is recognised that this is not a one-way process. The Council takes a lead on significant and high profile projects which would traditionally be led by other public agencies such as the Improving Attainment initiative with local schools. Such projects are not 'taken on' as a consequence of the poor political relations but due to the Borough Council's determination to respond to the needs of its community and local economy. This approach has been effective in stimulating a positive response from County.

1.6 We were concerned you may be 'held hostage by your heritage', in that preservation is the primary concern and the contribution the buildings might make to the local economy and the Council's broader objectives appears to be considered as a secondary issue. We think you need to be clearer about King's Lynn's 'brand' and this then needs to be marketed in a coherent way: for local people, to attract tourists and to attract businesses. To do this the heritage offer needs both better integration with the tourism and cultural offers and promotion to the sorts of businesses whose brand values would fit well. At present there is a lack of capacity to deliver the broader regeneration and cultural aims. Consideration needs to be given to the resources available and the possible appointment of additional specialist staff, appropriately skilled so that the heritage plays its part in the borough's overall offer.

## **2 Response – Corporate Issues**

2.1 Working with a wide range of staff drawn from the Council's Extended Management Team (Service Managers), Management Team has tasked a series of working groups with the role of developing a coherent response to each of the main areas identified in the report. These are set out below:-

### ***Scrutiny***

2.2 The report identified the scrutiny role as one for improvement and development. The officer group has looked at the practice in neighbouring councils but has concluded that there is more to be gained by bringing in national level expertise. Consequently, it is proposed to engage the Centre for Public Scrutiny who will be invited to conduct a review of the Council's scrutiny process and present members with some alternative models based on good practice elsewhere for consideration ahead of the May 2015 elections. The review process will involve both Executive and Scrutiny members.

### ***Communication of Strategic Goals***

2.3 The report identified that the Council has a clear focus on its identity and ambitions and has been successful at communicating a good understanding, and support, for its strategic goals with external partners. Staff are proud to work for the organisation and have 'can do' approach, however, it noted that not all staff below the more senior management level, have a full understanding of how the major projects which the Council leads on fit with these strategic aims. A small officer group has been tasked with the development of potential enhancements to internal communications to help to overcome this.

### ***Improving Relationships with NCC***

2.4 This is clearly a critical area for the Borough Council in the aftermath of the difficulties between the two organisations, particularly at a Member level, which surrounded the somewhat bitter and protracted dispute in relation to the proposed Saddlebow Incinerator. The officer team tasked to address this is working with a senior manager from NCC to identify and introduce a more cooperative working relationship between the two organisations, building on successful and positive initiatives already underway such as the NORA Joint Venture, Improving Attainment Programme and joint work on health and social care integration.

### ***Developing the Role of Extended Management Team***

2.5 The Peer Challenge reaffirmed that the age profile of three of the current management team of five clearly raises succession planning issues. This emphasises the importance of developing the next generation of senior managers for the organisation. A programme of development activities and training had already commenced for the Council's Service Managers/ Extended Management Team at the time of the visit. A report will be presented to Cabinet later in the year presenting proposals to progress the transition process.

### ***Improving the Learning from Project Delivery***

2.6 The breadth of the Council's ambitions and the pace of implementation has resulted in a situation whereby the Council has historically placed a greater emphasis on completing projects and moving on to the next initiative as opposed to devoting time to drawing out lessons from completed projects documenting them and carrying these lessons forward into future schemes. Whilst this may have been an expedient in the past, the Peer Challenge Team has rightly identified the benefits of introducing a more formal procedure for post project evaluation. An officer team is now working on the preparation of a more structured approach to pre and post project evaluation along with a more detailed ongoing project monitoring process.

### ***Medium Term Financial Planning***

2.7 As the Peer Challenge Team rightly point out, the Council has managed its finances well thus far through the first half of the decade of austerity. They also acknowledged that the Council is forward looking and is actively planning for the medium term. They clearly acknowledge that the approach taken has served the Council well and that a healthy level of revenue reserves has been built up. However, they go on to point out that there are further very significant funding reductions to come in the years after the general election and the election of a new administration at the Borough Council. Also noting the additional financial impact of the past decade of freezing Council Tax in potentially inhibiting the Council's ability to deliver on its ambitions post 2015/16, the Peer Challenge Team was of the view that, combined with further significant reductions in government funding, the current, 'evolutionary' approach to medium term budgeting may not be sufficient. They therefore advocated that in addition to the range of income generation and cost savings that the Council is currently working on, members should reconsider whether a more comprehensive and extensive shared management/shared staffing arrangement would be an appropriate model for the future.

2.8 The Council has had considerable success with the current approach to the provision of contracted services on behalf of other councils and public bodies, complemented by the development of new models of service delivery which we have been able to develop as a consequence of the retention of a dedicated Management Team with sufficient capacity to develop and explore new ways of working. However, the Council has not shied away from the shared services model (Legal Services, Building Control) where there is a strong business case to do so. Work is currently underway to consider opportunities to further extend the provision of contracted services to other parts of the public sector, including local government.

### **Response – Heritage Issues**

2.9 The Peer Challenge Team were asked to look in particular at how King's Lynn could use its "fabulous heritage offer" to greater effect, and the skills, knowledge and experience of the team reflected this requirement. The team made a series of proposals to address this:-

### ***Destination Management Organisation/Destination Marketing Plan***

2.10 The team identified the opportunity to bring together the passion of interested parties to provide a point of contact and leadership for promoting all the Borough's attractions, particularly to bring together the closely related areas of culture, heritage and tourism. They suggested the development of a new Destination Management Plan as a vehicle to seek agreement over branding and marketing – a single document that clearly shows how organisations, events and buildings comprise the unique offer of King's Lynn and the wider West Norfolk for residents, visitors and businesses. An officer task group with the active involvement of the Portfolio Holder, has agreed that

the West Norfolk Tourism Forum would be the ideal vehicle to steer the process of developing a new Destination Management Plan. A comprehensive project plan has been drafted and approved by the WN Tourism Forum and work has been commenced with a target date for completion set at January 2015.

### ***Activities and Events***

2.11 The team acknowledged the Borough already hosts a strong and growing programme of events and activities, however, they argue that these need to be further developed and promoted as a coherent offer. Opportunities were also identified to target tourism at specialist groups, particularly outside of peak holiday times and to develop specialist markets located on King's Lynn's newly enhanced market squares. The officer task group is currently developing proposals to resource and implement this approach.

### ***Attractions, Way Finding and the Waterfront***

2.12 The team made a number of related observations concerning what might loosely be characterised as King's Lynn's heritage offer. Acknowledging the very significant level of investment currently underway (Tuesday Market Place, Saturday Market Place, St Nicholas' Chapel, Town Hall, Townscape Heritage Scheme) the team noted:

- The disconnection between the town centre and the town's rich heritage offer
- The opportunity to further enhance the attractiveness of the waterfront
- Scope to utilise temporary art installations to draw people through to the heritage area of the town and the waterfront
- The need to create more 'spending' opportunities for visitors
- The potential to use digital information accessible through mobile technology to create personalised tours, promote forthcoming events and provide audio information.

2.12 The Task Group are now working with the 'Business Group' of the Town Centre Partnership to build on the success of the 'Amiens' art installations, the opportunity presented by the Town Hall Heritage Lottery Fund award, and the review of on-street car parking to take forward work in each of these areas.

Table 1 sets out the Peer Challenge Action and Implementation Plan.

**Table 1 – Peer Challenge – Action and Implementation Plan**

| Issue   | Action   | Responsible             | Outcome   | Target Date  |
|---|--|-------------------------|---|--|
| Scrutiny  | External review of Scrutiny function   | RH, IB, BB, SW          | Review and recommendations  | February 2015  |
| Communications and Strategic Goals  | Improved internal communications   | BB, VJH, IB             | Enhanced internal communication methods and practice – report to Management Team  | October 2014   |
| Improving relationships with NCC  | Prepare proposals for discussion with the Senior managers and Members                          | RH, IB                  | Coherent approach to closer working with NCC  | November 2014  |
| Extended Management Team Development  | Develop a development programme for EMT  | DG, VJH, BB             | Programme approved by Management Team   | Ongoing  |
| Improving Project Delivery  | Prepare new procedures for pre-project assessment, project monitoring, post project evaluation | MC, HH, VD, NJ          | Report to Management Team   | November 2014  |
| Medium Term Financial Planning/Shared Management, Shared Services/Income Organisation | Examine and review alternative approaches/models for post 2015/16                              | LG, MC, NJ, DG, VJH, BB | Report to Management Team/ Cabinet  | January/February 2015  |
| Destination Marketing Plan  | Prepare, consult and secure agreement to a new DMP   | CB, OP, TH, RH          | Project Plan to WN Tourism Forum.<br>DMP completed  | July 2014<br>January 2015                                    |
| Arts, Activities and Events   | Resourcing and implementation Plan prepared  | CB, OP, MC, RH          | Cabinet Report detailing resourcing and implementation proposals  | October 2014   |
| Attractions, Way Finding and Waterfront   | Development of proposals to address issues identified  | CB, MC, RH, OP, TH      | <ul style="list-style-type: none"> <li>• King's Lynn 'App'</li> <li>• Revised parking arrangements on South Quay</li> <li>• Arts Installations</li> <li>• Proposals for currently derelict buildings on South Quay</li> </ul> | May 2015<br>December 2014<br><br>March 2015<br>February 2015 |

### **3 Options Considered**

3.1 The primary purpose of inviting the Peer Challenge Team to carry out a review at the Borough Council was to identify opportunities where the Borough Council could improve its service offer and enhance the economic benefit of the splendid heritage offer in King's Lynn and beyond. Alternative approaches to the suggestions and recommendations made will be explored by the officer task groups as they carry out their work programmes.

### **4 Policy and Personnel Implications**

4.1 There are no direct policy and personnel implications arising directly from consideration of the Peer Challenge report. Depending on the ultimate plans and proposals brought forward by the officer task groups there may at that stage be policy and or personnel implications.

### **5 Financial Implications**

5.1 There are no direct financial implications arising directly from consideration of the Peer Challenge report. Depending on the ultimate plans and proposals brought forward by the officer task groups there may at that stage be financial implications.

### **6 Statutory Considerations**

6.1 There are no statutory considerations arising from this report.

### **7 Equality Impact Assessment (EIA)**

(Pre screening report template attached)

7.1 Equality Impact Assessments are to be required as some or all of the officer task groups' recommendations are reported.

### **8 Risk Management Implications**

8.1 The work which is carried out by the officer task groups will assist the Borough Council in addressing the risks presented to the organisation by the ongoing austerity regime beyond 2015/16.

### **9 Declarations of Interest / Dispensations Granted**

None.

### **10 Background Papers**

Peer Challenge Report



## REPORT TO CABINET

|   |                                     |   |   |                                    |
|---|-------------------------------------|---|---|------------------------------------|
| <b>Open</b>   |                                     | Would any decisions proposed :  |   |                                    |
| <b>Any especially affected Wards</b><br>St Margaret's with St Nicholas  | Operational                         | Be entirely within Cabinet's powers to decide   | YES   |                                    |
|   |                                     | Need to be recommendations to Council   | NO  |                                    |
|   |                                     | Is it a Key Decision  | NO  |                                    |
| Lead Member: Cllr Nick Daubney<br>E-mail: <a href="mailto:cldr.Nick.Daubney@west-norfolk.gov.uk">cldr.Nick.Daubney@west-norfolk.gov.uk</a>                      |                                     | Other Cabinet Members consulted: Cllr Elizabeth Nockolds, Cllr Greville Howard, Cllr Alistair Beales, Cllr David Pope |   |                                    |
|   |                                     | Other Members consulted:<br>Cllr Bambridge Cllr Back  |   |                                    |
| Lead Officer: Ostap Paparega<br>E-mail: <a href="mailto:Ostap.paparega@west-norfolk.gov.uk">Ostap.paparega@west-norfolk.gov.uk</a><br>Direct Dial: 01553 616890 |                                     | Other Officers consulted:<br>Management Team, Town Centres Manager  |   |                                    |
| Michael George<br>E-mail: <a href="mailto:mike.george@west-norfolk.gov.uk">mike.george@west-norfolk.gov.uk</a><br>Direct Dial: 01553 616283                     |                                     |   |   |                                    |
| Financial Implications<br>NO  | Policy/Personnel Implications<br>NO | Statutory Implications<br>NO  | Equal Impact Assessment<br>NO<br>If YES: Pre-screening/ Full Assessment | Risk Management Implications<br>NO |

Date of meeting: 7 October 2014

## 2 KING'S LYNN TOWN CENTRE ACTION PLAN

### Summary

Nationally town centres have been facing a number of external challenges to their economic vitality and viability and King's Lynn has not been immuned from these. Central government has acknowledged that there are risks to traditional town centres and taken some steps aimed at supporting the viability of town centres and to help mitigate the impacts. However these national initiatives need to be supported and supplemented by local actions in response to local issues and opportunities.

The Action Plan draws together in one place the priorities and plans for the Town Centre and includes those actions which the Borough Council will lead on together with those which will be delivered by partners and the private sector.

As the Plan seeks to be as comprehensive as possible the input and support from the King's Lynn Town Centre Partnership and other key stakeholders is important. The report provides a summary of the responses to the consultation and presents a revised Action Plan.

### Recommendations

- 1 That the responses to the consultation be noted**

## **2 That the King's Lynn Town Centre Action Plan is approved**

### **Reason for Decision**

The purpose of the King's Lynn Town Centre Action Plan is to bring together the priorities and plans of the stakeholders for the town centre. By doing this it will create a holistic approach for the town centre and enhance its ability to attract more people to the town centre from both the existing catchment and the wider visitor market.

### **Background**

At its meeting on 30<sup>th</sup> July 2013 Cabinet approved the draft of the King's Lynn Town Centre Action Plan as the basis for the consultations with the King's Lynn Town Centre partnership and other key stakeholders. The draft was presented to the King's Lynn Town Centre Partnership and sent to 15 other stakeholders. The report summarises the responses to the consultation and presents a revised Action Plan which reflects the consultation responses. The Action Plan also includes further initiatives and projects that have been identified since the consultation draft was prepared.

Since the consultations the ballot for establishing the King's Lynn Business Improvement District (BID) was unsuccessful. As a result the Action Plan has been revised to reflect this.

### **Consultation Response**

The Plan contains 6 themes and the responses have been grouped under these themes. The themes are:

- 1 High quality public realm and spaces: Creating variety and enhancing the quality and distinctiveness of the public realm to improve the perception of the town;
- 2 Maximise historic assets: Utilising the town's historic assets to improve the town's regional position in the visitor market;
- 3 Diversify the town centre offer: Increasing activity in areas other than the retail area, particularly along the waterfront, and vary the town centre provision;
- 4 A town that is easily accessible: Creating a pedestrian and cycle friendly town centre environment and enhancing public transport access and facilities;
- 5 A place for people to live, work and socialise: Focussing residential development appropriate to the intimate nature of King's Lynn and in the historic core and creating a lively and vibrant environment which meets the needs and aspirations of people of all ages;
- 6 Events and promotion: Marketing the town locally and regionally through a variety of small and large activities, events and promotional material.

The Organisations consulted were:  
English Heritage

Freebridge Community Housing  
King's Lynn Arts Centre Trust  
King's Lynn Arts and Heritage Forum  
King's Lynn BID Steering Group  
King's Lynn Civic Society  
King's Lynn Cycle Users Group  
King's Lynn Preservation Trust  
King's Lynn Town Centre Partnership  
Norfolk County Council – Environment, Development and Transport  
Norfolk Constabulary  
Norfolk Green  
St Margaret's with St Nicholas Community Forum  
Vancouver Quarter  
West Norfolk Chamber of Commerce  
West Norfolk Tourism Forum

In its response to the consultation the King's Lynn Town Centre Partnership supports the need to be proactive to the challenges facing the town centre and for the Council and other stakeholders to work in partnership to create a vibrant, prosperous and thriving town centre. The Partnership fully supports the concept of having a Town Centre Action Plan and the proposed actions.

A summary of comments and responses is attached in Appendix 1 and the updated Action Plan in Appendix 2.

### **Corporate Peer Challenge**

Part of the Corporate Peer Challenge (reported elsewhere on the Agenda) was an examination of how the Council can effectively use King's Lynn's tourism, arts, culture and heritage more effectively to strengthen the local economy. The team put forward a number of proposals and observations relating to Activities and Events and Attractions, Way finding and the Waterfront.

Activities and Events – to further develop and promote as a coherent offer the existing programme of events and activities; target tourism at specialist groups particularly outside peak holiday times; and develop specialist markets.

Attractions, Way finding and the Waterfront – disconnect between the town centre and the heritage offer; opportunities to further enhance the attractiveness of the waterfront; utilise temporary art installations to draw people to the heritage areas and the waterfront; create more spending opportunities for visitors; and the use of digital/mobile technology to create personalised tours, promote events and provide information.

There are a number of actions in the Plan that relate to the recommendations from the Peer Challenge.

#### Activities and Events

*Maximise historic assets*

- 3 Explore having consistent opening times across the heritage attractions
- 4 Promote Heritage Open Day
- 5 Maximise the use of the refurbished Tuesday Market Place as a venue for events

*Diversify the town centre offer*

- 1 Improve the viability and attractiveness of the Markets

*A place for people to live, work and socialise*

- 4 Town Centre promotions

*Events and promotions*

- 1 Marketing and promoting the town both in and out of the area
- 2 Develop a calendar of events and activities for the town centre
- 3 Promote the investment opportunities and town centre offer via the new inward investment website
- 4 Organise and promote the Bepak GEAR 10k run
- 5 Continue to produce and circulate a series of leaflets including Discover King's Lynn, King's Lynn Mini Guide, Maritime & Pilgrims trails & Hanseatic King's Lynn
- 7 International Hanse Day
- 8 Deliver a programme of historic guided walks
- 9 Festival Too
- 10 King's Lynn Festival

Attractions, Way finding and the Waterfront

*High quality public realm and spaces*

- 1 Enhancement of Saturday Market Place
- 4 Regenerate southern part of the town centre buildings and public realm
- 6 Improvements to car park information
- 7 Arts Cities and Landscape project
- 8 Lighting of key historic and landmark buildings such as South Gates, King's Lynn Minster and the former Post Office

*Maximise historic assets*

- 1 Improvements to the Town Hall to increase public access and expand the role of the Town Hall as a stronger attraction
- 2 Explore the options to improve the Waterfront including South Quay, Purfleet and Boal Quay/Hardings Pits

*Diversify the town centre offer*

- 2 Explore increasing the retail/leisure offer by up to 20,000 square metres
- 4 Market the opportunity to bring a ship into the Outer Purfleet
- 5 Promote the pontoon facilities for visiting vessels

*A town that is easily accessible*

- 1 Improve the public transport facilities at the bus station and strengthen the pedestrian and cycling links between the bus and railway stations
- 2 Improve visitor information at the railway station
- 3 Improve visitor information at car parks

*A place for people to live, work and socialise*

- 3 Redevelopment of the silo site, South Quay

*Events and promotion*

- 5 Continue to produce and circulate a series of leaflets including Discover King's Lynn, King's Lynn Mini Guide, Maritime & Pilgrims trails & Hanseatic King's Lynn

## 8 Deliver a programme of historic guided walks

### **Conclusion**

As the Action Plan is a 'live' document it will need to be regularly updated to include new projects and initiatives. It is proposed that the document is refreshed annually and accompanied by a progress report.

### **Options Considered**

None

### **Policy Implications**

There are no policy implications from this report as it is a summary of existing and proposed projects.

### **Financial Implications**

There are no financial implications arising from this report as it is a summary of existing projects and proposed projects

### **Personnel Implications**

There are no personnel implications arising from this report as it is a summary of existing projects and proposed projects

### **Statutory Considerations**

There are no statutory considerations relating to this report as it is a summary of existing and proposed projects

### **Equality Impact Assessment (EIA)**

There are no impacts on equality arising from this report as it is a summary of existing and proposed projects

### **Risk Management Implications**

There are no statutory considerations relating to this report as it is a summary of existing and proposed projects

### **Declarations of Interest / Dispensations Granted**

None

### **Background Papers**

None

## Appendix 1 Summary of consultation responses to the actions in King's Lynn Town Centre Action Plan

| Theme 1: High quality public realm and spaces                       |                              |  |  |
|---|------------------------------|--|--|
| Action  | Organisation                 | Comment/Observation  | Response   |
| Improve shop fronts and reduce areas of dead and neglected frontage | English Heritage             | Creation of a specific design guide for shop fronts in King's Lynn town centre                   | <p>General guidance on the correct size, scale, design and materials for the different elements of a shop front is already available.</p> <p>As there are no plans to produce a shop front guide for King's Lynn town centre it is proposed that the suggested action is not included.</p>   |
| Improvements to car parks and arrival points                        | Freebridge Community Housing | Stronger emphasis to be placed on improving the marker buildings and gateways to the town centre | <p>This action was focused primarily at the car parks and bus and railway stations. Considerable work has been undertaken to improve the railway station and Tuesday Market Place and works are planned for other arrival points including Saturday Market Place, southern part of the Town Centre and the Bus Station</p> <p>However there is scope to include an additional action related to improving the buildings and public realm at the key gateways to the town centre as they emerge</p> |
| Additional Actions  | English Heritage             | Inclusion of the enhancement of the Saturday Market Place  | <p>The plans to improve the Saturday Market Place were not sufficiently developed to include in the Consultation Draft.</p> <p>The plans for the Saturday Market Place has been added to the Action Plan.</p>  |

| Theme 2: Maximise historic assets |                               |   |  |
|-----------------------------------|-------------------------------|---|--|
| Action                            | Organisation                  | Comment/Observation   | Response   |
| Additional Actions                | King's Lynn Arts Centre Trust | Consistent Sunday opening times across the heritage attractions | It is proposed that the Borough Council work with other stakeholders to explore whether it is feasible to co-ordinate Sunday opening times |

| Theme 3: Diversify the town centre offer                |                              |  |  |
|---|------------------------------|--|--|
| Action  | Organisation                 | Comment/Observation  | Response   |
| Increase the retail offer by up to 20,000 square metres | Freebridge Community Housing | Reservations about increasing the retail offer without securing a long term anchor tenant. | <p>The responsibility for securing tenants will rest with the developer. It is reasonable to assume that the developer will have assessed the demand for the proposed space before commencing any development and this would be factored into their plans.</p> <p>It is proposed that this observation is not reflected in the Action Plan</p> |

| Theme 4: A town that is easily accessible   |                  |   |  |
|---|------------------|---|--|
| Action  | Organisation     | Comment/Observation   | Response   |
| Strengthen the pedestrian links between the bus and railway stations as part of the King's Lynn Transport Interchange project | Bike Users Group | Include reference to bicycles in the action to strengthen the links between the bus and railway stations  | It is proposed that reference to bicycles will be included so that the Action reads 'Strengthen the pedestrian and cycling links between the bus and railway stations'.  |
|   |                  | Use the opportunity of strengthening the links between the bus and railway stations to introduce cyclist/pedestrian activated crossing arrangements | <p>This is a specific detail and any review of the crossing arrangement should be part of the project brief for the improvements the links.</p> <p>It is proposed that this specific action is not included in the Action Plan</p> |

|  |               |  |   |
|--|---------------|--|---|
|  | Norfolk Green | Use the opportunity of strengthening the links between the bus and railway stations to rationalise the pedestrian crossing arrangements so as to minimise the delays for buses entering the bus station. | <p>This is a specific detail and the review of the crossing arrangement should form part of the project brief for the improvements to the links.</p> <p>It is proposed that this specific action is not included in the Action Plan</p>   |
| Review and update destination signage on key road traffic routes | Norfolk Green | Better utilise the road capacity on Railway Road by separating lanes for different destinations.   | <p>As this is a highways issue the views of Norfolk County Council were sought.</p> <p>The County Council is aware of the stop start nature of traffic on Railway Road due to traffic turning. They have indicated that it may be possible to investigate whether a low cost lining and signage scheme might help but have not indicated whether funding is available. However their view is that it should be considered in conjunction with other potential alterations to the gyratory system and the possible redevelopment/alterations to the bus station.</p> <p>It is proposed that in the light of the County Council's response that a specific action is not included at this time.</p> |
|  |               | Use variable message signage to direct through traffic away from the historic core when there is capacity elsewhere on the network   | <p>As this is a highways issue the views of Norfolk County Council were sought.</p> <p>Norfolk County Council's response is that there are no plans or identified funding to implement this type of variable message signage on the key routes. The County Council will need to quantify the amount of through traffic and understand the origins and destinations to see if there are viable alternative routes.</p>   |



|   |  |  |   |
|---|--|--|---|
|   |  |  | In the light of these comments it is proposed that this should not be included as a specific action at this time.   |
| Improve public transport facilities at the Bus Station as part of the King's Lynn Transport Interchange project | Norfolk Green  | Concerns that the initial outline plans would hinder the flow of buses and make them more peripheral to the core of the retail centre.                         | Bus operators and bus users have been consulted on any plans to improve the layout and operations of the bus station as part of the development of the scheme.<br><br>As this comment relates to the detail of any scheme that might be developed it is proposed that it is not reflected in the Action Plan  |
| Increase parking provision at West Lynn Ferry   | Norfolk Green  | The provision of public funded improvements to the ferry would distract people from the commercially provided bus service and potentially putting that at risk | Accessibility to the town centre is a central objective in the Action Plan and the ferry is part of the transport choice. The proposal is to seek developer contributions to fund any increase in car parking and not to use public sector funding.<br><br>As the ferry is part of the transport network enabling people to access the town centre is considered that it is appropriate for it to be in the Action Plan. Therefore it is proposed that it remains as an action. |
|   | Cyclists Touring Club (CTC) - National Cycling Charity | Longer term aspiration to see the ferry replaced by a cycle and pedestrian bridge  | There are currently no plans or funding identified to build such a bridge.<br><br>Therefore it is proposed that it is not included in the Action Plan.  |
| On street/Off street car parking review   | Freebridge Community Housing                           | Develop another multi-storey car park which could release a surface car park for residential development (links to Theme 5)                                    | There is no provision within the Council's Capital Programme to fund a further multi storey car park.<br><br>Historically there were outline plans by NCP to develop a multi storey car park at Church  |

|  |                              |   |  |
|--|------------------------------|---|--|
|  |                              |   | <p>Street (currently a surface car park) but there has been no progress on this. Therefore it would not be appropriate to include a specific reference to this scheme.</p> <p>As there are no plans or funding identified to building a further multi storey car park it is proposed it is not included as an action.</p>  |
| Enhance accessibility through the arterial routes into the town centre | Freebridge Community Housing | Management of deliveries, particularly the size of lorries during peak times  | <p>Norfolk County Council's opinion is that such an initiative would need to be developed in partnership with freight operators/hauliers and town centre businesses. It is likely to require a freight consolidation centre to enable goods to be transferred to smaller vehicles and may also require a local by law or traffic order.</p> <p>It is not known if the size of delivery vehicles and time of deliveries are having an impact on the economy of the town centre nor whether there is any support for (or resistance to) such proposals.</p> <p>It is proposed that it is raised with the Town Centre Partnership before including it as an action.</p> |
|  | Norfolk Green                | Adequate separation of cars and buses and for financial impact assessments into the benefits of car only and bus only routes. | <p>These are highways issue and the views of Norfolk County Council were sought.</p> <p>Bus lanes and bus only routes require either providing new links such as the bus lane at Hardings Pits/Boal Quay or taking road space away from general traffic. The County Council has implemented bus lanes where these could be achieved but it has proved difficult to implement a comprehensive</p>   |

|                    |   |  |  |
|--------------------|---|--|--|
|                    |   |  | <p>network.</p> <p>There are currently no plans to create additional bus lanes or bus only routes. Therefore it is proposed that there is no specific action identified in the Action Plan.</p>  |
| Additional Actions | Bike Users Group                                    | Include reference to bicycles in the theme title   | It is proposed that cycling is included the theme title so that it would read 'Theme4: A town that is easily accessible: Create a pedestrian and cycle friendly town centre and enhancing public transport and vehicular access and facilities'.   |
|                    | Bike Users Group                                    | Improving the cycling connection between the town centre and Hillington Square/Friars area by introducing contraflow cycling along Tower Street between St James Street and Regents Way. | <p>As this is a highways issue the views of Norfolk County Council were sought. Their response was that such a scheme could be developed if the efficacy was demonstrated and funding identified.</p> <p>The section is approximately 50 metres and is pedestrian only. As the road is narrow (6 metres or less) there may be insufficient space to allow for adequate segregation of users.</p> <p>As it is unlikely to meet the County Council's requirements on efficacy and funding it is proposed that it is not included as an action.</p> |
|                    | Bike Users Group and CTC --National Cycling Charity | Reroute National Cycle Network Route 1 out of the pedestrian shopping zone and thereby removing the 'no cycling' section in the town centre  | <p>The desire to reroute the route is supported. The Borough Council, Norfolk County Council and Sustrans are considering alternative routes.</p> <p>It is therefore proposed that the rerouting of National Cycle Route 1 be included as an action</p>  |
|                    | CTC - National Cycling                              | Extend the Town Centre 20 mph  | As this is highways issue the views of Norfolk   |

|  |                                |   |   |
|--|--------------------------------|---|---|
|  | Charity                        | Zone  | <p>County Council were sought.</p> <p>The County Council's policy is to only implement 20 mph zones in locations where there is a history of personal injury accidents or a particular road safety hazard rather than a blanket approach. Due to budgetary pressures only high priority schemes are being funded.</p> <p>In the light of the County Council's policy it is proposed that this is not included in the Action Plan</p>            |
|  | CTC - National Cycling Charity | Introduce cyclist contraflow on the one way streets in the town centre (South Quay, Tower street, Waterloo Street and east end of Norfolk Street) | <p>As this is a highways issue the views of Norfolk County Council were sought. Their response was that such a scheme could be developed if the efficacy was demonstrated and funding identified.</p> <p>As no work has been undertaken by the County Council there is no evidence that such schemes could be implemented. Therefore it is proposed that they are not included as actions.</p>  |
|  | CTC - National Cycling Charity | Upgrade the key 'cycle gateways' to increase cycle capacity (South Quay/Boal Street, London Road/Millfleet, Blackfriars Road/St James Street)     | <p>As this is a highways issue the views of Norfolk County Council were sought. Their response was that such a scheme could be developed if the efficacy was demonstrated and funding identified.</p> <p>Given the County Council position it is likely that this would only be considered if there were other works planned for the signals.</p> <p>Given the uncertainty on if and when such works might happen it is proposed that it is</p> |

|  |  |  |                            |
|--|--|--|----------------------------|
|  |  |  | not included as an action. |
|--|--|--|----------------------------|

| Theme 5: A place for people to live, work and socialise |                                |  |   |
|---|--------------------------------|--|---|
| Action  | Organisation                   | Comment/Observation  | Response  |
| Offer Car Parking promotions                            | Bike Users Group               | Redirect some of the funding for car parking promotions to improve the cycle parking facilities  | <p>Cycle parking facilities have been provided at a number of locations throughout the town centre and most recently as part of the enhancement of the Tuesday Market Place.</p> <p>The Borough Council will work with Norfolk County Council and the CTC -National Cycling Charity and the Bike Users Group to review the provision and location of cycle parking facilities</p>   |
|   | CTC - National Cycling Charity | Encouragement of a shift of travel mode from car to cycling.   | <p>The Borough Council and Norfolk County Council have made significant investment over the years to improve the cycle links to the town centre and cycle parking within the town centre.</p> <p>As promotion of cycling rests predominantly with the County Council their views were sought. The County Council advised that they no longer employ staff to promotion cycling nor have any funding available. Therefore it is proposed that this is not included as an action.</p> |
| Additional Actions                                      | Freebridge Community Housing   | The Empty Homes Strategy and Living Over the shop provides an opportunity to enhance and bring buildings back into use and extend activities in the town centre into the early evening | <p>The principle of encouraging and facilitating more people to live in the town centre is central to this theme.</p> <p>The Council has an Empty Homes Strategy and works with Freebridge to bring long term empty properties back into use. The Empty Homes Strategy has an Action Plan so there is no need to repeat those actions here.</p>   |

| Theme 6: Events and promotion  |                               |   |   |
|--|-------------------------------|---|---|
| Action   | Organisation                  | Comment/Observation   | Response  |
| Work with Vancouver Quarter to develop a calendar of events and activities for the town centre | King's Lynn Arts Centre Trust | Greater co-ordination of events to avoid clashes and spread the offer so as to maximise the impact. | <p>Upcoming events are reported at the King's Lynn Town Centre Partnership. In order to maximise the impact the King's Lynn BID proposed developing a comprehensive marketing plan including a programme of events and activities. It had established a calendar where events can be posted.</p> <p>However following the unsuccessful attempt to establish the BID it is not clear how this will be co-ordinated in the future.</p> <p>It is proposed that the action remains and encapsulated in a reworded action of 'Marketing and promoting the town both in and out of the area'.</p> |
| Marketing of King's Lynn beyond the immediate catchment  | Bike Users Group              | Produce and circulate a Historic King's Lynn Circular Cycle Tour leaflet.                           | This may link in with the evolving marketing plans of the Town Centre Partnership. It is proposed that the Bike Users Group be invited to discuss the idea with the Town Centre Partnership before it is included in the Action Plan  |
| Additional Actions   | King's Lynn Arts Centre Trust | Creation a pool of volunteers across the heritage attractions                                       | This could be linked to the Time Credit programme delivered by the West Norfolk Partnership. It is proposed that the Arts Centre Trust should be encouraged to contact the local Co-ordinator to discuss the idea before it is included in the Action Plan.   |

| Other Comments and Observations |                                     |  |  |
|---------------------------------|-------------------------------------|--|--|
|                                 | King's Lynn Town Centre Partnership | The King's Lynn Town Centre Partnership fully supports the concept of a Town Centre Action |  |

|  |                        |  |  |
|--|------------------------|--|--|
|  |                        | Plan and the actions to create a vibrant, prosperous and thriving town centre. The Partnership acknowledges the need to confront the challenges facing the town centre and welcomes working closely with the Borough and other relevant authorities on a variety of initiatives to ensure King's Lynn town centre has the successful future. |  |
|  | Norfolk County Council | Any town centre improvements and actions should include an assessment on the proposed town centre transport strategy and the Air Quality Management Area.  | It is the responsibility of the individual projects/initiatives to undertake the necessary consultations and therefore should not form part of this Action Plan. |

# King's Lynn Town Centre Action Plan

*A framework and actions for a successful Town Centre*

**June 2014**

Borough Council of  
**King's Lynn &  
West Norfolk**





## Foreword

Successful, vibrant, attractive town centres are a key factor in creating a “sense of place” amongst local communities and a pride in their “home town”. However, traditional retail sectors) face a number of very significant challenges. This is particularly the case for medium sized town centres such as King’s Lynn. The threats to the economic vitality and viability of town centres like King’s Lynn include:

- Rapid and ongoing increase in market share of on-line retailing.
- Out of town centre retail parks such as those found on the Hardwick Road.
- Competing, often larger, retail destination such as Cambridge, Norwich and Peterborough.
- Major out of town centre supermarkets offering a “town centre in one store”.

There is a growing consensus amongst retail analysts that to thrive in the future town centres must change and adapt. Nevertheless, town centres and indeed retail as a sector have always been dynamic and ever changing and King’s Lynn itself has seen many changes over the years.

The Borough Council is committed to playing its part in helping to develop the undoubted potential that is evident in King’s Lynn to successfully adapt by raising the quality and significantly broadening of the overall town centre ‘visitor offer’ (the mix of retail, culture, arts, leisure, public space and amenity) by maximising the potential of the town’s retail, heritage and waterfront assets is crucial to retaining and enhancing the competitive edge of King’s Lynn as a sub regional centre.

In response to this the Council has developed a Town Centre Action Plan which sets out how the economic potential of the catchment population of 200,000 people and the wider visitor markets can be realised in terms of spend and how additional activity and investment can be secured.

The Town Centre Plan draws together the priorities and plans set out in other policy documents, the Council’s capital programme and activity of other partner organisations to one place so as to create a holistic approach to attracting more people to the town centre by facilitate amenity improvement, attracting investment in a wider range of retail, culture and leisure based economic activity, encouraging housing development, and creating quality public spaces. It will also contribute to attracting wider economic investment based on the quality of place and the range of amenities and the wider King’s Lynn “offer” to residents, visitors and business.

This is not a new strategy. The Local Development Framework Core Strategy, in conjunction with the Sustainable Community Strategy and the evidence base of the Urban Development Strategy, sets out the Council’s vision and objectives for King’s Lynn Town Centre.

## A. The Town Centre Action Plan

In developing the actions and priorities for the plan we engaged with key stakeholders to understand their views on and priorities for the future of the town centre and establish where there are opportunities to work in partnership.

In summary, there was a consensus view that in order to respond to the future threats facing the town centre, the town should focus on;

- Utilising the heritage assets to broaden the overall Town Centre offer
- Enhancing the quality of the public realm and increasing activities and places for people to ‘socialise.’
- Developing the markets to broaden the products and offer.

The plan covers the period 2014 to 2017

## 1. Themes of the Town Centre Action Plan

The Town Centre Action Plan has been summarised into 6 themes contained in the Urban Development Strategy;

1. **High Quality Public Realm & Spaces:** *Creating variety and enhancing the quality and distinctiveness of public realm to improve the perception of the town.*
2. **Maximise Historic assets:** *Utilising the town's historic assets to improve the town's regional position in the tourism market.*
3. **Diversify the town centre offer:** *Increasing activity in areas other than the retail area, particularly along the waterfront and varying town centre provision.*
4. **A town that is easily accessible:** *Creating a pedestrian and cycle friendly town centre environment and enhancing public transport and vehicular access and facilities.*
5. **A place for people to live, work and socialise:** *Focusing residential development appropriate to the intimate nature of King's Lynn and in historic core and creating a lively and vibrant environment which meets the needs and aspirations of people of all ages.*
6. **Events & promotion:** *Marketing the town locally and regionally through a variety of small and large activities, events and promotional materials.*

## 2. Town Centre Area

The study area is bound by Boal Street in the south, London Road/Blackfriars Road to the east, North Street in the north and the River Great Ouse in the west. This covers the main town centre zones of retail, leisure and heritage as well as the main car parks and transport interchanges.



**B Action Plan**

**Theme 1: High Quality Public Realm & Spaces:** *Creating variety and enhancing the quality and distinctiveness of public realm to improve the perception of the town.*

| Actions  | Timescales             | Estimated Costs                | Funding Sources  | Lead Organisation(s)   | Progress  |
|--|------------------------|--------------------------------|--|--|---|
| 1 Enhancement of the Saturday Market Place   | 2014/2015              | £640,000                       | Borough Council<br><br>Heritage Lottery Fund<br><br>HLF Townscape Heritage Initiative                                  | Borough Council (Commercial Services)  | The final scheme has been agreed with stakeholders and successfully grant aided by Heritage Lottery Fund and Townscape Heritage Initiative. Work commenced in August 2014 and is expected to be completed by mid-November 2014.           |
| 2 Removal of street clutter  | On going               | From within existing resources | Borough Council<br><br>Norfolk County Council  | Borough Council (Commercial Services)<br><br>Norfolk County Council (Highways) | Where possible de-cluttering of the Tuesday Market Place and Saturday Market Place was undertaken as part of the enhancement works. Information Advertising Pillars have been removed from three locations.                               |
| 3 Improve the public areas by providing and maintaining quality street furniture and paving                | 2014 onwards           |                                | £10,000 Section 106 contribution (Tesco Campbell's Meadow)<br><br>Associate works as part of other enhancement schemes | Borough Council (Commercial Services)  | New street furniture has been provided as part of the works on Tuesday Market Place and Saturday Market Place and in other locations as the opportunities have arisen.  |
| 4 Regenerate the southern part of Town Centre – buildings and public realm (Townscape Heritage Initiative) | Summer 2014 until 2019 | £2,500,000                     | £1m HLF Townscape Heritage Initiative<br><br>£1m Borough Council<br><br>£0.5m property owners contributions            | Borough Council (Regeneration & Economic Development)                          | An HLF award of £1 million has been confirmed for the Townscape Heritage Initiative (THI) scheme. This is being matched £1 for £1 by the Council. This grant scheme for property owners to apply for grants to repair their buildings was |

|   |   |              |  |   |   |   |
|---|---|--------------|--|---|---|---|
|   |   |              |  |   |   | formally launched in September 2014.  |
| 5 | Promote and undertake planting in the Town Centre   | Annually     | From within existing resources                               | Borough Council   | Borough Council (Commercial Services)   | Planting in the Town Centre and on the approaches continues to be provided and has been supplemented through the Arts Cities & Landscape project.   |
| 6 | Improvements to car park information  | Summer 2014  | £100,000   | £100,000 Section 106 contribution (Tesco Campbell's Meadow)                             | Borough Council (Commercial Services)   | Variable Message signage has been installed on the three main approach routes to the Town Centre.   |
| 7 | Arts Cities & Landscape Project   | 2014/15      | £200,000   | European Interreg Programme<br><br>Maison de la Culture d'Amiens<br><br>Borough Council | Borough Council (Commercial Services)   | Town Centre has benefitted from eight art and landscape projects. An opening weekend was held in July and included street entertainment and a continental market.   |
| 8 | Lighting of key historic and landmark buildings such as South Gates, King's Lynn Minster and the former Post Office   | 2015/16      | Not known at this time                                       | Yet to be identified  | Borough Council (Commercial Services)   | Following the success of the lighting of the Custom House plans are being developed to potentially light other buildings.   |
| 9 | Improvements to key buildings and gateways to the Town Centre including railway and bus stations, southern side of the town centre, Saturday Market Place and the Town Hall | 2014 onwards | Costs will relate to the individual initiatives and projects |   | Borough Council (Planning, Commercial Services and Regeneration and Economic Development)<br><br>Individual property Owners | Network Rail has completed a major refurbishment of the Railway Station. Funding has been secured for improvements to Saturday Market Place and the Town Hall and for key buildings in the parts of St Margaret's Conservation Area. Plans for improvements to the bus station are being developed. |

**Theme 2: Maximise Historic assets:** *Utilising the town's historic assets to improve the town's regional position in the tourism market.*

| Actions   | Timescales | Estimated Costs                                     | Funding Sources  | Lead Organisation(s)   | Progress  |
|---|------------|---|--|--|---|
| 1 Improvements to the Town Hall to increase public access and expand the role of the Town Hall as a stronger attraction | 2014/2015  | £2,300,000  | £500,000 Borough Council<br><br>£1.7m Heritage Lottery Funds<br><br>£100,000 Other contributions | Borough Council (Commercial Services)  | A successful HLF grant of £1.85m has been obtained and work is anticipated to start in Spring 2015 for completion November 2015.  |
| 2 Explore the options to improve the Waterfront including South Quay, Purfleet and Boal Quay/Hardings Pits              | 2014/15    |   | In kind contributions through staff resources from Borough Council                               | Borough Council (Regeneration & Economic Development)                                  | 'Early day' discussions have been held with potential developers/investors for the Sommerfeld and Thomas building and Purfleet House. Planning permission for a mixed residential/commercial use has been granted for the former Silo site. The Purfleet and the South Quay are the locations for 6 of the art installations through the Arts Cities & Landscape project. |
| 3 Explore having consistent Sunday opening times across the heritage attractions  | 2015       |   | In kind contributions through staff resources from Borough Council and other stakeholders        | Borough Council (Commercial Services and Regeneration & Economic Development)          |   |
| 4 Promote Heritage Open Day   | 2015       | £2,500 and in kind contributions from Civic Society | Borough Council  | King's Lynn Civic Society<br><br>Borough Council (Regeneration & Economic Development) | Heritage Open Day 2014 was held in September when some 50 properties were open to the public, including some for the first time, along with a number of concerts and performances, exhibitions and walks. The event   |

|   |  |           |   |  |  |
|---|--|-----------|---|--|--|
|   |  |           |   |  | cross promoted the Classic Car Rally as well as the Art Cities & Landscape installations.  |
| 5 | Maximise the use of the refurbished Tuesday Market Place as a venue for events | 2014/2017 | Costs will be associated with individual events |  | Borough Council (Commercial Services)<br>Events that have occurred so far this year have included the Mart, Festival Too, Freedom Ceremony, GEAR and Round the World in 80 Dishes. A programme of further events is being developed. |

**Theme 3: Diversify the town centre offer:** *Increasing activity in areas other than the retail area, particularly along the waterfront and varying town centre provision*

| Action  | Timescales   | Estimated Costs | Funding Sources   | Lead Organisation(s)   | Progress   |
|---|--------------|-----------------|---|--|--|
| 1 Improve the viability and attractiveness of the Markets                   | 2014         | £30,000         | £90,000 Section 106 contribution (Tesco Campbell's Meadow)  | Borough Council (Commercial Services)  | A Markets Task Group has been established and produced an Action Plan. Most of the proposals have been accepted for implementation over the coming year.   |
| 2 Explore increasing the retail/leisure offer by up to 20,000 square metres | 2014 onwards |                 | In kind contributions through staff resources from Borough Council and resources from landowner/developer | Owners and developers<br>Borough Council (Regeneration & Economic Development) | Following the sale of the Vancouver Quarter the new owners are reviewing their plans for the possible extension of the centre.   |
| 3 Explore the options to bring key buildings and sites back into use.       | 2014/16      |                 | In kind contributions through staff resources from Borough Council  | Borough Council (Regeneration & Economic Development)                          | The Council's Derelict Land and Property Group targets empty land and buildings with the aim to bring them back into use. There were 8 town centre properties on the register. 2 properties have come back into commercial use and will be taken off the register, 3 are being addressed through the THI scheme, 2 are currently on the market and the discussion are being held with the Preservation Trust on the last building. |
| 4 Market the opportunity to bring a ship into the Outer Purfleet            | On going     |                 | In kind contributions through staff resources from Borough Council  | Borough Council (Property Services)  | The opportunity is marketed through the Property pages on the Council's website. There have been exploratory discussions with potential operators.   |



|   |   |        |        |                 |   |  |
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| 5 | Promote the pontoon facilities for visiting vessels | annual | £2,000 | Borough Council | Borough Council (Regeneration & Economic Development) | The pontoon facilities are promoted on the Visit West Norfolk and Sail the Wash websites. The Sail the Wash website had 16,000 visits in the first month. A new Sail the Wash leaflet was produced in spring 2014 and distributed to marinas, clubs, libraries and TICs on the coast and inland waterways. Occupancy rate in Year 1 will be close to target. |
|---|---|--------|--------|-----------------|---|--|

**Theme 4: A town that is easily accessible:** *Creating a pedestrian and cycle friendly town centre and enhancing public transport and vehicular access and facilities.*

| Action   | Timescales                  | Estimated Costs                | Funding Sources  | Lead Organisation(s)   | Progress   |
|--|-----------------------------|--------------------------------|--|--|--|
| 1 Improve the public transport facilities at the bus station and strengthen the pedestrian and cycling link between the bus and railway stations | 2014 -15                    | £1,200,000                     | £50,000 Section 106 contribution (Sainsbury)<br><br>£500,000 Section 106 contribution (Tesco Campbell's Meadow)<br><br>£200,000 Norfolk County Council | Borough Council (Commercial Services and Regeneration & Economic Development)<br><br>Norfolk County Council (Highways) | Public consultation and discussions with the key stakeholders were carried out during June and July 2014. Planning application was submitted in August 2014 with work planned to start on site towards the end of the year                         |
| 2 Improve the visitor information at railway station   | Spring 2014                 | From within existing resources | Borough Council  | Borough Council (Regeneration & Economic Development)  | New visitor information via four information posters was provided as part of the station refurbishment.  |
| 3 Improve the visitor information at car parks   | 2014/15                     | £25,000                        | £25,000 Section 106 contribution (Tesco Campbell's Meadow)   | Borough Council (Commercial Services and Regeneration & Economic Development)  | Design for the new car park arrival information has been drafted with the content linked to the updated pedestrian signage scheme. The first location for the new boards will be Tuesday Market Place with other locations to follow by April 2015 |
| 4 Increase the parking provision at West Lynn Ferry  | When the opportunity arises | £400,000                       | Developer contributions  | Borough Council (Regeneration & Economic Development)  |  |
| 5 Enhance accessibility on the main routes into the town centre.   | Ongoing                     | Costs dependent on schemes     |  | Norfolk County Council (Highways)  | The County Council has identified a package of highway improvements for roads within the town centre and on the main approaches. The schemes are currently programmed for post   |

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|   |   |         |           |   | 2016/17 and will be dependent on securing the funding.   |   |
| 6 | Reroute National Cycle Route 1 so as to remove the 'no cycling' section through the town centre | 2014/15 | Not known | Sustrans<br>Norfolk County Council (Highways)   | Sustrans<br>Norfolk County Council (Highways)  | Following discussions with Sustrans Norfolk County Council will be taking forward the signing of the new route. |
| 8 | Review the provision and location of cycle parking facilities                                   | 2014/15 |           | In kind contributions through staff resources from Borough Council and Norfolk County Council | Borough Council (Commercial Services)<br>Norfolk County Council (Highways)<br>CTC- National Cycling Charity and Bike Users Group | Meeting with the Cycle Forum to start the review took place in September 2014.                                  |

**Theme 5: A place for people to live, work and socialise:** *Focusing residential development appropriate to the intimate nature of King's Lynn and in historic core and creating a lively and vibrant environment which meets the needs and aspirations of people of all ages.*

| Action   | Timescales | Estimated Costs   | Funding Sources   | Lead Organisation(s)                  | Progress  |
|--|------------|-------------------|---|---------------------------------------|---|
| 1 Redevelopment of the former Pilot Cinema site                  | 2014       | Not known         | Freebridge Community Housing<br><br>Homes and Community Agency<br><br>Borough Council | Freebridge Community Housing          | Work has started on 25 new homes which will be a mixture of one and two bedroom houses and flats. They will be ready to move into at the start of next year |
| 2 Conversion and reuse of the former Post Office, Baxter's Plain | Not known  | Not known         | Private finance   | Owner/Developer                       | Planning permission for mixed residential/retail uses has been granted and the building is being marketed.  |
| 3 Redevelopment of the silo site, South Quay                     | Not known  | Not known         | Private finance   | Owner/Developer                       | Planning permission for residential and commercial uses has been granted.   |
| 4 Town Centre promotions   | 2014-16    | £100,000 per year | Borough Council   | Borough Council (Commercial Services) | Promotions have been linked to the current programme of events. The current focus is to plan and arrange events which can be linked to parking promotions   |
| 5 Development of the housing site at Baker Lane/Queens Street    | 2014-15    | Not known         | Private finance   | Developer                             | The site has planning permission for a mix of residential and commercial uses.  |

**Theme 6: Events & promotion:** *Marketing the town locally and regionally through a variety of small and large activities, events and promotional materials.*

| Action  | Timescales  | Estimated Costs | Funding Sources  | Lead Organisation(s)                                  | Progress  |
|---|-------------|-----------------|--|---|---|
| 1 Marketing and promoting the town both in and out of the area  | 2014-17     | £35,000         | £35,000 Section 106 contribution (Tesco Campbell's Meadow)         | Borough Council (Regeneration & Economic Development) | Promotional work is planned to commence spring 2015. First opportunities being investigated are for rail network advertising to promote trips to King's Lynn.   |
| 2 Develop a calendar of events and activities for the town centre   | 2014-17     | £15,000         | £15,000 Section 106 contribution (Tesco Campbell's Meadow)         | Borough Council (Commercial Services)                 | The Council and the Town Centre Partnership are compiling a yearlong calendar of events planned for the town centre.  |
| 3 Promote the investment opportunities and town centre offer via the new inward investment website  | Summer 2014 |                 | In kind contributions through staff resources from Borough Council | Borough Council (Regeneration & Economic Development) | The design and content of the pages is being developed.   |
| 4 Organise and promote the Bepak GEAR 10k run   | Annually    |                 | Borough Council<br>Bepak sponsorship<br>Entry fees                 | Borough Council (Commercial Services)                 | In 2014 there were 2,100 entrants for the main race and 838 for the mini GEAR. Discussions are taking place with Bepak with regard to continuing their sponsorship for a further three years.   |
| 5 Continue to produce and circulate a series of leaflets including Discover King's Lynn, King's Lynn Mini Guide, Maritime & Pilgrims trails & Hanseatic King's Lynn | Annually    | 12,500          | Borough Council  | Borough Council (Regeneration & Economic Development) | Discover King's Lynn print and distribution was increased to 120,000 copies in 2014. In total over 180,000 King's Lynn leaflets and trail guides have been produced and circulated both through the TICs, local attractions and hotels as well as more widely |

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|    |  |          |         |  |   | across parts of East Anglia and East Midlands  |
| 6  | Continue to promote and deliver the Ambassador Programme | Annually | £2,000  | Borough Council  | Borough Council (Regeneration & Economic Development) | Five courses have been delivered this year. 88 delegates attended the courses.   |
| 7  | International Hanse Day                                  | May 2015 | £16,500 | Borough Council  | Borough Council (Regeneration & Economic Development) | Following the success of the 2014 International Hanse Day plans are being developed for the 2015 event. The intention is run a Hanse business event in the week leading up to International Hanse Day. |
| 8  | Deliver a programme of historic guided walks             | Annually |         | Ticket receipts and in kind contributions from the Town Guides | King's Lynn Town Guides                               | A programme of over 90 regular walks is held between May and October   |
| 9  | Festival Too   | Annually | £25,000 | Sponsorship & donations  | Festival Too  | Festival Too 2014 has been held with an estimated audience of circa 35,000. The 2015 programme is being developed  |
| 10 | King's Lynn Festival                                     | Annually | £35,000 | Sponsorship & box office receipts                              | King's Lynn Festival                                  | Festival 2014 has been held and the 2015 programme is being developed  |

**REPORT TO CABINET**

|   |                                     |   |                 |                                    |
|---|-------------------------------------|---|-----------------|------------------------------------|
| <b>Open</b>   |                                     | Would any decisions proposed :  |                 |                                    |
| <b>Any especially affected Wards St Margaret's with St Nicholas</b>                                     | Mandatory                           | (a) Be entirely within cabinet's powers to decide NO<br>(b) Need to be recommendations to Council YES<br>(c) Be partly for recommendations to Council NO<br>and partly within Cabinets powers – |                 |                                    |
| Lead Member: Cllr Vivienne SpikingsE-mail: cllr.Vivienne.Spikings@West-Norfolk.gov.uk                   |                                     | Other Cabinet Members consulted:  |                 |                                    |
|   |                                     | Other Members consulted:  |                 |                                    |
| Lead Officer: Neil Langley E-mail: neil.langley@west-norfolk.gcsx.gov.uk<br>Direct Dial: (01553) 616449 |                                     | Other Officers consulted: Geoff Hall & Stuart Ashworth  |                 |                                    |
| Financial Implications<br>NO  | Policy/Personnel Implications<br>NO | Statutory Implications<br>NO  | EIA req'd<br>NO | Risk Management Implications<br>NO |

Date of meeting: **07 October 2014**

**3 COMPULSORY PURCHASE ORDER – LAND REAR OF BLACKFRIAR'S ROAD, KING'S LYNN, NORFOLK, PE30 1NR**

**Summary**

The purpose of this report is to seek approval for the Council to make use of the powers available to local authorities under Section 226 of the Town and Country Planning Act 1990 (as amended) by promoting a Compulsory Purchase Order for Land Rear Of 7 Blackfriar's Road, King's Lynn, Norfolk, PE30 1NR ("the Order Land") to facilitate the carrying out of development in accordance with the Scheme.

**Recommendation**

That the Executive Director (Environment and Planning), in consultation with the Portfolio Holder for Development, be authorised to promote a Compulsory Purchase Order for the acquisition of Land Rear Of 7 Blackfriar's Road, King's Lynn, Norfolk, PE30 1NR ("the Order Land"), with a view to its subsequent disposal.

To authorise the Legal Services Manager and Monitoring Officer to make minor amendments, modifications or deletions to the CPO schedule of interests and map, should this be necessary, and to finalise the making and submission of the CPO, including promoting the Council's case at public inquiry, if necessary.

Subject to confirmation by the Secretary of State to authorise the Legal Services Manager and Monitoring Officer to secure full title to and possession of the Order Land as appropriate by:

- i. Serving notice of confirmation of the CPO on all interested parties;
- ii. Serving notice of intention to execute a General Vesting Declaration;

- iii. Executing the General Vesting Declaration;
- iv. Serving Notices to Treat and/or Entry as appropriate.

Subject to confirmation by the Secretary of State to authorise the Legal Services Manager and Monitoring Officer to enter into an Indemnity Agreement which (*inter alia*) indemnifies the Council in respect of its costs in promoting the Order, including any compensation liabilities arising from the exercise of the compulsory purchase powers.

To authorise the Legal Services Manager and Monitoring Officer to dispose of the Order Land to such person, in such manner and subject to such conditions as appears to be expedient, in order to secure the best use of that the Order Land and any buildings or works which are to be constructed or carried out on it (whether by themselves or by any other person).

That the Executive Director (Environment and Planning) approves that the proceeds from the sale of the property is used for further acquisitions.

#### **Reasons for Decision**

The Council considers that the compulsory purchase of the Order Land will facilitate the carrying out of development in accordance with the Scheme, which will support the existing use of 7 Blackfriar's Road, King's Lynn, Norfolk, PE30 1NR in accommodating and providing for the needs of those struggling with independent living.

The Scheme will have a positive contribution to the character and appearance of the street scene and surrounding area and promote the social and environmental well-being of the area for the reasons explained in this report.

### **1.0 Introduction**

- 1.1 The Borough Council of King's Lynn & West Norfolk ("the Council") has made The Borough Council of King's Lynn & West Norfolk (Land Rear of 7 Blackfriar's Road, King's Lynn, Norfolk, PE30 1NR) Compulsory Purchase Order 2014 which is to be submitted to the Secretary of State for confirmation. The Order has been made under Section 226 of the Town and Country Planning Act 1990 (as amended).
- 1.2 The Developer is Freebridge Community Housing ("Freebridge"), a "Registered Provider" in accordance with the definition provided under section 80 of the Housing and Regeneration Act 2008. Freebridge currently own no. 7 Blackfriar's Road, King's Lynn, Norfolk, PE30 1NR a key asset to the organisation, that was secured under the HCA's Empty Homes programme and has since been restored and adapted to accommodate and provide for the needs of those struggling with independent living. The property is now providing accommodation of up to four individuals who with the assistance of The Purfleet Trust have the benefit of an educator to assist with the challenges this poses.



- 1.3 One of the difficulties experienced when operating this facility is the lack of amenity space for parking and storage. Freebridge therefore seeks to acquire the Order Land to carry out the Scheme, as detailed under Paragraph 6.0 of this report, to facilitate much needed amenity space for parking and storage.
- 1.4 Freebridge do not presently own and/or control all/any of the Order Land and do not have the power to compulsory purchase land. Therefore if they need to acquire land in this way for development purposes they will need to work in partnership with the Council, which has the power to promote the compulsory purchase of the Order Land to facilitate the Scheme under the provisions of Section 226(1)(a) or Section 226(1)(b) of the Town & Country Planning Act 1990 (as amended).
- 1.5 This Statement of Reasons is a non-statutory document. It sets out the reasons why the powers of compulsory purchase contained in the Order are necessary and why there is a compelling case in the public interest for the Order to be confirmed by the Secretary of State.
- 1.6 This Statement is not intended to constitute the Council's Statement of Case for the purpose of the Compulsory Purchase (Inquiries Procedure) Rules 2007.

## **2.0 Description of Land Rear of 7 Blackfriar's Road, King's Lynn, Norfolk, PE30 1NR ("the Order Land")**

- 2.1 The Order Land is situated at the rear of 7 Blackfriar's Road, King's Lynn, Norfolk, PE30 1NR, and within the King's Lynn (Norfolk Street) Conservation Area. The only access to the Order Land is by virtue of a private land situated between nos. 6 & 7 Blackfriar's Road.
- 2.2 The Order Land is approximately 51.33 m<sup>2</sup> in area, contains a disused building and a small area of amenity space to the east of the building and is visible from Blackfriar's Road.

## **3.0 The Enabling Power**

- 3.1 The Council is empowered to promote Compulsory Purchase Orders by virtue of Part IX, Section 226 of the Town & Country Planning Act 1990 (as amended by section 99 of the Planning and Compulsory Purchase Act 2004), which provides:-  
*"(1) A local authority to whom this section applies shall, on being authorised to do so by the Secretary of State, have power to acquire compulsorily any land in their area—*

*(a) if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land, or*

*(b) which is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.”*

- 3.2 Section 226(1)(a) of the 1990 Act allows an authority, if authorised, to compulsorily acquire land in their area for the purposes that Freebridge wish to promote, namely to development the Order Land in accordance with the Scheme. The exercise of this power is however subject to the proviso mentioned in what is commonly known as the well-being power under subsection (1A), which states:-

*“(1A) But a local authority must not exercise the power under paragraph (a) of subsection (1) unless they think that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects—*

- (a) the promotion or improvement of the economic well-being of their area;*
- (b) the promotion or improvement of the social well-being of their area;*
- (c) the promotion or improvement of the environmental well-being of their area.”*

- 3.3 Circular 06/2004 advises that an acquiring authority should only make a compulsory purchase order as a last resort and where there is a compelling case in the public interest to do so. An acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Regard should be had, in particular, to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights. The Council must therefore be satisfied that there is a compelling case in the public interest for confirmation of the Order and that the Order, if confirmed, would strike an appropriate balance between public and private interests/rights.

#### **4.0 Purpose for Compulsory Purchase Order**

- 4.1 The Council has been asked to promote the compulsory purchase of the Order Land by Freebridge to facilitate the acquisition of the Order Land so that it can be development in accordance with the Scheme set out under paragraph 6.0 in this report. Freebridge has carried out reasonable attempts to identify and locate an owner with a view to purchasing the Order Land. However, all attempts have failed, the Order Land is unregistered, not in use and not being maintained, suggesting that it has been abandoned by the current owner.
- 4.2 The Council’s purpose in seeking to acquire the Order Land is to facilitate the development of the Order Land in accordance with the Scheme, which will deliver much needed amenity space for parking

and storage in connection with the current use of 7 Blackfriar's Road. Facilitating acquisition of the Order Land will also prevent any potential future issues in respect of visual amenity impact and/or health and safety due to neglect.

## **5.0 Justification for Compulsory Purchase Order**

- 5.1 The Council will require Freebridge to continue to identify and locate an owner with a view to negotiating purchase of the Order Land in parallel with the compulsory purchase procedure. However, on the basis that all previous attempts to identify and locate the owner have failed it is considered that the only realistic way the Order Land will be purchased, developed and properly maintained is by the Council acquiring it using its CPO powers. In this particular case the Council does not intend to carry out the Scheme, therefore, having acquired the Order Land it intends to pass it directly to Freebridge. The Council needs to have some confidence that any new owner of the Order Land will have the financial resources to carry out the Scheme. Freebridge is fully aware of the costs involved in completing the Scheme and has confirmed all costs are within budget. Moreover a conditional agreement between the Council and Freebridge will be agreed and signed prior to transfer. This agreement will require the Freebridge to apply for any necessary planning permission and complete the Scheme within an agreed timescales.
- 5.2 Circular 06/2004 advises that an acquiring authority should only make a compulsory purchase order where there is a compelling case in the public interest to do so. For the reasons set out above, the Council is satisfied that there is a compelling case in the public interest for confirmation of the order and that the order, if confirmed, would strike an appropriate balance between public and private interests.
- 5.3 Furthermore, the acquisition of the Order Land will contribute towards the current use of 7 Blackfriar's Road and prevent any further neglect of the Order Land. It is therefore consider that the acquisition of the Order Land meets the well-being test as it will promote and improve the social and environmental well-being of the area.
- 5.4 The Council recognises the Circular advice that the compulsory purchase of land is intended as a last resort in the event attempts to acquire by agreement fail. However the Council also recognises that the guidance nevertheless encourages acquiring authorities to initiate the formal CPO procedure in parallel with negotiations. Accordingly, in this particular case where a Council is unable to locate an owner initiating the formal CPO procedure cannot be regarded as disproportionate.
- 5.5 As reported above Freebridge intend to continue to identify and locate the current owner with a view to pursuing a twin track approach of negotiation of purchase alongside the CPO process.

## **6.0 Proposal for use and development of the Order Land (“the Scheme”)**

6.1 It is intended that the current asbestos sheet roofed building will be refurbished to form the garage and storage space Freebridge seek to support the on-going use of 7 Blackfriar’s Road. Being attached to the enclosed rear garden direct access will be provided from the garage to the same. This is something that is considered to be fundamental to the continued use of 7 Blackfriar’s Road and the on-going commitment to provide opportunities and develop homes for those living and working within the Borough.

6.2 The materials to be used will be in keeping with 7 Blackfriar’s Road and the surrounding area, which will have a positive contribution to the area.

## **7.0 Planning Considerations**

7.1 The Scheme has been prepared in the context of the national, regional and local planning policy framework. The policies of particular relevance to the Scheme are set out below.

### **7.2 National Planning Policy**

7.2.1 Higher level planning policy is guided by the National Planning Policy Framework (NPPF). The NPPF endorses and promotes the following principles which are particularly relevant to this proposed CPO:

- Requiring good design
- Conserving and enhancing the historic environment

7.2.2 In addition to the above significant weight should be given to the following:

7.2.2.1 Significant weight is given to the fact that the Land was identified by a Corporate Team called the Derelict Land and Buildings Group that consists of a team of representatives from various departments, formed with the purpose of identifying and bringing back into use derelict land and buildings. The group operates in accordance with Corporate Strategic Policies.

7.2.2.2 The building, in its current condition is harming the Conservation Area. The purpose of compulsorily acquiring the Order Land is to facilitate the Scheme, which seeks to preserve and enhance this part of the Conservation Area, for which the Council has a statutory duty to meet.

### 7.3 Local Planning Policy

#### 7.3.1 King's Lynn and West Norfolk Borough Council Local Development Framework - Core Strategy (adopted July 2011)

CS01 – Spatial Strategy  
CS03 – King's Lynn area  
CS08 – Sustainable Development  
CS09 – Housing Distribution  
CS11 – Transport  
CS12 – Environmental Assets

#### 7.3.2 King's Lynn & West Norfolk Local Plan (saved policies) (adopted November 1998)

Policy 4/21 – In settled or built-up areas of town or villages

### 8.0 Funding

8.1 The Council and Freebridge will enter into an Indemnity Agreement which (*inter alia*) indemnifies the Council in respect of its costs in promoting the order, including any legal challenges and compensation liabilities arising from the exercise of the compulsory purchase powers.

8.2 Freebridge has confirmed that all costs are within their annual budget.

### 9.0 Staffing Implications

9.1 Nothing in this report should be construed as effecting staffing implications.

### 10.1 Statutory Considerations

10.2 The Council is empowered to promote Compulsory Purchase Orders by virtue of Section 226 of the Town & Country Planning Act 1990 (as amended) which provides for compulsory acquisition by the appropriate authority of land they think that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objectives—

*(a) the promotion or improvement of the economic well-being of their area;*

*(b) the promotion or improvement of the social well-being of their area;*

*(c) the promotion or improvement of the environmental well-being of their area.”*

10.3 An order made under Section 226 of the Town & Country Planning Act 1990 (as amended) will need to be sent to the Secretary of State for Culture Media and Sport for confirmation.

10.4 It should be noted by Members that the procedure for obtaining a confirmed Compulsory Purchase Order can be complex as it requires

much supporting documentation such as a Statement of Reasons, certificates in support, and for a personal notice of the making of the Order to be served on all interested parties.

## **11.0 The European Convention on Human Rights**

11.1 An acquiring authority should be sure that the purposes for which it is making a compulsory purchase order sufficiently justify interfering with the human rights of those with an interest in the land affected. Regard should be had, in particular, to the provision of Article 1 of the First Protocol to the European Convention on Human Rights. The rights of those that may have an interest in the Order Land have been taken into account by the Council when considering whether to make the order. The Council has also had regard to Articles 6 and 8 of the Convention.

11.2 Article 1 of the First Protocol provides:

- (a) *‘Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.*

*The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with general interest or to secure the payment of taxes or other contributions or penalties’*

11.3 The Council acknowledges that the order, if confirmed by the Secretary of State, will affect Article 1 rights of the current owner. However, there will be no violation of those rights where the steps taken are in the public interest and lawful as required. Furthermore, those directly affected by the order will also be entitled to compensation.

11.4 Article 8 of the Convention provides:

*‘(1) Everyone has the right to respect for his private and family life, his home and his correspondence.*

*(2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the County, for the prevention of disorder or crime, for the protection of health or morals, or the protection of the rights and freedom of others’.*

11.5 Article 8 is a qualified right and interference can be justified in appropriate cases by reference to Article 8(2). The order has been made pursuant to section 226(1)(a) of the 1990 Act which authorises

the Council to acquire land compulsory subject to the procedures laid down in the Acquisition of Land Act 1981. The current owner is not occupying the Order Land and there is a compelling case in the public interest to compulsory purchase the Order Land. In these circumstances, it is considered that the compulsory acquisition of the Order land will not conflict with Article 8 of the Convention.

11.6 Article 6 of the Convention provides:

*‘In the determination of his civil rights and obligation.....everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law’.*

11.7 Those affected by the order have been notified and have the opportunity to make objections and to be heard at a public inquiry before a decision is made on whether or not the order should be confirmed.

11.8 In pursuing the order the Council has carefully considered the balance to be struck between individual rights and the wider public interest. To the extent that the order would affect a person’s individual rights, the proposed interference with them would be in accordance with the law, being appropriate, proportionate and necessary in the public interest in order to secure social and environmental well-being.

11.9 All those whose Article 1, Article 6 and Article 8 rights would be affected by the order will have an opportunity to object to it and to have their objection considered at an independent and Public Inquiry.

11.10 Appropriate compensation will be available to those entitled to claim it under the relevant provisions of the national Compensation Code.

## **12.0 The Equality Act**

12.1 The Council must also have due regard to the provisions of the Public Sector Equality Duty (PSED) contained in the Equality Act 2010. Amongst other things, this requires consideration to be given to the need to eliminate unlawful discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who share protected characteristic and people who do not share it.

12.2 It is not known that the landowner falls within one of the protected characteristics and moreover it does not follow from the PSED that compulsory purchase action should not be taken. Based on the contents of this report and given the adverse impact the condition of the Land is having on the amenity, it is not considered that the requirement to have due regard to meet the needs of people with protected characteristics it of sufficient weight in this instance to justify taking no action.

12.3 On balance and for the reasons set out in this report, it is considered proportionate, reasonable and justifiable to use compulsory purchase order powers to facilitate the compulsory purchase of the Land.

### **Background Papers**

ODPM Circular 06/2004: COMPULSORY PURCHASE and THE CRICHEL DOWN RULES.

Town and Country Planning Act 1990 (as amended)

The Acquisition of Land Act 1981

The European Convention on Human Rights

Compulsory Purchase (Inquiries Procedure) Rules 2007

CLG Circular 01/08 "The Compulsory Purchase (Inquiries Procedure) Rules 2007"

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

King's Lynn & West Norfolk Core Strategy

### **Annex**

Annex 1. Order Plan

Annex 2. Photos

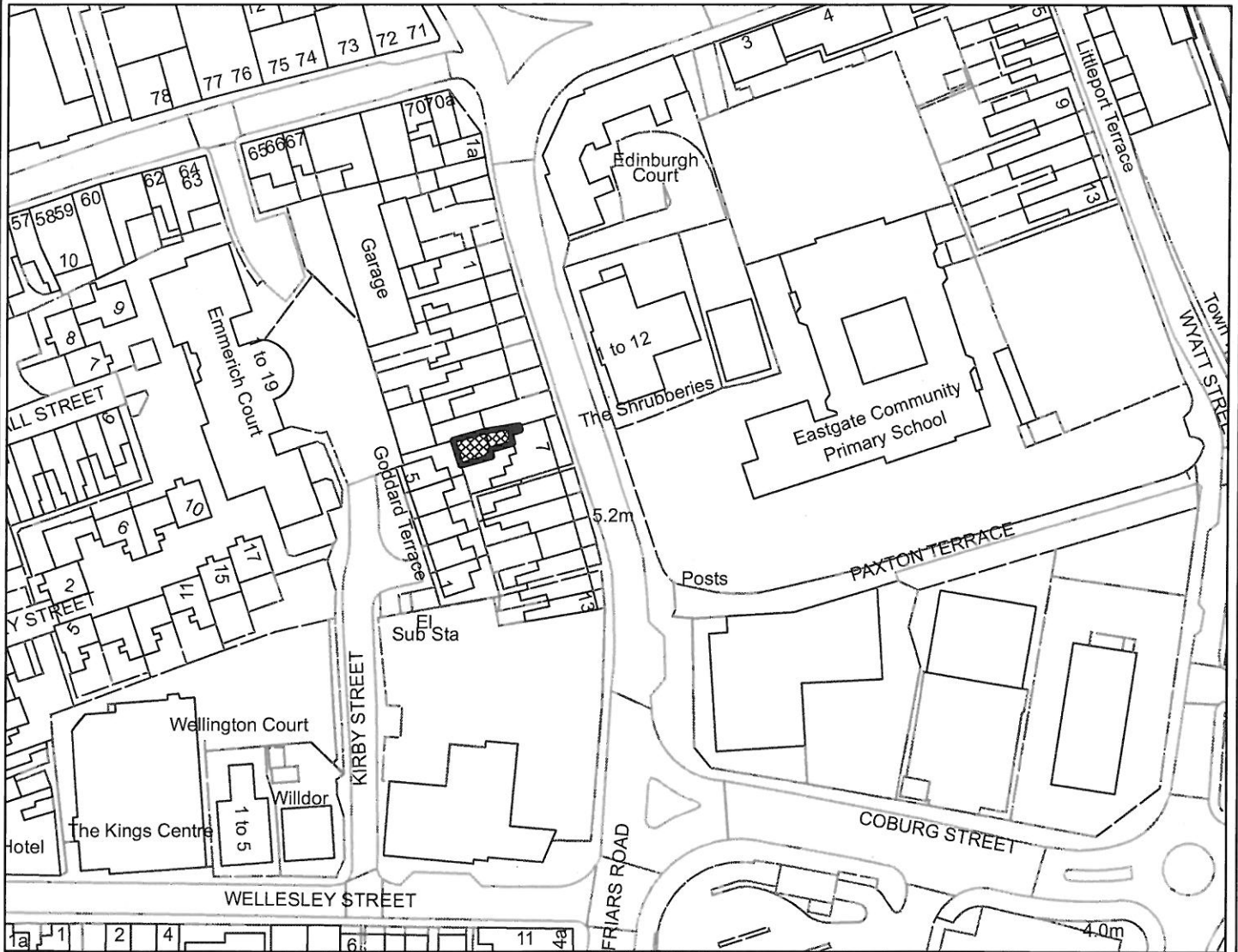
Annex 3. Proposed New Site Layout



# Annex 1

## Order Plan

14/00109/OTHER - 7 Blackfriars Road King's Lynn



Scale: 1:1,250

### Legend

Borough Council of  
King's Lynn &  
West Norfolk



|              |            |
|--------------|------------|
| Organisation | BCKLWN     |
| Department   | Department |
| Comments     | 1:1250     |
| Date         | 28/08/2014 |
| MSA Number   | 0100024314 |

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Annex 2

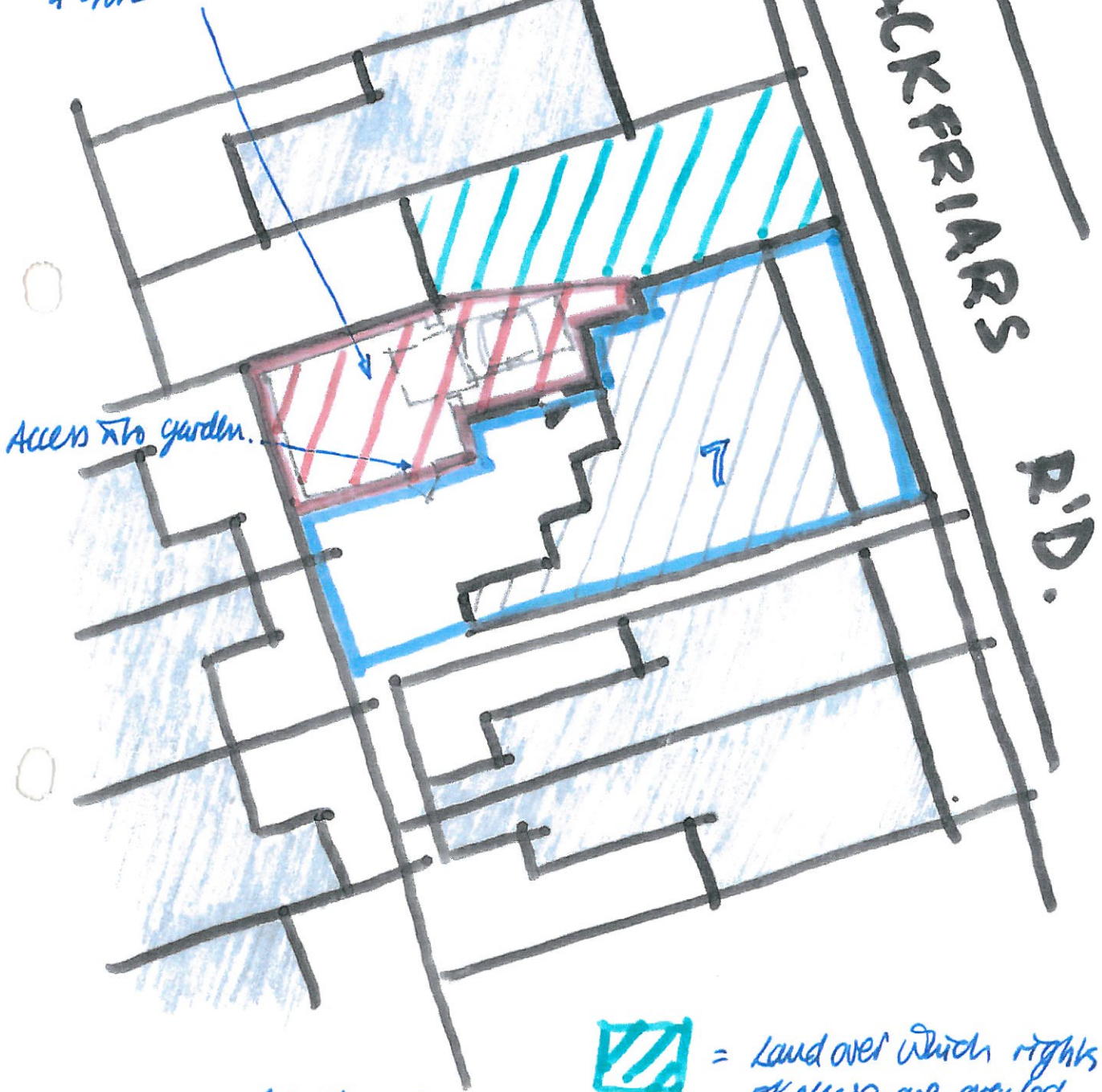








Potential conversion of existing  
building into single garage  
& store




BLACKFRIARS  
R.D.

Access to garden.


7

7 Blackfriars Rd Kings Lynn  
Conversion of existing building into  
single garage & associated parking.

Scale 1:1:200 Mar 14

 = Land over which rights of access are granted

 = Development Area.

 = Adjoining area owned by Freeport Community Housing.