

**BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK****CABINET**

**Minutes from the Meeting of the Cabinet held on  
Tuesday, 4 November 2014 at 5.30pm in the Committee Suite, King's  
Court, Chapel Street, King's Lynn**

**PRESENT:** Councillor N J Daubney (Chairman)  
Councillors A Lawrence, B Long, Lord Howard, Mrs E Nockolds,  
D Pope and Mrs V M Spikings.

An apology for absence was received from Councillor A Beales

CAB86: **SUSPENSION OF STANDING ORDER 36 – RECORDING OR  
BROADCASTING OF MEETINGS**

**RESOLVED:** That 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.

CAB87: **MINUTES**

**RESOLVED:** The Minutes of the Meeting held on 7 October 2014 were approved as a correct record and signed by the Chairman.

CAB88: **URGENT BUSINESS**

There was no urgent business.

CAB89: **DECLARATIONS OF INTEREST**

Councillor Mrs Spikings declared a pecuniary interest in item CAB95 below, Site Allocations and Development Policies - relating to items on Outwell/Upwell and Terrington St Clement, and item CAB96 below Community Infrastructure Levy – Consultation on Preliminary Draft Charging Schedule. She left the meeting during consideration of the items.

Councillor Lord Howard declared a pecuniary interest in item CAB95 below, Site Allocations and Development Policies relating to the Knights Hill Development, King's Lynn, and item CAB96 below Community Infrastructure Levy – Consultation on Preliminary Draft Charging Schedule. He left the meeting during their consideration.

Councillor N J Daubney – declared a pecuniary interest in item CAB104 King's Lynn Innovation Centre as a Council appointed Director of NWES. He left the meeting during its consideration.

CAB90: **CHAIRMAN'S CORRESPONDENCE**

None.

CAB91: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor C Crofts attended and addressed the Cabinet on item CAB95 Site Allocations and Development Policies relating to West Walton.

CAB92: **CALLED IN MATTERS**

Cabinet was informed that a delegated decision taken by Councillor Pope on the issue of increasing the number of 20 minute free parking bays had been called in. The issue had been considered at the meeting of the Cabinet Scrutiny Committee on 23 October 2014. Cabinet Scrutiny had not upheld the Call in. The matter had therefore been progressed and actioned.

CAB93: **FORWARD DECISIONS LIST**

The forward decision list was noted.

CAB94: **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

**i) Resources and Performance Panel- Audit Committee: 28 October 2014**

The Committee made the following recommendations to Cabinet, which were dealt with when Cabinet considered the reports on the agenda:

ARC60: **Cabinet Report: Mid Year Review Treasury Report 2014/2015**

RESOLVED: That Cabinet be informed that the Resources and Performance Panel – Audit and Risk Committee supports the recommendation as follows:

(1) Cabinet is asked to note the report and the treasury activity.

(2) As part of the budget process and setting of the Treasury Management Strategy for 2015/2016 it is suggested that Cabinet ask officers to bring forward schemes that could generate higher levels of return.

ii) **Resources and Performance Panel: 28 October 2014**

The Panel made the following recommendations to Cabinet, which were dealt with when Cabinet considered the reports on the agenda:

RP75: Cabinet Report: Community Infrastructure Levy Decision (CIL)

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

- (1) That Cabinet agreed to move forward and carry out consultation on a Preliminary Draft Community Infrastructure Levy (CIL) Charging Schedule.
- (2) For the purposes of the consultation the draft CIL rates will be those outlined in Table 12.11 of the accompanying Viability Report.
- (3) The Director of Planning and Environment in consultation with the Portfolio Holder for Housing and Community be authorised to prepare the specific consultation documentation as required, based on the information in Appendices 1 and 2 of the report.
- (4) That a report is prepared following the consultation and the findings are brought back to a subsequent meeting of the Cabinet.

RP76: Cabinet Report: Update To Standing Orders And Protocol To Accommodate Openness Regulations

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

- (1) That Council approve the amended Standing Orders.
- (2) That Council approve the Protocol for working arrangements for the Openness Regulations.

RP77: Cabinet Report: Council Tax Discounts For Second Homes And Empty Properties

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

Council resolves that, under Section 11A of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003, Section 11B of the Local Government Finance Act 1992, as enacted by Section 11 and Section 12 of the Local Government Finance Act 2012 and in accordance with the provisions of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England)

(Amendment) Regulations 2012 the Council determines:

1. That the council tax discount for second homes defined as being within Class A of the Regulations is set at 5% for 2015/2016;
2. That the council tax discount for second homes as defined by Class B of the Regulations is set at 5% for 2015/2016;
3. That the council tax discount for empty dwellings defined as being within Class C of the Regulations is set at the following for 2015/2016:
  - a. 100% for three months starting on the day the property becomes unfurnished
  - b. 0% once the three month period has expired;
4. That the council tax discount for uninhabitable dwellings defined as being within Class D of the Regulations is set at the following for 2015/2016:
  - a. 50% for 12 months starting on the day the property becomes uninhabitable
  - b. 0% once the 12 month period has expired;
5. That the levy rate for Long Term Empty Properties as defined in the Regulations is set at 50% for 2015/2016;
6. That any period of occupation of less than six weeks shall be disregarded when calculating the maximum period of a reduction or the start date of the levy; and
7. That delegated authority be given to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider individual applications to the Discretionary Hardship Fund
8. In accordance with Section 11A(6) of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003 and the Local Government Finance Act 2012, these determinations shall be published in at least one newspaper circulating in West Norfolk before the end of the period of 21 days beginning with the date of the determinations.

**iii) Regeneration, Environment and Community Panel: 29 October 2014**

The Panel made the following recommendations to Cabinet, which were dealt with when Cabinet considered the reports on the agenda:

REC70: Cabinet Report – Site Allocations and Development Management Policies

RESOLVED:

- (i) That Cabinet give consideration to amending G.22 to retain the existing building boundary, allocating the new land (previously referred to as 508) for 11 properties and give due consideration to other specific sites which were affected by boundary changes.
- (ii) That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

That Cabinet and Council be invited to:

- a) Consider and approve the content of the draft Site Allocations and Development Management Policies – Proposed Submission Document and the relevant supporting material apart from Gayton; Upwell/Outwell; and Terrington St. Clement, for it to be placed on deposit for representations and subsequently be submitted to the Planning Inspectorate for Examination.
- b) Consider and approve the content of the draft Site Allocations and Development Management Policies – Proposed Submission Document and the relevant supporting material for Gayton, for it to be placed on deposit for representations and subsequently be submitted to the Planning Inspectorate for Examination.
- c) Consider and approve the content of the draft Site Allocations and Development Management Policies – Proposed Submission Document and the relevant supporting material for Upwell and Outwell and Terrington St. Clement, for it to be placed on deposit for representations and subsequently be submitted to the Planning Inspectorate for Examination.
- d) Recommends to Council that the Local Development Scheme be updated in the form presented at Appendix 5.
- e) Agrees to the Executive Director Planning and Environment in consultation with the Portfolio Holder making minor amendments to the content of the documents and supporting material before it is placed on deposit for representations.

REC71: Cabinet Report – Norfolk Coast Project AONB Management Plan

RESOLVED: That the Regeneration, Environment and Community Panel supports the recommendations to Cabinet as follows:

That:

1. The Borough Council welcomes the updating of the AONB Management Plan to 2019 and supports the Vision, Objectives and Policies (the content of these is outlined in Appendix 1).

2. The Executive Director Planning and Environment be authorised in consultation with the Deputy Leader to conclude amendments to the Memorandum of Agreement.

REC72: Cabinet Report – King’s Lynn Transport Interchange Project

RESOLVED: That the Regeneration, Environment and Community Panel supports the recommendations to Cabinet as follows, with an additional recommendation 5:

1. Cabinet approves the scheme (as attached in appendix 1 and detailed in 2.3 of the report) and delegate authority to the Chief Executive in consultation with the Portfolio Holder for Regeneration and Industrial Assets to oversee the implementation of the scheme.
2. Delegate authority to the Chief Executive in consultation with the Leader and Portfolio Holder for Regeneration and Industrial Assets to agree the level of additional funding of up to £300k to complete the full scheme.
3. Delegated authority granted to the Legal Services Manager to complete the necessary legal documentation required in order to implement the scheme.
4. Delegated authority granted to the Executive Director for Commercial Services in consultation with the Portfolio Holder for ICT, Leisure and Public Space to agree the operational arrangements for the bus station area.
5. That the bus station becomes a non-smoking environment.

REC74: Exempt Cabinet Report – Material Works

RESOLVED: (1) That the Regeneration, Environment and Community Panel be kept updated on progress.  
 (2) That the Regeneration, Environment and Community Panel supports the recommendations to Cabinet as set out in the report.

REC75: Exempt Cabinet Report – King’s Lynn Innovation Centre

RESOLVED: That the Regeneration, Environment and Community Panel supports the recommendations to Cabinet as set out in the report.

CAB95: **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES**

Councillor Mrs Spikings presented the report and explained that in July 2011 the Council’s Core Strategy, the vision of how the Borough would grow and develop was deemed as being sound. The Borough Council had reached a very significant stage in the preparation of the Site Allocations and Development Management Policies Plan as the Council moved forward to the formal Examination of the document.

The proposals in the Plan had been developed following extensive public consultation and represented the Council's proposed response to the views expressed in that overall process.

As the Plan was presenting a policy and site allocations approach which was different from that in the current 1998 Local Plan (the current formal development plan) the decision to proceed to Pre-Submission consultation needed to be via a formal resolution of Council.

One of the key elements to the Plan was the choice of sites to fulfil the housing requirement in the period to 2026. The provision of 16,500 homes had been required between 2001 and 2026. The current document was proposing 6,499 of those over 1,400 sites, which had all been visited. It was noted that there were a number of settlements which did not have any suitable sites. Councillor Mrs Spikings explained that given the large number of potential sites a number of difficult judgements had been taken between them. The process was described in the Sustainability Appraisal Report. The Borough Council had used the Sustainability Appraisal process to assess and then demonstrate the outcomes.

The Borough Council had been conscious of the alternative strategies and sites which could have been used and these had been assessed and judgements taken as to the most appropriate choices having regard to the overall circumstances.

The Site Allocations and Development Management Policies – Proposed Submission Document was detailed and wide ranging, covering 134 settlements and 22 policy areas. In broad summary the main areas it covered were:

- deciding the most appropriate detailed distribution of housing between individual settlements and locations (within the overall structure specified in the Core Strategy);
- allocation of specific sites for housing and other uses;
- defining development boundaries for settlements where general development was likely to be acceptable;
- development management policies for particular topics or locations to guide and set standards for planning applications and appeals;
- minor adjustments and corrections to the Core Strategy;
- a Policies Map – this displayed, in a visual way on an Ordnance Survey base, the proposals in the Plan.

A large amount of supporting information had been prepared and would also be used during the Examination.

Councillor Mrs Spikings further explained that in January 2015 Parish Councils would be informed that they could consult and respond to the documentation for a 6 week period, whereupon the Plan and representations would be submitted to the Planning Inspectorate to initiate the Examination process. The Inspector would then consider what subjects were to be discussed at the Examination in approximately May/June 2015.

Councillor Mrs Spikings thanked the following people for their hard work and input into the process: Alan Gomm, LDF Manager and all his Team, Wendy Vincent, Democratic Services Officer, Geoff Hall, Executive Director, Stuart Ashworth, Planning Control Manager and all Members of the Local Development Framework Task Group.

Councillor Daubney, for clarity, explained that the Council had reached a major milestone in presenting this documentation to the Inspectorate. He acknowledged that all Ward Members will have made representations throughout the process, as they will have wanted the best for their wards. He sought clarification from the LDF Manager that if there was no plan potentially every piece of land would be up for planning permission.

The LDF Manager confirmed that if the Council did not have 5 years land supply, over time the supply would diminish and the required calculations would not be sufficient. The result of which was that pieces of land which developers wanted to bring forward would go to appeal and if there was not a confirmed supply it would be difficult for an Inspector to refuse it, meaning the development could end up taking place in areas where the Council did not necessarily think was the best place.

Councillor Daubney, asked for further clarification as to whether the representations made during the consultation period would be incorporated and sent to the Inspector. The LDF Manager confirmed that if there was anything further to be added, it had to be sent to the Inspector. People would be given the chance to put their points across, and the Inspector could change the submission if they chose to.

Councillor Daubney asked if the Inspector would call expert witnesses, to which it was confirmed that they would make a judgement and people would be invited to attend to discuss the issue.

Under Standing Order 34, Councillor C Crofts addressed the Cabinet, on behalf of Councillor R Groom. He acknowledged that having heard the comments of the LDF Manager, it may be better for him to address his comments for consideration by the Inspector. He drew attention to the fact that West Walton was linked as a settlement with Walton Highway, the resulting issue was that West Walton was in a flood zone 3, and Walton Highway was in flood zone 1 & 2.



This settlement link had resulted in West Walton receiving no allocations in the LDF process, despite it being a lower flood risk. He drew Members' attention to the fact that there were other settlements of a flood risk 2 or 3 which had been allocated some development sites because they passed the exceptions test. He felt that if West Walton was stand-alone it would be in the same situation as those other villages.

Councillor Daubney asked if Councillor Groom had put those points through in the consultation process to date. It was confirmed that nothing had been raised to date. Councillor Crofts confirmed that he had raised the matter at a recent LDF Task Group meeting.

The LDF Manager confirmed that the original designation of the 2 settlements was done in 2010/11. The Core Strategy could be changed if Council decided to do so, but the process was looking for suitable sites trying to avoid flood risk areas. He explained that some unintended consequences may have arisen from the Strategy, but there may be special circumstances even if there was flood risk in the locality. The report represented the least flood risk sites. If the challenge from the local community had been done it was best placed to go to the Examination.

Councillor Daubney commented that if the representations were made, the Inspector should be aware of the issues, therefore Councillors Crofts or Groom should submit their comments via that route as the Council was at the stage where they would look at the comments and modify if they saw fit to do so.

Councillor Crofts acknowledged that as a Member of the LDF Task Group he was as responsible for the policy as all other Members, but that he felt that further down the line it was the wrong decision to make, as it had unintended consequences.

Councillor Daubney thanked Councillor Spikings for her tireless work on the project which had involved many tense and robust discussions. He reminded Members of the need to protect development in West Norfolk in a sensible way as the Government had no support for or sympathy for Authorities where chaos reigned.

The comments made at the Regeneration and Environment Panel and the recommendation relating to Castle Acre were discussed. Councillor Moriarty had indicated that he would not pursue the point at this stage, but wished to draw attention to it. The LDF Manager gave Cabinet an outline of the situation regarding G22.1, which had involved a planning application in recent weeks and commented that the Task Group had recommended that the site should be treated as one comprehensive and co-ordinated approach.

Councillor Mrs Spikings acknowledged that there would be a transition process and there would be problems which would arise during the process.

Cabinet agreed that it would wish to see the site referred to at the Regeneration Environment Panel remaining within the document as it stood.

In putting the items to the vote, Councillors Spikings and Lord Howard left the meeting during consideration of the pieces of land in which they had pecuniary interests.

**RECOMMENDED:**

- 1) That the content of the draft Site Allocations and Development Management Policies – Proposed Submission Document and the relevant supporting material apart from Gayton; Upwell/Outwell, Terrington St. Clement, and Knights Hill be approved for it to be placed on deposit for representations and subsequently be submitted to the Planning Inspectorate for Examination.
- 2) That the content of the draft Site Allocations and Development Management Policies – Proposed Submission Document and the relevant supporting material for Gayton, be approved for it to be placed on deposit for representations and subsequently be submitted to the Planning Inspectorate for Examination.
- 3) That the content of the draft Site Allocations and Development Management Policies – Proposed Submission Document and the relevant supporting material for Upwell and Outwell and Terrington St. Clement, be approved for it to be placed on deposit for representations and subsequently be submitted to the Planning Inspectorate for Examination.
- 4) That the content of the draft Site Allocations and Development Management Policies – Proposed Submission Document and the relevant supporting material for Knights Hill, be approved for it to be placed on deposit for representations and subsequently be submitted to the Planning Inspectorate for Examination.
- 5) That the Local Development Scheme be updated in the form presented at Appendix 5 to the report.
- 6) That the Executive Director, Planning and Environment in consultation with the Portfolio Holder be authorised to make minor amendments to the content of the documents and supporting material before it is placed on deposit for representations.

CAB96: **COMMUNITY INFRASTRUCTURE LEVY – CONSULTATION ON A PRELIMINARY DRAFT CHARGING SCHEDULE**

Councillors Spikings and Lord Howard left the meeting during consideration of this item.

Councillor Lawrence reminded Members that in moving into the final stages of the LDF process, the Council would need to consider the

issue of a Community Infrastructure Levy (CIL) in order to help fund the infrastructure associated with the Development Plan.

The LDF Manager explained that the CIL had come into force in April 2010. It allowed local authorities in England and Wales to raise funds from developers undertaking new building projects. The money could be used to contribute to; 'pump prime'; or help lever in investment for a wide range of infrastructure that was needed to support new development. The report explained that in order to be considered capable of being implemented a CIL must not have a detrimental effect on development (taken as a whole) in the Borough area. Preliminary consultation took place with the development industry and other interested parties in January 2013, and the consultant used this information and comment as inputs to the Viability Assessment. The next stage was to draw up a Preliminary Draft Charging Schedule and consult on this. The document needed to outline the possible rates of CIL. This did not commit the Borough Council to having a CIL or a particular rate at this stage, but allowed the Borough Council to collect the views of the community and development professionals operating in the Borough.

Councillor Daubney drew attention to the constructive debate which had been held at the Resources and Performance Panel. By way of clarification he asked whether if the Council was not to adopt a CIL would it only be possible to negotiate a S106 Agreement in a more limited sense. The LDF Manager confirmed that it would no longer be possible to pool money from more than five S106s to fund infrastructure which would leave limited money available, only to be applied to the site itself.

Councillor Daubney sought confirmation that the CIL would contribute to the infrastructure and community. Would parishes receive 15% of the CIL, and a Parish Council with an approved Neighbourhood Plan receive 25%? Was the Council assisting parishes to complete the process of a Neighbourhood Plan? The LDF Manager confirmed the levels which would be directed to parishes, and that there were 6 Parishes with Neighbourhood Plans on the horizon at the moment which were being assisted by the Council.

Councillor Daubney drew attention to a question asked at the Council meeting where it was stated the Council was missing out on large sums of money by not adopting CIL so far. The LDF Manager explained that S106 money was still being collected so the finance had not been missed out on, with approximately 15 or 16 per annum. There would be a transition from S106 to CIL.

Councillor Daubney asked if the level had to be set in order to attract developers to the area. The LDF Manager explained that the Council was not able to set the level at a rate which would damage the viability of development in the Borough. It would be for the Council to take the decision. Councillor Daubney drew attention to the fact that any

developer would know in advance what the costs would be for a development.

Councillor Pope asked whether CIL would come into force at the same time as the LDF, to which it was confirmed that because there was a process to go through for both items they would be finalised around the same time. Councillor Pope also asked if there would be different levels of CIL within individual settlements for schemes which may have different profitability. The LDF Manager explained that there would be different levels within zones for King's Lynn and rural settlements, but not within the same settlements. He also explained that there would be some exceptions from CIL such as self-build, affordable housing and charities.

Councillor Lawrence reminded Members that the item was requesting to go out to consultation to hear what the public and the industry thought about the project in order to formulate a final view.

The Resources and Performance Panel had considered the item and supported the recommendations.

**RECOMMENDED:**

- 1) That a consultation on a Preliminary Draft Community Infrastructure Levy (CIL) Charging Schedule be approved.
- 2) For the purposes of the consultation the draft CIL rates will be those outlined in Table 12.11 of the accompanying Viability Report.
- 3) The Director of Planning and Environment in consultation with the Portfolio Holder for Housing and Community be authorised to prepare the specific consultation documentation as required, based on the information in Appendices 1 and 2.
- 4) That a report is prepared following the consultation and the findings are brought to a subsequent meeting of the Cabinet.

**CAB97: KING'S LYNN TRANSPORT INTERCHANGE**

The Regeneration Projects Manager presented a report which outlined the work to date on development of the King's Lynn Transport Interchange (KLTi) Project. The scheme was funded mainly by Section 106 contributions received from Tesco Stores Ltd, Sainsbury's PLC and additional funding from Norfolk County Council. The scheme included:

- improving the public realm and appearance of the key points of arrival,
- strengthening the links between the rail and bus station and Vancouver Quarter.
- the refurbishment of the toilets and facilities in the bus station.

Following extensive public consultation a final scheme had been developed. The report recommended the Council proceeded with implementation of a comprehensive scheme.

In order to do so it would be necessary for the Council to make a financial contribution of up to £300,000 to the cost of the project. Reference was made to the discussion in the Regeneration Environment and Community Panel who had supported the proposals, and had also recommended that the bus station be made a No Smoking Zone. As landowner, the Borough Council could do that. Subject to Council approving the scheme, work would commence in January 2015, with projected completion date of June 2015.

Councillor Daubney commented that he was looking forward to the scheme and its associated improvements to the area. Councillor Lawrence asked if it could also be included as a no alcohol zone, to which it was noted that it already fell within the exclusion zone in the town.

Councillor Long commented on the positive environmental impact of the scheme, which improved the ability to get between the railway and bus station. The improvement to the facilities was welcomed, and the ability to wait in one dry location with electronic displays for a bus was much improved for the travelling public. It was good use of the S106 contribution.

Councillor Daubney asked if the No Smoking Area would be enforceable, to which it was explained that as landowner, it was up to the Council to enforce, notices would be displayed and people requested to put out cigarettes, then civil enforcement procedures. Further investigations into the enforcement would now take place. It was explained that Norwich bus station had a designated smoking area, which would also be incorporated into the King's Lynn bus station.

**RESOLVED:** 1) That the scheme (as attached in appendix 1 and detailed in 2.3 of the report) be approved and delegated authority be granted to the Chief Executive in consultation with the Portfolio Holder for Regeneration and Industrial Assets to oversee implementation of the scheme.

2) That delegated authority be granted to the Chief Executive in consultation with the Leader and Portfolio Holder for Regeneration and Industrial Assets to agree the level of additional funding of up to £300k to complete the full scheme.

- 3) That delegated authority be granted to the Legal Services Manager to complete the necessary legal documentation required in order to implement the scheme.
- 4) That delegated authority be granted to the Executive Director for Commercial Services in consultation with the Portfolio Holder for ICT, Leisure and Public Space to agree the operational arrangements for the bus station area.
- 5) That the bus station be designated a no smoking zone.

CAB98: **COUNCIL TAX DISCOUNTS FOR SECOND HOMES AND EMPTY PROPERTIES**

Councillor Daubney presented a report which explained that the Local Government Acts of 2003 and 2012 gave the Council powers to determine the discounts for second homes and long term empty properties. The Borough Council was obliged to approve its determination afresh for each class of dwelling for each financial year, and as collection authority would decide whether to do so. The report put forward proposals for no change to the current level of discounts and empty property levy for the financial year 2015/2016.

Councillor Daubney then explained that historically the Council had agreed to collect the additional money because the County Council had passed back a large percentage of that funding which the Borough Council had spent on projects which had benefitted both the County and the community, such as improving education and improvements to the hospital roundabout. The County Council had now decided that they would not continue with the arrangement and keep the bulk of the additional funding collected by the Borough Council. He reminded Members that the Borough Council was under no obligation to collect the additional second homes money, and could continue to only collect the statutory 50%. He expressed concern that the County Council had taken the decision without discussing the matter with the Borough Council, and when the matter had been raised to be discussed at a County Scrutiny Panel, the meeting had been cancelled.

Accordingly, Councillor Daubney proposed that a decision on the matter be deferred in order to ascertain the County Council's intentions.

Councillor Long seconded the proposal to defer, reminding Members that in coming to the Borough the money was spent on those areas affected by second homes, and had been used for pump priming affordable housing. He felt there should be a dialogue with the County on their proposals.

The Resources and Performance Panel had considered the item and supported the recommendations set out in the report.

**RESOLVED:** That consideration of the matter be deferred to a future Cabinet meeting to allow time for discussions with Norfolk County Council

CAB99: **MID-YEAR TREASURY MANAGEMENT REPORT**

The Senior Accountant presented a report which explained that the Council had formally adopted the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (2011) and remained fully compliant with its requirements.

One of the primary requirements of the Code was:

Receipt by Council of an annual strategy report (including the annual investment strategy report) for the year ahead, a mid year review report and an annual review report of the previous year.

The Mid -Year Review Report had been prepared in compliance with CIPFA's Code of Practice, and covers the following:

- An economic update for the first six months of 2014/2015.
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy 2014/2015.
- The Council's capital expenditure (prudential indicators).
- A review of the Council's investment portfolio for 2014/2015.
- A review of the Council's borrowing strategy for 2014/2015.
- A review of any debt rescheduling undertaken during 2014/2015.
- A review of compliance with Treasury and Prudential Limits for 2014/2015.

Cabinet was informed that the forecast for the interest rate changes had now been amended by the Council's Treasury Advisors to show that the increase in rate would now likely be in June 2015 and not from March 2015. He also confirmed that the number of houses sold on the NORA scheme now totalled 32.

Councillor Daubney in commending the report commented that sensible predictions were made, and the forecasts and housing sales were good news for the Tax payer.

Councillor Lord Howard commented that the interest rates were likely to rise sooner rather than later so encouraged officers not to be rash in making changes.

Councillor Pope asked if the impact of the increase in interest rates was positive or negative for the reserves. It was explained that it would be positive, many of the Council's investments were on a one yearly basis, which meant that the increased rates would be able to be taken

advantage of within a short timeframe. Long term borrowing was at a fixed rate so there would be no impact. The Financial Plan would absorb increases in borrowing rates and investment rates.

The Audit and Risk Committee had considered the item and supported the recommendations.

**RESOLVED:** 1) That the report and the treasury activity be noted.

2) That as part of the budget process and setting of the Treasury Management Strategy for 2015/2016 officers be requested to bring forward schemes that could generate higher levels of return

CAB100: **NORFOLK COAST PROJECT AONB**

Councillor Long presented a report which explained that the Norfolk Coast Area of Outstanding Natural Beauty (AONB) was designated in 1968. The current 5-year Norfolk Coast AONB Management Plan, published in 2009, was being reviewed and updated to produce the next 5-year plan, as required by the Countryside and Rights of Way (CRoW) Act. The draft Management Plan 2014-19 set out background information, together with a 20-year vision and 5-year objectives and policies for the management of the area. It was recommended by the Management Group for the AONB which included representatives of the local authorities covering the Project Area.

The Regeneration, Environment and Community Panel had considered the item and supported the recommendations.

**RESOLVED:** That:

1) The Borough Council welcomes the updating of the AONB Management Plan to 2019 and supports the Vision, Objectives and Policies (the content of these is outlined in Appendix 1).

2) The Executive Director for Planning and Environment be authorised in consultation with the Deputy Leader to conclude amendments to the Memorandum of Agreement.

CAB101: **UPDATE TO STANDING ORDERS AND WORKING PROTOCOL TO COMPLY WITH THE OPENNESS REGULATIONS**

Councillor Daubney presented a report which recommended an updated set of Standing Orders and Protocol to take account of the new Openness Regulations which came into force on 6 August 2014. The Task Group which was considering the implications of Broadcasting meetings had considered the drafts and recommended them to Cabinet.

The Resources and Performance Panel had considered the item and supported the recommendations.



**RECOMMENDED:**

- 1) That Council approve the amended Standing Orders.
- 2) That Council approve the Protocol for working arrangements for the Openness Regulations.

CAB102: **EXCLUSION OF THE PRESS AND PUBLIC**

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

CAB103: **MATERIAL WORKS UPDATE - BLACK BIN RECYCLING CONTRACT UPDATE**

Councillor Long presented a report which updated Members on the progress that Material Works had made on the ‘conditions precedent’ associated with the Council’s contract with them to recycle residual waste. The report laid out Material Works revised timetable for the same together with a formal request from them to extend the longstop date within this contract, together with a request to change the company that would perform the obligations of this contract.

The Regeneration, Environment and Community Panel had considered the item and supported the recommendations.

**RESOLVED:** 1) That an extension of time of 3 months to the contract, with no additional cost or risk being attributable to the Council be agreed.

2) That the Chief Executive in consultation with the Leader and Deputy Leader be authorised to make up to 3 further 3 month extensions (again with no additional cost or risk being attributable to the Council) subject to Material Works demonstrating that they are making good progress to the programme outlined in this report.

3) That Material Works request to perform the Contract obligations and conditions through a locally based business (Material Works (Norfolk) Ltd) as the Contract Operator (The Contractor) be approved.

CAB104: **KING’S LYNN INNOVATION CENTRE LAND AGREEMENTS**

Councillor Daubney left the meeting during discussion on this item.

The Regeneration and Economic Development Manager presented a report which updated Members on progress with the development of the King’s Lynn Innovation Centre (KLIC) at the Nar Ouse Regeneration Area (NORA) in partnership with Norfolk and Waveney Enterprise Services (NWES). The report set out lease arrangements

which needed to be agreed so the project could progress. A planning application for Reserved Matters had been submitted.

Councillor Pope asked for some detail about the ground conditions in the area and the Council's obligations were explained.

Councillor Lord Howard drew attention to some wording in the agreement and suggested a clause be included in relation to any future proposal concerning any change of use of the premises. The Chief Executive explained the ownership details of the site.

The Regeneration, Environment and Community Panel had considered the item and supported the recommendations.

**RESOLVED:** That delegated authority be granted to the Legal Services Manager and Property Services Manager to complete the legal agreements with NWES as set out in the heads of terms (detailed in section 2 of the report), ), subject to a satisfactory clause being included in relation to any future proposal concerning any change of use of the premises.

**The Meeting closed at 7.05 pm**