

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

## **CABINET DECISION SHEET**

**Decision Sheet from the Meeting of the Cabinet held on  
Tuesday, 3 February 2015 at 5.30pm in the Committee Suite, King's  
Court, Chapel Street, King's Lynn**

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

1. **MINUTES**

**RESOLVED:** The Minutes of the Meeting held on 13 January 2015 were approved as a correct record and signed by the Chairman.

2. **URGENT BUSINESS**

There was no urgent business.

3. **DECLARATIONS OF INTEREST**

None.

4. **CHAIRMAN'S CORRESPONDENCE**

None.

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

Councillor A Tyler and J Moriarty attended under Standing Order 34 to discuss item 9 (3)a and b.

6. **CALLED IN MATTERS**

There were matters which had been successfully called in.

7. **FORWARD DECISIONS LIST**

The forward decision list was noted.

8. **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

i) **Resources and Performance Panel: 27 January 2015**

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

RP107: Urgent Business Under Standing Order 7  
Cabinet Report: Major Housing Development Final Approval – Part 1  
Open

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

Cabinet is asked for note the comments received through the public consultation exercise and proposed responses outlined in the report and to give consideration to the suggested changes to the original outline plan when considering the second report on the scheme which will be taken in exempt session, as set out in Section 8.

Major Housing Development Final Approval – Part 2 Exempt

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

1. Cabinet recommends to Council to
  - (i) Give approval for
    - (a) the modified scheme, and in particular the exclusion of Lynnsport 2 from this project;
    - (b) the inclusion of the relevant capital costs and funding set out in Section 5 into the Council's capital programme for the period 2015/2018;
    - (c) the investment into the leisure facilities needed for the scheme to progress as set out in Section 4 of the Open report;
    - (d) the building of the new road from Edward Benefer Way to Lynnsport including the proposed car park proposals;
    - (e) the starting of phase 1 (Marsh Lane);
    - (f) the replacement of 'Private Rental units' with 'For Sale units' as set out in paragraph 1.4 of this report.
  - (ii) That Cabinet and Council act as the bodies authorised to sign off the start of subsequent 'contracted phase' subject to; a business case being produced by Lovells and the 'contracted phase' meeting the financial viability tests set within the contract and outlined in this report.
  - (iii) Give delegated authority to the Chief Executive in consultation with the Leader, Regeneration & Housing Portfolio holders to enter the proposed agreements with Lovell Partnerships Ltd.
  - (iv) Approve the principle of funding the Local Authority Housing Company by the Borough Council; which will hold any properties that have not been sold as part of each phase as private rental units, until they can be sold without adversely affecting the property market.

(v) Approve the programme governance arrangements set out in the Open report.

2. Cabinet resolves to authorise the release of an additional £200,000 to enable Lovells to continue with their pre-development works.

RP113: Cabinet Report: Financial Plan 2014/2018

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

Recommendation 1

It is recommended that Council approve the revision to the Budget for 2014/2015 as set out in the report.

Recommendation 2

Council is recommended to reaffirm the Policy on Earmarked Reserves and General Fund Working Balance and the maximum balances set for the reserves as noted in the report.

Recommendation 3

It is recommended that Council:

- 1) Approves the budget of £18,070,690 for 2015/2016 and notes the projections for 2016/2017 and 2017/2018.
- 2) Approves the level of Special Expenses for the Town/Parish Councils as detailed in the report.
- 3) Approves the Fees and Charges 2015/2016 detailed in Appendix 4.
- 4) Approves a Band D council tax of £111.97 for 2015/2016.

Recommendation 4

Council is recommended to approve a minimum requirement of the General Fund balance for 2015/2016 of £937,781.

RP114: Capital Programme and Resources 2014-2018

RESOLVED: The Panel supports the recommendation to Cabinet as follows:

- 1) Cabinet recommends to Council the amendments to capitals schemes and resources for the 2014-2018 capital programme as detailed in the report.

2) Cabinet recommends to Council that new capital bids are to be funded from available capital resources and included in the capital programme 2015-2018 as detailed in the report.

**ii) Regeneration Environment and Community Panel: 28 January 2015**

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

REC110: Cabinet Report: Financial Plan 2014/2018

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

Recommendation 1: It is recommended that Council approve the revision to the Budget for 2014/2015 as set out in the report.

Recommendation 2: Council is recommended to reaffirm the Policy on Earmarked Reserves and General Fund Working Balance and the maximum balances set for the reserves as noted in the report.

Recommendation 3: It is recommended that Council:

- 1) Approves the budget of £18,070,690 for 2015/2016 and notes the projections for 2016/2017 and 2017/2018.
- 2) Approves the level of Special Expenses for the Town/Parish Councils as detailed in the report.
- 3) Approves the Fees and Charges 2015/2016 detailed in Appendix 4.
- 4) Approves a Band D council tax of £111.97 for 2015/2016

Recommendation 4: Council is recommended to approve a minimum requirement of the General Fund balance for 2015/2016 of £937,781.

REC111: Cabinet Report: Capital Programme 2015/2018

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

- 1) Cabinet recommends to Council the amendments to capital schemes and resources for the 2014-2018 capital programme as detailed in the report.
- 2) Cabinet recommends to Council that new capital bids are to be funded from available capital resources and included in the capital programme 2015-2018 as detailed in the report.

9.

**REPORTS**

<p>1) <b>The Financial Plan 2014/18</b></p>	<p><b>RECOMMENDED</b> 1) That the revision to the Budget for 2014/2015 as set out in the report be approved.</p> <p>2) That the Policy on Earmarked Reserves and General Fund Working Balance and the maximum balances set for the reserves as noted in the report be reaffirmed.</p> <p><b>3) That Council :</b></p> <p>a) Approve the budget of £18,070,690 for 2015/2016 and note the projections for 2016/2017 and 2017/2018.</p> <p>b) Approve the level of Special Expenses for the Town/Parish Councils as detailed in the report.</p> <p>c) Approve the Fees and Charges 2015/2016 detailed in Appendix 4 of the report.</p> <p>d) Approve a Band D council tax of £111.97 for 2015/2016</p> <p>4) That a minimum requirement of the General Fund balance for 2015/2016 of £937,781 be approved.</p> <p><b>Reason for Decision</b></p> <p>The Council is obliged to set a Budget Requirement and level of council tax before the beginning of a financial year commencing on 1 April.</p>
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<p>2) <b>Capital Programme and Resources 2014-18</b> (Page 8)</p>	<p><b>RECOMMENDED:</b> 1) That the amendments to capital schemes and resources for the 2014-2018 capital programme as detailed in the report.</p> <p>2) That new capital bids are to be funded from available capital resources and included in the capital programme 2015-2018 as detailed in the report.</p> <p><b>Reason for Decision</b> To report amendments, rephrasing and resources to the 2014-2018 Capital Programme</p>
<p>3a) <b>Major Housing Development – Final Approval (Late Item)</b></p>	<p><b>RESOLVED:</b> The comments received through the public consultation exercise and proposed responses outlined in the report were noted. Consideration was given to the suggested changes to the original outline plan when considering the second report on the scheme which was taken in Exempt session, as set out in Section 8 of the report.</p> <p><b>Reason for Decision</b> To reflect and respond to issues raised through the consultation and to invite Cabinet to consider the proposed modifications to the scheme in order to seek to address the concerns raised.</p>

**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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.”

<p>3b) <b>Major Housing Development – Final Approval (Late Item)</b></p>	<p><b>RECOMMENDED:</b> 1) That approval be given for the following:</p> <p>(a) the modified scheme, and in particular the exclusion of Lynnsport 2 from this project;</p> <p>(b) the inclusion of the relevant capital costs and funding set out in Section 5 into the Council’s capital programme for the period 2015/2018;</p> <p>(c) the investment into the leisure</p>
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- facilities needed for the scheme to progress as set out in Section 4 of the Open report;
- (d) the building of the new road from Edward Benefer Way to Lynnsport including the proposed car park proposals;
  - (e) the starting of phase 1 (Marsh Lane);
  - (f) the replacement of 'Private Rental units' with 'For Sale units' as set out in paragraph 1.4 of this report.

2) That Cabinet and Council act as the bodies authorised to sign off the start of subsequent 'contracted phase' subject to; a business case being produced by Lovells and the 'contracted phase' meeting the financial viability tests set within the contract and outlined in this report.

3) That delegated authority be given to the Chief Executive in consultation with the Leader, Regeneration & Housing Portfolio holders to enter the proposed agreements with Lovell Partnerships Ltd.

4) That the principle of funding the Local Authority Housing Company by the Borough Council; which will hold any properties that have not been sold as part of each phase as private rental units, until they can be sold without adversely affecting the property market be approved.

5) That the programme governance arrangements set out in the Open report be approved.

6) That a forum of interested parties and consultees be drawn upon in order to inform the development process with the direct involvement of the Leader and the Cabinet Member for Regeneration.

**RESOLVED:** That the release of an additional £200,000 to enable Lovell's to continue with their pre-development

works be authorised.

**Reason for Decision**

To reflect and respond to issues raised through the consultation and to allow the Major Housing project to enter the development phase which will in turn result in the original aims of the project, listed below to be realised.

- To achieve significant delivery of sustainable housing over a 4-5 year period, which must be fit for purpose, for a minimum of 40 years.
- To achieve a commercial return for the Council (through capital and revenue receipts).
- To stimulate economic activity in the local area through direct and indirect activity.
- To create apprenticeships.
- To bring about significant enhancements to the leisure facilities at Lynnsport
- Recommendation 6 is included in order to ensure the public's comments can be taken into account during the development process.

**The Meeting closed at 7.30 pm**