

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



CABINET

Agenda

TUESDAY, 31 MARCH 2015
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**



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CABINET AGENDA

DATE: CABINET – TUESDAY, 31 MARCH 2015

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

TIME: 5.30 pm

Under Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – Part of item 10 (9 and 10) below will be considered in private.

1. MINUTES

To approve the Minutes of the Meeting held on 3 March 2015 (previously circulated pages 815-825).

2. APOLOGIES

To receive apologies for absence.

3. 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.

4. 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.

5. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

6. MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

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

7. CALLED IN MATTERS

To report on any Cabinet decisions called in.

8. FORWARD DECISIONS LIST

A copy of the Forward Decisions List is attached (Page 7)

9. 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 additional comments made will be circulated as soon as they are available.

- King's Lynn Area Consultative Committee – 10 March 2015
- Joint Employee Committee – 16 March 2015
- Resources and Performance Panel – 24 March 2015
- Regeneration, Environment and Community Panel – 25 March 2015

10. REPORTS

1) Strategic Planning Issues – Potential Duty to Co-operate in preparing the Local Plan – Arrangements for Norfolk (Page 9

Duty to Cooperate is an important element of Local Plan making. There are examples where Plans have been withdrawn or have failed their examination because the approach has not been adequate.

The Borough Council does continue to cooperate with relevant organisations, but the approach needs to be formalised to minimise risks.

The proposed Non-Statutory Shared Strategic Framework for Norfolk will formalise the county's approach to the Duty to

Cooperate. It is a format that has been used elsewhere in the region with success in examinations of Local Plans.

This framework will set out agreed approaches to common cross boundary issues across the county (such as housing, jobs, transport and water which is necessary to meet the National Planning Policy Framework (NPPF) requirement to promote sustainable development and to assist economic growth whilst providing for environmental protection) for the Local Planning Authorities to seek to address in their Local Plans. There will be an element of staff time and monetary contribution to produce the framework.

2) **Air Quality Action Plan** (Page 27)

This report highlights the work which has been completed in drawing up an Air Quality Action Plan (AQAP) and the mechanisms used to consult with the public and stakeholders on the proposed air quality reduction measures

3) **Corporate Apprentices Scheme** (Page 64)

In October 2012 Cabinet agreed to the introduction of an apprenticeship scheme within the Council. As a result, six apprenticeships have been employed on 18 month fixed term contracts which were supernumerary to the Council's fixed term establishment list. These six apprentices have now completed their training and following a review of the scheme and consideration of the findings of the review by Management Team, it is proposed to employ a further six apprentices during 2015.

4) **Review of the King's Lynn Area Consultative Committee**
(Page 69)

The report invites Cabinet to give consideration to the future operation of the King's Lynn Area Consultative Committee.

5) **Staff Pay Award** (Page 73)

The Council's annual pay increase for all employees is locally determined having regard to national, regional and local pay and labour market information. This paper recommends the pay increase for 2015/16 and outlines the budget implications.

6) **NORA Joint Venture Scheme – Phase 2** (Page 78)

This report updates Members on progress made on the NORA Housing project and requests Members to authorise the signing of contracts to enable the start of works for Phase 2.

7) **Planning Scheme of Delegation – Update** (Page 84)

The report proposes changes to the planning scheme of delegation.

8) **Scheme of Delegation – Update** (page 95)

The report recommends an updated scheme of delegation for approval. The Scheme has been amended to take account of the changes in officer responsibilities following the retirement of the Deputy Chief Executive, David Thomason.

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 items below on the grounds that they involve 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 about why the following reports should be considered in public will be reported at the meeting.

9) **Asset Management Acquisition – Former Grain Silo Site – King’s Lynn** (page 130)

10) **King’s Lynn Innovation Centre** (page 137)

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:

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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
31 March 2015	Corporate Apprentice Scheme		Non	Cabinet	Leader Exec Director, D Gates		Public
	Staff Pay Award		Key	Cabinet	Leader Exec Director, D Gates		Public
	Duty to Co-operate in preparing our Local Plan	A joint approach across all Districts in Norfolk, and including the County Council	Non	Cabinet	Development Exec Dir G Hall		Public
	Scheme of Delegation Update		Non	Council	Leader Chief Executive		Public
	Planning Scheme of Delegation Update		Non	Council	Development Exec Dir G Hall		Public
	Review of the King's Lynn Area Consultative Committee		Non	Council	Exec Dir – D Gates Leader		Public
	Air Quality Action Plan		Key	Cabinet	Environment Exec Dir – G Hall		Public
	King's Lynn Innovation Centre		Key	Cabinet	Regeneration Chief Executive		Exempt - Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Nora Joint Venture – Phase 2		Key	Cabinet	Regeneration Chief Executive		Public
	Asset Management – Acquisition – King's Lynn		Key	Council	Regeneration Deputy Chief Executive		Exempt - Private - Contains exempt Information under para 3 – information relating to the

							business affairs of any person (including the authority)
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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
10 June 2015	Residential Caravan Site Licensing	Report following consultation process	Non	Council	Housing and Community Chief Executive		Public
	Purchase of Industrial Land – King's Lynn		Key		Regeneration Deputy Chief Executive		Exempt - Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Freebridge Community Housing – Council Representation		Non	Cabinet	Housing & Community Chief Executive		Public
	Contract Standing Orders Update		Non	Council	Leader Deputy 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
30 June 2015							

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards None, all wards affected.	Mandatory#	Be entirely within Cabinet's powers to decide	YES/NO	
	Discretionary /	Need to be recommendations to Council	YES/NO	
	Operational	Is it a Key Decision	YES	
Lead Member: Cllr V Spikings E-mail: cllr.vivienne.spikings@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr N Daubney, Cllr B Long		
		Other Members consulted:		
Lead Officer: Alan Gomm E-mail: alan.gomm@west-norfolk.gov.uk Direct Dial:01553 616237		Other Officers consulted: Chief Executive and Management Team		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO

Date of meeting: 31 March 2015

1 STRATEGIC PLANNING ISSUES – POTENTIAL ‘DUTY TO CO-OPERATE’ ARRANGEMENTS FOR NORFOLK

Summary

1. Duty to Cooperate is an important element of Local Plan making. There are examples where Plans have been withdrawn or have failed their examination because the approach has not been adequate.
2. The Borough Council does continue to cooperate with relevant organisations, but the approach needs to be formalised to minimise risks.
3. The proposed Non-Statutory Shared Strategic Framework for Norfolk will formalise the county's approach to the Duty to Cooperate. It is a format that has been used elsewhere in the region with success in examinations of Local Plans.
4. This framework will set out agreed approaches to common cross boundary issues across the county (such as housing, jobs, transport and water which is necessary to meet the National Planning Policy Framework (NPPF) requirement to promote sustainable development and to assist economic growth whilst providing for environmental protection) for the Local Planning Authorities to seek to address in their Local Plans.
5. There will be an element of staff time and monetary contribution to produce the framework.

Recommendation

It is recommended that Cabinet agree that:

1. The Borough Council is part of a shared non-statutory strategic

framework in respect of the 'duty to co-operate'

2. In principle Option 3 represents the most appropriate mechanism in the circumstances
3. An Officer steering group and employed project management plus limited consultancy is the most appropriate delivery model
4. A commitment is given to a budget of approximately £25k over two financial years.
5. The terms of reference for the Member Duty to Cooperate Group are agreed.

Reason for Decision

Formal cooperation on Planning Policy matters with councils in Norfolk through a non-statutory strategic framework would assist in discharging the duty to co-operate requirements as well as potentially lead to efficiency savings in commissioning a joint evidence base.

1. Background

1.1 The duty to cooperate (DTC) was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on Local Planning Authorities, County Councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

1.2 The duty to cooperate is not a duty to agree, however, local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.

1.3 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination. There have recently been a large number of local plans nationally which have been stalled or halted, at great expense, by failure to address duty to cooperate requirements.

1.4 The Localism Act states that relevant bodies must '*...engage constructively, actively and on an ongoing basis...*'

1.5 This report sets out the proposed approach to meet this requirement with the Councils in Norfolk.

2. Duty to Co-operate activity to date

2.1 The Borough Council continues to cooperate in the following ways:

- a) Duty to co-operate workshops set up with county and neighbouring councils
- b) Regular attendance at Norfolk Strategic Planning Officers Group
- c) Regular attendance at Norfolk Duty to Co-operate (DTC) Member Forum
- d) Involvement in Gypsy and Traveller Accommodation Assessments.
- e) Commissioning of joint work/evidence base

- f) Development of joint approaches to specific locations e.g. Wisbech Fringe in Fenland
- g) Working with Natural England and others to ensure protection for Stone Curlews for The Brecks area

3. Formalising the approach to the Duty to Cooperate

3.1 The DTC Member Forum at their meeting on 14 January 2015 considered five different approaches to formalising duty to cooperate in Norfolk. These were:

1. Informal cooperation (i.e. continue the current approach)
2. Structured cooperation through a memorandum of understanding
3. Formal cooperation through a shared non-statutory strategic framework
4. A statutory joint strategic plan
5. A statutory single local plan.

3.3 The DTC Member Forum agreed the position that Norfolk Local Planning Authorities should consider and endorse option 3 - formal cooperation through a shared non-statutory strategic framework. It was considered that options 1 and 2 were less effective and options 4 and 5 were potentially constraining of a local approach to decision making and would be unwieldy to produce and manage.

3.4 The formal cooperation route through a shared non-statutory strategic framework has a number of positive features:

- The approach is used in Cambridgeshire
- It has been used successfully in some examinations of Local Plans in that area
- Will involve the production of a document which covers some cross boundary issues such as housing, flooding and green infrastructure
- Has the objective of each Local Planning Authority seeking to address the cross boundary issues as set out in the framework in their Local Plans
- It is a non-statutory framework and does not need to be examined by the Planning Inspectorate
- Would require a small team to manage the production of the framework
- Will enable joint evidence base commissioning which could result in cost savings in the long term
- Will consider the issue of housing allocations around the county. The approach will provide evidence for each local plan through which the housing numbers in individual areas could be formalised
- Will have a governance structure in place which should help to address any potential differences in views on issues of cooperation.

3.5 Following the DTC Member Group Forum, officers were asked to produce a further detailed paper which address; governance structure; Officer involvement; and resources and budget. This was agreed (with minor changes) by the Member Forum on 16 March. The agreed paper (incorporating the minor changes) is attached at Appendix 1.

4. Issues and co-operation beyond the county boundary

4.1 The approach discussed in this paper covers the Councils in Norfolk only. Co-operating with adjacent County / District Councils is of great importance to the Borough Council as well. Indeed, Norfolk districts which border Suffolk / Cambridgeshire and

Lincolnshire need to cooperate with them as well. It is not envisaged that a similar mechanism will be necessary for these areas.

4.2 The Norfolk DTC Member Group is aware of the requirement to cooperate beyond Norfolk and that is something to be considered as the plans for producing the framework are worked up in detail initial discussions have already taken place with Suffolk authorities, and we have a working relationship to Cambridgeshire as well.

5. Conclusion

- The 'Duty to Cooperate' is an important element of Local Plan making, and is a legal requirement. There are examples where Plans have been withdrawn or have failed their examination because the approach has not been adequate.
- The proposed Non-Statutory Shared Strategic Framework for Norfolk will formalise the county's approach to the Duty to Cooperate. It is a format that has been used elsewhere in the region with success in examinations of Local Plans.
- This framework will set out agreed approaches to common cross boundary issues across the county for the Local Planning Authorities to seek to address in their Local Plans.
- There will be an element of staff and monetary contribution to produce the framework.
- It is recommended that Cabinet agree to the Borough Council being part of the formal cooperation through a shared non-statutory strategic framework, with the arrangements as set out in Appendix 1.
- The Member Forum on 16 March agreed the recommendation that individual authorities:
 1. Endorse that the Strategic Framework should in the first instance focus on those areas identified in Table 1 and be produced using a structure outlined in Table 2 and the timetable outline in paras 3.8-11;
 2. Recommend that each authority formally agrees to participate in the preparation of the framework and agree to contribute up to a maximum of £15,000 in 2015/16 and £10,000 in 16/17 (per district/borough/city. Broads Authority 50% of this, Norfolk County Council 200%) to cover the anticipated costs;
 3. Write formally to the LEP and the all Suffolk authorities to request confirmation of whether or not they wish to participate in preparation of the framework and whether they are prepared to share costs.
- The framework was considered by the Chief Executives Group in early February, and was broadly welcomed subject to enhanced linkages to existing pan – Norfolk groups.

6. Options Considered

6.1 Five options were considered as above at 3.1 – 3.3, and refined to Option 3 as presented above.

7. Policy Implications

7.1 The Framework proposed is *not* intended as a policy document, it is there to provide evidence for Local Plan Examinations that co-operation has taken place appropriately.

So, in that sense there are no policy implications, those decisions about the local policy for the Borough area continue to be taken at the local area.

8. Financial Implications

8.1 The above costs would mean under a conservative scenario of the work being financed solely by the planning authorities across Norfolk the costs faced by each district authority should be a maximum of £15,000 each in the next financial year (2015/16) with no more £10,000 each in the following financial year, assuming there is no separate decision to commission further work. (It was recommended that the Broads Authority would pay 50% of the district level, and Norfolk County Council 2005 of this.)

8.2 These costs can be met from the broader Local Plan reserve for these two years.

9 Personnel Implications

9.1 None specifically arising from this report.

10 Statutory Considerations

10.1 The 'duty to cooperate' (DTC) was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on Local Planning Authorities, County Councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters.

11 Equality Impact Assessment (EIA)

11.1 None arising from this report.

12 Risk Management Implications

12.1 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination. There have recently been a large number of local plans nationally which have been stalled or halted, at great expense, by failure to address duty to cooperate requirements.

13 Declarations of Interest / Dispensations Granted

Background Papers

None

APPENDIX 1 Discussion paper from Duty to Co-operate Member Forum

APPENDIX 2 Terms of Reference for the Duty to Co-operate Member Forum

Norfolk Duty to Cooperate Member Forum – March 2015

Non Statutory Strategic Framework – Content and Process

1. Purpose of report

1.1 The purpose of this report is to take forward the recommendations agreed when the Forum met on 14th January to consider options for how to discharge the duty to co-operate on an on-going basis. The Forum agreed to:

1. Endorse the principle of option 3 - formal cooperation through preparation of a shared non-statutory strategic framework.
2. Recommend that each constituent authority agrees formally to take forward option 3 at its earliest convenience subject to later agreement of:
 - A) Amended terms of reference for the member Duty to Cooperate Forum;
 - B) Appropriate officer and member working arrangements; and
 - C) Budget and timetable to support preparation of the shared non-statutory framework.
3. Instruct officers to prepare detailed reports on matters 2 A-C for consideration at the next member Duty to Cooperate Forum meeting.

1.2 Individual endorsement by each authority of option 3 is still ongoing. At the time of writing no authority has refused to endorse what was agreed at the last meeting. A verbal update will be given to the meeting on progress. This report seeks to address recommendation 3 and in particular 2B and C.

1.3 The NPPF states (paragraph 181) that *“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position”*. It also should be recognised that joint working on strategic planning issues can also lead to improved outcomes for Councils in terms of resource efficiency and delivery of sustainable growth.

1.4 In the light of the NPPF and the previous agreement this report seeks to identify a preferred approach on how best to prepare a non-statutory Strategic Framework. In order to consider the process for preparation of the framework it has been necessary to consider the possible content of the framework. To some extent this is an iterative exercise. If the Forum decides to address a more comprehensive range of issues thoroughly in the framework this will have implications for the working arrangements, budget and timetable. In practice there are a multiplicity of options that could be taken but discussion amongst the officers has resulted in a single recommended preferred approach being proposed for discussion.

1.5 Revised Terms of Reference for the Forum have been prepared (separate report) in the expectation that agreement will be reached in relation to the preparation of a framework document. These may require further amendment after this meeting, following which they will be recommended to member authorities for approval.

2 Purpose, Scope, and Content of the Framework

2.1 A Framework document is not a statutory development plan and it will not include development plan policies or be subject to independent examination. Unlike the formal plan making process a non-statutory framework document is not subject to any specific regulatory requirements and it need not be subject to public consultation or sustainability appraisal although there is nothing to preclude these being done. The content of the Framework and the process for its preparation are matters for the Councils to collectively decide. The Framework is intended to guide and inform the preparation of individual Local Plans and ensure that strategic land use issues of cross boundary significance are properly addressed.

2.2 The NPPF states (paragraphs 156 and 162) that Local Plans should include strategic policies, and LPAs should work with other authorities and providers to meet forecast demands and deliver:

- homes and jobs;
- retail, leisure and other commercial development;
- infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management;
- minerals and energy (including heat);
- health, security, community and cultural infrastructure and other local facilities;
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape;
- nationally significant infrastructure.

2.3 As a guide this list is indicative of the type of subject areas (derived from the social, economic and environmental components of sustainable development) where there is an expectation that a co-operative approach *may* be desirable. At an early stage a decision needs to be reached about which of these raise genuinely strategic issues *and* are likely to have cross boundary implications, which would necessitate, or be best addressed, via a co-operative approach.

It is not necessary for *all* cross boundary issues to be addressed in a strategic framework document; for example, depending on the issue it might be equally appropriate for authorities to produce bi lateral agreements (memorandums of understanding or similar) or to separately evidence how a co-operative approach has been taken. Whilst the Framework is initially intended to be prepared on behalf of the Norfolk planning authorities it will need to demonstrate how issues of cross boundary significance beyond Norfolk are being considered.

2.4 Table 1 below outlines those issues which: officers consider are most likely to raise strategically important cross boundary considerations and where a co-operative approach would therefore be helpful; and identifies the key evidence that will be required to understand and address the issue and suggests how this might be prepared. This should not be regarded as an exhaustive list and the final content of the document must be kept under review as evidence is prepared. The aim would be that the resulting

Framework would provide a set of agreed *objectives* which would influence the subsequent spatial distribution of growth in the next round of Local Plans.

Table 1. Potential Content of Framework Document

Topic Area	Framework to address	Evidence needed to support	Preparation process
Spatial Vision	<p>What is the overall spatial vision for the area (to include Norfolk, adjacent counties and the wider region as necessary) and to identify and describe the key drivers and constraints in relation to growth. To include a spatial portrait and overall direction of travel addressing:</p> <p>Quality of life; response to challenge of climate change; key headlines in terms of what is being aimed for in relation to role of settlements and key growth locations. Summary of impacts of broad population, economic, environmental, social trends and implications of known national and local policies. To have a longer term vision – will need to look beyond 2036.</p>	<p>Mainly drawn from review of local and national policy documents and further evidence sources referred to below plus census and ONS/CLG projections of population and households. Climate change and coastal changes. May be a need to commission some further work to fill any gaps or interpret evidence.</p>	<p>Initially prepared by existing Strategic Planning Officer Group to identify any information gaps and revised as Framework preparation progresses and additional evidence becomes available.</p>
Homes	<p>What is the overall quantity of homes to be provided between 2016 and 2036?</p> <p>What is the proposed distribution of housing growth between District</p>	<p>SHMA – assessment of objectively assessed housing need and demand factors.</p> <p>Housing Growth Strategy. SHMAs</p>	<p>Five District SHMA nearing completion. Possible reconciliation/consistency checking if others’ SHMAs are within area of Framework.</p>

	<p>Council administrative Areas? If there are constraints to growth how could these be addressed?</p> <p>Information on types and tenures including possible shared approaches to meeting affordable needs?</p>	<p>and other evidence to be drawn together to derive an agreed Housing Growth Strategy.</p> <p>SHLAAs – Assessment of ‘unconstrained’ housing capacity.</p> <p>Constrained Capacity–Need to consider and address other capacity/constraint considerations not covered in SHLAAs.</p>	<p>SHLAAs to be completed to a consistent methodology and open to mutual scrutiny and challenge across the entire area covered by the Framework. Work to be undertaken by relevant LPA staff to an agreed timeframe (<i>with consultant support if necessary/appropriate?</i>).</p>
Economic Development	<p>Demonstrate understanding of the strengths and weaknesses of the local economy, likely growth areas, patterns of distribution and inter-relationships. Reference to the SEP and investment/economic strategies.</p> <p>Identification of indicative job growth targets and land supply implications/spatial implications for planning policy.</p>	<p>Employment Growth Study.</p> <p>Further runs of EEFM.</p>	<p>Externally commission via consultancy to a brief produced involving County Council(s) and LEP.</p> <p>County Council to arrange EEFM runs (possibly to inform above study).</p>
Infrastructure	<p>Are there any key infrastructure constraints or opportunities (physical, social and/or environmental) which are likely to impede growth or influence its</p>	<p>Analysis of current evidence base to identify possible constraints and opportunities, and whether further work is necessary to inform high level strategy.</p>	<p>To be produced by officers working with staff from key agencies such as EA and NE.</p>

	<p>distribution <i>at a strategic scale</i>?</p> <p>To address transport infrastructure (road, rail and other sustainable modes), green infrastructure, water issues (both supply and disposal), and flooding.</p> <p>Potential to include high level statement in relation to other physical and social infrastructure approach – health, education, broadband etc if significant and cross boundary.</p>		
Delivery	<p>Is the development market in the area likely to be sufficiently strong to support delivery of the growth needs identified in a sustainable manner?</p> <p>Is any further stimulus necessary to deliver?</p>	<p>High level market forces/viability assessment focussing on issues associated with strategic scale growth proposals as opposed to more dispersed/smaller scale development.</p>	<p>Externally commissioned</p>

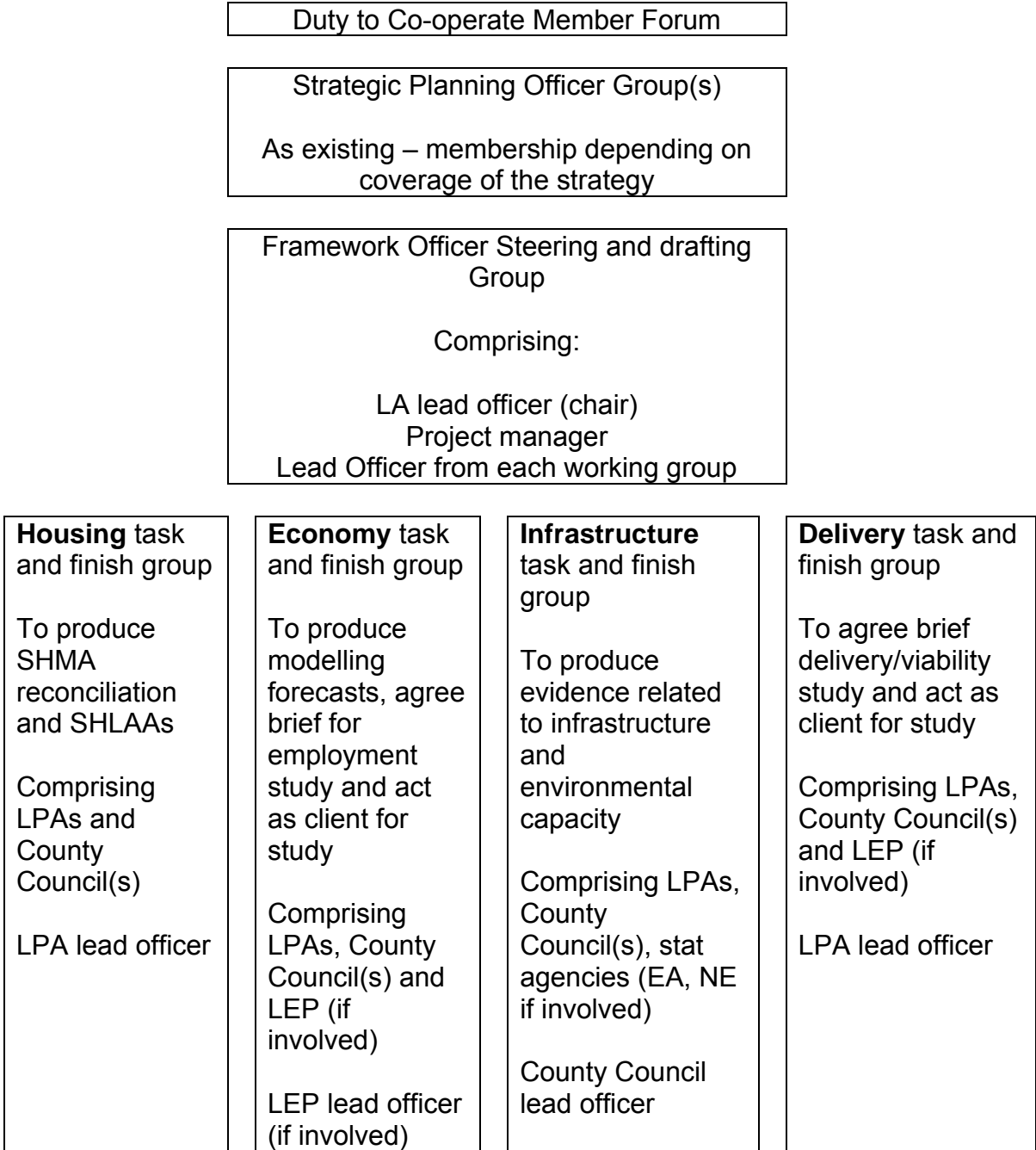
2.5 There are a wide range of other topic areas where cross boundary issues may arise as Plan preparation proceeds but at this stage it is considered that the Framework should focus on those issues which are likely to influence the broad spatial distribution of growth.

3. Preparing a Framework - Process

3.1 Given the relatively focussed content of the framework listed above and the financial constraints on local authorities the option of seeking to recruit a new planning resource to lead the work is not favoured. The view was taken that existing local authority staff were likely to be best placed to draft the Framework itself from the evidence base available and a small number of commissioned studies. External work will only be commissioned where absolutely necessary and the initial expectation was that this may only be required in relation to employment and viability/delivery studies.

- 3.2 This would mean that the financial contribution needed for the work would be minimised but there would be a significant resource required in terms of officer time. There is currently little spare capacity within the policy teams of the partner authorities as a number are heavily engaged in finalising local plan documents although this situation has the prospect of easing over time as plans are adopted. Some of the work that will be required could be regarded as 'mainstream activities' such as the preparation of Strategic Land Availability Assessments and will just require re-phasing of existing local plan work programmes to deliver what is necessary in accordance with an agreed timetable.
- 3.3 Experience from working on Local Plans in the Greater Norwich area suggests that joint working of local authority staff can be highly efficient and effective but that in order to be successful it requires a level of dedicated project management and administrative support to ensure that appropriate responsibilities are assigned, meetings organised, progress reports prepared, external consultancy commissioned and remedial action taken where milestones are missed. This will be required to support a series of task and finish working groups to do the work needed. A possible structure in relation to the member forum is illustrated in Table 2.
- 3.4 In order to put these structures in place a number of steps would need to be taken. Due to the time taken to recruit an early step will need to be recruitment to project manager and admin support post. The current expectation is the project manager post would only be part time (possibly 0.5fte) although having the scope to alter working hours throughout the period of employment would be an advantage. The administrative support is anticipated being full time. These staff would need to be hosted in one of the LPA offices (there would be advantages if the hosting authority was the one which provided the LPA lead officer). Another authority would need to agree to be the employing authority for the staff involved (this could be either another LPA or a County or the LEP). The employing authority would be responsible for drafting the job description, person specification and grading for the post, agreeing with the partner authorities and holding the shared budget for the production of the framework.
- 3.5 Establishing the membership of the officer groups should be more straightforward. The membership of the task and finish groups and the level of work involved will vary. All LPAs will not need to be involved in all of the task and finish groups. However, each task and finish group will need to report back regularly to the steering group and at key stages to the member forum. It is suggested that reports will be needed to the Member Forum prior to briefs being issued for external commission and on draft evidence reports before they are finalised and published.

Table 2: Possible Structure



Possible Budget implications

3.6 The budget remains uncertain at this stage. Key variables in determining this will be the coverage of the Framework (the greater the coverage the lower the cost to each authority involved), and the willingness of the partners such as the County Council(s), LEP and statutory agencies to assist with the process both in terms of the financial contribution and staff resources to assist with the work. However, the following costs have been estimated:

- Staff Project Manager £40,000pa (including on-costs, assuming 0.5fte)

- Admin support £30,000pa (including on-costs assuming 1fte)
- Economic Evidence - initial estimate c£40,000 (one off cost)
- Strategic Infrastructure and viability/deliverability – initial estimate c£30,000 (one off cost)

3.7 The above costs would mean under a conservative scenario the costs faced by each district authority should be a maximum of c£15,000 each in the next financial year (2015/16) with no more £10,000 each in the following financial year (Broads Authority 50% of this rate, and Norfolk County Council 200% of this rate), assuming there is no decision to commission further work.

Timetable

3.8 Assuming the Forum is content to endorse the recommendations in this report it will take some time to gain a formal decision from each of the participating authorities about participation on the joint exercise. In practice it will be the early part of the summer before endorsement is gained (June/July 2015). This will inevitably delay the process of appointing the project manager, establishing working groups, and drafting briefs for external commissioned work. In practice it is considered that September 2015 will be the earliest post holders and lead officers will be in place and work is able to commence in earnest.

3.9 The primary research phase and production of the key evidence base is considered likely to take at least six months (complete by March 2016). Spring 2016 is likely to be a period of fairly intense work for the staff involved in the steering and drafting group to produce the first draft of the framework in the light of the Forum's reaction to the evidence base produced.

3.10 Notwithstanding the absence of any legal requirement for consultation it is suggested that the process will need to feature the ability for the public and interest groups who have not been directly involved in the process to have their say on the emerging framework. This will add at least 3 months to the preparation timetable.

3.11 Allowing for time to analyse and consider any comments received on the draft document and for engagement with each of the adopting authorities on the final content of the document the earliest possible date that the Forum may be in a position to recommend adoption of a framework to the adopting authorities is likely to be the first meeting in 2017. In order to minimise any impact of this timetable, Local Plans are likely to need to be developed in parallel (if preparation is not already underway).

Recommendation

It is recommended that the forum agrees to:

1. Endorse that the Strategic Framework should in the first instance focus on those areas identified in Table 1 and be produced using a structure outlined in Table 2 and the timetable outline in paras 3.8-11;
2. Recommend that each authority formally agrees to participate in the preparation of the framework and agree to contribute up to a maximum of £15,000 in 2015/16 and £10,000 in 16/17 per district authority to cover the anticipated costs, with the Broads Authority contributing 50%, and Norfolk County Council 200%, of a district level contribution;

3. Write formally to the LEP and the all Suffolk authorities to request confirmation of whether or not they wish to participate in preparation of the framework and whether they are prepared to share costs.

Report prepared by Mark Ashwell (NNDC) and Graham Nelson (Norwich City)

Norfolk Duty to Cooperate Member Forum – March 2015

Revised Terms of Reference

Purpose of report

1. To seek approval for up-dated Terms of Reference for the work of the Duty to Co-operate Members forum.
2. The Members Forum was established in 2013 in response to the Duty to Co-operate when preparing Development Plans. It has met on a roughly quarterly basis under Terms of Reference which defined its role as:
 - To discuss strategic planning issues that affect local planning authorities
 - to understand the viewpoints of other authorities
 - to consider and comment upon relevant supporting evidence base to support local plans (as appropriate)
 - to consider the need for joint or coordinated working on particular topics or evidence
3. At the Forum meeting in January 2015 it was recommended to Member Authorities that the forum steers the preparation of a non-statutory strategic framework to inform the preparation of Local Plans. Revised Terms of Reference (attached) have been prepared in the expectation that agreement will be reached in relation to the preparation of this framework document. These reflect the emerging role of the forum, reference the enabling legislation, and outline the governance arrangements. These may require further amendment after this meeting, following which they will be recommended to member authorities for approval.

Recommendation

It is recommended that the Forum agrees to:

Recommend to member Authorities that the attached revised Terms of Reference are agreed.

Report prepared by Mark Ashwell (NNDC, Tel 01263 516325, mark.ashwell@north-norfolk.gov.uk)

Draft Revised Terms of Reference

Duty to Co-operate Members Forum

Terms of Reference (Jan 2015)

1. Introduction

1.1 The Localism Act 2011 inserts section 33A into the Planning and Compulsory Purchase Act (2004) the requirement for authorities and certain public bodies to engage on key issues under a 'Duty to Cooperate' when preparing Development Plan Documents (principally Local Plans), and other Local Development Documents.

1.2 The Act states, *inter alia* that Local Planning Authorities must:

'...engage constructively, actively and on an on-going basis in any process by means of which activities within subsection (3) are undertaken.....'

1.3 The Duty to Cooperate is a legal test when local plans are independently examined and Local Planning Authorities will need to provide evidence to demonstrate that they have undertaken the duty. Local Plans are also examined for their overall soundness. To discharge the soundness test work undertaken under the Duty to Co-operate must be demonstrably effective, examinations to-date suggest that as a minimum this will require:

- Genuine Member level co-operation.
- A continuous process of co-operation throughout plan preparation.
- Co-operation across all cross boundary strategic issues.

1.4 Norfolk Authorities have a strong record of working together through a range of both formal and less formal mechanisms. A Strategic Planning Officer Group has been established for many years and in January 2014 a Members Forum was established with the overall purpose of ensuring that the requirements of the Duty were met. This comprised Members from each of the Norfolk District Councils and the Broads Authority together with Norfolk County Council (the 'Core Group') supported by the Norfolk Strategic Planning Officer Group and meet on a quarterly basis to progress work under the duty. Its Terms of Reference were most recently reviewed in January 2015 (these Terms).

2. The Forum

2.1 The Forum's overall purpose is to ensure that when preparing Development Plans the requirements of the Duty to Cooperate is discharged in a way which enhances the planning of strategic matters and minimises the risk of unsound Plans. It will provide the political input and steerage necessary to discharge the duty.

Powers

2.2 The Forum has agreed to meet for the purposes set out in these terms of reference to provide a vehicle for cooperation and joint working between local authorities and other parties within Norfolk and across any other area over which the duty may be applied. They will act together in accordance with their powers under sections 13, 14 and 33A of the Planning and Compulsory Purchase Act and Section 1 of the Localism Act 2011 for this purpose.

2.3 For the avoidance of doubt, the Forum cannot exercise any of the functions of a Local Planning Authority or competent authorities, such as setting formal planning policy or exerting control over planning decisions, nor can it amend any decisions made by other bodies such as the LEPs unless such powers have been expressly delegated to the Forum by one or more of its members. The Forum will recommend actions to the member authorities and others insofar as this is necessary to discharge the Duty.

Specific Activities

2.4 The Forum will address matters relating to the Duty to Cooperate to comply with Section 33A of the Planning and Compulsory Purchase Act 2004. In summary it will:

- Identify spatial planning issues of strategic importance that impact on more than one local planning area across Norfolk and a wider geographical area where appropriate to do so and provide the basis for working collaboratively within, and outside, of the 'core group' across a range of organisations and geographies as might be appropriate to address cross boundary strategic issues.
- Recommend the most appropriate land use planning approach to better integration and alignment of strategic spatial planning across Norfolk and a wider geographical area where appropriate.
- Provide the evidence that the Local Authorities are working 'constructively, actively and on an ongoing basis' on strategic planning matters to support delivery of Local Plans which will be able to be assessed as 'sound'.
- With the agreement of member authorities, oversee the joint commissioning and preparation of evidence necessary to determine the most appropriate strategic spatial approach to cross boundary issues.

Expected Outcomes

- The timely production and review of an *evidence base* sufficient to address cross boundary strategic land use issues, to identify where such issues arise and recommend actions to the member authorities to address them.
- The preparation and agreement of a *single non-statutory shared strategic framework* document to inform Local Plan preparation covering, as a minimum, any cross boundary strategic land use issues relating to:
 - homes and jobs;
 - retail, leisure and other commercial development;
 - infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management;
 - minerals and energy (including heat);
 - health, security, community (e.g. schools) and cultural infrastructure and other local facilities;
 - climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape;
 - nationally significant infrastructure.

- An evidenced (documented) approach to cooperation across strategic cross boundary issues at a Member level and throughout the process of Local Plan Preparation.

And, as a result of the above, a collaborative approach towards addressing strategic issues and delivering sustainable growth in Norfolk.

3. Governance and administrative arrangements.

Membership

The Core Group will consist of one Member from each of Norfolk County Council, Norwich City Council, South Norfolk District Council, North Norfolk District Council, Broadland Council, Breckland District Council, the Borough Council of King's Lynn and West Norfolk, Great Yarmouth Borough Council and the Broads Authority. The membership of the group will be determined by each authority via annual nomination, preferably of the Planning Portfolio Member or equivalent for each authority. Each authority should also nominate substitutes should the nominated Member not be able to attend particular meetings.

Membership of the Core Group will be kept under review and adjusted to reflect any wider geography over which it might be determined appropriate to cooperate.

Chairmanship and vice chairmanship will be determined by the Forum and reviewed each year.

Format of Meetings

Meetings will be held in private and will comprise the appointed Members and Officers from each authority. Other members of any of the constituent authorities may attend to observe, though not participate. Others (specialists, representatives of other organisations, consultants etc) may attend and present at the meetings by invitation. An Agenda and papers will be circulated in advance of each meeting and informal action notes will be taken for internal/ member use only. (Clarity to be sought in relation to the treatment of exempt information in case such a situation should arise at some point in the future.)

Public Information/website

The agenda and a brief note of any recommendations made back to LPAs will be made public via a Duty to Cooperate web page on the NCC website.

Frequency of meetings

Initially every two months, or at intervals to be agreed, hosted in the first instance by Norfolk County Council.

Secretariat

The secretariat for the group will be provided on a rotating basis commencing with the County Council.

Decision Making

The Forum is not a decision making body and will recommend actions to partner Authorities. It will aim to reach a consensus wherever possible. Its recommendations are not binding on the actions of any of the partners.

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES/NO	
	Discretionary /	Need to be recommendations to Council	YES/NO	
	Operational	Is it a Key Decision	YES/NO	
Lead Member: Cllr B Long E-mail: cllr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Dave Robson E-mail: dave.robson@west-norfolk.gov.uk Direct Dial:01553 616302		Other Officers consulted: Geoff Hall, Fabia Pollard, Air Quality Steering Group Ian Parkes, Norfolk County Council		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				

Date of meeting: 31st March 2015

2 AIR QUALITY ACTION PLAN

Summary

This report highlights the work which has been completed in drawing up an Air Quality Action Plan (AQAP) and the mechanisms used to consult with the public and stakeholders on the proposed air quality reduction measures

Recommendation

That Cabinet adopt the Air Quality Action Plan

Reason for Decision

To allow Air Quality Action Plan to be implemented.

1 Background

1.1 The Borough Council has a statutory duty under Part IV of the Environment Act 1995 to review and assess air quality across its district. Air quality monitoring has shown that the levels of Nitrogen Dioxide (NO₂) exceed the annual mean objective in two areas within King's Lynn.

1.2 The Borough has declared these two areas as Air Quality Management Areas (AQMA). The main source of NO₂ in both AQMA's is from road transport.

1.3 If an area is declared as an AQMA, then the Borough Council has a statutory duty to develop, adopt and implement an Air Quality Action Plan (AQAP) within 12-18 months of declaration. The draft AQAP must be submitted to DEFRA, other stakeholders and undergo an 8 weeks public consultation before being adopted.

1.4 The measures within the AQAP will then be implemented through the Air Quality Steering Group (AQSG).

2 Air Quality Action Plan

2.1 DEFRA/Secretary of State has issued statutory Local Air Quality Management (LAQM) Policy Guidance 2009 (LAQM PG 09) regarding the setting up of a steering group, format of action plan, consultation and measures to be considered.

2.2 An AQAP must include the following:

- Quantification of the source contributions to the predicted exceedances of the relevant objectives; this will allow the Action Plan measures to be effectively targeted;
- Evidence that all available options have been considered;
- How the Borough Council will use its powers and also work in conjunction with other organisations in pursuit of the air quality objectives;
- Clear timescales in which the Borough Council and other organisations propose to implement the measures within the plan;
- Where possible, quantification of the expected impacts;
- How the Borough Council intends to monitor and evaluate the effectiveness of the plan

2.3 DEFRA have included in LAQM PG (09) several local authority measures that should be considered. These measures include:

- Traffic regulation
- Traffic calming
- Reallocation of road space
- High occupancy vehicles lanes
- Vehicle restricted areas
- Parking controls
- Traffic control systems
- Speed limits
- Transport information & guidance systems
- Home zones
- Clear zones
- Park & ride
- Smarter choices (travel plans, car sharing etc)

3 Air Quality Steering Group

3.1 An Air Quality Steering Group (AQSG) has been set up under the Portfolio Holder – Environment who chairs the group. The group has met several times and has drawn up a draft Air Quality Action Plan (AQAP). The group membership includes officers from Planning Control, Planning Policy, Regeneration, Car Parks, NCC Transport Planning and Environmental Quality.

3.2 The AQAP needs to link to other corporate policy areas; namely the Local Development Framework, Local Transport Plan, parking management, town centre redevelopment and environmental statement. All these areas have potential impacts on air quality within the AQMA's and therefore these policies need to complement each other, rather than conflict. The aim of the plan is to achieve a win/win situation with the AQAP measures by reducing idling traffic, reducing traffic congestion, increase traffic speed through the town, improving public transport and alternative transport methods with added benefits of improving access to King's Lynn with positive impact on businesses and tourism.

4 Consultation

4.1 Cabinet agreed on 29th July 2014 to a public consultation on the draft AQAP which was carried out between 1st August and 30th September 2014. This included a media release and dedicated consultation webpage including an online survey. Public drop in sessions were also held at Kings Lynn Central Library and Gaywood Libraries.

4.2 The draft AQAP was sent out for consultation with the following: -

- Secretary of State (DEFRA)
- King's Lynn Area Consultative Committee
- Elected Members
- Environment Agency
- Norfolk County Council including Highways
- Neighbouring district local authorities
- Members of the public and interested bodies through website site, press articles and drop in session at Central and Gaywood libraries and online customer survey
- Bus operating companies
- King's Lynn Chamber of Commerce

4.3 A report detailing the consultation responses is contained in Appendix 1. The highest level of support was for actions:

- to improve public transport (including the West Lynn Ferry),
- considering air quality impacts of development in air quality management areas,
- traffic management in the air quality management areas,
- to improve provision for cycling and walking
- travel plans,
- traffic control systems,
- road layout

4.4 DEFRA have considered the draft AQAP and are supportive noting “The overall plan is clear, comprehensive and substantially follows the guidance outlined in LAQM PG(09). The plan provides a background to the review and assessment work undertaken by the Council. This includes the findings of the source apportionment exercise undertaken in the detailed and further assessment stages, and a statement on the required reductions in emissions and NO₂ concentrations for the two AQMA.”

4.5 The draft AQAP has been developed after reviewing several different measures. The final AQAP recommends that 20 measures should be taken forward. A copy of the Non-technical Summary is attached as Appendix 2 which highlights the 20 measures that are proposed to be taken forward.

4.6 Whilst some alternative measures were suggested as part of the consultation process, these have already been considered and disregarded as either not being feasible, cost benefit being low or an alternative measure has been included in the AQAP. Therefore it is not proposed to remove any proposed action plan measures or add any additional measures.

5 Policy Implications

5.1 The Air Quality Action Plan that will be used to implement measures that are designed to, in combination, reduce the levels of NO₂ to levels below the National Air Quality Objective and eventually lead to the revocation of both AQMA’s within King’s Lynn.

6 Financial Implications

6.1 None identified

7 Personnel Implications

7.1 None identified

8 Statutory Considerations

8.1 It is a legal requirement to complete, adopt and implement an AQAP if a local authority declares an AQMA.

8.2 Once adopted, this policy will form part of the guidance for proposed planning developments in or adjacent to the AQMA's.

8.3 The UK faces legal action over NO₂ breaches. Some of the UK's air-quality zones breach the 40 microgram per cubic metre NO₂ annual mean limit that should have been met by 1 January 2010. The Court of European Justice has ruled in that the UK has breached the air quality directive. As a result of the ruling, political pressure may now similarly build for a revision of the air quality directive to allow greater provision for exceedances or more relaxed time limits. A fine would be the ultimate step in legal action. The Government have discussed the possibility of transferring any fine to individual local authorities where breaches have occurred. However, no decision has been made on this issue to date.

9 Equality Impact Assessment (EIA)

(Pre screening report template background paper)

9.1 A pre-screening assessment has been completed and no issues were identified.

10 Risk Management Implications

10.1 As discussed in section 8 above, there are legal implications if this work is not completed.

11 Declarations of Interest / Dispensations Granted

11.1 None identified.

12 Background Papers

Annual Air Quality Reports
Air Quality Monitoring Results
Air Quality Management Orders for both AQMA
DEFRA LAQM TG(09)
DEFRA LAQM PG (09)
NSCA/ EPUK air quality guidance documents
AQAP Consultation responses
DEFRA Action Plan Appraisal Report 25.11.

Air Quality Action Plan Consultation – November 2014

1.0 Introduction

The Borough Council sought views on the draft Air Quality Action Plan. The consultation period ended on 30 September 2014.

2.0 Consultation process

Four drop in sessions were held at Gaywood and King's Lynn libraries during August and September. A leaflet drop was carried out to properties within the air quality management areas to let them know about the consultation.

A webpage was set up on the Borough Council's web site with a link to an electronic survey and an email address for specific comments. Stakeholders and interest groups were contacted by email and directed to the website for more information. Taxi and Private Hire operators were contacted by letter for comments. Items also appeared in the local press to inform the local community that the consultation was taking place.

The drop in sessions were attended by a total of 100 people who came to discuss the plan and give their views. Where possible, specific concerns were recorded and attendees were also directed to the website to leave more detailed comments.

3.0 Consultation responses

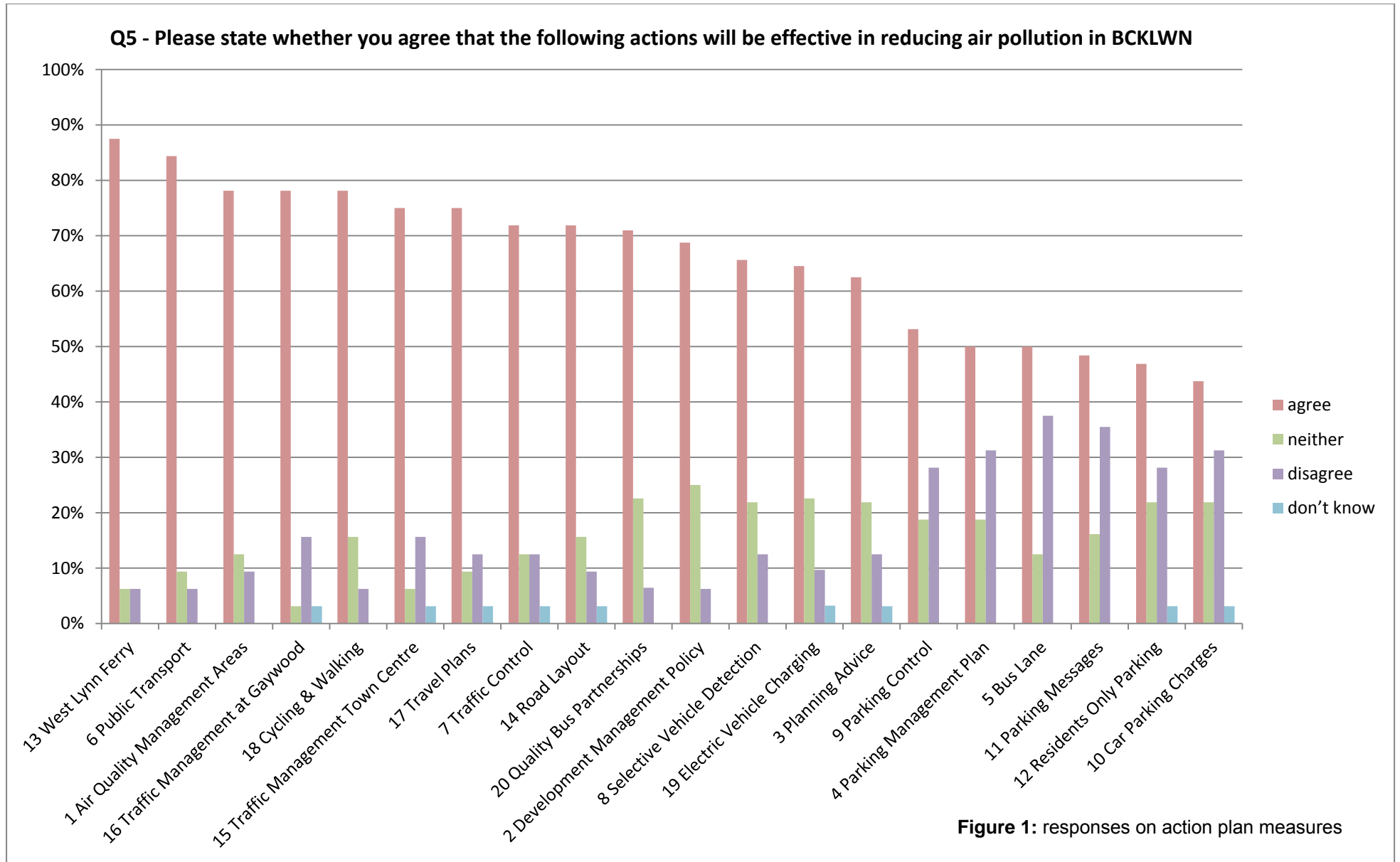
In addition to responses received at the drop-ins, nineteen email responses were received. These responses included 1 from a County Councillor, 1 Norfolk County Council's Environment, Transport and Development Department, 2 community groups, 2 bus companies, 5 residents and 8 taxi/private hire. The responses are reported in **appendix 1**.

Thirty two responses were received by electronic survey. These are reported in **appendix 2**.

Figure 1 below summarises the extent to which respondents either agreed or disagreed with action plan measures effectiveness in reducing pollution.

A separate question was asked about the potential to use Hardings Way bus/cycle route for taxi/private hire vehicles. 56% of survey respondents thought taxis should be able to use the bus lane, 44% did not agree.

Figure 1 shows the action plan measures ranked in order of support. The top ten measures had over 70% of respondents who agreed or strongly agreed that the measure would help reduce air pollution. More people agreed than disagreed that each measure could help reduce air pollution.



As well as comments on the individual measures in the draft Action Plan, respondents raised additional issues such as:

- The feasibility of Park and Ride (south or north of the town centre, or from Gaywood)
- Restriction of free parking in Gaywood to shoppers only
- Turning off traffic lights at some junctions
- 20mph speed limits
- Charge for car parking at Lynnsport
- Include charging points for electric cycles at car charging points
- Increase parking charges to remove bias towards car users
- Restrict HGVs in the town centre
- More benches to aid on longer journeys by foot
- Increase tree planting
- Park and sail from saddlebow
- Remove free work-time parking for council employees
- Close Tuesday Market to all traffic
- Introduce rickshaws
- Allow left turns on red lights and part-time signals
- Widen Southgates
- Tram from South Lynn to Boal Quay
- Bus stops at Saturday and Tuesday Market
- Stagger school opening and closing times

4.0 Conclusion

The Air Quality Action Plan was supported by those who responded to the consultation. There were more respondents who agreed that the measures would help reduce air pollution than those who disagreed.

The highest level of support was for actions:

- to improve public transport (including the West Lynn Ferry),
- considering air quality impacts of development in air quality management areas,
- traffic management in the air quality management areas,
- to improve provision for cycling and walking
- travel plans,
- traffic control systems,
- road layout

Half of the respondents supported the use of Hardings Way by buses, to remove some traffic from London Road. 56% supported the use of Hardings way for private hire vehicles and taxis.

5.0 Further actions

An Air Quality Steering Group has been set up to deliver the plan. Comments will be considered by the Air Quality Steering Group and the air quality action plan will be reviewed and finalised. Individual measures may need to be updated or new ones inserted.

The final action plan will be submitted to DEFRA for approval before being adopted by the Borough Council. Once adopted, the steering group will start to implement the identified measures within the plan. Progress will be reported through the annual air quality report.

Group	Comments
<p>Bike Users Group (King's Lynn and West Norfolk)</p>	<p>Policy Actions 1, 2 and 3 - KLWNBUG is in favour of these proposals, although we would suggest placing more emphasis on active travel plans for developments in the AQMAs and adjacent areas to reduce polluting vehicle use, as well as ensuring that developments have adequate secure storage for residents' cycles and safe links to the current cycleway network.</p> <p>Policy Action 4 - The group is in favour of the proposal to plan car parking facilities in such a way as to smooth out car journeys and ease congestion provided that it does not disrupt cycling and walking routes. In addition, we suggest that plentiful cycle parking at secure and accessible sites, advertised in/near car parks, should form an integral part of the action plan. We are not quite clear how the increase in 20 minutes free car parking spaces reported in the Lynn News ties in with the policy, in that we feel it is more likely to encourage more of the short car journeys that are so detrimental to the environment.</p> <p>Policy Action 5 - Hardings Way is not a “bus only” route, but a cycleway which was rebuilt as part of the Communities Infrastructure Fund 2 (CIF2) project to allow buses to share it. We are strongly opposed to the idea of opening Hardings Way cycleway to taxis and private hire vehicles because it seems likely that any improvement to air quality on London Road that could be achieved by this measure would be more than outweighed by a deterioration in air quality in the Hardings Way area alongside the River Nar, where air quality is currently acceptable. In addition, this route is currently very well used by both pedestrians and cyclists travelling into the town centre, and putting additional traffic on the road is likely to make them feel less secure and discourage them, thereby adding extra vehicles to London Road and further undermining any improvement. Furthermore, this may undermine the county council's duty to protect public health as it would be contrary to Recommendation 2 of NICE guidance PH8 on Physical Activity and the Environment. It would be far more effective to finish Hardings Way by extending it into the Nar Ouse Regeneration Area and delivering the connecting community infrastructure originally planned as part of the CIF2 project.</p> <p>We are also extremely concerned to see that Table 7 in Appendix 3 of the Plan refers to opening the road without any indication that access would be restricted to taxis and private hire vehicles; would this be the next step?</p> <p>Policy Action 6 – we are in favour of improvements to public transport, particularly as incentives to replace car journeys with bicycle/bus combinations have reduced considerably in recent years, with the barring of bikes on the express (X) routes and the insistence of some bus companies on bags for folding bikes when they are not required for buggies and large items of luggage. Also, many popular destinations in town are not currently on a bus route. For these reasons, we feel that this policy action, while worthy of support, needs careful attention.</p> <p>Policy Action 7 - improving traffic flow to reduce congestion and cut emissions would be a good thing; the introduction of a 20mph speed limit in the town centre would also help with this (please see further comments below). Any scheme to keep traffic flowing should consider the needs of non-motorised road users, who can be deterred by long waits at junctions.</p> <p>Policy Action 8 – we are in favour of the proposal to keep buses moving more smoothly.</p> <p>Policy Action 9 - we also feel that improved parking controls can play a useful part in reducing congestion; in addition, reducing pavement and cycleway parking would help ensure that non-motorised travel remains attractive.</p>

Group	Comments
	<p>Policy Action 10 - We support this in general but note that the recent plans for extending the car parking at Lynnsport do not seem to include the introduction of any charges. Surely a sports centre of all places should not be encouraging more car-based visits, but should be actively supporting other means of travel and providing disincentives to those undertaking the nearly the half of car journeys which start within the town boundaries or Woottons.</p> <p>Policy Actions 11,12,13 – KLWNBUG supports these proposals.</p> <p>Policy Action 14 - the Group supports this proposal and requests that provision for cyclists be taken into account when redesigning road layouts, as any redesign provides an ideal opportunity to reallocate carriageway space to provide high quality cycle routes and improve safety for cyclists on roads and junctions by protecting space. There is often little evidence that the interests of non-motorised road users are taken into account or considered fully. For example, it often seems that provision is made for cyclists travelling only in one direction (e.g. the new Sainsbury's development and the hospital roundabout). Also we are not necessarily convinced (despite the models) that new roads such as the Greenpark Avenue to Edward Benefer Way route will not create more traffic and merely transfer congestion (in much the same way as the M25 did).</p> <p>Policy Action 15 – we support traffic management in the problematic London Road and Southgate area. Again, a 20mph speed limit could perhaps help achieve this (please see comments below), and the needs of non-motorised road users should be considered.</p> <p>Policy Action 16 – the Group suggests reallocating carriageway so there are never more motor lanes entering a junction than exiting it and using the freed carriageway to provide high quality cycleways instead of the current confusing partial provision of mixed-user paths.</p> <p>Policy Action 17 – KLWNBUG is in favour of green travel plans but having been an enthusiastic partner in several campaigns for biking to work we would suggest that a more holistic package of incentives for commuter cyclists and disincentives for drivers be introduced. The Borough itself should be the pioneer in this regard; various initiatives in the past did not produce much sustained change in staff commuting habits! Not only do Cambridge and Norwich have a higher proportion of cycle journeys to work, but so does Boston - Lynn has a long way to go!</p> <p>Policy Action 18 - KLWNBUG welcomes the proposal to encourage people to switch to walking and cycling. The promotion of cycle route maps and of cycling groups is a positive step, and as mentioned in point 4 above, the provision of adequate cycle parking in secure and convenient areas, preferably covered, would also help to encourage cycling in the town centre. Whilst it is clear that the proposals in the AQAP relate to the town centre and Gaywood Clock areas, we would point out that any plan to encourage walking and cycling in these areas also needs to make provision for adequate promotion, maintenance and signage of good quality cycle routes in other parts of the town so that the areas in question are accessible to walkers and cyclists. In particular, improved signage of walking and cycling routes would be helpful and a cost effective way to promote these modes of transport. KLWNBUG in collaboration with both the borough and county councils did publish a cycle map of Lynn in the past. These were very popular and we have been in desperate need of a reprint for several years; we would welcome any funding and support to this end. Again, we feel that this would be a relatively simple and extremely cost-effective way to promote greener travel.</p> <p>Policy Action 19 – we are in favour of the provision of charging points for electric vehicles including electric cycles.</p>

Group	Comments
	<p>Policy Action 20 – the Group supports the proposal for quality bus partnerships and suggests that provision for carrying bikes on some buses should form part of the contract.</p> <p>Further comments:</p> <p>We were surprised to see the repeated claim in Appendix 3 that fuel efficiency at 20mph is lower than at higher speeds, leading to increased emissions. No evidence is cited for this assertion, which appears to be a direct contradiction of the information given in the Department for Transport Circular 01/13 "Setting Local Speed Limits". This Circular states that "generally, driving more slowly at a steady pace will save fuel and reduce pollution, unless an unnecessarily low gear is used".</p> <p>Any slight improvement in engine efficiency from driving at higher speeds would only apply at steady speeds where a higher gear can be used. This is unlikely to be achieved in the urban environment. A lower speed limit would be more likely to result in less idling and acceleration. We would therefore request that the proposals involving 20mph speed limits be re-examined, as it may well both reduce the levels of emissions from each vehicle, and encourage the use of non-polluting modes of transport by helping to make the AQMA areas more pleasant for walking and cycling.</p> <p>We hope this feedback is helpful and would be interested in participating in the Air Quality Steering Group.</p>
<p>Bus Operator (First Eastern Counties)</p>	<p>In terms of the First bus fleet we introduced the latest diesel technology to our King's Lynn depot in 2013 so there is little more that we can do on that front. We operate four departures per hour (two to Norwich and two to Peterborough) operating via London Road in both directions. Our impact on air quality is therefore relatively insignificant.</p> <p>Any improvements to road layouts and bus priority will assist air quality from a public transport perspective, although this may have an adverse impact on general traffic emissions overall.</p>
<p>Bus Operator (Norfolk Green)</p>	<p>4. Parking Management Plan As a bus operator I would obviously say this, but the parking charges in Kings Lynn are too cheap, because of this there is a bias towards car users and it is that bias that often causes all of the traffic congestion.</p> <p>5. Bus lane The right hand turn on London Road next to the library to access the bus lane is already fraught with danger with no right turn priority, already our buses are asked to turn right when the lights are on red, so this route be opened to taxi and private hire vehicles there must be a priority. There must also be a clear instruction as to the operation of the said bus lane.</p> <p>13. West Lynn Ferry I am not sure where the calculation comes from of 90,000 "return" journeys, but it is clearly flawed. If you check the capacity of the boat and the journeys it makes you come up with a figure of around 500 per day. Having used the service I cannot believe that.</p>

Group	Comments
<p>Community Association (Hardings Pits)</p>	<p>With reference to Section 5 (Road Traffic Actions) of Schedule 1 of the above AQAP please take note of the objection of the Harding’s Pits Community Association Ltd. (HPCA Ltd.) to any ‘consideration’ of the extension of the use of the Bus and Cycle Lane U23679 Hardings Way to taxis and private hire (PHV) vehicles. We must insist that such ‘consideration’ be abandoned.</p> <p>Any increased volume of traffic is unacceptable. Its presence will be invasive and can only create further disturbance to the Harding’s Pits Doorstep Green, an important community facility.</p> <p>The existing Hardings Way is unsuited to the burden of traffic which it already carries. It cannot be modified to eliminate the hazard it presents to all users. Any increase in the volume of traffic must endanger cyclists, pedestrian adults and children who use the route for access from South Lynn to Whitefriars CE school.</p> <p>Opening the route for additional vehicle movements will merely remove part of the present source of traffic pollution in the London Road to an area (the Friars) currently suffering lower traffic pollution levels. The prevailing south west winds will distribute pollution created on Harding’s Way across the centre of the town; it will also increase pollution levels in and around Whitefriars CE school.</p> <p>Hardings Way is currently limited in use and should remain so. It is unsuited by its design to extension to other vehicles, such as taxis and PHV vehicles. The chicane at the northern (Boal Street) end is blind to car drivers from both directions, is too narrow for two vehicles to pass each other so that one or other is forced to reverse. The sightlines for vehicle drivers are seriously obstructed. It is difficult to see how the chicane can be reconfigured. On its western side there is a flood protection bank flood protection bank which cannot be moved; land to the east is in private ownership. The owner is understood to be unwilling to sell and is also understood to have taken steps to delay/prevent compulsory purchase.</p> <p>Any permitted increase in the number or type of vehicles would also breach undertakings given when the road was built that its use would be limited and that the number of bus movements would also be limited. To protect the environment of the adjacent Harding’s Pits Doorstep Green these undertakings must be respected.</p> <p>Harding’s Way runs parallel to the entire eastern boundary of the Harding’s Pits Doorstep Green. This is a 5.5 acre public recreation facility and wildlife reserve established in 2004 with funding provided by a number of national and local resources including Norfolk County Council and the Borough Council of King’s Lynn and West Norfolk.</p> <p>The latter council continues to be the owner of the land. All management and maintenance of the Doorstep Green is devolved to HPCA Ltd. This is a limited liability company managed on a voluntary basis by the local community.</p> <p>Hardings Way was constructed and opened in 2011 as a relief road for some bus movements in London Road, King’s Lynn. The Norfolk County Council (King’s Lynn, Various Roads) (Bus and Cycle Lane) Consolidation Order 2013 limits its use to buses, emergency vehicles, pedal cycles, pedestrians and ‘...the Harding’s Pits Community Association and/or its nominated contractors for ground maintenance.’</p> <p>During consultations between representatives of HPCA and officers of both the county and borough councils prior to construction of Hardings</p>

Group	Comments
	<p>Way assurances were given on numerous occasions that usage of the road would be limited to those listed in the paragraph above.</p> <p>Assurances were also given that the number of bus movements on the road would be limited to three to four an hour. In fact the number of movements has steadily increased, bringing vehicle movement, noise and air pollution to the detriment of the peace of the Doorstep Green, to the many people who visit it for recreation and to the wildlife which has much increased since the Green's establishment.</p> <p>Opening this road to the additional movement of taxis and PHV traffic would be highly detrimental to the purposes for which the Green exists. To the communities of South Lynn and the Friars it is the only easily accessible open space of its kind and it is much valued.</p>
A Kemp County Councillor	<p>1.1 Lynn and the area around the Wash have some of the highest levels of asthma in children and adults in England in figures published by NHS England.</p> <p>1.2 So the Borough Council's proposal to allow taxi and hire-car traffic into Hardings Way, in addition to the existing buses, would be a backward step, harmful to the children of South Lynn and the Friars in introducing more air pollution near to Whitefriars Primary School and simply must not happen. Poor air quality affects all of us, but particularly children. You can't see emissions from road vehicles but long-term exposure is damaging to the health of everyone.</p> <p>In addition, while buses have adopted greener fuel, many taxis and hire cars will run on diesel which produces particulates who enter the blood stream and lungs and increase the risk of heart attacks and strokes.</p> <p>1.3 The Supreme Court ruled in May 2013 that the UK Govt is responsible for 29,000 early deaths from its failure to reduce air pollution mainly from traffic fumes and nitritogen dioxide.</p> <p>1.4 Air quality sensors are to be fitted to 500 schools to gather data on pollution that causes asthma attacks and 4,000 premature deaths annually in London. The Borough Council cannot, should not, and must not do anything that would clearly flout its duty to promote the health and well-being of children in King's Lynn.</p> <p>1.5 I consulted with Whitefriars Primary School's Management and Governors who strongly objected on the grounds pollution and of safety. Parents who at present let infants to walk to school from home, because there are no cars on Hardings Way from South Lynn, will no longer do so because of motor vehicle traffic as it would not be safe.</p> <p>1.6 The beauty of Hardings Way as a quiet doorstep green, an oasis of peace and calm would be disrupted and the flowering of a unique urban tranformation allowed to wither on the vine.</p> <p>1.7 The proposal would destroy the safety and security of cyclists on a dedicated cycle route,</p> <p>1.8 Opening up more traffic to Hardings Way is the thin end of the wedge. It would displace air pollution, not reduce it. Reducing the traffic flow through London Road by restricting emissions from the heaviest and most polluting vehicles Is the appropriate way forward with the introduction of a park-and-ride scheme into Lynn.</p>
NCC (Officer Response)	<p>Our officer response to the consultation is that we support the principle of the AQAP. We confirm the intention of Norfolk County Council to continue to work with the Borough Council in improving local air quality. We also note that further work will be involved in developing the AQAP proposals and that ultimately some measures may not be deliverable.</p>

<p>Resident (Goodwins Road)</p>	<p>I am writing about pollution levels in Kings Lynn. We live in Goodwins Road and this has become like a motorway. This road has many people living off it. The impact on us-</p> <ul style="list-style-type: none"> • The road is busy and noisy from 5am to midnight with cars and many large lorries. • Our house shakes from the lorries even at the back of the house. • This road seems to be used instead of the near central one way system. • Many accidents happen from cars trying to get out of side roads. • Many cars speed along this road • We are having to consider going from double glazing to triple glazing as the sound of traffic is so loud. • We are worried about this level of traffic on our health. <p>What needs to happen-</p> <ul style="list-style-type: none"> • Road calming measures • Park and ride • better outer roads
<p>Resident</p>	<p>One thing you need to take into account is that before the bypass at thorney on the A47 was built, they reduced the speed limit though the village and the levels of pollution increased as the speed of the traffic did not move the fumes.</p>
<p>Resident (Montgomery Way)</p>	<p>I've just read about the plans to combat the bad effects of air pollution in King's Lynn. I've not seen anything about the development of a Park and Ride system.</p> <p>I think that would be a great way forward especially as there has been so much housing development in South and East Lynn (King's Reach). In fact a road from King's Reach to the Hardwick area shops might be a good idea. Might ease some of the congestion along Winston Churchill Drive, especially when the busses arrive to bring and take the children from Churchill Park school. At times, they cause severe congestion during term time. Accident waiting to happen??</p> <p>In my opinion, a bus lane development would be difficult as there does not appear to be any way of easily widening any of the roads mentioned.</p>
<p>Resident (S Lynn)</p>	<p>With reference to the summary of the above plan (Road Traffic actions section 5) please note:</p> <p>that the bus route between Wisbech Road and Boal Quay is limited to buses and emergency vehicles and to vehicular use by the Hardings Pits Community Association Ltd and/or its nominated contractors for ground maintenance under the Norfolk County Council (Kings Lynn various roads) (Bus and cycle lane) Consolidation Order 2013. Its use by any other form of traffic is illegal unless and until an amendment is made to this Order.</p> <p>Comment</p> <p>You may expect that any amendment to the Order which would permit other than the designated forms of vehicular traffic on the bus route will be strongly contested by HPCA Ltd. and by many of the large number of members of the public who use the route for walking and cycling. Moreover an extension of the use of the road would be highly dangerous to all road users unless the present embanked chicane at the</p>

	<p>northern end was straightened. This may well not be possible as the bank on the western side forms part of the town's flood defences and public ownership of the eastern side is as yet unresolved..</p> <p>When the bus route was built undertakings were given at various times by NCC and BCKLWN officials that the restrictions in the Order would be respected. It was also said that bus usage would be relatively light (ie four to six movements/hour during the day). From observation movements are now considerably greater than this; the Action Plan draft points out that buses are a major contributor to traffic pollution. The development of the bus route has thus merely transferred a major source of pollution from one place to another, albeit the new route is so positioned as to ensure that any pollution arising will blow directly across the town on the prevailing south-west winds. Opening the route to taxis/phv and, potentially, other traffic in the long run, would have the same effect. The Friars area, currently fairly pollution free, would suffer an immediate reduction in air quality.</p> <p>The bus route already forms an invasive presence alongside the Harding's Pits Doorstep Green. This recreational and wildlife facility, the only such place in the south of the town, continues to be highly valued by local residents despite the deleterious effect of the continually passing buses upon its peace and tranquility. No additional disturbance should be permitted.</p> <p>It is notable that all references in the Action Plan to action on park and ride and/or light rail or variations thereof are rejected. As some form of P and R/light rail system is the most obvious means of reducing private car access to the town - thus virtually solving the problem of traffic pollution within the town - this policy is surprising. It is true that such a system would be expensive and much more so than if it had been instituted when some such a solution was first suggested some 15 years ago by interested residents of the town. The idea that such a system should at least be examined was ignored by the then borough council at the time although a half-hearted attempt was made at a temporary P and R system. This, as intended, failed dismally. The Parry People Mover referred to in the Draft Plan was discussed at the same time but met the same fate.</p> <p>A P and R system will eventually be installed in King's Lynn. The longer the delay in establishing it, the greater the cost will be.</p>
<p>Resident (Town Centre)</p>	<p>I am writing in response to the Air Quality Consultation for King's Lynn. I write as a resident of the town centre, with children, who drives (especially for work) as well as cycling and walking whenever possible. I would love our town to be a cleaner easier-to-travel-around greener environment.</p> <p>There are a number of issues about which I have particular concerns:</p> <ul style="list-style-type: none"> • There appears to be a lack of priority in the consultation document in promoting walking and cycling. We are fortunate to live in an area ideally suited to both but the infrastructure favours motor vehicles above other means of transport. In order to improve the air quality of the town centre there should be more emphasis on reducing the total number of vehicles entering the area. This will only be achieved through offering viable and attractive alternatives to residents, commuters and visitors.

	<ul style="list-style-type: none"> • The Sustrans Route 1 is an excellent cycle route but on its own fails to join up the town at crucial points, particularly when having to negotiate London Road and the one way systems. This proves an insuperable barrier to young and less confident cyclists. Major locations such as schools, shops and amenities need to be linked up - in both directions - not, as at the St James Swimming Pool, just one way! • Another crucial piece in the puzzle is proper cycle parking, preferably covered and in view of CCTV, and, for walkers, benches at various points to encourage people with all levels of health to try to walk further. • The one way system from Railway Road encourages a race track mentality amongst drivers, many of whom drive too fast on this stretch. It is unpleasant to walk here due to the fumes and daunting for many cyclists. A two way system could slow down the traffic and enable cycle routes to be included and pathways to be widened. • I would object in the strongest terms to any proposal opening up the new bus route through Hardings Pits to taxis, HPVs or general traffic. This is a well used and safe route for many commuters and children. The only exception to this that would be logical would be to allow coaches collecting children from Whitefriars Primary School to access this road and park near to the Carmelite Arch to allow safe embarkation for school trips. This would increase child safety and prevent the congestion that occurs when coaches park along London Road or Valingers Road. • Planting trees along widened pavements is common in many cities and helps greatly with pollution levels. King's Lynn has few trees along its streets and a drive to plant more would improve the aesthetic appearance of many streets as well as improving air quality. The Woodland Trust is able to offer advice to councils on increasing tree planting in towns. • I wish to suggest that the most effective way of reducing traffic in the town centre would be provide viable alternatives, particularly for those commuting from outside the town. Public transport from many different villages and towns is obviously costly and not always convenient or accessible for many people. A possible solution is Park and Ride. I realise that this would have cost implications as outlined in the consultation document but believe it should be seriously considered for the following reasons: <ul style="list-style-type: none"> ○ People will always want to drive as close to their destination in town as they can but will be discouraged from visiting by expensive or difficult to find parking and congestion. By providing alternative, easy, safe and secure parking outside the town with reliable bus connections this will provide an attractive enticement, saving people time, inconvenience and annoyance. ○ Linking Park and Ride with cycle routes will encourage residents and commuters alike to cut down on car use. ○ Encouraging cycling and walking will inevitably improve health and well-being as well as air quality, which would assist with other local government and NHS aims. ○ Providing Park and Ride sites at ALL routes into town would inevitably improve local bus services. Currently there is no bus service from South Lynn or the southern part of the town centre towards the high schools or the hospital. This means that accessing these locations requires a car journey or a long walk. Cycling is possible (if you are fit, healthy and brave enough) but crossing both London Road and Tennyson Avenue at the level crossing can be a hair-raising experience! ○ If Park and Ride facilities, with appropriate bus, cycling and walking links, were created this could benefit the local economy as well as improving air quality. <ul style="list-style-type: none"> ▪ Saddlebow: an ideal use for the mooted incinerator site could incorporate a ferry option straight into town. It could also alleviate the parking pressure at Norfolk Arena when large events cause visitors to park along the edge of this road. Additional buses travelling through South Lynn, into town and then towards the hospital would create a much needed link to important amenities. ▪ Hardwick: there are always long queues coming up the A10. Rather than spending huge sums creating yet another
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	<p>road to be filled with even more cars, consider enticing people with a smoother journey to and from work.</p> <ul style="list-style-type: none"> ▪ Knight’s Hill area: a car park here could bring additional business to the Farm Shop and Knight’s Hill complex creating access to events here to those without transport (a recent wildlife event here was hard to access by those without a car). Cycling this route is only for the bravest as the speed limit hits 50 and there is not even a pathway for pedestrians. ▪ Leziate area: improve access to the Country Park without requiring a car. This would also improve access to the hospital and alleviate their parking issues as well. <p>Fewer single occupant vehicles would improve traffic flow for other road users including emergency services, delivery services, local businesses and others. Over the last couple of years we have experienced some dreadful gridlocks, caused sometimes by incidents outside town, such as road works or accidents. The system as it stands isn’t working and stationary traffic is even more detrimental to air quality than moving vehicles. A serious overhaul will cost money in the short term but will save money from the health and road repair budgets, and probably others. Having a more attractive town, with calmer, healthier residents, and a lower carbon footprint could earn money in tourism as the recent Heritage Day proved. We have many natural advantages in King’s Lynn. We could break with the past and re-think our priorities for a cleaner greener future.</p> <p>Thank you for reading this long essay. I care passionately about living in a more environmentally conscious town, not only for me and my family but for the wider community as well. It is worth doing. I hope you can find a way.</p>
Taxi/PHire	<p>As a present Taxi Driver and ex-Taxi Company owner in Kings Lynn, I was recently asked by the Licencing Dept. of Kings Lynn and West Norfolk Borough Council to comment on the proposal within the 20 points of the AQAP, that Hackney Carriages and Private Hire vehicles be allowed to use the Wisbech Road to Millfleet bus route to reduce the traffic on London Road in Kings Lynn and consequent reduction in air pollution in the area.</p> <p>I can honestly say that I and all Taxi Drivers that I know in the Kings Lynn area, a number which probably exceeds 100, are of the opinion and have been since the Wisbech to Millfleet bus route opened, that the bus route should have been opened to all Taxi vehicles since it was opened to buses, and can not understand why this was not allowed from day one.</p> <p>All other points in the AQAP seem very sensible, and should contribute to a reduction in traffic and air pollution if implemented.</p> <p>Thank you for giving us a voice on this matter.</p>
Taxi/PHire	<p>I would like to put forward a big YES for taxis and private hire vehicles should be able to use the bus route from Wisbech Road to Boal Street to remove some traffic along London Road</p>
Taxi/PHire	<p>Yes I think its a good idea to use the Hardings Way bus route for taxis and private hire as it would relieve congestion and pollution along London Road .</p>

<p>Taxi/PHire</p>	<p>I don't normally answer questionnaires or feedback requests but under the circumstances and because I believe at last someone is talking sense, I feel obliged to comment (no disrespect to any persons involved or otherwise). I'm sure you are well aware of the repetitive and constant traffic build up along London Road at all times but particularly in the evening and especially on Fridays. It really is a nightmare scenario for commuters and we in the Taxi fraternity acting in the Public Service interest feel exasperated by it. In fact it has been so infuriating that I have recently taken Fridays off!</p> <p>To answer your proposal should the Council be addressing the 'Air Quality' problems in the Borough and London Road specifically, my answer is, 'Yes Absolutely'!</p> <p>In my opinion, the Hardings Way Bus Lane should have been accessible to 'all' public service vehicles from its inception. Additionally the North Lynn Industrial Estate access to North Lynn should also be available for Public service vehicles, i.e. Buses, Taxis - Hackney and Private Hire. I have lost count over the years the number of times I have travelled from the Woottons along the Northern Bypass to a fare in North Lynn only to have to circumnavigate around the Loke and Columbia Way. It is, to be polite, crazy! Waste of fuel and increased pollution.</p> <p>When are the Council and the local Constabulary going to apply common sense and realise not only are we earning a living but doing a Public Service! It could be any of your parents, grandparents or siblings we pick up with their shopping or wheel chairs and are happy to facilitate them getting all and sundry back to their homes. This would be a much healthier and happier situation if we could do this in a cleaner (in terms of air pollution) and cost effective way (less fuel used). No, I don't insinuate any breaking of the Law in the aforesaid comment.</p> <p>Would this contribute to a reduction in air pollution (including noise), congestion and very often forgotten, road aggravation/aggression. Yes, definitely. I seriously believe the less vehicles that use London Road the better for all. We even have an increase in Heavy Goods Vehicles (other than Supermarket) continually using London Road and Tennyson Road now. What is the reason behind all this? Satnavs?</p> <p>Many thanks for inviting me to make comment on a very interesting and delicate subject.</p>
<p>Taxi/PHire</p>	<p>I am writing to share my opinion on the use of Hardings Way for use by Private Hire/Taxi vehicles. Though I would probably not use it much myself as I work the night shift, I do see how in daytime when I do come to town how it would benefit the trade to be able to get off London road and to reduce the emissions on the London road itself.</p> <p>If I had to make a few suggestions, then it would be to have Hardings Way open to the WHOLE public as a route into the town car parks or shops that are along the bank of the river Ouse. In the mornings it could be a one-way (into town of course) and in the evenings to allow traffic to flow out of town one-way.</p> <p>I would also think that to check the timings of the ring road around the town centre as it seems you cannot "flow" from green to green unless you have an F1 racing car. If the lights are phased in a sequence that would allow cars to flow through the sets of lights from one to the next without stopping then this may help in easing the emissions of stop-start traffic which we seem to have.</p>

	<p>To keep the ring road moving I would also think to have more yellow cross hatching in place (just like where the bus station joins) with cameras to record offences. It seems in certain areas on the ring road especially where Gaywood road joins the ring road you have at peak traffic time a "free for all" with cars jumping lights just to get somewhere as the one-way system tends to get backed up here and also around the Lidl junction I see many cars still pushing their way through red lights to get onto the ring road. Maybe not related to emissions, but this behavior only serves to further block the roads up.</p>
<p>Taxi/PHire</p>	<p>Based in Hunstanton but I can agree with any benefit to those who would use these routes and relieve any congestion on other roads in the area.</p>
<p>Taxi/PHire</p>	<p>At last someone is seeing sense in thinking of opening the little used bus lane to our trade. We on average use London road at least 20 times a day each, which must add up to a lot of unnecessary pollution on London road and the surrounding residential area. If we were allowed to use the bus lane it would make a large difference to the congestion on London road as well. At peak times it can take us up to 30 minutes to get from one end to the other sometimes customers have been known to miss appointments or train/bus connections because of delays. The bus lane is little used and could be used more efficiently if we were allowed to use it and would be even more useful if you allowed other buses/coaches to use it</p>
<p>Taxi/PHire</p>	<p>I'm a private hire driver and I think it will be a very good idea to let hackney and private hire vehicles to use bus lane from south lynn to boal key</p>

Q1 - Before the launch of the Air Quality Action Plan were you aware that the BC monitors air pollution?

Yes	26
No	5

Q2 - What do you think of the air quality in King's Lynn & West Norfolk?

Good	6
Average	14
Poor	11
Other	1

Average for semi rural, better than many towns.

Generally good except for London Road/Railway Road, Blackfriars Road/Gaywood Road

Extremely poor in parts of the town, particularly around the Southgates

Q3 - Do you think the Borough Council does enough to improve poor air quality in the borough?

Yes	9
No	22

Q4 - If no, please can you confirm why?

- Don't appear to be actively looking at park and ride facilities for those choosing to enter the centre.
- I think that the council does enough with the resources that they have but looking at the 20 points, many are aspirations and not realistic ideas that are going to be implemented.
- if most of pollution is from cars then without park and ride there is very little they can do to persuade people not to use cars
- Lack of interest in alternative transportation
- i often catch the exhaust in my mouth if i'm waiting at crossing and there are vehicles either going by, but more often when they're waiting to turn and so on
- Because the Borough Council has done nothing recently to stop the heavy lorries on London Road heading towards the St. Nicholas Retail Park and to the Docks to use Grimston Road to enter King's Lynn. Only HGVs delivering in the town centre should be using London Road. This is not the case.
- The Borough Council encourages its own employees to use their cars rather than public transport by giving them free parking Monday to Friday.

- There is a team addressing this problem.
- I feel I cannot comment as apart from the plan, which I am now aware of, I am not sure what has happened in the past.
- There is no long term road strategy. The usual cheaper solutions are adopted i.e. more full time traffic light control when mini roundabouts would be a better option for 80% of the time.
- Traffic flow through town is congested. More houses are being built as infill, it seems to stimulate the economy, with no thought as to the increased pressure on roads and consequent increased pollution. Cycle routes are often not user friendly, being shared access with pedestrians, or are just roads which do not feel safe. Buses are expensive.
- There appears to be a need to get parking out of town i.e. "Park & Ride" and close the Tuesday Market place to all traffic.
- The perceived need to squeeze as many cars into King's Lynn as possible currently appears to take priority over the need to consider the health and safety of the majority, who walk, cycle or use public transport.
- It needs income from BCKLWN car parks after its agents have effectively made everywhere else car free by parking enforcement. Consequently areas near town such as Friars have been flooded with alien parkers wishing to avoid parking fees.
- I suspect the borough is afraid of the backlash if it takes the steps to restrict motor traffic. The majority of councillors are car-dependent, which makes it difficult for them to face the heart of the problem - too many cars coming into town.
- You do nothing to enforce the use of the by-pass by juggernauts going to the docks. They make residents' lives a misery in Loke Road and I would argue, contributes significantly to the pollution in the Gaywood Clock area and is totally ignored in your 20 points.
- There should be a park & ride scheme for King's Lynn with at least two hubs, i.e. one near the QE Hospital and one near the Hardwick; and possibly one other from the South Lynn area. Not only could this be used by shoppers, but also by the many people who work in King's Lynn town. This measure alone would cut pollution.
- There isn't a tick box for "Don't know", which is what I would have ticked had there been one. How am I supposed to know the answer to this?
- The Borough Council seems very keen to promote car travel through free parking and car-centred events and discourage other modes of travel by not providing bus lanes and removing cycle parking..
- Not enough is done to curb traffic - there is no joined up policy. For example: extending the car park at Lynnsport can hardly be conducive to cutting pollution.
- The Borough Council raised this issue in relation to their opposition to the incinerator.
- Never gave it a thought
- Because the traffic is always horrendous
- With the increasing renovation of Kings Lynn shopping centre and new homes being built the roads have not changed. Also more traffic on roads there isn't many places to cycle.

Q5 - Please state whether you agree that the following actions will be effective in reducing air pollution in BCKLWN	Strongly Agree		Neither Agree or Disagree		Strongly Disagree	Don't Know	Total
	Agree	Agree	Disagree	Disagree	Disagree	Know	
Air Quality Management Areas	5	20	4	2	1	-	32
Development Management Policy	6	16	8	2	-	-	32
Planning Advice	6	14	7	4	-	1	32
Parking Management Plan	4	12	6	8	2	-	32

Q6 - Please state whether you agree that the following actions will be effective in reducing air pollution in BCKLWN	Strongly Agree		Neither Agree or Disagree		Strongly Disagree	Don't Know	Total
	Agree	Agree	Disagree	Disagree	Disagree	Know	
Bus Lane	5	11	4	8	4	-	32
Public Transport	10	17	3	2	-	-	32
Traffic Control	8	15	4	4	-	1	32
Selective Vehicle Detection	8	13	7	3	1	-	32
Parking Control	8	9	6	7	2	-	32
Car Parking Charges	6	8	7	5	5	1	32
Parking Messages	3	12	5	6	5	-	31
Residents Only Parking	9	6	7	5	4	1	32
West Lynn Ferry	17	11	2	2	-	-	32
Road Layout	7	16	5	3	-	1	32
Traffic Management at London Road & Southgates	12	12	2	3	2	1	32
Traffic Management at Gaywood	9	16	1	3	2	1	32
Travel Plans	10	14	3	3	1	1	32
Cycling & Walking	20	5	5	2	-	-	32

Q7 - Do you think that Taxis should be able to use the bus lane?

Yes	18
No	14

Q8 - Please state whether you agree that the following actions will be effective in reducing air pollution in BCKLWN

	Strongly Agree	Agree	Neither Agree or Disagree	Disagree	Strongly Disagree	Don't Know	Total
Electric Vehicle Charging	8	12	7	3	-	1	31
Quality Bus Partnerships	8	14	7	2	-	-	31

Q9 - What further transport related actions do you think should be taken to reduce pollution?

- Examine the possibility of a park and ride area on the Nar Ouse land. Offer cheap/free parking and allow buses to use the bus lane for quick transfer into town centre.
- Better cycle routes.
- Rather than using tools to discourage car drivers, incentives should be used to make it easier for people to cycle or walk. The current plans may only deter people to enter urban areas at the expense of local business. It would be good to see an improvements to walkways and cycle paths, make these attractive and move these away from roads.
- Maintenance and promotion of cycle paths. Cycling is allowed in parts of The Walks but a dedicated path on the side furthest away from the playground would be lovely and I'm sure appreciated by everyone. Some covered cycle racks in town centre. Some out of town cycle racks near all local shops. For example the Reflley shops have none. Asda only has the rubbish that you can only lock your bike wheel through which are really poor in terms of security. Better bus service for Gaywood Park. At present has one at hour, one of which is cut out in the afternoon and none at all on Sundays. Bank Holidays therefore can mean two days with no buses at all.
- get all petrol and diesel powered vehicles off the road. only permit electrical, water, and other sustainable sources of powered vehicles on the roads bring back the horse and carriages. maybe even install tramlines?? make larger areas of town pedestrian only, ensuring delivery access around the backs of stores. get bus service other than norfolk green who often skip scheduled runs and leave you waiting at the damn stop. the ferry's good, but we'll need more of them. provide park and ride from out of town and an all day flat fare ticket for around town. maybe even offer a rickshaw service that can use the bus lanes, thus creating jobs. more bus lanes. that's all off top of my head.
- I think that all the empty buses (i.e. the ones headed "Sorry, not in use") should be encouraged to use the designated bus lane and not London Road
- Remove the free parking permits for Council employees (a very nice perk) I can hear the squeals from the council staff as they read this!
- A park and ride, although I realise BCKLWN would not be keen as it would deter people from the hundreds of parking spaces they own. Maybe a

extremely cheap car park option on a particular day, such as a Saturday as it is notoriously busier, to attract people to a specific car park. It needs to be cheap enough to get people's attention & it needs to be a busy day, to have an impact. (It could be on an adhoc or changing basis, as it could be advertised or promoted on the parking display boards now around town.) Not a small option I realise, but consider relocating one of the high schools, as all three of them are currently accessed via the problem area of Gaywood clock!

- Allow right turn of vehicles at junctions when there is no oncoming traffic(either end of Loke Road,Queen Mary Road for example,) Introduce continental style flashing amber lights to avoid stopping/waiting at red lights off peak and introduce part time signals.
- More deterrents for people who choose to use their cars for short journeys into town. Cycling and walking both reduce emissions and congestion. Driving into town should be made as unattractive an option as possible. On the flip side people should be encouraged to walk or bike, more bike racks in practical places and with shelter and increased security. Make cycle paths and footpaths a priority over cars at lights and crossings. Stop using the fact that we live in a rural area to justify people driving sub 5 miles to get to work, or to the shops.
- Change London Road by moving the park to surround the South Gates and widen the road. This would enable easier flow access to incoming town traffic as well as traffic leaving the town. The south Gates single access restricts traffic and causes tailbacks on the roundabout.
- Extend the 20mph zone to include London Road, Gaywood Road and JK Way. This approach has been hugely successful in other towns, most notably Oxford and is, of course standard in most of mainland Europe.
- Note: further comments at end do not permit more space for additional details •
- Very strange that there is no mention of a large expansion of the 20mph zone. Lower speeds mean vehicles spend less time stationary and accelerating leading to lower emissions. The French are trialling a scheme whereby people who switch from driving to walking or cycling can claim a small payment. May be worth considering?
- Safe, wide paths for pedestrian to share with cyclists. Divided so the pedestrians are on one side and cyclists on the other, as in Europe. Paths need to be maintained to a high standard. The path from Fairstead round the back of Gaywood (by the Park School) is in a dreadful state. Roots breaking up the tarmac, slippery from leaves in the autumn, broken glass, low-hanging branches. I'm forced to use the road because I don't want to damage my bike! Fine companies whose juggernauts come through the town and use the money to improve the areas for residents. The look of London Road and Gaywood says welcome to poverty stricken King's Lynn.
- A park & ride scheme is the only way. Anything else would be simply deferring the problem and would be very short-term thinking. The Borough Council would still receive revenue from the charges for the scheme and would be able to use the land in the town, currently used for car parks, for other purposes. After all these schemes have been operating extremely well for years in other cities and towns, e.g. Cambridge and Norwich being very good local examples.
- HGV vehicles are required to use the Northern bypass and not go through town, yet they lumber through Southgates (or, as I've seen many time) cross into the ongoing traffic lane and drive round it, without a hint of giving a damn. Further action should be taken to stop HGV's from using London Rd. Offering taxis & PHVs the chance to use the bus lane is madness. there is no guarantee they will use it, the speed limit along that route is too fast for shared use between cars cyclists & pedestrians & the pinch point is just begging for an accident to happen leading to serious injury or death. Taxis and PHV's aren't the problem, it's the HGV's that are adding significantly to the pollution
- Maintenance and gritting of cycleways

- Do more to encourage everyday cycling. At the moment there is a growing participation in cycling but this is largely for leisure only. There should be a concerted campaign to encourage leisure cyclists to replace at least a few car journeys with the bicycle: it's a golden opportunity.
- PEOPLE ENCOURAGED TO USE PUBLIC TRANSPORT MORE REGULAR BUSES + ROUTE AVAILABLE. BETTER USE OF TRAIN (ANNOYING THAT BUSES STOP EVERY STOP) X1 TO PETERBOROUGH V GOOD. PEOPLE ENCOURAGED TO WALK TO TOWN CENTRE.
- More parking provision would stop people driving round & round looking for a space. Free/cheaper parking would have a similar effect. Going back to free evening parking would spread out when people drove into town. Buses need STAIRLIFTS so the ageing population can get on.
- I think car share schemes. Free school transport - buses!
- One way system along London Road. More buses to places further out of King's Lynn i.e more than one or two a day to places like Methwold or Feltwell, more than 25 miles.

Q10 - Have you used the Borough Council's website to look at any of the following?

Air Quality Data	7
Air Quality Reports	7
Smoke Control Areas	1
Air Quality Management Areas	12
Industrial Pollution Control	3
Biomass Boilers	3
Any other Air Quality information, please specify	1

Other

COUNCIL TAX/COUNCIL MEETINGS

No

Anti Incinerator

Q11 - If you answered 'yes' to any of the above, how would you rate the website

I found all of the information I was looking for	16
I found some of the information I was looking for	7
I couldn't find the information I was looking for	8
I used a link or contacted the Borough Council to find out more information	1

Q12 - If you travel through or to King's Lynn or Gaywood, do you:

	King's Lynn	Gaywood	Total
Walk	14	8	15
Cycle	12	10	12
Drive	18	13	19
Bus	11	6	11
Taxi	2	-	2
Train	5	-	5
Other	-	-	-
Total	63	37	65

Q13 - Do you live, work or regularly visit King's Lynn Town Centre or Gaywood Clock Area?

	Visit	Work	Live	Total
King's Lynn Town Centre	19	10	9	30
Gaywood Clock Area	23	3	3	25
Total	42	13	12	55

Q14 - Any further comments

- The idea of the bus route will take pollution and disruptions elsewhere and benefit bus users, but the buses in and around West Norfolk are never near full. It would be nice to see plans for the creation of more green spaces, attractive walk ways and cycle paths.
- be brave and bring in rickshaws!!! dare youse!!! thank you for taking this matter into consideration and hopefully it will benefit us all in the long term, humans AND ANIMALS alike. maybe even help the trees be healthier too. oh yeah, and planting more of them, proly certain species (no idea off top of head) would also increase quality of air.
- Electric vehicles - too expensive for most people No buses along the Vancouver Avenue, Goodwins Road, Tennyson Road, Tennyson Avenue route. If I need something heavy or bulky, I drive to Hardwick. For my weekly shop I drive to Gaywood. Most of my activities are located in the Gaywood/South Wootton area, therefore I drive.
- I think this is unambitious and some ideas, such as allowing taxis to use Harding's Way cycle and bus route seem to be intended to divert the most polluting vehicles away from the air quality monitors rather than to improve overall air quality. A large proportion of car journeys within the town are very short (under 5km) and many, probably a majority, of those could be made on foot or by cycle. A raft of measures, including implementing a strategic cycle network prioritising cycle commuting, a large increase in cycle parking. To encourage walking for short journeys pedestrian crossings need to be web-based to prioritise pedestrians and the law of pavement parking needs to be strictly e
- I am very concerned re the use of Taxis /Private Hire Vehicles on the Bus Lane. Not a week goes by when I am not "cut up" by taxis /PHVs in London Road who seem to have no consideration for other road users in order to get to their "fare" as fast as possible. The bus Lane is wholly unsuitable for Taxis due to their innate propensity to speed, and the Bus Lane was not designed for other than buses due to the chicane at end of Whitefriars Road. Local residents were assured that the Bus lane was just that and it would not be possible to alter to cars. Allowing Taxis etc would now be retrograde and dangerous especially considering the use of the Bus Lane by pedestrians/cyclists at all times
- The measures outlined in the draft action plan are unambitious at best. The plan to send more buses and taxis along Harding's Way seems to be intended to divert the most polluting vehicles away from the pollution monitors rather than reduce pollution overall. Adding taxis onto what is already a busy cycleway is highly dangerous. Please think again!
- Tinkering around the edges. Emphasis, as usual, is always on the needs of business and not the residents. Where is the encouragement for community - get people sharing the space and their vehicles. Buses are not the answer because many people living outside the town don't have a bus service where they live. What happened to the idea of the Tram from South Lynn to the Boal Quay. That was being talked about during the NORA development, back in Richard High's day!
- We have lived in King's Lynn just off the Wootton Road for over 40 years and in the early days would regularly walk to Gaywood. Not any more! The air quality on the Wootton Road is appalling and as I suffer from allergies, it is impossible for me to do this. Also many visitors to ourselves and our friends have commented on how they start sneezing as soon as they arrive in King's Lynn! Just think of the amount of dirty air all the school children are inhaling en route to the schools, of which there are many in these areas and what respiratory damage that is doing! PARK & RIDE PLEASE!
- Just in case you didn't notice it before, I strongly oppose taxis and PHV's from using the bus lane, and I would like to know what the council will be doing to stop HGVs from driving through Southgates and along London Rd, by using the Northern bypass as they are supposed to.

- It is scandalous that turning the banks of the Nar into another London Road is even being considered.
- The main destinations of the Saturday and Tuesday Market place do not have a bus service. So, for example, a car has to be used to visit the Corn Exchange or people have to walk from the bus station. And yet you are increasing the free 20 minute parking: yet more encouragement for more car journeys.
- People should be encouraged to walk rather than drive not only would the air quality be better but there would be less a problem with obesity. I dont have a car does everyone need one.
- Staggering school opening/closing times would smooth out peaks and troughs in air quality as well as making it easier for parents and other traffic to reach their destinations efficiently in terms of time & fuel. Stop/start traffic makes diesel engines produce more particles.
- Travel 24-30 miles out of Lynn to work - cycling not possible.

Q15 - Do you live in the borough?

Yes	28
No	2

Borough Council of King's Lynn & West Norfolk

Air Quality Action Plan Summary

Making King's Lynn a cleaner, more environmentally friendly place to live, work and visit

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Introduction – the problem

The quality of the air we breathe is an issue that can affect many people who live, work or visit the borough, especially in our urban areas. Air pollution can cause ozone depletion, contribute to climate change, make our environment less attractive and can have serious effects on health. We are aiming to reduce air pollution to levels that do not cause a risk to human health. These ‘safe’ levels are called *air quality objectives*.

The Borough Council has been measuring air pollution in our urban areas and in some rural areas since 2006. The results have shown that in King’s Lynn town centre and the Gaywood Clock area levels of nitrogen dioxide are above the air quality objective. The nitrogen dioxide is mostly coming from road traffic: mainly cars and buses. For this reason the Air Quality Action Plan has an emphasis on traffic management. Many of the actions aim to smooth traffic flows and make it easier to get in and out of town.

If we can reduce air pollution to below the air quality objectives the rewards include improved human health, reduced health costs and a healthier, more productive environment. These benefits will result in a better place to live and work and King’s Lynn in particular will be a more attractive destination for visitors.

The causes, sources and impacts of air pollution are connected. So, if we address one air quality issue we can often help to reduce other kinds of pollution and benefit our urban areas. These benefits include:

- Reduction in greenhouse gases which can contribute to climate change
- Reduction in noise, dust and other pollutants
- An improved environment, making the town centre more attractive
- A smoother flow of traffic making the town centre a more appealing place to live work or visit
- A more holistic view of related issues such as traffic congestion, parking availability and appeal of urban areas

Rather than bringing more restrictions to traffic and transport there are positive benefits to be gained. The actions have the potential to have a positive effect on the wider road network around the urban area. The Council also recognises the importance of car usage in a rural area.

Actions

The air quality action plan contains 20 actions that will help to improve air quality. These are listed below.

Road traffic plays a major part in creating air pollution, but pollution comes from other sources too. So this action plan includes actions for transport, homes, business and industry as well as policy actions that set out how the Council will make decisions that can affect air quality.

A separate Air Quality Action Plan document explains in more technical detail how the Borough Council has monitored air quality and how we decided what action to take. We are working with people across the Borough Council and with Norfolk County Council's transport planners to achieve the actions in the plan. The Air Quality Action Plan sets out in detail how and when the actions will happen and who is responsible.

Policy Actions

1. Air Quality Management Areas

When the Borough Council monitored air pollution near busy roads it was found that levels of nitrogen dioxide were above the air quality objective. In these areas: Kings Lynn town centre and Gaywood Clock, air quality management areas were declared to show where action needed to be taken. The air quality management areas are along Railway Road, St James Road, Blackfriars Road, Austin Street and London Road in Kings Lynn town centre and parts of Gaywood Road, Lynn Road and Wootton Road in the Gaywood Clock area.

Each time the Environmental Quality Team are asked to comment on a new application for planning permission that could have an effect on an air quality management area officers ask the developer to consider and take action on any air quality impacts of the development.

2. Development Management Policy

The Borough Council looked at the Government's advice on planning and development control and wrote a development management policy in the Local Plan. This sets out what will need to be considered when developers want to build new houses, businesses or services that could be affected by poor air quality or where the new development could cause air pollution. The council want to see development happen but also to protect the local environment.

3. Planning advice

The Council's Environmental Quality Team provide advice to the officers in the planning department to make sure that air quality is considered, especially when a new development is in an air quality management area or where a new air quality management area could be created if levels of air pollution are too high. We want to ensure that development does not expose people to unacceptable levels of air pollution.

4. Parking Management Plan

The Borough Council will develop a plan which will consider how changes to the current car parking operations could help smooth out car journeys and help reduce congestion and consequently improve air quality.

Road Traffic Actions

5. Bus lane

Norfolk County Council received special funding from government to build a 'bus only' lane from Wisbech Road, through the Friars to Boal Street. This removes some of the traffic from London Road . The Borough Council is monitoring the impact of this new road and we are also considering with Norfolk County Council if taxis and private hire vehicles could use this new route.

6. Public transport

The Borough Council with Norfolk County Council and other stakeholders are looking at ways that public transport could be made more attractive. If more people used the bus services then this could remove some cars from the road and reduce pollution.

7. Traffic control

Norfolk County Council have installed an urban traffic control system at main junctions in or near to the air quality management area. This reduces stop/start driving, improves traffic flow and reduces congestion and car emissions. The system will be actively managed to keep traffic moving and in response to changes in the network.

8. Selective Vehicle Detection

This system detects when a bus is approaching traffic lights and changes the lights so that public transport vehicles can move smoothly through traffic. This reduces stop/start driving by buses and improves journey times. The impact of this action on traffic and air quality will be monitored.

9. Parking control

The use of parking controls and enforcement is being reviewed so that there is some control over where and when people park. Parking controls have been

decriminalised so that the Borough Council control parking enforcement. By controlling parking, traffic flow through the air quality management area can be managed and congestion reduced.

10. Car Parking charges

Ways of varying car parking charges will be investigated so that long and short term parking are charged differently. The aim is to even out traffic at peak times but also make short term trips easy. If traffic flow is smoothed out throughout the day this can help to reduce car emissions.

11. Parking messages

Message signs are being provided to direct drivers to available parking spaces. This should help to prevent extra journeys by drivers hunting for a somewhere to park. The impact of this action on traffic and air quality will be monitored.

12. Residents only parking

On-street parking can add to congestion. The Borough Council is investigating if residents only parking could be provided in the town centre to encourage visitors and workers to use public car-parks and free up roads to allow easier movement of traffic.

13. West Lynn Ferry

The ferry at West Lynn provides a car-free route straight into the town centre with parking provided at Ferry Square, West Lynn. 'Park and sail' accounts for over 90,000 return journeys in a year. The Borough Council will continue to support the ferry as it helps to reduce car journeys from the west of the borough.

14. Road Layout

Together with Norfolk County Council, the Borough Council are looking at ways that the road layout can be changed around the town centre to reduce congestion within the air quality management area.

15. Traffic management at London Road & Southgate

Ways to reduce queuing traffic into and out of town along London Road and through Southgate are being investigated. This may include alteration of traffic signals or priority at junctions.

16. Traffic Management at Gaywood

Together with Norfolk County Council, the council are looking at how traffic queues at Gaywood clock and the south of Wootton Road could be reduced. This may include changes to the position or timing of traffic signals.

17. Travel Plans

A green travel plan is a way that businesses or services can manage how users and employees travel. The plan is a package of actions that promote public transport, cycling, walking, and car-sharing. Alternatives to car use and to single car

occupancy are encouraged together with measures that reduce need to travel for work. By reducing car journeys, travel plans can cut the contribution to air pollution made by large organisations.

18. Cycling and walking

Walking is an activity that most members of the community can do and cycling is also growing in popularity. They are healthy activities and a great form of exercise. Encouraging people to switch from a car to walking or cycling can also help to reduce air pollution. Together with Norfolk County Council the Borough Council aim to improve spaces for walking and cycling such as cycle lanes and pavements. Sustrans maps and bicycle user groups will be promoted.

Emissions Actions

19. Electric vehicle charging

Electric vehicles do not produce the same air pollution as petrol or diesel vehicles. However, promoting alternative fuels relies on charging points being available. The Borough Council will investigate the feasibility of providing electric vehicle charging points in car parks and in new developments.

20. Quality bus partnerships

A quality bus partnership is a contract between the County Council and bus operators. The contract includes the types of buses that should be used, the level of service and vehicle emissions. The partnership should help to provide an attractive and low emission bus service.

How we will do it

Individuals, communities, industry, business and governments all contribute to pollution — so we can all be part of the solution. The Borough Council have set up an Air Quality Steering Group to agree and implement the measures in the Action Plan.

Stakeholders opinions are being sought. The Air Quality Action Plan will be made available for an 8 week period giving consultees the opportunity to comment on the draft plan. This document will be published on the Borough Council's website and we will consult with stakeholders such as:

- Members of the public
- Cabinet
- Borough & County councillors
- Norfolk County Council Planning & Transportation
- Borough Council Commercial Services
- Borough Council Development Services
- Management team
- Bus operators
- Taxi operators
- Chamber of Commerce
- Vancouver Quarter management
- King's Lynn Town Centre Partnership
- King's Lynn Area Consultative Committee
- Business Improvement District
- Other stakeholders

All comments and opinions will be considered and the final action plan measures will be drawn up. The final air quality action plan will have to be approved by the Borough Council of King's Lynn & West Norfolk Cabinet and by the Secretary of State before it becomes a fully adopted policy. The Environmental Quality Team will monitor the action taken and report annually to the Secretary of State.

How we will know if its worked

The effectiveness of the Air Quality Action Plan will be carefully monitored by measuring nitrogen dioxide levels at relevant places in the air quality management areas. Traffic flow changes on key routes will be assessed as air quality is reviewed and assessed each year.

There will be regular review of the Action Plan measures to check progress. This will be reported annually in an Action Plan Progress Report which will be made widely available.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES	
	Discretionary /	Need to be recommendations to Council	NO	
	Operational	Is it a Key Decision	NO	
Lead Member: Cllr N Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Debbie Gates E-mail: Debbie.gates@west-norfolk.gov.uk Direct Dial: 01553 616605		Other Officers consulted: Management Team, Personnel Services Manager		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment YES - Pre-screening	Risk Management Implications NO

Date of meeting: 31st March 2015

3 CORPORATE APPRENTICESHIP SCHEME

Summary

In October 2012 Cabinet agreed to the introduction of an apprenticeship scheme within the Council. As a result, six apprenticeships have been employed on 18 month fixed term contracts which were supernumerary to the Council's fixed term establishment list. These six apprentices have now completed their training and following a review of the scheme and consideration of the findings of the review by Management Team, it is proposed to employ a further six apprentices during 2015.

Recommendation

- 1) That Cabinet supports the continuation of the Council's apprenticeship scheme by the employment of six new apprentices on 18 month Fixed Term Contracts which are supernumerary to the Fixed Term Establishment List.
- 2) That these posts be funded corporately and that the total cost of the apprentices be met from the budget provision included within the financial plan for 2015/16 and 2016/17.

Reason for Decision

To support the Council's corporate objective relating to helping people in West Norfolk to maximise their potential. This proposal will enable the Council to continue to offer employment opportunities for young people in a range of job roles. The proposal is also a clear demonstration to other local businesses for the Council's commitment to supporting young people in West Norfolk.

1. Background

- 1.1. Apprenticeships are a Government initiative to offer an alternative to university for people looking for a direct and affordable route to skilled jobs and careers. Apprenticeships are available to anyone over 16 years of age and who are not in full-time education and are in employment. An apprentice can therefore learn a profession in the workplace whilst being entrusted with tasks that contribute to the organisations productivity.
- 1.2. Apprenticeships are available at different levels; intermediate (Level 2), advanced (Level 3) or higher (level 4) and at each level there are specific additional qualifications that must be achieved by the apprentice. These qualifications cover such areas as Mathematics, English, and IT and back up the technical and competency qualifications the apprentice gains in the workplace.
- 1.3. There are a wide range of apprenticeships available with over 200 different types of apprenticeships on offer. Following an initial review of the apprenticeships that would match the Council's services a proposal to employ six Level 2 apprentices, each to be an 18 month fixed term contract which is supernumerary to the Council's fixed term establishment was developed and was approved by Cabinet in October 2012.
- 1.4. The original proposal was to employ apprentices in the following areas:
 - A business administration apprentice based within King's Court
 - A front office receptionist based at Downham Market Leisure Centre
 - An accountancy apprentice based in Financial Services
 - Two horticulture apprentice based at the Depot
 - An exercise and fitness apprentice based at Downham Market
- 1.5. Following an initial recruitment campaign five apprentices commenced in February 2013. A second recruitment campaign was undertaken in spring 2013 and as a result the Business Administration Apprentice and a further Horticulture Apprentice (held against a vacant post and shared with South Wootton Parish Council) commenced in August 2013.

2. Current Position

- 2.1 The Apprentices who commenced in February and August 2013 have now completed, or are very near completion of, their apprenticeship period, all either achieving qualifications or securing permanent employment within the Borough as a result of the Council's scheme.
- 2.2 During the late summer/early autumn of 2014 a thorough review of the apprenticeship scheme has been undertaken, considering feedback from Managers who have employed apprentices within their service and feedback from Apprentices themselves. The review has considered the benefits that the Council has realised through the scheme and the personal benefits experienced by the individuals concerned.
- 2.3 The review concluded that the scheme had achieved its original objectives of:
- supporting the Council's corporate objective relating to helping people in West Norfolk to maximise their potential
 - enabling the Council to offer employment opportunities to young people in a range of job roles
 - demonstrating clearly to other local businesses the Council's commitment to supporting young people in West Norfolk
- 2.4 It is usual for the training element of an apprenticeship to be provided by local colleges and the review also considered the range of apprenticeships now available in the local area and how these could link to the Council's services.
- 2.5 Following consideration of the findings of the review, Management Team it concluded that it be recommended to Cabinet:
- a) budget provision be made for the continuation of the apprenticeship scheme for a further 18 month period and
- b) consideration be given to recruiting six further apprentices across the following operational areas:
- ICT
 - Horticulture
 - CIC
 - Town Hall
 - Business Administration
 - Leisure (as a joint employee)

3. Policy Implications

- 3.1 There are no policy implications to this proposal.

4. Financial Implications

The financial plan 2014-2018, as approved at Council on 24th February 2015, includes budget provision of £60,000 per annum for the corporate apprenticeship scheme. The scheme outlined in the report can therefore be fully funded from this budget.

5. Personnel Implications

- 5.1 There will be an additional six employees to the fixed term establishment for a period of eighteen months.
- 5.2 The apprentices will require support and coaching/mentoring by their line manager. Relevant line managers will be provided with appropriate training to ensure they are able to provide the necessary support to the apprentices during their training period.
- 5.3 Progress of the apprentices will be monitored centrally by Personnel Services, who will have regular informal contact with the apprentices and their line managers. Quarterly 'apprentice forums' will also be held to provide the Apprentices with the opportunity to discuss progress and share their learning and experiences to date.

6. Statutory Considerations

- 6.1 The apprentice posts will be advertised locally through the College of West Anglia, the Council's web-site and the Job Centre. All advertising, recruitment and selection responsibilities will fall within the remit of the Council's recruitment procedures and will be covered by all statutory employment legislation.

7. Equality Impact Assessment (EIA)

- 7.1 There is no requirement for a full equality impact assessment to be completed. An equality impact assessment pre-screening form is attached.

8. Risk Management Implications

- 8.1 Apprentices are required to be supported by the employing organisation through reviews and managers will be expected to act as coaches with each apprentice. Appropriate training will be provided to managers in this position and clear training frameworks will be produced for each apprentice. The Personnel Officer will act as the workplace scheme co-ordinator.

9. Declarations of Interest / Dispensations Granted

None.

10. Background Papers

- Corporate Apprenticeship Scheme, Cabinet Report, 30th October 2013
- Corporate Apprenticeship Progress Report, Resources and Performance Panel, 10th June 2013
- Corporate Apprentices Progress Report, Resources and Performance Panel, 7th January 2014
- Corporate Apprentices Progress Report, Resources and Performance Panel, 27th January 2015

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide	NO	
	Operational	Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted: King's Lynn Consultative Committee		
Lead Officer: Kathy Wagg E-mail: Kathy.wagg@west-norfolk.gov.uk Direct Dial:		Other Officers consulted: Sam Winter, Chris Bamfield		
Financial Implications YES/NO	Policy/Personnel Implications YES/NO	Statutory Implications YES/NO	Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/NO

Date of meeting: 31 March 2015

4 REVIEW OF THE KING'S LYNN AREA CONSULTATIVE COMMITTEE

Summary

The report invites Cabinet to give consideration to the future operation of the King's Lynn Area Consultative Committee.

Recommendation

That the Committee continues to operate after 1st May 2015 in its current format for a period of 4 years.

Reason for Decision

To allow the Committee to continue to operate after 1st May 2015 in accordance with its terms of Reference.

1.0 Background

1.1 The King's Lynn Area Consultative Committee was set up by Cabinet on 1st October 2013, agreed at Council on 31 October 2014, following the recommendations of the King's Lynn Representational Task Group.

Attached at Appendix 1 is the Terms of Reference for the Committee.

2.0 Meetings

2.1 The Consultative Committee has met on the following occasions:

- 18 November 2013
- 9 January 2014
- 11 March 2014
- 16 June 2014
- 16 September 2014
- 8 January 2015

2.2. The following topics have been considered by the Committee:

18 November 2013

This was the first meeting of the Committee and its main purpose was for the Committee to consider what items/topics should be included on its work programme.

9 January 2014

The Committee considered Special Expenses and Cabinet Report – Proposed Access Road between Edward Benefer Way and Lynnsport

11 March 2014

- Committee’s roles – Planning applications
- County issues – Street Lighting and Environmental Services

16 June 2014

- Update from Friends of the Walks – Edith Reeves
- Water Management in King’s Lynn and Flood Related Issues - the Committee received a presentation from Phil Camamile – IDB and Gemma Clarke – Chalk Rivers and Dave Robson (Environmental Health Manager).
- King’s Lynn Transport Interchange Project
- Parking in King’s Lynn including the King’s Lynn Review

16 September 2014

- Policing – operations and priorities.
- THI Update
- Saturday Market Place update

8 January 2015

- Special Expenses

2.3 The Committee was also instrumental in organising the Clean-Up Event which was held on 24 July 2014.

3.0 **Planning Sub-Group**

On 11 March 2014, the Committee set up a Planning Sub-Group which meets approximately monthly to consider major planning applications for King's Lynn.

4.0 **Committee's Views**

The Committee is meeting on 10 March 2015 and its views were as follows:

"The Committee commented that the year to date had been an opportunity to seek and receive information on a number of different topics relating to King's Lynn. It had also set up a sub group to look at and comment on major planning applications in King's Lynn on the Committee's behalf.

The Committee agreed that it would wish to have some influence as to the level and distribution of the Special Expenses for King's Lynn, and ultimately would like to see more powers devolved to the Committee."

5.0 **Policy Implications**

In policy terms, the creation of an area consultative committee for the unparished area of the borough is a new departure.

6.0 **Financial Implications**

The financial implications for the proposed Area Consultative Committee are relatively modest and can be contained within existing budgets provided the frequency of meetings remains as recommended. The main costs associated with the proposal relate to officer time in arranging, servicing and supporting the meetings.

7.0 **Personnel Implications**

There are no significant personnel implications.

8.0 **Statutory Considerations**

None

9.0 **Risk Management Implications**

There are no significant risks associated with this proposal.

Declarations of Interest / Dispensations Granted

None

Background Papers Agendas, minutes and reports to the King's Lynn Representational Task Group, Equality Impact Assessment (EIA) pre Assessment

King's Lynn Representational Task Group**King's Lynn Area Consultations Committee****Terms of Reference and Operational Model****Role**

The role of the Committee is to:

- Enable Borough Councillors from the unparished area of King's Lynn to meet together to discuss issues of mutual interest which have implications beyond the boundaries of individual wards. Recent examples might include the proposed Saddlebow Incinerator.
- To act as a consultative forum on issues affecting the whole or the majority of the unparished area of King's Lynn. Recent examples might include the most appropriate location for the Parkour equipment, and planning applications for major developments.
- To act as a consultative forum on the funding raised by, and utilisation of the King's Lynn Special Expenses, and to offer input on priorities for this expenditure and if appropriate the level of funds to be raised.
- To encourage community engagement within King's Lynn.

The Committee will meet on a quarterly basis and be supported by Democratic Services and a senior officer. It is further proposed that the Committee initially operates only until 1 May 2015.

Membership

All of the Borough Councillors representing the unparished area of King's Lynn.

The Committee shall appoint its own Chairman and Vice-Chairman.

Other Bodies

It is not intended that the Committee should usurp or replace the role or responsibility for individual Councillors. In particular to address matters which relate to their individual ward.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide	YES	
	Operational	Need to be recommendations to Council	NO	
		Is it a Key Decision	NO	
Lead Member: Cllr Nick Daubney, Leader E-mail: Cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Debbie Gates E-mail: Debbie.Gates@west-norfolk.gov.uk Direct Dial: 01553 616605		Other Officers consulted: Management Team Trade Unions		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications YES

Date of meeting: 31.3.2015

5 PAY AWARD 2015/2016

Summary

The Council's annual pay increase for all employees is locally determined having regard to national, regional and local pay and labour market information. This paper recommends the pay increase for 2015/16 and outlines the budget implications.

Recommendation

- 1 That an annual pay award of 1% be implemented with effect from 1st April 2015.
- 2 That staff earning less than £21,500 (FTE) be awarded an additional 0.5% increase with effect from 1st April 2015.
- 3 That the authority increases its minimum wage to £7.20 per hour and adjusts the bottom point of PG13 accordingly.
- 4 That a flat rate and non-consolidated lump sum, not exceeding £250 per full-time employee (pro rata for part time), be awarded to all permanent/fixed term employees, who were in post on 1.10.14 on a one-off basis in recognition of the Authority exceeding its budgeted savings target for 2014/15.
- 5 That this proposal be presented to the Board of Alive Leisure for agreement in respect of all Joint Employees.

Reason for Decision

To implement an annual pay increase for employees whilst continuing to

reflect the Government's policy of public sector pay restraint and the Authority's ongoing budget savings requirement. To increase the Council's minimum wage and to offer a modest additional increase to all employees on the two lowest pay grades.

1. Background

- 1.1 The Council's annual pay increase for all employees is locally determined having regard to national, regional and local pay and labour market information.
- 1.2 The overall context for the 2015/16 Pay Award is a continuation of the Government's 1% target for public sector pay alongside a gradual increase in the overall level of pay settlements within the economy as a whole.
- 1.3 Pay increases over the past 5 years are detailed below:
- | | |
|---------|--|
| 2010/11 | 1% |
| 2011/12 | Freeze |
| 2012/13 | Freeze (A non-consolidated lump sum of £250 was awarded to all permanent and fixed term staff (pro rata for part-time staff) to recognise the fact that the Authority exceeded its savings targets for 2011/12). |
| 2013/14 | 1% |
| 2014/15 | 1% and introduction of a minimum wage of £7 per hour. |

2. General Pay and Prices

- 2.1 The latest Retail Prices Index (RPI) figure (Dec 2014) fell to 1.66% from 2% in November. The Consumer Prices Index (CPI) fell to .5% from 1% in November.
- 2.2 Data for the previous 4 years is detailed below:
- | | RPI | CPI |
|------------|------|------|
| April 2011 | 5.2% | 5.0% |
| April 2012 | 3.5% | 3% |
| April 2013 | 2.9% | 2.4% |
| April 2014 | 2.5% | 1.8% |
- 2.3 Inflation forecasts (RPI) range from 0.2% - 3.6% (mean 2%) for the first quarter of 2015. Corresponding figures for CPI are 0.2% - 2.3% (mean 1%).
- 2.4 Incomes Data Services have reported that pay settlements in the whole economy for the 3 months to November 2014 averaged 2%. Earnings forecasts for the whole economy for the first quarter of 2015 range from 1.6% - 2.6% (mean 2%).
- 2.5 The National Minimum Wage increased by 3% to £6.50 per hour from October 2014. The Living Wage increased from £7.65 to £7.85 in November 2014. Members will recall that the Living Wage is not a statutory requirement, but is an hourly rate of pay set independently by

the Centre for Research in Social Policy at Loughborough University each year.

3. National Negotiations

- 3.1 The recent National Pay settlement covered a two year period – 2014/15 and 2015/16.
- 3.2 The settlement comprised:
- 2.2% on all spinal column points from 11 (£14,880) and above from 1st January 2015 (not backdated to 1st April 2014)
 - Higher percentage increases from spinal column points 5-10, to provide a new minimum hourly rate of £7.00 per hour.
 - Deletion of the lowest spinal point on 1st October 2015, giving a revised minimum wage of £7.06 per hour.
 - Non-consolidated lump sums between £100 and £325 on all spinal column points.

4. Proposal

- 4.1 The Authority has continued to demonstrate its commitment to pay restraint for staff over the past 5 years, with local pay settlements falling considerably below inflation in accordance with the Government's general policy on public sector pay.
- 4.2 The Government has retained a 1% target for public sector pay in 2015/16 and it is recommended that this is reflected with an annual pay increase of 1% for all employees from 1st April 2015.
- 4.3 It is proposed to recognise the particular difficulties faced by the Authority's lowest paid workers by awarding an additional .5% increase to staff earning less than £21,500 and to introduce a modest increase in the minimum wage of £7.00 per hour to £7.20 per hour from the 1st April 2015.
- 4.4 The Authority continues to set challenging savings targets in order to achieve balanced budgets over a rolling three year period. Staff continue to show high levels of engagement and cooperation in adopting new and flexible working arrangements and in identifying opportunities to increase income, which is enabling these targets to be met. It is proposed to recognise the high levels of engagement and commitment shown by staff at all levels by paying a flat rate and non-consolidated lump sum, not exceeding £250 per full-time employee (pro rata for part time) to all permanent/fixed term employees who were in post on 01.10.14 on a one-off basis in recognition of the fact that in 2014/15 savings of £330,000 have been achieved to December 2014 and an additional £230,000 of savings from the oncost account have been identified as part of the February Monitoring report. The cost of the non-consolidated lump sum is estimated to be £140,000 (plus oncosts) which equates to less than 50% of the savings achieved.

5. Trade Union Comments

- 5.1 UNISON thanks management for the opportunity to respond to this Report about the Pay Award for 2015/16. Union members have been consulted about the content and replies have been précised.
- 5.2 We note that the Council is recommending a 1% pay award for staff from 1st April 2015, along with an extra 0.5% for those earning less than £21,500 (FTE). We are pleased to see that all employees will receive a minimum of £7.20 per hour and a non-consolidated lump sum of £250 pro rata.
- 5.3 UNISON would like to remind management and councillors that we do have members of staff in this authority struggling to survive financially. Year on year pay freezes or small increases have meant, for many that monthly expenditure is often higher than monthly income. UNISON has seen an increase in Welfare cases this year, with some of our members reporting going without things like new glasses and only paying for prescriptions when they're urgent so as to 'balance the family books'. All of these factors will cause stress and illness which as we all know can lead to mental health issues, family breakdowns and ultimately time off work which none of us wants to see.
- 5.4 The Joint Employee Committee met on 16 March, its comments will be reported.

6. Financial Implications

- 6.1 The annual pay increase of 1% with an additional 0.5% for staff earning less than £21,500 can be met from the overall salaries budget and management fee to be paid to Alive Leisure which was included in the approved Financial Plan 2014-18.
- 6.2 The proposed increase in the minimum wage to £7.20 per hour is estimated to cost £30,000 in 2015/16, including both direct and joint employees of Alive Management Ltd. The increase in the minimum wage will increase Alive Management Ltd salary costs by £17,900 (plus oncosts) from 2015/16. The financial impact of the increase in the minimum wage can be met from the overall salaries budget included in the Financial Plan 2014-18 and a corresponding increase in the management fee paid to Alive Leisure can also be met within overall budgets.
- 6.3 The non-consolidated lump sum payment, as detailed in the report, can be met from the overall salaries budget included in the approved Financial Plan 2014-18. The payment will increase Alive Management Ltd salary costs by £22,000 (plus oncosts) and a corresponding increase in the management fee paid to Alive Leisure can also be met within overall budgets.
- 6.4 The pay proposals will be presented to the Board of Alive Leisure for consideration in respect of joint employees and budget provision will be included in the management fee as detailed above.

7. Personnel & Risk Management Implications/Options

- 7.1 The Authority is continuing to balance the need to make financial savings and the Government's targets for public sector pay with the fact that staff pay increases have fallen substantially below the rate of inflation for the past 7 years. The particular difficulties experienced by the lowest paid staff are acknowledged with a modest additional percentage increase and an increase in the minimum wage to £7.20 per hour. The recommendations are within budget and recognise the on-going need for financial restraint. However, they are also mindful of the need to maintain staff morale, to enable recruitment and retention of high quality staff across all areas as required and to recognise high levels of staff engagement in achieving ongoing costs savings and efficiencies.

8. Statutory Considerations

There are no statutory considerations, other than the requirement to pay the National Minimum Wage.

9 Equality Impact Assessment (EIA)

10 Declarations of Interest / Dispensations Granted

None

11 Background Papers

NJC for Local Government Services – 2014-2016 Payscales and Allowances
LGA Statistical Alert (30.1.2015)

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES	
	Discretionary /	Need to be recommendations to Council	NO	
	Operational	Is it a Key Decision	YES	
Lead Member: Cllr Alistair Beales E-mail: cllr.alistair.beales@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr Adrian Lawrence		
		Other Members consulted:		
Lead Officer: Dale Gagen E-mail: dale.gagen@west-norfolk.gov.uk Direct Dial:01553 616505		Other Officers consulted: CEO, Deputy CEO, D Hall, Nikki Patton		
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES

Date of meeting: 31 March 2015

6 NORA JOINT VENTURE – PHASE 2

Summary

This report updates Members on progress made on the NORA Housing project and requests Members to authorise the signing of contracts to enable the start of works for Phase 2.

Recommendation

- 1. To authorise the signing of contracts to enable the start of works for Phase 2.**
- 2. To fund additional contributions from a reduction in the overall land receipt using option 3 paragraph 3.3 of this report.**

Reason for Decision

To allow the development on Nar Valley Park (NORA) to continue.

1. Background

1.1 The Borough Council of King's Lynn and West Norfolk has led the redevelopment of the Nar Ouse Regeneration Area (NORA) since its inception in 1998. NORA aims to deliver the comprehensive regeneration of an area of around 53 hectares of underused and derelict land extending from Boal Street to the A47 adjacent to South Lynn. The Council has worked in partnership with the East of England Development Agency (EEDA), English Partnerships (now the Homes and Communities Agency), Norfolk County Council and developers Morston Assets to deliver the NORA Millennium

Community on the southern site since 2002. Throughout the programme, community stakeholders have been actively engaged in the development of detailed plans through the NORA Consultative Group.

1.2 An agreement with Norfolk County Council (NCC) to create a contractual Joint Venture to deliver the first phase of residential units on the Council's land at NORA was approved by Cabinet on 3rd April 2010 and signed with the NCC on 8 October 2012. This approach gave access to NCC capital funding and housing related specialist expertise and staffing capacity.

1.3 Following a tendering process, contract negotiations took place with Carter Builders whose tender proved to be the best value on offer under the procurement. Carters started on site on February 2013.

1.4 On the 29th July 2014 Cabinet authorised the Chief Executive and the Deputy Chief Executive (the JV Board Members for the Borough Council), in consultation with the Portfolio Holder for Regeneration, subject to a trigger point of 20 sales on phase 1, to authorise the signing of contracts and the start of works for phase 2. The latter being subject to the business case not requiring an additional contribution for phase 2 of more than £400,000.

2. How the Project has Progressed

2.1 Phase 1 will be completed by the end of May 2015 and although sales have gone well (at the time of writing this report 42 units out of 54 units have been reserved, of which 5 have exchanged and 2 completed), it has not been possible to keep the cost of phase 2 within the parameters laid out in the Cabinet report of 29th July 2014 without excluding the cost of providing the 'Affordable' units which would reduce capital receipts by a sum of £425,000.

2.2. Members should be aware that within the Business case for phase 2 is an assumed land value that was determined by the Joint Venture agreement back in 2010 when land values were much higher. This amounts to £1.25 million.

3. Options available to the Councils

3.1 Option 1 - The Councils could cease development. No land receipt will be generated and the regeneration of this part of the town will not happen.

3.2 Option 2 - The Councils could fund the additional cost of £425,000. The Norfolk County Council is unhappy to make a further contribution (they have already committed £1.2 million to the project) as they believe the land value the JV has to pay is too high and as such this additional sum should be paid for by reducing the land value.

3.3 Option 3 - The Borough Council could acquire the affordable units from the JV and onward sale. This approach to dealing with S106 units was agreed by a delegated decision report called Affordable Housing Investment (Shared Equity) following a report to Cabinet on 6th December 2011. This

process would ensure that the subsidy associated with these S106 affordable housing units stayed in the public sector.

3.4 option 4 - The JV partners could request that the requirement for affordable units is waved on affordability grounds.

4. Proposed Action / Solution

4.1 The Portfolio Holder's preferred option is to build the affordable units. This means that the two options available to the Council are those outlined in paragraphs 3.2 and 3.3 above.

4.2 The affordable units on this phase consist of 9 units of which 2 will be let at affordable rents and 7 will be sold as 'shared equity' units. The additional cost of providing the affordable units is estimated to be £425,000 , £105,000 for the affordable rental properties and £320,000 for the Affordable 'shared equity units.

4.3 Option 2 Paragraph 3.2 would require the Council to reduce the land value by £425,000 which together with the £200,000 (the Boroughs additional contribution in line with the NCC), would leave a net land receipt for phase 2 of £625,000.

4.4 Option 3 paragraph 3.3 would require the Council to accept a lower value by £425,000 which together with the £200,000 (the Boroughs additional contribution in line with the NCC), would leave a net land receipt for phase 2 of £625,000. But this option would result in the Council having an asset valued initially at £320,000 (a part share in the shared equity units) which when resold may return a capital receipt back to the Council. This sum would then be ring fenced for housing purposes. The Affordable rent units would be transferred to the Councils 100% owned Housing Company, previously authorised for this purpose to satisfy Housing Policy and maximise the value of the proposal to the Council.

5. Policy Implications

5.1 The contents of this report are in line with the Councils policy to develop the NORA site and takes account of the Councils policy on the provision of 'Affordable Housing units when developing housing land.

6. Financial Implications

6.1 The following table at paragraph 6.2 shows the revised Business Case produced by the NCC for Phases 1 and 2. The sales income figures for phase 2 are all based on market price to balance the cost of phase 2, i.e. no affordable units included.

6.2

	<u>Phase 1</u>	<u>Phase 2</u>
Costs		
land costs*	350,000	1,250,000
measured Works	<u>4,241,327</u>	<u>5,096,879</u>
	<u>4,591,327</u>	<u>6,346,879</u>
infrastructure and design costs	3,949,449	3,656,188
Variation to Phase 1 contract	121,808	
Provisional sums	165,598	
Loss from Phase 1		66,632
Client Risks Piles block 5, Contamination, Ground Conditions		400,000
Total Costs	<u>8,828,182</u>	<u>10,469,699</u>
Income Phase 1 sales		
House sales to date 02/12/2014	(4,816,050)	
Future sales - based on market price	(3,052,000)	(10,200,945)
sales fees	106,500	127,512
	<u>(7,761,550)</u>	<u>(10,073,433)</u>
NCC Contribution	(1,000,000)	(200,000)
BCKLWN		(200,000)
Loss on Phase 1 / Balance on Phase 2	<u>66,632</u>	<u>(3,734)</u>

* In Phase 1 the actual land value is £1.35m, but has been reduced by £1m, KLWNBC's equivalent contribution to NCC's to the project.

If nine affordable units are included, this would have the effect of reducing the sales income by £425,000.

6.3 Under the Joint Venture agreement each party invested £1 Million into the regeneration project, the Council's investment being in the form of land value and the NCC's in cash. The £1 million land value has been written off in the Borough Council's accounts as it was viewed as a regeneration project that was unlikely to see a return from the initial investment.

6.4 Once the housing units have been built and occupied, the Council's will receive 'New Homes Bonus' and Council tax. In general terms this should result in the Borough Council receiving £1,072,350 and the NCC receiving £1,177,389, subject to the continuation of the New Homes Bonus scheme.

6.5 The Council as developer could also argue the case for the affordable provision to be removed due to the viability of the scheme, in the same way a private developer would. However this scheme has always been considered a regeneration scheme rather than a normal housing development and this is represented in the quality of the scheme and is one of the reasons why the scheme is expensive to deliver.

7. Personnel Implications

7.1 There are no personnel implications associated with this report.

8. Statutory Considerations

8.1 The proposed actions to be taken within this report are covered under S.1 Localism Act 2011 (general power of competence)

9. Equality Impact Assessment (EIA)

9.1 Pre-Screening Equality Impact Assessment form indicates no full EIA is required.

10. Risk Management Implications

10.1 The initial reason the Council was progressing the JV with NCC was to reduce the risks to this Council by sharing them with NCC. The main risk related to the capacity and expertise of the Council to bring forward a housing development. The NCC has contributed £1million and allowed us to utilise NCC contracts and staff. The 'expertise' risk has been reduced and is demonstrated by Phase 1 being delivered.

10.2 The other main development risks outstanding on this site relate to issues such as :-

(i) The market drops and as a consequence the Council decides not to progress the development at this time. However the works to date will have added value to the site and the site could be sold or developed once market conditions allowed.

(ii) Some of the works may find additional cost associated to the site (further remediation works). This risk becomes less as the site is developed.

(iii) There is also a risk that as Phase 3 will not break even and that similar action to that proposed in this report might have to be considered at that time.

10.3 There are other financial risks associated with the development that relate to the building costs and the sales income associated with the project. The cost side will be mitigated by negotiating fixed price contracts for all the works and reducing development risk as far as possible. A revised business case will be made available prior to phase 3 being considered by Members.

11. Declarations of Interest / Dispensations Granted

11.1 None.

12. Background Papers

Joint Venture Board Meeting Minutes

Affordable Housing Investment (Shared Equity) delegated Decision

Affordable Housing Cabinet Report of 6th December 2011

Norfolk County Council Economic Development Sub Committee report NORA Housing Project Update 19 January 2015

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards Proposed across the Borough	Discretionary / Operational	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	NO	
Lead Member: Cllr Vivienne Spikings E-mail: cllr.Vivienne.Spikings@West-Norfolk.gov.uk		Other Cabinet Members consulted: No		
		Other Members consulted: No		
Lead Officer: Stuart Ashworth E-mail: stuart.ashworth@west-norfolk.gov.uk Direct Dial: 01553-616417		Other Officers consulted: Geoff Hall		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment : Pre-screening - EIA not required	Risk Management Implications NO

Date of meeting: 31 March 2015

7 PLANNING SCHEME OF DELEGATION

Summary

The planning scheme of delegation was last reviewed in February 2013, where changes were made and the scheme updated. Many of the changes related to how small-scale wind turbines would be dealt with, which was a particular issue at the time.

Since this time the Government has introduced a number of changes to the planning system, particularly increasing the number of prior notification applications linked to enhanced permitted development rights. In addition policies at a local level have further evolved and progressed. Amendments are proposed to deal with these changes, but also to update and refresh the scheme in the light of particular issues that have arisen in the preceding two years.

A further issue that has come to the fore is the issue of solar arrays. At present very large-scale solar arrays these can be dealt with under delegated powers in some circumstances. It is therefore proposed that solar arrays of over 1 hectare in area be dealt with by the Planning Committee.

It is considered that the amendments put forward will ensure that the Committee continues to consider the more complex, controversial or balanced applications, whilst removing those processes and applications where the Committee is limited in exercising its judgement, or which are generally acceptable.

This report puts forward two options, with the preferred option being that of implementing the proposed changes to the scheme of delegation. A copy of the revised scheme of delegation, with the proposed changes highlighted, is

attached to this report.

Recommendation

That the changes to the planning scheme of delegation, as set out in option 2 of the report, and shown in the attached document, be approved.

Reason for Decision

To update and refresh the scheme of delegation in the light of changes to legislative processes and policy, and due to issues around the operation of the scheme that have arisen since it was last updated. It is considered that this will allow more efficient use of both the Planning Committee's and officer's time.

1.0 Background and issues

- 1.1 The planning scheme of delegation allows the balance to be struck between officers dealing with applications and Councillors determining them at Planning Committee. Generally those applications going to Committee are likely to be the more controversial ones, or those that may be finely balanced thereby requiring further public scrutiny.
- 1.2 In terms of numbers of applications going to Committee since the previous amendments to the scheme; 131 applications were dealt with in 2013, compared to 153 in 2014. In the first three Planning Committees of 2015, 46 applications have been dealt with; these numbers perhaps indicate an upward trend of applications being dealt with by the Committee.
- 1.3 Also since the previous revisions to the scheme in February 2013, a number of things have changed nationally. For example Central Government has been increasing the amount of development that can take place without planning permission, which is known as permitted development. Such permitted development however is very often subject to a shortened prior notification procedure, which is time limited, and the scope of any considerations that can be taken into account are also limited. It is therefore considered that there is limited value in taking these prior notification applications to Committee. Also Government has removed the conservation area consent process, as part of the reduction in the administrative burden on developers.
- 1.4 In addition local policy is also evolving, in particular around the use of the proposed smaller village and hamlet policy, which allows some limited infill development to take place in these smaller settlements. The principle of this policy is supported by recent changes to Government policy, and Members have consistently allowed the principle of such 'infill' schemes in recent times.
- 1.5 Another issue that has generated significant debate is around solar arrays/farms. At present these can be dealt with under delegated powers,

even the very large ones, and there is an argument that they should be dealt with by the Committee.

- 1.6 Finally it is clear that there are anomalies that arise or points that require clarification in the current scheme of delegation. For example one of these is the situation where a small wind turbine has to go to Committee even though the Parish Council is in favour and there are no technical objections. In these circumstances these are very often approved with no debate.

2.0 Proposed amendments to the scheme of delegation

- 2.1 Given the issues raised above the following changes are proposed to the scheme of delegation.

- i) removing automatic referral if a scheme is contrary to the development plan. This will cover the current issue around smaller villages and hamlets in particular having to go to Committee.
- ii) removing the anomaly where a Parish Council approves an individual wind turbine but it still has to automatically go to Committee due to its height.
- iii) removing delegated powers for solar arrays/farms over 1 hectare in size. It is considered that there will need to be a size threshold to exclude very small-scale arrays (hence the 1 hectare threshold) and for clarity, but sites over this threshold will need to go to Committee.
- iv) providing further clarification and reflecting the increase in prior approval/notification applications in the scheme, which would be dealt with under delegated powers. There are also some corrections and changes to enforcement powers.

- 2.2 These changes do not affect the current Borough Councillor call-in rights on planning and related applications apart from clarification that the likes of discharge of conditions, prior notifications, lawful development certificates and such processes would not be dealt with by the Planning Committee. In addition Parish Council call-in rights remain, with the only change being that where they support small-scale wind turbines along with officers, then they do not have to go to Committee.

3.0 Options Considered

Option 1 – Make no changes to the current scheme of delegation

- 3.1 The scheme could continue as present. The impacts of this would be more applications going to Committee where there is little or no debate because many of the ‘in principle’ arguments have been rehearsed in detail at previous meetings. In addition if some of the other more limited statutory processes remain capable of going to Committee then there will be issues with timing (for example they may be permitted by default by virtue of falling outside a Committee cycle), as well as Councillors having very limited scope to comment i.e. lawful development certificates. This would seem to be an inefficient use of the Planning Committee’s time, and would prolong the length of agendas and the length of meetings.

- 3.2 The effects of continuing as present will also be to potentially increase the size of the Committee Agendas. It is also important that the Committee is able to concentrate on those applications where the issues are finely balanced and which should rightly go before them for consideration.

Option 2 – Make the proposed changes to the scheme of delegation

- 3.3 The preferred option is to make the proposed changes to the scheme of delegation. The benefits of doing this are explained earlier in the report.

4.0 Policy Implications

- 4.1 The changes to the scheme of delegation in relation to planning will result in a change to the policy relating to the delegation of powers to the Executive Director –Environment & Planning.

5.0 Financial Implications

- 5.1 There are no financial implications.

6.0 Personnel Implications

- 6.1 The changes to the scheme as proposed should result in a reduced number of applications going to the Committee. This would allow more time to be spent in other aspects of the section's work. There are no other personnel implications associated with this application.

7.0 Statutory Considerations

- 7.1 The Council has statutory powers to determine planning and other related applications. The scheme of delegation clearly relates to that function.

8.0 Equality Impact Assessment (EIA)

- 8.1 An EIA pre-screening is attached to this report. This shows that there are no equalities issues linked to this report.

9.0 Risk Management Implications

- 9.1 There are not considered to be any risk management issues.

10.0 Declarations of Interest / Dispensations Granted

- 10.1 There are none.

11.0 Recommendation

11.1 That the changes to the planning scheme of delegation, as described in section 2.0 of the report, and shown in full in the attached document, be approved.

Background Papers

Existing Planning Scheme of Delegation

National Planning Policy Framework (NPPF)

Planning Policy Guidance

Local Development Framework/Local Plan documents

Specific delegation of exercise of planning functions to the Executive Director – ~~Development & Regeneration Services~~Environment & Planning

The following planning functions of the Council are delegated to the Executive Director –~~Development Services~~Environment & Planning, and to such officers as that Director may approve.

1.1 Determining applications made under the Planning Acts.

1.1.1 Subject to 1.2, Councillors have the right to request in writing to the Executive Director –~~Development & Regeneration services~~Environment & Planning/Planning Control Manager, that **within 28 days of the publication of the weekly Planning Register of Applications**, that an application should be determined by the Planning Committee

1.1.2 Subject to 1.1.1 and 1.2, the Executive Director –~~Development & Regeneration Services~~Environment & Planning shall have powers delegated to determine planning applications, listed building applications, conservation area consent applications, applications for advertisement consent and other related applications forming part of a statutory planning process under delegated powers except :

a) where the relevant Parish or Town Council have commented (within 21 days of the date of consultation) on applications for Major and Minor developments and this is contrary to the officer recommendation, and where :

- 1) the comments raise issues deemed to be material planning considerations; or
- 2) the issues raised have not been resolved by negotiation or are not capable of resolution through the imposition of conditions;

The exceptions to 1.1.2 a) above are where :

- i) the Parish Council continues to object to a reserved matters application, on the same grounds in principle raised through the original outline; or
- ii) the Parish Council continues to object on the same ground on a subsequent application, where substantially the same proposal has previously been approved, and there have been no material change in circumstances.
- iii) The Parish Council has objected to smaller-scale wind turbines (less than 17 m in height to the hub). Larger

turbines are dealt with separately under g) and h) and i) below.

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In these circumstances these matters can be dealt with under delegated powers.

b) where a statutory consultee's comment is contrary to the officer recommendation and where :

- the comments raise issues deemed to be material planning considerations; and
- the comments are made in the stipulated time span (21 days); and
- the comments raise issues which have not been resolved by negotiation or capable of resolution through the imposition of conditions.

c) when it relates to a new telecommunications mast over 30m in height.

d) when it relates to a proposal submitted by or on behalf of a Councillor of the Authority (or their spouse/partner or another direct relative) or by any member of the Council's staff (or their spouse/partner) who is involved in the planning or development process.

e) an application submitted by or on behalf of the Council for its own developments, except for the approval of minor developments to which no objection has been received.

~~f) where an application is contrary to the provisions of the Development Plan and is recommended for approval.~~

~~gf)~~ where the site is subject of a previously dismissed appeal for substantially the same development, and the recommendation is to approve.

~~gh)~~ when it relates to an application for a wind turbine(s) over 17 metres to hub, which would subsequently result in more than 3 wind turbines in a cluster or defined grouping

~~h) where any individual wind turbine has a total height (to hub) of over 17 metres, unless it is recommended for refusal as a result of a technical objection, or where it is recommended for approval and the Parish Council have not objected to the proposal.~~

~~i) when it relates to a solar array/farm with an operational site area of more than 1 hectare.~~

1.1.3 The Executive Director —~~Development & Regeneration~~ Environment & Planning can enter into S.106 legal agreements, that do not involve the payment of financial contributions above £30,000, and can vary existing S.106 legal agreements, in consultation with the Chairman of the Planning Committee.

1.1.4 The Executive Director – Development & Regeneration has the right to call-in applications that he considers should be presented to the Planning Committee for determination, usually through the issues it raises or through the scale of concerns relating to planning issues.

1.2 Other planning related functions

1.2.1 The ~~approval and determination of~~ discharge of conditions and dealing with non-material amendments to approved schemes.

1.2.2 Respond to consultations from other bodies on their applications, subject to the call-in rights set out in 1.1.1.

1.2.3 Consider applications for works to protected trees. Where an objection to a proposed TPO is received the proposed TPO will be dealt with by the ~~DCB~~/Planning Committee.

1.2.4 To enter land and buildings for any purpose under the Planning Acts.

1.2.5 To carry out screening and scoping opinions under the Environmental Impact Assessment Regulations.

1.2.6 The determination of lawful development certificates, prior notifications/approvals or other similar processes forming part of the statutory planning process.

1.2.~~6~~ To exercise all other planning related functions whether by the making of operational decisions, service of notices, making or confirmation of orders, directions, dispensations or opinions, issue of determinations or certificates, lodgement of comments or objections upon consultation, commencement of proceedings, carrying out appeal work, withdrawal or discontinuance of any matter or action, responding to any matters served upon the Council or otherwise.

1.3 Enforcement of Planning Control under the Planning Acts

1.3.1 Authority is delegated for the signing, service, varying or withdrawal of :

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(a) enforcement notices (which term shall also include listed building enforcement notices and special enforcement notices);

(b) stop notices and temporary stop notices;

(c) breach of condition notices;

(d) Requisitions for Information notices (S.330 notices) & planning contravention notices;

(e) S.215 ('tidy-up') notices;

(f) injunctions and their enforcement;

(g) completion notices;

(h) urgent works notices;

(i) listed building repairs notices

(j) advertisement removal notices

(k) discontinuance notices

1.3.2 To prosecute for non-compliance of formal notices served under the planning acts ;

1.3.3 Undertaking other enforcement related tasks, investigations, operational decisions, investigations and service of notices relating to trees and hedges, the historic environment, advertisements, and hazardous substances, all under the relevant legislation.

1.4 High hedges

1.4.1 To determine, under the Anti-Social Behaviour Act, applications for works to a high hedge, to serve remedial notices as appropriate and prosecute & take direct action against non-compliance with notices.

1.5 Other legislation

1.5.1 To serve notices and respond to consultations relevant to the planning function as necessary under the provisions of the following pieces of legislation:

- a) Local Government (Miscellaneous Provisions) Act
- b) Building Act 1984
- c) Environment Act 1995
- d) Communications Act 2003. Under this act any applications to remove phone boxes can only be dealt with under delegated powers should there be no objection from the relevant Parish Council

This shall also include all relevant statutory instruments and secondary legislation associated with the above primary legislation.

Notes

- 1) In the event an application is determined contrary to the views of the Town/Parish Council, the Council will be advised of the outcome of the application which will include an explanation of the reasons for the decision.
- 2) All prosecutions and injunctions shall be made only with the agreement of the Head of Legal Services, or in her absence an Executive Director – Environment & Planning, and there shall be consultation with the relevant Ward Member and the Chairman & Vice-Chairman of the Planning Committee.
- 3) Enforcement action is authorised only if the taking of such action has not been specifically excluded by the Planning Committee in any particular case.
- 4) The service of any formal notices in section 1.3 and 1.4 must be done with the agreement of the Head of Legal Services, or the Executive Director – Development & Regeneration Environment & Planning/Planning Control Manager.
- 5) Other rReferences to the Executive Director – Development & Regeneration Environment & Planning – shall, in his absence, also relate to the Planning Control Manager.
- 6) As set out in the agreed 'Code of Good Practice for Development Control', where a Member refers an application to the Development Control Board (Planning Committee), that Member will be asked to confirm his/her attendance by e-mail to the relevant Planning Officer prior to the publication of the Agenda at the meeting to which it is referred. If the Member is unable to confirm their attendance or fails to attend, except in exceptional circumstances which would be at the

discretion of the Chairman, the application may not be considered and could be referred back to officers to determine.

7) Reference to the 'Planning Acts' shall include the :

- Town & Country Planning Act 1990
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- Planning and Compulsory Purchase Act 2004
- Planning Act 2008

This shall also include all relevant statutory instruments and secondary legislation associated with the above primary legislation

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Operational	(a) Be entirely within cabinet's powers to decide NO		
		(b) Need to be recommendations to Council		YES
		(c) Is it a Key Decision		NO
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Samantha Winter E-mail: sam.winter@west-norfolk.gov.uk Direct Dial: 616327		Other Officers consulted: Legal Services Manager, Management Team		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) NO	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 31 March 2015

8 SCHEME OF DELEGATION - UPDATE

Summary

The report recommends an updated scheme of delegation for approval. The Scheme has been amended to take account of the changes in officer responsibilities following the retirement of the Deputy Chief Executive, David Thomason.

Recommendation

- 1) That Council approve the amended Scheme of Delegation.
- 2) That the Chief Executive, in consultation with the Leader be given delegated Authority to make amendments to the Scheme following any changes to officer responsibilities and to resolve any anomalies which may occur.

Reason for Decision

To ensure that the Delegation Scheme mirrors the decision making structure

1 Background

1.1 The Scheme of Delegation was last amended in June 2014. The amended version now submitted incorporates the changes in the areas of responsibility for Executive Directors in the scheme of delegation following the retirement of the Deputy Chief Executive David Thomason on 30 April 2015.

The recommendation above also requests authority to make any further amendments to the lines of authority should there be any further changes to officer responsibilities.

2 Policy Implications

2.1 The alterations to the scheme are within current policies.

3 Financial Implications

3.1 There are no financial implications arising directly out of this report.

4 Statutory Consideration

4.1 The amendments to the scheme ensure that the decision making structure is in line with the structure of the Council.

5 Risk Assessment

5.1 Updating the Scheme ensures decisions are taken in accordance with correct procedures and structures.

6 Access To Information

6.1 Previous Scheme of Delegation.



SCHEME OF DELEGATION

Draft March 2015

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

SCHEME OF DELEGATION

The attached represents the Scheme of Delegation across the Council. It is shown in tabular form with the first 3 columns showing the Council body, its functions and its consultation requirements and the last two columns showing the delegations to officers in respect of those functions and the limits on those delegations. Throughout the following abbreviations are used:-

C	=	Consultation
WM	=	A Ward Member in the Ward affected
PH	=	Portfolio Holder
CE	=	Chief Executive
DCE	=	Deputy Chief Executive
MO	=	Monitoring Officer
CFO-PFO	=	Chief Principal Financial Officer
ED	=	Relevant Executive Director
LAC	=	Licensing and Appeals Committee/Board

PORTFOLIO HOLDER DELEGATIONS

The following Scheme sets out the areas delegated to Portfolio Holders to make decisions. Key Decisions are not delegated to Portfolio Holders and must be considered in Cabinet. Key Decisions are defined as:-

an executive decision which is likely –

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effect on communities living or working in the area comprising two or more wards and electoral divisions in the Council's areas

where significant under a) above is £250,000 or more and significant under b) above is one third of the resident population in a ward.

Decisions involving additional resources from reserves are permissible for any Portfolio Holder up to a maximum of £100,000 per portfolio in any financial year.

Where a reserve exists for a specific purpose (eg renewal or repair reserve), the Assistant Director - Resources may withdraw funds from that reserve, PROVIDED THAT the withdrawal is to finance an item or items of expenditure related to the reasons for the existence of the reserve, up to a value of £520,000 per annum. Any necessary withdrawal that exceeds this amount additionally requires the approval of the relevant Portfolio Holder.

Decisions where more than one Portfolio Holder is required to make a decision must go to Cabinet. For the avoidance of doubt each Portfolio Holder has complete freedom to utilise his or her budget without further recourse to the Leader provided it is not a key decision and subject to the restrictions mentioned above.

It is the responsibility of each Portfolio Holder in consultation with the relevant Executive Director to ensure that every decision is made with the full knowledge of a Democratic Services Officer who shall ensure each decision is properly recorded, reasons given and reference made to the report to the Member concerned.

It is also the responsibility of the Portfolio Holder, in consultation with the relevant Executive Director in making decisions to abide by the Council's Financial Regulations and other policy and procedure documents of the Authority as appropriate.

The Portfolio Holder may make decisions in all the areas set out below subject to the conditions and consultations and onward limits on delegation except where the matter under consideration is in excess of £250,000 or beyond the budget of the Portfolio Holder or has a significant effect on two or more wards in the Borough or where the decision to be reached requires the decision of an additional Portfolio Holder.

General Powers

The exercise of delegated powers is to the person to whom it is expressly delegated under this Scheme.

An officer who is authorised to exercise a delegated power under this scheme may authorise other officers to exercise that power on their behalf. Such authorisation shall be made in writing setting out:

- a. The name(s) of the officers who may exercise a power
- b. The power which may be exercised
- c. Any limitations on the exercise of that power

A copy of every authorisation should be passed to the Monitoring Officer before the officer who is authorised exercises any power

Contracts

An Executive Director may authorise and execute on behalf of the Council a contract for works services or goods provided:

- a. the value of the contract does not exceed £100,000.00 or any limit prescribed at any time by contract standing orders
- b. the contract is not part of a series of agreements for the provision of the same or substantially the same works, goods or services
- c. the Executive Director retains a copy of every contract that they make

OFFICER DECISIONS

It is the responsibility of the officer in making decisions to abide by the Council's Financial Regulations and other policy and procedure documents of the Authority as appropriate.

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
1 Corporate /Strategic Issues, Resources THE LEADER	1.1 Review of Corporate Policy including the budget or the Corporate Plan having first been recommended by Cabinet and approved by Council	CE/DCEPFO/M O Requires rec to Council for any change	1.1.1 Monitoring Officer/Deputy Chief Executive Assistant Director – L Gore – Ensure Executive decisions are taken in accordance with the law and financial and policy guidelines.	
	1.2 Audit Fraud and Risk Management	DCE, External Audit, Internal Audit, MO as necessary	1.2.1 Deputy Chief Executive Assistant Director – L Gore Responsibilities under S.151 and S114 (Chief Financial Officer). Enforcement of Financial Regulations Day to day management of the Internal Audit function and process. 1.2.2 Chief Executive Day to day management of the Corporate Risk Register Service Level Risks	
	1.3 Democratic Processes	MO	1.3.1 Executive Director – D Gates Day to day management of the Council's democratic processes. Timetable of Meetings	
	1.4 Civics	CE, Civics Officer Mayor or Deputy Mayor	1.4.1 Chief Executive To determine applications to use the Council's coat of arms 1.4.2 Executive Director – D Gates Day to management of the office of the Mayor and Deputy Mayor and civic ceremony	

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	1.5 Legal	CE and MO	<p>1.5.1 Chief Executive Sign and serve any notice, order or document or act as proper officer under Section 234 of the Local Government Act 1972 where no other officer is currently appointed. To affix and attest the common seal of the Council where the common seal is required pursuant to any decision of the Council. To take any measures necessary to recover possession of land owned or leased by the Council, including encampments (whether or not on Council owned land). Authorise the postponement of charges made on Council property. Day to Day management of assigning budget resources to all legal matters.</p>	
	1.6 Treasury Management including banking, revenue and capital programmes	DCE, CFOPFO	<p>1.6.1 Deputy Chief Executive Assistant Director – L Gore Write Off irrecoverable debts Administration of banking arrangements Manage insurance for the Council, its property and employees Exchequer services including raising and repayment of loans. Approval and publication of Statement of Accounts Authorisation of virements and budget transfers Authorise urgent payments</p> <p>1.6.2 Deputy Chief Executive Assistant Director – L Gore Collect, administer, demand and recover Council</p>	See authorisations given effect by Financial Regulations

			Tax and National Non Domestic Rate precepts and any other Tax or Charge levied by the Council. Collection of rents.	
	1.7 Fees and Charges	PFO	1.7.1 Relevant Executive Director Variation of fees and charges	
	1.7-8 Freedom of Information and Data Protection	CE	1.78.1 Chief Executive Executive Director – D Gates Respond to requests for information under the FOI Act 2000, EIR 2004 access requests under the Data Protection Acts within statutory timescales. Maintain FOI Publication Scheme Maintain Council's Data Protection registration and act as Data Protection Officer. Authorise the use, loan or reproduction of the Councils archive material.	
	1.8-9 Cross Cutting /Cross Remit issues	CE & ED & Portfolio holders		Where more than the portfolio holder is affected – report to Cabinet for decision.
	1.9-10 Policies relating to Employment, Personnel, salaries, Pensions, Training and equalities (as an employer)	ED	1.910.1 Executive Director – D Gates Implementation of service re-organisations and re-structuring within budget. Approval for the funding of training courses for both full and part time study for all employees Updating the Performance Management Scheme 1.910.2 Chief Executive Changes to posts for senior staff (Executive	C ED C ED on

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			Director)	Compromise agreements.
	1.40—11 Health and Safety as an employer		1.4011.1 Chief Executive Day to day responsibility for the Council's Health and Safety function	
	1.11—12 Equal Opportunities (not as the employer)		1.4412.1 Executive Director – D Gates Day to day management	
	1.42-13 Communication	ED	1.4213.1 Executive Director – D Gates Day to day management of communications on behalf of the Council, in accordance with Council Policy	
	1.4314 Performance Management	ED	1.4314.1 Executive Director – D Gates Implementation of performance management reviews and production of performance management information.	
	1.44-15 Procurement	ED	1.4415.1 Deputy Chief Executive Assistant Director – L Gore Day to day management and enforcement of the Council's Procurement Strategy.	
	1.45-16 Channel Shift	ED	1.4516.1 Executive Director – D Gates Day to day management of the process	
	1.4617 Business Continuity	ED	1.4617.1 Deputy Chief Executive Executive Director – G Hall Day to day management of the process	
	1.45-18 Economic Development Policy and Strategy and Economic related EU funding, and submission of funding	ED	1.4718.1 Chief Executive Day to day management of the process	

	applications.			
	1.48-19 Local Enterprise Partnerships	ED	1.4819.1 Chief Executive Attendance and liaison with the LEP	
	1.4920 West Norfolk Partnership	ED	1.4920.1 Executive Director – D Gates Management of the Council’s involvement in the Partnership	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on delegation
2 ICT, Leisure and Public Space				
	2.1 Asset Management Register	Property Services Manager	2.1.1 Deputy Chief Executive Executive Director – C Bamfield Day to day management of the Asset Register, and matters arising therefrom	
	2.2 Leisure, Arts and Green Spaces policies and strategies	ED	2.2.1 Executive Director – C Bamfield Day to day operation of the policies	
	2.63 Community Asset Register		2.63.1 Executive Director – D Gates Retention of the Register	
	2.7-4 Cemeteries and Crematorium		2.74.1 Executive Director – C Bamfield The day to day management of the Council’s cemeteries and crematorium and the granting of exclusive burial rights.	
	2.8-5 Parks, Gardens and amenity areas including	WM, ED	2.85.1 Executive Director – C Bamfield Day to day management of such facilities	

	play areas and allotments (not resort services areas)		including exclusion of persons as necessary	
	2.96 Car Parking		<p>2.96.1 Executive Director – C Bamfield Day to day administration of Council owned car parks in the Borough, including amendments to Car Parking Orders in consultation with portfolio holder.</p> <p>2.96.2 Executive Director – C Bamfield Day to day operation of parking enforcement carried out on behalf of third parties.</p> <p>2.96.3 Executive Director – C Bamfield Management Responsibility for civil parking enforcement.</p>	
	2.40.7 Markets and Fairs		2.40.7.1 Executive Director – C Bamfield Day to day administration of Markets and Fairs in the Borough	
	2.448 Determination of Applications for Circuses on Council property.		2.448.1 Executive Director – C Bamfield Determination of applications to hold circuses on council land	
	2.429 Town centre Management		2.429.1 Executive Director – C Bamfield Oversight and day to day management of town centres	
	2.43-10 Christmas Lighting		2.4310.1 Executive Director – C Bamfield Provision of Christmas lighting across the Borough	
	2.44-11 Public conveniences (not resorts)	WM	2.4411.1 Executive Director – C Bamfield Management and maintenance of the Council's public conveniences.	

	2.4512 Shared Services	ED	2.4512.1 Chief Executive Day to day management of, preparation and negotiations.	
	2.4613 ICT	ED	2.4613.1 Deputy Chief Executive Executive Director – D Gates Day to day management of the service	
	2.3–14 Sports facilities, venues	ED	2.314.1 Through ALIVE Management - Executive Director – C Bamfield Management and Maintenance of the fabric of all leisure and sports buildings	Business tenancy issues – DCE
	2.4—15 Arts/Theatre/Entertainment facilities, venues	ED	2.415.1 Through ALIVE Management - Executive Director – C Bamfield Management and Maintenance of the fabric of all arts and entertainment.	Business tenancy issues – DCE
	2.516 Community Facilities	WM	2.516.1 Through ALIVE Management - Executive Director – C Bamfield Management and Maintenance of the fabric of the buildings 2.516.2 Exec Director – C Bamfield Operational Management of miscellaneous community centres.	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
3 Culture Tourism and Marketing				
	3.1 Promotion and	ED	3.1.1 Chief Executive	

	Marketing of the Borough		Day to day promotion and marketing of the Borough	
	3.2 Resort and Seafront Management	WM, ED	3.2.1 Executive Director - C Bamfield Day to day management of resorts and seafront	Business tenancy issues and concessions —DCE
	3.3 Resort Area Parks, Gardens amenity areas including play areas and public conveniences.	WM, ED	3.3.1 Executive Director – C Bamfield Day to day management of such facilities including exclusion of persons as necessary	
	3.4 Museums	ED	3.4.1 Executive Director – C Bamfield Day to day management of all museum premises owned by the Council	
	3.5 Financial Assistance Schemes for sports and arts	WM	3.5.1 Executive Director – C Bamfield Administer award the grants within the Sports Training and Coach Education grants scheme after consultation with the Alive Leisure Trust.	
	3.6 Financial Assistance Schemes for, voluntary, community, Parish, Community safety matters, housing rural transport, environmental projects and arts	Relevant ED	3.6.1 ExecutiveAssistant Director – D GatesL Gore Administration of the Council's financial assistance schemes for voluntary, community, parish and community safety matters, rural transport and environmental projects, and arts.	
	3.7 Town Hall Complex		3.7.1 Executive Director – C Bamfield Day to day management of the complex	
	3.8 Management of Ancient Corporate Estates		3.8.1 Deputy Chief Executive Executive Director – C Bamfield Day to day management of the ancient	

			corporate estates.	
	3.9 Tourism	ED	<p>3.9.1 Executive Director – C Bamfield</p> <p>Day to day management of tourism premises owned or operated by the Council Day to day management of Heritage premises in the Council's ownership.</p> <p>3.9.2 Chief Executive Day to day management of the tourism issues including management. Arranging or overseeing exhibitions, conferences and tourism as appropriate</p>	
	3.10 Development and promotion of cycling related matters		3.10.1 Executive Director – C Bamfield	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on delegation
4 Development (Full Planning Scheme of Delegation is a separate document)				

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	4.1 Local Development Framework, planning and Land Use Policy		<p>4.1.1 Executive Director – G Hall Minor consequential amendments to planning policy in accordance with national and regional policy changes. Issuing of Local Development Framework guidance and information</p> <p>4.1.2 <u>Solicitor to the Council</u> Monitoring Officer Finalising planning obligations</p>	C - ED
	4.2 Transport policies		<p>4.2.1 Executive Director – G Hall Responding to consultations on traffic regulation orders</p>	
	4.4.3 Building Control		<p>4.4.3.1 CNC – Executive Director – G Hall The exercise of all local authority functions under the Building Act 1984, the Housing Acts and Public Health Acts so far as they relate to the function of the Council as a Building Control Authority. Act as appointing officer under the Party Wall Act 1996. Building Control enforcement and exercise the right of entry to land and premises.</p>	
	4.5.4 Street naming and numbering	WM	<p>4.5.4.1 Executive Director – G Hall Street numbering and naming</p>	
	4.6.5 Commons and Greens		<p>4.6.5.1 Chief Executive <u>C Bamfield</u></p>	
	4.7.6 Compulsory Purchase Orders and		<p>4.7.6.1 Executive Director – G Hall</p>	

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	Enforced Sale Procedures		
	4.87 Land Charges		4.87.1 Executive Director – G Hall Maintain the Register of Local Land Charges and Land Terrier.

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
5 Environment – Deputy Leader				
	5.1 Policies and strategies relating to: Environmental Strategy, including air quality, contaminated land, water quality/usage.	ED	5.1.1 Executive Director – G Hall Day to day management	
	5.2 Control of Noise, Odour, light, dust, smoke and other pollutants, Public Health Land drainage and sewerage issues Planning and Licensing consultations regarding the above		5.2.1 Executive Director – D Gates Day to day management	
	5.3 Bio-diversity, Local character		5.3.1 Executive Director – G Hall Day to day management	
	5.4 All aspects of Recycling and refuse collection including waste minimisation and composting,		5.4.1 Executive Director – C Bamfield Day to day management	

	5.5 Street scene and public cleansing		5.5.1 Executive Director – C Bamfield Day to day management	
	5.6 Energy strategy and issues	ED	5.6.1 Deputy Chief Executive Executive Director - C Bamfield Monitoring of energy efficiency measures to Council buildings.	
	5.7 Community Safety/Neighbourhood nuisance service		5.7.1 Executive Director – D Gates General day to day management of the community safety service and compliance with Crime and Disorder Act 1998 - s.17 requirements. Authorisation of police request for Dispersal Orders to be actioned. Issuing of public notices relating to recipients of ASBOs. Anti-Social Behaviour, Crime and Policing Act 2014	
	5.8 CCTV		5.8.1 Executive Director – C Bamfield Day to day management of the CCTV function	
	5.9 Public and Civil Emergencies	<i>Civil Emergency Liaison and CE Leader, Deputy Leader, MO</i>	5.9.1 Chief Executive To exercise any power to protect the interests and well being of the inhabitants of the Borough in cases of emergency 5.9.2 Executive Director – G Hall Day to day management of the Civil Emergency Plan	<i>C – Cabinet as soon as reasonably practical</i>

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
6 Housing and Community				
	6.1 Housing Strategy Strategies and Associated Policies		6.1.1 Chief Executive Day to day <u>delivery of housing and homeless strategies and policies including</u> administration of the Council's Housing policies	
	6.2 Housing Register		6.2.1 Chief Executive <u>Maintenance Management</u> of Housing Register in accordance with policy <u>and nominations of households to Registered Providers.</u>	
	6.3 Homelessness		6.3.1 Chief Executive Exercise of homelessness functions.	
	6.4 <u>Housing Standards in the Private Sector</u> Private Sector and Social Housing including renewal schemes and partnerships		6.4.1 Chief Executive <u>Day to day delivery of housing standards role including housing enforcement and compliance functions.</u> <u>To sign tenancy agreements for properties let to supported housing providers,</u>	
	6.5 Houses in Multiple Occupation (HMO)		6.5.1 Chief Executive <u>Day to day management of HMOs and to g</u> Grant, renew and revoke all licences <u>and</u> issues under the Housing Act 2004	
	6.6 Home Improvement Agency, Care and Repair and associated operations		6.6.1 Executive Director – D Gates Day to day management of the Home Improvement Agency, Care and Repair and associated operations and Careline	

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	and Careline			
	6.7 Residential Caravan Site Licensing		6.7.1 Chief Executive <u>Day to day management and enforcement To grant, transfer or revoke licenses and exercise of duties in relation to residential caravans.</u>	
	6.78 Loans and grants for housing	<u>DCEPFO</u>	6.78.1 Chief Executive Approval/refusal/withdrawal and authorisation of renovation grant scheme payments.	
	6.89 Social Inclusion		6.89.1 Executive Director – D Gates Day to day management	
	6.910 <u>Gypsy, Roma and Travellers</u>	<u>MO & WM</u>	6.910.1 Chief Executive <u>Day to day management of associated matters</u> Exercise of function. <u>Dealing with unauthorised encampments</u>	
	6.40-11 Licensing Policies		6.4011.1 Executive Director – G Hall Day to day implementation of the Licensing Policies and associated matters	
	6.44-12 Health and Safety where not as the employer		6.4412.1 Executive Director – G Hall Approval of Health and Safety Inspectors under S19 of the Health and Safety at Work etc Act 1974. Day to day responsibility of the Health and Safety process where not as the employer.	
	6.42-13 Food		6.4213.1 Executive Director – G Hall Day to day management of the food <u>related</u>	

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			services	
	6.13-14 Neighbourhood Management		6.1314.1 Executive Director – D Gates Day to day management of the Neighbourhood Management function	
	6.14-15 Housing benefit, welfare benefits and advice	ED	6.1415.1 Deputy Chief Executive Assistant Director – L Gore Administration of housing benefit and Council Tax benefit and discretionary housing payments	
	6.16 Health improvement and promotion including public health and community care		6.16.1 Executive Director – G Hall Day to day management	
	6.17 Local Health Partnerships		6.17.1 Chief Executive Director – D Gates	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegations	Limits on Delegation
7 Regeneration & Industrial Assets				
	7.1 Regeneration strategy, policy, projects and implementation	ED	<p>7.1.1 Chief Executive Day to day management of Regeneration Projects</p> <p>Submission of bids for and Management of Regeneration projects</p> <p>7.1.2 Chief Executive Authorisation to retain professional expertise as required</p>	C Regeneration Portfolio Holder.
	7.2 Redevelopment & Development projects	ED	<p>7.2.1 Chief Executive Oversight and day to day management of redevelopment projects</p>	C PH
	7.3 Property	ED+LSM WM PH where property is in another portfolio holders functional area	<p>7.3.1 Deputy Chief Executive Executive Director – C Bamfield</p> <p>Management of Council property interests together with the ability to authorise all related property transactions at market rent/value. Subject to:</p> <ul style="list-style-type: none"> • Acquisition or disposal of freehold land up to £100,000. • Acquisition or disposal of leasehold land up an annual rental value of £100,000 .* • Discharge or relaxation of freehold or leasehold covenants. 	C ED, PH * Financial limit not applicable to industrial estates where an unlimited rental is

			<ul style="list-style-type: none"> • Determine all applications for the assignment of lease agreements**. • To approve or refuse applications to the Council as Landlord for any approval or consent • Authorise non Housing Act tenancies and licences. • Authorise the applications to release or relax restrictive covenants attached to houses formally owned by the Council. 	<p>allowed. ** except where residential element. C ED</p> <p>C ED, PH, WM</p> <p>C ED, PH</p>
	7.4 King's Court and Office Accommodation	Property Services Manager	<p>7.4.1 Deputy Chief ExecutiveExecutive Director – C Bamfield</p> <p>Day to day facilities management of King's Court and any other office accommodation operated by the Council.</p>	

Portfolio Holder	Functions	Portfolio Holder Consultations	Officer Delegation	Limits on Delegation
8 Special Projects				
	8.1 Town Centre Enhancement Schemes	ED	8.1.1 Executive Director – C Bamfield Day to day management of the schemes.	

Body	Functions	Consultations	Officer Delegations	Limits on delegation
9 Council	<p>9.1 The Constitution.</p> <p>9.2 Adopting the Council's Policy Framework and determining matters involving a change or deviation from approved policy.</p> <p>9.3 Compulsory Purchase matters.</p> <p>9.4 Approving the Council's position relating to local government boundaries, electoral divisions or number of Council Members.</p> <p>9.5 By-law creating and management and promotion or making of local Acts.</p> <p>9.6 Determining matters referred to Council by other bodies.</p> <p>9.7 Appointments (staff and Members)</p> <p>9.8 Determining the Council's Executive Arrangements.</p> <p>9.9 Appointment of Honorary Aldermen or</p>		<p>Chief Executive</p> <p>To act as Head of Paid Service under and for the purposes of section 4 of the Local Government and Housing Act 1989 and lead the senior management team</p> <p>To act as Electoral Registration Officer and Returning Officer for all elections, Parish Polls and Referendums and to take such action as is necessary to carry out those duties.</p> <p>To act as the Proper Officer for the Council, as defined by Section 270 (3) Local Government Act 1972</p> <p>To exercise any power to protect the interests and well being of the inhabitants of the Borough in cases of emergency</p> <p><u>Departmental Staff</u> Restructuring within budget including staff redundancies</p> <p>Day to day management of the Council's democratic processes.</p>	<p>C –Cabinet as soon as reasonably practical and report to Council at next meeting</p> <p>Consultation with the Leader and Cabinet Member for Personnel.</p>

	bestowing Freedom of the Borough.		<p>Amendments to Timetable of Meetings Member Substitutions at meetings</p> <p>Following resignation from a Council body, substitution of Members from same political group onto the Body for the remainder of the year.</p> <p>Replacement/substitution of members on Outside Bodies.</p> <p>Executive Director – D Gates Day to day management of personnel function within the Council, including development of appropriate protocols in accordance with policy across the Council, including pay award negotiation, performance related pay, honoraria (as advised by Service managers or Management Team in the case of service head or above), leave arrangements, recruitment arrangements, disciplinary arrangements including suspension of service/compromise/termination arrangements, retirement arrangements, implementation of job evaluation.</p> <p>Variation and termination of employment contracts, extension of service following retirement age, suspension, confirmation of employment following completion of probationary period.</p>	<p>-Subject to notification from Group Leader or individual member</p> <p>-Subject to notification from Group Leader and agreement of CE.</p>
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			<p>Appointment of Temporary employees for up to 12 months (PG6-13)</p> <p>Authorisation of payment of loans, pay in lieu, allowances, compensation and grants etc to staff and waiver of such repayments or payments due in appropriate cases in accordance with policy</p> <p>Designation and associated work related to casual/essential user car allowances/loans/hiring.</p> <p>Development of necessary protocols in accordance with overall legislation/policy</p>	
	9.10 Statutory Functions		<p><u>Legal Services Manager</u>Solicitor to the Council</p> <p>To maintain and update a list of statutory provisions under which the Council acting through any Executive Director may exercise powers devolved to the Council</p> <p>Authorise, a prosecution, rights of entry, the commencement, defence or settlement of any legal proceedings brought by or against the Council, except in the case of Health and Safety at work prosecutions taken under the act or regulations made under the Act when the power to issue legal proceedings is given to the Health and Safety Inspectors be authorised under Section 19 of the Health and Safety at Work etc Act 1974.</p>	

			<p>To act as Monitoring Officer (Local Government & Housing Act 1989), Registrar of Local Land Charges, Authorised Officer (under the Regulation of Investigatory Powers Act 2000), Parish Trustee.</p> <p>To Act as Money Laundering Officer (Proceeds of Crime Act 1995)</p> <p>Sign and serve any notice, order or document or act as proper officer under Section 234 of the Local Government Act 1972 where no other officer is currently appointed.</p> <p>To affix and attest the common seal of the Council where the common seal is required pursuant to any decision of the Council.</p> <p>Deputy Chief Executive To Act as Money Laundering Officer (Proceeds of Crime Act 1995)</p> <p>Assistant Director L Gore - Chief Financial Officer (Agreed Cncl 240113) To act as Chief Financial Officer under S.114 of the Local Government Finance Act 1988 and S.151 of the Local Government Act 1972</p> <p>Chief Executive Authorised Officer under the Regulation of Investigatory Powers Act</p> <p>To exercise the delegated powers of any Executive Director where they are absent for any reason or the post is vacant.</p>	<p>*excluding any action involving the commencement of civil or criminal proceedings (delegated to LSM)</p>
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			<p>All Executive Directors</p> <p>To exercise all powers within their functional responsibility from the list of statutes maintained by the Monitoring Officer including signing of notices, licences or orders and to authorise, appoint and dismiss inspectors, charge and refund fees, exercise rights of entry, take direct action, issue cautions and make representations under the statutory provisions on behalf of the Council*</p>	
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Body	Functions	Consultations	Officer Delegations	Limits on delegation
10 Cabinet	<p>Individual delegations set out as per Portfolios above.</p> <p>10.1 Make recommendations to Council on corporate strategic and service policies and the detailed implementation of those policies</p> <p>10.2 Delivery of Services within the approved policy and budgetary framework and reviewing the operational framework functions and resources within it. Virement of funds in accordance with Financial Regulations</p> <p>10.3 Monitoring of the Councils Resources, make recommendations to Council on the overall Budget, Council Tax, and carry out any consultation required.</p> <p>10.4 To exercise any Executive function duty,</p>	<p>Delegations to individual portfolio holders apply equally to the Cabinet as a whole</p> <p>Report to Council</p> <p>Rec to Council</p>	Delegations as set out in portfolio groups	

	<p>action or power which is not delegated to any other Council Body in order to protect the Council's interests.</p> <p>10.5 Appoint representatives to Outside Bodies where they are Executive appointments.</p> <p>10.6 Refer any matter to Council for consideration.</p> <p>10.7 Commission Research into any matter or hold an enquiry into a particular issue or issues relating to the Borough or the Council at their discretion.</p>			
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Body	Functions	Consultations	Officer Delegations	Limits on delegation
<p>11 Licensing and Appeals Committee and Sub-Committees thereof.</p>	<p>11.1 To decide on Licensing applications including under the Licensing Act 2003 where objections have been received, applications to review premises licence/club premises certificate and whether to object to licenses when Authority is a consultee. 11.2 To decide on applications under the Gambling Act 2005.</p>	<p>ED</p> <p>ED</p>	<p>Executive Director – G Hall To administer and decide on Licensing applications including those under the Licensing Act 2003 where no objections have been made, or have been withdrawn.</p> <p>Executive Director – G Hall To administer and determine Gambling Act applications where no objections have been made, or have been withdrawn.</p>	<p>Where irresolvable objections/representations made - LAC</p>
<p>12 Licensing and Appeals Board and Panels thereof.</p>	<p>12.1 To decide on appeals/disciplinary matters for hackney carriages and private hire vehicle driver licences and Homelessness appeals and staffing appeals</p>		<p>Executive Director – G Hall Approval of applications for hackney carriages and private hire vehicle driver licences except those falling within the categories in paragraphs (i) to (v) below, when they will go to the Licensing and Appeals Board or panels thereof:-</p> <ul style="list-style-type: none"> (i) Applications which disclose that the applicant has been convicted of an offence involving indecency or violence; (ii) Applications which disclose that the applicant has been 	

			<ul style="list-style-type: none"> (iii) convicted of an offence involving dishonesty or drugs; Applications which disclose that the applicant has been convicted of an offence under the provisions of the Town Police Clauses Act 1847 or the Local Government (Miscellaneous Provisions) Act 1976; (iv) Applications which disclose that the applicant has been convicted of an offence relating to the driving or ownership of a motor vehicle and has more than six penalty points on his/her licence; (v) Applications which disclose that the applicant has committed a breach of, or failed to comply with, the terms of an existing or previous hackney carriage or private hire licence. <p>To approve applications for hackney carriage and private hire drivers licences that fall within any of the categories set out in paragraphs (i) to (v) of the preceding paragraph if in the opinion of the Executive Director – G Hall, any offence by the applicant is so minor or irrelevant as to have no proper bearing on the determination of the application.</p>	
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		Consultation with Chr & V Chr and post decision to L&A Board for info	S52 Road Traffic Act - to "suspend or revoke a Hackney Carriage or Private Hire driver's licence with immediate effect where the Licensing Authority are of the opinion that the interests of public safety require such course of action 21.3.13 L&AB	
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Body	Functions	Consultations	Officer Delegations	Limits on delegation
13 Appointments Board	<p>13.1 Full Board to appoint Chief Executive</p> <p>13.2 Panels of Board to appoint Chief Officers</p> <p>13.3 Panels of Board appoint Independent and Parish Council members of the Standards Committee*</p> <p>13.4 Panels of the Board appoint members to the Independent Allowances Panel</p>	<p>Cabinet</p> <p>Cabinet & CE</p> <p>*Chairman/Vice-Chairman of Standards Committee</p>		

Body	Functions	Consultations	Officer Delegations	Limits on delegation
14 Standards Committee	<p>14.1 Promote high standards of conduct within the Council</p> <p>14.2 Monitor the implementation and operation of the Codes of Conduct for Members, officers and towns & parishes and confidential reporting codes, including development of protocols</p> <p>14.3 As a whole or in a Panel of the Committee to determine complaints made regarding breaches of the Code of Conduct</p>	MO	<p>Solicitor to the Council <u>Legal Services Manager /Monitoring Officer</u></p> <p>On behalf of the Committee to administer the local assessment of complaints and carry out investigations on complaints made under the Code of Conduct.</p> <p>To provide advice to Members and Towns & Parishes including Clerks and Members on aspects of the Code</p>	