

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

**CABINET**

**Minutes from the Meeting of the Cabinet held on  
Tuesday, 6 September 2011 at 5.30pm in the Committee Suite,  
King's Court, Chapel Street, King's Lynn**

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

Under Standing Order 34, Councillor C Joyce attended for item CAB66.

Apologies for absence were received from Councillors A Beales  
and Lord Howard.

CAB59: **MINUTES**

**RESOLVED:** That the Minutes of the Meeting held on 26 July  
and 4 August 2011 be approved as a correct record and signed by the  
Chairman, subject to the following amendment to page 225 under  
general comments, the first sentence be amended to read as follows:  
"Councillor Beales questioned why the Borough Council had not  
responded to sites not identified for allocation by Norfolk County  
Council, and questioned if it would be possible to screen such sites  
and respond to those that merited it. Sites not allocated but subject to  
a good deal of public comment and concern could be an example of  
those other sites worthy of comment".

CAB60: **URGENT BUSINESS**

There was no urgent business.

CAB61: **DECLARATIONS OF INTEREST**

Councillor Mrs V Spikings declared a prejudicial interest in an individual  
site contained within the CAB68: Local Development Framework –  
Site Specific Allocations and Policies Document item.

CAB62: **CHAIRMAN'S CORRESPONDENCE**

None

CAB63: **CALLED IN MATTERS**

None

CAB64: **FORWARD DECISIONS LIST**

The forward decision list was noted.

CAB65: **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

i) **Cabinet Scrutiny Committee: 23<sup>rd</sup> August 2011**

The Cabinet Scrutiny Committee made the following recommendations to Cabinet following its consideration of the Cabinet decision on the Town Hall.

CSC27: **King's Lynn Town Hall**

RECOMMENDATION: 1) That subject to the Stage 1 application to Heritage Lottery Fund being approved, a full and extensive consultation should be carried out with key stakeholders.

2) That the Policy and Review Panels be fully involved in the consultation on the proposals.

3) That subject to the Stage 1 application being approved, a special Council meeting be held to allow all Members to debate the proposals for Stage II.

In considering the recommendations from the Committee, Cabinet accepted recommendations 1 and 2. The Leader explained that the Cabinet did not propose to accept the recommendation that a Special Council be held to debate the proposal for stage II should stage I be accepted, as all Members were entitled to attend the meetings where the proposals were being considered. He also proposed to ask the Chief Executive to offer a pre Council briefing for Councillors setting out the proposals and giving Councillors the opportunity to see the proposals.

**RESOLVED:** 1) That recommendations 1 and 2 be accepted.

2) That recommendation 3 not be accepted but, in the event that stage I be accepted and progressed to stage II, the Chief Executive be asked to hold a pre Council briefing for all Councillors setting out the proposals.

ii) **Resources and Performance Panel Meeting: 31 August 2011**

The Panel had made the following recommendation to Cabinet, which was dealt with when Cabinet considered the report on the agenda.

RP45: Potential Compulsory Purchase Order: Northwold

RESOLVED: That Cabinet be advised that the Resources and Performance Panel supports the recommendations as set out in the report to Cabinet as follows:

“That Cabinet agrees to the proposal to promote a Compulsory Purchase Order for the acquisition of the land with a view to its subsequent disposal”.

CAB66: **NOTICE OF MOTION 2/11 – OPPOSITION TO AN INCINERATOR**

This report responds to the following Notice of Motion 2/11 submitted by Councillor C Joyce:

“The Council welcomes its predecessor’s decision to oppose an incinerator. This Council wishes to reaffirm its ‘opposition to an incinerator”.

Under Standing Order 34 Councillor Joyce addressed the Cabinet stating that he had submitted the Notice of Motion to give new Councillors the opportunity to take a view on the issue of an incinerator and for the Council to take a belt and braces approach and potentially avoid a legal challenge.

In response, Councillor Daubney accepted Councillor Joyce’s point of view, and as the person taking a lead on the incinerator issue on behalf of the Council. He confirmed that he was continuing with the established line and view that the Council had taken, and he wished to make it clear that he had done nothing contrary to that view. He reminded Members that he had responded in this vein to a question asked at the recent Council meeting.

Councillor Long concurred with the view stated, and that the decision taken by Council was still a valid one.

In closing, Councillor Daubney drew attention to the importance of all Groups continuing to support the opposition to an incinerator.

**RESOLVED:** That Cabinet’s view was that Council had made its position very clear at its special meetings on 17 March and 14 April 2011 and no actions by the current Administration had done anything other than support and abide by that position.

CAB 67: **NOTICE OF MOTION 3/11 – APPOINTMENT OF THE MAYOR**

Cabinet considered a report which set out the background to the nomination of Mayor and Deputy in order to respond to the following:

Notice of Motion 3/11, submitted by Councillor D J Collis:

“This Council determines that the nominations for Mayor and Deputy Mayor and subsequent election be within the province of the 62 councillors and not limited to the majority party.”

Councillor Daubney, in commenting on the Notice of Motion stated that the process was in no way intending to disenfranchise anyone, and he had been surprised that the opposition had not approached him post election wishing to nominate any Councillor to either position. He acknowledged that in an election year the time between the election and Annual Council was short and he wasn't aware of any discussions between group leaders on the matter. However, he felt that the current procedure permitted nominations by either Group.

**RESOLVED:** That the current practice of any Group being entitled to nominate to the position of Mayor or Deputy, and all Councillors be given the opportunity to approve the nominations continue.

CAB68: **LOCAL DEVELOPMENT FRAMEWORK SITE SPECIFIC ALLOCATIONS & POLICIES DEVELOPMENT PLAN DOCUMENT – ISSUES AND OPTIONS CONSULTATION SEPT 2011**

Councillor Mrs V Spikings presented a report which presented the Local Development Framework Site Specific Allocations & Policies Development Plan Document – Issues and Options Consultation Sept 2011. The report proposed that Members agree that this document should go out to public consultation. The statutory consultation period was for 6 weeks, however, it was proposed to increase that consultation period to 8 weeks to permit a longer consultation period for parishes and statutory bodies. The consultation would begin 23 September to 18 November 2011.

Alan Gomm, The LDF Manager explained that the Site Specific Allocations & Policies document set out the main proposals for where development should occur and key areas that should be protected from development. It took the Core Strategy policies and developed these into a more specific set of proposals. Appendix 1 of the documents was the list of rejected sites which gave the opportunity for the owners of those sites to understand why they had been rejected and if necessary to try to overcome those comments.

He further explained that the document would be sent out to parishes and statutory consultees, but as it was such a large document, it would be available on CD, and on the web site. He informed Members that the LDF task group would be meeting the following day and discussing the detail of the consultation arrangements.

Cabinet congratulated officers and members of the Task Group on the production of the document in such a competent and well formulated manner.

**RESOLVED:** That the Site Specific Allocations & Policies Development Plan Document be approved and be published for an 8 week public consultation. Final wordings and consequential changes are delegated to the Executive Director in consultation with the Portfolio holder and Vice Chair of the LDF Task Group.

**CAB69: REVIEW AND UPDATE OF CONTRACT STANDING ORDERS**

Cabinet received a report which explained that the current version of Contract Standing Orders had not been reviewed for over two years during which time responsibility for the review process had passed from the former Chief Internal Auditor to the Procurement Unit. A review had now been completed and several changes were recommended.

**RECOMMENDED:** That Council approve the new version of Contract Standing Orders.

**CAB70: STANDARDS COMMITTEE – EXTENSION OF TERM OF OFFICE FOR ONE PARISH REPRESENTATIVE**

The Chairman presented a report which explained that the Council's Standards Committee had three Parish Representatives. One of the representatives four year term of office was due to come to an end in November 2011. It was the Council's normal practice to place an advertisement in the local press to recruit to that position.

However, in view of the Localism Bill and proposals for the future of Standards Committees and to enable the Council to continue to determine complaints at a local level, it was therefore proposed that the Parish Representative's term of office be extended for a further period, rather than placing an advertisement in the local press to recruit to that position.

**RECOMMENDED:** That the term of office for one of the three Parish Representatives on the Council's Standards Committee due to come to an end in mid November 2011, be extended pending the outcome of the Localism Bill.

**CAB71: POTENTIAL COMPULSORY PURCHASE ORDER – NORTHWOLD**

Councillor Mrs Spikings presented a report which explained that the Borough Council had a statutory duty under the Act to protect and enhance Listed Buildings within their administrative area. As part of that duty the Council maintained a building at risk register which

identified those buildings considered to be at significant risk in order that the Council could exercise its statutory powers to maintain these buildings through the service of a repairs notice.

The report noted that if it appeared that following the service of a repairs notice reasonable steps were not being taken for the proper preservation of a Listed Building, and the Council were satisfied that it was expedient to do so, they may then apply to the Secretary of State for Culture Media and Sport for authority to compulsory purchase the Building in order to safeguard its future.

The property at The Manor House, 52 High Street, Northwold had been identified by the Development Team as a candidate for compulsory purchase in view of the fact that it is a grade II listed building in very poor physical condition and has remained unoccupied for in excess of 20 years. The Norfolk Historic Building Trust had expressed interest in purchasing the building.

The Cabinet was therefore invited to recommend to Council approval for the Council to make use of the powers available to local authorities under the Planning and Listed Building Act 1990, Section 47 and to promote a Compulsory Purchase Order for The Manor House ("the Building"), 52 High Street, Northwold, Norfolk IP26 5LA ("the Land") to enable it to be properly preserved.

Councillor Daubney, drew attention to the support for the recommendations from the Resources and Performance Panel. In supporting the recommendations he commented that as a responsible Authority the Council should take these steps to protect the building and to respond to the numerous concerns raised.

**RECOMMENDED:** That the proposal to promote a Compulsory Purchase Order for the acquisition of the Land with a view to its subsequent disposal be approved.

**The Meeting closed at 6.02 pm**