

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



CABINET

Agenda

**TUESDAY, 31 JULY 2012
at 5.30pm**

in the

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



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



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

CABINET AGENDA

DATE: CABINET – TUESDAY, 31 JULY 2012

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

TIME: 5.30 pm

1. MINUTES

To approve the Minutes of the Meetings held on 3 and 17 July 2012.

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 4)

9. MATTERS REFERRED TO CABINET FROM OTHER COUNCIL BODIES

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

- Resources and Performance Panel - Audit Committee – 24 July 2012
- Regeneration, Community and Environment Panel 25 July 2012

10. REPORTS

1 Townscape Heritage Initiative (page 6)

The Townscape Heritage Initiative funding programme administered by the Heritage Lottery Fund (HLF) has been identified as a potential funding source to assist in delivering one of the corporate priorities to rejuvenate empty and derelict land and buildings in the St Margaret's & St Nicholas Conservation Area in King's Lynn. Consultation with the HLF, property owners and stakeholder has been completed and received a positive response on the proposal to submit an application to the HLF to request £1.5m funding contribution to

the £2m scheme. This report outlines the terms of the funding programme, the project proposal and the authorisation required from Cabinet in order to progress to the project and submit an application to the HLF.

EXCLUSION OF THE PRESS AND PUBLIC

To consider passing the following resolution:

“That under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 & 4 of Part 1 of Schedule 12A to the Act.”

2) CNC Building Control (Page 15)

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

Cabinet Scrutiny Committee

For further information, please contact:

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

FORWARD DECISIONS LIST

Officer

Portfolio Responsible

31 July 2012

Townscape Heritage Initiative	Exec Dir Regen and Planning	Regeneration / Development
Bid to host CNC Building Control	Exec Dir Regen and Planning	Development

4 September 2012

Enterprise Centre	Exec Dir Regen and Planning	Regeneration
Payroll Tender Process	Exec Dir Central Services	Leader

18 September 2012 (Accounts)

Statement of Accounts 2011/12	Deputy Chief Executive	Leader
Annual Governance Statement	Exec Dir Central Services	Leader
Report of the Mart Task Group	Exec Dir Leisure and Public Space	Health and Wellbeing

2 October 2012

Local Authority Leisure Trust – Project Plan and Follow Up report	Chief Executive	Leader/ Assets
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30 October 2012

Payroll Tender Outcome	Exec Dir Central Services	Leader
Review of Statement of Principles – Gambling Act 2005	Exec Dir Environmental Health & Housing	Community
Holiday Caravan Sites/Touring Caravan Sites – Licensing Procedures & Standard Conditions	Exec Dir Environmental Health & Housing	Community

4 December 2012

Forthcoming Items, as yet unprogrammed

Major Housing Development – King’s Lynn	Exec Dir Regen and Planning	Regeneration
Local Council Tax Support Scheme	Deputy Chief Executive	Leader
Planning Fees	Exec Dir Regeneration & Development	Development
Revised KLATS & KL Car Parking Strategy	Exec Dir Regeneration &	Regeneration / Health & Wellbeing

	Development	
Community Cohesion Strategy	Chief Executive	Community
Town Centre Plan	Exec Dir Regeneration & Development	Regeneration
Care and Repair Framework Agreement	Exec Dir Environmental Health & Housing	Community
Revised Procurement Strategy	Deputy Chief Executive	Leader & Special Projects

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards St Margaret's and St Nicholas Ward	Discretionary /	(a) Be entirely within cabinet's powers to decide YES		
	Operational	(b) Need to be recommendations to Council NO		
		(c) Be partly for recommendations to Council and partly within Cabinets powers – NO		
Lead Member: E-mail: Cllr Alistair Beales Email: cllr.alistair.beales@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Ostap Paparega E-mail: Ostap.paparega@west-norfolk.gov.uk Direct Dial: 01553 616890		Other Officers consulted: Ray Harding, Geoff Hall, Pam Lynn, Mark Fuller		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment NO	Risk Management Implications NO

Date of meeting: 31st July 2012

1 TOWNSCAPE HERITAGE INITIATIVE

Summary

The Townscape Heritage Initiative funding programme administered by the Heritage Lottery Fund (HLF) has been identified as a potential funding source to assist in delivering one of the corporate priorities to rejuvenate empty and derelict land and buildings in the St Margaret's & St Nicholas Conservation Area in King's Lynn. Consultation with the HLF, property owners and stakeholder has been completed and received a positive response on the proposal to submit an application to the HLF to request £1.5m funding contribution to the £2m scheme. This report outlines the terms of the funding programme, the project proposal and the authorisation required from Cabinet in order to progress to the project and submit an application to the HLF.

Recommendation

1. Cabinet approve the submission of an application to the HLF for £1.5 million as detailed in section 4.
2. £500,000 is allocated in the capital programme over 5 years from 2014/15-2019/20 as the Borough Council's match funding contribution to the project.
3. If the stage one application is successful, Cabinet agree to the appointment a dedicated Project Officer as a condition of the HLF funding, to progress the stage 2 application and implementation of the project if successful.

Reason for Decision

To progress the project to improve the quality of the built environment in line with the corporate business plan and the Urban Development's Strategy for King's Lynn.

1. BACKGROUND

1.1 The Economic Development & Regeneration section took responsibility for the co-ordination of the Council's internal Derelict Land & Buildings Officer Group in October 2011. This groups aims to address issues relating to derelict land and buildings Borough wide. As part of the work of this group the Townscape Heritage Initiative (THI) was identified as a potential funding source to address a number of derelict and redundant buildings specifically within King's Lynn town centre. THI is a scheme administered by the Heritage Lottery Fund (HLF). The programme issues grants of between £500,000 - £2,000,000. All schemes should seek to deliver a programme spread over 5 years.

2. TOWNSCAPE HERITAGE INITIATIVE FUNDING

2.1 THI grant supports schemes led by partnerships of local, regional and national interests that aim to regenerate conservation areas. Together with other organisations the HLF contribute money to a 'common fund'. The common fund is managed by a partnership, and is used to allocate third party grants towards works on individual building projects within the designated scheme area and support a range of activities that encourage participation in conserving the heritage assets.

2.2 The HLF contribute a maximum of 75% to the common fund. The remaining 25% should come from other sources. Third parties, i.e. property owners, can then apply for a grant from the common fund to claim up to 70% of eligible costs to enhance properties and in the designated scheme area.

2.3 The Borough Council, as applicant, will act as the lead partner for the scheme and will be the accountable body to manage the administration of the common fund. However it is expected that a wide range of stakeholders are involved in the development and management of the scheme i.e. Civic Societies and Preservation Trusts.

2.4 The common fund can also fund improvements to the public realm and gap sites. Works to improve the public realm can not be accountable for more than 25% of the overall common fund. Complementary initiatives are also encouraged in applications e.g. training workshops, community events and advertising materials. These can not account for more than 5% of the common fund.

2.5 The HLF aims to support between 8-15 schemes each year. Each scheme should deliver the following outcomes:

- Preserving and enhancing the character and appearance of conservation areas affected by high levels of deprivation and in need of regeneration.
- Bringing historic buildings back into appropriate and sustainable use.
- Safeguarding the character of conservation areas through:
 - Increasing training opportunities in heritage skills;
 - Increasing community participation and;
 - Improving approaches to conservation management and maintenance.

2.6 The THI scheme looks to fund works that will have the greatest effect on the preservation, enhancement and regeneration of conservation areas. This can include structural and external repair of historic buildings and structures which are still being used and repair and conversion for new uses of vacant or partly-used historic buildings.

Eligible projects are separated into 3 categories. These are:

- Critical Projects: essential to the delivery of a scheme; without tackling them, the scheme will have perceived to have failed.
- Priority Projects: clearly contributing to the enhancement of the conservation area.
- Reserve Projects: worthwhile pursuing should funding become available or if some of the priority projects fail to come forward for a grant.

Eligible works are split into 13 categories. These are:

- Repair works to buildings in use
- Restoration of architectural features
- Bringing vacant historic floor space back into use
- Public realm works
- Developing gap sites
- Staff costs and overheads
- Complementary initiatives
- Professional fees
- Planning fees
- Preliminaries
- Archaeological works
- Building surveys, feasibility studies, options appraisal and business plans

2.7 All grants to individual properties are made in arrears. This gives the partnership a level of control over the works which are carried out and will ensure they are done to a high standard. No works can be carried out conjecturally; all works relating to architectural reinstatement should be carried out alongside evidence of what was once there. This is also applicable to improvements to the public realm.

2.8 In order to manage the conservation area in the medium to long term a conservation area management plan must also be produced. This will ensure the improvements which are facilitated by the grant will be

sustainable into the future. A management plan must be submitted at stage 2 of the application process.

- 2.9 The THI scheme guidance states that “Following the principle that there should be little or zero private gain, the owner of a property may have to repay part of or the entire grant if he sells or leases the property within a specified period.

Fixed-percentage grants from the HLF of or above £15,001 to projects are subject to repayment. This may result in paying back a share of the sale proceeds if the property is sold within a specified period (10 years). Repayment, if any, is calculated as a share of any increase in value, beyond that which may have been anticipated in calculating the grant originally. For fixed-percentage grants including a contribution from HLF up to and including £15,000 HLF will not require payment if the owner sells or leases the property.

For large or complex projects concerned with bringing vacant floor space back into use, it may be necessary to negotiate specific repayment conditions tailored to the circumstances of the case but still within our general principles. The project manager (the council) should seek the most advantageous terms compatible with the project. This will also apply where other project funders are imposing conditions on repayment.

If the project manager (the council) does not think it would be reasonable to fully apply repayment conditions in a particular case, they must obtain written permission from HLF before agreeing not to do so.”

Appendix 2 illustrates how the repayment of grant is calculated.

3. PROJECT DEVELOPMENT

- 3.1 Officers from the Economic Development & Regeneration team have obtained pre application advice from the Development Manger and Casework Manager at the HLF on potential scheme that would be eligible and welcomed by the funders.

A detailed options appraisal of 3 Conservation Areas in King’s Lynn which could substantially benefit and be eligible for THI funding was completed;

- Friars Conservation Area – London Road
- Norfolk Street Conservation Area – Railway Road and Blackfriars Road
- St Margaret’s Conservation Area – High Street, Saturday Market Place, St James’ Street and Tower Street

Each of the areas were reviewed and scored in 5 categories:

- Current condition of buildings
- Level of economic and aesthetic impact the THI scheme would have on the area
- Number of vacant units

- Potential Public realm & gap site improvements
 - Property owners response and interest
- 3.2 The owner response at this stage was a key indication of how successful a scheme would be if a funding application was approved for an area. Without a significant level of interest from owners of properties that would be willing to improve their buildings in each of the areas, the scheme could fail. It was also important to gain an understanding of the level of impact based on the response from property owners a THI scheme would have in any one area as this is an important criterion in the application process.
- 3.3 As a result of this appraisal an area identified on the map (appendix 1) within the conservation St Margaret's & St Nicholas was deemed the most favourable as it scored the highest against the funding criteria and is recommended to be the area to be progressed in a funding application. The HLF have also advised that the area meets their funding criteria.
- 3.4 This area includes a number of prominent empty and derelict buildings which are classified as critical projects including the former Hogshead & 9-11 St James' Street.
- 3.5 Meetings have taken place with the King's Lynn Civic Society and the King's Lynn Preservation Trust to gain their opinion and input into the potential schemes. There is the potential for these organisations to deliver a number of the complimentary initiatives and be an important stakeholder to assist in delivery of a successful application. Discussions have also taken place with the King's Lynn Arts Centre who may also be in a position to deliver a number of the complimentary initiatives as partner in the scheme.
- 3.5 Initial consultation with the property owners in this area on interest in participating in the scheme has received a positive response. An open session was held on Monday 26th June to explain the scheme to interested property owners in greater detail. This was well attended by owners and long term lease holders in the area. It also gave the opportunity for questions relating to specific buildings. Positive discussions are on-going with a variety of owners and occupiers within the area.

4. TIMESCALES

The closing date for Stage 1 of the application process is by 31st October 2012. We will be notified in April 2013 if we have been successful at this stage. If successful, we will have 12 months to develop the application and submit the stage 2 application by April 2014. We are able to apply for up to £50,000 development grant within the stage 1 application; this will assist in the preparation of the stage 2 bid. The HLF also encourage applicants to recruit a dedicated project officer for the project if successful at stage 1.

The stage 2 application will include a greater level of detail and stronger commitment from property owners who wish to be included in the scheme.

The HLF Board will then consider the stage 2 application within 3 months of submission. The borough council will be notified if we have been successful at this stage by July 2014. If successful, the grant will be awarded and it is anticipated that work can commence in August 2014.

5. NEXT STEPS

A project team comprising members of the regeneration team, property and the conservation officer has been initiated but more members will need to be added as the project develops. A project board will be established to be involved in the development of the scheme.

Meetings will take place with the owners of properties in the eligible area to put together individual projects; this will include estimated costs which will feed into the stage 1 application.

A robust application will be written with the input of all relevant officers and submitted in October 2012.

6. POLICY IMPLICATIONS

This initiative is linked to the corporate priority to improve the built environment. There is no change to policy.

This scheme also links to the Urban Development Strategy and the objective to improve the quality of the built environment.

One of the goals in the Vision for King's Lynn is to secure King's Lynn's position as the primary retail, leisure and cultural centre serving the populations of west Norfolk, north Cambridgeshire and south Lincolnshire. In order to achieve this the Vision identified the need to raise the profile and image of King's Lynn and improving the range and quality of the retail offer and the recreation, leisure and cultural facilities of the town, enhance the appearance and environment of the town and developing King's Lynn as a short-break visitor destination centred on the town's heritage. This Vision for the town has been captured in the Growth Point Integrated Programme of Development and King's Lynn Local Investment Plan produced in partnership with the Homes and Communities Agency.

A conservation area management plan will need to be drafted and adopted as part of the scheme.

7. FINANCIAL IMPLICATIONS

In order to submit the stage one application in October 2012, the Council needs to pledge to commit of £500,000 of capital funding over a five year period commencing 2014/15-2019/20 from the capital programme. The

Council is about to review its Capital Programme for the period 2012/2022.in the light of reduced levels of funding being available. This will bring with it the need to critically evaluate every scheme put forward and to determine how well it fits with the Corporate Business Plan and what level of priority does the Council wish to award to a scheme.

If Council determines to allocate £500,000 of future funding over the period 2014/2020 then it will be committing this funding as a high priority in place of other schemes that come forward. In the event that funds are not available at the time that the scheme comes in being then it will be necessary to borrow the support its commitment to the fund.

8. STAFFING IMPLICATIONS

If we are successful at the stage one application a dedicated project officer will need to be recruited, this is strongly suggested by the HLF. The cost of this post will initially be met by a portion of the available £50,000 development grant which will be awarded if successful at stage 1 and if successful in the stage 2 application the cost of the post will be met by the common fund. The recruitment of this post will be subject to the usual Council recruitment policy and procedures.

9. STATUTORY CONSIDERATIONS

The Borough Council has a statutory duty of care to protect the conservation of listed buildings and ancient monuments.

10. EQUALITY IMPACT ASSESSMENTS (EIA'S)

The project does not have any negative repercussions that require a full EIA. All members of the community within the eligible area are able to register an interest in the scheme.

11. RISK MANAGEMENT

There is no guarantee that we will be able to secure the funding from the HLF. A robust application will be submitted to HLF and a comprehensive risk register established for the project to identify potential project risks and mitigating measures. A level of commitment will be sought from owners during the formation of the stage 2 application. This will ensure that should we be successful in gaining the funding we will be able to deliver a scheme which has a positive effect on the area.

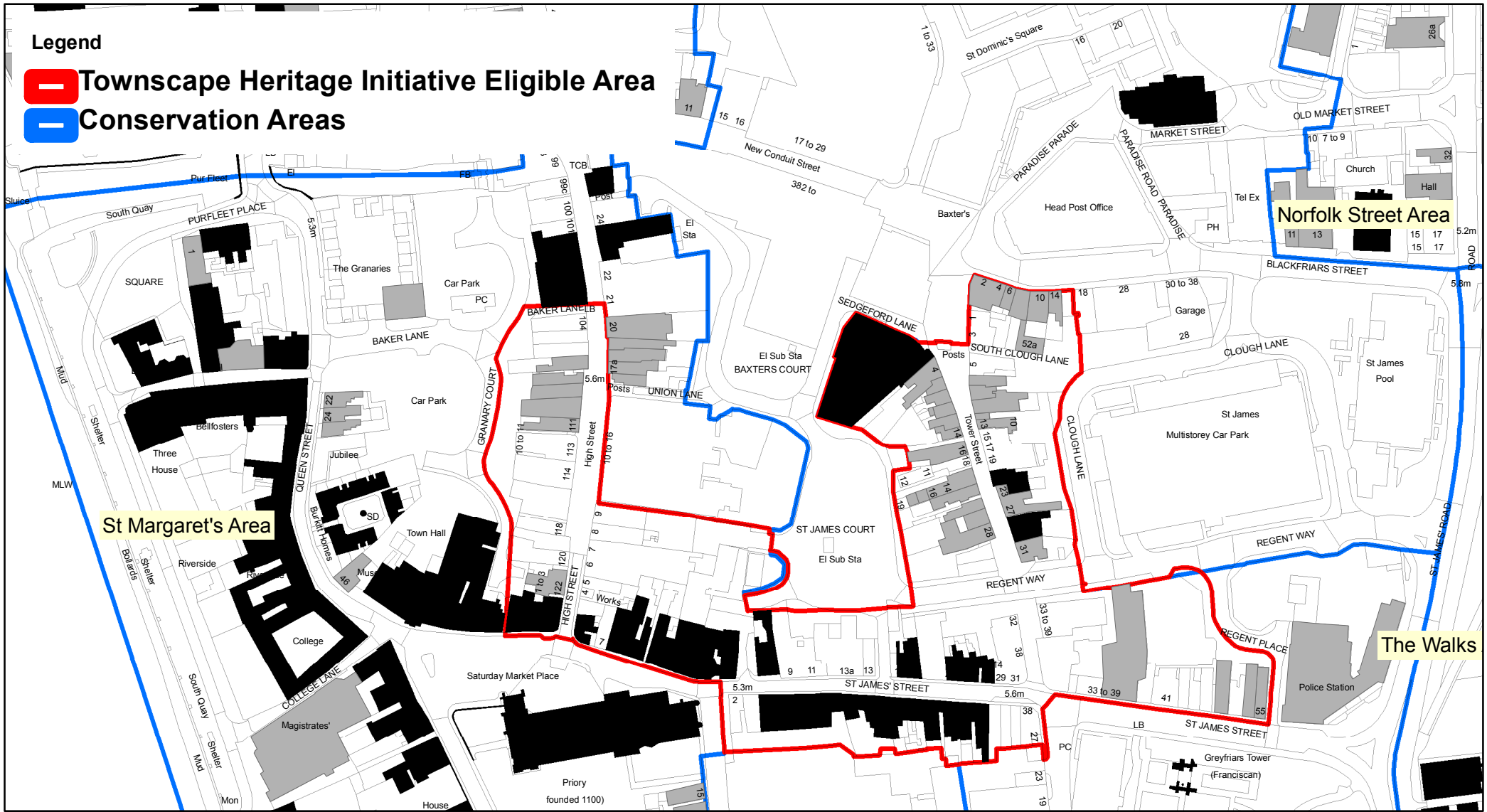
BACKGROUND PAPERS



Corporate Business Plan
Urban Development Strategy
The Vision for King's Lynn 2000-2023
Appendix 1: Map of area for the scheme

Appendix 2: Grant repayment formula

Legend

-  Townscape Heritage Initiative Eligible Area
-  Conservation Areas



 <p>Borough Council of King's Lynn & West Norfolk</p> <p>Tel. 01553 616200 - Fax. 01553 691663</p>	<p>Title</p> <p>Townscape Heritage Initiative</p>		<p>Scale</p> <p>1:2,146</p>	<p>© Crown copyright and database rights 2012 Ordnance Survey 100024314</p>
	<p>Project / Details</p> <p>Eligible Area</p>	<p>Date</p> <p>03 July 2012</p>	<p>Drawn by / Department</p> <p>LM - Tech Support</p>	
	<p>Drawing / Reference Number</p> <p>13</p>	<p>Reference Number</p> <p>LM - 2012.07.03</p>		

Appendix 2

Grant repayment will be calculated on the following basis:

$$\frac{G}{C} \times \frac{(CV - OV)}{10} \times (10 - Y) = R$$

where

G = the Grant

C = the eligible cost of the Project excluding Value Added Tax (if any) the owner had recovered

OV = the open market value of owner's interest in the Property agreed with HLF at the start of the project being £()

CV = the open market value of owner's interest in the Property on completion of the disposal

Y = the number of complete years from the date of this Agreement

R = the amount HLF require to be repaid out of the proceeds of the disposal

Worked example:

A property valued at £100,000 has £25,000 of eligible work carried out which attracts a grant of 70% (so the house owner pays 30% equivalent to £7,500). If we assume there is a £50K increase in value the grant repayment is as follows:

House sold at £150,000 after 1 year £31,500

After 3 years £24,500

After 6 years £14,000

After 10 years £0