

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Monday, 1 July 2013 at 5.30pm in The Committee Suite,
King's Court, Chapel Street, King's Lynn.**

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

An apology for absence was received from Councillor Lord Howard.

CAB24: MINUTES

RESOLVED: The Minutes of the Meeting held on 17 June 2013 were approved as a correct record and signed by the Chairman.

CAB25: URGENT BUSINESS

There was no urgent business.

CAB26: DECLARATIONS OF INTEREST

Councillor Mrs V Spikings declared a pecuniary interest in items relating to Upwell. She had absented herself from all discussions relating to this to date.

CAB27: CHAIRMAN'S CORRESPONDENCE

None.

CAB28: MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

None

CAB29: CALLED IN MATTERS

None

CAB30: FORWARD DECISIONS LIST

The Forward Decision List was noted.

CAB31: **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

**i) Joint Safety and Welfare Committee – 19 June 2013
Draft revision to Health, Safety & Welfare Policy**

The Joint Safety and Welfare Committee had supported the proposed changes to the policy.

ii) Regeneration Environment and Community Panel: 26 June 2013

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

REC23: **Cabinet Report – Local Development Framework Site Specific Allocations and Policies Documents**

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

- (i) Agree the publication of the 'Preferred Options' version of the Detailed Policies and Sites Development Plan document for consultation.
- (ii) Agree that the final wording of the consultation document and arrangements for the public consultation exercise be delegated to the Executive Director, Planning and Environment in consultation with the Cabinet Member for Development.

CAB32: **REVISED HEALTH, SAFETY & WELFARE GENERAL POLICY**

The Safety and Welfare Advisor presented a report which outlined the Authority's statutory obligation to have an appropriate Health Safety & Welfare Policy. It set out for approval a revised policy for the Authority which reflected, current legislation, best practice and the responsibilities for managing Health & Safety following the changes in management structure at the Authority.

In addition the report set out a revised process for the future annual revision of the Policy to be delegated to the Chief Executive, in consultation with the Portfolio Holder and the Joint Safety & Welfare Committee.

Councillor Daubney reminded Cabinet that the Joint Safety and Welfare Committee at its meeting on 19 June had considered the report in detail and supported the amendments.

Councillor Mrs Nockolds commented that the event safety planning process was proving to be very useful for the events organised by the Council.

Councillor Pope asked whether all contractors employed by the Council had to have a Health and Safety Policy, to which it was explained that contractors employing more than 5 staff were required to have a policy. Those contractors with policies were considered in the light of the legal requirements.

He also asked for clarification on the “significant finding” in 3.1.5 of the report. The Safety and Welfare Advisor explained that it was not always necessary to share the whole of a risk assessment with a member of staff if the contents didn’t directly affect them, but if in carrying it out for example, it concluded that protective clothing should be worn, this was something significant that should be shared and advised.

With regard to the provision of specialised training for staff, Councillor Pope asked how this was provided. It was explained that some was provided in house and some externally.

Councillor Beales asked where the legal default for responsibility for Health and Safety lay within the Council. It was explained that the final responsibility lay with the Chief Executive and Directors, and also the Corporate Manslaughter element also reached Councillors.

It was agreed to check on the number of members on the Joint Safety and Welfare Committee in the policy following a question from Councillor Long.

Councillor Daubney also commented that the detailed and technical appendices were being reconsidered as part of the policy in future.

RECOMMENDED:

- 1) That the draft policy be endorsed.
- 2) That the changes to the process of policy revision be endorsed.
- 3) That a Health & Safety Action Plan to be developed.

CAB33: LOCAL PLAN: PUBLICATION OF DETAILED POLICIES AND SITES PLAN ‘PREFERRED OPTIONS’ FOR CONSULTATION

In initially presenting a report to Cabinet, Councillor Daubney explained that as a Local Authority the Council was required to prepare and keep up to date a Local Plan. The document presented was the culmination of a considerable amount of work by Officers and Members over a long period of time.

Councillor Mrs Spikings gave an overview of the process of and explained that the Borough Council was a considerable way through preparing a new plan document to give effect to the already adopted Core Strategy. The stage had now been reached where there was a need to publish a draft document (‘Preferred Options’) to consult the

public, statutory bodies and interested parties in advance of the Borough Council finalising its formal proposals for the document.

The Borough Council had already adopted (in July 2011) a Core Strategy which set out the scale and general direction of growth in the Borough over the period to 2026, and how development and the use of land would be managed over the period to the period to 2026. It was always intended that this would be followed by another development plan document providing more detailed policies for the guidance of developers and the operation of planning control, and allocating specific sites for development. This had been reflected in the Borough Council's successive adopted Local Development Schemes.

The Borough Council has been preparing such a document since 2009, involving extensive investigation and assessment, two earlier rounds of public consultation, and detailed consideration of options, issues and potential sites.

It had always been the intention, and widely publicised, that another round of public consultation would take place in advance of the Borough Council finalising its proposals. It was originally anticipated that this would take place last year (2012), but the volume of sites submitted, major changes to national and regional policy, and staff changes, had delayed this. It was explained that of the 10,120 dwellings which had been highlighted as required for the Borough, 6,215 had already been allocated, and with the number of sites proposed in the document it left only 168 dwellings to make the total allocation.

The consultation would commence at the end of July and finish at 5pm on 4 October 2013. This period was 4 weeks longer than the original proposal because it ensured that there was sufficient time after the summer holiday period to make comments. The document, once readied for dispatch, would be made available in the Council offices, libraries, on the web, through town and parish councils. Officers were happy to visit parish council meetings to offer explanations if requested. Site notices would be displayed and interested parties would be notified. Councillor Mrs Spikings thanked the LDF Team and the Task Group for their work in getting to this stage.

Councillor Daubney also acknowledged the huge logistical piece of work and congratulated all involved. He asked whether if people had already sent in a response on the document prior to the start of the consultation period should they re-submit it once the formal process began. This was confirmed, preferably via email.

Councillor Daubney asked how someone would know about the process. Councillor Mrs Spikings responded that Parish and Town Councils could be visited, notices would be put in the press and on the web etc. All the required steps would be taken. She also reminded

Members that there were 62 Councillors who could inform people of the processes and engage people in their wards.

It was asked if even if land was brought forward would it necessarily be built on. It was confirmed that it may not, it was up to the site owners to bring the site forward for development purposes once approved, but members were reminded that some sites which may have previously been approved may not now necessarily still be within the new policies once they changed.

Councillor Mrs Nockolds praised the plain English element of the document, applauded the extended period of consultation, and commended the statement that Neighbourhood plans would be taken seriously.

Councillor Beales, following some points raised by a few parishes asked if the Council was right to press ahead with this process at this time and whether the comments made in the consultation would be listened to. Councillor Mrs Spikings explained that it had to go ahead if the Borough wanted development land for the future. The proposals put forward for consultation would place the Borough in a good place for the future.

Councillor Beales commented that he was pleased about the proposed policy on infill in smaller villages and hamlets, as there were some obvious sites, and the reference to employment land in the policies. He asked for clarification of the affordable housing element on page 59 of the document.

Alan Gomm, LDF Manager explained that the policy was designed to define sites as a whole to prevent it artificially being split up into smaller plots for applications to attempt to slip under the affordable housing threshold. A single planning unit would be defined at allocation.

Councillor Long asked if other sites could be brought forward as part of the consultation process, and if those featuring on the list meant they would definitely be developed.

Alan Gomm responded that the sites put forward had been assessed as being put forward as available and deliverable. He commented that there was little point in having the land bank for future years if the land was never to be brought forward. With regard to other sites being put forward, if a case was made for a particular piece of land the case would be considered.

Councillor Long further asked if the remaining allocation of sites would come forward as "windfalls". It was explained that the allocation made had come within 1% of the required numbers in the Core Strategy. It was good practice to allocate for the total number. Clearly any windfalls would be counted when they came along.

Councillor Daubney explained to Members that he and Councillor Mrs Spikings had met with the Government Minister and discussed general housing numbers with him; he indicated that the Borough was approaching the situation in an appropriate way and saw no need to amend the proposed figures.

Councillor Mrs Spikings reminded Members that consultation had been carried out with the statutory agencies, and providing Neighbourhood Plans were in compliance with the Core Strategy they would be respected. If areas had Neighbourhood Plans, once the Community Infrastructure Levels had been agreed, they would receive higher levels on development in the area than those without.

Alan Gomm re-iterated the stages of the process as follows:

- Opening of 2nd phase of consultation end July – 4 October
- Any changes to be made in the light of considering the comments received.
- Publishing document with further opportunity to make representations
- Consideration of it by an Independent Inspector who will make a report on what he considers should change.
- Assimilation of those comments
- Submission to the Council for adoption

It was explained that in the back of the current report was the methodology as to why a decision had been made to include specific sites, with site summaries and assessments. The specific scoring of sites etc would be included in a separate technical document.

In response to a question from Councillor Beales it was agreed to further expand the reasoning behind the sites identified in King's Lynn for the final document to be published for consultation.

Councillor Daubney reminded Members that the Regeneration Environment and Community Panel had considered the report and

RESOLVED: 1) That the publication of the 'Preferred Options' version of the Detailed Policies and Sites Development Plan Document for consultation be agreed.

2) That the final wording of the consultation document and arrangements for the public consultation exercise be delegated to the Executive Director Planning and Environment in consultation with the Cabinet Member for Development.

The Meeting closed at 6.18 pm