

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET DECISION SHEET

**Decision Sheet from the Meeting of the Cabinet held on
Wednesday, 9 September 2015 at 5.30pm in the Committee Suite, King's
Court, Chapel Street, King's Lynn**

PRESENT: Councillor A Beales (Vice-Chairman in the Chair)
Councillors R P Beal, B Long, Mrs E Nockolds,
D Pope, and Mrs V M Spikings.

An apology for absence was received from Councillor N J Daubney,
Lord Howard and A Lawrence.

1. **MINUTES**

RESOLVED: The Minutes of the Meeting held on 28 July 2015
were approved as a correct record and signed by the Chairman.

2. **URGENT BUSINESS**

There was no urgent business.

3. **DECLARATIONS OF INTEREST**

None.

4. **CHAIRMAN'S CORRESPONDENCE**

The Chairman reported receipt of a number of emails relating to the
LDF item on the agenda.

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

The following Councillors attended for the item on Site Allocations and
Development Management Policies Plan – Responses to Inspectors
request for further information:

Councillors B Anota, P Gidney, C Joyce and K Mellish.

6. **CALLED IN MATTERS**

There were no matters called in.

7. **FORWARD DECISIONS LIST**

The forward decision list was noted.

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

i) Resources and Performance Committee – 1 September 2015

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

RP44 Cabinet Report: Non Domestic Rates – Extension Of Transitional Relief

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

Cabinet recommend to Council to adopt the Discretionary Transitional Relief Scheme for 2015/2016 and 2016/2017 as detailed in the report and shown at Appendix A.

RP45 Cabinet Report: Council Tax Support Scheme 2016/2017

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

- 1) Note the consultation responses from Norfolk County Council and Norfolk's Police and Crime Commissioner.
- 2) Agree a public consultation period running online over a six week period from 18 September 2015 to 30 October 2015.
- 3) Agree the Council Tax Support Scheme for 2015/2016, with the amendments as shown at Appendix C, as the draft Council Tax Support Scheme for 2016/2017 to go to public consultation.
- 4) Note that a further report detailing the proposed final Council Tax Support Scheme for 2016/2017 would be presented to Cabinet, for recommendation to Council, before 31 January 2016.
- 5) The cost of the Council Tax Scheme and the impact of the taxbase would be monitored and an update report brought back before Members after six months.

ii) Joint Panels Meeting: 2 September 2015

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

RD&EC49: Cabinet Report – Nar Ouse Business Park Enterprise Zone

RESOLVED: That the Regeneration and Development & Environment and Community Panel supported the recommendations to Cabinet as set out below, with an additional recommendation 4.:

It is recommended that Cabinet:

1. Approves the submission of Nar Ouse Business Park for Enterprise Zone status as part of a multi-site New Anglia Enterprise Zone, as outlined in Appendix 1.
2. Endorses the proposed Business Rates Growth sharing formula, as described in paragraph 8 of this report.
3. Delegates authority to the Chief Executive in consultation with the Leader of the Council to undertake any further negotiations with the

New Anglia LEP to enable the Enterprise Zone proposal to be submitted to Government by 18 September 2015.

4. That the comments made by both panels be taken into account.

RD&EC50: Cabinet Report – South Wootton And Brancaster Neighbourhood Plans

RESOLVED: That the Regeneration and Development & Environment and Community Panel support the recommendations to Cabinet as set out below:

1. That the submitted South Wootton Neighbourhood Plan:

a) be amended in accordance with the recommendations of the Independent Examiner; and

b) so modified, should proceed to a local referendum covering the area of South Wootton Parish.

2. That the submitted Brancaster Neighbourhood plan:

a) be amended broadly in accordance with the recommendations of the independent Examiner but, subject to consultation, with detailed variation from those recommendations, as set out in Appendix 5; and

b) so modified, should proceed to a local referendum covering the area of Brancaster Parish.

3. That authority to be delegated to the Executive Director, Environment and Planning, in consultation with the Planning Portfolio Holder, to consider responses to consultation on the proposed decision differing from the changes from the Examiner's recommendations, and determine the final changes to be made to the neighbourhood plan before it proceeds to the referendum. Changes to the neighbourhood plans needed to achieve this, including addressing any issues arising through consultation on variation from the Examiner's recommendations.

RD&EC51: Cabinet Report – Site Allocations Plan – Proposed Modifications

RESOLVED: That the Environment and Community & Regeneration and Development Panel support the recommendations to Cabinet as set out below:

That Cabinet:

1. Notes the content of the Inspector's request for further information in respect of the SADMP Examination.

2. Endorses the content of the Mitigation and Monitoring Strategy. In particular agrees that:

a) A Habitat Mitigation Levy at a rate of £50 be introduced for new housing in the Borough.

b) A Habitat Mitigation and Monitoring/Green Infrastructure Co-ordinating Panel be established and chaired by a Cabinet Member from the Borough Council.

3. Agrees the following actions in respect of a 'fall back' position to ensure a flexible and deliverable supply of new housing:

a) Endorses the use of housing resulting from windfall permissions to count as a source of flexibility bolstering delivery from allocated sites.

- b) Notes the position that potentially more intensive use can be made of existing proposed allocations.
 - c) An early review of the Local Plan is proposed.
 - d) A site at West Winch be included in the Plan having had regard to the assessments presented with this report.
4. Notes that the above decisions have been taken having had regard to the effects outlined in the Strategic Environmental Assessment/Sustainability Appraisal updates for the policies and proposals as new/amended.
5. Requests to the Inspector that the modifications as proposed and others that may arise at the Examination Hearings, be subject to public consultation once the initial hearing sessions have concluded.
6. Delegates Authority to the Executive Director Environment and Planning, in consultation with the Portfolio Holder for Development, in the authority to make minor amendments to enable suitable documents to be presented to the Examination.

ii) **Audit Committee: 7 September 2015**

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

AR45 Cabinet Report: Accounts and ISA 2014/2015

RESOLVED: That the Committee support the recommendations to Cabinet and Council as set out below, with the following comment:

The Audit Committee approve management's rationale as to why the corrections had not been made and to be included in the Letter of Representation.

It is recommended that Cabinet:

- 1) Approve the authority for any changes required to the Statement of Accounts is delegated to the Assistant Director (designate Section 151 Officer), in consultation with the Leader of the Council, to authorise amendments and if necessary present an updated Statement to Council.
- 2) Notes the comments of the Auditor in the ISA260.

It is recommended that Council:

- 1) Approve the Statement of Accounts for 2014/2015.
- 2) Notes the comments of the Auditor in the ISA260.

AR46: Cabinet Report: Annual Governance Statement

RESOLVED: That the Committee support the recommendation to Cabinet as follows:

It is recommended that the Annual Governance Statement for the 2014/15 year as attached be approved for adoption and that the Leader of the Council and the Chief Executive sign accordingly.

AR48: Cabinet Report: Business Continuity Management Policy Statement and Strategy

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

- 1) Cabinet accept the new version of the Business Continuity Policy Statement and Strategy, attached, and that they recommend full acceptance by full Council.
- 2) Delegated authority be granted to the Chief Executive, in consultation with the Leader, as Portfolio Holder for Business Continuity, to make further minor changes if deemed necessary.

9. **REPORTS**

<p>1) Annual Governance Statement 2014/15 (page 6)</p>	<p>RECOMMENDED: That the Annual Governance Statement for the 2014/15 year be approved for adoption and the Leader of the Council and the Chief Executive sign accordingly.</p> <p>Reason for Decision To comply with the statutory requirements in the Accounts and Audit Regulations (England) Regulations 2011.</p>
<p>2) Statement of Accounts 2014/15 and report to those charged with governance (page 33)</p>	<p>RESOLVED: 1) That the authority for any changes required to the Statement of Accounts be delegated to the Assistant Director (designated Section 151 officer), in consultation with the Leader of the Council, and if necessary present an updated Statement to Council.</p> <p>2) That the comments of the auditor in the ISA260 be noted.</p> <p>RECOMMENDED that Council:</p> <ol style="list-style-type: none"> 1) approve the Statement of Accounts for 2014/2015 2) note the comments of the auditor in the ISA260 <p>Reason for Decision The Council must approve the Statement of Accounts for 2014/2015 before 30 September 2015 and consider the comments from the auditor on the ISA 260.</p>
<p>3) Review of the Effectiveness of the Audit and</p>	<p>RESOLVED: That the contents of the report be noted.</p>

Risk Committee (page 59)	<p>Reason for Decision To ensure the Council continues to meet its obligations under the Accounts and Audit Regulations 2011.</p>
4) Non Domestic Rates: Extension of Transitional Relief (Page 75)	<p>RECOMMENDED: That the discretionary Transitional Relief scheme for 2015/2016 and 2016/2017 as detailed in the report be approved.</p> <p>Reason for Decision To ensure a discretionary scheme of Transitional Relief is adopted for 2015/2016 and 2016/2017.</p>
5) 2016/17 Draft Council Tax Support Scheme for consultation (page 80)	<p>RESOLVED: Members:</p> <ol style="list-style-type: none"> 1) Note the consultation responses from Norfolk County Council and Norfolk's Police and Crime Commissioner. 2) Agree a public consultation period running online over a six week period from 18 September 2015 to 30 October 2015. 3) Agree the Council Tax Support (CTS) scheme for 2015/2016, with the amendments as shown at Appendix C to the report, as the draft Council Tax Support scheme for 2016/2017 to go to public consultation. 4) Note that a further report detailing the proposed final Council Tax Support scheme for 2016/2017 will be presented to Cabinet, for recommendation to Council, before 31 January 2016. 5) The cost of the CTS scheme and the impact on the taxbase will be monitored and an update report brought back before Members after six months. <p>Reason for Decision To ensure a Council Tax Support scheme for 2016/2017 is agreed by full Council by 31 January 2016</p>
6) Business Continuity Management Policy Statement and Strategy (page 100)	<p>RECOMMENDED: 1) That the new version of the Business Continuity Policy Statement and Strategy be approved.</p> <p>2) That delegated authority be granted to the Chief Executive, in consultation with the Leader, as Portfolio Holder for Business Continuity, to make further minor changes if deemed necessary.</p> <p>Reason for Decision To ensure that the Council continues to</p>

	<p>meet the requirements placed upon it by the Civil Contingencies Act 2004 and is well placed to react in the event of a disruption or emergency.</p>
<p>7) South Wootton and Brancaster Parish Neighbourhood Plans (page 118)</p>	<p>RESOLVED: 1) That the submitted South Wootton Neighbourhood Plan :</p> <ul style="list-style-type: none"> a. be amended in accordance with the recommendations of the independent Examiner; and b. so modified, should proceed to a local referendum covering the area of South Wootton Parish. <p>2) That the submitted Brancaster Neighbourhood Plan</p> <ul style="list-style-type: none"> a. be amended broadly in accordance with the recommendations of the independent Examiner but, subject to consultation, with detailed variation from those recommendations, as set out in Appendix 5; and b. so modified, should proceed to a local referendum covering the area of Brancaster Parish. <p>3) That authority be delegated to the Executive Director, Environment and Planning, in consultation with the Planning Portfolio Holder, to consider responses to consultation on the proposed decisions differing from the Examiner’s recommendations, and determine the final changes to be made to the neighbourhood plan before it proceeds to the referendum.</p> <p>Reason for Decision</p> <p>In line with the Borough Council’s obligations under the Localism Act, and in particular to achieve compliance of these neighbourhood plans with the ‘Basic Conditions’.</p>
<p>8) Nar Ouse Business Park Enterprise Zone (page 291)</p>	<p>RESOLVED: 1) That the submission of Nar Ouse Business Park for Enterprise Zone status as part of a multi-site New Anglia Enterprise Zone, as outlined in Appendix 1 of the report be approved.</p>

	<p>2) That the proposed Business Rates Growth sharing formula, as described in paragraph 8 of the report be endorsed.</p> <p>3) That delegated authority be granted to the Chief Executive in consultation with the Leader of the Council to undertake any further negotiations with the New Anglia LEP to enable the Enterprise Zone proposal to be submitted to Government by 18 September 2015.</p> <p>Reason for Decision The proposal meets the following corporate objectives, as stated in the Corporate Business Plan 2011-2015: People in West Norfolk benefit from a growing economy:</p> <ul style="list-style-type: none"> • Stimulate business growth and investment - Support new and growing businesses and promote business success - Ensure local business needs and priorities are reflected in the sub-regional economic strategies prepared by the two Local Enterprise Partnerships covering West Norfolk - Promote West Norfolk as an area to invest in • Remove physical barriers to growth <ul style="list-style-type: none"> - Ensure an adequate supply of land and premises • People in West Norfolk maximise their potential: <ul style="list-style-type: none"> • Develop a skilled workforce - Support the growth of local employment opportunities
<p>9) Site Allocations and Development Management Policies Plan – Responses to Inspectors request for further information (page 307)</p>	<p>RECOMMENDED: 1) That the content of the Inspector’s request for further information in respect of the SADMP Examination be noted.</p> <p>2) That the content of the Mitigation and</p>

	<p>Monitoring Strategy be endorsed. In particular that:</p> <p>a) a Habitat Mitigation Levy at a rate of £50 be introduced for new housing in the Borough</p> <p>b) a Habitat Mitigation and Monitoring / Green Infrastructure Coordinating Panel be established and chaired by a Cabinet member from the Borough Council, along with a further Council representative.</p> <p>3) That the following actions in respect of a 'fall back' position be agreed to ensure a flexible and deliverable supply of new housing:</p> <p>a) Endorses the use of housing resulting from windfall permissions to count as a source of flexibility bolstering delivery from allocated sites.</p> <p>b) Notes the position that potentially more intensive use can be made of existing proposed allocations.</p> <p>c) An early review of the Local Plan is proposed.</p> <p>d) A site at West Winch be included in the Plan having had regard to the assessments presented with this report.</p> <p>4) Note that the above decisions have been taken having had regard to the effects outlined in the Strategic Environmental Assessment / Sustainability Appraisal updates for the policies and proposals as new / amended.</p> <p>5) Request of the Inspector that the modifications as proposed and others that may arise at the Examination hearings, be subject to public consultation once the initial hearing sessions have concluded.</p> <p>6) Delegated authority be given to the Executive Director Environment and Planning, in consultation with the Portfolio Holder for Development, in the authority to make minor amendments to enable suitable documents to be presented to the Examination.</p> <p>Reason for Decision</p> <p>In order to respond positively to the issues that arose at the SADMP Examination Hearings.</p>
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<p>10) Revisions to the Member Code of Good Practice for Planning (page 552)</p>	<p>RECOMMENDED: That the revised Code of Practice be adopted.</p> <p>Reason For Decision In order to ensure the Code is inclusive for those with disabilities.</p>
<p>11) Framework Agreement for Care and Repair Grant Works (page 563)</p>	<p>RESOLVED: That the signing of Framework agreements with eight contractors named in this report be approved.</p> <p>Reason for Decision To ensure that the Council obtains best value for the grants that it administers for aids and adaptations work for elderly and vulnerable people.</p>

The Meeting closed at 7.52 pm