

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



Cabinet

Agenda

Tuesday, 23rd May, 2017
at 5.30 pm

in the

Meeting Rooms 1-3
King's Court
Chapel Street
King's Lynn



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

CABINET AGENDA

DATE: CABINET - TUESDAY, 23RD MAY, 2017

VENUE: MEETING ROOMS 1-3

TIME: 5.30 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - No items will be considered in private.

1. MINUTES

To approve the Minutes of the Meetings held on 11 April and 2 May 2017 (previously circulated).

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. DECLARATIONS 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 UNDER 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 (Pages 5 - 6)

A copy of the Forward Decisions List is attached

9. MATTERS REFERRED TO CABINET FROM OTHER BODIES

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda.

10. KING'S LYNN AND WEST NORFOLK STATEMENT OF COMMUNITY INVOLVEMENT (Pages 7 - 46)

11. CABINET APPOINTMENTS TO OUTSIDE BODIES (Pages 47 - 52)

12. ENVIRONMENTAL PROTECTION ACT 1990 S33ZA - FIXED PENALTY NOTICES (Pages 53 - 54)

To: Members of the Cabinet

Councillors A Beales, R Blunt, I Devereux, P Hodson, A Lawrence, B Long (Chairman), Mrs K Mellish and Mrs E Nockolds (Vice-Chairman)

For Further information, please contact:

Sam Winter, Democratic Services Manager 01553 616327
Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street
King's Lynn PE30 1EX

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
23 May 2017	Appointments to Outside Bodies		Non	Cabinet	Chief Executive Leader		Public
	Environmental Protection Act 1990 S33za – Fixed Penalty Notices		Non	Cabinet	Environment Exec Dir – G Hall		Public
	Kings Lynn & West Norfolk Statement Of Community Involvement (SCI)		Non	Council	Development Exec Dir – G Hall		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
27 June 2017	Waterfront Regeneration – Preferred Options		Key	Cabinet	Corporate Projects and Assets Exec Dir – C Bamfield		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Norfolk Strategic Framework		Key	Council	Development Exec Dir – G Hall		Public
	East Wisbech Broad Concept Plan		Non	Council	Development Exec Dir – G Hall		Public
	Local Lottery		Non	Cabinet	Culture Heritage and Health Asst Dir – L Gore		Public
	Members Code of Good Practice for Planning		Non	Council	Development Asst Dir – S Ashworth		Public

	Planning Scheme of Delegation		Non	Council	Development Asst Dir- S Ashworth		Public
	Housing and Planning Act 2016: determination and implementation of a financial penalty policy for certain breaches of the Housing Act 2004		Non	Cabinet	Housing & Community 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
1 August 2017							

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory	Be entirely within Cabinet's powers to decide	YES/NO	
		Need to be recommendations to Council	YES/NO	
		Is it a Key Decision	YES/NO	
Lead Member: Cllr Richard Blunt E-mail: cllr.Richard.Blunt@West-Norfolk.gov.uk		Other Cabinet Members consulted: All		
		Other Members consulted: LDF Task Group		
Lead Officer: Stuart Ashworth/ Alan Gomm E-mail: stuart.ashworth@westnorfolk.gov.uk alan.gomm@west-norfolk.gov.uk Direct Dial: 6417 / 6237		Other Officers consulted: 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: 23 May 2017

KINGS LYNN & WEST NORFOLK STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

Summary

The Statement of Community Involvement (SCI) is a document which outlines how the Council will consult with the public as part of the Local Plan process, on Planning Applications, and also on Neighbourhood Plans. At the May 2016 Cabinet it was agreed that the SCI be made available for public consultation for a period of 6 weeks and that the final version of the document prepared after the consultation period be reported back through to Council for final approval

Recommendation

That Cabinet recommend to Council that:

1. The final version of the document is endorsed, and;
2. Is published via the Council's website.

Reason for Decision

To ensure that the Borough Council has an up-to-date Statement of Community Involvement adopted, to inform the next stages of the Local Plan Review and planning application process.

1. Background

- 1.1 The Borough Council adopted a Statement of Community Involvement (SCI) in 2006. This review of the Borough Council's SCI takes account of the recent changes in legislation and policy. Planning legislation sets out a number of statutory requirements with respect to consultation on planning policy documents and planning applications. The SCI sets out how the Borough Council will meet these requirements along with the additional activities the Borough Council will undertake to involve people in the planning system.
- 1.2 The Localism Act 2011 also sets out a 'duty to co-operate'. It is a requirement that the Borough Council engage with neighbouring Councils and other statutory bodies to consider joint approaches to plan-making. The Borough Council is committed to meeting this duty and intends to work closely with neighbouring authorities, other partner organisations and stakeholders.
- 1.3 The revised SCI was made available for public consultation for the statutory period of 6 weeks; this gave stakeholders and the local community the opportunity to comment upon the document. The consultation ran from 6 February 2017 and 20 March 2017 and 22 comments were received. The SCI as presented at consultation and attached to this report is substantially different from the original as published in 2006. It is therefore not possible to prepare a direct comparison via tracked changes.
- 1.4 As the new SCI will be a change in Borough Council policy it requires approval by Full Council.
- 1.5 As noted above 22 responses were received to the consultation. Appendix 1 gives an outline of the comments received and a suggested response / action. In summary the comments covered the following areas:
 - Support for the SCI and the principles
 - The need to update some dates and organisations
 - A number of comments which did not relate to the SCI or went beyond the direct scope of the SCI
- 1.6 In terms of responses to these comments, we are proposing the following broad amendments:
 - Update details to take account of the adopted Site Allocations and Development Management Policies plan (2016)
 - Update the consultee information
 - Number of clarifications to text

A number of points raised relate to operational details which are beyond the direct scope of the SCI. A high level of details could

unnecessarily undermine the process. The points are well made but should be considered in local circumstances by officers on the ground.

2. Options Considered

- 2.1 It was important that the document was revised to bring it up to date. The previous document was more detailed and complex and so has dated quickly, with the new version also being much clearer.
- 2.2 It is a requirement to publish a SCI.

3. Policy Implications

- 3.1 The SCI, once adopted, will set out the consultation standards and requirements for the Council, stakeholders and the community. It will sit alongside the Local Plan, as part of the suite of documents which make up and inform the development plan.

4. Financial Implications

- 4.1 None directly arising from this report; however the consultation methods described will require resources. There are existing budgets for this as they are an ongoing cost.

5. Personnel Implications

- 5.1 None directly arising from this report

6. Statutory Considerations

- 6.1 The SCI is a document required by planning legislation, and much of the consultation we do carry out is also specified in legislation and guidance.

7. Equality Impact Assessment (EIA)

- 7.1 Pre-screening report attached.

8. Risk Management Implications

- 8.1 If the SCI was too onerous, then it has the ability to overcomplicate the processes, and could result in delays or an increased amount of resources required.
- 8.2 The Council must follow the minimum requirements, in line with legislation, to ensure we would not be vulnerable to legal challenge on any of our documents/ processes.
- 8.3 The Council clearly would not want to set out standards for consultation, which we are then unable to follow/ adhere to. We will monitor the content of the document and review it if required.

9. Declarations of Interest / Dispensations Granted

- 9.1 None

10. Background Papers

Appendices:

Appendix 1. An appreciation of the comments received from the consultation

Appendix 2. The final version of the Statement of Community Involvement (SCI) document



**Pre-Screening Equality Impact
Assessment**

Name of policy/service/function	Statement of Community Involvement				
Is this a new or existing policy/ service/function?	New				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	Update of existing policy document setting out how the Council will consult when carrying out its planning functions. The policy is constrained by statutory provisions, as much consultation is legally required.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Alan Gomm					
Job title: Planning Policy Manger	Date: 06/04/2017				

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



**King's Lynn and West Norfolk Borough
Council**

**Statement of
Community Involvement**

**Local Plan and
Planning Applications**

**Draft
April 2017**

Contents

1. Introduction

- What is planning?
- The role of the Council
- Our approach to community involvement
- General principles of planning consultations
- How can I be involved in the planning process?
- Benefits of community involvement

2. Local Plan

- Who we will consult
- How we will consult
- When we will consult
- Key stages required in the preparation of Local Plan documents and when you will be involved
- Register your details

3. Community involvement in planning application decisions

- Types of planning applications
- The role of the Council
- The role of the applicant/ agent
- Planning application process
- Decision making process

4. Neighbourhood Planning

Appendices

1. Consultation Bodies
2. Material and Non material Considerations

Introduction

The Statement of Community Involvement (SCI) is a 'code of practice' describing how and when the Council intends to involve local communities in planning for the future of the borough through:

- The preparation of the Local Plan and other planning policy documents; and
- The determination of planning applications.

The Council adopted a Statement of Community Involvement (SCI) in 2006. This review of the Council's Statement of Community Involvement takes account of the recent changes in legislation and policy. Planning legislation sets out a number of statutory requirements with respect to consultation on planning policy documents and planning applications. The Statement of Community Involvement sets out how the Council will meet these requirements along with the additional activities the Council will undertake to involve people in the planning system.

The Localism Act 2011 also sets out a 'duty to co-operate'. It is a requirement that the Council engage with neighbouring Councils and other statutory bodies to consider joint approaches to plan-making. The Council is committed to meeting this duty and intends to work closely with neighbouring authorities, other partner organisations and stakeholders.

What is planning?

The planning system affects everybody who lives in, works in or visits a place. It has to balance competing land uses, shaping places by setting out the vision for how communities will change. By achieving greater levels of community engagement in the planning process, local communities, stakeholders and other organisations can contribute more to the shaping of their local environment.

Most new buildings, major changes to existing buildings (including their use) or significant changes to the local environment need consent – known as planning permission. Without a planning system anyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people in the area.

King's Lynn and West Norfolk Borough Council, as your local planning authority, is responsible for deciding whether a development – anything from an extension on a house to a new shopping centre – should go ahead. In determining planning applications, the Government requires local planning authorities to have regard to the Local Plan. This is a collection of documents which set out the planning policies that will shape the future of King's Lynn and West Norfolk.

The King's Lynn and West Norfolk Local Plan is made up of the Core Strategy (adopted 2011), and the Site Allocations and Development Management Policies Plan (adopted 2016). The subsequent review of the Local Plan commenced in late 2016.

The role of the Council

Planning Policy Team

This team is responsible for producing the documents, evidence base and studies that make up the Local Plan. They organise and lead consultation exercises on draft planning documents, consider responses and propose any subsequent amendments to the final documents. They also lead on Neighbourhood Plans, supporting the local communities in the production and adoption of their Plans.

Planning Control

This team assesses planning applications in accordance with the adopted development plan, and other relevant material considerations such as the National Planning Policy Framework. This includes consultation responses and comments from the public. The Conservation Team are part of the Planning Control Team and are responsible for the protection and management of historic assets within the District, such as listed buildings. They are responsible for assessing listed building applications.

The role of Councillors

Elected local Councillors have a key role to play in the planning process:

- Councillors attend committees and working groups to help review which planning policies the Council should pursue, ensure that they are carried out and monitor services provided to ensure that they are delivered in the most efficient and effective way.
- Planning Control Committee and Sub-Committees, made up of a number of Councillors, who make decisions on individual planning applications.
- Voicing support, commenting on, or raising objection to, planning applications in writing, or by speaking on the behalf of residents, at Planning Committees.
- Members will work together with officers in the preparation and development of any documents produced by the Council.

The role of local Councillors in representing the views and concerns of residents is very important in the planning process.

Our approach to community involvement

When the Council involve you in preparing the Local Plan or consult you on a planning application the Council will:

- Ensure the process is simple by writing in plain English and explaining any planning terms that are used.
- Communicate clearly by explaining the reasons why the Council want to involve you and gather your comments.
- Make it easy for you to get involved by explaining when and where you can provide your views.

- The Council will make public events as accessible as possible for all groups, taking into account the time and potential cost of attending, and making use of existing community involvement networks and groups.
- Share information with you on the Council's website, at Council offices and in local libraries.
- Use a range of cost effective delivery methods to ensure all individuals and groups have the opportunity to be involved.
- Be clear about the results by summarising the responses received and provide feedback on how these have been considered ensuring transparency and consistency.

General principles of planning consultation

We will apply some general principles to our planning consultations:

- Involvement will be open to all regardless of gender, faith, race, disability, sexuality, age, rural isolation and social deprivation.
- Comments will be rejected where they are defamatory, obscene, racist or otherwise likely to cause offence.
- We will seek views of interested and affected parties as early as possible.
- We will select consultation processes by balancing cost and time constraints, community impact and our level of discretion on the outcome.
- Consultation publications will be clear and concise and avoid unnecessary jargon, without understating the complexities of any decision.

How can I be involved in the planning process?

You can get involved in planning decisions affecting you and your community by:

- Having your say during public consultation periods for the Local Plan.
- Having your say on planning applications affecting your community.
- Reporting planning control breaches (such as a neighbour building a large extension to their home without planning consent).
- Taking part in any neighbourhood planning initiatives proposed by your Parish or Town Council.
- Register your details to be added to our Local Plan consultation database. See 'Register your details' on page 12 of this document

Benefits of community involvement



2. Local Plan

This section outlines how the Council will involve you in the preparation of planning policy documents such as the Local Plan.

The Local Plan forms the statutory development plan for the Borough and sets out the strategy and policies that guide development in the area. Planning applications for development must be in conformity with the Local Plan unless material considerations indicate otherwise. The Local Plan may consist of one document or a number of documents.

It is periodically reviewed or added to, in order to keep it up-to-date. The Council maintains a database of residents and other stakeholders who have asked to be kept informed on the Local Plan. From time-to-time we will contact you to see if you still wish to be involved. If we ask if you want to be kept on the database but receive no reply, then your details will be removed from the database. This is to make sure that we only consult interested parties.

Local Plans must be supported by evidence and generally accord with national policies. Current planning legislation sets out minimum requirements for a formal consultation process but does allow some flexibility for each Local Authority to decide how best to engage stakeholders. The Council is committed to wide community engagement, including working in close partnership with Parish Councils.

During the final stage of production, the documents are submitted to the Government and an independent Planning Inspector then carries out an Examination into the document, considering the views of interested people. The Inspector will produce a report making recommendations to the local authority.

Who we will consult

- Statutory organisations including the County Council, neighbouring councils, infrastructure providers and government bodies as legally required or otherwise appropriate
- Organisations representing local geographical, economic, social and other communities or other relevant interests
- Local businesses, voluntary and other organisations
- Others who have expressed an interest in the subject matter
- The general public, via the Council's website

How we will consult

The Council want to give everyone the chance to have their say on emerging Local Plan documents and other planning policy documents. A variety of consultation methods will be used during consultations, taking into consideration the issues being consulted on and the needs of the audience.

It is important that barriers which prevent people from taking part in public

consultation are overcome, as some sections of the community may be difficult to reach using standard consultation techniques. The Council will continue to develop its understanding of different consultation techniques over time and learn from what works, and what doesn't. A variety of methods has and will be used during consultations, taking into consideration the issues being consulted on and the needs of the audience. The Council will endeavour in future consultations to increase the use of social media (e.g. Twitter) where possible to help access "hard to reach" groups, especially the younger population. The Council will also continue to use more traditional methods of consultation to include those without access to the internet.

The Council acknowledge the importance of making public consultation arrangements as extensive as possible to make sure the public can get their voice heard. However, it is not always possible or appropriate to undertake consultations using all the methods listed. The Council will endeavour to carry out consultation as appropriate to the nature of the plan/policy or proposal. Involvement will be open to all those who wish to be involved regardless of gender, race, disability, sexual orientation, age, rural isolation, social deprivation and social background. At any consultation stage the Council will comply with the minimum legal requirements for consultation but will seek to go beyond these requirements where time and resources allow. Consultation exercises need to gather the views of a cross-section of the local population so as many people as possible are encouraged to get involved. Local residents can offer unique knowledge and understanding of an area, including historic information for towns and villages and can be aware of important local issues.

The Council will make use of existing partnerships that already operate and engage effectively with important groups in the local area. This includes the valuable work of community and voluntary groups. Government Regulations also require that certain groups are consulted at key stages in the production of Local Plan documents; these include groups such as Historic England and the Environment Agency. These are known as statutory consultees. In addition, the Council is required to invite comments from other general consultation bodies it considers appropriate. A list of the existing organisations the Council contacts at key consultation stages can be found in the Appendix 1.

Town and Parish Councils are key partners in the planning application and plan making process. Cooperation with these bodies represents an important element in the Council's approach to community involvement. The role of Town and Parish Council has become increasingly important through the introduction of Neighbourhood Planning. More details of Neighbourhood Planning can be found on page 20 of this document and on the Council's website. We will endeavour to

use a range of approaches as necessary. These are set out in the following list:

- Public exhibitions in accessible, community locations give the public the chance to look at plans and proposals and talk to planning officers in an informal environment.
- Emails and letters - If your details are held on our consultation database, we will inform you by e-mail or letter of upcoming consultations.
- Social media - Opportunities to use these methods will be explored further.
- Public notices and press releases.
- Public exhibitions
- Workshops - Workshops can provide an inclusive, interactive approach to gathering the views of a local community, helping to provide an opportunity to participate for those who prefer to discuss issues. Workshops can also be used to target specific groups such as young people or other hard-to-reach groups.

The Council will also endeavour to ensure that events such as workshops and public exhibitions will be held in accessible locations and at appropriate times.

- We will contact appropriate organisations and individuals directly
- All consultation documents will be made available for download on the Council's website: www.west-norfolk.gov.uk
- We will publicise consultations using a range of methods which may include: local press advertisements, existing community groups, community events and joining with other consultations
- We will leave consultation documents on display at locations open to the public like council offices and libraries
- Copies of some consultation documents may be subject to a small charge, reflecting publication costs
- If asked we will provide copies of consultation documents to community groups, councils and other statutory bodies
- Where invited, we will seek to attend relevant meetings, e.g. Parish Council meetings and Neighbourhood Plan meetings
- We will publish comments received or a summary as soon as feasible and explain how comments have been taken into account when decisions are taken. A summary of comments will also be reported to Cabinet/ Council meetings.
- We will endeavour to highlight proposed changes to the Local Plan between stages and make these sufficiently clear

When we will consult

The preparation of planning policy documents is strictly regulated by planning law. The regulations require minimum levels of consultation at given stages of a document's preparation.

The regulations, however, do give flexibility on how to consult in the early stages of a documents preparation. Consultation events will normally take place in defined time periods. This will usually involve consultation on a written document

accompanied by a series of events such as workshops/exhibitions. Consultations on planning policy documents will usually last for 6 weeks. However, in the following circumstances the Borough Council will aim to increase this period where it is not fixed by the regulations:

- a) Where the consultation period overlaps with either the Christmas, Easter, or August holidays. In such circumstances the consultation period will usually be extended to 8 weeks.
- b) Where there has been significant additional material included within the document between first publication of draft papers and formal consultation commencing. Again in such circumstances the consultation period will usually be extended to 8 weeks.

The Borough Council recognise that Local Plan consultations may not coincide with every parish councils meeting cycle, given the large number of parishes within the borough. The comments received by parish councils to these consultations are important and are considered in the decision making process. Therefore the Borough Council suggests that in such instances the parish council could hold a special meeting in order to make and submit comments to the relevant Local Plan consultation.

Key stages required in the preparation of Local Plan documents (and other planning policy documents) and when you will be involved.

A Local Plan has to be prepared in accordance with formal requirements set out in legislation. The following diagrams set out the key stages of preparation and when and how the Council will involve you-

- First, if appropriate, we will ask for ideas, views and information from appropriate organisations, individuals and local communities.
- We will then prepare and consult on a draft version of the SPD.
- After considering the responses to the draft, we will consider the need for further consultation and report to committee.
- Once we consider that there has been enough community involvement we will adopt the SPD.

The Council may also prepare a number of other Planning Policy documents which you can get involved in. These include:

Supplementary Planning Documents (SPDs)	Supplementary Planning Documents provide further advice on how Local Plan policies should be implemented. E.g. a development brief for a particular site, or practical guidance on how a policy should be interpreted and implemented in practice.
Community Infrastructure Levy (CIL)	The Community Infrastructure Levy is a charge that local authorities can choose to collect on new development in their area. The money collected is used to fund infrastructure that has been identified as necessary, both by the Council and the local community, to support new development.
Evidence Base	The evidence base comprises a number of studies, reports and assessments that support the Council's emerging policies. This helps to ensure all future planning policies and decisions are based on robust, relevant and up-to-date information.
Local Development Orders	A Local Development Order allows certain developments to go forward in a specific area without the need for planning permission, as long as the type of development is covered by the order.

Neighbourhood Plans and Neighbourhood Development Orders are prepared by Parish and Town Councils and/or by Neighbourhood Forums.	
Neighbourhood Plans	Neighbourhood Plans form part of the statutory development plan for the district and are used to determine planning applications in the area the plan covers. Whilst the Council does not produce the Neighbourhood Plan there is a duty for it to provide advice and technical assistance to communities as work progresses. This includes having a specific role to play at certain statutory stages in the process.
Neighbourhood Development Orders	Similar to a Neighbourhood Plan, Neighbourhood Development Orders are prepared by Parish and Town Councils and Neighbourhood Forums. They have the same effect as a Local Development Order and can grant planning permission for specific types of development for a specific site or type of development in the neighbourhood area.
Community Right to Build Order	A Community Right to Build Order is a form of Neighbourhood Development Order that can be used to grant planning permission for small scale development for community benefit on a specific site. These are prepared by constituted community groups rather than a Neighbourhood Forum or a Parish/Town Council.

Register your details

If you would like your contact details to be added to our mailing list, please e-mail: ldf@west-norfolk.gov.uk.

If you do not have internet access you can contact the Planning Team via the details provided in this document. Likewise, if you wish to remove your details from the list and not receive future notifications you can do this online or by contacting the team.

This database of individuals, groups and stakeholders has been developed, which the Council will continue to use to ensure the public is informed of the preparation of new planning documents. This database is continually updated and reviewed.

3. Community involvement in planning application decisions

The The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the minimum requirements for publicising planning applications. This Authority exceeds these requirements and this section sets out our current practice. The Council encourages meaningful community involvement in all planning applications.

Types of planning applications

Planning applications are classified as¹:

Householder: extensions to dwellings, garages, etc.

Minor: Including development up to 10 dwellings, changes of use, commercial development up to 999m² floorspace.

Major: 10+ dwellings, sites of 0.5ha or more, or other uses where floorspace is more than 1000m².

The extent of community involvement that we seek and/or undertake will depend upon the type of application that is being considered and more extensive consultation may be required for major applications or applications with a significant interest (e.g. likely to be controversial or have significant impacts).

The role of the Council

The Council operates a chargeable Pre-Application Advice Service. This scheme encourages developers to involve the community at the earliest stage of the planning application process, especially in the case of major/significant applications. Details of the service can be viewed at: www.west-norfolk.gov.uk/Default.aspx?page=26213#PreApplicationAdvice.

Planning applications are public documents and can be viewed on the Council website through the 'Public Access' system. Public Access allows the public to view plans and documents, monitor the progress of an application, submit comments about the application, search a list of applications received and decided each week and view details of historic applications. Public Access is available at: <http://online.west-norfolk.gov.uk/online-applications/> . They can also be viewed at the Council offices.

The Council publishes a weekly list of all planning applications on its website - <http://online.west-norfolk.gov.uk/online-applications/search.do;jsessionid=E4E75FBD747211B30CDB79ED297764C?action=weeklyList> and details of all applications are sent to Parish/Town/City Councils for their views.

¹ The Council is required to give 'Prior Notification' of certain developments (e.g. agricultural buildings within size limits) and sometimes to make Non Material Amendments to previously approved planning applications. Neither procedure falls under the normal consultation procedures for planning applications.

An application may be advertised in a local newspaper if:

- It is in a Conservation Area or for a Listed Building;
- It is a departure from the Local Plan;
- It affects a footpath or right of way;
- It requires an EIA (Environmental Impact Assessment);
- It is considered to be a major or significant application; or,
- It is of wider public interest.

The law requires that Council must either post a site notice, or consult all neighbours sharing a common boundary with an application site.

Therefore for planning applications (as defined above) a site notice, with a site map, will be erected close to the development site so that interested parties can comment. All site notices, newspapers advertisements and neighbour notifications will specify that all consultees with an interest in an application have 21 days to make written comments.

The Council's may also notify neighbouring properties of the submission of an application.

If amended plans are required/received depending on the extent and nature of the changes, a further written consultation may be carried out with the Parish Council/other consultees, although it should be noted that there is no legal requirements to do this.

Various statutory and non-statutory bodies (e.g. Highways, Natural England, the Environment Agency) may also be consulted in writing depending on the type of development proposed. References to written consultation include electronic consultations, which are the most efficient way of consulting on an application.

Planning Committee

The Planning Committee is currently made up of 18 borough councillors, and these councillors sit as the Local Planning Authority to determine planning applications.

Very broadly, an application may be considered by the Planning Committee if:

- It is required to go due to the Planning Scheme of Delegation
- It raises issues of wider interest or there is a great deal of public comment.

Otherwise the decision is likely to be made by the officers, under powers delegated to the Executive Director – Environment & Planning.

Meetings are held roughly every four weeks, usually on a Monday in the Assembly Room in the Town Hall in King's Lynn. The Monthly Meetings

Calendar is available on the Council's website at <http://democracy.west-norfolk.gov.uk/ieListMeetings.aspx?CId=132&Year=0>

The meetings follow an agenda which is published on the website 5 working days before the meeting is scheduled to take place. The agenda includes, for each application, advice given to the committee by planning officers who provide a detailed report with a recommendation for approval or refusal.

Any member of the public can attend the Planning Committee meetings and listen to the discussions about applications and other public issues on the public part of the agenda. In certain situations, you can ask to speak at a committee meeting about a planning application you're interested in. The Council encourages public participation in Planning Committee meetings and the right to speak is extended to supporters, objectors, the Parish Council and the Ward Councillors. The speaker list however, is limited and operates on a first come, first served basis. There are also restrictions on the time allowed to speak. If you would like to speak, you will need to have arranged this with us before the meeting, and for further information please follow this link to our website <http://www.west-norfolk.gov.uk/default.aspx?page=21859>.

The role of the applicant/agent

The role of the applicant is becoming increasingly more important in community involvement, and there are examples of good practice in the Borough where developers have undertaken a large amount of community involvement before and during, submission of an application. The Council would like to see this good practice become more widespread.

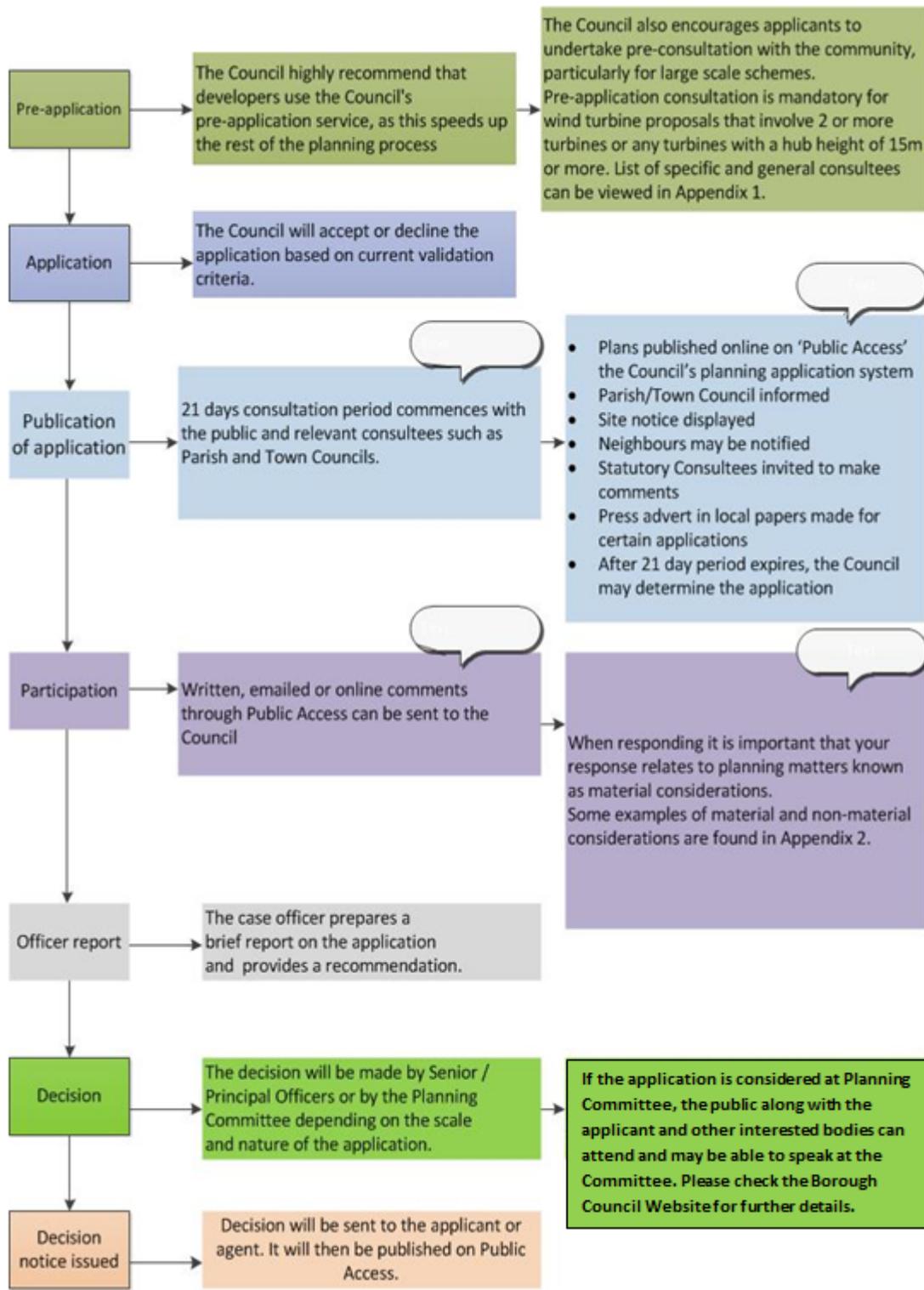
For major applications or applications with a significant interest, it would be helpful if developers carry out consultation before submitting a planning application, and failure to do this may slow the decision-making process down. Failure to consult may also lead to objections being made which could be important in the determination of an application. The format of this consultation may vary, but should look to include the following aspects:

- Discuss proposals with Parish/Town Councils and other local groups (e.g. Neighbourhood Forums)
- Working closely with the local community (particularly any directly affected parties) to evolve designs that take account of their views.
Examples of how to do this could include:
 - Public exhibitions
 - Workshops
 - Preparation of a development brief
- Consider the consultation responses received, and take them into account before making their planning application.

Before making other types of planning application prospective applicants should consider people that are likely to be affected by their proposal. This might be as simple as talking over plans with a neighbour. Whilst the vast majority of pre-

application publicity is voluntary, at present, it is mandatory for certain types of development, i.e. wind turbines over a specified height.

Planning application process



Decision making process

Before a decision is made, the case officer will briefly explain the reasons for the decision, along with a recommendation. The report will consider the relevant planning issues and any representations made. The case officer will negotiate with applicants where appropriate in order to arrive at a balanced decision in the public interest.

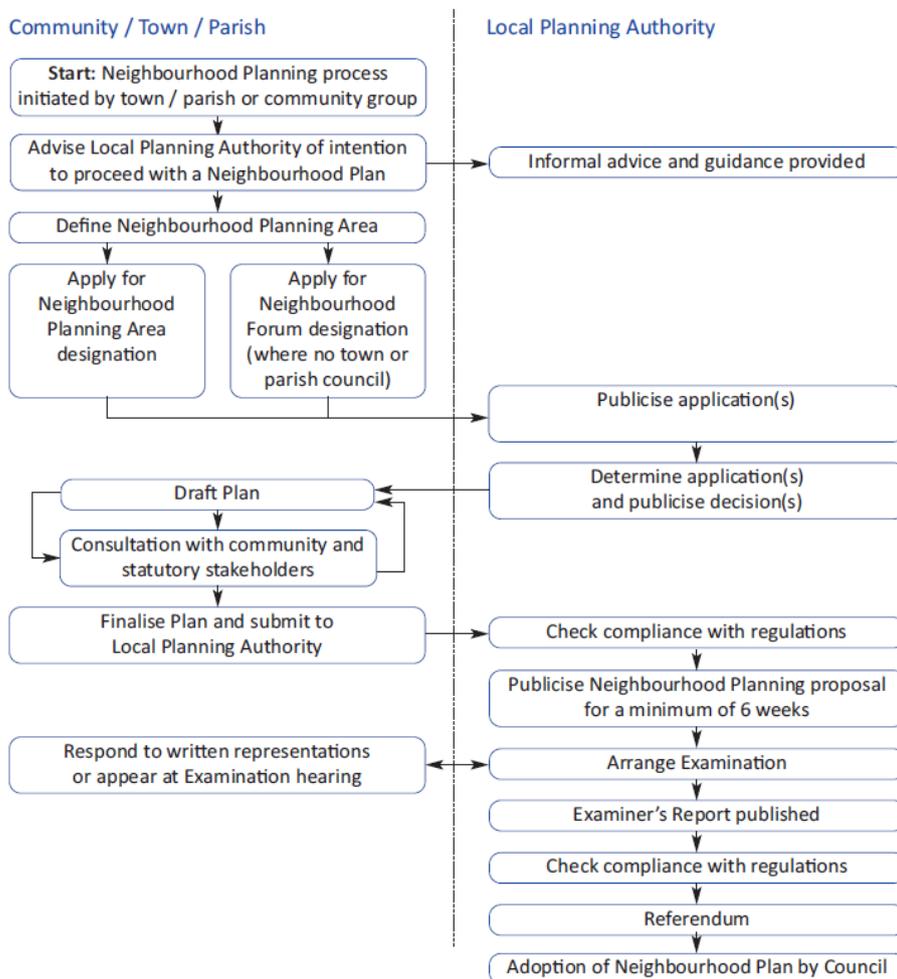
Delegated decisions	The Council enables the majority of planning applications to be determined by the Executive Director of Environment and Planning under delegated powers.
Committee decisions	If the application is to be determined by Planning Committee, the Planning Officer will write a report and make a recommendation covering all the relevant planning issues. The Council welcomes public speaking at the meeting in accordance with adopted protocol. Please see our website for further information:
Notification	Applicants (or their agents) will be sent a copy of the decision. Decision notices can be viewed on the Council's website. The reason for refusal will be given or the full text of conditions imposed where permission is granted.
Appeals	If the person who applied for planning permission does not agree with the decision that the Council has made to refuse their application, they may lodge an appeal with the Planning Inspectorate within a set timescale. No one else has the right to appeal the decision. However, when an application has been appealed, the Council does inform all parties that objected during the application stage. The Council advises of this as soon as it receives notification from the Inspectorate. All copies of letters and comments received during the application stage are also forwarded to the Planning Inspectorate.
Planning enforcement	The role of the Planning Enforcement Team is to investigate complaints into alleged breaches of planning control. You can report an alleged breach of planning control by: <ul style="list-style-type: none"> • Completing and submitting our online

	<p>Planning Enforcement Complaint Form which is available at: http://www.west-norfolk.gov.uk/Default.aspx?page=24451</p> <ul style="list-style-type: none">• Writing and posting your complaint to: Planning Control, Borough Council of King's Lynn & West Norfolk, Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
--	--

4. Neighbourhood Planning

The Localism Act introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans.

Parish and Town Council’s and Neighbourhood Forums are responsible for preparing Neighbourhood Plans and Neighbourhood Development Orders including carrying out continued engagement throughout the process with the local community. The Council has a duty to advise and support the preparation of these plans but also has some statutory responsibilities in their preparation. In particular, the Council is responsible for carrying out the formal stages of consultation, arranging the examination and referendum. The following diagram shows the process for preparing a Neighbourhood Plan or Development Order and where the Borough Council is required to get involved.



Please note that this summary is accurate at the time of publication.

Parish / Town Councils who are interested in exploring neighbourhood planning are advised to contact the Planning Policy team at the Borough Council at an early stage in the process, for general advice and guidance.

Appendix 1 Consultation Bodies

Specific consultation bodies

In accordance with government regulations the following specific consultation bodies must be consulted where the Council considers that they may have an interest in the subject of the proposed planning document:

- The Coal Authority
- Environment Agency
- Historic England
- Marine Management Organisation
- Natural England
- Network Rail
- Highways England
- Norfolk County Council
- Parish and Town Councils within and adjoining the borough, including King's Lynn Area Consultative Committee
- Norfolk Constabulary
- Adjoining local planning authorities
- Anglian Water
- Essex and Suffolk Water
- Homes and Communities Agency
- Electronic communication companies who own or control apparatus in the Borough
- Relevant gas and electricity companies (UK Power Networks and Transco, National Grid)
- NHS England
- West Norfolk Clinical Commissioning Group
- HSE

General consultation bodies

In accordance with government regulations the following general consultation bodies must be consulted where the Council consider it appropriate:

- Voluntary bodies some or all of whose activities benefit any part of the Borough
- Bodies which represent the interests of different racial, ethnic or national groups in the Borough
- Bodies which represent the interests of different religious groups in the Borough
- Bodies which represent the interests of disabled persons in the Borough
- Bodies which represent the interests of persons carrying on business in the Borough
- Bodies which represent the interests of environmental groups in the Borough

Duty to co-operate

The Localism Act 2011 introduced a Duty to Co-operate, which is designed to ensure that all the organisations involved in planning work together on issues that are of bigger than local significance.

The authorities and agencies that the Borough Council will co-operate with is specified in Regulation 4 of the Town and Country Planning (Local Development) (England) Regulations 2012. The following bodies are designated as Duty to Co-operate stakeholders (*please note this list is not exhaustive*):

Neighbouring Local Authorities and County Councils e.g. those relevant to Kings Lynn & West Norfolk include:

- Breckland Council
- East Cambridgeshire District Council
- Fenland District Council
- Forest Heath District Council
- North Norfolk District Council
- South Holland District Council

- Norfolk County Council
- Cambridgeshire County Council
- Cambridgeshire and Peterborough Combined Authority
- Lincolnshire County Council
- Suffolk County Council

Other public bodies and infrastructure providers

- Environment Agency
- Historic England
- Natural England
- Civil Aviation Authority
- Homes and Communities Agency
- The Office of Rail and Road
- Integrated Transport Authorities
- Highways England
- Anglian Water
- Essex and Suffolk Water
- Marine Management Organisation
- New Anglia Local Enterprise Partnership
- Greater Cambridge Greater Peterborough Local Enterprise Partnership
- West Norfolk Clinical Commissioning Group
- NHS England
- Local Nature Partnership
- Internal Drainage Boards
- Middle Level Commissioners

Appendix 2 Material and non-material considerations

Material Considerations

Can be taken into account

- ✓ National and local policies
- ✓ Planning history and previous appeal decisions
- ✓ Case law
- ✓ Impact on privacy and amenity
- ✓ Highways safety/issues e.g. increased traffic movement
- ✓ Noise, smell or other disturbances
- ✓ Affordable housing
- ✓ Fear of crime
- ✓ Local economy
- ✓ Layout, density, design./appearance, character
- ✓ Effect on a listed building or conservation area
- ✓ Cumulative impact

Non-material Considerations

Cannot be taken into account

- × Issues considered under Building Regulations
- × Land/boundary disputes, including rights of access
- × Loss of property value
- × Loss of private view
- × Moral objections
- × Change from previous scheme
- × History of the applicant
- × Matters covered by other legislation
- × Restrictive covenants
- × Opposition to the principle of a development if permission has been granted by an outline application or appeal decision
- × Work already done
- × Factual misrepresentation of the proposal

Borough Council of King's and West Norfolk

Consideration of Comments received from the 'Statement of Community Involvement 2017' Consultation

Summary of Comments Received - Please note that comments can be viewed in full via the following link:

http://consult.west-norfolk.gov.uk/portal/sci_2017/statement_of_community_involvement_2017_1?tab=info

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
1	06/02/2017	Emma Pattison (Fisher German LLP / CLH Pipeline System Ltd)	A map which illustrates their client's apparatus is provided and they request that the Borough Council consult them for any proposals in this vicinity	The Borough Council will consult on planning proposals in this area	No action
2	14/02/2017	David Price (South Wootton parish Council – Chairman)	South Wootton Parish Council thank the Borough Council for the information contained within the proposed SCI and agree with its contents	The Borough Council appreciate the response from South Wootton Parish Council	No action
3	16/02/2017	Mr Richard Brown	Believes that Local views should be taken into account, and that they are not always represented by the Parish Council	The views of local residents as well as that of the parish councils are taken into account when decisions are made by the Borough Council in the Local Plan process and in the determination of planning applications	No action
4	20/02/2017	Mr Keith Ives	Local Plan: <ul style="list-style-type: none"> • Welcomes efforts to accelerate the Local Plan process • Considers that Parish Council cycles should be taken into account in consultations • Suggests that reports to the Local Plan Task Group are made available • Believes that proposed changes should be highlighted 	Local Plan consultations take account of legislation, the NPPF & PPG, where holidays fall consultation periods are extended to account for these. A recent example is the submission consultation of the North Runcton and West Winch Neighbourhood Plan which took place over the Christmas period,	Add the following text to the SCI : <i>'We will endeavour to highlight proposed changes to the Local Plan, and make these sufficiently clear'</i> Text added to the document regarding the recommendation that Parish Councils could hold special

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
			<p>Planning Applications:</p> <ul style="list-style-type: none"> • Suggests that a King's Lynn Town Council is formed • Believes that Parish Council comments should be clear and offer sufficient information to determine if an application is referred to the Planning Committee or not, rather than applications 'automatically' being referred to the committee. 	<p>so the consultation was extended by 2 weeks, from 6 to 8, to take account of this. This is included within the SCI</p> <p>Agendas, reports and minutes for the Local Plan Task Group are made public and published on the Borough Council Website. There is a mechanism for Members not on the Task Group to attend and take part in the meetings</p> <p>The Borough Council will endeavour to highlight proposed changes to Local Plan, and make these sufficiently clear</p> <p>The comments made by parish councils to Local Plan consultations are considered important and are taken into account in the process. Whilst the consultation periods in terms of length are set out in regulations, it would be impractical to accommodate every parish council's meeting cycle. However, given the</p>	<p>meeting in order to respond to Local Plan consultations if need be</p> <p>There is no further proposed direct action as a result of these comments. However, in day to day operation the points made are welcome reminders of good practices</p>

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
				<p>importance of the Local Plan and comments made by parish councils, the Borough Council suggest that special parish council meetings could take place in order to respond to such consultations which do not align with their meeting cycle</p> <p>Comments relating to the formation of King's Lynn Town Council go beyond the scope of this SCI consultation</p> <p>The Borough Council agree that Parish Council comments should be clear and offer sufficient information to determine if the application should be referred to the Planning Committee or not. However the onus must be on the parish council to do this</p>	
5	22/02/2017	Carla Wright (Natural England)	Supportive of the principle of meaningful and early engagement in the planning process. Also provide details of the consultation process with Natural England	The information is noted and will be taken account of	No action
6	02/03/2017	Simon Bower (Snettisham Parish Council – Clerk)	No objection	The Borough Council appreciate the response from Snettisham Parish Council	No action

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
7	06/03/2017	Naomi Chamberlain (Norfolk County Council – Infrastructure & Economic Growth Team)	Welcomes the publication of the draft SCI	Noted	No action
11	06/03/2017	D Clingo	Suggests that no more housing is required in the Borough, that the infrastructure and services cannot cope and that there are far too many second homes	Comments go beyond the scope of the SCI. However the comments are noted and it is suggested that the respondent reviews the Borough Council's adopted Local Plan (Core Strategy 2011 and Site Allocations and Development Management Policies Plan 2016)	No action
12	06/03/2017	Mr & Mrs Skerry	Comments do not specifically relate to the SCI draft document made available for public consultation. They detail a potential development in Docking	The respondent is advised to check the planning pages of the Borough Council website and comment up the planning application these comments may apply to	No action
13	07/03/2017	Kate Senter (Middleton Parish Council - Clerk)	Support the principles of the SCI	The Borough Council appreciate the response from Middleton Parish Council	No action
14	07/03/2017	Alice Eggeling (Historic England)	Support the aims and approach, including the duty to co-operate. They note that some dates of documents, and names need updating. They also suggest that this may be an opportunity to	The draft SCI does indeed require some updating in terms of document dates, names, and the adoption of the Borough Councils' Site Allocations and	Up-date the SCI to take account of the adoption of the Borough Councils' Site Allocations and Development Management Policies Plan

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
			<p>explain the new Heritage Action Zone designation</p> <p>They welcome the ongoing dialogue between the Borough Council and Historic England</p>	<p>Development Management Policies Plan (2016)</p> <p>The Borough Council welcomes the opportunity to work alongside Historic England. However, considered that this is not an appropriate document to explain the Heritage Action Zone designation given the importance of this in its own right</p>	<p>(2016)</p> <p>'English Heritage' references will be updated to 'Historic England'</p>
15	08/03/2017	Nicola Cooper (Northwold Parish Council - Clerk)	No concerns raised	The Borough Council appreciate the response from Northwold Parish Council	No action
16	09/03/2017	(Leziate Parish Council)	<ul style="list-style-type: none"> The adoption of the Site Allocations and Development Management Policies Plan in September 2016 needs to be incorporated The planning application process (pg17) doesn't mention the Local Plan or Local Plan documents Why can't the 21 day consultation period be extended to 28 days to match the regular monthly meeting schedule for councils Norfolk County Council not mentioned in the 'Duty to co-operate' section "Factual misrepresentation of the proposal" How can providing misleading or inaccurate details not be a material consideration requiring correction (pg23) 	<p>The Borough Council appreciate the response from Leziate Parish Council</p> <p>Page 17 is designed to give an overview of the planning application process</p> <p>21 days across all consultees is given in legislation. This used to be 14 days has been increased to 21 in line with all consultees. So it cannot be varied</p> <p>Page 23 this is classed as a non-</p>	SCI needs updating to reflect the adoption of the Site Allocations and Development Management Policies Plan.

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
			<ul style="list-style-type: none"> A list of acronyms would be useful 	<p>material consideration by the Royal Town Planning Institute (RTPI) best practice advice and therefore should reasonably remain on the list</p> <p>Acronyms – the full name of documents has been used in the SCI, the glossary to the Site Allocations and Development Management Policies Plan (2016) provides an explanation. We want to keep the SCI document as ‘clear’ as possible adding acronyms of things which aren’t mentioned the SCI could cause confusion</p>	
17	13/07/2017	David Goddard (George Goddard Ltd)	Concerned that local views have not been taking into account in past Local Plan Consultations, and hopes they will be taken into account going forward	Views of the community are taken into account and a balanced decision is reached in the round given all other competing issues including the requirement for the borough to meet its housing need	No action
18	16/03/2017	North Norfolk District Council	Applicate the reference to the duty to co-operate, consider the SCI to be clear and laid out in a logical way. Suggest the North Norfolk District Council is referred to as such	The Borough Council appreciates the response from North Norfolk District Council and looks forward to our continued collaborative working	Change ‘North Norfolk Borough Council’ to ‘North Norfolk District Council’ Update Neighbourhood Plan

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
			<p>The Neighbourhood Planning section needs updating taking into recent changes to the process</p> <p>Add the ability to register for the Local Plan updates early on in the document for completeness</p>	<p>approach through the duty to co-operate</p>	<p>Sections</p> <p>Update the 'How can I be involved in the process?' section</p>
19	16/03/2017	Mima Garland (Burnham Thorpe Parish Council – Clerk)	<p>Suggests that on page 14 'may notify neighbouring properties' is amended to 'will notify neighbouring properties'</p> <p>Have requested the Policy Team meet with them to discuss neighbourhood planning and the Local Plan process</p>	<p>The Borough Council appreciates the response from Burnham Thorpe Parish Council</p> <p>Legislation highlights the use of one or the other term, so the wording within the SCI is appropriate. The terminology used offers a degree of flexibility and enables officers to use their planning judgement on a case by case basis. Given resource constraints it would not be practical to notify everybody for each proposal</p>	<p>The Policy Team have followed up this request or a meeting</p>
20	16/03/2017	Christina Jones (Holme next-the-sea Parish Council)	<p>Suggest that Borough Councillors act as a conduit for providing regular feedback on planning matters to the Parish Council and local community</p> <p>Consider the Borough's website to be difficult to navigate</p> <p>appreciate the quality of advice given as regards to their neighbourhood plan but would appreciate further resource here</p>	<p>The Borough Council appreciates the response from Burnham Home next-the-sea Council</p> <p>Agree that Borough Councillors should act a conduit between the Borough and Parish Councils; this is how the system should operate. No further reference to this within the SCI</p>	<p>No action</p>

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
			Site notices should be in a clearly visible and safe location and would welcome the opportunity to comment upon revised applications / amended plans	<p>should be required for this to operate</p> <p>The Borough Council aims to keep the website up to date and provide information clearly and in plain English</p> <p>Work with regards to Neighbourhood Plans is growing rapidly and the Borough Council will aim to meet this work load with the appropriate resource</p> <p>Agree site notices should be well placed. With regard to amendments whether re-consultation is necessary, there is no legal requirement to consult on amended plans. No specific action, officers have to use judgement in local circumstances</p>	
21	17/03/2017	Graham Moore (Middle Level Commissioners)	Considers that the Middle Level Commissioners and the relevant boards should be mentioned within the SCI	The Middle Level Commissioners and the relevant boards should be mentioned within the SCI however they are not statutory consultees at this moment in time	List the Middle Level Commissioners and Internal Drainage Boards on page 22
22	20/03/2017	Peter Ayton	<ul style="list-style-type: none"> Considers that the scope of public consultations and events with regard to the 	The Borough Council will endeavour to ensure that the	No action

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
			<p>Local Plan should be clearly identified beforehand</p> <ul style="list-style-type: none"> Believes that with regard to planning applications the Council should explain how substantial objects have been overcome and planning permission granted 	<p>reason for and the scope of any Local Plan consultation is sufficiently clear</p> <p>This information should be contained within the officer report, which should state how substantial objections have been dealt with</p>	
23	20/03/2017	Clare de Whalley (Grimston, Congham and Roydon Residents' Association)	Expresses concern that consultees will be cut out the process at the early stages	This is not the intention of the SCI. It is intended to engage with the community and other consultees at the early stages	No action
24	22/03/2017 (Late – after the consultation closed)	Kate Senter (Gayton Parish Council – Clerk)	Support the SCI	Although late, the Borough Council appreciate the response from Gayton Parish Council	No action
25	20/03/2017	June Leamon	Suggests that language used in consultations is easy for everyone to engage with, and doesn't put people off from taking part. Also suggests that public access on the website could be made easier for people to comment on planning applications, and easier for people to access the information which could impact upon them	The Borough Council will endeavour to use 'Plain English' where possible in consultation material, giving due consideration to the statutory requirements, to ensure that as many people as possible are able to engage within consultation processes. The website was overhauled	No action

Record ID	Date Received	Name & Organisation	Summary of Comments	Suggested Response	Action
				recently with the usability in mind, the Borough Council going forward will continue to improve and update the website accordingly	

Open		Would any decisions proposed :		
Any especially affected Wards	Operational	(a) Be entirely within cabinet's powers to decide YES		
		(b) Need to be recommendations to Council	NO	
		(c) Be partly for recommendations to Council and partly within Cabinets powers –		
Lead Member: Leader, Councillor B Long.		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Samantha Winter E-mail: sam.winter@west-norfolk.gov.uk Direct Dial:01553 616327		Other Officers consulted:		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) NO	Equalities Impact Assessment req'd NO	Risk Management Implications NO

Date of meeting: 23rd May 2017

APPOINTMENTS TO OUTSIDE BODIES AND PARTNERSHIPS

<p>Summary</p> <p>The report seeks nominations for Executive appointments to serve on outside bodies and partnerships for 2017/2018.</p> <p>Recommendation</p> <p>1) That the Cabinet appoints representatives to serve in an Executive capacity on the outside bodies and partnerships requiring appointment in the Appendix attached.</p> <p>2) That the reporting arrangements be noted, as shown in section 3 of the report.</p> <p>3) To note that all other appointments to Outside Bodies will be made at the Council meeting on 15th June 2017.</p> <p>Reason for decision</p> <p>To ensure continued involvement in the community by the Council.</p>

1.0 BACKGROUND

1.1 The Council is invited to nominate representatives to serve on a number of outside bodies and partnerships with which the Council has a range of types of relationships. The majority of appointments are made annually, although some appointments are for a longer period.

2.0 INSURANCE COVER FOR BOROUGH COUNCILLORS

2.1 The Council's insurance will indemnify any employee or member arising from their service on the board or participation in the capacity of governor, officer, trustee, director, committee member or other official of any not-for profit entity other than the insured.

Provided always that:

- a) The service or participation by the employee or member is specifically requested by or under the specific direction of the insured.
- b) The insured is legally entitled to approve the service or participation and to indemnify the employee or member in respect of it.
- c) Any payment will only be made by the insurer for an amount in excess of any indemnification or insurance coverage provided by the not-for-profit entity or afforded from any other source and to which the employee or member is entitled.

2.2 When a member is appointed to serve on an outside body, they should also ensure that as well as completing the Register of Financial and Other Interest form, they should complete the annual "Related Party Transactions form", with the details of those bodies on which they serve.

3.0 FEEDBACK FROM MEMBERS ON OUTSIDE BODIES

3.1 Arrangements for reporting back by Members serving on Outside Bodies are approved every year at Council as follows:

3.2 Each of the relevant scrutiny panels should be able to request reports from Councillors serving on outside bodies which fall within their remit. By programming the reports over the Panel's annual timetable of meetings, it would be possible for members both to assess the usefulness of making appointments to bodies and be informed of any relevant matters.

3.3 Cabinet Members serving on outside bodies will report via their Cabinet Members' reports to Council.

3.4 All are welcome to use the Members' Bulletin to report on the work of any such organisation.

4.0 APPOINTMENT OF REPRESENTATIVES

4.1 **Executive Roles** – The attached Appendix lists those bodies to which Cabinet is invited to appoint representatives to. Appointments that fall within this category are corporate in nature and fall within the portfolio responsibilities of members of the Cabinet. Alternatively, a Cabinet Member may nominate a substitute from Borough Councillors indicating a willingness to serve on a particular body. For information, the Appendix also lists any additional representatives which will be appointed subsequently in the Scrutiny, Parish and General categories.

4.2 **Scrutiny and Regulatory Roles** - Nominations for representatives to serve on bodies that are pertinent are being sought from the appropriate scrutiny panel (Environment & Community and Corporate Performance Panel) at their meetings in May and June 2017 and will be submitted to Council for approval in June 2017.

4.3 **Parish Level Representation, Parished and Unparished Areas** - Local representatives may be appointed onto specific local bodies within or related to their ward.⁴⁸ On occasions, a body may not

specifically require the Council's representative to be a Borough Councillor, in which case a community representative may be nominated by Council. Appointments will be made at Council on 15 June 2017.

- 4.4 **General Appointments** - Appointments which are of general interest to the Borough as a whole will be made at Council on 15 June 2017.

5.0 FINANCIAL IMPLICATIONS

- 5.1 Mileage and subsistence allowances for Councillors attending meetings.

- 5.2 All appointments can be made within the existing budget.

6.0 ACCESS TO INFORMATION

Current lists of Member representation
ACSeS report on liabilities of Outside Bodies

APPENDIX

**EXECUTIVE APPOINTMENTS TO OUTSIDE BODIES REQUIRING
CABINET APPROVAL**

<u>NAME OF OUTSIDE BODY</u>	<u>NUMBER OF REPRESENTATIVES PERMITTED</u>	<u>PROPOSED REPRESENTATIVE/S</u>	<u>TERM OF OFFICE</u>
Action for Children	1 Exec	Miss L Bambridge	Annual
Active Norfolk	1 Exec	Mrs E Nockolds	Annual
Alive Leisure Trust	1 Exec	Mrs A Wright	Annual
Borough Council/College of West Anglia Liaison Board	1 Exec <i>1 Scrutiny – to be appt by Council</i>	B Long (Exec) <i>Current Rep T Smith (Scrutiny)</i>	Annual
CNC Building Control Joint Committee	1 Exec	R Blunt	Annual
Coastshare Limited	2 Exec	N Daubney and G Hipperson	Annual
Community Action Norfolk	1 Exec	N Daubney	Annual
Downham Market Leisure Centre Joint Management Committee	1 Exec <i>2 General – to be appt by Council</i>	Mrs K Mellish <i>Current Reps Mrs J Westrop and M Howland</i>	Annual
Freebridge Community Housing – Corporate Shareholder	1 Exec	A Lawrence	Annual
Freebridge Community Housing and Borough Council Strategic Forum	3 Exec	B Long, A Lawrence and R Harding. NB. Terms of Reference state Members should be Leader, Portfolio Holder for Housing and Chief Executive.	Annual
Hunstanton Green Joint Management Committee	1 Exec <i>2 Parish – to be appt by Council</i>	Mrs E Nockolds <i>C Bower and I Devereux</i>	Annual
Hunstanton Regeneration Project Team	1 Exec <i>3 Parish – to be appt by</i>	A Beales <i>Current Reps P Beal, Mrs C Bower and R Bird</i>	Annual

	<i>Council</i>		
King's Lynn and West Norfolk Area Museums Committee	1 Exec <i>3 Scrutiny & 1 general – to be appt by Council</i>	Mrs E Nockolds <i>Current Reps Councillors T Smith, T Wing-Pentelow, Mrs A Wright and A Tyler</i>	Annual
King's Lynn Business Improvement District Board	1 Exec	N Daubney	Annual
King's Lynn Festival Board	1 Exec	Mrs E Nockolds	Annual
King's Lynn Town Centre Partnership	1 Exec and Sub <i>2 Parish – to be appt by Council</i>	B Long and P Hodson (sub) <i>Current Reps Miss L Bambridge and Mrs A Wright</i>	Annual
King's Lynn Town Football Club	1 Exec	Paul Bland	Annual
KLIC Project Steering Group – NWES	1 Exec	R Blunt	
Local Authority Company Board (Alive Management)	3 Exec	B Long, Mrs E Nockolds and Mrs K Mellish	Annual
Local Government Association	1 Exec	B Long	
Norfolk and Waveney Enterprise Services	1 Exec	B Long	Annual
Norfolk Arts Forum Executive	1 Exec	Mrs E Nockolds	Annual
Norfolk Coast Partnership Management Group	1 Exec and sub	Councillor S Squire and I Devereux (sub)	Annual
Norfolk Joint Museums and Archaeology Committee	1 Exec	Mrs E Nockolds	Annual
Norfolk Parking Partnership Joint Committee	1 Exec and sub	Mrs K Mellish and J Westrop (sub)	Annual
Norfolk Police and Crime Panel	2 Exec	C Manning and B Long	Annual
Norfolk Rail Policy Group	1 Exec	C Sampson	Annual

Norfolk Records Committee	1 Exec	Mrs E Nockolds	Annual
Norfolk Waste Partnership	1 Exec and sub	B Long and I Devereux (sub)	Annual
North Lynn Discovery Centre Board	1 Exec	G Middleton	Annual
North Norfolk Coast and Countryside – Destination Management Organisation	1 Exec	Mrs E Nockolds	Annual
The Wash and North Norfolk Coast European Marine Site Management Scheme	1 Exec	S Squire	Annual
West Norfolk Chamber of Commerce Council	1 Exec	N Daubney	Annual
West Norfolk Disability Forum	2 Exec <i>5 Scrutiny – appt by Council</i>	A Lawrence and Miss S Sandell <i>Current Reps Councillors T Bubb, M Chenery of Horsbrugh, A Tyler, S Squire and S Fraser.</i>	Annual
West Norfolk Community Sports (WNCS)	1 Exec	Mrs E Nockolds	Annual
West Norfolk Tourism Executive Forum	2 Exec	Mrs E Nockolds and Mrs E Watson	Annual

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	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 Devereux E-mail: cllr.ian.Devereux@West-Norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Mark Whitmore E-mail: mark.whitmore@west-norfolk.gov.uk Direct Dial: 01553 616654		Other Officers consulted: John Greenhalgh, Environmental Health Manager, Community Safety		
Financial Implications YES	Policy/Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment NO	Risk Management Implications NO

Date of meeting: 23 May 2017

ENVIRONMENTAL PROTECTION ACT 1990 S33ZA – FIXED PENALTY NOTICES

<p>Summary The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 created a new provision section 33ZA to allow local authorities to offer a fixed penalty notice to offenders in relation to offences under Section 33(1)(a) – the unauthorised deposit of waste. This report seeks approval for the level of fine that will be offered.</p> <p>Recommendation That Cabinet approves the level of fine at £200 reduced to £150 if paid within 10 days.</p> <p>Reason for Decision To allow the Council to deal with minor incidents of fly tipping where there is no or low culpability and low level of harm to the environment or human health.</p>

1. Background

In 2016 the Government introduced new powers under The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 to allow local authorities to offer fixed penalty notices for offences under section 33(1)(a) of the Environmental Protection 1990, which relate to the unauthorised deposit of waste (fly tipping). The purpose of this amendment is to provide local authorities with a more efficient and proportionate response to small-scale fly-tipping of waste.

The power to issue fixed penalty notices does not need to be adopted, however there is leeway to set fine levels locally within a range of not less than £150 and not more than £400 and it is this which Cabinet are being asked to decide.

2. Options Considered

To ensure consistency across Norfolk an appropriate level of fine was discussed by officers at the Norfolk Waste Enforcement Group. The following options were considered:

- a) Not using the powers
- b) Using the default levels of fine set at £200.
- c) Setting the fine at £250 reduced to £150 if paid within 10 days
- d) Setting the fine at £200 reduced to £150 if paid within 10 days

The use of the fixed penalty notices provides a useful tool for allowing the council to deal with small-scale and cases, where there is a low level of capability and the harm to environment is minimal. Given this it was considered that the option D provided the most appropriate level of fine for the scale of offence likely to be dealt with by means of a fixed penalty notice.

3. Financial Implications

None other than the need to record the level of fine in the fees and charges set by the Council

4. Statutory Considerations

None

5. Risk Management Implications

None

6. Background Papers

None