

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

Minutes from the Meeting of the Cabinet held on Tuesday, 23rd May, 2017 at 5.30 pm in the Meeting Rooms 1-3, King's Court, Chapel Street, King's Lynn

PRESENT: Councillor B Long (Chairman)
Councillors A Beales, R Blunt, I Devereux, P Hodson, A Lawrence,
Mrs K Mellish and Mrs E Nockolds.

CAB1 **MINUTES**

RESOLVED: The Minutes of the Meetings held on 11 April and 2 May 2017 were approved as a correct record and signed by the Chairman.

CAB2 **URGENT BUSINESS - LATE ITEM - APPOINTMENT OF TASK GROUPS, JOINT EMPLOYEE COMMITTEE AND JOINT SAFETY AND WELFARE COMMITTEE**

The Chairman had agreed to take as a late item the Appointment of Task Groups and the Joint Employee Committee and Joint Safety and Welfare Committee.

RESOLVED: 1) That officers be instructed to seek the Membership from Group Leaders for the Local Plan, Scrutiny Structures and Boundary Review Task Groups for the new Municipal Year:

2) That the Membership of the Joint Safety and Welfare Committee and Joint Employee Committee for 2017/18 be made as follows:

Joint Safety and Welfare Committee – Councillors B Long, K Mellish and J Westrop.

Joint Employee Committee – Councillors I Devereux, M Chenery of Horsbrugh, B Long, K Mellish and J Westrop.

Reason for Decision

To allow the business of the Council to continue into 2017/18 and to begin the work of the newly formed Task Group.

CAB3 **DECLARATIONS OF INTEREST**

None.

CAB4 **CHAIRMAN'S CORRESPONDENCE**

None

CAB5 MEMBERS PRESENT UNDER STANDING ORDER 34

Councillor Mrs S Fraser – Item 10.

CAB6 CALLED IN MATTERS

None

CAB7 FORWARD DECISIONS

The Forward Decision list was noted.

CAB8 MATTERS REFERRED TO CABINET FROM OTHER BODIES

None

CAB9 KING'S LYNN AND WEST NORFOLK STATEMENT OF COMMUNITY INVOLVEMENT

Councillor Blunt presented the report which explained that the Statement of Community Involvement (SCI) was a document which outlined how the Council would 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.

Councillor Blunt encouraged all Councillors to read the document which outlined how both the planning and Local Plan process worked.

Councillor Mrs Fraser addressed the Cabinet under Standing Order 34 and provided an example of a fellow Councillor approaching local businesses and residents regarding planning applications. In response, Councillor Long explained that the Members Code of Good Practice for Planning would be considered at the next Cabinet meeting on 27 June and included how Councillors should consult during the planning process. Councillor Long commented that it was important for a Borough Councillor to have the ability to have their say as a local person.

Councillor Blunt advised that the following reports would be presented to Cabinet on 27 June:

- Members Code of Good Practice for Planning which set out guidance on how Councillors should conduct themselves.

- Planning Scheme of Delegation.

Councillor Blunt invited Councillor Mrs Fraser to discuss her points raised outside of the Cabinet meeting.

Councillor Lawrence commented that it was an excellent report which set out clear guidance on how consultation on planning applications would be undertaken.

In response to comments from Councillor Mrs Mellish, Councillor Blunt advised that the Local Plan was a single document with a suite of supporting documents which provided an understanding of the process.

The Planning Policy Manager added that the document provided a simplified process together with diagrams outlining how the Council would consult with the public as part of the Local Plan process.

Councillor Long referred to page 15 – The Role of Councillors and suggested that an additional bullet point be added as follows:

- A separate Members Code of Good Practice for Planning is adopted by the Council which sets out criteria which Members work to.

The above amendment would allow the public to gain an understanding of what to expect from Local Councillors.

The above amended was agreed by Cabinet and the Planning Policy Manager undertook to amend the document accordingly.

RECOMMENDED: 1) That the final version of the document is endorsed, and;
2) That the document 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.

CAB10 CABINET APPOINTMENTS TO OUTSIDE BODIES

Cabinet considered a report which sought nominations for Executive appointments to serve on outside bodies and partnerships for 2017/2018.

A sheet with the proposed nominations for the year was distributed at the meeting.

Councillor Long proposed that the proposed nominations be agreed on block to which Cabinet agreed subject to the following amendments:

- King's Lynn Football Club – Mr P Bland was the current representative. The nomination be delegated to the Environment and Community Panel.
- The Wash and North Norfolk Coast European Marine Site Management Scheme – Councillor Ian Devereux, Councillor S Squire (substitute).

RESOLVED: 1) That representatives be appointed to serve in an Executive capacity on the outside bodies and partnerships requiring appointment as attached to these minutes.

2) That the reporting arrangements be noted, as shown in section 3 of the report.

3) To note that all other appointments to Outside Bodies will be made at the Council meeting on 15th June 2017.

Reason for decision

To ensure continued involvement in the community by the Council.

CAB11 ENVIRONMENTAL PROTECTION ACT 1990 S33ZA - FIXED PENALTY NOTICES

Councillor Devereux and the Environmental Health Officer presented the report which explained that 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 related to the unauthorised deposit of waste (fly tipping). The purpose of the amendment was 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 did not need to be adopted, however there was 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 was asked to decide.

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 provided a useful tool for allowing the Council to deal with small-scale and cases, where there was 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.

Councillor Devereux and the Environmental Health Officer responded to questions regarding the level and types of fly tipping and how a case file was build should it be necessary to proceed to prosecution if the fixed penalty notice was declined.

RESOLVED: That the level of fine at £200 reduced to £150 if paid within 10 days be approved.

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.

The meeting closed at 5.58 pm

**EXECUTIVE APPOINTMENTS TO OUTSIDE BODIES MADE AT CABINET
ON 23 MAY 2017**

<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	B Long and G Hipperson	Annual
Community Action Norfolk	1 Exec	Mrs E Nockolds	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>Current reps - C Bower and I Devereux</i>	Annual
Hunstanton Regeneration Project Team	1 Exec <i>3 Parish – to be appt by</i>	A Beales P Hodson (sub) <i>Current Reps P Beal, Mrs C</i>	Annual

	<i>Council</i>	<i>Bower and R Bird</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	P Hodson	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 Delegate to E/C Panel	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	I Devereux Councillor S Squire (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	I Devereux and B Long (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	Ian Devereux S Squire (sub)	Annual
West Norfolk Chamber of Commerce Council	1 Exec	P Hodson	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