

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



# **COUNCIL MEETING**

## ***Agenda***

Thursday, 25th January, 2018  
at 6.30 pm

in the

**Assembly Room  
Town Hall  
Saturday Market Place  
King's Lynn**





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

You are hereby summoned to attend a meeting of the **Borough Council of King's Lynn and West Norfolk** which will commence at **6.30 pm** on **Thursday, 25th January, 2018** in **The Assembly Room, Town Hall, Saturday Market Place, King's Lynn** to transact the business shown below.

Yours sincerely

Ray Harding  
Chief Executive

#### **BUSINESS TO BE TRANSACTED**

**1. PRAYERS**

**2. APOLOGIES FOR ABSENCE**

**3. MINUTES**

To confirm as a correct record the Minutes of the Meeting of the Council held on 16 November 2017 (previously circulated).

**4. DECLARATION OF INTEREST**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

**5. MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS**

To receive Mayor's communications and announcements.

**6. URGENT BUSINESS**

To receive any items of business which in the opinion of the Mayor are urgent.

**7. PETITIONS AND PUBLIC QUESTIONS**

To receive petitions and public questions in accordance with Standing Order

9.

## **8. CABINET MEMBERS REPORTS**

In accordance with Standing Order 11.1 to receive reports from Cabinet Members in the following order and under Standing Order 11.2 (a) Members of the Council may ask questions of the Cabinet Member on their reports and Portfolio areas:

**(Councillors are reminded that this is a question and answer session not a debate.)**

- 1) **Corporate Projects and Assets - Councillor A Beales** (Pages 6 - 7)
- 2) **Development - Councillor R Blunt** (Pages 8 - 9)
- 3) **Environment - Councillor I Devereux** (Pages 10 - 11)
- 4) **Housing and Community - Councillor A Lawrence** (Pages 12 - 14)
- 5) **Facilities and ICT - Councillor Mrs K Mellish** (Pages 15 - 16)
- 6) **Performance - Councillor P Hodson** (Pages 17 - 18)
- 7) **Deputy Leader and Culture Heritage and Health - Councillor Mrs E Nockolds** (Pages 19 - 20)
- 8) **Leader and Resources - Councillor B Long** (Pages 21 - 22)

## **9. MEMBERS QUESTION TIME**

In accordance with Standing Order 11.2 (b), Members of the Council may ask any questions of the Chairman of any Council Body (except the Cabinet).

## **10. RECOMMENDATIONS FROM COUNCIL BODIES**

**(Members are reminded this is a debate, not a question and answer session)**

To consider the following recommendations to Council:

- 1) **Cabinet: 28 November 2017** (Pages 23 - 27)

To consider the cabinet recommendations as follows:

CAB90: Planning Scheme of Delegation  
CAB92: Charging for Housing Act 2004 Enforcement  
CAB93: Council Tax Support Scheme 2018/19 : Final Scheme

Exempt Item  
CAB96: Stalled Sites

- 2) **Cabinet: 9 January 2018** (Pages 28 - 31)

To consider the recommendations attached:

CAB106: Equalities Policy

CAB107: Non Domestic Rates – Discretionary Revaluation Relief 2017/18

CAB108: Scrutiny Review

3) **Standards - 28 November 2017: Report of the Monitoring Officer**  
(Pages 32 - 36)

**11. OUTSIDE BODIES - APPOINTMENT** (Pages 37 - 38)

To consider an appointment as per the attached report.

Ray Harding  
Chief Executive

**CABINET MEMBERS REPORT TO COUNCIL**

**25 January 2018**

**COUNCILLOR ALISTAIR BEALES - CABINET MEMBER FOR CORPORATE PROJECTS AND ASSETS**

For the period to 25 January 2018

**1 Progress on Portfolio Matters.**

Work on two of the larger Corporate Projects continues to progress well as follows:

- **NORA phase 3** – work started on site October 2017 and all substructure work (footings to you and me) is complete for all 50 homes. First home for sale May 2018.
- **Marsh Lane** – the new owners have moved and are living in 4 of the new homes including the couple that bought the first home on the site. 14 other houses are sold, contracts exchanged and as soon as the houses are ready, the sales will complete. Work continues on the rest of the site towards the planned Oct 2020 completion date (130 dwellings in total).

**2 Forthcoming Activities and Developments.**

A report on NORA phase 4 is planned for April 2018 Cabinet. Further projects are under consideration which coupled with existing projects will take the number of homes under construction or in the proposal stage to over 800. All on difficult sites that can only be cleaned up, de-risked and developed by a local authority in partnership with the private sector. All of which will provide much needed new homes in our Borough.

**3 Meetings Attended and Meetings Scheduled**

28<sup>th</sup> Nov – Cabinet  
6<sup>th</sup> Dec – Gayton PC  
12<sup>th</sup> Dec – portfolio briefing  
12<sup>th</sup> Dec – R&D Panel  
18<sup>th</sup> Dec – Cabinet sifting  
9<sup>th</sup> Jan – meeting with Chris Bamfield & Stuart Ashworth  
9<sup>th</sup> Jan – Enterprise Zone update

9<sup>th</sup> Jan – Cabinet

10<sup>th</sup> Jan – R&D Panel (apologies sent).

22<sup>nd</sup> Jan – Cabinet sifting

25<sup>th</sup> Jan – full Council

**CABINET MEMBERS REPORT TO COUNCIL**

**25 January 2018**

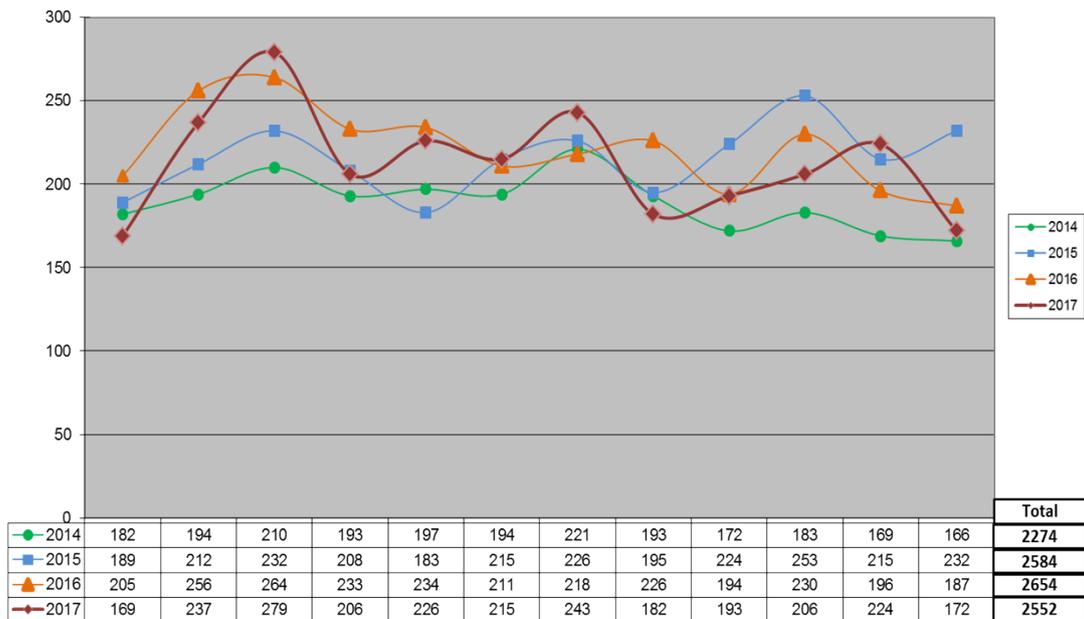
**COUNCILLOR RICHARD BLUNT - CABINET MEMBER FOR DEVELOPMENT**

For the period 02 November 2017 to 12 January 2018

**1 Progress on Portfolio Matters.**

**Planning Applications**

Planning and discharge of condition applications received



**Planning**

In the last calendar year, tree work applications increased by nearly 30%, from 275 in 2016, to 355 in 2017. Whilst it is not clear what the reason for this is, it does follow a pattern of increased applications since 2011, and may well be down to better awareness by the general public of the requirements for getting permission when dealing with protected trees.

The Council has received an appeal decision allowing a site for up to 50 dwellings outside of the development boundary for Gayton. It is considered that there are legal issues with the decision that if left unchallenged, could have implications for the rest of the Borough. Whilst it was confirmed that the Council had retained its 5 year supply of housing, the Inspector has

nevertheless allowed up to 50 dwellings outside of the village development boundary, setting aside well-established policy. The Council is therefore currently taking legal advice about challenging the decision through the Courts.

Planning fees are due to increase by 20% on January 17. The extra 20% is ring-fenced for planning, as required by the Government.

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### **Meetings Attended and Meetings Scheduled**

#### Meetings Attended

Cabinet Sifting  
Cabinet  
CIL Quarterly Update  
Various meetings with Officers

#### Scheduled Meetings

Wisbech Access Steering Group  
Local Plan Task Group  
CNC

**CABINET MEMBERS REPORT TO COUNCIL**

**25 JANUARY 2018**

**COUNCILLOR IAN DEVEREUX- CABINET MEMBER FOR ENVIRONMENT**

For the period 16 November 2017 to 15 January 2018

**1 Progress on Portfolio Matters.**

A long-term objective of the North Lynn clean-up campaign came to fruition with the successful prosecution of a Fly-Tipper caught in the act on CCTV of dumping a mattress. The total cost penalty to the culprit was nearly 100 times the cost of disposing of the mattress by using the Council's publicly available service. It is hoped that the wide Press coverage will encourage all potential Fly-Tippers to use the available services and prevent harm to our Communities and the Environment.

A further successful prosecution for persistent Anti-Social behaviour in the King's Lynn Bus Station resulted in a restraining injunction to protect the community. This was immediately broken by the culprit and led to a custodial sentence, but, it also received much needed positive publicity about the consequences of unacceptable public behaviour.

The Wash East Coast Management Strategy Stakeholder Group was briefed on the initial findings and work programme to prepare a Coastline Management Plan for the Hunstanton Cliffs (Unit A) and Promenade (Unit B). The findings from the previous phase of work were confirmed and further options proposed to provide engineered solutions to counter the coastal erosion processes. Down-selection and refinement of the preferred options will continue over coming weeks and will be communicated to the public through 'drop-in' sessions being organised in Hunstanton during February and March. The Snettisham Beach (Unit C) annual recycling work is currently being planned and will benefit from the robust Partnership Funding arrangements led by the Environment Agency and driven by the very successful, commercially led local Community Interest Company. This arrangement is now starting to be recognised by the Environment Agency as a National exemplar for the benefits of local cost-sharing arrangements.

The long-running Manor Farm fire has now almost burned itself out allowing the County Council and other Agencies to start to evaluate the residual materials and options for disposal action. The same well tested and proven multi-agency control and communication processes were also utilised for the recent waste material fire at Bawsey, where the smoke-plume caused much concern and inconvenience to the Leziate, Bawsey and adjacent communities.

It was a coincidence that in view of the recent National publicity on Air Pollution, our regular Air Quality Monitoring Report was published on the Council Website. The National statistics indicated that Norfolk had the lowest level of pollution, but, much needs to be done to reduce local hot-spots in King's Lynn.

## **2 Forthcoming Activities and Developments.**

The workload to support the multi-Council, multi-year Waste Collection contract procurement is now ramping up following the Contractor briefing in preparation for the issue of the Request for Tenders.

## **3 Meetings Attended and Meetings Scheduled**

The Wash & North Norfolk Marine Partnership internal planning  
Cabinet and associated meetings  
Corporate Performance Panel  
ICT Training  
Council  
The MOD Employer Recognition Awards ceremony for East Anglia  
Audit Committee  
Environment & Community Panel  
ICT Development  
The Local Government Association Coastal Special Interest Group  
Norfolk Coastal Partnership Stakeholder Group  
Norfolk Waste Partnership Board  
WECMS Stakeholder Forum – Hunstanton Coastal Management Plan  
Portfolio meetings

### Scheduled Meetings

East of Ouse, Nar & Polver IDB  
KLFM Local Awards event  
Portfolio meetings

**CABINET MEMBERS REPORT TO COUNCIL**

**25 January 2018**

**COUNCILLOR ADRIAN LAWRENCE - CABINET MEMBER FOR HOUSING AND COMMUNITY**

For the period 16 November 2017 to 25 January 2018

**Progress on Portfolio Matters.**

**Home Choice**

There are 982 live applications -

1 Emergency  
172 High  
282 Medium  
527 Low

46 people have been rehoused in December.

**Homelessness and Rough Sleeping**

In line with government requirement we measure homelessness in a number of different ways. The trend over the last 3-4 years has seen a worsening situation – mirroring many parts of the country. One measure of homelessness are those rough sleeping. Of all those that we include as being homeless or threatened with being homelessness – those sleeping outside account for only a small proportion. In years gone by these numbers rarely exceeded 0-5 when we undertake snap shot count on a given day in November. In November 2016 we saw one of the most significant increases in rough sleepers anywhere in the country – where 42 people were recorded as sleeping rough. This year we will report a figure of 9. Sleeping rough is a very dangerous thing for anyone to do and tackling this problem remains a high priority whatever the numbers are. Our evidence collected in November 2017 revealed that 63 people on one night had no accommodation. Some of these people were sofa surfing, in institutional settings like hospital, or in emergency beds/ shelter – therefore the numbers vulnerable to and at risk of rough sleeping remain high. Our efforts will remain focussed on tackling this issue.

The reasons for the increase in homelessness and rough sleeping in our area and across much of the country are complex. A National Audit Office report published in September last year pointed to a number of these factors in

particular the break in the link between housing costs and Housing Benefit levels. Another factor highlighted was that many of the services that have helped prevent homelessness have declined. These include drug and alcohol recovery services, as well as mental health support, and particularly those services that directly help prevent homelessness housing related support services (allocated in two tier areas to county council and termed 'Supporting People' funding). These have reduced on average by 59% across the country.

### **New Legislation**

The Homelessness Reduction Act – represents the most significant changes since the first legislation came in in 1977. The Act's main purpose is to ensure that everyone who approaches a local authority because they are either facing homelessness or actually homeless should receive some assistance, whether they are in priority need or not, and irrespective of whether they may be considered intentionally homeless. This significantly broadens the categories of household that the Councils need to take to reasonably secure accommodation for, and creates a number of new duties around preventing and relieving homelessness.

The act addresses concerns raised that the existing legislative framework leads to a significant majority of homeless people - often single, and non-priority not receiving any help from a housing authority (priority need – e.g. vulnerable, or are pregnant, or have dependent children).

With the new legislation has come some additional funding. The Council will receive £238K over three years. Plans are being implemented for additional staff. A Training strategy is being implemented and new procedures and new IT systems are being further developed to accommodate the changes

### **New Homelessness and rough Sleeping Strategy**

The Council is working on a number of initiatives that cover accommodation and shelter provision and support services, Summary:-

- New self-contained temporary accommodation
- Funding to ensure existing hostels/ supported housing projects continue in light of Supporting People funding reductions
- New rough sleeper outreach service
- New floating support service
- Additional temporary shelter/ mobile shelter options

- Improving access to private rented sector

The impact of the problem of homelessness in our community, as well as the implications of the new legislation for the way we work necessitates some new thinking, and different approaches. It is proposed therefore that new Homelessness and rough strategy is devised and implemented this year.

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**Meetings Attended**

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Cabinet  
E&C  
Various meetings with officers  
Portfolio Meetings  
LAHC  
Freebridge liaison meeting

**CABINET MEMBERS REPORT TO COUNCIL****25 January 2018****COUNCILLOR MRS KATHY MELLISH - CABINET MEMBER FOR FACILITIES AND ICT**

For the period 17 November 2017 to 25 January 2018

**1 Progress on Portfolio Matters.**

First of all, can I wish all Members and Officers a Happy New Year and I hope that 2018 will be a good year for everyone.

The new meeting / training room at King's Court (Room 2-1) has now been used by many groups and we are in the process of gaining feedback. The next room to be fitted out will be almost identical but feedback is necessary to ensure it fits the bill correctly. At present all we need to change is the size of screen to fit the room but any comments received will be taken into account.

Updates for the work undertaken were given at the ICT Development group meeting in December and all were positive so work continues.

The DWP/JCP move is continuing on target so no further changes to report.

As mentioned in my last report the CCTV staff continue over the holiday period without a break. During the festive period of Christmas and New Year they dealt with in excess of 200 separate jobs/incidents. Within a selection of those 42 related to calls for assistance in respect of general council services, 47 were normal out of hours services and 29 related to antisocial behaviour incidents within the King's Lynn area.

Also during December the Parking Operations team transitioned their back office systems to a new provider. This is the first change in the back office system in over a decade and I must thank the parking staff and their Managers for working so tirelessly over the Christmas break to ensure this process was as smooth as possible.

The new system has expanded our existing capability to offer services to our Norfolk Parking Partnership colleagues and a key feature of this change was the ability to increase our cashless parking options which has been previously highlighted as a requirement, for ease of parking across our pay and display car parks. The system now has a live Parking Operations App which is available for both IPHones and Android devices. We soft launched this in mid-December and in the first month 1648 transactions were undertaken with 73% of those being done through the new app. Whilst utilising this service it does incur a 20p processing fee but this funds the service and clearly many people see this as an ideal way of not having to worry about change or over-payments.

It also offers the option to extend your stay without the hassle of returning to your vehicle to do so, adding more flexibility to your visit to King's Lynn or the bonus of staying for an extra coffee or a longer meal in a restaurant. The process for accessing this system can be found on our website under Parking > Cashless Parking > Register for Cashless Parking, or just download the app Parking Operations which you can identify from the website. The system will also allow you to pre-book parking up to 7 days in advance.

The plans for the Car Park extension at Mintlyn have been approved. We are now waiting for the specification of the works to be completed and we can then get on with the job.

I was unable to attend the last cheque presentation at Mintlyn to King's Lynn Motor Neurone Disease Association for £5000 but another very worthy local cause. That is another donation from a total of £52,123 we have raised through the scheme for re-cycled medical implants since we joined the scheme.

The new microphones are having issues over connections and as we have all experienced, drop signal and transfer into 'hunt mode' which is very frustrating. The suppliers have been suitably 'hunted' by the Officers and are on the case to the extent it has been escalated up to Bosch in the USA who have dialled into the system to transfer logs and data to analyse at their end. I apologise that this has not been a seamless transfer however please accept that I am also on the case and my feelings are well known by the suppliers.

## **2                   Forthcoming Activities and Developments.**

Regular meetings with Officers and Executive Directors

## **3                   Meetings Attended and Meetings Scheduled**

Officer meetings  
Cabinet meeting and Portfolio updates  
ICT Development meeting  
Cabinet Sifting

**CABINET MEMBERS REPORT TO COUNCIL**

**25 January 2018**

**COUNCILLOR PETER HODSON - CABINET MEMBER FOR PERFORMANCE**

For the period to 25<sup>th</sup> January 2018

**1 Progress on Portfolio Matters.**

**Footfall KL Town Centre**

- December footfall was disappointing with a drop of **13.4%** compared to Dec 2016. A significant drop , but there are factors, for example I think we can safely put a good chunk of that down to the on-going A47 Saddlebow Bridge repairs as well as the gridlock caused by multiple road accidents during the month just outside of town.
- UK footfall was down by 3.5%.
- Overall, the whole year ended down 4.5% on 7.8million vs 8.2million from last year, but when compared to the previous year (2015) was up 1.3%. And 19% up on when footfall was first counted in 2007
- On a positive note, despite the downturn in footfall , many leading retailers reported that they had fared pretty well in November and December, some in the top 5 of their region. (I cannot give specific names as the information is given in confidence) .

**Events**

- Christmas Lights Switch On –Town was busy, retailers reported good level of trade.
- Christmas Market – Our Town Centre Manager was asked to provide an Event Safety Plan on behalf of Discover Kings Lynn and help deliver the event on the day. Despite gale force winds and rain during the day the town had a very successful event.
  - Town was the busiest it's been for years at a late night shopping event.
  - Excellent feedback from Stall Holders, Retailers and Public alike.
  - Good quality offer

**Markets**

We are working alongside Discover KL to collectively bring specialist markets back to the Saturday Market Place around Spring/Summer 2018.

**2 Meetings Attended and Meetings Scheduled**

Audit Committee  
Cabinet Meeting  
Corporate Performance  
Meeting with Carol Bower (Mayor)  
Meeting with the Leader

**Portfolio Meetings with Officers:**

Paul Harrison  
Martin Chisholm  
Chris Bamfield  
Becky Box  
Jemma Curtis  
Jason Richardson  
Martin Chisholm

**CABINET MEMBERS REPORT TO COUNCIL****25 January 2018****COUNCILLOR MRS EA NOCKOLDS  
CABINET MEMBER FOR CULTURE, HERITAGE AND HEALTH**

For the period 16 November 2017 to 14th January 2018

**1 Progress on Portfolio Matters.**

A considerable amount of maintenance and capital schemes at our leisure facilities will be continuing during the next 3 months of 2018. Toilets at Lynnsport and St James pool are being refurbished, a lift to provide access to the squash courts and group exercise studio is to be installed. With a donation from KL Gymnastics Club it has been made possible to replace a new tumble track in the hall which is suitable for older more proficient tumblers, the foam in the pit will also be replaced. To combat continuous problems from birds, especially at the main entrance of the Oasis, netting has been added to the roof structure. The attendance of the pantomime was good amounting to 19,805 and included many WN schools. This month the dressing rooms at the Corn Exchange will be redecorated and the Front of House and Auditorium floors will be cleaned and polished.

A project manager for the LEADER programme, which was reported in my last Council report with funding of £81,000, has been advertised. This programme is to cover the costs of design, a web site and a phone App for Tourism Trails in West Norfolk.

The Hunstanton Heritage Outreach officer for 2018 has been appointed.

Publications for the 2018 Holiday Guides are now being produced. This year there will be a reduced print run of the WN Holiday Guide as digital marketing has proven to attract more users each season. The visitwestnorfolk web site content is regularly updated with changing front page items. The West Norfolk mobile phone app provides a responsive directory guide to, Events, Places to Eat, Things to do and places to stay and many other offers to local services throughout West Norfolk. More businesses need to be encouraged to use the Event database not only to promote their own events but to use it as a resource to promote events in their locality.

The Stories of Lynn mobile App which provides interactive audio and visual guides to the exhibition as well as a guide to exploring heritage sites throughout the town has been released.

## **2 Forthcoming Activities and Developments.**

The Learning & Outreach Officer for Stories of Lynn who has recently been recruited is working with the original Activity Plan. Her focus is with encouraging more schools and young people to visit. During the next few weeks some staff from WN schools will hold their INSET meetings at the Town Hall. A birthday party has been held as well as a Brownies sleepover in the Stories of Lynn. Relevant activities were designed for the groups such as designing a King John cup. COWA's Uniform course students have also attended. During the Spring lectures on Women's themes such as Suffragettes and Food is being arranged.

## **3 Meetings Attended and Meetings Scheduled**

Portfolio meetings with;

Ray Harding Chief Executive  
Lorraine Gore Ex Director of Finance Services  
Chris Bamfield Ex Director of Commercial Services  
Claire Thompsett Grounds Maintenance Central Manager  
Ostap Paparega Tourism  
Rachael Williams Stories of Lynn & Outreach Officer

Cabinet

Environment & Community Panel  
Regeneration & Development Panel  
Norfolk Records Committee  
Norfolk Joint Museums Committee  
Ask LILY Board meeting  
Alive Management Board meeting  
KL Internal Drainage Board meeting  
KL Festival Board meeting  
WN Community Transport meeting  
WN Sports Council  
Friends of The Walks

**CABINET MEMBERS REPORT TO COUNCIL****25 January 2018****COUNCILLOR BRIAN LONG – LEADER & CABINET MEMBER FOR RESOURCES**

For the period 16 November 2017 to 16 January 2018

**1 Progress on Portfolio Matters.****Budget 2018/19**

As mentioned below I have had a number of meetings with Drainage Board / Commissioners that precept a levy on this Council. Traditionally each year the money we paid over to Drainage Boards was reimbursed to us via Revenue Support Grant from Central Government. As RSG is decreasing to levels below the money we paid out the burden for IDB funding falls directly onto our Council Tax payers. Having an early discussion with each group of boards gives us opportunity to see how their plans are shaping up and allows us to better plan what increases we will have to find.

**Business Rates Retention Pilot**

Unfortunately the Norfolk bid for Business rates retention pilot was not successful. We will now have to watch Suffolk and other Pilot areas to see how they evolve going forward. This is a disappointment as the scheme was likely to produce around £800,000 for West Norfolk that we would have utilised in revenue generation schemes, to help budgetary pressures going forward.

**2 Forthcoming Activities and Developments.****Love West Norfolk**

The official launch of the Love West Norfolk Campaign has seen real interest with many retweets and likes on social media. The campaign is set to really wave the flag for West Norfolk and promote all that is good about our area. Not just for Tourists, but to encourage inward investment and attract the best employees to our local businesses.

**Business Rates Transitional Relief**

As outlined within the agenda we have not utilised all the funding allocated to us from Government for transitional relief for business rate payers. The paper outlines the further distribution to allow more relief from those that were affected by latest re-evaluation.

### Operation METIS 2018

I played a very small part in the recent desk top exercise for our senior management team / Directors. This was a training scenario for dealing with emergency situations that would put severe strain on the council's operations. Preparation for such occurrences with these exercises helps with being prepared should similar situations/ scenarios happen.

### **3 Meetings Attended and Meetings Scheduled**

In addition to my usual round of Cabinet and Portfolio Meetings I have also attended the following.

Hunstanton Town Council Liaison Meeting  
Downham Market Town Council Liaison Meeting  
Water Management Alliance  
Traffic Problems Kings Lynn with NCC  
Environment and Community Panel  
Freebridge Housing – Various Meetings  
Regeneration and Development Panel  
Boundary Review Task Group  
Corporate Performance Panel  
Young Hero Awards  
Discussions with NNDC (second home council tax)  
Meetings With Water management Alliance / Middle Level Commissioners  
And Ely Group IDBs regards to Precept / Levy for 2018 Year  
Launch of the Love West Norfolk Campaign  
Operation METIS 2018

To be attended at the time of writing  
Local Hero Awards

**RECOMMENDATIONS TO COUNCIL ON 25 JANUARY 2018**  
**BY CABINET ON 28 NOVEMBER 2017**

**CAB90: PLANNING SCHEME OF DELEGATION**

Councillor Blunt presented a report which explained that the Planning Scheme of Delegation determined which applications would go to Planning Committee, and which could be dealt with under powers delegated to the Executive Director - Environment & Planning. The Planning Committee should deal with the more contentious and often finely balanced applications, and those that required a particular level of public scrutiny.

The Scheme was last amended in March 2015, where it was updated in line with legislative changes and particular issues. However the impact of the high number of applications that were going to the Planning Committee, was an issue that needed to be resolved, and it was evident that this Council take more applications to Committee than any of our neighbouring Councils. As a result the officer and indeed Councillor time and resources that were currently going into the preparation and operation of the Committee was considered to be disproportionately high.

The preferred way forward was to amend the Scheme of Delegation through the creation of a Sifting Panel, reviewing those applications that would normally go to Planning Committee, to determine whether or not they should go. The Sifting Panel would be made up of the Chairman and Vice-Chairman of the Planning Committee, the Portfolio Holder for Development, a Member of the Planning Committee and the Executive Director and Assistant Director (Environment & Planning).

The Sifting Panel had been the subject of a 3 month trial period, as well as a further trial in front of Planning Committee members, and was considered to be an acceptable way forward.

Councillor rights to call-in a planning application within 28 days of its publication on the weekly list would however remain. The scheme would be reviewed after 12 months of operation.

Under Standing Order 34, Councillor J Moriarty addressed the Cabinet expressing concern about the Sifting Panel and its trial run. He considered that there should have been notes of the trial meetings held to date and more evidence presented on the potential figures involved.

He considered that the removal of the requirement for Parish Council disagreements with officers recommendations going straight to Committee were in contravention of the Localism Act and the Statement of Community Involvement and the report should have been submitted to a Scrutiny Panel. He considered that the sifting panel would already know the officers view on applications when it looked at them and that parishes should have been consulted on the proposed changes. He felt that more detail was required on the mechanics of the scheme.

It was confirmed that the proposals did not contravene the Localism Act or the Statement of Community Involvement, as the consultation arrangement on applications for parishes was not changing. It was also confirmed that at the stage the Panel would meet the view of officers would not be known, and that if there was any question mark as to whether an application should go to Committee the Panel would send it. With regard to the issue of minutes of the sifting processes was explained that a list would be prepared of the outcome of the meeting, but it was not intended to make the whole process more bureaucratic. The Planning Committee had seen the process in operation and had supported the recommendations.

Under Standing Order 34, Councillor Parish addressed Cabinet and stated that he took exception to any view that parishes caused trouble when at odds with officer's opinions. He confirmed that he had supported the new process when it was viewed by the Planning Committee. He expressed concern that with the requirement for call ins only in the Members ward, members may chose not to call it in. He suggested that if a matter was called in to Committee, either the ward member or a representative from the Parish should attend to speak.

In response it was stressed that the point he raised about parishes causing trouble certainly was not the case. With regard to the issue of speaking on an item at Committee, it was confirmed that the Parish would be able to speak as part of the process already. It was considered that attendance by members, or when they weren't able to attend, an email explanation was respectful of the Committee.

Under Standing Order 34, Councillor Mrs V Spikings addressed the Cabinet and expressed the view that Members who had called items in should be told that if they don't attend Committee or send an explanatory email, the item would be dealt with under delegated powers. In expressing her support for the recommendation, Councillor Mrs Spikings drew attention to the fact that the Planning Department were under pressure to deliver within the deadlines, and the preparation of reports was extremely time consuming. Members would be able to attend the sifting process should they wish to do so and items called in by Members would not come before the Panel.

Councillor Beales commented that where a Councillor was active in their ward they would generally call an item in if requested. He confirmed if he was not able to attend a called in matter at Committee he had always sent an explanatory email to the Chairman for the Committee's information. With regard to the issue of the information on numbers of applications etc he suggested that these be available to for the 12 months review, along with some further refinement on the "exceptional circumstances" which would allow call in across wards.

The Cabinet agreed that the proposal should improve the processes by looking at the mechanisms with a review after 12 months, without entering into a bureaucratic process.

**RECOMMENDED:** 1) That applications due to go to Planning Committee (except those subject to the Member call-in right) be considered first by a Sifting Panel. The Sifting Panel may resolve that an application that would need to go to Planning Committee under 1.1.2 – 1.1.4 of the current Scheme of Delegation (attached to the report) can be determined under officer delegated powers.

2) That the current Member call-in right and the current timescale for it be retained but amended to ensure that Members only call-in applications within their own Wards (unless exceptional reasons dictate otherwise), and that reasons for calling-in the application are given.

3) That the operation of the Sifting Panel and the detail of “exceptional circumstances” set out in the report be reviewed after 12 months of its commencement and the relevant Scrutiny Panel be invited to carry out the review.

### **Reason for Decision**

To allow a more proportionate use of the Planning Committee, both in terms of Members and officers time and resources.

## **CAB92: CHARGING FOR HOUSING ACT 2004 ENFORCEMENT**

The Housing Services Operations Manager presented a report which reviewed powers and made recommendations to introduce charges in relation to the recovery of costs associated with private sector housing enforcement under Housing Act 2004. She explained that wherever possible it was encouraged that landlords and tenants would sort their issues between them, but on occasions it required the Housing Standards Team to step in. It would still be encouraged to resolve the issue informally without having to go down a Notice route, but the recommendations allowed for the charging process should that be required. She confirmed there was a route of appeal to an independent body for landlords should they feel the need. It was confirmed that there had been 14 incidences of intervention with formal notices in the past year.

Cabinet confirmed it was not intended to be heavy handed, but it was necessary that the housing provided in the Borough was of a standard fit for people to live in and the Council should not have to subsidise those landlords who were remiss.

**RECOMMENDED:** That the policy to introduce charges in relation to housing enforcement notices and reasonable administrative costs for emergency remedial action and works in default as set out in the report be approved.

### **Reason for Decision**

To ensure that the Council is able to recover legitimately incurred costs for housing enforcement as set out in Housing Act 2004.

## **CAB93: COUNCIL TAX SUPPORT SCHEME 2018/19 : FINAL SCHEME**

Councillor Lawrence presented a report which reminded Members that the Council must review and agree its 2018/2019 Council Tax Support (CTS) scheme for working age people by 31 January 2018. Options for the draft CTS scheme for 2018/2019 were presented to the Corporate Performance Panel on 17 July 2017 and the preferred draft CTS scheme was chosen. This was agreed by Cabinet on 6 September 2017. The draft CTS scheme was then opened to public consultation from 7 September 2017 to 18 October 2017.

The report detailed the results of the consultation and the recommended final CTS scheme for 2018/2019.

The Executive Director - Resources drew members attention to the delegation proposed to permit the Leader in consultation with officers to prepare the first stage of the scheme in the future with the report coming to Cabinet after the consultation process.

**RECOMMENDED:** 1) That the responses from the Council Tax Support consultation at Section 3 and Appendix B to the report be noted.

2) That the draft Council Tax support scheme detailed in the Cabinet report of 6 September 2017 be recommended to Council as the final Council Tax Support scheme for 2018/2019.

3) That in future years delegated authority be given to the Leader, in consultation with the relevant Portfolio Holder and s151 Officer, to agree the draft Council Tax Support scheme to go out to public consultation.

### **Reason for Decision**

To ensure a Council Tax Support scheme for 2018/2019 is agreed by full Council by 31 January 2018

### **Exempt Item**

#### **CAB96: STALLED SITES**

Councillor Beales presented a report which proposed a process that could be used to progress stalled sites across the Borough and allow for smaller development sites to be purchased and developed to provide housing for local people whilst tackling sites which were in need of attention. He hoped the relevant Panel would review the scheme in due course.

The Corporate Project Officer explained that the proposals could not be carried out within the existing resources so the appointment of an additional post to be funded from the scheme was proposed.

**RESOLVED:** 1) That officers be authorised to set up a framework agreement to allow builders to develop sites for the Council that are too small to be developed efficiently as part of the Major housing contract with Lovell.

2) That the creation of a new project officer post as set out in sections 6 and 8 of the report be approved.

**RECOMMENDED:** 1) That the process for progressing stalled sites within the Borough be agreed as laid out in the report.

2) That the Scheme of delegation laid out in section 5 of the report be approved.

3) That officers be authorised to use the funds identified in section 6.2 of the report to help fund the initial cost of the legal costs and officer resource.

4) That officers be authorised to use the same scheme to acquire further sites for development using the major housing contract.

**Reason for Decision**

To progress the delivery of sustainable housing.

To achieve a commercial return for the Council (through capital and revenue receipts).

To deal with poor or blighted sites across the Borough.

**RECOMMENDATIONS FROM CABINET ON 9 JANUARY 2018 TO COUNCIL ON 25 JANUARY 2018**

CAB105 **EQUALITIES POLICY**

The Policy, Performance and Personnel Manager presented a report which explained that the Council's corporate Equality Policy was last updated in 2008. Since then there had been changes to legislation with regards to equalities issues, which had been reflected in the Council's procedures and practices but which were not reflected in the current policy. The policy had therefore been revised to bring it up-to-date with regards to the roles and responsibilities of a local authority. An amended Glossary of Terms had also been distributed.

**RECOMMENDED:**

1. That the proposed revised Equality Policy be approved
2. That the steps required to implement the new policy, including the provision of training be supported.
3. That delegated authority be granted to the Executive Director, Central and Community Services, in consultation with the relevant Portfolio Holder, to agree amends/updates to the Policy that may be required to ensure it remains compliant with legislation

**Reason for Decision**

To ensure that the Council meets its statutory duties with respect to equalities

CAB106 **NON DOMESTIC RATES - DISCRETIONARY REVALUATION RELIEF 2017/18**

The Revenues and Benefits Manager presented a report which explained that at the Budget on 8 March 2017 the Chancellor had announced the Government would make available a discretionary fund of £300m over four years from 2017/2018 to support those businesses facing the steepest increases in their business rates bills as a result of the 2017 business rates revaluation.

It was noted that every Billing Authority had been awarded a share of the £300m based on the increases in their rates bills, and Billing Authorities were free to decide on a scheme to allocate this to their ratepayers.

The Council agreed its Discretionary Revaluation Relief Scheme for 2017/2018 on 21 September 2017. Take up of the scheme had been monitored closely and it appeared that, now the majority of eligible businesses had claimed their relief, there was surplus funding available for 2017/2018. Any unspent funding at the end of the year had to be returned to Central Government and could not be transferred to another year. Therefore the report detailed the options for distributing the surplus.

Cabinet Members asked whether there was any possibility that further claimants would come forward, and whether the claims would be similar for year 2. It was explained that there was a small contingency set aside from the budget, but that

much work had gone into getting eligible businesses to apply, and the year 2 calculations had been mapped using this years figures.

It was noted that the Corporate Performance Panel had considered the report and supported the proposed recommendation.

## **RECOMMENDED**

That the Discretionary Revaluation Relief Scheme be amended as detailed in Section 3 of the report.

### **Reason for Decision**

To ensure the Council's Discretionary Revaluation Relief Scheme distributes the maximum amount of help available to local businesses whose business rates bills have increased as a result of the 2017 revaluation.

## **CAB107 SCRUTINY REVIEW**

Councillor Long presented the report which presented the conclusions of the Scrutiny Structures Task Group over a year on from the re-structure which had taken place in 2016.

The report set out the Task Group's response to the questionnaire issued on Scrutiny structures and arrangements generally which had been issued to all Councillors, and elicited 31 responses. Any proposals to change the current arrangements were included as recommendations to Cabinet and Council for implementation for the 2017/18 Municipal year.

Under Standing Order 34 Councillor Joyce addressed the Cabinet explained that he hadn't completed the survey but felt that combining policy review and scrutiny meant that a Panel would be scrutinising itself. He also commented that he supported the recommendation that the Leader should appoint the Chairmen.

Under Standing Order 34 Councillor Pope stated that there were many comments about the Audit Committee. He questioned how the Committee could have more training sessions when they currently had them prior to each meeting. He asked why the training should be obligatory when it wasn't for other Panels and suggested that the numbers on panels would be better suited with a lesser number such as 9. Councillor Pope also commented that he supported the Leader appointing the Chairmen, and also stated that when members couldn't attend meetings they should obtain a substitute for the meeting as in not attending it was preventing other members from taking up the opportunity.

In response to Councillor Pope's questions, the Leader explained that in no way was the content of the report or the responses to the questions a criticism of himself or the Audit Committee but a compliment. The responses indicated that the arrangements he had set up for the new Committee were supported by Members and should continue into future years. The reasoning behind the recommendation

that Audit training be obligatory was because they were carrying out specific tasks on behalf of the Council and should be trained accordingly. Councillor Long also indicated that making the size of the Panels larger ensured proportionality and membership of more of the opposition members with smaller groups.

In response to Councillor Joyce's comment on scrutiny, Councillor Beales explained that the Panels were involved in the development of policy which would then come forward to the Cabinet for a decision and recommendation to Council. The Panels would then scrutinise and monitor the decisions of Cabinet.

Each of the Panels had considered the report and had submitted their comments to Cabinet as set out in the extracts published. Cabinet gave full consideration to those comments made.

Taking into account the comments of the Panels it was agreed that recommendation 9 in the report relating to the appraisal of Chairmen be deleted (and the following recommendations be renumbered)

**RECOMMENDED:**

- 1) That all the current arrangements continue with the exception of those items listed below
- 2) That the attendance of Audit Members for Audit training should be obligatory as it is for Planning and Licensing initial training.
- 3) That Panels be encouraged use the powers available to them and therefore make clear recommendations on items coming before them so they can be incorporated into reports in the progress of being prepared, or taken into account at the Cabinet meeting.
- 4) That Panels should consider their own performance indicators and they be encouraged to monitor the progress in line with the Corporate Objectives through that route.
- 5) That the number of post implementation reviews undertaken be monitored by the Joint Chairs meetings.
- 6) That in working on policy development and reviews and project programme work, Panels be encouraged to have discussions with portfolio holders :  
  
For example – Cabinet Members could attend a Panel meeting at the beginning of the year to discuss their plans for the year in order to incorporate potential items into work plans in accordance with the Business Plan.
- 7) That the Leader nominate the Panel/Committee Chairs for agreement at Council with the Vice-Chairs to be appointed by the Panels/Committee.
- 8) That terms of reference be approved for Chairs of Scrutiny bodies (set out as an appendix). (NB they include the points raised in question 15 set out in the report)

9) That the amended arrangements be reviewed after a further 12 months of operation.

**Reason for Decision**

To seek to make the roles and functions of the Council's policy development and scrutiny panels more effective and thereby enhance the good governance of the Borough Council. Report recommendation 9 was deleted to take into account comments made from the Panels.

**REPORT TO COUNCIL**

Date of Meeting: 25 January 2017

**Recommendations from Standards Committee**

On 28<sup>th</sup> November 2017 the Standards Committee subcommittee considered a report on behalf of the Council's Monitoring Officer following an investigation into a complaint against Cllr Patrick Rochford. The report found that Cllr Rochford had breached the King's Lynn and West Norfolk Borough Code of Conduct.

**RECOMMENDATIONS TO COUNCIL**

The subcommittee has made the following recommendations to Council;

- Cllr Rochford be reported to Full Council and censured.
- Cllr Rochford be removed from any committee membership and removed from appointment to any outside body.

A COPY OF THE DECISION NOTICE IS APPENDED TO THIS REPORT

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



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

**Standards Committee Hearing**

**Date: 28 November 2017**

**Complaint Reference Number: 008083**

**Borough Councillor Patrick Rochford**

**DECISION NOTICE**

Standards Committee Members	Borough Councillor B Ayres (Chairman) Borough Councillor S Sandell Borough Councillor C Manning
Council Officers	Wendy Vincent, Democratic Services Officer Emma Duncan, Monitoring Officer
Independent Person	Carol Wilkinson
Local Investigator	Alexa Baker
Date of Investigator's Report	12 October 2017

## Decision Notice

**Standards Committee Hearing**  
**Borough Council of King's Lynn and West Norfolk**  
**Date: 28 November 2017**  
**Reference: 008083**

### **1. Summary of the Complaint:**

It is alleged that Borough Councillor Patrick Rochford, in summary, breached the Code in that he:

- Made false and vexatious allegations against the Complainant.
- Posted libellous and denigrating tweets about the Complainant.
- Has bullied the Complainant.

### **2. Relevant sections of the Code of Conduct**

The Borough Council has adopted the Code.

The Code contains the following provisions that are relevant to this investigation:

*"As a Member of the Borough Council of King's Lynn and west Norfolk my conduct will in particular address the statutory principles of the Code by:*

*Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.*

*Always treating people with respect, including the organisations and public I engage with and those I work alongside."*

### **3. Summary of evidence considered and representations made**

The Investigator found that Borough Councillor Patrick Rochford did breach the Code of Conduct by failing to engage with the Complainant (as his colleague) in an appropriate manner and one that underpins the mutual respect that is essential to good government, and (as a separate behaviour) also failed to treat the Complainant with respect.

### **4. Facts and Reasons**

The Panel carefully considered the report, considered the additional representations made by the complainant and Cllr Rochford's representatives and reached the following conclusions;

#### **Tweets made by Cllr Rochford during May 2017**

The Panel were satisfied that the tweets occurred in the course of Cllr Rochford acting as a councillor as they originated from a public Twitter account that identified him as the "Conservative Borough Councillor in King's Lynn and West Norfolk, representing the 'Gaywood Northbank' ward". The Panel noted that in some tweets the complainant was identified and made reference to the fact that she had been suspended. Cllr Rochford tagged in the complainant and also news agencies. All of these tweets were public and not protected.

The Panel felt that the tweets sought to undermine the position of the complainant publically and that Cllr Rochford had breached the Code of Conduct in that the complainant could be identified from the content of the tweets and referred to "allegations" made against her. The Panel found that by tweeting in the way that he did that Cllr Rochford did not treat the complainant in an appropriate manner or with respect and brought the Council into disrepute.

#### **Tweet made on 31 August 2017 by Cllr Rochford**

The Panel noted the tweet occurred during the course of a council meeting at which both the complainant and Cllr Rochford were present and was made through Cllr Rochford's publically accessible Twitter account which identified him as a Councillor, and therefore considered that the tweet was made in the course of his role as an elected member.

The Panel also noted that the complainant and other Members present at the meeting were aware of who the tweet was about. In the light of tweets made previously in May about the complainant, the Panel considered this to be another attempt to undermine her publically. The Panel were satisfied that the tweet constituted disrespectful conduct towards the complainant, and consequently was a breach of the Code.

#### **Intimidating conduct on 31 August 2017 by Cllr Rochford**

The Panel felt on balance that the evidence supported the complainant's version of events. They were mindful that the complainant's assertions were corroborated by two other members who had witnessed the alleged incident.

They were also mindful that Cllr Rochford had sent a tweet during the meeting commenting on the complainants manner of dress that did indicate a course of conduct that was consistent with the complainants account.

They considered that that this was a breach of the respect provisions of the Code.

#### **Course of conduct consistent with targeting the complainant**

The Panel found that there was a course of conduct over a period of time which demonstrated behaviour towards an individual that was targeted. The behaviour in the view of the Panel fell short of those standards expected of an elected member and that this was a breach of the respect provisions of the Code.

### **5. The Panel identified the actions identified above as being a breach of the Borough Council of King's Lynn and West Norfolk Code of Conduct.**

### **6. Sanctions**

The Standards Committee at the Borough Council of King's Lynn and West Norfolk exists to maintain high standards of conduct amongst elected members in line with the Code of Conduct and the expectations that the public have of elected members.

On this occasion they felt that Cllr Rochford's conduct fell short of the standards expected. Taking into account the circumstances of the case and its seriousness, in particular the repeated nature of the conduct and previous interventions to address Cllr Rochford's use of Twitter that had been made by the Monitoring Officer, the Panel recommended that;

- Cllr Rochford be reported to Full Council and censured.
- Cllr Rochford be removed from any committee membership and removed from appointment to any outside body.
- Cllr Rochford be required to return any Council issued technology, including iPads and telephones with immediate effect and that this should remain in place until the end of his current term of office.

Signed...



..... Date:

*30 November 2017*

(Councillor B Ayres, Chairman of the Standards Committee Hearing)

**REPORT TO COUNCIL**

Lead Member: Councillor Brian Long E-mail: <a href="mailto:cllr.brian.long@west-norfolk.gov.uk">cllr.brian.long@west-norfolk.gov.uk</a>		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Samantha Winter E-mail: <a href="mailto:sam.winter@west-norfolk.gov.uk">sam.winter@west-norfolk.gov.uk</a> Direct Dial:01553 616327		Other Officers consulted:		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) NO	Equalities Impact Assessment NO	Risk Management Implications NO

**Date of Meeting: 25 January 2018**

**APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODY – KING’S LYNN CONSERVANCY BOARD**

**Purpose of Report**

This report seeks the nomination of two representatives to serve on King’s Lynn Conservancy Board to the period to 31<sup>st</sup> January 2020 and 31<sup>st</sup> January 2021.

**Recommendation**

That Council nominates two Borough Council representatives to serve on the King’s Lynn Conservancy Board.

**Reason for decision**

To ensure that the Council has continued representation on the King’s Lynn Conservancy Board.

**1. BACKGROUND**

Council are invited to nominate four representatives to serve on the King’s Lynn Conservancy Board. Appointments are made for a three year period and representatives are able to serve for a maximum of three terms, plus a further term if they become the Chairman.

Current Borough Council representation is as follows:

Councillor Ayres – to 31<sup>st</sup> January 2019  
Councillor Sampson – to 31<sup>st</sup> January 2019  
Councillor Kunes – to 31<sup>st</sup> January 2018  
Vacancy – to 31<sup>st</sup> January 2020.

**2 APPOINTMENT OF REPRESENTATIVES**

Councillor Kunes term of office will expire on 31<sup>st</sup> January 2018. There is currently also one vacancy on the Board. Council are required to nominate 2 representatives to serve on King’s Lynn Conservancy Board.

### **3 CONSTITUTION OF KING'S LYNN CONSERVANCY BOARD**

The King's Lynn Conservancy Board Constitution states that each member appointed shall be a person who appears to the Board to have special knowledge, experience or ability appropriate to the efficient, effective and economic discharge by the Board of their functions including in particular (but without prejudice to the generality of the foregoing) special knowledge, experience or ability in one or more of the following matters:

- (a) Management of harbours
- (b) Industrial and commercial activities
- (c) Shipping or other forms of transport
- (d) Navigation
- (e) Environmental matters affecting harbours and management of water related activities.
- (f) Administration and finance
- (g) Community and leisure interests
- (h) Any other skills and matters considered relevant from time to time by the Board to the discharge by them of their functions.

and each appointing body shall secure, so far as reasonably practicable, that the members appointed by them respectively will, between them, have special knowledge, experience and ability in a broad and complementary range of matters relevant to the efficient, effective and economic discharge by them of their functions.

### **4 BACKGROUND PAPERS**

Outside Bodies Database.