

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK****COUNCIL****Minutes from the Meeting of the Council held on Thursday, 24th September, 2015 at 6.30 pm in the Town Hall, Saturday Market Place, King's Lynn**

**PRESENT:** Councillor C Manning (Chairman)  
 Councillors B Anota, B Ayres, L Bambridge, A Beales, R Blunt, Mrs C Bower, A Bubb, Mrs J Collingham, P Colvin, C Crofts, N Daubney, I Devereux, P Gidney, R Groom, G Hipperson, P Hodson, M Chenery of Horsbrugh, Lord Howard, M Howland, H Humphrey, C Joyce, C Kittow, P Kunes, A Lawrence, B Long, G McGuinness, Mrs K Mellish, G Middleton, J Moriarty, Mrs E Nockolds, M Peake, D Pope, P Rochford, C Sampson, Miss S Sandell, T Smith, Mrs V Spikings, Mrs S Squire, M Storey, J M Tilbury, A Tyler, D Tyler, Mrs J Westrop, D Whitby, T Wing-Pentelow, Mrs A Wright and Mrs S Young

Apologies for absence were received from Councillors P Beal, R Bird, Mrs S Buck, J Collop, Mrs S Collop, Mrs S Fraser, I Gourlay, M Hopkins, A Morrison, G Wareham, Mrs E Watson, A White and Mrs M Wilkinson

**C:33 PRAYERS**

Prayers were led by the Mayor's Chaplain, Father Ling.

**C:34 MINUTES**

**RESOLVED:** The Minutes of the Meeting of the Council held on 30 July 2015 were approved as a correct record and signed by the Chairman.

**C:35 DECLARATION OF INTEREST**

The following Councillors declared pecuniary interests in item CAB54: Site Allocations and Development Management Policies Plan – Responses to Inspectors Request for Further Information:

Councillor A W Beales, Lord Howard, Mrs V Spikings.

**C:36 MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS**

None

**C:37 URGENT BUSINESS**

None

**C:38**      **PETITIONS AND PUBLIC QUESTIONS**

The Mayor invited County Councillor Alexandra Kemp - Labour Independent Councillor for the Division of Clenchwarton and King's Lynn South to come forward and ask the following Public Question as set out below. Ms Kemp also presented a 93 signature petition to the Mayor.

“West Winch is a fen-edge village underlain by impermeable Kimmeridge clay with a very high water table; the local Drainage Board's 2014 Report confirms what I know as the County Councillor that West Winch has a legacy of poorly installed drainage, a lack of proper mapping and ongoing maintenance of existing drainage courses; Anglian Water affirm that watercourses over the next 100 years will need extra capacity to allow for 20% increase in water due to rising sea levels and climate change.

Therefore will the Borough Council tonight vote against the current proposal before it and not include the waterlogged pasture west of Gravel Hill Lane in the Local Development Plan for 250-300 houses; this was taken out of the plan following consultation and it does not make sense to build at the lowest point of the village; the drainage ditch running along the south, west and north edge of the field has not been maintained since 1940 when it was dug up by the Agricultural War Commission to grow food during the Second World War - and the monumental engineering scheme and regular and constant upkeep to prevent flooding will make the development economically unviable; thousands of pounds will also need to be spent to resite 6 pylons in the field and the 15 overhead cables; developers will need to make a profit and it will be the public sector that will have to pick up the tab, when corners are cut on proper drainage, to prevent West Winch in the future becoming flooded like the Somerset Levels?”

Councillor Daubney responded that he believed the question was would the Council vote against the recommendation, which he reminded her that until the vote was taken that wasn't known.

He acknowledged that the decision that had to be taken was not easy, but should those residents in housing say there should be no more housing development. He stated that he had been advised that the development of the site was viable and had been assessed as essential to provide the infrastructure and community facilities required which would be for the benefit of the new and existing residents. In accordance with the Parish Council's own drainage strategy the development of the proposed site had the potential to improve the drainage in the area, the lower part of the site was envisaged to be used for open space and allotment type use, and there would not be housing positioned under the pylons. The allocation of the site was in accordance with the national policy in terms of flood risk, (zone 1 low flood risk) and suitable for housing. The North Runcton and West

Winch Surface Water Management Strategy prepared for the Parish Councils by the Middle Level Commissioners maps 1 in 100 year flood events, and the site fell well outside of those. The drainage constraints were that the area was developable as long as appropriate drainage infrastructure was implemented. It was understood that there had been previous minor flooding and drainage issues in the existing neighbouring estate, and there may be some potential to relieve those problems with appropriate design in the proposed new area.

By way of a supplementary question, County Councillor Kemp asked that if in view of the fact that there had been flooding issues in West Winch and the drainage ditches along Gravel Hill were full of water, should local knowledge not be taken into account and the issue be deferred and re-examined. She raised concern that the developers would cut corners for profit.

Councillor Daubney responded that he disagreed with the statement, and that in order to have the infrastructure required the housing needed to be provided.

## C:39 **CABINET MEMBERS REPORTS**

### i **Culture Heritage and Health - Councillor Mrs E Nockolds**

Councillor Mrs Nockolds presented her report. Councillor McGuinness asked what the usage, income and expenditure situation was for the pontoons on the quay for the year. Councillor Mrs Nockolds responded that the pontoons had been a great asset along the waterfront and had been at the forefront of the well attended Hanse Water Skiing championships recently. The pontoons were marketed through a web site set up by the Borough and advertised in conjunction with Wisbech and Fosdyke, and would soon include Wells and Boston. The site had received over 14,000 hits last year, and over 13,000 hits so far this year. Last year there had been 71 visits to the pontoons over 98 nights, and this year 77 visits over 92 nights with 43 of them in July. August couldn't accommodate visitors because of the waterskiing.

Councillor Nockolds further explained that the income for the year had been £2,500, and the main expenditure had been payment to the yachting association, and business rates. The high tides earlier in the year had also caused £2,000 worth of damage. Therefore the total expenditure last year was £8,700, but the anticipated expenditure for the current year was £2,113.

Councillor Blunt complimented Councillor Nockolds on the Hanseatic Water skiing racing held along the river from the pontoons. He had enjoyed the racing immensely as had those members of the public he had spoken to. He asked what feedback had been given from the organisers. Councillor Mrs Nockolds concurred that it had been an

amazing weekend of water skiing with fabulous weather, the restaurants were the busiest ever, people also brought picnics and chairs. The organisers had complimented the staff involved from the Council and had confirmed that they would like to make it an annual event, to tie in with the high tides, possibly in July next year.

Councillor A Tyler asked for details on the Portfolio holder's meeting with English Heritage, Cambridge. Councillor Mrs Nockolds responded that she and Councillor Avril Wright, who was the Heritage Champion, had held an interesting meeting with them, in an effort to gain their support in promoting King's Lynn. She would then be looking to bring forward a Heritage Strategy.

ii **Coast and Tourism - Councillor P Beal**

Councillors were invited to present any questions to Councillor Beal via emails as he was unable to be present.

iii **Development - Councillor Mrs V Spikings**

As Councillor Mrs Spikings had resigned from her position on the Cabinet Councillors were invited to pose any questions on the area of responsibility via email and answers would be provided.

Councillor Tilbury asked if the appointment was a Council appointment, to which it was explained that the membership of the Cabinet was in the gift of the Leader, and Council only noted those positions at Annual Council, not authorising them.

Councillor Moriarty asked if the reference to the changes in the government guidance on the fact that deliberate breaches in planning control could be taken into account as a factor when determining planning applications could assist where no applications had been made.

Councillor Joyce questioned why the Cabinet appointments were not taken by a nem con vote at Council. The Monitoring Officer reiterated the previous advice given and offered to explain the detail outside of the meeting.

iv **Environment - Councillor B Long**

Councillor Long presented his report. Councillor A Tyler expressed concern at the fly tipping which had occurred in the Bawsey Drain in his Ward, and asked if the Portfolio Holder would assist in encouraging the IDB to clear the area and assist in keeping it clear. Councillor Long confirmed that the King's Lynn IDB regularly cleared the drain often at considerable expense, CCTV had also been installed. He undertook

to encourage the IDB to keep on top of any tipping in order to try to discourage any further incidents.

Councillor Joyce asked if Councillor Long saw the decision of the County Council to close the Docking recycling site as progressive with a detrimental effect on the area. Councillor Long explained that had he been on the County Committee which made the decision he would have voted against it. He drew attention to the fact that the Green and Independent Councillors had voted for the closure, and the UKIP Chairman had carried the decision with his casting vote. Councillor Long commented that whilst it may have been one of the lesser used sites, it was much more convenient for those living along that part of the coast, and would cause much longer journeys for people to dispose of the recyclable materials, or people may pass on waste to unlicensed operators who could dispose of it illegally. He confirmed that when the issue came to the Full County Council for consideration he would vote against it. Councillor Chenery of Horsbrugh also commented that he had lobbied in favour of saving the site.

v **Housing and Community - Councillor A Lawrence**

Councillor Lawrence presented his report. Councillor Moriarty asked if the Panels had been aware of the court case mentioned regarding the affordability thresholds. Councillor Lawrence responded that when he had gone to the panel meeting he was not aware of the case.

vi **ICT, Leisure and Public Space - Councillor D Pope**

Councillor Pope presented his report. Councillor Smith asked if the Trim Trail at Lynnsport was now complete and available for use. Councillor Pope confirmed the official opening had taken place the previous Tuesday.

vii **Special Projects - Councillor Lord Howard**

Councillor Lord Howard presented his report. There were no questions.

viii **Deputy Leader and Regeneration and Industrial Assets - Councillor A Beales**

Councillor Beales presented his report. There were no questions.

ix **Leader and Resources - Councillor N Daubney**

Councillor Daubney presented his report. Councillor Tilbury asked what discussions were taking place with the Government and other agencies regarding the part the Council would play in welcoming a

certain number of refugees to West Norfolk. Councillor Daubney confirmed that it was taking time to receive the information, but there was a major meeting the following day regarding the resettlement of approximately 8 families from Syria. They would be settled on mainly urban areas in Norfolk. Preparations would have to be made for homes, schooling, religion, trauma etc for the families. He confirmed he had sent a briefing round that morning, and would continue to do so. Councillor Tilbury stressed that the public also needed to know what would be happening.

Councillor A Tyler asked for re assurance that if Devolution came to fruition that the devolved powers would be of ensure standards would improve in those areas. Councillor Daubney commented that it would result in improved services in those areas where power and budgets were devolved.

Councillor Tilbury asked the Leader, as there was no portfolio holder for Development, if he would accept and pass on thanks to Councillor Spikings for the dual role she had held and the work carried out in recent years. He commented that if when considering a replacement the Leader wouldn't disregard a pool of talent available.

Councillor Daubney confirmed that he was happy to pass on those congratulations and thanks to Councillor Spikings on behalf of the whole Council. Council gave a round of applause for Councillor Spikings.

C:40 **MEMBERS QUESTION TIME**

C:41 **RECOMMENDATIONS FROM COUNCIL BODIES**

i **Cabinet: 28 July 2015**

Councillor Daubney, seconded by Councillor Beales proposed the recommendations from the Cabinet Meeting on 28 July 2015:

CAB35: Update To Contract Standing Orders

CAB36: Constitutional Matters - Update To Member / Officer Protocol

**RESOLVED:** That the recommendations from 28 July 2015 be approved.

ii **Cabinet : 9 September 2015**

Councillor Daubney, seconded by Councillor Beales proposed the recommendations from the Cabinet Meeting on 9 September 2015:

CAB 46: Annual Governance Statement 2014/15

CAB47: Statement of Accounts 2014/15 and report to those charged with

Governance

CAB49: Non Domestic Rates: Extension of Transitional Relief

CAB51: Business Continuity Management Policy Statement and Strategy

CAB55: Revisions to the Member Code of Good Practice for Planning

The recommendations were approved without debate.

At this point in the Meeting Councillors Beales, Howard and Spikings declared potential pecuniary interests and left the meeting.

Councillor Daubney proposed the recommendation CAB54: Site Allocations and Development Management Policies Plan – Responses to Inspector’s Request for Further Information, which was seconded by Councillor Long. Councillor Moriarty sought the Mayor’s permission for his comments on this item to take more than the permitted 5 minutes. The Mayor consented.

Councillor Moriarty proposed an amendment to the recommendations – to remove recommendation 3(d). He made reference to the two different issues - the request from the Planning Inspector carrying out the Examination into the LDF for further information, and the ruling made on the 5 year land supply.

He considered that including the additional land at West Winch was a mistake, as he considered that it did not relate to the issue of the Examination, but the 5 year land supply, and was something that the LDF Task Group had not had the opportunity to consider or prepare for or hadn’t undertaken a site visit to. He considered that what Members had been told by officers that the Inspector had required modification to the Plan was incorrect as he felt that the issue related to the 5 year land supply. In referring to the West Winch allocation he commented that the whole development wouldn’t fund a link road before 2026.

Councillor Moriarty stated that he considered the proposal ignored the duty to consult, and that the Plan had already been submitted as a final version. He further stated that whilst the people of West Winch welcomed development, this proposal was against their wishes, and he considered that it was not fair to load 3,800 of the overall requirement for the Borough into one area. He encouraged Members not to abstain in voting.

Councillor Tilbury seconded the amendment stating that it gave a voice to local people, and that he felt it put a serious risk to the Borough’s LDF position. He stated that the Inspector had asked the Borough to come up with some areas for improvement which had been done, but the addition of the site would not go unnoticed. He considered that the consultation that was going on appeared to be turning in favour of the developer, but the Borough needed protecting from that.

Councillor Anota stated that West Winch had worked with the Borough to present the original proposals, but that it was now unreasonable to add the development without looking at potential other sites around the Borough. Many smaller villages had scope for expansion.

Councillor Gidney supported the comments made and stated that with the economic climate more difficulty would be experienced in the future for larger developments because they had the requirement to put more expensive infrastructure in place. He considered it was more risky than spreading the Borough's development throughout the Borough, which would bring gainful employment and properties throughout.

Councillor Daubney responded that he had listened to the arguments, and commented that it would be very easy to agree, but that if the proposal to include the land failed, the required infrastructure would not take place and the viability of the whole site failed.

Councillor Moriarty, with the required number of supported requested a recorded vote on the amendment.

<b>For</b>	<b>Against</b>	<b>Abstain</b>
B Anota	B Ayres	
P Gidney	L Bambridge	
C Joyce	C Bower	
C Kittow	R Blunt	
G McGuinness	A Bubb	
J Moriarty	M Chenery of Horsbrugh	
J M Tilbury	J Collingham	
A Tyler	P Colvin	
	C Crofts	
	N Daubney	
	I Devereux	
	R Groom	
	G Hipperson	
	P Hodson	
	M Howland	
	H Humphrey	
	P Kunes	
	A Lawrence	
	B Long	
	C Manning	
	K Mellish	
	G Middleton	
	E Nockolds	
	M Peake	
	D Pope	
	P Rochford	
	C Sampson	



	S Sandell	
	T Smith	
	S Squire	
	D Tyler	
	J Westrop	
	D Whitby	
	T Wing-Pentlow	
	A Wright	
	S Young	
8	36	0

The amendment was lost.

On being put to the vote the substantive vote was carried.

**RESOLVED:** That the recommendations from the meeting on 9 September 2015 be adopted.

iii **Cabinet Scrutiny Committee: 17 September 2015**

There were no recommendations from Cabinet Scrutiny Committee.

C:42 **NOTICE OF MOTION**

Councillor Daubney proposed the following Notice of Motion (2/15), seconded by Councillor Long:

“This Council calls on the Ministry of Justice to retain King’s Lynn County Court, as a vital part of maintaining West Norfolk’s position as a vibrant local community.

Further, the Council instructs officers to assemble necessary facts and information to assist this Council in making the very strongest case to Government to retain the local service and investigates local facilities and assistance that the Council may offer to support retention of such services.”

In proposing the Notice of Motion, Councillor Daubney explained that the issue of the court potentially closing was brought to his attention by some local members of the legal profession following a notice on the Ministry of Justice Web site.

He considered that the family court often affected the most vulnerable members of society, many of whom lived in rural areas often without

transport, a long distance from Norwich should they be required to be present in the court in Norwich.

Councillor Daubney drew attention to the Government's anticipation of the level of growth for the Borough, that growth needed a robust justice system behind it. Businesses needed the access to the County Court locally, many local law firms operated out of the town and relied on the court. He considered that the Borough Council had to see what it could do to assist in the fight to keep the court open, whether that help was in the form of buildings or administration he would wish to find out. He would ask the officers to assemble the facts in what would be a retrograde step in closing the court.

Councillors Joyce and A Tyler expressed their support for the Motion. Councillor Tilbury in supporting the Motion stated it would be wrong to close down the court, which was vital to the town. He drew attention to the fight for electrification of the rail line by the Council in earlier years which had been successful in achieving it for the town.

**RESOLVED:** That the Motion be agreed.

**The meeting closed at 7.45 pm**