

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



# **COUNCIL MEETING**

## ***Agenda***

Thursday, 24th September, 2015  
at 6.30 pm

in the

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



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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, 24th September, 2015** 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**

To receive apologies for absence

### **3. MINUTES**

To confirm as a correct record the Minutes of the Meeting of the Council held on 30 July 2015 (previously circulated, pages 171-177).

### **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) **Culture Heritage and Health - Councillor Mrs E Nockolds** (Pages 6 - 8)
- 2) **Coast and Tourism - Councillor P Beal** (Pages 9 - 10)
- 3) **Development - Councillor Mrs V Spikings** (Pages 11 - 12)
- 4) **Environment - Councillor B Long** (Pages 13 - 14)
- 5) **Housing and Community - Councillor A Lawrence** (Pages 15 - 17)
- 6) **ICT, Leisure and Public Space - Councillor D Pope** (Pages 18 - 19)
- 7) **Special Projects - Councillor Lord Howard** (Page 20)
- 8) **Deputy Leader and Regeneration and Industrial Assets - Councillor A Beales** (Pages 21 - 22)
- 9) **Leader and Resources - Councillor N Daubney** (Pages 23 - 25)

**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) on any items in the Minutes of that Council Body which are being presented to the Council previously circulated.

## 10. RECOMMENDATIONS FROM COUNCIL BODIES

To consider the following recommendations to Council:

### 1) **Cabinet: 28 July 2015** (Page 26)

CAB35: Update To Contract Standing Orders

CAB36: Constitutional Matters - Update To Member / Officer Protocol

### 2) **Cabinet : 9 September 2015** (Pages 27 - 35)

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

CAB54: Site Allocations and Development Management Policies Plan – Responses to Inspectors Request for Further Information

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

### 3) **Cabinet Scrutiny Committee: 17 September 2015**

To consider any recommendations arising from the above meeting which meets after the dispatch of the Council agenda.

## 11. NOTICE OF MOTION

To consider the following Notice of Motion (2/15), submitted by Councillor Daubney:

“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.”

Ray Harding  
Chief Executive

**CABINET MEMBERS REPORT TO COUNCIL**

**24 September 2015**

**COUNCILLOR MRS EA NOCKOLDS  
CABINET MEMBER FOR CULTURE, HERITAGE AND HEALTH**

For the period 30 July to 12 September 2015

**1 Progress on Portfolio Matters.**

As part of the Town Hall project, 'The Stories of Lynn' exhibition materials have been subject to a procurement process with 5 shortlisted contractors. The results of the evaluated tenders will be reported at the next Cabinet meeting.

An Archivist has been appointed to start in the new year at the Town Hall's Archive Centre.

The steelwork for the new lift and stair extension at the rear of the Town Hall is being erected very soon and the first floor public toilets have been improved.

The current exhibition at the Lynn Museum explores the life and work of Frederick Savage, the creator of merry-go-rounds. The exhibition includes a number of products from St. Nicholas Ironworks which have not been on public display before. The exhibition includes a large chalk drawing of a racing cockerel conserved and framed with support from the 'Friends of the Lynn Museum'. A Junior Friends of King's Lynn Museum scheme has been launched. During the summer the Museum participated in a youth engagement project in partnership with Thetford Museum. The Museums Youth Forums, following visits to the Museums, made a film which describes their visit with the aim of encouraging other young people to visit Museums. The film will be circulated to museums in the region.

New external signage at the front of the Museum has been installed as well as an improved external environment which includes paved areas, seating and trees as part of the of the Bus Station improvements.

Due to the fortnightly articles in the Lynn News series of 'History of King's Lynn in 100 objects', many members of the public have visited the Museum to view the objects as well reporting additional information on the objects.

**2 Forthcoming Activities and Developments.**

Alive Leisure Sports Development (SD) Unit are organising a Rounders

Tournament at Lynnsport which is supported by 'Your Local Paper' and Active Norfolk. The tournament will take place on 27<sup>th</sup> September. The SD Unit are also encouraging women to take part in running courses for beginners in Heacham and King's Lynn with the support from Lynnsport Ladybirds. Downham Market will start in the new year. The Sport Development Unit have received a grant of £7,893 from Sport England to purchase 4 'Bradshaw Buggy' wheelchairs which will enable more people to take part in Lynnsport's Wheelchair Bowls sessions. The Unit have also applied for a grant to Sport England for 'The Shed' Skatepark improvements.

Alive Leisure Trust are holding an 'Open Day' at all of the sporting facilities on 4<sup>th</sup> October at which many of the Sports Clubs in West Norfolk will be demonstrating their activities to encourage new members. Alive Corn Exchange held their 'Open Day' on Heritage Day.

It's thanks to our staff that the Town Centre activity this summer has been amazing seeing the average footfall throughout the town increase an average of 20% on August 2014 with some weekends rising to a 30% increase. During the weekend of the Water Skiing and Fairy-tale event 700 people visited the TIC. Many congratulations from the public have been sent to the Council as well as at the time of collecting surveys which have been carried out at most of the events. The majority of the activities were free and have been aimed at families. All of the activities have been organised by the Council staff but working with many partnerships such as Norfolk Museums and the Vancouver Quarter. The aim of the events was to encourage more people to enjoy visiting the town and to link different venues together across the town such as the 2 Market places, Lynn Museum, the Water Front and the Vancouver Quarter. It is many thanks to King's Lynn Civic Society that Heritage Day was a huge success together with the Classic Car Show run by the Borough.

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

Portfolio meetings with;

Ray Harding Chief Executive  
Chris Bamfield Exec. Director of Commercial Services  
Ian Burbidge Policy & Partnership Manager  
Sarah Dennis Partnership and Funding Officer

Cabinet

English Heritage Cambridge  
LILY Board Committee meeting  
Alive Leisure Trust Governance Committee  
Alive Leisure Trust Audit Committee  
Area Museums Committee  
Norfolk Health & Well Being Board Chairman  
Active Norfolk  
WN & KL Girls School Trust  
St. Nicholas' Chapel Official opening

1<sup>st</sup>. The Queens Guards Welcome to Norfolk Reception  
SNAP meeting, Hunstanton



**CABINET MEMBERS REPORT TO COUNCIL**

**24 September 2015**

**COUNCILLOR PAUL BEAL - CABINET MEMBER FOR COASTAL AND TOURISM**

For the period July to 16 September 2015

**1 Progress on Portfolio Matters.**

1. Earlier this year, the Borough Council has submitted to government an application for £10,000 to set up a Coastal Community Team in Hunstanton. The application was successful and the Team established under the Chairmanship of Cllr Beal. Its first meeting was held in August.

In September, the Borough Council on behalf of the Coastal Community Team, submitted a bid for £50,000 to the government's Coastal Revival Fund to undertake a feasibility study into the creation of a marine lake in Hunstanton.

2. Visits to the tourism website – [visitwestnorfolk.com](http://visitwestnorfolk.com) are 18% up for 2015 compared with 2014.

The Borough Council's Tourism team and Web team are currently working on developing a new version of the website. Although around 60% of users already view the website on mobile phone and tablets, will be a fully responsive site which search engines are increasingly favouring.

The tourism team have started work on the 2016 editions of the West Norfolk Holiday Guide and the Where To Go & What To Do in West Norfolk which will both be published for distribution in January 2016.

3. The Environment Agency water tests for Hunstanton during the season have resulted in several test results below the "Excellent" standard required to achieve the Blue Flag for the 2016 season. Unfortunately we have not achieved a blue flag for next year.
4. The new flood gates in Hunstanton were used for the first time during the high tides and worked very well in August was the month, this proved valuable exercise and training and a time of 20mins was achieved to secure the Promenade.

5. Footgolf has been a successful new addition to the offer on the Pitch and Putt area with numbers for Pitch and Putt and Footgolf up by 28% compared to the 2014 season when only Pitch and Putt was available.
6. The Borough is supplying a xmas tree base for the Princess Theatre to supply their own tree and lights.
7. Income from Hunstanton car Parks so far this year is up by £28,000

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

Meeting with O Paparega about coastal community's Fund  
Meeting with T Humphries with regard to tourism web site

Meetings in August

9th Cabinet Sifting & Coast and Tourism update in C\B Office

14th Cabinet Sifting

17th Hunstanton town council

24th Full Council

**CABINET MEMBERS REPORT TO COUNCIL**

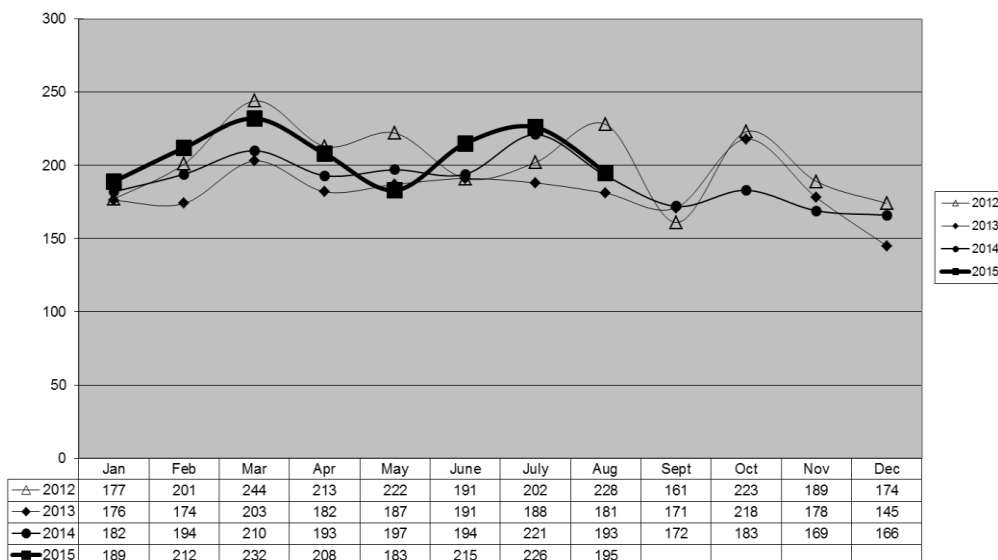
**24 September 2015**

**COUNCILLOR MRS VIVIENNE SPIKINGS - CABINET MEMBER FOR DEVELOPMENT**

For the period 30 July to 14 September 2015

**1 Progress on Portfolio Matters.**

Planning and discharge of condition applications received



The Government has recently published a new Planning policy for traveller sites, and we are considering the implications of this for future planning applications in the Borough. In addition the Government has also published guidance making it clear that deliberate breaches of planning control can be taken into account as a factor when determining planning applications.

**LDF**

**Site allocations Plan**

The Inspector, Mr Hogger, has published a timetable for the re-commencement of the Examination hearings which will start on 30<sup>th</sup> September and continue over the period to 20<sup>th</sup> November. Full details of dates, timings and agendas are on the website.

**Housing land supply**

Members will be aware of the High Court judgement against the Borough Council in respect of the 5 year housing land supply and having been found not to have this supply. Having investigated the situation regionally and nationally, the Council has been pursuing the matter with the Associations of District Councils. Geoff Hall, Executive Director is meeting with the Planning Inspectorate to discuss the lack of clarity around the subject, and the impact being felt in communities across the country.

**2 Meetings Attended and Meetings Scheduled**

Cabinet  
Cabinet Sifting  
Council  
Planning  
Site Visits  
LDF  
Planning Tour  
Joint Panel Meeting  
Portfolio holder Briefings

**CABINET MEMBERS REPORT TO COUNCIL****24 September 2015****COUNCILLOR BRIAN LONG - CABINET MEMBER FOR ENVIRONMENT**

For the period 30 July to 14 September 2015.

**1 Progress on Portfolio Matters.****Emergency Planning**

At the end of August (over bank holiday weekend) we experienced the highest astronomical tides of the year and as a precaution new flood gates in Hunstanton were closed by resort services staff as flood alerts were issued. The tides passed off without any flooding and gates worked as anticipated. With tides coming in slightly below predictions due in part to High pressure.

**Wash East Coast Management Strategy**

During July the Environment Agency Board gave its final approval to the Strategy, following acceptance by the Borough Council. The Community Interest Company is already collecting contributions from business and local land owners to meet payments required for next sand / gravel recycling operation.

**Brown Bins**

The number of brown bins in use at the end of August has risen to 22,132 an increase of 257 bins since end of July. In keeping with our wish to see the service operate as efficiently as possible we are now encouraging payment by direct debit, with a reduction for those paying via this method, other payments methods are still available although the £5 saving for paying by DD seems to be favoured by most customers.

**SNAPS**

The first round of new format Safer Neighbourhood Action Panels happened across the borough on 10<sup>th</sup> August. The three meetings replaced the previous nine and I can report that the Downham Market SNAP that replaced the Downham, Watlington and Terrington Snaps was well attended with representation across the area. Reports I have had said that Kings Lynn area was well attended, however Hunstanton area was not so well represented from area outside of the town.

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

### **Recycling Rates and Contamination.**

We are still concerned at high levels of contamination within the recycling collection and the resultant loss of recycling at the NEWS Plant. To help counter this further work is being done in conjunction with the Norfolk Waste Partnership, including more compositional analysis of the waste and recycling streams. I will report further once this information is fully collated, but would remind everyone that recycling should be placed in the recycling bins loose and not placed in carrier bags or bin liners.

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

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

Police and Crime Panel

Joint Safety and Welfare

Meeting with bidders East Anglian Rail Franchise

Freebridge Community Housing Board Meeting & Various Induction Meetings

To be attended at the time of writing

Kings Lynn Internal Drainage Board

Kings Lynn Conservancy Board

**CABINET MEMBERS REPORT TO COUNCIL****24 September 2015****COUNCILLOR ADRIAN LAWRENCE - CABINET MEMBER FOR HOUSING AND COMMUNITY**

For the period 30 July to 14 September 2015

**1 Progress on Portfolio Matters.****Food Safety**

The FSA's National Food Crime Unit has requested representations from the Food Safety Team for the Food Crime Annual Strategic Assessment. It is recognized that those working in food safety are the key players in the fight against food crime so their input is vital.

In addition to this in November 2015 Operation POSON V will take place over a four week period. Food Safety teams will be involved and the focus will be on fake and illicit food co-ordinated by Europol and Interpol

**Housing**

The total on the register prior to the change of policy on 1<sup>st</sup> October 2014 was 2,494 and at the end of August 2015 was 1,538 a drop of 956.

48 applicants were housed during August into Housing Association accommodation.

26 new applicants were not admitted to the register during August as they did not meet the local connection criteria. None were denied access because they were over the income bar.

128 applicants were accepted onto the register during August.

**Long Term Empty Homes**

As you can see from the table below we are still making ground over all with just the odd spike now and again, we have looked into this and there is no obvious reason why these spikes occur.

	<b>July</b>	<b>August</b>
<b>Number of LTEH</b>	<b>867</b>	<b>818</b>
<b>LTEH as % of Stock</b>	<b>1.208%</b>	<b>1.14%</b>
<b>Previous Month</b>	<b>859</b>	<b>867</b>

### **Affordable Housing Threshold changes**

Following a Judgement made by the High Court on 31<sup>st</sup> July 2015 regarding a judicial review between West Berkshire District Council and Redding Borough Council and the Department for Communities and Local Government paragraphs 12 to 23 of the National Planning Practice Guidance (NPPG) have been removed and therefore no longer apply. The Courts decision found that the National 10 unit threshold for affordable housing and vacant building credit introduced in the NPPG in November 2014 were unlawful and could therefore no longer be treated as a material consideration. This means that planning applications will now be considered against the original thresholds found in policy CS09 of the Councils adopted Core Strategy 2011

### **Private Rented Housing Forum**

This will be held on Tuesday October 13<sup>th</sup>  
At Your Business Network  
18 Tuesday Market Place  
Kings Lynn  
Starting at 6.30pm

### **Smoke and Carbon Monoxide Alarms**

The new legislation on the installation of smoke and carbon monoxide alarms in private rental properties was rejected by the House of Lords, with just three weeks to go before it comes into force, a further debate has been requested. We are however distributing the free detectors from September 9th regardless of whether the Regulations do come in on the 1<sup>st</sup> October 2015. CIC have stocks at Kings Lynn, Downham Market and Hunstanton. Data captured by the details on the form will be used by us and by the Fire Service.

### **Gas Safety week 2015**

The Borough Council of King's Lynn and West Norfolk has pledged its support for Gas Safety Week (14-20 September 2015), and is keen to raise awareness of gas safety issues and to keep the public safe from dangerous gas appliances.

With 20 deaths and 1,000 gas-related injuries in the last three years, it's vital that people make sure their gas appliances are safety checked every year by a registered engineer. Anyone working on gas appliances while not being Gas Safe registered, is working illegally.



**2 Meetings Attended**

Cabinet Siftings  
Cabinet Meetings  
Discovery Centre  
Portfolio Meetings  
Joint Meeting of R&D, E&C Panel

**CABINET MEMBERS REPORT TO COUNCIL**

**24<sup>th</sup> September 2015**

**COUNCILLOR DAVID POPE - CABINET MEMBER FOR ICT, LEISURE AND PUBLIC SPACE**

**For the period 3<sup>rd</sup> August to 24<sup>th</sup> September**

**Progress on Portfolio Matters.**

The trim trail/assault course at Lynnsport has now been completed and will open on the 21<sup>st</sup> September. This will be a great addition to the facilities at Lynnsport that can be used free of charge on a casual basis by residents when not in use by the College. The move of the leisure and uniformed services students and courses to Lynnsport has been a great success and I am pleased that our good working arrangements are continuing.

In September market stalls returned to the Tuesday Market Place on the pedestrianised section. These were new traders for King's Lynn as the previous traders continue to operate in the town centre on a Tuesday. The aim is to develop all of the granite pedestrianised area for market stalls moving forward while retaining other stalls around the town.

The Beer, Barbers and Butchers event that took place on 12<sup>th</sup>/13<sup>th</sup> September on Saturday Market Place was very successful. I am discussing this as the basis for a regular monthly event on Saturday Market Place.

After the completion of the major capital works for the King's Lynn Bus Station the operation of the station is going well. Work to the lower floor of the Vancouver Car Park, including decoration and lighting improvements, is planned for March to lift this area to fit with the Bus Station works.

In April to June town centre footfall figures were down by 3% as mentioned in my last report. The figures for July and August are quite staggering. There has been an increase of 6.8% and 18.6%. The UK average continues to fall, -2.2% for July and -2.3% for August. Our town centre events have definitely contributed to these figures.

I paid a visit to Mintlyn to see the new Cremators working and look around the new completed office and reception area.

## Meetings Attended and Meetings Scheduled

04 Aug Meeting at Lynnsport – Neil Gromett  
05 Aug Walks Forum meeting  
10 Aug Mintlyn & Burnham Mkt car park – Martin Chisholm  
10 Aug SNAP meeting @ Downham Mkt  
11 Aug Heacham Parish Council – Parking – Martin Chisholm  
17 Aug Cabinet sifting  
18 Aug Radio Norfolk @ Kingsway (am)  
18 Aug Opening of the Kingsway pavilion (pm)  
24 Aug Special sifting – Audit report  
01 Sep East of Ouse IDB  
02 Sep Portfolio meeting – Chris Bamfield  
07 Sep CPE meeting @ County Hall, Norwich  
08 Sep Town Centre tour – Alistair Cox  
09 Sep Cabinet  
10 Sep Tour of Green Flag sites – Sarah Moore  
11 Sep Tree issues – Richard Fisher  
14 Sep Cabinet sifting  
16 Sep Stow Bardolph IDB  
18 Sep Henry Bellingham  
22 Sep LAC Board meeting  
24 Sep Full Council

**CABINET MEMBERS REPORT TO COUNCIL**

**24 September 2015**

**COUNCILLOR LORD HOWARD - CABINET MEMBER FOR SPECIAL PROJECTS**

For the period 30 July to 24 September 2015

**1 Progress on Portfolio Matters.**

I am taking a more detailed look at creating reproductions of articles from the Borough's Treasury for display through the town.

**CABINET MEMBERS REPORT TO COUNCIL****24 September 2015****COUNCILLOR ALISTAIR BEALES - CABINET MEMBER FOR REGENERATION**

For the period 30 July to 14 September 2015

**1 Progress on Portfolio Matters.**

Work continues on the Major Housing Scheme at Lynnsport/Marsh Lane:

- Legal agreements should soon be in place as part of progress towards discharge of planning conditions relating to drainage.
- Tenders have been received for the 2 new hockey pitches and 4 new tennis courts. Contractors should be instructed within 4 weeks and the build is projected to take some 15 weeks. The contract value is circa £1.1 million and will be funded from short term borrowing (at just less than 0.5% interest) with repayment from future housing sales.
- Norfolk Wildlife Trust and local volunteers continue to make progress on the new nature reserve adjacent to the River Lane pitches. The Borough has provided a shed and other equipment for the work and will install all weather paths over the winter (when grass and foliage has died back) to allow all year access for the public.
- Camera surveys revealed a collapsed drain under the site of the hockey pitches and tennis courts which has been repaired in advance of those works. This was at a cost of some £60K but the work will avoid future and more costly disruption. Land drainage has also been improved by the new pipe as well as proper connection of previously unconnected land drains.

**2 Forthcoming Activities and Developments.**

Major Housing Scheme at Lynnsport/Marsh Lane:

- Gaywood River meanders will be started in spring 2016 which will increase capacity at times of spate, bring a more natural look to the river as well as improving habitat.
- King's Lynn Miniature Railway are fabricating points and track etc. ready for their spring 2016 relocation to an area adjacent to The Shed.

Nar Ouse Regeneration Area – negotiations are ongoing to purchase additional land from the administrators of Morston Assets and related companies. The Borough Council is now the preferred purchaser. Soil testing to assess contamination levels is ongoing. I will report progress in due course and as soon as I am able.

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

10<sup>th</sup> Aug – portfolio meeting  
16<sup>th</sup> Aug – Cabinet sifting  
20<sup>th</sup> Aug – Radio Norfolk interview (proposed Enterprise Zone)  
24<sup>th</sup> Aug – special Cabinet sifting (Auditors Report)  
1<sup>st</sup> Sept – Resources & Performance Panel  
2<sup>nd</sup> Sept – portfolio meeting  
2<sup>nd</sup> Sept – joint Panel meeting  
8<sup>th</sup> Sept – meeting with Cllr Richard Bird  
9<sup>th</sup> Sept – Cabinet  
14<sup>th</sup> Sept – Cabinet sifting  
23<sup>rd</sup> Sept – portfolio meeting  
24<sup>th</sup> Sept - Council

**CABINET MEMBERS REPORT TO COUNCIL****24 September 2015****COUNCILLOR N DAUBNEY – LEADER & CABINET MEMBER FOR RESOURCES**

For the period 30 July to 14 September 2015

**1 Progress on Portfolio Matters.****Budget 2015/2016**

The End July 2015 monitoring report shows an under spend in the year of £30,280. The major changes to the budget come from a decrease in the cost

**Statement of Accounts 2014/2015 and Audit**

I am able to report that the Audit of the Councils Statement of Accounts for 2014/2015 has been successfully completed with no major issues reported by the Councils external Auditors Ernst & Young. The final Statement of Accounts for 2014/2015 is due to be published on the 30<sup>th</sup> September 2015.

**Devolution**

Councillors received a briefing regarding opportunities and challenges offered by the government to those local authorities, who are willing to cooperate with each other and make an acceptable case to Government to acquire devolved powers, most particularly in the areas of:

- Economic Development
- Infrastructure
- Skills and Worklessness
- Strategic planning and housing delivery
- Health and Social care

As reported, At the end of July, Norfolk Leaders received presentations outlining a number of proposals and potential options, ranging from “No Change” to A Norfolk/Suffolk deal based upon LEP geography.

Government then made known that if there was an interest to be pursued then they would require a letter of intent by 4<sup>th</sup> September.

It was agreed with other Norfolk Leaders to submit such a letter, and following Leader’s conference calls and much work by officers over the holiday period such a letter was submitted.

Suffolk has also made a proposal.

Should Council decide to proceed, then there is much to do as we organise the appropriate reports to allow the democratic procedures to have control of the process with the tight time scales available.

### **Events**

Congratulations to colleagues and private interest contributions to a fantastic Summer Programme of activity in West Norfolk.

Just recently and following fantastic festivals we have seen Water Ski Racing, The Beer, Butchers and Barbers Event, and a phenomenal Heritage Open day together with the Classic Car display. The Festival Boards , The Civic Society, Marriott's, The Vancouver Centre ,our own officers and events planners and a host of volunteers have "done us proud"

### **Welcome to West Norfolk**

The government has announced that the UK will be home for at least 20,000 refugees (over the next five years) from the conflict in Syria.

This will of course be in addition to many who choose to settle in the UK from various parts of Europe and indeed other parts of the globe.

We as an authority, of course, cooperate with neighbours and service partners to ensure we deal effectively with whatever challenge is presented.

We still await much detail regarding this particular initiative, but suffice to say it will be necessary to address issues regarding:

- Immediate needs of Finance, clothing, etc.
- Health
- Finance
- Education
- Accommodation
- Career

This Council will ensure our response is positive,co-ordinated and appropriate to needs as they become apparent.

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

### **Attended since July council**

Joint Safety and Welfare Committee  
Meetings Re Enterprise Zones  
H Bellingham  
VJ Day Commemorations



Downham Market Chamber  
Various Tele conferences with Norfolk Leaders  
Resources and Performance Panel  
NWES Board Meeting  
New Anglia LEP Board Meeting  
Bridge for Heroes  
Reception Kings Lynn Amateur Swimmers Assn

**Planned before Council**

Cabinet Sifting  
LEP/ Greg Clark – Westminster  
Norfolk Leaders Group  
Town Centre Partnership  
College of West Anglia

**RECOMMENDATION TO COUNCIL ON 24 SEPTEMBER 2015 FROM CABINET  
ON 28 JULY 2015**

**CAB35: UPDATE TO CONTRACT STANDING ORDERS**

The Principal Accountant presented a report which explained that since the current version of Contract Standing Orders was approved by Council on 29 November 2012 there had been several changes in procurement policy. These changes included the publication of the new Local Government National Procurement Strategy in July 2014, the EU Procurement Directive in 2014 and the transposition of this into the Public Contracts Regulations 2015. These regulations also included UK Government measures to support SMEs that had been referred to as the “Lord Young reforms”. Contract Standing Orders had been reviewed and amendments were proposed that included measures to take account of the changes mentioned above.

With regard to the removal of the ability for the authority to use PQQs, Councillor Daubney asked if this applied to all tenders, to which it was explained that the requirement for tenders up to EU thresholds had been removed, but they were still in place for the higher level tenders.

Councillor Daubney drew attention to the debated held at the Audit Committee on the subject, and the fact that they supported the changes.

**RECOMMENDED:** That the new version of Contract Standing Orders be approved.

**CAB36: CONSTITUTIONAL MATTERS - UPDATE TO MEMBER / OFFICER  
PROTOCOL**

The Chief Executive presented a report which recommended amendments to the Member/Officer Protocol in order to update it and to reflect current best practice, and some minor changes to the Constitution in Standing Order 11.2 (b) to permit the questioning of Chairmen of all bodies at Council.

Councillor Daubney drew attention to the need to ensure the Protocol was kept up to date for Members best interests.

Councillor Beales commented favourably on the changes to ensure that Chairmen of all bodies could be questioned at Council.

**RECOMMENDED:** That the changes in the Member Officer Protocol and Standing Order 11.2 (b) be adopted.

**RECOMMENDATIONS TO COUNCIL ON 24 SEPTEMBER 2015 FROM CABINET  
ON 9 SEPTEMBER 2015**

**CAB46: ANNUAL GOVERNANCE STATEMENT 2014/15**

The Chief Executive presented a report on the Council's Local Code of Corporate Governance which set out six core principles of good governance that focus on the systems and processes for the direction and control of the Council and its activities through which it accounts to, engages with and leads the community. These core principles included:

- Focusing on the purpose of the Council
- Roles and responsibilities of members and officers
- Standards of conduct and behaviour
- Decision making, scrutiny and risk management
- Developing capacity and capability of members and officers
- Engaging with local people and stakeholders

The extent to which the Council adhered to these principles was described in the Annual Governance Statement.

The Chief Executive explained that the preparation and publication of an Annual Governance Statement (AGS) was a statutory requirement. The AGS was a public statement that described and evaluated the Council's overall governance arrangements during a particular financial year. It included a self-assessment of the effectiveness of the governance arrangements, across all areas of activity, together with a statement of the actions being taken or required to address any areas of concern. The External Auditors had considered the report and considered it sound. The Statement was signed by the Leader and Chief Executive of the Council and published alongside the Statement of Accounts.

Councillor Pope asked if such documents in the future could be presented with track changes or something to identify where there had been changes.

Councillor Pope, in referring to the Action Plan, asked if the targets set out in the Plan would be achievable, to which it was confirmed that they were monitored by Management Team.

The Personnel Services Manager also explained that the External Auditors had suggested that in future years, now the Leisure Trust was in place, the arrangements with that should be reflected in the document.

It was noted that the Audit Committee had supported the report and recommendations.

**RECOMMENDED:** That the Annual Governance Statement for the 2014/15 year be approved for adoption and the Leader of the Council and the Chief Executive sign accordingly.

#### **CAB47: STATEMENT OF ACCOUNTS 2014/2015 AND REPORT TO THOSE CHARGED WITH GOVERNANCE**

The Assistant Director for Resources presented the report which introduced the Statement of Accounts (SOA) 2014/2015 – the Statement was the final accounts set out in a format which included the Council's balance sheet and associated notes. The report also considered the report from the Auditor on the Audit for the accounts 2014/2015 – the International Auditing Standard (ISA 260). It was noted that the Council's External Auditors had presented their report to the Audit Committee on 7 September. They had also indicated that they would be giving an Unqualified opinion on the Accounts for 2014/15.

Councillor Beales asked whether with the complexity of the Leisure Trust arrangements the Auditors were satisfied that it was working as well as intended. The Assistant Director commented that the accounts presented were for the first year, Ernst and Young had worked with the Alive Management auditors on the Audit which had been more complicated than pre Leisure Trust, the whole process would be finetuned in the coming years.

Councillor Beales also made reference to the Auditors comments on the 99 year lease for the property sold at Hunstanton which they felt should be added into the accounts over a 99 year period. Councillor Beales understood that for a lease over 50 years it could be dealt with as a Capital receipt. The Assistant Director Resources responded that the Auditors had re-iterated their requirement and so would mention it each year.

It was noted that the Audit Committee had considered the report and supported the recommendations.

**RESOLVED:** 1) That the authority for any changes required to the Statement of Accounts be delegated to the Assistant Director (designated Section 151 officer), in consultation with the Leader of the Council, and if necessary present an updated Statement to Council.

2) That the comments of the auditor on the ISA260 be noted.

**RECOMMENDED** that Council:

- 1) approve the Statement of Accounts for 2014/2015
- 2) note the comments of the auditor on the ISA260

#### **CAB49: NON DOMESTIC RATES: EXTENSION OF TRANSITIONAL RELIEF**

The Assistant Director Resources presented a report which explained that the Government had legislated to allow Councils to adopt a discretionary scheme of Transitional Relief for qualifying ratepayers in their area as the statutory scheme ended on 31 March 2015 and the revaluation had been deferred until 2017. The cost would be met in full by Central Government. This report detailed the proposed discretionary Transitional Relief scheme for the Borough.

The Assistant Director undertook to ascertain responses to the following questions:

- If there was a daily award of relief, and
- If the rate payer's circumstances changed so they no longer met the criteria, how was that clarified?

Councillor Long commented that the proposal was funded by Government and helped businesses, so he considered it would be remiss of the Council not to approve this. Councillor Beales concurred.

The Resources and Performance Panel had considered the matter and had supported the proposals.

**RECOMMENDED:** That the discretionary Transitional Relief scheme for 2015/2016 and 2016/2017 as detailed in the report be approved.

#### **CAB51: BUSINESS CONTINUITY MANAGEMENT POLICY STATEMENT & STRATEGY**

The Environmental Health Manager presented a report which explained that the Council was a Category 1 responder under the Civil Contingencies Act 2004, which placed a duty on it to develop and maintain plans to ensure that if an incident occurred, the authority was able to continue to perform its critical activities and key services.

The Council's Policy Statement on Business Continuity Management was agreed by full Council in September 2013 and had been updated to reflect the changes to the Management structure with effect from May 2015.

Whilst updating the Policy Statement, the whole document, including details of the council's strategy and approach had been updated.

Councillor Long commented that it would be difficult to carry out a full exercise on King's Court and maintain the service to the public, so he felt it was good that the Plan existed and that e learning was available for staff. He asked if a full exercise had been considered. The Environmental Health Manager explained that table top exercises were carried out, and a recent exercise was undertaken in the new post room facilities also involving the fire service.

Councillor Beales asked if the Leisure Trust was in the same position as the Borough Council, to which it was explained that they had to make their own arrangements, but for the systems operated on their behalf by the Borough, a system had to be in place.

It was noted that the Audit Committee had supported the recommendations.

**RECOMMENDED:** 1) That the new version of the Business Continuity Policy Statement and Strategy be approved.

2) That delegated authority be granted to the Chief Executive, in consultation with the Leader, as Portfolio Holder for Business Continuity, to make further minor changes if deemed necessary.

**CAB54: SIT E ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN - RESPONSES TO INSPECTORS REQUEST FOR FURTHER INFORMATION**

An addendum page was submitted which set out the proposed minor amendments picked up at the Joint Panels meeting and the amended map of West Winch proposals.

Councillor Spikings presented the report which explained that the Examination into the Site allocations plan was adjourned on 7 July and the Inspector outlined a number of issues to which he required responses. The report set out the broad issues raised and sought the endorsement of Cabinet for a number of changes to the submitted plan and related matters. The approach covered:

- Habitat Regulation issues
- Flood risk issues
- Flexibility and deliverability

The report commented that the approach and detailed changes provided a pragmatic response and displayed sufficient flexibility in response to the Inspector's questions, and he had indicated he that the Borough Council's approach seemed to be appropriate. The Examination would resume on 30 September 2015, for the first day in the Committee Suite, then returning to Lynnsport thereafter.

Councillor Mrs Spikings in referring to the Habitat Mitigation Levy Panel proposed that the Panel should include 2 Members of the Borough Council, not the 1 proposed in the report. This was agreed. In referring to the Habitat Mitigation document, attention was drawn to the fact that it set out what was proposed and the location of sites where pressure was put on them, for example dog walking in sensitive bird nesting sites.

With regard to the Gravel Hill, West Winch site which was now proposed to be added to the Plan, it had been argued that removal of it originally from the Plan had rendered the overall development of the other areas unsound, therefore requiring its re-inclusion as the logical extension to the existing development proposals. Inclusion of the site would aid the provision of the relief road. Those areas of flood risk within the site could be used for open space or addressed through planning requirements. Councillor Mrs Spikings went on to say that West Winch Parish Council and a number of individuals were not happy with the proposal, but if approved today, the Inspector would take it as a modification, whereon members of the public would be consulted on it and those views expressed would be presented to the Inspector, who would give consideration to all points made on both sides.

The LDF Manager further explained that the Inspector had seen issues around habitat and had raised queries re flood risk and sought information on what the Council would do if it couldn't get the level of housing required by 2026. The report set out to explain where there was flexibility in delivery and how it would be covered. With regard to windfall sites the figures were set out in the report, and there was also evidence that sites were often more intensely developed than anticipated. He also reminded Members that there was a commitment to begin reviewing the Plan at an early stage, ensuring a commitment to keep looking forward.

In referring to West Winch, he explained that they needed to look at the sites which had been taken out or not put in, and their relationship to the larger site to ensure a viable/deliverable comprehensive area, which had all been subject to a re-examination of the sustainability appraisal. He re-iterated that the proposal would have to be subject to public consultation for presentation to the Inspector.

Under Standing Order 34, Councillor B Anota addressed the Cabinet on the West Winch changes to the plan as follows:

He drew attention to the level of feelings of distrust and anger in West Winch with the new proposals for the Gravel Hill Site, particularly with the traffic and flood risk on the site. He drew attention to the fact that there were only 2 access points onto the site, both of which were from the A10, which residents felt that it was already a very busy road. The comments he had received recommended that the Constitution Hill side of the village was a preferred option and the Gravel Hill side should be reconsidered.

Under Standing Order 34 Councillor P Gidney addressed the Cabinet on the West Winch changes to the Plan as follows:

He commented that he understood the difficulty that the Inspector had placed the Borough in, but he felt it was important that if there were mistakes made in this process, they would be around for a very long time, as would the West Winch and North Runcton Neighbourhood Plan which in its development whilst working on the Neighbourhood Plan with the LDF Team the site had originally been taken out. He felt it was unfair to now include it, and that other service centres and villages should be looked at in order to increase the numbers overall, as some could take higher numbers, and if they had an existing transport system in place with bus routes they would be at no disadvantage, and would often help more local businesses by being developed by smaller builders, so keeping the money in the local area.

Councillor Gidney considered that what was proposed in their Neighbourhood Plan was right for the community, which felt that they had already been allocated a lot of the development, whilst the transport links were not sufficient. He asked if the higher density being referred to had been reassessed.

In summing up he requested that other communities be re assessed and added to, as it was important to get the decision right now because the impact of the decision would be in place for a long time.

Under Standing Order 34 Councillor C Joyce addressed the Cabinet as follows:

In referring to the statistics set out in the report Councillor Joyce stated he was unable to tally the statistics relating to numbers of houses required given to him elsewhere and those in the report.

He commented that the IDBs did a good job on the wider issue of flood risk, the Environment Agency and the County Council also took a lead on the issue. He asked why, when the Council was looking for advice on the issue it was not forthcoming at an early enough stage, but waited until applications were submitted. He also commented that he hoped the advice received was consistent, because often when personnel changed, so did the advice. He felt that the Council should put pressure on those agencies to give early advice on sites where there would be a problem.

Councillor Joyce also referred to the fact that the number of homes being brought forward generated traffic, and those people required services such as secondary schools, whereas in King's Lynn there was no developer contribution to them, but the existing schools were oversubscribed in year 7. He considered that the County Council were not asking for contributions from developers for those schools, and he hoped the introduction of CIL would alleviate this. He also commented that he was glad of the early review of the Plan as villages needed the services such as schools. In summing up he stated that a new review would help defend village schools and local communities and that he considered the big issue was to get consistent advice as early as possible.

Under Standing Order 34 Councillor K Mellish addressed the Cabinet on the report and asked whether the £50 per household habitat mitigation fee could be increased if a site was particularly sensitive.

She further asked whether the reference to an early review in 2016 should be given a specific timeframe and drew attention to the comments made at the Panels meeting and if the recommendation giving delegated authority included proof reading the document prior to it being submitted to the Inspector. She also asked if Cabinet was confident with the officer's report.

The LDF Manager responded to the points raised as follows:

With regard to Councillor Gidney's questions, he confirmed that design was part of the process, and the Plan set out strategic design parameters with design principles embedded in it which were stimulated by the Prince's Trust for the Built Environment. With regard to the impact assessment, a sustainability assessment had been carried out for the wider site.

Councillor Beales asked if the over arching Policy would be subject to Planning Policy on the ground. It was confirmed that with regard to the Neighbourhood Plan the role was important and a lot of local detail was put into it to make sure it enabled local community influence.

With regard to Councillor Anota's points about the flood risk, he confirmed that site specific flood risk assessments would have to be made for applications, and those sites at risk would potentially be used in different ways. With regard to the issue of



surface water which could potentially affect other parts of the village, the developer would have to work up a solution to it. He reminded Members that there had been a surface water strategy for that area, so there was good knowledge embedded in that. In referring to Councillor Joyce's points, the LDF Manager made reference to the discussion he had held with him on the King's Lynn area figures, and the overall housing calculations for sites plan. The report detailed what completions existed and the figures for the site allocation plan. He referred to the table where the figures were set up amounting to 16,500.

He stated that the drainage issues would be looked at in West Winch and had been considered as part of the Neighbourhood Plan.

With reference to the issue of schooling allocations, it was pointed out that it was necessary to take advice from the County Council with regard to projected figures for schooling, and the advice received from them formed part of the Plan. The same applied to the Health Service projections. Work was also being carried out with the CCG on better understanding the provision of doctors in the Health Service.

Councillor Beales drew attention to the fact that some schools were over subscribed, but also some others were under subscribed.

In answering the questions from Councillor Mellish, he explained that there would be a suite of measures available for addressing, avoiding and or mitigating problems on specific sensitive sites. This could include the provision of on site open spaces in developments to minimise the need to go to the sensitive areas to potentially walk a dog, and publicity to draw people's attention to the need for care around specific areas. Individual developers would also need to carry out assessments and provide mitigation measures. With regard to the level of the fee, it was reported that it would be a blanket charge across all new developments in the Borough. However, if once established it was found it was not enough it could be reconsidered by Council. The figures charged elsewhere varied from £25-100.

Councillor Mrs Spikings reminded Members that a precise date couldn't be put on the review timetable until this Plan had been completed. She invited Members with any points to address on spelling errors in the report to contact either the LDF Team or Democratic Services.

Councillor Long pointed out that the sensitive areas already existed and had pressure on them, but some work had already been done in some areas to mitigate problems. He reminded Members that the bodies who had brought forward the concern about the levy were charities, rather than the formal bodies with responsibilities in that area because those bodies were already working on that. Councillor Mrs Spikings explained that a further report on the mitigation measures for this would be submitted in May 2016.

Councillor Long also reminded Members that the lead Authority on Flood Risk was the County Council. He commented that it was hard to mitigate for water run off, but the requirements of the plans and legislation would not be able to put right past wrongs such as brick weave and tarmac or riparian owners not looking after their drains.

With regard to the issue of schools, he responded that Norfolk County Council was not looking to close schools, but provide schools with a good educational offer which were attractive to parents.

With regard to the Gravel Hill, West Winch site, Councillor Beales commented that it was impossible for this to be looked at in isolation as the landowners had made it plain that it affected the viability of the overall site. He asked if the issue could be addressed by density of the development. Councillor Mrs Spikings drew Members attention to 4.4 of the report stating that there was potential on some allocations to produce more properties than originally identified. She also reminded Members that the West Winch Neighbourhood Plan was not yet an adopted document.

Councillor Beales commented that he felt it was clear that the local community had said that they didn't want dense development, so it was important not to close off all options, but the site paid for a lot of the infrastructure which was required for the area. He drew attention to the table in the report on p521 setting out the density proposed which was 24 per hectare. The original recommendations from the former Minister were 30 per hectare. He asked how those new figures had come about. The LDF Manager explained that they had been put forward following practical examples which had been considered by the Planning Committee, looking at the constraints of the sites, congestions, roads etc. He also confirmed that the figures given were when green space had been taken out of the equation.

Councillor Beales endorsed the issue of windfall applications despite the difference of opinion between planning inspectors on the issue. He sought assurance that the figures quoted were robust and could be accommodated. The LDF Manager drew attention to the fact that as values rose over time, further sites would become available, and it was expected that the numbers would be similar as in previous years. The report had tried to explain to the Inspector that the figures were not part of the Local Plan calculation, but had demonstrated that they did come forward, as between 2001 – 14, 3,958 windfalls had been completed against a total of 8,093, which was an average of 49%.

Councillor Beales asked if there were any fall back sites instead of the West Winch proposal. The LDF Manager responded that there was a limit to what could be changed across the Plan, but the next review would be a chance to change the strategy and objectives.

Councillor Beales stated he would support the recommendations but he had reservations that Gravel Hill be included as well as increasing density of housing on West Winch development sites and requested his comments be minuted.

**RECOMMENDED:** 1) That the content of the Inspector's request for further information in respect of the SADMP Examination be noted.

2) That the content of the Mitigation and Monitoring Strategy be endorsed. In particular that:

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

- b) a Habitat Mitigation and Monitoring / Green Infrastructure Coordinating Panel be established and chaired by a Cabinet member from the Borough Council, along with a further Council representative.
- 3) That the following actions in respect of a 'fall back' position be agreed to ensure a flexible and deliverable supply of new housing:
  - a) Endorses the use of housing resulting from windfall permissions to count as a source of flexibility bolstering delivery from allocated sites.
  - b) Notes the position that potentially more intensive use can be made of existing proposed allocations.
  - c) An early review of the Local Plan is proposed.
  - d) A site at West Winch be included in the Plan having had regard to the assessments presented with this report.
- 4) Note that the above decisions have been taken having had regard to the effects outlined in the Strategic Environmental Assessment /Sustainability Appraisal updates for the policies and proposals as new /amended.
- 5) Request of the Inspector that the modifications as proposed and others that may arise at the Examination hearings, be subject to public consultation once the initial hearing sessions have concluded.
- 6) Delegated authority be given to the Executive Director Environment and Planning, in consultation with the Portfolio Holder for Development, in the authority to make minor amendments to enable suitable documents to be presented to the examination.

**CAB55: REVISIONS TO THE MEMBER CODE OF GOOD PRACTICE FOR PLANNING**

Councillor Mrs Spikings presented the report on the review of the Member Code of Good Practice for Planning which had been in place for a number of years. As a result the Code needed to be updated in line with the new legislative provision under the Localism Act 2011 relating to predetermination and the Planning Advisory Services had also produced updated Guidance.

She drew attention to the need for the Code to be inclusive for people with disabilities. She confirmed that it would be on the Council's website for the public to access.

**RECOMMENDED:** That the revised Code of Practice be adopted.