

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



COUNCIL MEETING

Agenda

Thursday, 28th January, 2016
at 6.30 pm

in 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
Fax: 01553 691663

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, 28th January, 2016** 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 26 November 2015 (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. DETERMINATION OF COUNCIL TAX DISCOUNTS RELATING TO SECOND HOMES AND EMPTY PROPERTIES FOR 2016/2017 (Pages 6 - 10)

9. 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 11 - 13)
- 2) **Development - Councillor R Blunt** (Pages 14 - 15)
- 3) **Environment - Councillor B Long** (Page 16)
- 4) **Housing and Community - Councillor A Lawrence** (Pages 17 - 19)
- 5) **ICT, Leisure and Public Space - Councillor D Pope** (Pages 20 - 21)
- 6) **Special Projects - Councillor Lord Howard** (Page 22)
- 7) **Deputy Leader and Regeneration and Industrial Assets - Councillor A Beales** (Pages 23 - 24)
- 8) **Leader and Resources - Councillor N Daubney** (Pages 25 - 26)

10. 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).

11. RECOMMENDATIONS FROM COUNCIL BODIES

To consider the following recommendations to Council:

1) **Cabinet - 1 December 2015** (Page 27)

To consider the following recommendation from the Cabinet:

CAB93: Hackney Carriage And Private Hire Licensing Procedures And Conditions

2) **Cabinet - 12 January 2016** (Pages 28 - 37)

To consider the following recommendations to Council:

CAB103: Final Council Tax Support Scheme 2016/2017

CAB105: Draft Smoke And Carbon Monoxide Regulations Report And Statement Of Principles

CAB106: Corporate Business Plan 2015/16 - 2018/19

CAB108: Update To The Scheme Of Delegation

Exempt items

CAB111: Risk Based Verification Policy Update

CAB112: Proposed Surgery Development - King's Lynn

CAB115: Proposed Acquisition : Land At Wisbech Road

12. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES (Pages 38 - 39)

To consider appointments to the King's Lynn Conservancy Board and Sibelco.

13. NOTICE OF MOTION

To consider the following Notice of Motion (1/16), submitted by Councillors R Bird, J Moriarty and J M Tilbury:

"The Council resolves to initiate, with appropriate other bodies, a comprehensive study of Hunstanton and the adjacent area. This should lead to the formation of a plan for the economic and social development of the area, focussed upon local needs and potential."

Ray Harding
Chief Executive

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

Council Meeting – 28 January 2016

DETERMINATION OF COUNCIL TAX DISCOUNTS RELATING TO SECOND HOMES AND EMPTY PROPERTIES FOR 2016/2017

1. Section 75 of the Local Government Act 2003 gives billing authorities the power to determine the discounts for second homes and long-term empty dwellings. Section 11 of the Local Government Finance Act 2012 gives billing authorities powers to determine discounts for further classes of empty dwellings. Section 12 of the Local Government Finance Act 2012 gives billing authorities powers to set a higher amount of council tax for long term empty dwellings. The Council has to approve its determination afresh for each Class of dwelling for each financial year.
2. The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 prescribe the following classes of dwelling:
 - 2.1. **Class A** – a chargeable dwelling:
 - (a) which is not the sole or main residence of an individual
 - (b) which is furnished; and
 - (c) the occupation of which is prohibited by law for a continuous period of at least 28 days in the relevant year.

Class A dwellings are commonly known as **Second Homes with an Occupancy Restriction**.

The current reduction for Class A dwellings for 2015/2016 is 5% with an exemption for the period of the occupancy restriction.

- 2.2. **Class B** – a chargeable dwelling
 - (a) which is not the sole or main residence of an individual;
 - (b) which is furnished; and
 - (c) the occupation of which is not prohibited by law for a continuous period of at least 28 days in the relevant year.

Class B dwellings are commonly known as **Second Homes**.

The current reduction for Class B dwellings for 2015/2016 is 5%.

- 2.3. **Class C** – a chargeable dwelling which is:
 - (a) which is unoccupied; and
 - (b) which is substantially unfurnished

Class C dwellings are commonly known as **Empty Properties**

The current reduction for a Class C dwelling for 2015/2016 is 100% for three months from the first day the property becomes unfurnished. Once the three months expire a reduction of 0% applies.

2.4. Class D – a chargeable dwelling

- (a) which has satisfied the requirements of (b) for less than 12 months
- (b) which is vacant; and
 - i. requires or is undergoing major repair work to render it habitable
 - ii. is undergoing structural alteration
 - iii. has undergone major repair work to render it habitable if less than six months have elapsed since the date on which the alteration was substantially completed and the dwelling has continuously remained vacant since that date
- (c) for the purpose of (b) 'major repair work' includes structural repair work
NB once the 12 month time limit has expired properties in Class D fall to be treated as properties in Class C

Class D dwellings are commonly known as **Uninhabitable Properties**.

The current reduction for a Class D dwelling for 2015/2016 is 50% for the 12 month maximum period. Once the 12 months expire a reduction of 0% applies.

2.5. Class A and Class B properties do not include any dwelling which consists of a pitch occupied by a caravan or a mooring occupied by a boat. Neither do they include any dwelling where a qualifying person in relation to that dwelling is a qualifying person in relation to another dwelling which for him/her is job-related.

2.6. Long Term Empty Property Levy

2.7. The Local Government Finance Act 2012 allows billing authorities to increase the amount of council tax payable in respect of a long term empty dwelling by a specified percentage of not more than 50%.

2.8. The Act defines a Long Term Empty Dwelling as 'a dwelling that is unoccupied and substantially unfurnished for a continuous period of at least two years'. Any period of occupation of less than six weeks is discounted when establishing the continuous two year period.

2.9. The Act also allows Central Government to prescribe classes of dwelling exempt from the Long Term Empty Property levy. The Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 prescribe the following classes of dwelling to which the levy will not apply:

2.10. **Class E** – a chargeable dwelling which would be the sole or main residence of a person but is empty because that person is resident in Ministry of Defence accommodation by reason of their employment.

2.11. **Class F** – a chargeable dwelling which is an annexe of a main property but is being used as a part of that property.

2.12. The additional levy for long term empty properties for 2015/2016 is 50%. Dwellings falling into Class E and Class F are exempt from the Long Term Empty Property Levy.

3. Proposals

3.1. The levels of discount for 2015/2016 are shown above and no changes are proposed to the discounts for Empty Properties or to the Long Term Empty Property Levy for 2016/2017.

3.2. The discount for Second Homes in Classes A and B is recommended to be reduced from 5% to 0% - i.e. there is no Second Home discount.

3.3. There are 3,321 Second Homes in the Borough who would be affected by the loss of the Second Home discount, with an average annual increase in their bill of £70.

3.4. In accordance with the statutory council tax reductions any period of occupation of less than six weeks will be disregarded when calculating the maximum time a reduction can be awarded for, and when calculating the start date of any levy payment. The occupier will still be charged the occupied council tax rate for the time they live in the property, but the clock will not be reset when they leave if they have been in occupation for less than six weeks.

3.5. A Discretionary Hardship fund of £10,000 has been provided for in the Financial Plan. The recommendation is to continue to delegate authority to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider any applications to the Discretionary Hardship Fund.

3.6. The regulations stipulate these determinations must be published in at least one local newspaper within 21 days of Council agreement.

4. Policy Implications

4.1. The decision is partly a continuation of Council policy from 2015/2016 which was determined in the light of the level of discount determined by a number of Norfolk Councils.

4.2. The decision to remove the Second Home discount is a change of policy for 2016/2017 and is in line with the level of discount determined for 2016/2017 by North Norfolk District Council.

5. Financial Implications

- 5.1. Removing the 5% Second Home discount increases the taxbase by 153.6 Band D properties.
- 5.2. The additional income raised in 2016/2017 for Norfolk County Council by removing the 5% Second Home will be shared with the Borough Council. This will be on the same basis as already exists for additional income from reducing Second Home discount.
- 5.3. If the composition of the Tax Base changes then there may be implications. For example, an increase in long term empty properties would impact on the taxbase calculations.

6. Recommendation:

Council resolves that, under Section 11A of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003, Section 11B of the Local Government Finance Act 1992, as enacted by Section 11 and Section 12 of the Local Government Finance Act 2012 and in accordance with the provisions of the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003 and the Council Tax (Prescribed Classes of Dwellings) (England) (Amendment) Regulations 2012 the Council determines:

1. That the council tax discount for second homes defined as being within Class A of the Regulations is set at 0% for 2016/2017;
2. That the council tax discount for second homes as defined by Class B of the Regulations is set at 0% for 2016/2017;
3. That the council tax discount for empty dwellings defined as being within Class C of the Regulations is set at the following for 2016/2017:
 - a. 100% for three months starting on the day the property becomes unfurnished
 - b. 0% once the three month period has expired;
4. That the council tax discount for uninhabitable dwellings defined as being within Class D of the Regulations is set at the following for 2016/2017:
 - a. 50% for 12 months starting on the day the property becomes uninhabitable
 - b. 0% once the 12 month period has expired;
5. That the levy rate for Long Term Empty Properties as defined in the Regulations is set at 50% for 2016/2017;

- 6. That any period of occupation of less than six weeks shall be disregarded when calculating the maximum period of a reduction or the start date of the levy; and**
- 7. That delegated authority be given to the Portfolio Holder for Resources in consultation with the Ward Member and the Chairman of the Resources and Performance Panel to consider individual applications to the Discretionary Hardship Fund**
- 8. In accordance with Section 11A(6) of the Local Government Finance Act 1992, as enacted by Section 75 of the Local Government Act 2003 and the Local Government Finance Act 2012, these determinations shall be published in at least one newspaper circulating in West Norfolk before the end of the period of 21 days beginning with the date of the determinations.**

CABINET MEMBERS REPORT TO COUNCIL**28 January 2016**

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

For the period 26 November 2015 to 17th January 2016

1 Progress on Portfolio Matters.

The restoration part of the Town Hall project, "Stories of Lynn" is almost completed which includes a new lift within a new glass structure. The archive part of the building looks vast with natural light and the rediscovered ovens help to make it look attractive. The strong room has been constructed, a glass wall has been installed to separate the strong room from the research room. The Archivist will be monitoring the conditions of the strong room to ensure it is safe for the records to be returned. Some of the selected archives will be digitalised by a member of staff at the Norfolk Records Office (NRO). This will enable many of our documents to be viewed on the NRO and King's Lynn Borough Archive website. Together the Learning Outreach Officer and the Archivist are working with young people discovering the history of The Mart. This is part of the 4 year activity plan which will conclude with a temporary exhibition.

A company is in the process of building the bespoke cabinets for the permanent exhibition in the "Stories of Lynn" galleries. The Goal House will be redecorated and will have new interpretation boards installed. The Town Hall pocket garden will be planted out during March.

The West Norfolk Holiday Guide 2016 has been published. Instead of the coast, for the first time in many years, the front page of the brochure portrays King's Lynn Minster with the light projection, highlighting "Discover King's Lynn" as well as mentioning 'Hunstanton' and 'Explore West Norfolk'. King's Lynn is being promoted because of its history and heritage and is worthy as a holiday destination as well as our coast and countryside. The "Stories of Lynn" is an opportunity to promote King's Lynn more. As well as accommodation the guide is also informative of the events in West Norfolk. The guide is supported with other leaflets such as Discover Kings Lynn, the trails in King's Lynn and mini guides for Hunstanton and Downham Market. The 'visitwestnorfolk' web-site is being updated to allow it to be more responsive for mobile phone apps. From the 2015 web-site 35,000 holiday guides were requested to be mailed out. The most popular pages viewed on the web-site were 'Things to do' and 'Events'. There are now Tourism leaflets at the King's Lynn railway station as well as the Bus Station.

The European Agricultural Fund for Rural Development have designed funding streams, named 'LEADER'. Those who can benefit from the grant are farmers, small rural businesses and other rural community organisations. This will give them the opportunity to create jobs and boost rural tourism.

2 Forthcoming Activities and Developments.

Alive Sports Development are compiling a local directory of all sports clubs and organisations in West Norfolk. The directory will be accessible to everyone via the sports development pages of the Alive Leisure web page.

As part of their health and fitness promotions recently the Alive Leisure sports facilities offered free classes and gym sessions which included indoor group classes, body combat and free health checks and seminars on healthy eating. The promotion was also held in the Vancouver Quarter.

Alive Leisure received grants from Sport England, Active Norfolk and WN Sports Council which will be used to purchase 4 Bradshaw Buggies to support the Wheelchair Bowls Club.

The Christmas light projections in King's Lynn were very well received and enjoyed by visitors. These are now replaced by the original projections which have been shown since the launch in March 2015 of the Lynn Lumiere as part of the EU Interreg IV funded project between Amiens and ourselves.

Summer weekend events are now being planned including celebrating the Queens 90th birthday and a Tornado Arts Trail, similar to the Spitfire trail last summer. This trail is commemorating RAF Marham centenary, 1916 to 2016.

3 Meetings Attended and Meetings Scheduled

Portfolio meetings with Chris Bamfield Exe. Director of Commercial Services
Debbie Gates Exe. Director of Central Services

Cabinet

Environment & Community Panel

Norfolk Records Committee

Joint Norfolk Museums Committee

N.Norfolk Coast & Countryside Committee

WN Tourism Forum Executive

Alive Leisure Audit committee

KL Consultative Committee

GEAR 10 K Working Party

KL Festival Board

KL Internal Drainage Board

Norfolk Community Foundation Grants meeting

The Mart 2016 setup meeting

EDP Norfolk Hero's Awards evening

WN & KL girls school Trust

WN Community Transport Project
SNAP Review meeting
KLFM Sports Awards evening

CABINET MEMBERS REPORT TO COUNCIL

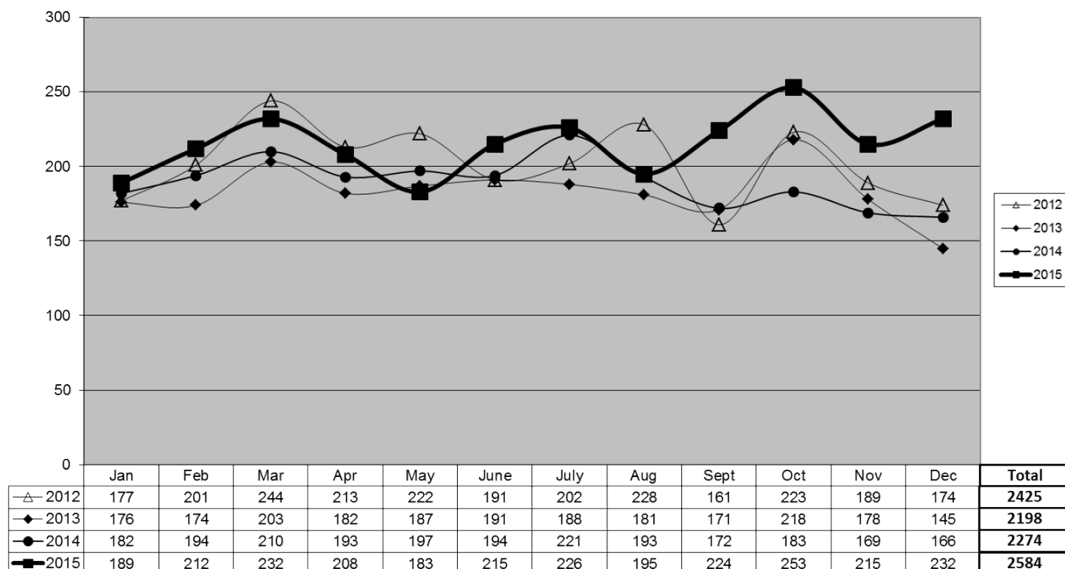
28 January 2016

COUNCILLOR RICHARD BLUNT - CABINET MEMBER FOR DEVELOPMENT

For the period 15 November 2015 to 14 January 2016

1 Progress on Portfolio Matters.

Planning and discharge of condition applications received



Planning Applications

Applications continued to increase in the last months of 2015 and the trend continues into January 2016. The number of applications for 2015 was 14% higher than the previous year.

It should be noted over in the last quarter over 12% of decisions have been determined by the Planning Committee.

Local Development Framework

The consultation phase following the Inspectors “homework” finished on January 15th 2016. A formal set of major and minor modification based on suggestions made by the Inspector are now being worked on.

The LDF Task Group met in December and January where an update on the progress of the examination was presented.

Housing Land Supply

A date of 17 May 2016 has also been set for the start of the reconvened Heacham Public Inquiry into the application for a care home, housing with care facilities and 70 homes, where the 5 year land supply issue will be debated in detail. The Inquiry is expected to last for 5 days.

3 Meetings Attended and Meetings Scheduled

Council
Cabinet
Cabinet Sifting
LDF Task Group
Planning Committee
Various meetings with Officers

CABINET MEMBERS REPORT TO COUNCIL

28 January 2016

COUNCILLOR BRIAN LONG - CABINET MEMBER FOR ENVIRONMENT

For the period 26 November 2015 to 18 January 2016

1 Progress on Portfolio Matters.

Waste And Recycling Collection

Over the Christmas and New Year period collections were delayed because of Bank Holidays, as has happened previously all were pushed back in time rather than being brought forward. This has the effect of meaning that as bins are left out they are usually collected within a day or two of expected collection. In addition to this bin collection, calendars had been distributed in advance leading to a smooth collection. It is too early to give audited figures of materials collected but I will report on these as soon as they are known.

Garden Waste Brown Bin Scheme.

For the first time ever in my reporting to Council the number of brown bins in use has decreased by 2 bins to 22,453 as at the end of December 2015. There is still reported high demand for new bins and the decrease is a net figure having removed bins that remain unpaid from August, September and October 2015.

2 Meetings Attended and Meetings Scheduled

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

Kings Lynn Conservancy Board
MPs Flood Summit
Habitat Regulation and Green Infrastructure Meeting
Business Ratepayers Briefing Meeting
Freebridge Housing Board Meeting
Norfolk Coast Partnership

To be attended at the time of writing
SNAP review
Kings Lynn Conservancy Board
Kings Lynn Internal Drainage Board
Wash European Marine Site SAC

CABINET MEMBERS REPORT TO COUNCIL

28 January 2016

COUNCILLOR ADRIAN LAWRENCE - CABINET MEMBER FOR HOUSING AND COMMUNITY

For the period 26 November 2015 to 18 January 2016

1 Progress on Portfolio Matters.

Home Choice

The number on the register at the end of December 2015 was 1,573. A decrease of 50 on the number at the end of November.

50 applicants were housed into Housing Association accommodation during December.

113 new applicants were accepted onto the register during December.

Food Hygiene

The food team have been out and about in schools promoting the service and good handwashing. The children were reminded of when they need to wash their hands to prevent the spread of bacteria which is particularly important at this time of year with the prevalence of coughs and colds.

The food team are developing a business friendly training program targeting those businesses which have scored 0-2 in their food hygiene rating. The course will look at the common areas that premises score low on with the aim of improving practices so that all businesses eventually will score 3-5. The course will be free to attend.

Starter Homes:

There have been several recent announcements relating to Starter Homes.

The Housing and Planning Bill seeks to place a duty on Council's to promote starter homes, this enables the Secretary of State to require Council's to require an element of Starter Homes on all reasonably sized sites.

Starter Homes do not currently meet the definition of affordable housing set out in the NPPF due to the discount being retained by the purchaser rather than recycled. However, a current consultation proposes that the definition of affordable housing is changed to include Starter Homes. Starter Homes are

expected to form part of the Intermediate Housing element of affordable housing rather than replacing affordable rent.

The government has recently announced a £1.2 billion starter home fund designed to prepare brownfield sites for at least 30,000 new homes nationally. We are currently awaiting further details such as who can bid for the funding.

Anti-Begging

The Purfleet Trust is running a campaign with the support of The Borough Council of King's Lynn & West Norfolk and Norfolk Constabulary who are helping to ensure that people begging on the streets of King's Lynn are getting the best support possible. The campaign encourages people not to give cash to people begging but alternatively consider donating to organisations that support them.

I recently prepared the following statement for the local press:

“The Borough Council is in full support of Purfleet Trust’s alternative giving campaign. We all feel the urge to help people we see in need, especially at this time of year, and we would never want to discourage anyone’s generosity. But donating to organizations like Purfleet Trust means your money will make a long-term difference to lots of people. Purfleet Trust does fantastic work in King’s Lynn, and they need the help of the whole community to keep doing it.”

You will see posters around town and on local buses with a text donation number and also a QR code(Quick Response Code) to scan and donate. We would really appreciate any help that allows us the opportunity to give people a real chance to turn their lives around.

Severe Weather arrangements

Following discussions with the Purfleet Trust and our housing support providers we have agreed we need to commence the Severe Weather Emergency Protocol (SWEP) from 15th January.

The weather is forecast to be below 0 degrees over the coming days so we need to ensure we offer protection from the cold to those who are most vulnerable. People who are street homeless will be able to get out of the cold in the daytime and visit The Purfleet Trust who will provide food, showers and warm clothing.

There will also be some temporary beds made available in one of the supported housing projects for any vulnerable street homeless people.

2 Meetings Attended

Cabinet Siftings
Cabinet

R&D panels
E&C panels
Discovery centre
No More (Domestic Violence awareness play)

CABINET MEMBERS REPORT TO COUNCIL**28 January 2016****COUNCILLOR DAVID POPE - CABINET MEMBER FOR ICT, LEISURE AND PUBLIC SPACE**

For the period 26 November 2015 – 19 January 2016

1 Progress on Portfolio Matters.

The partnership arrangements between the Leisure Trust and the Council's Local Authority Company continue to go well both operationally and financially. The Trust's overall subsidy from the Council is reducing and the Local Authority Company has managed to achieve savings from maintenance and utilities. A part of the utilisation savings are weather related but investment in energy saving measures is paying off and we are developing plants to continue to bring down energy use.

The Alive Corn Exchange pantomime this year was Robin Hood and attendances were 19659, 1360 down on Snow White from 2014 but up 1199 on Beauty and the Beast in 2013. There had previously been concerns that the pantomime at the Princess Theatre running this year would have a significant adverse impact on this year's pantomime but this was not the case. Income and spend per head were higher than previous years.

	2012	2013	2014	2015
	Aladdin	Beauty	Snow White	Robin Hood
Programmes	£1,925.00	£2,119.00	£2,216.00	£1,148.50
Merchandise	£6,849.00	£6,590.00	£6,798.00	£6,701.66
Ice Creams	£10,336.87	£10,772.50	£13,697.43	£15,467.50
Confectionary	£6,853.56	£7,875.83	£9,019.66	£9,073.38
Bar	£3,670.29	£4,578.33	£4,787.70	£4,701.76
Coffee	£2,870.20	£2,528.83	£3,304.75	£3,218.82
TOTAL £ NET	£32,504.92	£34,464.49	£39,823.54	£40,311.62
Audience Number	18292	18460	21019	19659
Spend Per Head	£1.77	£1.86	£1.89	£2.05

I am pleased to be able to work with the Cabinet Members for Regeneration and Culture Heritage and Health to progress the Heritage Lottery Fund scheme for the Esplanade Gardens and surrounding green spaces in Hunstanton. A progress report is to be presented to the Regeneration and Development Panel on 27th January and I look forward to hearing the Panel's comments.

Footfall in King's Lynn

- The last 3 months of the years saw the largest recorded footfall for that quarter (Oct to Dec) since records began in 2007 (this is more remarkable as November was -6% down compared to the same month in 2014.
- Halloween Event on Sat 31st Oct saw a jump in footfall of +18.9%
- Christmas Lights Switch On was moved from a Thursday night to a Sunday day, despite the weather footfall on that Sunday was up 27.4%.
- December was up 5.2% which bucks national figures which are mostly negative (see attached story)
<http://news.sky.com/story/1623689/christmas-shop-trips-down-as-online-grows>
- The year as a whole (despite the Bus station work) Jan – Dec is up 2.29%

2 Meetings Attended and Meetings Scheduled

05 Jan	Meeting with Martin Chisolm and Sarah Moore
06 Jan	Portfolio meeting
06 Jan	Attended the E & C and R & D meetings
08 Jan	CPE briefing with Martin Chisolm
11 Jan	Cabinet sifting
12 Jan	Cabinet
12 Jan	LAC meeting
13 Jan	Hunstanton tour with Chris Durham
13 Jan	Cabinet briefing
14 Jan	Hunstanton Heritage Scheme - Laura Hampshire
15 Jan	CPE response with Martin Chisolm
15 Jan	Welney Causeway Flood Risk meeting at Downham Mkt
18 Jan	SNAP Review meeting
27 Jan	Portfolio meeting
27 Jan	Attended the R & D and E & C meetings
27 Jan	Attended the West Norfolk Sports Awards
28 Jan	Full Council

CABINET MEMBERS REPORT TO COUNCIL

28 January 2016

COUNCILLOR LORD HOWARD - CABINET MEMBER FOR SPECIAL PROJECTS

For the period 26 November 2015 to 28 January 2016

1 Progress on Portfolio Matters.

A visit to the railway station was arranged with Laura Hampshire to look at the installation of planters and improving the overall look of the station.

Discussions are in the early stages about installing seating at Saturday Market Place.

2 Meetings Attended and Meetings Scheduled

Site meeting with Laura Hampshire
Council

CABINET MEMBERS REPORT TO COUNCIL**28 January 2016****COUNCILLOR ALISTAIR BEALES - CABINET MEMBER FOR REGENERATION**

For the period 26 November 2015 to 19 January 2016

1 Progress on Portfolio Matters.

Major Housing Scheme – planning permission was granted for 130 homes on the circa 13 acre Marsh Lane site on 7th December 2015. All planning conditions are in the process of being discharged and road construction is planned to start in spring 2016. The hockey pitches and tennis courts that are part of the benefits of the scheme are under construction and management arrangements have recently been set out by Cllr Pope as Portfolio Holder for ICT Leisure and Public Space.

Property Services – the department continues to be very busy with a number of proposals coming forward that seek to regenerate difficult areas of the Borough and provide a commercial return for the Council and the taxpayer. In this vein the sale of land at NORA and acquisition of land at the Friars/Boal Quay was recently approved at Cabinet with other proposals before Council for consideration.

2 Forthcoming Activities and Developments.

An update on all aspects of the Major Housing Scheme and the development of 155 homes on NORA will be forthcoming.

Hunstanton Prosperity Group (Coastal Community Team) is in the process of finalising the economic plan for Hunstanton, which is due to be published by the end of January.

In a show of cross party support, Cllr Bird, who is a member of the above group, very recently commended council officers and the council for the work undertaken so far on this plan (including in the 23 January 2016 issue of Hunstanton Town & Around where he writes “this is probably the best piece of work I have ever seen created by the KL&WNBC regarding Hunstanton”).

3 Meetings Attended and Meetings Scheduled

27/11/15 – meeting with the Leader
30/11/15 – Scrutiny Task Group
1/12/15 – portfolio meeting
1/12/16 – Cabinet
7/12/15 – Planning Committee
14/12/15 – Cabinet sifting
16/12/15 – Cabinet briefing
5/1/16 – portfolio meeting
6/1/16 – scrutiny panels
7/1/16 – business liaison meeting
11/1/16 – Cabinet sifting
12/1/16 – Cabinet
18/1/16 – meeting with Corporate Projects Officer
18/1/16 – meeting with Leader and Chief Executive
19/1/16 – Scrutiny Task Group
20/1/16 – meeting with NCC (Better Broadband for Norfolk)
20/1/16 – portfolio meeting
26/1/16 – Treasury training
27/1/16 – scrutiny panels

CABINET MEMBERS REPORT TO COUNCIL**28 January 2016****COUNCILLOR N J DAUBNEY - CABINET MEMBER FOR RESOURCES
AND LEADER OF THE COUNCIL**

For the period 26 November 2015 to 19 January 2016

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

The current year budget forms part of the Financial Plan 2015/2020 which will be considered by Cabinet and Council in February 2016. The current year budget still remains on track with £140,000 of additional savings reported in the period to the end of November 2015, mainly due to increased planning fee income. Our continued strong financial control means that I expect that we will end the year in March 2016 with a level of general fund balance available which will support the Financial Plan and cushion the impact of the challenges faced in our funding position in the period to 2019/2020.

The Financial Plan 2015/2020

The papers have been published which update both the revenue and capital estimates for the next 4 years through to 2019/2020. Our financial settlement announced by the Government on 18 December 2015 has seen some significant reductions in funding in both revenue support grant and new homes bonus. It is fair to say that the funding assumptions for the Financial Plan 2015/2020, in particular with respect to business rates growth, include significantly more downside risk than at any time in recent years. As always we will continue to deliver quality services to the residents, businesses and visitors to the borough within our available resources. The updated capital programme 2015/2020 continues to include a number of major projects. I look forward to the debate at the next Council when the formalities of setting council tax will be on the agenda

Mayor's Business Awards

Another strong group of entries this year. Judging is complete, having visited a very strong group of finalists. The awards presentation will be on 4th March.

2 Meetings Attended and Meetings Scheduled

Attended

Royal Mail Sorting Office
Norfolk Leaders Meeting(s)
NWES Board Meeting
COWA Corporation
Council Leaders – National re Self Build Housing
Town Centre Partnership Leaders
Cabinet Sifting/cabinet
Young Hero's Awards Breakfast
Downham Market Chamber
Alive Management
Mayors Business Awards
Norfolk/Suffolk Leaders

Planned in Next two weeks

Panel Meetings re Financial Plan
Downham Chamber
KL Football Club
Town Centre Partnership
E U Funding Partners
New Anglia Enterprise Advisers
Cabinet
COWAS

RECOMMENDATIONS TO COUNCIL FROM CABINET ON 1 DECEMBER 2015**CAB93: HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING PROCEDURES AND CONDITIONS**

Councillor Lawrence presented a report which explained that the Borough Council of King's Lynn & West Norfolk had adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1976 that related to the licensing of hackney carriages and private hire vehicles, hackney carriage and private hire drivers and private hire operators. The Act permitted Local Authorities to attach conditions to the licenses issued to vehicles, drivers and operators. The purpose of the licensing regime was to ensure the safety of the travelling public, other road users, pedestrians, and the drivers of licensed vehicles. Commercial concerns of the trade could be taken into account but were secondary to the safety aspects of licensing. The last full review of licensing conditions was approved by Full Council on 30th June 2011. A number of procedures and conditions had also been reviewed with the aim of streamlining procedures and providing more protection for the public, particularly in line with the recent cases of child exploitation across the country.

Councillor Long drew attention to the changes in acceptable mileage levels of vehicles, and commented that the Council had been trying to keep a new fleet of cabs, and up to now had appeared better than neighbouring authorities fleets. He asked what the exceptional circumstances would involve, as generally he would prefer not to accept cars over 10 years old. The Licensing Manager explained that the criteria was at entry point, if a vehicle was older it would have to be of excellent quality, which was a discretionary judgement taken by officers. This discretion had to be included for appeal purposes. It was noted that the exceptions vehicles were often special event cars.

Councillor Mrs Nockolds asked about the ages of Novelty Vehicles, to which it was explained that this often included vintage vehicles and had in fact included a fire engine in the past.

The Chairman drew attention to the fact that often legislative changes came into force which the Council had no choice but to implement and change policies and procedures accordingly. He proposed that a further recommendation be included that when legislative changes were made, policies and procedures be updated accordingly in consultation with the relevant Cabinet Member. This was supported.

RECOMMENDED: 1) That revised procedures and conditions be adopted.

2) That delegated authority be given to the appropriate officer in consultation with the relevant Cabinet Member to amend policies and procedures in order to incorporate any future legislative or regulatory changes.

RECOMMENDATIONS TO COUNCIL ON 28 JANUARY 2016 FROM CABINET ON 12 JANUARY 2016

CAB103: FINAL COUNCIL TAX SUPPORT SCHEME 2016/2017

The Leader presented a report which was linked to the Cabinet Report '2016/2017 Draft Council Tax Support Scheme for Consultation' of 9 September 2015.

The report which summarised the results of the Council Tax Support consultation exercise, noted the responses to the consultation and proposed that the Council adopted the draft Council Tax Support scheme, approved on 9 September 2015, as the Council Tax Support scheme for 2016/2017.

The report reminded Members that the Council must review and agree its Council Tax Support scheme each financial year, must consult with its major preceptors (the County Council and the Police and Crime Commissioner), publish its draft Council Tax Support scheme, consult with interested parties then publish its final Council Tax Support scheme.

The draft Council Tax Support scheme was agreed by Members on 9 September 2015 and published on 18 September 2015. The consultation period concluded on 30 October 2015. Seven responses to the consultation had been received, of which only 1 was from someone in receipt of the benefit, but they fell within the protected group, three were in favour of the scheme, two were against and one answered don't know.

The matter had been discussed at the Resources and Performance Panel and the proposed scheme was supported.

RECOMMENDED: 1) That the results of the consultation exercise be noted, and

2) That the draft Council Tax Support scheme as approved on 9 September 2015 be adopted as the full Council Tax Support scheme for 2016/2017

CAB105: DRAFT SMOKE AND CARBON MONOXIDE REGULATIONS REPORT AND STATEMENT OF PRINCIPLES

Councillor Lawrence presented a report which explained that from 1 October 2015 the Smoke and Carbon Monoxide Alarm (England) Regulations came into force. The report outlined the impact of these regulations where landlords were required to ensure that when the premises were tenanted, they were fitted with smoke and carbon monoxide alarms. The role of the Council was as enforcing authority, with the report recommending the power to impose a penalty charge of up to £5,000 in cases of non-compliance.

In response to a question, the Strategic Housing Manager acknowledged that the potential fines were high, but the cost of installing the alarms was small, and the risk of dying in a house with no smoke or carbon monoxide alarms was four times more likely than in one with them, but a proportionate approach would be taken.

Councillor Lawrence reported that properties would not be specifically inspected to see if they were present, but if the properties were visited for any other reason they would be checked, and tenants would normally be quick to report no alarms present. A number had been distributed free at the Landlord Forum meeting, sponsored by the fire service.

Councillor Beales asked how the exemptions in the scheme had been identified, to which it was reported that they were specifically laid out in the legislation but it could be assumed

that it was because the Registered Social landlords had their own requirements, a house with up to 2 lodgers had the owner in control of the premises and those with long leases would normally be treated as though they were the tenants own property, but he would check to see if there was any further information in the guidance.

It was noted that the Environment and Community Panel had supported the approach and recommendations.

RECOMMENDED: That the report be noted and the statement of principles in relation to determining the amount of the penalty charge as detailed in Appendix A to the report be approved

CAB106: CORPORATE BUSINESS PLAN 2015/16 - 2018/19

Councillor Daubney presented a report which set out the proposed corporate business plan for the four-year administrative term 2015/16 to 2019/20. The Plan had been informed by an assessment of local need, local political priorities and the changing policy framework within which the Council operated. He commended the document as being much more succinct and easy to read than previous versions as it had been developed in a more focused format as much of the detail underpinning the strategy already existed in other documents. There was a short narrative which set out the direction of travel and the context within which the organisation operated.

The six priority areas covered the Council's internal focus on service delivery (providing important local services within our available resources), community focus (economic and housing growth, clean and safe communities, local heritage and culture) and focus on West Norfolk as a place (standing up for local interests, working with our local partners).

The Executive Director, D Gates explained that the Plan would feed into all priorities within the organisation and down through to the targets of all staff.

Councillor Blunt asked how could it be ensured that everyone was aware of the document, to which it was explained that once formally approved it there would be a communication plan for its dissemination.

Councillor Beales drew attention to the debate on the item at the Resources and Performance Panel where the title of the report had been discussed. He drew attention to the comment that it wasn't a Business Plan which could be presented as such, but drew attention to the fact that the document clearly made reference to a suite of documents which supported it. He felt it clearly laid out what the Administration wanted to achieve.

In referring to the comments made at the Panel meeting, it was noted that the document would be updated to ensure it encompassed 2015/2020. Cabinet was content to leave the Business Plan with its existing title as other documents were signposted from it clearly within the document.

RECOMMENDED: That the corporate business plan as now amended be adopted.

CAB108: UPDATE TO THE SCHEME OF DELEGATION

The Leader presented a report which recommended an updated scheme of delegation for approval. The Scheme had been amended to take account of the changes in Portfolio responsibilities.

RECOMMENDED: 1) That the amended Scheme of Delegation be approved.

2) That the Chief Executive, in consultation with the Leader be given delegated Authority to make minor amendments to the Scheme to resolve any anomalies which may occur.

CAB111: RISK BASED VERIFICATION POLICY UPDATE

The Revenues and Benefits Manager presented a report which explained that the Council used risk based verification to assess the risk of fraud and error in new claims for housing benefit and council tax support and determine the level of checking needed for each claim.

The policy had been updated to extend risk based verification to claims where a change in circumstances had been reported.

Councillor Beales drew attention to the fact that the process was an indication of those cases which needed looking at more closely than others.

The Resources and Performance Panel had considered the item and supported the recommendations.

RECOMMENDED: That the updated risk based verification policy be adopted so it covers new claims and changes in circumstances

CAB112: PROPOSED SURGERY DEVELOPMENT - KING'S LYNN

Councillor Beales presented a report which recommended an important step in diversifying the Council's investment property portfolio from its current concentration on relatively low yielding asset classes (primarily money markets) and significantly improving its rate of return, whilst helping to facilitate and enhance the delivery of medical services within King's Lynn.

The proposal would contribute to savings required as part of the cost reduction programme which will be the subject of a separate report to Cabinet once the implications of the 2015 Spending Review had been fully assessed and incorporated with the Council's financial plan. A discussion ensued on the potential loan arrangements for the proposal, and the lease arrangements. Councillor Mrs Nockolds commended the site for the surgery which would have better access arrangements than the existing. It was noted that if successful, it was hoped the premises would be open Autumn 2018.

The Regeneration and Development Panel had supported the proposals.

RECOMMENDED: 1) The Property Services Manager be given the delegated authority to finalise negotiations with NHS England and the St James Medical Practice Partners in consultation with the Portfolio Holder for Regeneration and Industrial Assets, the Chief Executive, the Executive Director Commercial Services, and the Chief Finance Officer.

2) That delegated authority be given to the Portfolio Holder for Regeneration and Industrial Assets in consultation with the Chief Executive and the Chief Finance Officer to decide the appropriate means of funding the investment proposal set out within this report.

3) That delegated authority be given to the Portfolio Holder for Regeneration and Industrial Assets to vary the capital required for the delivery of the project up to a maximum of £250,000.

4) That the Legal Services Manager be given delegated authority to draft and finalise all necessary documentation, contractual or otherwise, associated with the proposed development and investment in this property asset.

CAB115: **PROPOSED ACQUISITION : LAND AT WISBECH ROAD**

Councillor Beales presented a report which set out outline terms for the proposed acquisition of a parcel of land at the southern end of the Waterfront Regeneration Area and sought authority from Cabinet to progress the acquisition through to completion subject to agreeing acceptable terms in consultation with the Cabinet Member for Regeneration and Industrial Assets.

A discussion was held on the detail of the site and its existing buildings.

The Regeneration and Development Panel had supported the proposals.

RECOMMENDED: 1) That the acquisition of the land asset be progressed along the lines set out within the report.


2) That the Capital Programme be adjusted to accommodate the acquisition of the site identified within the report.

3) That delegated authority be given to the Property Services Manager to finalise the terms of the proposed disposals set out within the report in consultation with the Cabinet Member for Regeneration and Industrial Assets.

4) That authority be granted to the Legal Services Manager to progress the necessary transfer, or any other associated documentation through to completion.

CAB 103: Local Council Tax Support Scheme

Pre Screening Equality Impact Assessment (also see 4 December 2012 Cabinet Report)

Pre-Screening Equality Impact Assessment		Borough Council of King's Lynn & West Norfolk			
Name of policy/service/function		Local Council Tax Support Scheme			
Is this a new or existing policy/ service/function?		New Policy			
Brief summary/description of the main aims of Policy being screened. Please state if this policy/service is rigidly constrained by statutory obligations		<p>Local Council Tax Support (CTS) schemes were introduced from 1 April 2013, replacing the existing national scheme of Council Tax Benefit (CTB) to help those on low incomes with their Council Tax bills.</p> <p>Each council is free to design their own CTS scheme although certain parameters have been set by Government:</p> <ul style="list-style-type: none"> • Pensioners must be protected from any reduction in support • Vulnerable groups must be considered for protection from any reduction in support • Work incentives should be promoted <p>Government have also reducing the funding available for CTS schemes by 10% in 2013/2014. From 2014/2015 the funding is rolled into the council's formula funding and not identified separately. As pensioners are protected from any reduction this becomes nearly a 25% reduction in support for working age people.</p> <p>The 2015/2016 CTS scheme for the Borough was agreed on 24 January 2015 and includes protection for the following groups:</p> <ul style="list-style-type: none"> • Pensioners • Households with a child under 5 • People entitled to the Disability Premium in CTB • People in receipt of Carer's Allowance <p>The 2016/2017 CTS scheme is a continuation of the 2015/2016 CTS scheme</p>			
Question		Answer			
1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic , for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?		Positive	Negative	Neutral	Unsure
Age			✓		
Disability		✓			

Please tick the relevant box for each group. NB. Equality neutral means no negative impact on any group.	Gender				√
	Gender Re-assignment				√
	Marriage/civil partnership				√
	Pregnancy & maternity				√
	Race				√
	Religion or belief				√
	Sexual orientation				√
	Other (eg low income)		√		
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes	<p>The legislation for local CTS schemes states pensioners must be protected from any reduction in the level of support they receive. As the funding has been reduced this means a bigger cut falls on working age people.</p> <p>The legislation also compels councils to have regard to the impact on vulnerable groups and the promotion of work incentives</p>			
3. Could this policy/service be perceived as impacting on communities differently?	Yes	See 2			
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes	<p>Pensioners are protected as they are not expected to return to work to increase their income to pay for any reduction in council tax support.</p> <p>Children under 5 are protected in accordance with Child Poverty.</p> <p>Those entitled to the Disability Premium in CTB are protected to reflect their higher living costs.</p> <p>People receiving Carer's Allowance are protected as it is harder for them to take on work or work extra hours to increase their income</p> <p>Work Incentives are promoted to encourage people back into work to increase their income. This is in line with the government's welfare reform principles.</p>			
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	<p>Actions:</p> <p>A full EIA has been completed as part of the Cabinet Report of 4 December 2012</p>			

		Actions agreed by EWG member:
Assessment completed by: Name	Joanne Stanton	
Job title	Revenues and Benefits Manager	
Date	3 November 2015	

Pre-Screening Equality Impact Assessment



Name of policy	CAB111: Risk Based Verification Policy				
Is this a new or existing policy/ service/function?	Existing				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	Risk Based Verification (RBV) allows the Council to risk score claims for Housing Benefit and Council Tax Support to determine the likelihood of fraud and error in that claim. RBV has already been agreed for all new claims and has been implemented from April 2015. The policy is now updated to extend RBV to all changes in circumstances.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			√	
	Disability			√	
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
	Other (eg low income)			√	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No				
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?	N/A	Actions:			

<p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>		
<p>Assessment completed by:</p> <p>Name Joanne Stanton</p>	<p>Actions agreed by EWG member:</p> <p>.....</p>	
<p>Job title Revenues and Benefits Manager</p>	<p>Date 9 November 2015</p>	

REPORT TO COUNCIL

Lead Member: Councillor Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted: Councillor Alistair Beales		
		Other Members consulted:		
Lead Officer: Samantha Winter E-mail: sam.winter@west-norfolk.gov.uk Direct Dial:01553 616327		Other Officers consulted:		
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications (incl S.17) NO	Equalities Impact Assessment NO	Risk Management Implications NO

Date of Meeting: 28 January 2016

APPOINTMENT OF REPRESENTATIVES TO SERVE ON OUTSIDE BODIES

Purpose of Report

This report seeks the nomination of two representatives to serve on King’s Lynn Conservancy Board from 1st February 2016 to 31st January 2019 and a second representative to serve on Sibelco Leziate Quarry Liaison Committee.

Recommendation

1. That Council nominates two Borough Council representatives to serve on the King’s Lynn Conservancy Board.
2. That Council appoint a representative to Sibelco Leziate Quarry Liaison Committee.

Reason for decision

To comply with a request from King’s Lynn Conservancy Board and Sibelco.

1. BACKGROUND

(i) King’s Lynn Conservancy Board

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 31st January 2016
- Councillor C Samspon – to 31st January 2016
- Councillor B Long – to 31st January 2017
- Councillor P Kunes – to 31st January 2018

(ii) Sibelco Leziate Quarry Liaison Committee

In May 2015 Councillor Beales was appointed by Council as the Borough Council's representative on Sibelco Leziate Quarry Liaison Committee. A request has now been received from Sibelco for a second Parish representative, covering the East Winch area, following their extension scheme proposals.

2 APPOINTMENT OF REPRESENTATIVES

(i) King's Lynn Conservancy Board

Councillors Ayres and Sampson terms of office will expire on 31st January 2016. Council are required to nominate 2 representatives to serve on King's Lynn Conservancy Board.

(ii) Sibelco

Sibelco have requested that an additional representative from within the relevant ward be appointed to Sibelco Leziate Quarry Liaison Committee.

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

Request from King's Lynn Conservancy Board
Request from Sibelco
Outside Bodies Database.