

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**CABINET**

**Minutes from the Meeting of the Cabinet held on  
Tuesday, 16th November, 2021 at 3.30 pm in the Assembly Room, Town  
Hall, Saturday Market Place, King's Lynn**

**PRESENT:** Councillor S Dark (Chair)  
Councillors R Blunt, P Kunes, A Lawrence and B Long

Apologies for absence were received from Councillors A Dickinson, G Middleton  
and S Sandell

**CAB59 MINUTES**

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**RESOLVED:** The Minutes of the Meetings held on 21 September and 20 October 2021 were approved as a correct record and signed by the Chair.

**CAB60 URGENT BUSINESS**

None

**CAB61 DECLARATIONS OF INTEREST**

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Councillor B Long declared a non pecuniary interest in the Lynnsport 3G pitch items as a Council appointed representative on Alive West Norfolk and confirmed he would participate in the debate but abstain from voting on the recommendations.

Councillor P Kunes declared a pecuniary interest in the Gambling Act item and left the meeting during its consideration.

**CAB62 CHAIR'S CORRESPONDENCE**

None

**CAB63 MEMBERS PRESENT UNDER STANDING ORDER 34**

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The following Councillors attended under standing order 34

J Rust – items CAB66, 70 and 71  
 J Moriarty – items CAB68, 69 and 71  
 A Kemp – items CAB66, 68 and 69  
 C Joyce (on zoom) – items CAB68, 69, 70, 71 and 74  
 A Ryves (on zoom) – Items CAB68 and 69  
 M de Whalley – items CAB66, 70 and 71

CAB64 **CALLED IN MATTERS**

None

CAB65 **FORWARD DECISIONS**

The forward decisions list was noted.

CAB66 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

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Cabinet noted the comments from Panels and where appropriate considered them with the agenda items.

**Environment and Community Panel – 5 October 2021 and 9 November 2021**

Clean Neighbourhoods Flytipping and Enforcement  
 3G Pitch Development at Lynnsport

Under standing order 34, Councillor de Whalley addressed Cabinet on the Panel's recommendation that there should be additional community engagement on the 3G pitch.

Commercial Service Plan 2021  
 Gambling Act 2005 - Update

**Regeneration and Development – 19 October 2021**  
 CIL Governance Changes

**Corporate Performance Panel – 8 November 2021**  
 Corporate Business Plan  
 Member Major Projects Board, Terms of Reference

**Member Major Projects Board Terms of Reference**  
 Project Group Terms of Reference  
 Member Major Projects Group – 10 November 2021

**King's Lynn Area Consultative Committee (KLACC) -11 November 2021** submitted the Parish Partnership Fund applications for the Cabinet to consider.

Bid 1 - Under standing order 34 Councillor Rust addressed Cabinet in support of the bid for a bus shelter at the hospital she had submitted to KLACC under the Parish Partnership Scheme which had been supported by the Committee and had also attracted a £2,000 contribution from the County Councillor's NCC pot.

Cabinet debated the recommendation from KLACC and agreed to support the bid. Cabinet agreed that it should not be funded through special expenses, but either through a CIL bid in the coming round or from a capital payment.

**RESOLVED:** That the bid be supported and delegated to the Assistant Director – Resources in consultation with the Leader to underwrite the bid for funding pending an application for CIL funding. If unsuccessful to be funded from the Capital Projects allocation.

Bid 2- Under standing order 34 Councillor Kemp addressed the Cabinet in support of the Parish Partnership Bid she had put forward to fund a bus shelter in South Lynn. She had agreed to support the bid by allocating £2,000 from her NCC allocation. The Bid had been supported by KLACC. It was noted that as the bid had been submitted late further work had been carried out with officers since the meeting and it was confirmed that the bus shelter would be a smaller one than expected so would not require match funding from the Borough, but would include ongoing maintenance payments.

Cabinet debated the proposal, drawing attention to the lateness of the bid to KLACC. Cabinet considered that the costs of the maintenance etc were acceptable and endorsed the bid.

**RESOLVED:** That the bid be endorsed with the funding arrangements to be delegated to the Assistant Director- Resources in consultation with the Leader.

## CAB67 **CORPORATE BUSINESS PLAN 2021-2023**

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Cabinet considered a report which appended the revised corporate business plan for the period to the next local elections in 2023.

In broad terms, the six priority areas that the council would continue to focus on were:

- Focusing on delivery.
- Delivering growth in the economy and with local housing
- Protecting and enhancing the environment including tackling climate change.

- Improving social mobility and inclusion.
- Creating and maintaining good quality places that make a positive difference to people's lives.
- Helping to improve the health and wellbeing of our communities.

The Corporate Performance Panel had considered the report and accepted the recommendations.

**RECOMMENDED:** That the corporate business plan attached to the agenda be approved.

#### **Reason for Decision**

To establish the council's policy framework for the term of the current administration and how the council will focus its resources over the next four years.

### CAB68 **CLEAN NEIGHBOURHOODS, FLY TIPPING AND ENFORCEMENT**

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Councillor Kunes presented the report which explained that Environmental issues, including the illegal dumping of waste on land in West Norfolk was a priority for the council. The report looked to prioritise and improve the response to dumped waste along with improving the education of residents and visitors, supporting community litter-picks and other initiatives to improve their locality, whilst dealing firmly with those who are intent on illegally discarding their waste.

The Environment and Community Panel supported the recommendations.

Under standing order 34 Councillor Moriarty addressed the Cabinet welcoming the proposals and suggested that the Council consider offering a service to landowners who had been targeted by fly tippers.

Under standing order 34 Councillor Kemp addressed the Panel welcoming the proposals, and raised the issue of enforcement of issues such as illegal burning of waste which the Environment Agency hadn't addressed.

Under standing order 34 Councillor Joyce welcomed the initiative, and suggested that the Council scrap the fee for the collection of bulky waste which he considered would prevent the dumping of those products by those on low incomes.

Under standing order 34 Councillor Ryves commented on and disagreed with the policy of charging for DIY waste at County Council refuse and recycling sites.

Cabinet debated the item and agreed that it was not appropriate to change policy without due consideration, and that it should have been raised when the item was considered by the Environment and Community Panel. Attention was also drawn to the enhanced education element set out in the report which would encourage less throwing of litter and fly tipping. The proposal would also support voluntary groups doing clean ups. Attention was drawn to the additional funding that had been allocated to climate change, along with this environmental fly tipping, enforcement and education proposal.

**RESOLVED:** 1) That additional resourcing to address the clean neighbourhood issues and reinforce the council's commitment to dealing with litter, fly-tipping and clean neighbourhood issues to improve the appearance and environment of the borough be committed to.

2) That the resourcing and expenditure as set out in the report be approved.

3) That the vehicle procurement in line with our climate change policy as set out in the report be approved.

### **Reason for Decision**

The council wishes to protect the environment by reducing the social and environmental impact of fly-tipped waste and better supporting welcome community 'clean up' initiatives by investing in education, collection, support and enforcement to create an enhanced, holistic response.

## **CAB69 MEMBERS MAJOR PROJECTS BOARD ; REVIEW OF TERMS OF REFERENCE**

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Cabinet considered a report which explained that the Council set up a Member Major Projects Board (MMPB) during 2019 to provide more formal over-sight and monitoring of the delivery of the Council's major projects and the programme of major projects.

The report explained that the operation and effectiveness of this Board had been hampered particularly by the Covid-19 pandemic, with many projects being stalled or delayed and Board meetings being cancelled.

The Council's Cabinet recognised the important role projects had in helping to deliver its aims and objectives and wanted to ensure that these projects were delivered successfully and in an appropriate way. Cabinet considered that a Project Board comprising a broad spectrum of Members/Councillors would help to provide greater over-sight and management of the Council's programme of major projects.

The report sought to provide a greater degree of clarity in respect of the role of the MMPB and particularly its relationship with other existing Panels and Committees within the Council. To this end revised Terms of Reference for the Member Major Projects Board were set out within the report

The Member Major Projects Group had considered the draft report and agreed the amendments.

The Corporate Performance Panel had considered the report and did not support the recommendations.

Under standing order 34 Councillor Moriarty addressed the Cabinet and commented that he felt consideration should be given to the scrutiny structures through a body such as the former Governance Task Group.

Under standing order 34 Councillor Kemp addressed the Cabinet and did not support the proposals put forward. She considered there should be more members on the Board.

Under standing order 34 Councillor Joyce suggested that the names of Cabinet members be used as opposed to positions to enable subs to be appointed if required.

Under standing order 34 Councillor Ryves addressed the Cabinet commenting that he felt the issue of conflicts of interest of Audit and Scrutiny members on the Board was not an issue as they would be fresh eyes looking at projects.

Cabinet debated the proposals and agreed that the outcome of the Board would report to the Panel/s as required in order for scrutiny to take place. Members attention was drawn to the definition of Major Project. It was agreed that this review of the project process was needed, and maintained a transparency with having the opposition members on the Cabinet Sub Committee. Once the new process was set up consideration could be given to monitoring processes.

**RESOLVED:** That the content of this report be noted and the revised Terms of Reference for the Member Major Projects Board be approved.

### **Reason for Decision**

The Terms of Reference for the Member Major Projects Board needed to be reviewed to provide greater clarity in respect of its purpose and function. It is important that the format and function of the Member Major Projects Board does not impinge, or impact upon the role of the existing Panels and Committees of the Council.

## **A GRANT FROM THE INFRASTRUCTURE FUND FOR NEW LYNNSPORT 3G AND COACHING ACADEMY PROJECT AT LYNNSPORT**

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The Assistant Director – Environment and Planning presented the report that explained that as part of the implementation of CIL applications were invited for the first round of grants. This included a bid under the ‘Strategic’ element of the scheme for the above project. The CIL Spending Panel recommended approval of the grant of £250 000. The decision fell to Cabinet to make under the CIL Governance framework. A Member objection had been received to the scheme as a whole and is outlined in the context of the CIL grant application

Under standing order 34 Councillor Rust addressed Cabinet speaking against the siting of a new 3G pitch on this site which she felt was free green space when she considered it could be placed elsewhere with less of an impact on residents. She questioned the mitigated land mentioned in the report, the flooding of the pitches and the Fields in Trust status the area held. She suggested other organisations could site the pitch.

Under standing order 34 Councillor Joyce questioned the fact that the CIL level for King’s Lynn was zero and the use of the resource for a Council owned company.

Under standing order 34 Councillor de Whalley addressed the Cabinet drawing attention to a petition on the matter published today. He reiterated his view that community consultation should be carried out.

In debating the matter, attention was drawn to the fact that the CIL levels had been set by an independent assessment where it was deemed not viable to have CIL payments in Kings Lynn. The number of CIL awards around the Borough which had been made was drawn attention to, and the report was being considered following the recommendation of the CIL Spending Panel. Attention was drawn to the fact that the planning application process would involve a consultation process where comments could be made.

The use of Lynnsport and the proposed pitch as a resource for the whole Borough was reminded, and it was noted that the pitch would not take the whole area. It was noted that the existing pitches did get water logged and they were areas where people walked their dogs whereas the 3G pitch would be.

In summing up the Leader reminded members it was a recommendation from the CIL panel, and the award would be made subject to planning permission. The Planning Committee would give it due consideration including any comments made in its consultation

process. He drew attention to the report of the Football Facility Plan which drew attention to the need for further 3G facilities for the large number of teams in the Borough. He considered it a good scheme to put forward for planning.

**RESOLVED:** That the recommendation from the CIL spending Panel on the application to the CIL Infrastructure Fund be approved, and the grant be made, subject to the grant of planning permission.

#### **Reason for Decision**

To consider the recommendation from the CIL Spending Panel and ensure that the CIL monies collected are being spent on appropriate infrastructure projects to reflect the growth of population occurring in West Norfolk.

### **CAB71 3G PITCH DEVELOPMENT AT LYNNSPORT**

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The Chief Executive presented a report which explained that Sport England and the Football Association had identified insufficient artificial football pitches in West Norfolk, the only one being located at Lynnsport. The existing 3G pitch had 92% utilisation Monday to Thursday 5pm to 9pm, therefore was operating at near capacity. Alive West Norfolk (AWN) were regularly having to turn down booking requests from local clubs and organisations who were unable to access a 3G pitch.

It was proposed to develop an additional 3G pitch on the River Lane playing fields to provide extra capacity in an area already designated for use as football pitches. The Local Football Facilities Plan produced by the FA highlighted this development as the top priority for West Norfolk. This would enable the local community to benefit from additional football facilities utilising the existing Dutton pavilion for changing.

The report explained that the Football Foundation funding covered development of a 3G pitch with floodlights and fencing only. If the pitch was not located at River Lane there would be an additional cost of c.£250-300k for the development of changing rooms. The Football Foundation also preferred developments to be located with leisure operators who had the expertise to maintain and programme the venues for the whole community. River Lane currently had 4 grass football pitches which were underutilised due to regular water logging. It was very rare that 2 pitches were used at the same time despite the 4 available.

The River Lane playing fields were registered under Fields in Trust who had confirmed that artificial pitches did not require their consent unless



they took up the majority of the space. As this development was approximately 20% of the area no formal application was required.

It was noted that the River Lane and the Dutton Pavilion were subject to anti-social behaviour and vandalism. Lynnsport received a number of nuisance calls related to drug use and anti-social behaviour in the area. This development would support the community in making the River Lane playing pitches a vibrant and active place for residents to undertake recreational physical activity and formal sport. Work was currently underway with the NHS, Freebridge and Greenpark Academy School to improve sport and physical activity opportunities for residents in North Lynn and the new 3G pitch will incorporate some of this programme as well as discounted off peak rates for local residents. The programme and facility development would breathe life into an underused green space which is specifically designated for sport and activity

The Environment and Community Panel had considered the report and recommended that further consideration be given to the siting of the pitch and consultation be carried out with residents.

Under standing order 34, Councillor Rust addressed Cabinet. Reiterating her position on the previous item, requesting an alternative site be investigated.

Under standing order 34 Councillor Joyce questioned the order of items considered.

Under standing order 34 Councillor de Whalley addressed the Cabinet drawing attention to the fact it would fence off part of the area into a fee paying facility which he considered would betray the Fields in Trust element. He drew attention a number of issues including the noise generated by the pitches and the flood lighting until 10pm, that Beulah Street would struggle with the traffic, the life span of the pitch was only 10-12 years and the loss of green space.

Under standing order 34 Councillor Moriarty drew attention to the comments from the Environment and Community Panel that there should be consultation on the matter and asked that the matter be deferred for that to take place and further consideration be given to KES as a site. The monitoring officer confirmed that the Cabinet had received the comments of the Panel in its agenda.

In debating the item Cabinet discussed the report and drew attention to the need for a further 3G pitch to provide training facilities for all types of clubs and to encourage childhood activity.

In summing up, the Leader drew attention to the recommendations from the Panel and Cabinet agreed that consultation would take place around the planning process, he drew attention to the wording in the Football Plan which expressed the need for further such facilities with

associated support facilities. He drew attention to the fact that there was also considerable finance attached with this proposal which held a high probability of success.

Cabinet considered but did not agree with the proposals from the Environment and Community Panel.

**RESOLVED:** 1) That the development of a 3G pitch at River Lane playing pitches, subject to planning permission be approved.

2) That funding for the 3G pitch as set out in section 4 of the report be approved.

### **Reason for Decision**

There is a need for an additional 3G pitch to be developed at Lynnsport in order to meet demand of the affiliated game.

Additional local demand for 3G provision is being generated by the growth of the Women and Girls football with participation increasing within the traditional affiliated female game. Walking football is also seeing a rapid participation growth.

Football is also a strong tool to improve community cohesion and improve local issues such as anti-social behaviour. A new 3G pitch would enable recreational football programmes to be delivered which could improve community cohesion and social engagement.

## **CAB72 COMMUNITY INFRASTRUCTURE LEVY GOVERNANCE CHANGES- CONSIDERATION OF 'LESSONS LEARNT' FROM THE FIRST ROUND OF GRANT APPLICATIONS FOR CIL FUNDING**

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Cabinet considered the report which explained that a successful exercise took place to distribute CIL funds to various types of infrastructure project in line with criteria agreed by Cabinet in the CIL Governance document. A second round was proposed. The CIL Spending Panel had considered a number of changes to the present processes and these were set out in the report to streamline the application processes

The Regeneration and Development Panel had considered the report and supported the changes to the processes.

**RESOLVED:** That the changes to the CIL Spending - Application process as set out in Section 3 (as listed A – D) of the report be approved.

### **Reason for Decision**

To ensure an efficient process for applicants and promote the provision of infrastructure for the growing needs of the Borough through use of CIL

**CAB73    COMMERCIAL SERVICE PLAN 2021**

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Cabinet considered a report which explained that Food authorities were required by the Food Standards Agency to set out a scheme for the planning and delivery of food law enforcement. It was expected that this scheme will take the form of a formally adopted service plan.

The Environment and Community Panel had considered the scheme and supported the recommendations.

**RESOLVED:** That the Commercial Team Service Plan be approved.

**Reason for Decision**

The Council has the responsibility to ensure food businesses within the Borough maintain satisfactory standards of hygiene thus reducing the likelihood of food borne disease.

By not adopting the service plan the authority may be classed as a failing authority in the view of the Food Standards Agency

**CAB74    GAMBLING ACT 2005 - UPDATE**

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Cabinet considered the report which explained that the Gambling Act 2005 required every local authority to agree a Statement of Principles (previously referred to as 'Statement of Licensing Policy') in accordance with the Statutory Guidance issued under the Act. The policy had been drawn up in accordance with the guidelines issued by the Gambling Commission and had been subject to consultation

The Environment and Community Panel had supported the proposals.

Under standing order 34 Councillor Joyce drew attention to the work carried out to bring about restrictions previously introduced around betting machines. He reminded members that breaches were not just a Borough Council issue but also the responsibility of the Police.

Cabinet supported the amended policy.

**RECOMMENDED:** That the Statement of Principles in accordance with the requirements of the Gambling Act 2005 be approved.

**Reason for Decision**

It is a Statutory requirement that the Council adopts a Statement of Principles

CAB75 **REQUESTS FOR VARIATION OF NUMBERS OF PARISH COUNCILLORS**

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The Leader introduced a report submitted in order to address the requests made by Hillington, Hockwold and Walpole Cross Keys Parish Councils to increase their current number of Parish Councillors.

Hillington Parish had requested an increase from 5 to 6 Councillors, Hockwold Parish Council had requested an increase from 9 to 10 parish councillors. Walpole Cross Keys had requested an increase from 8 to 9 parish councillors.

**RECOMMENDED:** 1) That the variation for Hillington be approved.  
2) That the variation for Hockwold be approved.  
3) That the variation for Walpole Cross Keys be approved.

**Reason for Decision**

To enable Hillington Parish Council to be quorate with greater ease  
For both Hockwold and Walpole Cross Keys, an additional Councillor would help to resolve an increasing number of local issues, due to a large influx of additional parishioners over the previous 15 years

**The meeting closed at 5.56 pm**