



Cabinet

Agenda

Tuesday, 11th January, 2022
at 3.30 pm

in the

Assembly Room
Town Hall
Saturday Market Place
King's Lynn

Also available to view on:

<https://www.youtube.com/user/WestNorfolkBC>



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
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CABINET AGENDA

DATE: CABINET - TUESDAY, 11TH JANUARY, 2022

**VENUE: ASSEMBLY ROOM, TOWN HALL, SATURDAY
MARKET PLACE, KING'S LYNN**

TIME: 3.30 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - No items will be considered in private.

1. MINUTES

To approve the Minutes of the Meeting held on 16 November and 14 December 2021 (previously circulated).

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. DECLARATIONS 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.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. **CHAIR'S CORRESPONDENCE**

To receive any Chair's correspondence.

6. **MEMBERS PRESENT UNDER STANDING ORDER 34**

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

7. **CALLED IN MATTERS**

To report on any Cabinet Decisions called in.

8. **FORWARD DECISIONS** (Pages 5 - 8)

A copy of the Forward Decisions List is attached

9. **MATTERS REFERRED TO CABINET FROM OTHER BODIES** (Pages 9 - 10)

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda.

10. **COUNCIL TAX SUPPORT - FINAL SCHEME FOR 2022-2023** (Pages 11 - 28)

11. **APPOINTMENT OF EXTERNAL AUDITORS** (Pages 29 - 34)

12. **ASSET MANAGEMENT - LAND DISPOSAL AT SUTTON ESTATE, BURNHAM MARKET** (Pages 35 - 53)

To: Members of the Cabinet

Councillors R Blunt, S Dark (Chair), A Dickinson, P Kunes, A Lawrence, B Long, G Middleton (Vice-Chair) and S Sandell

For Further information, please contact:

Sam Winter, Democratic Services Manager 01553 616327
Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street
King's Lynn PE30 1EX

FORWARD DECISIONS LIST

| Date of meeting | Report title | Key or Non Key Decision | Decision Maker | Cabinet Member and Lead Officer | List of Background Papers | Public or Private Meeting |
|-----------------|--|-------------------------|----------------|---|---------------------------|---------------------------|
| 11 January 2022 | | | | | | |
| | Asset Management – Land and Property Disposals | Key | Cabinet | Property Asst Dir Property and Projects | | Public |
| 5 | Appointment of External Auditors | Key | Council | Finance S151 officer | | Public |
| | Council Tax Support: Final Scheme for Working Age People for 2022/2023 | Non | Council | People & Communities S151 Officer | | Public |

| Date of meeting | Report title | Key or Non Key Decision | Decision Maker | Cabinet Member and Lead Officer | List of Background Papers | Public or Private Meeting |
|-----------------|---------------------------------------|-------------------------|----------------|---|---------------------------|---|
| 8 February 2022 | | | | | | |
| | Budget | Key | Council | Leader S151 Officer Asst Dir Resources | | Public |
| | Capital Programme | Key | Council | Leader S151 Officer Asst Dir Resources | | Public |
| | Members Allowances Independent Review | Non | Council | Finance Chief Executive | | Public |
| | Treasury Management Strategy | Key | Council | Leader S151 Officer Asst Dir Resources | | Public |
| | Capital Strategy | Key | Council | Leader S151 Officer Asst Dir Resources | | Public |
| | Guildhall Future Governance Options | Non | Council | Business, Culture and Heritage – G Middleton Asst Director – D Hall | | Public |
| 9 | Balloon and Lantern Policy | Non | Cabinet | Corporate Services and Environment Asst – M Chisholm | | Public |
| | Review of Legal Services | Key | Council | Leader Chief Executive | | Private - Contains exempt information under para 3 – information relating to the business affairs of any person (including the authority) |

| Date of meeting | Report title | Key or Non Key Decision | Decision Maker | Cabinet Member and Lead Officer | List of Background Papers | Public or Private Meeting |
|-----------------|--|-------------------------|----------------|--|---------------------------|---|
| 15 March 2022 | | | | | | |
| | Review of Governance of Council Companies | Non | Cabinet | Leader Chief Executive | | Public |
| | Hackney Carriage and Private Hire Licensing Procedures and Conditions Review | Non | Council | Environment Assistant Director – S Ashworth | | Public |
| | Freedom of the Borough - amendments | Non | Council | Leader Chief Executive | | Public |
| | Planning Scheme of Delegation/Sifting Panel | Non | Council | Development & Regeneration Asst Director S Ashworth | | Public |
| 7 | Housing Delivery Test Action Plan | Non | Cabinet | Development & Regeneration Asst Director S Ashworth | | Public |
| | Five Year Housing Land Supply assessment | Non | Council | Development & Regeneration Asst Director S Ashworth | | Public |
| | Notice of Motion 7-21 – Councillor Kemp – Equalities | Non | Council | Leader Asst Dir B Box | | Public |
| | Custom and Self Build Site – Stoke Ferry | Non | Cabinet | Regeneration and Development Assistant Director - D Hall | | Public |
| | Derelict Land & Building Group | Non | Council | Regeneration & Development Asst Director – Duncan Hall & S Ashworth | | |
| | Lynnsport One | Key | Council | Project Delivery Asst Dir Companies & Housing Delivery – D Ousby | | Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority) |

Meetings in new year

| | | | | | | |
|--|----------------------|-----|---------|-------------------------------|--|--------|
| | Procurement Strategy | Non | Cabinet | Finance Asst Dir – D Ousby | | Public |
|--|----------------------|-----|---------|-------------------------------|--|--------|

RECOMMENDATIONS TO CABINET 11 JANUARY 2022 FROM THE CORPORATE PERFORMANCE PANEL HELD ON 8 DECEMBER 2021

CP72: Council Tax Support Scheme 2022/2023: Final Scheme

[Click here to view a recording of this item on You Tube](#)

At the invitation of the Chair, the Leader, Councillor Dark addressed the Panel and explained that Councillor Sandell, Portfolio Holder was not able to be present at the Panel, and as the Leader put the report into context and explained that Cabinet was proud to propose a 9% increase in one year to help the 2,000 lowest income residents in West Norfolk. The Leader explained that the increase would be for every year going forward. The Leader drew the Panel's attention to section 5.8 of the report and highlighted that 40% of people in this group were working and 40% had children over the age of five and the majority were in the lowest council tax bands. The Leader also drew Members' attention to section 8.2 and Appendix C which 8.2 which set out the impact of the Borough Council's decision on other local authorities in Norfolk.

In presenting the report, the Revenues and Benefits Manager explained that the council must implement a Council Tax Support (CTS) scheme for its working age residents for each financial year. It was highlighted that the council must first decide on a draft CTS scheme which was open for public consultation, and then must agree a final CTS scheme, taking into account the consultation responses.

The Panel was informed that since 2017, authority had been delegated to the council Leader, in consultation with the relevant Portfolio Holder and the s151 Officer, to agree the draft CTS scheme. The draft CTS scheme was open for consultation from 19 October 2021 to 29 November 2021 and the responses were included in the report.

The Revenue and Benefits Manager advised that the final CTS scheme for 2022/2023 was a continuation of the 2021/2022 CTS scheme, with an uplift to the maximum weekly CTS that can be paid under the scheme.

It was explained that the current limit of 75% would increase to 84% for 2022/2023 onwards and this would bring the council in line with several other Norfolk authorities and the CTS scheme more generous at a time when working age people may still be financially impacted by Covid-19.

The Revenues and Benefits Manager drew the Panel's attention to the key issues set out in the report.

The Revenues and Benefits Manager responded to questions in relation to the costs both to the Borough Council (£22,000) and Norfolk County Council (£361,000) for a 100% scheme.

Councillor Morley commented that in his view the council should look to increase the scheme to 100%.

Councillor Nash drew the Panel's attention to section 5.6 of the report: Customers who were in a protected group, including those who had reached pension age, were not subject to the weekly maximum council tax limit, and could receive up to 100% CTS.

Councillor Morley asked if paragraph 5.6 could be amplified so that those in dire straits could get 100% alleviation which would not have a significant impact on Norfolk County Council and would show that the Administration did care for those in the borough. In response, the Revenues and Benefits Manager explained that Appendix D provided a breakdown of those receiving up to 100% but undertook to carry out further analysis and add the information into the report.

Councillor Morley abstained from the vote to recommend to Cabinet and Council the final CTS scheme for 2022/2023.

RESOLVED: The Panel noted the consultation responses and agreed the draft CTS scheme for 2022/2023 which went to public consultation and recommended to Cabinet and Council as the final CTS scheme for 2022/2023.

REPORT TO CABINET

| | | | | | |
|--|--------------------------------------|---|--|-------------------------------------|------------------------------------|
| Open | | Would any decisions proposed : | | | |
| Any especially affected Wards | Mandatory | Be entirely within Cabinet's powers to decide | | NO | |
| | | Need to be recommendations to Council | | YES | |
| | | Is it a Key Decision | | NO | |
| Lead Member: E-mail: Cllr Sam Sandell Cllr.sam.sandell@west-norfolk.gov.uk | | Other Cabinet Members consulted: Cllr Stuart Dark | | | |
| | | Other Members consulted: Corporate Performance Panel | | | |
| Lead Officer: Jo Stanton, Revenues and Benefits Manager E-mail: joanne.stanton@west-norfolk.gov.uk Direct Dial:01553 616349 | | Other Officers consulted: S151 Officer | | | |
| Financial Implications YES | Policy/ Personnel Implications NO | Statutory Implications YES | Equal Impact Assessment YES If YES: Pre-screening only | Risk Management Implications YES | Environmental Considerations NO |
| If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s) | | | | | |

Date of meeting: 11 January 2022

COUNCIL TAX SUPPORT: FINAL SCHEME FOR WORKING AGE PEOPLE FOR 2022/2023

Summary

The council must implement a Council Tax Support (CTS) scheme for its working age residents for each financial year. We must first decide on a draft CTS scheme which is open for public consultation, and then must agree a final CTS scheme, taking into account the consultation responses.

Since 2017, authority has been delegated to the council Leader, in consultation with the relevant Portfolio Holder and the s151 Officer, to agree the draft CTS scheme. The draft CTS scheme was open for consultation from 19 October 2021 to 29 November 2021 and the responses are included in this report.

The final CTS scheme for 2022/2023 is a continuation of the 2021/2022 CTS scheme, with an uplift to the maximum weekly CTS that can be paid under the scheme.

The current limit of 75% will increase by 9% to 84% for 2022/2023 onwards. This brings us in line with several other Norfolk authorities, and makes the CTS scheme more generous at a time when working age people may still be financially impacted by Covid-19

Recommendation

Cabinet agree the draft CTS scheme for 2022/2023 which went to public consultation is recommended to Council as the final CTS scheme for 2022/2023.

Reason for Decision

To ensure a CTS scheme for working age people for 2022/2023 is agreed by full Council by 11 March 2022.

1. Introduction

- 1.1. Council Tax Support (CTS) is a reduction awarded to people on low incomes to help with the cost of their council tax bill. Since 2013 each district council is responsible for its own CTS scheme for working age people, and must review and agree the scheme each year. The CTS Scheme for 2022/2023 must be agreed by full Council by 11 March 2022, although in practice it needs to be agreed by January 2022 as it forms part of the taxbase and budget setting process.
- 1.2. The draft CTS scheme was agreed by a delegated decision earlier in the year and has been open to public consultation. This report details the results of the consultation, the comments made and the recommended final CTS Scheme for 2022/2023.
- 1.3. Details on the CTS scheme can be found on our website at https://www.west-norfolk.gov.uk/info/20019/council_tax_support.

2. Background

- 2.1. When deciding our CTS scheme for working age customers we must first consult with our major preceptors, then decide a draft CTS scheme to go to public consultation. Once the consultation has closed the final CTS scheme for the next year must then be agreed by full Council.
- 2.2. Our working age CTS scheme principles have remained largely unchanged since the scheme started in 2013, and are included at Appendix B. They are based on the rules for the old Council Tax Benefit scheme prior to 2013 and use many of the same principles as the ongoing Housing Benefit scheme. This makes the scheme easier for our customers to understand, and simpler to administer.
- 2.3. Since 2013 the working age CTS scheme rules have been amended to reflect wider welfare reform changes, including amendments to the Housing Benefit rules and the introduction of Universal Credit in 2018. There have been fewer changes in recent years as the pace of welfare reform has slowed. There have been no significant welfare reform changes in the current year that need to be reflected in our CTS scheme for 2022/2023.
- 2.4. CTS for pension age people is paid under national regulations. We are responsible for the administration of the pension age scheme, and we meet the cost of these claims, however central government is responsible for the rules of the scheme

3. The Current Council Tax Support Scheme - 2021/2022

- 3.1. The principles of the current CTS scheme for 2021/2022 are included at Appendix B.
- 3.2. The CTS scheme uses the same calculation method as the old Council Tax Benefit scheme (which ended in 2013) and the CTS scheme for pension age people. A person's total household income is assessed against an allowed amount which is based on their circumstances. If their income is less than the allowed amount, they receive the maximum amount of CTS payable under the scheme. If their income is more than the allowed amount, the maximum CTS is reduced by 20p for every £1 over the amount allowed.
- 3.3. For 2021/2022 the maximum amount of CTS payable for a working age person who is not in a protected group is limited to 75% of their weekly council tax bill. For example, if their weekly council tax bill is £10 the maximum CTS they can receive is £7.50.
- 3.4. There are a number of people who are in a protected group and receive a higher amount of CTS due to their circumstances, including those receiving a Disability Premium, Carer's Allowance or who are responsible for a child under the age of five. Pension age people are paid under a national set of rules and are unaffected by any changes to our CTS scheme. These groups are also not subject to the limit on the maximum amount of CTS.

4. Options Considered

- 4.1. We can consider changes to the principles of the existing CTS scheme, for example to award people more CTS by increasing the maximum weekly council tax bill that is paid under the scheme. At present we pay up to 75% of the weekly council tax bill for non-protected groups but this can be changed. A more generous scheme would increase the incomes of local residents but would reduce our taxbase, raising the cost to us and our precepting authorities. Estimates of the additional costs for increasing the levels of support are shown at Appendix C. This extra cost would have to be found from within the existing budgets for each of the authorities.
- 4.2. Alternatively, we could consider reducing the cost of the CTS scheme by reviewing the Protected Groups as listed in Appendix B (with the exception of Pension Age people). We could consider removing some or all of the protections and only paying up to a certain percentage of the weekly council tax bill. To remove all the protections would lower the cost of our scheme by an estimated £1,081,000, reducing the cost to us and our preceptors. However, it would mean that people in the Protected Groups no longer benefit from a more generous CTS scheme and will pay more council tax. Full details of the costs for each of the Protected Groups are shown at Appendix D.
- 4.3. There are also alternative CTS scheme models that can be considered for our working age scheme, such as a banded discount scheme, where a set percentage discount is awarded based on a person's income and household. However, moving to an alternative model will involve significant changes and financial disruption for our customers, and inevitably there will be winners and losers. It would also mean the rules for working age customers were different to those for pension age customers, and different to the rules for Housing Benefit.

5. The 2022/2023 CTS Scheme

- 5.1. The CTS scheme for 2022/2023 is a continuation of the 2021/2022 scheme with an increase to the limit on the maximum amount of CTS.
- 5.2. Following a review of CTS Schemes for the other Norfolk authorities the maximum amount of the council tax bill covered by the scheme for working age people not in a protected group will **rise by 9% from 75% to 84% from 1 April 2022**. This brings us more in line with other CTS schemes across Norfolk and is the same as the proposed limit for Broadland Council and South Norfolk Council for 2022/2023.
- 5.3. The current and proposed CTS Scheme limits for 2022/2023 for the other Norfolk authorities are shown below:

| | 2021/2022 | 2022/2023 | |
|----------------|--------------|--------------|-------------|
| | Actual | Proposal | Change |
| BCKLWN | 75.0% | 84.0% | 9.0% |
| Broadland | 83.0% | 84.0% | 1.0% |
| South Norfolk | 85.0% | 84.0% | -1.0% |
| Great Yarmouth | 91.5% | 91.5% | 0.0% |
| Norwich | 100.0% | 100.0% | 0.0% |
| Breckland | 91.5% | 91.5% | 0.0% |
| North Norfolk | 91.5% | 91.5% | 0.0% |

- 5.4. The change will reduce the amount of council tax that working age people who are not in a protected group will pay. For example:
- John and Jackie are a couple receiving Universal Credit. They live in a Band B property in King's Lynn and their weekly council tax bill is £28.92.
 - Under our current scheme 75% of their council tax bill is covered by CTS. They receive £21.69 a week in CTS and pay £7.23 a week towards their council tax bill.
 - The proposed changes mean 84% of their council tax bill is covered by CTS. They would receive £24.30 a week in CTS and would pay £4.62 a week towards their council tax bill.
- 5.5. Customers who are in a protected group, including those who have reached pension age, are not subject to the weekly maximum council tax limit, and can receive up to 100% CTS. A full breakdown of the working age people in the protected groups is shown at Appendix D. 66% of the working age caseload are in a protected group, and of these the majority (43%) are protected as they receive Personal Independence Payment. The next biggest protected group (25%) are households with a child under the age of five.
- 5.6. Pension age people account for 45% of our CTS caseload – around 4,500 claims. Working age people account for the other 55%, and of these around 3,500 claims (63%) are in a protected group so do not have the CTS limit applied. This leaves just under 2,000 people who are working age but not in a protected group, who are then subject to the maximum CTS limit and will benefit from the 9% increase to this limit.

5.7. An analysis of this group is shown below. 40% of people in this group are working, and 40% have children over the age of five. The majority are in the lowest council tax bands.

| | Total | Working | Not working |
|---------------|--------------|------------|--------------|
| Couple | 156 | 62 | 94 |
| Family | 131 | 87 | 44 |
| Lone Parent | 650 | 322 | 328 |
| Single Person | 1,022 | 312 | 710 |
| Total | 1,959 | 783 | 1,176 |
| | | 40% | 60% |

| Council Tax Band | Total |
|------------------|--------------|
| A | 1,350 |
| B | 395 |
| C | 142 |
| D | 55 |
| E | 13 |
| F | 2 |
| G | 2 |
| | 1,959 |

5.8. The draft CTS scheme was open for consultation between 19 October 2021 and 29 November 2021. The consultation responses are reviewed at section 6 and Appendix E.

6. Council Tax Support Consultation

6.1. The CTS consultation was primarily available via the council's website and as a paper form if requested. Online responses were encouraged as data can be electronically logged and collated. The consultation opened on 19 October 2021 and was publicised through social media, council emails, newsletters, Members and parish clerks.

6.2. The consultation closed on 29 November 2021. 14 responses were received, up from 6 responses last year. The responses are included in full at Appendix E.

6.3. Norfolk County Council have responded to all Norfolk authorities requesting a consistent scheme across the different authorities. A copy of their letter is included at Appendix E. They raise three key areas in their letter:

- A savings limit of £6,000 – this is already part of our scheme,
- Limit support to Band D – the table at 5.7 shows only 17 claims are in band E or higher so this change would have very little financial benefit, and
- A 75% maximum council tax limit – our CTS Scheme for 2022/2023 has a limit of 84%

6.4. The majority of people who responded agreed with keeping the CTS Scheme, and with increasing the level of support to 84%. The majority also agreed that the increased cost of the scheme should be funded as proposed from within existing income (see paragraph 8.4).

7. Corporate Priorities

7.1. The CTS scheme supports Corporate Priority 1 – Provide important local services within our available resources.

7.2. Due to the budget setting timetable we must agree a CTS scheme for working age people for the 2022/2023 year by January 2022.

8. Financial Implications of Proposal

- 8.1. Increasing the maximum amount of council tax that can be paid under the CTS scheme from 75% to 84% has financial implications. As CTS is a discount it forms part of the council's taxbase calculations. Estimates show that increasing the generosity of the scheme will reduce the taxbase by around 85 band D properties. This is equal to just under £11,500 of annual council tax income for the borough.
- 8.2. Indicative figures for the extra cost of raising the maximum CTS limit to 84% are shown below. Figures for other options, including a limit of 100%, are shown at Appendix C. These figures relate to working age CTS claims only:

| Maximum CTS | | 84% |
|---|--------------|------------------|
| Total CTS Before @ 75% | | £5,177,248 |
| Total CTS After | | £5,343,520 |
| Change - additional cost | | £ 166,272 |
| Shares 21/22: | | |
| Norfolk County Council | 75.41% | £ 125,386 |
| Police and Crime Commissioner | 14.23% | £ 23,661 |
| BCKLWN | 6.91% | £ 11,489 |
| Parishes | 3.45% | £ 5,736 |
| | | £ 166,272 |
| Taxbase - Additional Reduction in Band D properties | | |
| | £ 1,953.22 | 85.1 |

Based on actuals at 21 September 2021

- 8.3. Increasing the maximum CTS limit increases the cost to all the preceptors, including Norfolk County Council and the Police and Crime Commissioner. Raising the limit to 84% brings us into line with several other Norfolk authorities whilst remaining financially prudent.
- 8.4. The overall taxbase figures for the forthcoming financial year are currently being prepared. There has been strong growth in the taxbase, mostly due to an increase in new domestic properties being added to the council tax list. The proposed taxbase for 2022/2023 shows growth ahead of the taxbase estimates in the Financial Plan and this growth will be sufficient to offset the loss in the taxbase caused by changes to the CTS scheme.

9. Current Financial Implications

- 9.1. As at 1 December 2021 the total cost of our 2021/2022 CTS scheme is £9.865m across 9,842 claims. CTS reduces our taxbase by the equivalent of 5,051 band D properties. This reduction in taxbase is equal to a cost of £681,228 to the borough council (5,051 x £134.87). £329,353 of this cost is for the CTS scheme for pension age people, paid under the national regulations. We have no powers to alter this element of the scheme or the associated costs.

| | Claims | Total Cost | Average Cost Per Claim |
|--------------------|----------------|-------------------|-------------------------------|
| Pension Age Claims | 4,494 (46%) | £4.77m (47%) | £1,061 |
| Working Age Claims | 5,356 (54%) | £5.096m (53%) | £950 |
| Total | 9,990 | £9.97m | £998 |

9.2. We have also awarded £306,000 in council tax Hardship Relief for 2021/2022, which is fully funded by a government grant so does not affect the taxbase.

9.3. A rise in the number of working age CTS claims will increase the cost of the scheme and the impact on the council's taxbase. At present the cost of the CTS scheme is within the predictions in the Financial Plan and this is monitored weekly to identify any changes.

10. Any other Implications/Risks

10.1. The coronavirus pandemic has made a significant impact on the economy and the jobs market. Businesses closed and employees were made redundant. The pandemic caused an increase in our caseload, although it remained within the taxbase estimates in the Financial Plan.

10.2. We are currently seeing a reduction in the caseload to pre-pandemic levels as the economy improves, but we are now heading into the winter season and the impact Covid-19 and any new variants and government restrictions may have is not yet clear. The furlough scheme ended in September 2021 which may also contribute to further demand for welfare benefits.

10.3. Increasing the maximum amount of council tax we will pay under our scheme will increase the incomes of working age people as they will have more of their council tax bill covered by CTS. The impact of Covid-19 is likely to continue into 2022/2023 and making our scheme more generous will help those on low incomes who are likely to have experienced more of a financial impact.

10.4. The impact of the CTS scheme is, and will continue to be, reviewed monthly and is reported in the Members Bulletin in October each year.

11. Equal Opportunity Considerations

11.1. The pre-screening Equality Impact Assessment (EIA) is included at Appendix A. A full EIA was completed as part of the Cabinet Report of 7 September 2016. As the changes to the scheme since then and for 2022/2023 are minor and positive so no further assessment has been completed.

12. Consultation

12.1. The draft CTS scheme for 2022/2023 was open to public consultation from 19 October 2021 to 29 November 2022. The full results are summarised at section 6. and included in full at Appendix E.

13. Conclusion

13.1. Cabinet is asked to agree that the draft CTS scheme for 2022/2023 which went to public consultation is recommended and full Council as the final CTS scheme for 2022/2023.

14. Personnel Implications

14.1. None

15. Environmental Considerations

15.1. None

16. Statutory Considerations

16.1. The council is required to agree a CTS Scheme for the 2022/2023 financial year by 11 March 2022, although in practice it has to be agreed by January 2022 as it forms part of the council's taxbase and budget setting process.

17. Declarations of Interest / Dispensations Granted

17.1. None

18. Background Papers

18.1. None

Appendix A: Pre-Screening Equality Impact Assessment



| | | | | | |
|--|--|--|----------|---------|--------|
| Name of policy/service/function | Local Council Tax Support Scheme 2022/2023 | | | | |
| Is this a new or existing policy/service/function? | Continuation of, and updates to, an existing Policy | | | | |
| Brief summary/description of the main aims of Policy being screened. Please state if this policy/service is rigidly constrained by statutory obligations | Council Tax Support is a discount given to residents on a low income to help with the cost of their council tax bill. The council is free to agree its own local scheme for the discount for working age people. | | | | |
| 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 | There are protections for those who have a disability, caring responsibilities, children under 5 or are pension age. | | | |
| <p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p> | No | Actions: | | | |
| | | Actions agreed by EWG member: | | | |
| Assessment completed by: | Joanne Stanton | | | | |
| Job title | Revenues and Benefits Manager | | | | |
| Date | 6 December 2021 | | | | |

Appendix B: Principles of the Current CTS Scheme

Our current CTS scheme assesses people's income against an allowed amount, called an 'applicable amount'. If their income is less than the applicable amount they receive full CTS, subject to a 25% contribution if they are working age and not in a protected group. If it is more than the applicable amount their CTS is reduced by 20p for every extra £1.

Our current CTS Scheme Principle:

An equal cut is made to everyone apart from those in a protected group.

The key points are:

- Working Age people have their CTS calculated based on 75% of their weekly CTS bill (to be increased to 84% from 2022/2023)
- A weekly £10 deduction is made for each non-dependent regardless of their income
- The maximum amount of Capital allowed is £6,000
- No Tariff Income is assumed for capital under £6,000
- Self Employed people are assumed to have an income of at least the minimum wage (NB this is currently suspended for the 2021/2022 CTS Scheme)
- There is no Second Adult Rebate

To fulfil the requirement to consider vulnerable groups, CTS will be paid based on the national, more generous scheme for the following groups:

- Those who have reached the qualifying age for State Pension Credit (under central government rules)
- Households with at least one child under the age of 5
- Those entitled to the Disability Premium, the Disabled Child Premium or the Carer Premium as part of their needs calculation
- Those in receipt of Carer's Allowance, Attendance Allowance or Constant Attendance Allowance
- Those receiving Working Tax Credit including a disability element
- Those in the Employment and Support Allowance Support group
- Those in receipt of Disability Living Allowance or Personal Independence Payment
- Those in receipt of Carer's Allowance

The CTS scheme also includes incentives to find work. People are allowed to keep an extra £10 (above the national limit) before their CTS is affected. This is known as a disregard and the amounts are:

- | | |
|-----------------------|-----|
| • Single | £15 |
| • Couple | £20 |
| • Disabled or a Carer | £30 |
| • Lone Parent | £35 |

We also have a local income disregard as below:

- War Pensions will be fully disregarded in the income calculation

General CTS Scheme Rules

- In all other areas the CTS Scheme rules will follow the rules for working age Housing Benefit claims

Appendix C – Cost of increasing maximum limit for CTS

The table below shows the estimated cost of increasing the maximum CTS limit across several options. The overall additional cost is shown, and the cost to each of the Precepting authorities is then calculated. The additional cost is equivalent to the amount of extra CTS people would receive.

| CHANGE TO MAXIMUM CTS LIMITS (CURRENTLY 75%) | | | | | | |
|---|--------------|------------------|------------------|------------------|------------------|-----------------|
| Maximum CTS | | 100% | 90% | 85% | 84% | 80% |
| Total CTS Before @ 75% | | £5,187,615 | £ 5,187,615 | £5,187,615 | £5,177,248 | £ 5,187,615 |
| Total CTS After | | £5,666,790 | £ 5,470,796 | £5,374,152 | £5,343,520 | £ 5,278,613 |
| Change - additional cost | | £ 479,174 | £ 283,181 | £ 186,537 | £ 166,272 | £ 90,998 |
| Shares 21/22: | | | | | | |
| Norfolk County Council | 75.41% | £ 361,345 | £ 213,546 | £ 140,667 | £ 125,386 | £ 68,622 |
| Police and Crime Commissioner | 14.23% | £ 68,187 | £ 40,297 | £ 26,544 | £ 23,661 | £ 12,949 |
| BCKLWN | 6.91% | £ 33,111 | £ 19,568 | £ 12,890 | £ 11,489 | £ 6,288 |
| Parishes | 3.45% | £ 16,532 | £ 9,770 | £ 6,436 | £ 5,736 | £ 3,139 |
| | | £ 479,174 | £ 283,181 | £ 186,537 | £ 166,272 | £ 90,998 |
| Taxbase - Additional Reduction in Band D properties | £ | 1,953.22 | 245.3 | 145.0 | 85.1 | 46.6 |

Appendix D – Analysis of Protected Groups

The tables below analyse the total cost of CTS paid to working age people in a protected group. These have their CTS calculated based on the more generous Pension Age CTS rules, and do not have restriction on the maximum CTS we can pay.

The tables show the impact of introducing a maximum CTS limit of 75% or 84% for this group. It decreases the cost of the CTS scheme, but this is additional council tax these groups would have to pay.

| REDUCE PROTECTED GROUPS TO 75% MAXIMUM CTS | | | | | | |
|--|----------------------|-------------|--------------------|--------------------|---------------------|-------------|
| Working Age - Protected Group | Claims on 21/09/2021 | % of claims | Total Cost @ 100% | Total Cost @ 75% | Change | % |
| Attendance Allowance | 2 | 0% | £ 1,515 | £ 858 | -£ 657 | -43% |
| Carers Allowance | 74 | 2% | £ 89,961 | £ 64,406 | -£ 25,554 | -28% |
| Constance Attendance Allowance | - | 0% | £ 109 | £ 80 | -£ 29 | -27% |
| Carer Premium | 129 | 3% | £ 127,036 | £ 92,118 | -£ 34,917 | -27% |
| Child under 5 | 940 | 25% | £ 874,761 | £ 618,800 | -£ 255,961 | -29% |
| Disabled Child Premium | 4 | 0% | £ 4,528 | £ 3,089 | -£ 1,439 | -32% |
| Disabled Premium | 16 | 0% | £ 20,190 | £ 15,227 | -£ 4,964 | -25% |
| Disability Living Allowance | 322 | 8% | £ 340,889 | £ 248,364 | -£ 92,525 | -27% |
| Employment and Support Allowance Support Group | 533 | 14% | £ 584,082 | £ 432,937 | -£ 151,144 | -26% |
| Other | 146 | 4% | £ 151,414 | £ 112,259 | -£ 39,155 | -26% |
| Personal Independence Payment | 1,626 | 43% | £ 1,853,466 | £ 1,377,354 | -£ 476,112 | -26% |
| Working Tax Credit - Disabled | 1 | 0% | £ 1,329 | £ 966 | -£ 363 | -27% |
| Total Working Age in Protected Groups | 3,793 | 100% | £ 4,049,279 | £ 2,966,459 | -£ 1,082,821 | -27% |
| Protected Groups | 3,793 | 66% | £ 4,049,279 | £ 2,966,458 | -£ 1,082,821 | -27% |
| Not Protected Groups | 1,959 | 34% | £ 1,167,720 | £ 1,169,657 | £ 1,937 | 0% |
| Total | 5,752 | 100% | £ 5,216,999 | £ 4,136,116 | -£ 1,080,884 | -21% |

REDUCE PROTECTED GROUPS TO 84% MAXIMUM CTS

| Working Age - Protected Group | Claims on 10/11/2021 | % of claims | Total Cost @ 100% | Total Cost @ 84% | Change | % |
|--|---------------------------------|------------------------|------------------------------|-----------------------------|-------------------|-------------|
| Attendance Allowance | 2 | 0% | £ 1,773 | £ 1,352 | -£ 421 | -24% |
| Carers Allowance | 75 | 2% | £ 89,488 | £ 73,126 | -£ 16,362 | -18% |
| Constance Attendance Allowance | - | 0% | £ 109 | £ 90 | -£ 19 | -17% |
| Carer Premium | 132 | 3% | £ 137,589 | £ 113,546 | -£ 24,043 | -17% |
| Child under 5 | 937 | 25% | £ 857,527 | £ 694,156 | -£ 163,371 | -19% |
| Disabled Child Premium | 3 | 0% | £ 3,703 | £ 2,637 | -£ 1,066 | -29% |
| Disabled Premium | 16 | 0% | £ 18,789 | £ 15,737 | -£ 3,052 | -16% |
| Disability Living Allowance | 321 | 8% | £ 339,078 | £ 278,355 | -£ 60,723 | -18% |
| Employment and Support Allowance Support Group | 528 | 14% | £ 579,042 | £ 482,963 | -£ 96,079 | -17% |
| Other | 143 | 4% | £ 146,972 | £ 123,137 | -£ 23,835 | -16% |
| Personal Independence Payment | 1,620 | 43% | £ 1,846,473 | £ 1,541,569 | -£ 304,904 | -17% |
| Working Tax Credit - Disabled | 1 | 0% | £ 1,340 | £ 1,088 | -£ 252 | -19% |
| Total Working Age in Protected Groups | 3,778 | 100% | £ 4,021,883 | £ 3,327,756 | -£ 694,127 | -17% |
| Protected Groups | 3,778 | 66% | £ 4,021,883 | £ 3,327,756 | -£ 694,127 | -17% |
| Not Protected Groups | 1,962 | 34% | £ 1,150,650 | £ 1,153,762 | £ 3,112 | 0% |
| Total | 5,740 | 100% | £ 5,172,533 | £ 4,481,518 | -£ 691,015 | -13% |

Appendix E: Council Tax Support 2022/2023 Consultation Responses

| Question | Responses | Comments/Alternatives | | | | | | | | | | | | |
|--|---|-----------------------|-------|--------------------|-------|---|---|---|----|-----|-----|----|--|---|
| Should we keep the current Council Tax Support scheme? | <table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>8</td> <td>5</td> <td>1</td> <td>14</td> </tr> <tr> <td>57%</td> <td>36%</td> <td>7%</td> <td></td> </tr> </tbody> </table> | Yes | No | Don't Know / Blank | Total | 8 | 5 | 1 | 14 | 57% | 36% | 7% | | <p>Keeping it the same</p> <p>I think it should continue as it is</p> <p>With inflation increasing I think the changes are reasonable and should be applied.</p> <p>I agree that in as a result of the pandemic and significant rising cost of living then a more generous scheme is justified and appropriate.</p> |
| Yes | No | Don't Know / Blank | Total | | | | | | | | | | | |
| 8 | 5 | 1 | 14 | | | | | | | | | | | |
| 57% | 36% | 7% | | | | | | | | | | | | |
| Do you agree with the change to the scheme (raising the maximum weekly council tax from 75% to 84%)? | <table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>9</td> <td>5</td> <td>0</td> <td>14</td> </tr> <tr> <td>64%</td> <td>36%</td> <td>0%</td> <td></td> </tr> </tbody> </table> | Yes | No | Don't Know / Blank | Total | 9 | 5 | 0 | 14 | 64% | 36% | 0% | | |
| Yes | No | Don't Know / Blank | Total | | | | | | | | | | | |
| 9 | 5 | 0 | 14 | | | | | | | | | | | |
| 64% | 36% | 0% | | | | | | | | | | | | |
| Should we not make the changes so there is no extra cost? | <table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>9</td> <td>0</td> <td>14</td> </tr> <tr> <td>36%</td> <td>64%</td> <td>0%</td> <td></td> </tr> </tbody> </table> | Yes | No | Don't Know / Blank | Total | 5 | 9 | 0 | 14 | 36% | 64% | 0% | | |
| Yes | No | Don't Know / Blank | Total | | | | | | | | | | | |
| 5 | 9 | 0 | 14 | | | | | | | | | | | |
| 36% | 64% | 0% | | | | | | | | | | | | |

| Should we change the CTS scheme and meet additional costs from raising council tax? | <table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>5</td> <td>9</td> <td>0</td> <td>14</td> </tr> <tr> <td>36%</td> <td>64%</td> <td>0%</td> <td></td> </tr> </tbody> </table> | Yes | No | Don't Know / Blank | Total | 5 | 9 | 0 | 14 | 36% | 64% | 0% | | As a large employer the council should lead a campaign to increase the hourly rate of pay of lower paid workers, they are the people whose work is usually essential. | | | | | | | | | | | | | |
|---|--|--------------------|------------------|--------------------|-------|---|---|---|------------------|-------------------|------------------|---|---|---|---|--|---|---|---|--|---|---|---|--------------|-----------|-----------|-----------|
| Yes | No | Don't Know / Blank | Total | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | 9 | 0 | 14 | | | | | | | | | | | | | | | | | | | | | | | | |
| 36% | 64% | 0% | | | | | | | | | | | | | | | | | | | | | | | | | |
| Should we change the CTS scheme and meet additional costs from savings elsewhere? | <table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>9</td> <td>2</td> <td>14</td> </tr> <tr> <td>21%</td> <td>64%</td> <td>14%</td> <td></td> </tr> </tbody> </table> | Yes | No | Don't Know / Blank | Total | 3 | 9 | 2 | 14 | 21% | 64% | 14% | | If council tax charges increase to cover this surely it is defeating the object and the extra percentage will not show in bills. Everybody has undergone hardship throughout covid not just families in receipt of council tax support who did receive extra help during the pandemic | | | | | | | | | | | | | |
| Yes | No | Don't Know / Blank | Total | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | 9 | 2 | 14 | | | | | | | | | | | | | | | | | | | | | | | | |
| 21% | 64% | 14% | | | | | | | | | | | | | | | | | | | | | | | | | |
| Options ranked by preference | <table border="1"> <thead> <tr> <th colspan="4">Preferences</th> </tr> <tr> <th></th> <th>First Preference</th> <th>Second Preference</th> <th>Third Preference</th> </tr> </thead> <tbody> <tr> <td>Should we not make the changes so there is no extra cost?</td> <td>5</td> <td>3</td> <td>5</td> </tr> <tr> <td>Should we change the CTS and meet additional costs from raising council tax?</td> <td>6</td> <td>2</td> <td>5</td> </tr> <tr> <td>Should we not change the CTS and meet additional costs from savings elsewhere?</td> <td>3</td> <td>9</td> <td>2</td> </tr> <tr> <td>Total</td> <td>14</td> <td>14</td> <td>14</td> </tr> </tbody> </table> | | | Preferences | | | | | First Preference | Second Preference | Third Preference | Should we not make the changes so there is no extra cost? | 5 | 3 | 5 | Should we change the CTS and meet additional costs from raising council tax? | 6 | 2 | 5 | Should we not change the CTS and meet additional costs from savings elsewhere? | 3 | 9 | 2 | Total | 14 | 14 | 14 |
| Preferences | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | First Preference | Second Preference | Third Preference | | | | | | | | | | | | | | | | | | | | | | | | |
| Should we not make the changes so there is no extra cost? | 5 | 3 | 5 | | | | | | | | | | | | | | | | | | | | | | | | |
| Should we change the CTS and meet additional costs from raising council tax? | 6 | 2 | 5 | | | | | | | | | | | | | | | | | | | | | | | | |
| Should we not change the CTS and meet additional costs from savings elsewhere? | 3 | 9 | 2 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total | 14 | 14 | 14 | | | | | | | | | | | | | | | | | | | | | | | | |
| Any other comments | <p>Do not make the assumption that self employed people earn at least the minimum wage, far too often this is not the case</p> <p>Council tax is a big expense for everybody and any help provided should be given to those in need.</p> <p>I don't think there are many different options but I know it is the biggest monthly expense I have.</p> <p>The response from Norfolk County Council is below:</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |

Norfolk Billing Authorities

Please ask for: Simon George
Direct Dialling Number: 01603 222400
Email: simon.george@norfolk.gov.uk

22 October 2021

Norfolk Billing Authorities,

Norfolk County Council response to 2022-23 Council Tax Support Scheme Consultations

Thank you for the opportunity to respond to your consultation on the Council Tax Support for 2022-23.

Norfolk County Council would ask that all Norfolk billing authorities adopt the following proposals:

1. To limit Council Tax Support where claimant has savings to a lower level than £16,000 (some Norfolk authorities use £6,000).
2. To limit Council Tax Support discount to occupants of properties no higher than Band D Council Tax.
3. To work with district colleagues across the County to establish the cap for the Council Tax Support discount for working age claimants at a uniform amount in Norfolk, suggested at 75% of the maximum Council Tax charge.

Kind regards,



Simon George
Executive Director of Finance & Commercial Services

REPORT TO CABINET

| | | | | | |
|--|--------------------------------------|---|---|-------------------------------------|------------------------------------|
| Open | | Would any decisions proposed : | | | |
| Any especially affected Wards None | Mandatory | Be entirely within Cabinet's powers to decide | | NO | |
| | | Need to be recommendations to Council | | YES | |
| | | Is it a Key Decision | | YES | |
| Lead Member: Cllr Joshua Lowe E-mail: cllr.joshua.lowe@west-norfolk.gov.uk | | Other Cabinet Members consulted: Cllr Angie Dickinson, Portfolio Holder Finance | | | |
| | | Other Members consulted: Audit Committee | | | |
| Lead Officer: Michelle Drewery E-mail: michelle.drewery@west-norfolk.gov.uk Direct Dial: | | Other Officers consulted: Management Team | | | |
| Financial Implications YES | Policy/ Personnel Implications NO | Statutory Implications YES | Equal Impact Assessment YES/NO If YES: Pre-screening/ Full Assessment | Risk Management Implications YES | Environmental Considerations NO |

Date of meeting: 11 January 2022

APPOINTMENT OF EXTERNAL AUDITORS

Summary

To consider a proposal for the arrangements to appoint external auditors for the accounts for the five year period from 2023/2024.

Recommendation

To recommend to full council that the council should notify PSAA of the intention to “opt in” to the national auditor appointment scheme administered by a body designated by the Secretary of State as the ‘appointing person’. Public Sector Audit Appointments Limited (PSAA) is specified as the ‘appointing person’ for principal local government under the provisions of the Local Government Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015.

Reason for Decision

To comply with the requirements of the Local Government Audit and Accountability Act 2014.

1 Background

1.1 Public Sector Auditor Appointments Ltd (PSAA) is specified as the ‘appointing person’ for principal local government under the provisions of the Act and the Local Audit (Appointing Person) Regulations 2015 to

manage the appointment of external auditors and the setting of audit fees for local government.

- 1.2 PSAA let five-year audit services contracts in 2017 for the first appointing period, covering audits of the accounts from 2018/2019 to 2022/2023. EY were appointed as the Council's auditors through this process. The final year of audit under the current arrangement is 2022/2023. The Council will need to have a new auditor in place for the year 2023/2024.
- 1.3 Not all accounting firms are eligible to compete for the work. They will need to demonstrate that they have the required skills and experience and be registered with the Institute of Chartered Accounts for England and Wales (ICAEW) who are the Registered Supervising Body approved by the Financial Reporting Council. There are currently nine audit providers eligible to audit local authorities and other relevant bodies under local audit legislation which limits the scope of a procurement exercise to be undertaken locally.
- 1.4 It should be noted that the scope of this procurement will only cover the audit of the Councils accounts. Arrangements for the certification of housing benefit grants are undertaken separately by arrangement with the Department for Work and Pensions (DWP).

2 Options Considered

- 2.1 There are a number of options for the appointment of an external auditor, each with varying risks and opportunities:
 1. To make a stand-alone appointment which requires the council to follow the procedure set out in the Local Government Audit and Accountability Act 2014
 2. To act jointly with other authorities to procure an auditor (following the required procedures as set out in the Act)
 3. To opt-in to the national auditor appointment scheme administered by PSAA (a body designated by the Secretary of State as the 'appointing person')
- 2.2 Audit Committee considered these options and recommend to 'opt-in' to the scheme led by PSAA. The report considered by the Audit Committee is provided in the Background papers section of this report.
- 2.3 On 22nd July 2016 PSAA was specified by the Government to become the SLB authorised to make future audit appointments on behalf of principal local authorities.
- 2.4 As the designated body authorised to make audit appointments on behalf of principal local authorities, PSAA will have the ability to negotiate contracts with the firms nationally, maximising the opportunities for the most economic and efficient approach to

procurement of external audit on behalf of the whole sector. 98% of local authorities opted into the current arrangement. Recent discussions with the other Finance Officers in Norfolk have indicated that this is their preferred option in the upcoming arrangements.

- 2.5 The deadline to notify PSAA of our intention to 'opt in' to the national scheme is 11 March 2022.

3 Policy Implications

- 3.1 The appointment of the external auditor must remain independent to comply with legislation.

4 Financial Implications

- 4.1 PSAA is a not for profit scheme so any surplus from arrangements are distributed amongst authorities within the scheme.
- 4.2 The current scheme had set out to achieve savings for local authorities which were determined by the fees that were set at the start of the contract. Since then, there have been a number of emerging issues around audit nationally and the impact on local authority audits has resulted in delays and additional costs being incurred. This was further complicated by the outbreak of the pandemic which has required further testing of the council's accounts.
- 4.3 The option chosen will affect the costs incurred through the selection process and potentially the level of fees charged by the external audit. It is anticipated that by opting-in to the national process again that economies of scale can be achieved through a collective procurement process which reduces costs for the sector and for individual authorities compared to a multiplicity of smaller local procurements.
- 4.4 If the council chooses not to use the national appointment arrangements, it will need to establish its own auditor panel with an independent chair and independent members to oversee a local auditor procurement and ongoing management of an audit contract.
- 4.5 Supporting the sector-led body offers the best way of ensuring there is a continuing and sustainable public audit market into the medium and long term.

5 Personnel Implications

- 5.1 There are no personnel implications.

6 Environmental Considerations

- 6.1 Audits are usually undertaken physically on council premises. Since the outbreak of the pandemic, these have been undertaken virtually

which has resulted positively in reduced carbon emissions from less travel and reduced printing. It is not known what changes will be permanent going forward although it is anticipated that some form of hybrid working is likely to continue.

7 Statutory Considerations

7.1 As per the Local Audit and Accountability Act 2014:

- Sec 7 – a local authority must appoint an auditor no later than December of the preceding year
- Sec 8 – sets out the governance around the procedure to appoint and specifies that the Full Council must appoint
- Sec 12 – where a local authority fails to appoint an auditor, the Secretary of State will appoint one
- Sec 17 - gives the Secretary of State the ability to enable a Sector Led Body (SLB) to become the appointing person.

8 Procurement and State Aid advice may be required.

8.1 Not applicable if opting into national scheme.

9 Equality Impact Assessment (EIA)

9.1 There are no equality implications as per the attached EIA.

10 Risk Management Implications

10.1 The background report sets out a number of risks being faced nationally in the audit sector impacting on timing and delivery of audit opinions as well as the risks around each of the options considered. By opting into a national scheme, the council will support continuation for a better, sustainable audit market going forward.

10.2 There is no immediate risk to the Council. However, early consideration by the Council of its preferred approach will enable continued detailed planning to ensure transition to the preferred arrangement in a timely and efficient manner.

11 Declarations of Interest / Dispensations Granted

11.1 None required.

12 Background Papers

[Local Audit and Accountability Act 2014 \(legislation.gov.uk\)](#)

Audit Committee Papers:

[Audit Committee - External Auditor Appointment.pdf \(west-norfolk.gov.uk\)](#)

[AP2 form of acceptance \(west-norfolk.gov.uk\)](#)

[doc04033120211025102537.pdf \(west-norfolk.gov.uk\)](#)

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



| | | | | | |
|---|--|----------|----------|---------|--------|
| Name of policy/service/function | Arrangement for Appointment of External Auditor | | | | |
| Is this a new or existing policy/service/function? | Existing | | | | |
| <p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p> | <p>To comply with the Local Audit and Accountability Act 2014, arrangements have to be made for the appointment of external auditors for the five year period from 2023/24 and expiry of the current external audit contract arrangement with PSAA</p> | | | | |
| 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 | | | X | |
| | Disability | | | X | |
| | Gender | | | X | |
| | Gender Re-assignment | | | X | |
| | Marriage/civil partnership | | | X | |
| | Pregnancy & maternity | | | X | |
| | Race | | | X | |
| | Religion or belief | | | X | |
| | Sexual orientation | | | X | |
| | Other (eg low income) | | | X | |

REPORT TO CABINET

| | | | | | |
|--|--------------------------------------|---|--|------------------------------------|-------------------------------------|
| Open | | Would any decisions proposed : | | | |
| Any especially affected Wards Burnham Market | Discretionary | Be entirely within Cabinet's powers to decide | | YES | |
| | | Need to be recommendations to Council | | NO | |
| | | Is it a Key Decision | | YES | |
| Lead Member: Cllr Adrian Lawrence E-mail: <i>cllr.adrian.lawrence@west-norfolk.gov.uk</i> | | Other Cabinet Members consulted: | | | |
| | | Other Members consulted: | | | |
| Lead Officer: Matthew Henry (Assistant Director Property & Projects) E-mail: <i>matthew.henry@west-norfolk.gov.uk</i> Direct Dial:01553 616272 | | Other Officers consulted: | | | |
| Financial Implications YES | Policy/ Personnel Implications NO | Statutory Implications YES | Equal Impact Assessment NO If YES: Pre-screening/ Full Assessment | Risk Management Implications NO | Environmental Considerations YES |

Date of meeting: 11 January 2022

ASSET MANAGEMENT : LAND AND PROPERTY DISPOSAL AT SUTTON ESTATE, BURNHAM MARKET

Summary

The Borough Council owns a parcel of land that has the potential for residential development, plus an adjacent residential property. This report sets out proposals for these sites and recommends to Cabinet that the properties are marketed for sale, and disposed, if an appropriate price is secured. The council will be seeking a purchaser/developer that will deliver the housing development in line with the planning permission secured.

Recommendation

It is recommended that:

1. the disposal of the land asset, and property, is progressed along the lines set out within this report.
2. That delegated authority is given to the Assistant Director Property & Projects to market the site, consider offers received, and finalise disposals terms for the site, and property, detailed within this report, in consultation with the Portfolio Holder Property.
3. Authority is granted to the council's Legal Services provider to progress the necessary transfer, or any other associated, documentation through to completion.

Reason for Decision

The disposal of the assets identified within this report will contribute significantly to the funding of the council's capital programme thereby helping to deliver some of its corporate objectives. In addition, the sale of this site will provide an opportunity for the private sector to invest in the local economy and deliver a number of housing units.

1.0 Background

- 1.1 During the Large Scale Voluntary Transfer (LSVT) of the council's housing stock during the mid 2000's a strategic land review was undertaken and a number of sites were retained by the council for potential sale and/or redevelopment.
- 1.2 Two sites in Burnham Market were retained and the council has successfully developed one of these sites, at Croft's Close, with two bungalows and then sold them on in the open market.
- 1.3 This report sets out proposals for the second retained site and makes a recommendation that this site is placed on the open market inviting offers from private sector developers. This approach is considered to be a low risk/high value approach.
- 1.4 The Property Services Team has added value to the site by gaining planning permission for nine (9) housing units, and it is anticipated that this site should generate significant private sector interest and potentially deliver a sizeable capital receipt.
- 1.5 In addition to the above, in order to facilitate the development, the council acquired an adjacent property (44 Sutton Estate). The acquisition of this property provided access to the potential development site, and this property is also proposed to be sold (with a revised boundary and reduced garden area).

2.0 Options Considered

- 2.1 As stated above, the council has undertaken direct development of a small site in Burnham Market previously, however, the site detailed within this report is more involved, and is of a different scale. By selling the site identified within this report the council will not need to finance the development of the houses, nor will it have to contend with the "developer risk" eg fluctuating market conditions, supply chain issues, and commodity price inflation etc.
- 2.2 In addition, although the previous development exercise was considered successful, it is possible that the eventual capital receipts generated may not have been significantly higher than if the site had been sold on the open market to a local developer. The alternative route of offering a development site for sale will have limited staff

resource implications and the capital receipts will be secured at a much earlier stage.

- 2.3 Development appraisals have been undertaken that have included estimated build costs from a firm of professional Quantity Surveyors, and market sales values and rental values have been assessed. This exercise has provided a positive value for the proposed development.
- 2.4 The council has already received an unsolicited offer for the development site from a local developer that is significantly higher than the residual value derived from the development appraisal exercises. It is therefore considered appropriate to test the market and seek offers for the development site.
- 2.5 It is recommended to Cabinet that the site is sold on the open market for development.
- 2.6 With regard to the house (44 Sutton Estate) that was acquired to provide access to the potential development site: it is proposed that this too is sold on the open market. The council could sell/transfer this site to its own housing company however owing to its location, and the strength of the local housing market, the sale of this asset will also generate a significant capital receipt.
- 2.7 It is recommended to Cabinet that number 44 Sutton Estate is sold on the open market.

3.0 The Development Site

- 3.1 The site proposed for residential development forms part of an unkempt area of land at Sutton Estate, a former local authority housing estate. The residential properties are a mix of owner occupied and Registered Social Landlord properties (note there may also be some Private Rented Sector housing – however details are unknown).
- 3.2 The site is shown edged upon the plan attached to this report. The site extends to 0.46 hectares (1.146 Ac), or thereabouts.
- 3.3 The site is generally level and is accessed via Sutton Estate an established residential area in Burnham Market. To the west of the site is open farmland.

4.0 The House - 44 Sutton Estate

- 4.1 The house comprises a two storey, three bedroom, semi-detached property located at the end of Sutton Estate with rear views to open farmland to the west.
- 4.2 The property is in fair/good condition externally however the interior requires refurbishment and updating. Some garden clearance work has been undertaken along with some improvements to boundary fencing.

- 4.3 The required land for access to the adjacent development site will be excluded from the sale of this property.

5.0 Proposed Development

- 5.1 The council has secured planning permission for the development of nine (9) two storey dwellings. The Planning Reference number is :

20/01866/F “Residential development of 9no dwellings at Land North West of 40 Sutton Estate Burnham Market King’s Lynn Norfolk”.

- 5.2 A copy of the planning Decision Notice is attached to this report for information. Full details of the proposed development can be found on the Council’s web-site.
- 5.3 The planning permission has a number of conditions, and pre-commencement conditions, and responsibility for these will fall mainly to the purchaser of the site.
- 5.4 A site plan is attached to this report, for information, that shows the proposed layout and some elevations.
- 5.5 In preparing the development site for sale the council has consulted with the local Parish Council and has also undertaken a public consultation exercise. From these consultations the council has designed the proposed development and submitted a planning application that takes into account the views expressed.
- 5.6 The council will be seeking a purchaser/developer that will deliver the proposed development in accordance with the planning permission. The council will put in place conditions on the sale agreement to protect its position on this issue.

6.0 Method of Disposal

- 6.1 It is proposed that a local Agent will be procured to undertake the marketing exercise, and to secure best and final (unconditional) offers for the development site, and for 44 Sutton Estate.
- 6.2 The Agent’s costs will be covered from the capital receipt.
- 6.3 Once best and final offers are received for the site, and number 44 Sutton Estate, these will be considered by the Assistant Director Property & Projects and the Property Portfolio Holder (Cllr Adrian Lawrence). Delegated Authority from Cabinet is requested for the Assistant Director and the Portfolio Holder to decide on which offers to accept, and then progress these offers through to legal completion. Note : it is anticipated that the two main criteria for accepting the offers will be the highest offer received, and the delivery of the development as per the planning permission.

7.0 Policy Implications

7.1 It is considered that the proposed disposal of the two assets detailed within this report fits well with the council's Corporate Business Plan :

Priority 1 - Focusing on delivery :

"ensuring the council's financial sustainability".

Priority 2 – Delivering growth in the economy and with local housing :

"promote the borough as a vibrant place in which to live, to do business and as a leading visitor and cultural destination"; and

"increase the supply of suitable housing in appropriate locations"

Priority 5 - Creating and maintaining good quality places that make a positive difference to people's lives :

"protect, promote and enhance the borough's natural and built environment"

8.0 Financial Implications

8.1 The sale of this site will potentially produce a significant capital receipt for the council. The capital receipt for this site will help to fund the council's existing capital programme, or new projects to be added to the programme.

9.0 Outcomes and Outputs

9.1 The disposal of this site will facilitate private sector investment in the local economy that will support full-time and part-time construction industry, and supply chain, job opportunities.

9.2 Generation of capital receipts by the effective rationalization of surplus Borough Council owned property assets.

9.3 Disposal of land for a value at market value.

9.4 Disposal of a housing unit (44 Sutton Estate).

9.5 Delivery of nine housing units.

10.0 Personnel Implications

10.1 The approach set out within this report requires limited staff resource, however there will be the usual input from the Property Services Team and by Legal Services.

11.0 Environmental Considerations

11.1 As part of the planning application process an Ecological Report was commissioned and Norfolk Wildlife Services provided advice and guidance, with the scope including a Preliminary Ecological Appraisal and a Preliminary Roost Assessment. The outline recommendations can be seen below, however the full report can be viewed on the Council's web-site within the documents attached to the planning case file within planning Public Access.

"The following broad recommendations for mitigation and compensation of habitat loss on site have been provided:

- *The western and southern boundary hedgerows should be retained and protected, and 'gapping up' of hedge plants on the western boundary.*
- *At least 50m of wide, double staggered native species hedgerow should be planted on site as compensation for the loss of hedgerow and scrub.*
- *Creation of a habitat area in the southwest, including the creation of a hibernaculum.*
- *All works should follow an Arboricultural Method Statement in accordance with BS5837:2012 to avoid damaging retained habitat."*

"The likelihood of reptiles being present on site was low, however the following precautionary principals should be adhered to:

- *Vegetation within the development site should be cut to 10cm height, with a subsequent cut to ground level after 48 hours with arisings removed prior to works commencing;*
- *Site clearance including the removal of stumps, turf and topsoil should avoid times when reptiles are likely to be breeding (July and August) and hibernating (November to February);*
- *Building materials stored on site should be raised off the ground on pallets away from boundaries."*

"The survey area was suitable for nesting birds. If work is proposed during the bird breeding season, the site should be checked for evidence of active nesting by a suitably qualified ecologist prior to work commencing."

"There was some potential for bat flight lines within the survey area, particularly along boundary hedgerows. Wherever possible, external lighting should be minimised following the works and any lighting used should be directional and low intensity with motion sensor triggers."

"Biodiversity enhancements have been recommended for the development through a scheme of integrated bird and bat boxes."

11.2 The properties to be developed will be required to comply with current Building Regulations.

12.0 Statutory Considerations

12.1 Under Section 123: Local Government Act 1972 local authorities are required to gain “best consideration” from disposal of property assets. It is proposed to procure an external agent that will then test the market. This process should facilitate the council securing “best consideration” in the sale of this asset.

13.0 Equality Impact Assessment (EIA)

13.1 Considered to have a “neutral” impact.

14.0 Risk Management Implications

14.1 The Borough Council’s capital receipts targets have been adversely affected by previous downturns in the economy and more recently Covid-19.

14.2 This proposal will make a significant contribution to the council’s capital receipts and ultimately to the delivery of the Council’s Capital Programme.

14.3 By selling the site rather than undertaking its development this reduces the council’s exposure to risk. Developing sites can be risky owing to a multitude of issues.

15.0 Declarations of Interest / Dispensations Granted

15.1 None

16.0 Background Papers

16.1 Planning Permission **20/01866/F** “Residential development of 9no dwellings at Land North West of 40 Sutton Estate Burnham Market King’s Lynn Norfolk”.

16.2 Supporting documentation and reports required for the planning application process.

16.3 All documentation relating to 16.1 and 16.2, above, can be found on the borough council’s web-site.

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



| | | | | | |
|--|--|----------|----------|---------|--------|
| Name of policy/service/function | Asset Management : Land and Property Disposal at Sutton Estate, Burnham Market | | | | |
| Is this a new or existing policy/service/function? | Existing | | | | |
| <p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p> | Proposed disposal of land and property in order to generate capital receipts. | | | | |
| 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) | | | √ | |

ENVIRONMENT AND PLANNING

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



NOTICE OF DECISION - GRANT OF PLANNING PERMISSION

B.C.K.L.W.N.
c/o Trundley Design Services
Salgate Barn
Islington Road
Tilney All Saints
King's Lynn
Norfolk
PE34 4RY

Reference No: 20/01866/F
Application
Registered: 7 December 2020
Parish: Burnham Market

Details: **Residential development of 9no. dwellings. at Land North West of 40 Sutton Estate Burnham Market King's Lynn Norfolk**

The Town and Country Planning Act 1990 (as amended)
The Town and Country Planning (Development Management Procedure) (England) Order 2015

Permission is granted for the carrying out of the development referred to above in accordance with the application and plans submitted **subject to compliance with the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos: 17-L44-PL020, 17-L44-PL021E, 17-L44-PL022, 17-L44-PL023, 17-L44-PL024, 17-L44-PL025.
3. Notwithstanding the details indicated on the submitted drawings no works shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No 20008-204-RevP4 have been submitted to and approved in writing by the Local Planning Authority.
4. Prior to the commencement of works on site hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in condition 3 shall be completed to the written satisfaction of the Local Planning Authority.
5. Prior to the commencement of any works associated with the development hereby permitted a Construction Traffic Management Plan (CTMP) and Access Route (AR) which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities, proposals to control and manage construction traffic using the 'Construction Traffic Access Route' which shall ensure no other local roads are used by construction traffic, and detailed provision for on-site parking for construction workers for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority together For the duration of the construction period the development shall be carried out in accordance with the approved details.
6. No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plan prior to the first occupation of the final dwelling hereby permitted.
7. Before any dwelling is first occupied the road(s)/footway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
8. Prior to the first occupation of any dwelling hereby permitted, the proposed parking and turning areas serving that particular property shall be laid out, levelled, surfaced and drained in accordance with the approved plans and thereafter be retained for that specific use.

9. No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions and:
 - a) The programme and methodology of site investigation and recording
 - b) The programme for post investigation assessment
 - c) Provision to be made for analysis of the site investigation and recording
 - d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - e) Provision to be made for archive deposition of the analysis and records of the site investigation
 - f) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and
 - g) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
10. No development shall take place other than in accordance with the written scheme of investigation approved under condition 9 and any addenda to that WSI covering subsequent phases of mitigation.
11. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 9 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
13. Prior to the first occupation of any dwelling hereby permitted a scheme shall be submitted to and agreed in writing by the Local Planning Authority for the provision of a fire hydrant (BS750 with a minimum sustained outlet discharge in line with the national guidance document on the provision of water). Prior to the first occupation of any dwelling hereby permitted the fire hydrant shall be installed in accordance with the approved details.
14. Prior to the installation of any external lighting relating to the development hereby permitted a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed. Your attention is drawing to Informative 1 which relates to this condition.
15. Prior to the first occupation of the development hereby permitted, a management and maintenance plan for the habitat area (as shown on drawing PL021E) shall be submitted and approved in writing by the Local Planning Authority. The plan shall provide for the long-term management of the habitat area and specify the maintenance responsibilities and arrangements for its implementation. The development shall be carried out in accordance with the approved plan.
16. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
17. The development hereby permitted shall be carried out in full accordance with the 5.3 Mitigation and Compensation and 5.4 Enhancement and all their subparagraphs of the Ecological Report that accompanied the application (Ref 2018/088 undertaken by Norfolk Wildlife Services)

18. No development within the root protection of any existing trees and / or hedgerows shown to be retained on drawing PL021E shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
19. Notwithstanding the information that accompanied the application, no development above foundation / slab level shall be permitted until full details of the surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall incorporate dwelling and land surface water drainage details including percolation test results, system designs and in perpetuity maintenance arrangements. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
20. Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.
21. Finished floor levels in the development hereby permitted shall be as shown on drawing no. PL021E. Additionally, 0.3m of flood resilient construction shall be incorporated above ffl.

The Reasons being:

1. To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor. This needs to be a pre-commencement condition as such details cannot be retrospectively designed.
4. To ensure that the highway network is adequate to cater for the development proposed.
5. In the interests of maintaining highway efficiency and safety and to ensure adequate off-street parking during the construction period in the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
6. To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway. This needs to be a pre-commencement condition to ensure fundamental elements of the development, that cannot be retrospectively designed and built, are planned for at the earliest possible stage.
7. To ensure satisfactory development of the site.
8. To ensure the permanent availability of the parking / manoeuvring area in the interests of highway safety.
9. To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
10. To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
11. To safeguard archaeological interests in accordance with the principles of the NPPF.
12. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
13. To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.
14. In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
15. To ensure that the landscaping is properly maintained in accordance with the NPPF.
16. To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
17. In the interests of conserving and enhancing the natural environment in accordance with the NPPF and Development Plan.
18. To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
19. To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
20. In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
21. To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.



Executive Director, Environment and Planning
On behalf of the Council
14 October 2021

1. National Planning Policy Framework Clause 125 and Norfolk County Council's Environmental Lighting Zones Policy both recognise the importance of preserving dark landscapes and dark skies. In order to minimise light pollution, we recommend that any outdoor lights associated with this proposed development should be:
 - 1) fully shielded (enclosed in full cut-off flat glass fittings)
 - 2) directed downwards (mounted horizontally to the ground and not tilted upwards)
 - 3) switched on only when needed (no dusk to dawn lamps)
 - 4) white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources

Please also refer to the Institute of Lighting Professionals, Guidance Notes for the Reduction of Obtrusive Lights which gives guidance for lighting in an AONB.

2. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group based at County Hall in Norwich.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicants own expense.

3. Noise, Dust and Smoke from Clearing and Construction Work
Attention is drawn to Sections 60 and 61 of the Control of Pollution Act 1974 and to the British Code of Practice BS5228:2009 which set down requirements for the control of noise during construction and demolition works. The contractor should also be made aware of the requirements of the Clean Air Act and Control of Pollution Act regarding the prohibition of site bonfires. Please note that during construction stringent control should be kept on waste packaging etc to keep it contained, avoid littering and ensure it is appropriately disposed of or recycled. The Council's Community Safety and Neighbourhood Nuisance Team can provide advice and assistance in this regard.

4. INFORMATIVE

A legal agreement completed by the Applicant and the King's Lynn and West Norfolk Borough Council under the provisions Section 106 of the Town and Country Planning Act, 1990 is linked to this permission.

Please note that any conditions that may be attached to this decision notice form an integral part of the permission. Failure to comply with any conditions could lead to enforcement action or the need to submit a further formal application.

In accordance with the NPPF, in determining this application for planning permission, the Borough Council has approached it in a positive and proactive way, and where possible has sought solutions to problems to achieve the aim of approving sustainable development. As such the development hereby approved is considered to represent sustainable development.

Section 33 and 34 for the Environmental Protection Act 1990 place a duty on developers to ensure that they manage and dispose of waste appropriately, this includes preventing the escape of waste by storing it in containers that are; clearly and correctly labelled, suitable for the waste and designed to prevent leakage or waste being wind blown off site. You should also ensure that you keep waste transfer records and only transfer waste to an authorised person.

For further information and to ensure that you have appropriate permits or exemptions in place visit:

<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

<https://www.gov.uk/government/collections/waste-exemptions-treating-waste>

In addition, further information is available on <https://www.ccscheme.org.uk/>

The case officer who dealt with this application was Mrs N Osler, telephone number 01553 616402.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals Subject to an Enforcement Notice

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Other Types of Appeal

- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If you want to appeal against your local planning authority's decision on any other type of application then you must do so within 6 months of the date of this notice.

How to Make an Appeal

- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least **10 days before submitting the appeal**. Further details are on GOV.UK.



| | | |
|---|---|---------------------------|
| Borough Council of King's Lynn & West Norfolk  Tel. 01553 616200 - Fax. 01553 691663 | Title 44 Sutton Estate Burnham Market King's Lynn Norfolk, PE31 8EX | Scale 1:1,250 |
| | Project / Details Identification Purposes Only | Date 29/06/2017 |
| | Drawing / Reference Number ID_207 | |



INDICATIVE FRONT ELEVATIONS
NOT TO SCALE

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The works contain no extraordinary hazards or risks that are not present during routine construction operations that would not readily be apparent to a competent contractor.
This information should be included as part or commencement of the Health and safety file for the project.



Plot Schedule (Houses)

| No. | House Type | Bedrooms | Occupants | Approx. Gross Internal floor area (excluding garages) | Approx. Plot area |
|--------|------------|-----------|-----------|---|-------------------|
| PLOT 1 | 1 | 3 bedroom | 4 person | 112m ² | 386m ² |
| PLOT 2 | 1 | 3 bedroom | 4 person | 112m ² | 366m ² |
| PLOT 3 | 2 | 3 bedroom | 4 person | 98m ² | 317m ² |
| PLOT 4 | 2 | 3 bedroom | 4 person | 98m ² | 320m ² |
| PLOT 5 | 3 | 3 bedroom | 4 person | 98m ² | 345m ² |
| PLOT 6 | 3 | 3 bedroom | 4 person | 98m ² | 437m ² |
| PLOT 7 | 4 | 2 bedroom | 3 person | 89m ² | 525m ² |
| PLOT 8 | 4 | 2 bedroom | 3 person | 95m ² | 278m ² |
| PLOT 9 | 4 | 2 bedroom | 3 person | 89m ² | 270m ² |

Finishes Legend

- PRIVATE GARDEN
- GRASSED AREA
- GRAVELED DRIVEWAYS
- GREY BRICKWEAVE
- PUBLIC FOOTPATH
- SLAB PATH
- TARMAC ROAD
- TREES
- HEDGE
- EXISTING HEDGE RELOCATED
- 1.8M FENCE
- 1.2M POST AND RAIL FENCE
- ELECTRIC METER POSITIONS

Ecology Legend

- BUILT-IN SWIFF BOX (TOTAL 4)
- BUILT-IN BAT BOX (TOTAL 2)
- HOUSE SPARROW TERRACES (TOTAL 10)

(TO BE READ IN CONJUNCTION WITH THE ECOLOGICAL REPORT.)

Revisions

| no | date | amendment description |
|----|------|-----------------------|
| | | |

Drawing Status: **PLANNING**

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Project Title:
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KING'S COURT
KING'S LYNN
NORFOLK
PE30 1EX**

SMALL SCALE RESIDENTIAL DEVELOPMENT AT
SUTTON ESTATE, BURNHAM MARKET, PE31 8EX

Drawing Title:
PROPOSED SITE PLAN

Scale: AS STATED @ A1 Date: OCTOBER 2020 Drawn: TN

Drawing Number: **17-L44-PL021**



If this drawing is unsigned in the check box then the drawing is an unauthorised issue and should not be used for any purposes

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PROPOSED SITE PLAN
SCALE: 1:200