

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

Minutes from the Meeting of the Cabinet held on Tuesday, 2nd August, 2022 at 3.30 pm in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn

PRESENT: Councillor G Middleton (Vice Chair in the Chair)
Councillors R Blunt, A Dickinson, A Lawrence, B Long, G Middleton and S Sandell

Apologies for absence were received from Councillors S Dark and P Kunes

CAB37 **MINUTES**

RESOLVED: The Minutes of the meetings held on 21 and 24 June and 21 July 2022 were agreed as a correct record and signed by the Chair.

CAB38 **URGENT BUSINESS**

None

CAB39 **DECLARATIONS OF INTEREST**

None

CAB40 **CHAIR'S CORRESPONDENCE**

None

CAB41 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillors C Joyce, C Morley and M de Whalley attended under standing order 24.

CAB42 **CALLED IN MATTERS**

None

CAB43 **FORWARD DECISIONS**

The forward decision list was noted

CAB44 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

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The comments from the Regeneration and Development Panel on the West Winch Masterplan and the CIL amendments were noted.

The comments from the Environment and Community Panel on the Contaminated Land Strategy were noted.

CAB45 **CIL AMENDMENTS TO GOVERNANCE DOCUMENT**

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The CIL Monitoring and Compliance Officer presented a report which explained that the CIL Spending Panel Group and the Regeneration and Development Panel, had reviewed the CIL process following 2 rounds of CIL bids and proposed amendments in order to streamline the process and make it more user friendly. They proposed a scheme for allocating funds collected through the CIL and a final version of the proposed priorities are presented for the Cabinet to agree for 2023. A summary of those changes was explained to Cabinet and set out in full in the report.

In commending the report Councillor Blunt explained that changes had been proposed taking into account the experiences of the previous rounds and comments received.

Under standing order 34 Councillor de Whalley, as a member of the CIL spending panel commended the proposed changes.

Under standing order 34 Councillor Morley commended the proposals.

Councillor Long drew attention to those projects coming to fruition such as the Howdale play scheme which would make a difference to the community. Councillor Blunt concurred and commented that the benefits outweighed the viability issues.

In summing up Councillor Middleton echoed the commends made and drew attention to the exciting range of projects coming forward.

RESOLVED: That the arrangements in the CIL Governance and Spending document attached as Appendix 1 to the report be approved.

Reason for Decision

To ensure the Borough Council meets its legal requirement to administer CIL funds in an appropriate way. To ensure that the benefits of CIL are shared across the Borough to meet the infrastructure demands of a growing Borough

CAB46 **WEST WINCH FRAMEWORK MASTERPLAN FOR CONSULTATION**

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The Planning Policy Manager presented a report which sought authorisation to undertake a statutory 6 week consultation on the draft South East King's Lynn Growth Area Framework masterplan supplementary planning document which was a high level master plan for the area. Once the consultation was completed a further report would be brought to Cabinet and Council for consideration of the final document.

Councillor Blunt commended the document to Members and drew attention to the consultative work which had been carried out to date with the West Winch Stakeholders Group and the Local Plan Task Group.

Under standing order 34 Councillor de Whalley expressed the view that the scale of the development was unprecedented and he believed the infrastructure was car centric, and encouraged a further enhanced active travel offer and better access to rail.

Under standing order 34 Councillor Morley drew attention to places and spaces in the document. He considered that the section on design and density and climate change should be merged as the need for protecting people from the heat.

Under standing order 34, Councillor Joyce drew attention to the need for other services such as doctors surgery, not only the road.

Councillor Long drew attention to the fact the document would go out for consultation where members could express their views. He reminded Members that it had been in the Local Plan for a number of years. It was important to develop it well and see what came back from the consultation. He drew attention to the fact that the Government future views on housing number were not known at this stage.

Councillor Lawrence supported the document for consultation.

Councillor Middleton, in supporting the proposal drew attention to the importance for people to read the document and the elements contained within it. He drew attention to the work of the Stakeholder Group in the run up to this stage.

The Regeneration and Development Panel had supported the document.

RESOLVED: 1) That, having also been noted at the meeting of the Local Plan Task Group - the Draft South East King's Lynn Growth

Area Framework Masterplan SPD (Appendix 1 to the report) be approved for a statutory 6 week consultation

2) That the contents of this report be noted and the Draft South East King's Lynn Growth Area Framework Masterplan SPD (Appendix 1 to the report) be approved for a statutory 6 week consultation, and

3) That delegated authority be granted to the Planning Policy Manager in consultation with Cabinet Member for Development and Regeneration - to consider and agree any minor amendments and consultation arrangements required to finalise the document for consultation.

Reason for Decision

Preparation and adoption of the South East King's Lynn Growth Area Framework Masterplan SPD will provide guidance to assist in the determination of planning applications that fall within the West Winch Growth Area. The production of an SPD will ensure general conformity with the policies contained in the Council's Core Strategy (2011), the Site Allocations and Development Management Policies (2016) which are being carried forward into the Local Plan Review.

CAB47 CONTAMINATED LAND STRATEGY

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The Scientific Officer presented a report with an attached strategy which set out how the Borough Council would fulfil its statutory duty to inspect the district for contaminated land. This was an update of the existing strategy following the issue of new national guidance. She drew attention to the fact that the Environment and Community Panel had supported the document.

Under standing order 34, Councillor Joyce expressed the view that the polluter should always pay for the decontamination of land. The Scientific Officer confirmed that this was the principle which was contained within the strategy.

RECOMMENDED: That the updated Contaminated Land Strategy be adopted.

Reason for Decision

So that the Borough Council can fulfil its statutory duty to investigate the district for Contaminated Land

CAB48 REVENUE OUTTURN 2021-22

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The Cabinet member for Finance presented the amended report drawing attention to positive position of net underspending permitting a higher contribution to General Fund and Earmarked reserves. She commented that it should stand the Council in good stead for a challenging year to come.

The Assistant Director - Resources presented the detail of the report which set out in summary the revenue outturn for 2021/2022 for the Council. The report showed details of the major differences between actual costs/income compared to the revised estimates for 2021/2022 reported in February 2022 monitoring.

The accounts showed the Borough's spend of £20,578,724, which was £70,294 more than the revised position following February's monitoring for 2021/2022.

Throughout the year there was significant uncertainty and variation to budget as reported in the budget monitoring report, largely as a result of the financial impact of recovery from the pandemic on the local economy and related variation to demands on service. In addition to this, during the year concerns emerged of growing inflation and the Government's Office for Budget Responsibility made forecasts of inflation up to 10% for 2022/23, widely impacting the cost of living for individuals and businesses.

The Council's continuing strategy was to identify budget savings in year, as part of the monitoring process and at year end. Any savings were then transferred to the General Fund Reserve balance for use in future years. As a result consideration had been given to allocating specific funds to support the community and provide contingency for known and estimated inflationary increases to the Council. Appendix 2 to the report showed more detail.

The Outturn included additional transfers of £2,808,850 to earmarked reserves for continued operations in 2022/2023. The General Fund Reserve was increased to £8,983,760 at the start of 2022/2023 following the contribution from 2021/2022 surplus of £287,745.

Under standing order 34 Councillor de Whalley expressed concern for the Town Fund timeframe.

Under standing order 34 Councillor Morley asked whether there was any update on the Government's position on Business Rates. He considered the Council had a reasonable record on Revenue budgets but was disappointed that he considered tourism budgets were underspent along with open spaces.

Under standing order 34 Councillor Joyce reminded members that the outturn report told members where it was at a point in time. He reminded members that people came to the Council for help in hard times coming, and questions whether the general fund could be used

to assist with this. He considered the Council's finances were in good order.

Councillor Long concurred with Councillor Joyce regarding the point in time for the budgets. He reminded members that in 2021/22 money was transferred to earmarked reserves in credit to the prudent decisions taken during the unprecedented times with the pandemic, and those levels of reserves should help with the additional demand on services. He congratulated the Assistant Director and her team on the production of the report.

Councillor Dickinson responded to the question on the level of the General Fund showing that the General Fund wouldn't be sufficient to meet needs over the coming years, and there may be an accelerated need to use the Fund for inflationary increases. She drew attention to some of the earmarked reserves which were intended to assist vulnerable and those in need, and the amounts set aside for green issues. She considered the position at the current time was favourable, but the Government funding decision was awaited.

Councillor Middleton drew attention to the awaited Government settlement which was likely to be only for a 2 year period. He thanked Officers and the Portfolio Holder Councillor Dickinson for the work carried out.

RESOLVED: 1) That the amended draft revenue outturn position for 2021/2022 (section 2 of the report) be approved

2) That the amendments to the Earmarked Reserves Policy (Section 4 of the report) be approved.

Reason for Decision

To approve the amended draft revenue outturn position for 2021/2022 for the Council as per the amended report published.

CAB49 **CAPITAL OUTTURN 2021-22**

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Councillor Dickinson presented the Capital Outturn report for 2021-22. She drew attention to the underspend on capital the reasons for which were identified, the main one being the pandemic. She reminded members that the projects may have slipped to future years, but not disappeared.

The Assistant Director – Resources explained the detail of the report which provided details of the outturn of the 2021/2022 capital programme and outlined amendments and rephrasing to the spending on schemes, revising the programme for 2021/2026. The capital

programme outturn for 2021/2022 totalled £11,529,573 (£16,932,194 including Exempt and Capital Loans) against an approved budget of £14,820,410 (£22,313,160 including Exempt and Capital Loans). It had been necessary to rephase a total of £4,043,620 (£6,014,020 including Exempt) of scheme costs to future years. Useable capital receipts generated in the year totalled £914,469.

The capital resources available to fund expenditure in 2021/2022 are detailed in section 3 of this report.

Under standing order 34 Councillor de Whalley referred to his earlier expression of concern on the Towns Fund timeframe was in relation to section 8 of this report.

Under standing order 34 Councillor Morley expressed concern at the level of re-phasing of the capital programme. He did not consider the major project assurance process was fit for purpose. He asked why the projects were not re focussed before coming to Cabinet. He asked why the full levels were put into current years when it was unlikely to be done in the current year. He drew attention to the risks for capital projects which needed to all be in sync.

The Assistant Director in response drew attention to the major housing scheme budgets which were currently being reviewed but couldn't revise figures at this stage until the review was completed but gave assurance they would be updated in due course.

Under standing order 34 Councillor Joyce commented that the situation was where the Council was. He referred to the interest rates and inflation increases. He reminded member that caution had to be the key word in the current climate.

Councillor Long referred to the slippage on Capital programmes which would always slip where not spent. He referred to the fact that some of the projects were designed to be delivered over multiple years. He reminded members that if the council didn't have the aspiration to build and stuck to day to day projects it would be on track. He referred to the new homes and commercial buildings that had been delivered. He confirmed the figures were as they were.

Councillor Lawrence confirmed that the Councils accounting was not normal business accounting and it hadn't been normal times. He referred to the figures being based on a snapshot in time and the ability of members to amend the figures in the future if needed. He commended the Assistant Director and her team for the production of the report.

Councillor Blunt concurred that projects often didn't come in on budget or on time, he confirmed the need to continue to monitor and review.

Councillor Middleton commented on the difference between local government budgeting and business. He confirmed it was usual to carry over to the following years any money not spent in the year. He confirmed that the risk taken was measured risk.

Councillor Dickinson confirmed that in her long career in local government capital slippage was usual. It was almost impossible to forecast exact budget, including on smaller domestic projects.

Cabinet and members under standing order 34 members did not wish to debate the exempt pages of the report.

RESOLVED: 1) That the outturn of the capital programme for 2021/2022 of £16,932,194 including Exempt Schemes be noted;

2) That the financing arrangements for the 2021/2022 capital programme be noted;

3) That the revised 2021/2026 capital programme and financing as detailed in the report be approved.

Reason for Decision

To report the outturn 2021/2022 for the Capital Programme and update members on capital spending and resources for 2021/2026. Cabinet and those present under standing order 34 did not wish to debate the exempt pages of the report.

The meeting closed at 4.54 pm