

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

**Minutes from the Meeting of the Cabinet held on Tuesday, 7th March, 2023
at 3.30 pm in the Assembly Room, Town Hall, Saturday Market Place, King's
Lynn**

PRESENT: Councillor S Dark (Chair)
Councillors H Humphrey, P Kunes, G Middleton and S Sandell

Apologies for absence were received from Councillors R Blunt, A Dickinson and
A Lawrence

CAB133 MINUTES

RESOLVED: The Minutes of the Meetings held on 7 and 8 February
2023 were agreed as a correct record and signed by the Chair.

CAB134 URGENT BUSINESS - APPOINTMENT OF HONORARY ALDERMAN

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Cabinet considered a report which explained that following the 2019
Borough Council Elections, Council did not consider the appointment of
new Honorary Aldermen mainly due to the onset of the pandemic.

The report invited members to consider conferring the title of Honorary
Alderman on former Councillor N Daubney – Former Leader and
Mayor. It was proposed that the Mayor's permission be sought to bring
the recommendation to the Special Council meeting on 9 March for
approval, followed by a Special Meeting to bestow the honour prior to
the Council meeting on 30 March.

RESOLVED: That with the consent of the Mayor, the recommendations
be submitted to the Extraordinary meeting of the Council on 9 March
2023 as urgent business.

RECOMMENDED 1) That the Council places on record its deep
appreciation of the eminent services to the Council rendered by former
Councillor Nicholas Daubney.

2) That a Special Meeting of the Council to confer the title of
Honorary Alderman on former Councillor Daubney be held at 4.30 pm,
prior to the Council meeting on Thursday, 30 March 2023 and the
engrossment of recommendation above and an aldermanic badge be
presented to the Honorary Alderman, at that Council meeting.

3) That with the consent of the Mayor, the recommendations be submitted to the Extraordinary meeting of the Council on 9 March 2023 as urgent business.

4) That the Council places on record its deep appreciation of the eminent services to the Council rendered by former Councillor Nicholas Daubney.

5) That a Special Meeting of the Council to confer the title of Honorary Alderman on former Councillor Daubney be held at 4.30 pm, prior to the Council meeting on Thursday, 30 March 2023 and the engrossment of the recommendation above and an aldermanic badge be presented to the Honorary Alderman, at that Council meeting.

Reason for Decision

To confer the title of Honorary Alderman on former Councillor Daubney.

CAB135 DECLARATIONS OF INTEREST

None

CAB136 CHAIR'S CORRESPONDENCE

None

CAB137 MEMBERS PRESENT UNDER STANDING ORDER 34

Councillors Kemp and de Whalley attended under standing order 34.

CAB138 CALLED IN MATTERS

None

CAB139 FORWARD DECISIONS

The Forward Decisions List was noted

CAB140 MATTERS REFERRED TO CABINET FROM OTHER BODIES

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- Standards Committee – 3 February 23 – Model Code of Conduct
- Corporate Performance Panel comments on Unreasonable Complaints Policy – 4 January 2023

- KLACC – Provision of accessible play equipment – 30 January 2023–
request to cabinet to support scheme if funding comes available

Cabinet noted the referral from KLACC of a request to support a shovel ready scheme for the provision of accessible play equipment in the Walks should an opportunity for funding become available. The Chair confirmed that the suggestion was business which was conducted regularly, and that Cabinet would encourage officers to assist the West Norfolk Youth Advisory Board in the preparation of a scheme to put forward for a request for funding to an appropriate scheme.

Councillor Humphrey confirmed he had watched the meeting and was impressed with the presentation and asked if there were any grants available that the young people could apply for. It was confirmed that officers would look at the scheme and funding opportunities in order for a bid to be made.

Under standing order 34 Councillor Kemp commended the work of the West Norfolk Youth Advisory Board.

- Local Plan Task Group - 28 February 2023

CAB141 **LOCAL PLAN - INSPECTORS LETTER - RECOMMENDED WAY FORWARD**

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The Planning Policy Manager presented a report which explained that Full Council approved the draft Local Plan submitted for examination in March 2022. The Local Plan Inspectors adjourned the examination hearings to allow the Council to provide further evidence and justification, to ensure the submitted Plan was sound. This report set out the options to address the Inspectors' concerns. In relation to the Spatial Strategy and Settlement Hierarchy in particular, those more substantive changes to the Plan were considered to require the approval of Full Council.

The Planning Policy Manager explained that the report had also been considered by the Local Plan Task Group on 28 February, the recommendations from which had been presented to Cabinet. The Task Group had supported 3 of the recommendations in the report, whilst recommending an amendment to recommendation 3 to suggest that the Criterion based policy to be agreed in consultation with the Chair and Vice-Chair of the Task Group. Cabinet supported this amendment.

Under standing order 34 Councillor Kemp addressed Cabinet made reference to sustainability at West Winch rather than Watlington or Downham Market. She stated that the Inspector's comments on the sustainability, air quality, transport network and local amenities had not

been demonstrated in the plan with the additional dwellings. She considered no dwellings should be built in West Winch until the By Pass was completed.

Under standing order 34 Councillor de Whalley addressed the Cabinet suggesting that Downham Market and Watlington would be more sustainable locations for the growth due to their rail links. He considered that the council needed to justify why 2400 homes in West Winch was appropriate to the spatial strategy and consistent with national policy which he considered risked further delay in the local plan.

The Chair reminded Members that the letter from the Inspector listed the numbers of dwellings in fullness of time, 2,500 up to 2036 and then the potential to go up to 4,000 at a later date. The Planning Policy Manager confirmed 1,600 in the site allocation and up to 4,000 in the fullness of time. The Inspectors had requested evidence to support the increased allocation and allowed the Inspector to see the evidence that the site can accommodate up to 4,000 in the fullness of time.

The Chair confirmed that any planning applications being examined under the current Local Plan were not affected by the future plan.

Cabinet agreed the recommendation as amended by the Local Plan Task Group.

RECOMMENDED: That the contents of the report be noted and Council be recommended that the draft Local Plan previously approved by Full Council be amended as follows:

- 1) That reference to the term 'A10/Main Rail Line Strategic Growth Corridor' is deleted from the Plan.
- 2) That the Settlement Hierarchy reverts to that of the Core Strategy (as amended by the Site Allocations and Development Management Policies Document), subject to a check that it still remains up to date.
- 3) That a criterion-based policy is introduced into the Plan for the assessment of proposals for development in rural settlements. The Criterion-based policy to be agreed in consultation with the Chair and Vice-Chair of the Local Plan Task Group.
- 4) That a housing requirement is calculated for designated neighbourhood areas using the methodology set out at section 2.13 and Appendix 3.

Reason for Decision

To address concerns raised by the Local Plan Inspectors at examination in order that they may report the Plan is 'sound' and enable the Council to proceed to adoption at the earliest opportunity.

The comments of the Local Plan Task Group were taken into account.

CAB142 **REVIEW OF UNREASONABLE COMPLAINTS POLICY**

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The Monitoring Officer presented a report on the review of the Unreasonable Complaints Policy which had been carried out by the Corporate Performance Panel. The Monitoring Officer reported that she had checked the proposed amendments with the Local Government Ombudsman, and incorporated their suggestions within the track changes in the report. The report also recommended that the appeals process for the system would be delegated to the Standards Committee.

In response to a question, it was confirmed that the Standards Committee would receive guidance and training on the matter.

The Chair asked how widely the policy had been referred to, to which it was confirmed that the numbers of cases were very low as it was only required in exceptional circumstances.

RECOMMENDED: 1) That the proposed changes to the Unreasonable Complaints Policy as set out at Appendix 1 to the report be approved; and

2) That the proposed changes to the Constitution as set out at Appendix 2 to the report be approved.

Reason for Decision

It is a function of CPP to assist in advancing the development of effective policy for promoting or improving the economic, social and environmental wellbeing of the people and communities of King's Lynn and West Norfolk. CPP have recommended changes to the UC Policy and the Constitution which Cabinet are asked to consider these for onward recommendations to Full Council.

CAB143 **LGA MODEL CODE OF CONDUCT**

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The Monitoring Officer presented the report which explained that a review of the Member Code of Conduct had been undertaken by the Standards Committee based on the Model Code of Conduct and associated guidance issued by the Local Government Association. The Standards Committee had recommended a version of the Model Code revised for the Council's circumstances.

The Chair thanked the Standards Committee for their consideration and recommendations. Cabinet supported the recommendations.

RECOMMENDED: That the revised Member Code of Conduct set out at Appendix 1 to the report be adopted.

Reason for Decision

It is a statutory function of the Standards Committee to advise the Council on the adoption or revision of the Member Code of Conduct. The Standards Committee have recommended that a revised Code of Conduct be adopted, as attached at Appendix 1 to the report, which Cabinet is asked to consider for onward recommendations to Full Council.

CAB144 **MEMBERS ALLOWANCES SCHEME 2021-2025**

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Cabinet considered a report which invited the Council to approve the current scheme of allowances for the period 2021- 2025. The current wording of the scheme extended to 2021-2022. No other changes to the scheme were proposed.

RECOMMENDED: That the scheme of Allowances to cover the years 2021/25 be approved.

Reason for Decision

To comply with the requirements of The Local Authorities (Member's Allowances) (England) Regulations 2003 to continue with the Scheme of Allowances for the coming year.

CAB145 **NOTICE OF MOTION 16/22 - PEER REVIEW**

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As the Corporate Performance Panel had deferred this item to April, it was agreed that the item be deferred to the April meeting.

CAB146 **FREEDOM OF THE BOROUGH UPDATE**

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The Democratic Services Manager introduced a report on the review of the criteria for awarding the Freedom of the Borough which were last reviewed and agreed by Council in 2002. Following the referral of a Notice of Motion from Cllr J Rust on the criteria, Council referred the

Motion to the Corporate Performance Panel to consider. The Panel formed an Informal Working Group to consider the matter which reported back to the Panel. The Panel had recommended changes to the criteria to be used for consideration, recommended the removal of the 10 year timeframe as to when a Councillor ceased to be so before being able to be awarded the honour, and also that applications should be considered by the Standards Committee before recommendations were made to Council.

Cabinet expressed the view that the removal of the 10 year limit was appropriate, and agreed that the Standards Committee was the right body to deal with nominations in the first instance.

RECOMMENDED: 1) That the updated criteria proposed by the Corporate Performance Panel, subject to the additional changes shown in appendix 3 to the report, be adopted.

2) That the changes to the Constitution shown in appendix 4 of the report be approved.

Reason for Recommendation

The award of Freedom of the Borough is a non-executive function of the Council (Functions Regulations 2000, Schedule 1 paragraph E3). Constitutional Changes are needed in order to effect the amendments to the criteria and process for the award/revocation.

Full Council asked the CPP to review the award criteria; the Council's legal team have reviewed those criteria and provided comments and proposed constitutional changes.

Cabinet are invited to review the updated criteria and the constitutional changes and recommend to Full Council that they be approved.

CAB147 GOVERNANCE REVIEW TASK GROUP

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Cabinet was reminded that the Governance Task Group which was set up in September 2019 had ceased its work during the pandemic. Cabinet was presented with a report which suggested that should the new Council wish to resurrect the review, the work of the Task Group should recommence following the elections and once the Peer Review was completed as it was potentially closely linked with the process.

RECOMMENDED: That the work of the Governance Task Group be paused until after the Borough Council elections.

Reason for Decision

To ensure that the new Council is able to take a view on its Governance structure going forward and to link with the Peer Review to take place..

The meeting closed at 4.23 pm