

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Monday, 15th January, 2024 at 6.00 pm in the Council Chamber, Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor T Parish (Chair)
Councillors B Anota, A Beales, M de Whalley, J Moriarty, C Morley, S Ring,
J Rust and S Squire

CAB80 **MINUTES**

RESOLVED: The Minutes of the Meeting held on 5 December 2023 were agreed as a correct record and signed by the Chair.

CAB81 **URGENT BUSINESS**

None

CAB82 **DECLARATIONS OF INTEREST**

None

CAB83 **CHAIR'S CORRESPONDENCE**

None

CAB84 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Under standing order 34, Councillors Dark, Dickinson, Kemp and Ryves attended on Zoon and Councillor Ware attended in person.

CAB85 **CALLED IN MATTERS**

None

CAB86 **FORWARD DECISIONS**

The Forward Decision list was noted.

CAB87 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

Recommendations from the following bodies were submitted to Cabinet and considered with the relevant items:

Environment and Community Panel – 3 January 2024

West Norfolk Investment Plan (UK Shared Prosperity Fund) and Rural England Prosperity Funding Update and 2024/25 Priorities.

Designation of a Village Green – South Lynn

Corporate Performance Panel – 4 January 2024

Changes to Council Tax Premiums for second and Long Term Empty Properties

Council Companies Funding – Open and Exempt elements

Polling District Review

Regeneration and Development Panel – 10 January 2024

Local Plan – Gypsy and Traveller Sites Consultation Document

Local Plan Task Group - 8 January 2024

Local Plan – Gypsy and Traveller Sites Consultation Document

CAB88 **POLLING DISTRICT REVIEW**

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

Cabinet received a report which set out the Council's duty to undertake a review of the polling districts and polling places in respect of Parliamentary electoral areas that fell within the boundaries of the Borough. The review must take place every five years. It was noted that it was the (ARO) Acting Returning Officer's responsibility to keep polling stations under review.

The previous Review took place in October/November 2018.

Views had been sought from all stakeholders including County Councillors, Borough Councillors, and political groups. In addition, Parish Councils had been consulted together with local disability groups.

Representations closed on 24 November 2023 and were published accordingly (on the BCKLWN website). The ARO had made further comments to the representations received.

The following table shows the proposed amendments to the Schedule

Polling District (area)	Proposed change
PD2 (Fairstead)	To be re-integrated into the wider PD1 (Fairstead) polling district.
PJ4 (St Margaret's with St Nicholas)	To be re-integrated into the wider PJ1 (St Margaret's with St Nicholas) polling district
WT7 (Denver)	To be re-integrated into the wider WM1 (Denver) polling district

It was noted that the Corporate Performance Panel had supported the recommendations in the report.

RECOMMENDED: That the Appendix attached to the report on the Polling District and Polling Place Review Schedule be adopted.

Reason for Decision

To ensure that the Council meets its statutory obligations. (A Polling District Review has to be carried out once every five years).

CAB89 COUNCIL TAX PREMIUMS FOR LONG-TERM EMPTY PROPERTIES AND SECOND HOMES

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

The Revenues and Benefits Manager presented a report which explained that Section 79 of the Levelling Up and Regeneration Act 2023 allowed billing authorities to apply the existing 100% premium for long term empty properties after a property had been empty for one year rather than the current time of two years. This change could be made from 1 April 2024. More details were set out in section 2 of the report.

The report also explained that Section 80 of the Levelling Up and Regeneration Act 2023 allowed billing authorities to charge an additional premium of 100% on a property which was substantially furnished and where there was no resident (i.e., second homes, referred to in the Act as 'dwellings occupied periodically'). The Act set out that the Council must give at least 12 months' notice of this change so charges in relation to this part of the legislation could be implemented from 1 April 2025.

Under sanding order 34 Councillor Dark drew attention to what was said at the Corporate Performance Panel in that it was an opportunity to raise funds for authorities at all levels, however he cautioned any comments made as reported on by the EDP regarding second home

owners. He commented that the paper gave the opportunity to look at the options available.

Councillor Beales confirmed he felt it was right to give it some thought, and reservations were not surprising as some second home owners may decide not to remain as such, properties may come on the market for use as full time homes. He commented that it was right to make the most of the council tax for the residents of the borough.

Councillor Morley responded that it would be dealt with sensitively, but the additional money would be of benefit for the services in the area.

Councillor Rust drew attention to the areas where residents were not able to access services such as childcare and schools because the number of families in areas of high second home ownership didn't sustain them.

Councillor Squire asked what procedures were in place to check on those that would then claim it was their permanent home. It was noted that checks were carried out to ascertain such things as GPs, Dentists, schools etc.

Councillor Moriarty commented that often the second home owners didn't have large incomes, and did contribute to their local communities, he also drew attention to the fact that property prices were often out of the range of first time buyers.

Councillor Ring commented on the alleged damage to the visitor economy, and drew attention to any increase would be in the region of 1 weeks rent on the property when rented out. He commented that those who chose not to rent out their properties were generally those who could afford not to do so.

Councillor Parish drew attention to the press comments and confirmed the scheme was a "no brainer" for the area as it was essential to find additional income wherever possible. He reminded Members that the majority of the additional funding would go to the County Council and the Police.

RECOMMENDED: That Council:

- 1) Charge the long-term empty property premium after 12 months from 1 April 2024,
- 2) Charge a 100% premium for second homes falling into Class B from 1 April 2025,
- 3) Adopt the Council Tax Discounts Resolution as at Section 7 of Appendix C,
- 4) Work with other Norfolk authorities and Norfolk County Council to ensure the maximum possible amount of the additional second homes income is returned to those boroughs most affected by second home ownership and,

- 5) Delegate authority to the Revenues and Benefits Manager, in consultation with the s151 Officer and Council Leader, to agree the technical guidelines for any exceptions to the premiums imposed by central government.

Reason for Decision

To decide whether the provisions within sections 79 and 80 of the Levelling Up and Regeneration Act 2023 regarding additional premiums should be implemented.

CAB90 WHISTLE BLOWING POLICY

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

The Deputy Monitoring Officer presented a report which reminded Members that the Council maintained a Whistleblowing Policy which set out the protections given to staff, Members and relevant third parties where they reported wrongdoing to the Council.

The Policy was drafted in 2017. It had now been reviewed and revised, taking into account matters raised by the Audit team. Key revisions included clarifications in a number of areas, a more robust structure for the assessment of whistleblowing reports, and a monitoring programme.

The Policy was also now supplemented by a Procedure, which addressed (i) how whistleblowing reports should be made, escalated and assessed, and (ii) the protections (in terms of employment rights) that whistleblowers would receive.

The revised Policy required the approval of Full Council to be adopted.

Councillor Rust asked if there was a Freedom to Speak Up Officer. It was confirmed that there was not, but it was something that could be explored around the training process.

Councillor Beales commended the clear plain English document.

RECOMMENDED: That the revised Whistleblowing Policy be approved and adopted

Reason for Decision

To ensure that the Policy is kept up-to-date and takes account of Audit recommendations.

CAB91 DESIGNATION OF A VILLAGE GREEN - SOUTH LYNN

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

Councillor de Whalley presented the report which brought forward a proposal for designation of a Village Green on land to the west of Hardings Way, South Lynn on land owned by the Borough Council.

The report also detailed proposals for the establishment of a community orchard which would form part of the Village Green and the Beuys's project on land to the north of the proposed Village Green.

Under standing order 34 Councillor Kemp addressed Cabinet in support of the proposal and urged the inclusion of the additional areas of land which were not currently included because they were allocated within the Local Plan as sites proposed for residential development. It was confirmed that it was not lawful to include those sites.

Councillor Beales confirmed he was happy with the footprint contained within the report.

Councillor Squires encouraged the purchase of trees for the site which were certified as healthy, to which it was confirmed she would be consulted when it came to it.

Councillor Rust commended Councillor Kemp for her support for the community and for suggesting the community orchard. She commented that it was hoped that community led housing on the site may be provided on the site.

In summing up Councillor Parish commented after the community waiting a long time for this, it was finally getting approved.

The Environment and Community Panel supported the recommendations in the report.

RESOLVED: 1) That the Community Orchard at Wisbech Road/ Harding's Way be approved and progressed as detailed in the report

2) That the Council agrees to enter into a form of agreement with the Harding's Pits Association which continues the current operational arrangements for the Harding's Pits Door Step Green. Authority to be delegated to the Assistant Director Property & Projects in consultation with the Portfolio Holder for Property and Corporate Services to agree appropriate terms and length of agreement

3) That the proposed Beuys's Acorns Project be supported potentially as part of the proposal for the Harding's Pits Door Step

Green, with this area being extended to accommodate the Beuys's Project.

RECOMMENDED:

That the land identified in the plan attached with the report (the red shaded area to the west of Hardings Way) be designated as a Village Green.

Reason for Decision

To progress projects which enhance the environment and protect and increase green space for the benefit of the local community.

CAB92 **HOUSING OPTIONS OFFICER POST**

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

The Housing Strategy Officer presented a report seeking agreement to increase the Housing Options team by one permanent full time post to respond to an increasing demand for homelessness services, fulfil statutory duties in relation to housing and support strategic objectives of preventing homelessness. Councillor Rust commended the report and acknowledged the work of the team and the increase in work for them.

Under standing order 34 Councillor Dark addressed the meeting, asked where the funding was coming from and if it was from the Nightshelter allocation.

It was confirmed that the post would be funded from the Government's Homelessness Prevention Grant for a 3 year period the funding was not repurposed from the Nightshelter.

Councillor Rust reminded members that the strategy for rough sleepers was that it was that they were not recurrent rough sleepers, this additional support, along with the other work being progressed would help to eradicate homelessness.

Councillor Morley encouraged the recruitment to posts from within the organisation to which it was explained that posts would be advertised internally and externally as appropriate, and appropriate training given as required.

Councillor Parish commended the opportunity for staff progression.

RESOLVED: That an additional permanent full time Housing Options Officer post be created.

Reason for Decision

To ensure that the Council fulfils its statutory duties in relation to homelessness and has the resource and capacity provide advice and assistance to those in greatest housing need.

CAB93 **APPOINTMENT OF HONORARY ALDERMEN**

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

Cabinet was informed that following the 2023 Borough Council Elections, the opportunity had been taken to review the appointments of new Honorary Aldermen. Consideration has been given to nominations by Group Leaders and it had been agreed to bring forward five individuals at this stage to enable time to review the criteria for nominations.

Councillor Parish reported that following further discussions it had been agreed to bring forward those nominations in tranches up to the next elections, he also proposed to include the fact that the review of criteria for nominations to Honorary Aldermen be undertaken for new nominations.

Under standing order 34 Councillor Dark commented that the backlog of proposed Aldermen was due to Covid and no fault of the individuals, and the reviewed criteria for new nominations should be in place prior to the elections in 2027.

RECOMMENDED: 1) That the Council places on record its deep appreciation of the eminent services to the Council rendered by former Councillors:

Kathleen Collins (previously Mellish)
David Collis
Michael Peake
Geoffrey Hipperson
Andrew Tyler

2) That a Special Meeting of the Council to confer the title of Honorary Alderman on those former Councillors be held after Mayormaking on Thursday, 16 May 2024 and the engrossment of recommendation above and an Aldermanic badge be presented to the Honorary Aldermen at that Council meeting.

3) That a further report be brought forward reviewing the criteria of nominating Honorary Aldermen before any further new nominations are considered by the Council.

CAB94 **LOCAL PLAN GYPSY AND TRAVELLER SITES CONSULTATION DOCUMENT**

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

Assistant Director S Ashworth presented a report which explained that as part of the Local Plan process, the council had produced a draft consultation document on proposed locations to meet the accommodation needs of Gypsies, Travellers and Travelling Showpeople in the borough. It incorporated the list of existing sites across the borough, the methodology used for assessment, those sites that were preferred to accommodate the identified needs and planning policies to manage such developments over the plan period to 2039. This was an essential part of the Local Plan process, and this work must be carried out before the Local Plan could be adopted.

The report sought authority to proceed with a consultation on potential sites. The consultation would run for 6 weeks, and would help to inform a final proposed Gypsy, Traveller and Travelling Showpeople policy, which would be submitted to Cabinet for approval in April 2024, to be submitted for formal Examination in July 2024.

Under standing order 34 Councillor Dark confirmed that as Group Leader he had been briefed on the subject, acknowledged that it needed to be carried out and supported it.

Councillor Morley sought clarification on if there was disagreement with the proposals. It was confirmed the outcome of the consultation would come to Cabinet and Council.

Attention was drawn to the additional recommendation proposed by the Local Plan Task Group and supported by the Regeneration and Development Panel as follows. This was supported by Cabinet.:

“3) That delegated authority be granted to the Portfolio Holder, Development and Regeneration to ensure new sites which come forward from the consultation exercise be communicated in a timely manner to Borough Councillors and where possible Parish Councils”

RESOLVED: 1) That the draft Gypsy, Travellers and Travelling Showpeople Potential Sites and Policy document, the Gypsy and Traveller Site Assessment Document, the associated Strategic Flood Risk Assessment and the Sustainability Appraisal, be endorsed for consultation, for a period of 6 weeks from the 26th January until the 8th March 2024.

2) That delegated authority be granted to the Portfolio Holder for Development and Regeneration, and the Assistant Director –

Environment & Planning, to include minor amendments as required to the consultation document prior to consultation starting at the end of January.

3) That delegated authority be granted to the Portfolio Holder, Development and Regeneration to ensure new sites which come forward from the consultation exercise be communicated in a timely manner to Borough Councillors and where possible Parish Councils.

Reason for Decision

The Borough Council must allocate land to meet the accommodation needs for Gypsies, Travellers and Showpeople through the replacement Local Plan. The Local Plan is unlikely to be found sound at examination if insufficient land is allocated to address this need.

Cabinet approval is being sought to publish potential site allocations for consultation. It is also seeking authority to make minor amendments to the consultation document as necessary for clarity ahead of the formal consultation period. Following the consultation, and after a further assessment, Full Council will need to endorse the final preferred site-specific allocations for submission to the Planning Inspectors as part of the ongoing Local Plan examination.

CAB95 **WEST NORFOLK SHARED PROSPERITY FUNDING AND RURAL ENGLAND PROSPERITY FUNDING: PROGRAMME UPDATE AND 2024/25 PRIORITIES**

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

Assistant Director D Hall presented the report which explained that at its meeting on 7 February 2023, Cabinet approved the programme of investment for UK Shared Prosperity Funding (UKSPF) for 2022/23 and 2023/24 and for Rural England Prosperity Funding (REPF) for 2023/24 and 2024/25. The report set out the proposed spending priorities for UKSPF in 2024/25 to facilitate both continued programme delivery and the introduction of new projects.

Additionally, the report provided a review of REPF programme delivery including a forward look to 2024/25 and procedures in place to ensure full investment spend by 31 March 2025.

For both funding programmes it was essential to agree the best approach for expediting any 'in year' programme adjustments that may become necessary to ensure achievement of full spend in 2024/25 by the government deadline of 31 March 2025.

Councillor Morley drew attention to the suggestion he had made at the Environment and Community Panel to use 10% of the funding for Community schemes in King's Lynn, to which it was confirmed that this

was not possible as the funding was tied up contractually with the LEP and Government in the way it was spent. However members were reminded that the of the opportunity for constituted bodies in King's Lynn to apply for funding for schemes until the end of January. It was suggested that King's Lynn Ward Members may wish to consider this opportunity.

RESOLVED: 1) That the projects for allocation of UKSPF funding of £1,062,709 for 2024/25 against the agreed interventions contained in the West Norfolk Investment Plan (WNIP) as set out in sections 3 and 4 of the report be approved.

2) That the REPF funding of £225,000 for Active Travel projects in 2024/25 as set out in Table 6 of the report be approved.

3) That delegated authority be granted to the Assistant Director for Regeneration, Housing & Place in consultation with the Portfolio Holder for Business to approve in year budget reallocations of UKSPF funding for 24/25 to ensure fulfilment of spend. (Section 7 of the report).

Reason for Decision

To ensure timely delivery of two complementary government grant funding streams in line with government guidance, West Norfolk Investment Plan, the Rural Addendum and Corporate Business Plan objectives. The UKSPF will support residents and business to; build pride in place, high quality skills training, supporting pay, employment, productivity growth and increasing life chances. REPF will support investment in micro and small enterprises in rural areas and in the development and promotion of the rural visitor economy, enhancing active travel provision in rural areas, investing in capacity building and infrastructure support for local rural groups and supporting volunteering and social action groups in rural communities.

It was not possible to adopt the recommendation from the Environment and Community Panel as the grant funding was tied in a contractual arrangement. Suggestions were made which may help the unparished area apply for grant.

CAB96 COUNCIL COMPANIES FUNDING

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

Assistant Director David Ousby presented a report which brought together the advice the council had received from legal, financial and tax advisors on the funding of the council housing companies. It set out:

1. The total amount of borrowing available that the council could provide to support the housing companies, and the details of the funding agreements between the council and the companies.

2. the financing arrangements for West Norfolk Housing Company Limited (WNHC), which expired in March 2023, to allow that company to continue to purchase properties, both from the councils Major Housing Programme (MHP) and elsewhere.
3. the options available to the council to allow West Norfolk Property Limited (WNPL) to manage the private rented (PRS) properties in its portfolio, and the future pipeline of properties being delivered through the councils Major Housing Programme (MHP), through a hybrid debt plus equity financing and lease extension provision

The report and its recommendations had been reviewed by external consultants Grant Thornton. Their findings had been incorporated in the report to Cabinet.

Under standing order 34 Councillor Kemp asked if the council was safeguarding its loans against Council's companies as there were only a small number registered against West Norfolk Housing and none against West Norfolk Property. The Monitoring Officer confirmed they were aware of the issue with the charges where there were some errors in the documents meaning the amendments had to go through the courts for amendments.

Councillor Beales acknowledged there was a lot of work to be done with the Companies which was all part of the proposals.

Councillor Parish acknowledged there were now sufficient staff in the Legal Department to help with the work.

Under standing order 34 Councillor Dark drew attention to the suggestion made at the Corporate Performance Panel that the Shareholder Committee be involved in agreeing the final terms of the Drawdown facility with the companies.

Cabinet agreed to the amendment. Cabinet discussed the issue of whether it needed to progress to an exempt session to further consider the exempt appendices, it was agreed that members were very familiar with the appendices so would not need to exclude the press and public, and the detail of them would be further considered in detail by the Shareholder Committee.

RESOLVED: 1) That the contents of the report setting out (i) the advice of Grant Thornton, PS Tax, Link Group Treasury Services and Ensor Accountants relating to the structure options for financial support to WNPL and WNHC (the Companies), and (ii) the Council's current analysis as regards the best options be noted;

2) That a Drawdown facility be offered to the Companies (comprising a mix of loan facilities and repayable grant agreements, and which may include debt-equity arrangements and/or the extension of current lease arrangements), with an overall lending cap of £50 million;

3) That delegated authority be given to the Executive Director (Place), in consultation with the Portfolio Holder for Business, the Share Holder Committee, the Section 151 Officer and the Monitoring Officer, to agree the final terms of the Drawdown facility with the Companies.

RECOMMENDED: 4) That delegated authority be granted to the Section 151 Officer in consultation with the Portfolio Holder for Business to amend the Capital Strategy for 2023-2024 to reflect the approved Drawdown facility to the Companies.

Reason for Decision

To deliver on Council Corporate Objectives:

- Promote growth and prosperity to benefit West Norfolk;
- Protect our environment;
- Efficient and effective delivery of our services; and,
- Support our communities.

To deliver affordable and private rented housing for acquisition by the council's wholly owned housing companies to support the delivery of council corporate objectives

The meeting closed at 8.07 pm