

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

**Minutes from the Meeting of the Council held on
Thursday, 21st March, 2024 at 5.00 pm in the Assembly Room, Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor P Bland (Deputy Mayor in the Chair)
Councillors B Anota, B Ayres, T Barclay, M Bartrum, A Beales, S Bearshaw,
J Bhondi, P Bland, F Bone, A Bubb, A Bullen, R Coates, Mrs J Collingham,
S Collop, C J Crofts, S Dark, M de Whalley, P Devulapalli, A Dickinson,
S Everett, D Heneghan, P Hodson, H Humphrey, B Jones, C Joyce, A Kemp,
J Kirk, P Kunes, S Lintern, B Long, J Lowe, J Moriarty, C Morley, S Nash,
J Osborne, T Parish, S Ring, J Rust, A Ryves, S Sandell, D Sayers,
Mrs V Spikings, S Squire, M Storey and A Ware

Apologies for absence were received from Councillors P Beal, R Blunt, R Colwell,
T de Winton, A Lawrence, J Ratcliffe, C Rose, D Tyler and M Wilkinson

C:86 **PRAYERS**

Prayers were led by Rev Canon Ling.

C:87 **APPOINTMENT OF VICE CHAIR FOR THE MEETING**

Councillor Parish proposed Councillor Bullen as the Vice-Chair for the meeting. This was seconded by Councillor Moriarty.

RESOLVED: That Councillor Bullen be appointed Vice-Chair for the meeting.

C:88 **MINUTES**

RESOLVED: The Minutes of the Meeting of the Council held on 22 February 2024 were approved as a correct record and signed by the Deputy Mayor.

C:89 **DECLARATIONS OF INTEREST**

None

C:90 **MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS**

None

C:91 **URGENT BUSINESS**

None

C:92 **ITEMS REMAINING FROM 31 JANUARY AND 22 FEBRUARY MEETINGS**

i **Cabinet recommendation remaining from 15 January 2024 meeting**

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Councillor Parish proposed CAB93: Appointment of Honorary Aldermen, seconded by Councillor Moriarty with the amended special Council date of 27 June 2024.

RESOLVED: That CAB93: Appointment of Honorary Aldermen with the amended date of 27 June 2024 for the special Council be approved.

ii **Petitions and Public Questions from 22 February 2024 meetings**

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The Deputy Mayor invited those submitting public questions to come forward in accordance with Standing Order 9.

Question from Trudy Clark

At the 31st January Council meeting, Mr. Robert Shippey asked the Council if the new administration had developed a plan to reach its own net zero targets on time, and what budget had been set to achieve this. Councillor Parish explained that the Climate Change Strategy was due to be reviewed, "in due Course". Mr. Shippey also asked, as the £1 million funding had already been spent, what budget would be allocated in the forthcoming budget process. Councillor Parish replied that such information would be coming, "in due time". Both of these replies, "in due Course", and "in due time", and both very vague answers and do not answer the question. So my question is, "Has the Borough Council set itself a date to finalise its budget so it may move forward with tackling the climate emergency, or will it continue to answer questions with past achievements and decisions, instead of looking to the future?"

Councillor de Whalley gave the following response: "The Council's climate change reserve fund is £1.25 million and has not been fully spent. An update on progress with our climate change strategy and action plan, expenditure and remaining balance for the reserve fund and the council's own carbon footprint will be provided to Environment & Community Panel at its meeting on 9 April 2024.

This Council's target is to be net zero by 2035. Achieving this will mean that we will have to address a number of critical challenges, including the decarbonisation of our vehicle fleet and estate. For example, affordable or viable solutions do not yet exist for refuse vehicles to serve our vast rural area. We also have a number of properties that

require review to determine their future use and improvement. These types of projects will demand significant investment and take several years to develop and deliver. The funding for these projects will be set out in future budgets and capital programmes. Unfortunately, there are no simple solutions to these matters.

Lessons Learnt include.

- To engage with external experts such as the Forestry Commission who have provided us with a wealth of resources and generously offered ad hoc advice
- Soil testing including type, nutrients and moisture to ensure suitable species are planted.
- Improved aftercare including mulching and irrigation
- Better site design such as more space to access and maintain the trees
- Appropriate protection measures to safeguard the trees
- Planting with and in support of the community and not too close to footpaths”.

iii **Cabinet Members reports from 31 January and 22 February 2024 meetings**

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

i) Cabinet Members reports from 31 January 2024

Councillor T Parish proposed the reports en bloc.

Councillor Rust responded to a question from Councillor Kemp on getting a Doctors surgery into the new south Lynn health hub. She explained that it was not intended to have a Drs surgery in the building.

Following a question from Councillor Devulapalli, Councillor Ring gave an update on the Guildhall saying it was hoped to get the planning application submitted in August with a completion date likely in spring 2027.

Councillor Ring responded to Councillor Collingham that he didn't have concerns that the timescales would cause any difficulties with funding for the Guildhall.

ii) Cabinet Members reports from 22 February 2024

Councillor T Parish proposed the reports en bloc.

There were no questions.

iv **Questions of Chairs from 31 January and 22 February 2024 meetings**

There were no questions of Chairs.

C:93 **PETITIONS AND PUBLIC QUESTIONS**

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The Deputy Mayor invited public questions presented for the 21 March meeting in accordance with Standing Order 9.

1) Question from Julia Irving read by Jenny Walker

I visited Lynnsport today the 13th of March 2024 . I was dismayed to note that the area so disastrously planted with trees in 2021 (when the vast majority of trees died due to neglect) is still littered with plastic trees guards ,as far as the eye can see . The area looks a mess and I have attached a photo to illustrate this . I asked a question at a council meeting last year and my understanding was that the contractors, CGM group, were to be asked to take away the tree guards and tidy the area up and remove dead trees so that the area could thrive as wild flower meadow.

What is the time line for this work to be done?

Councillor de Whalley explained that the Council was currently in the process of checking the remaining trees were still alive, then the area was due to be sorted out w/c 8 April, involving staff, volunteers and students.

Ms Walker asked if CGM had made any reparation for not fulfilling the terms of the contract, to which Councillor de Whalley explained that the contracts team were in discussion with CGM.

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2) Question from Sue Heal read by Malcolm Chubbock

MND is a fatal, often rapidly progressing neurological disease for which there is no cure.

Will the Borough Council of King's Lynn and West Norfolk adopt the MND Charter to help positively influence the lives of people living with MND and their carers in the community?

The MND Charter is a statement of the respect, care and support that people living with MND and their carers deserve and should expect. More information can be found at www.mndassociation.org/mndcharter

The Charter is made up of 5 key points, these are listed below.

1. The right to an early diagnosis and information
2. The right to access quality care and treatments
3. The right to be treated as individuals and with dignity and respect

4. The right to maximise their quality of life
5. Carers of people with MND have the right to be valued, respected, listened to and well-supported.

Supplementary question: Will the Borough Council of King's Lynn and West Norfolk consider the findings in the MND Association's Act to Adapt report and use their discretionary powers to ensure that they are meeting the needs of people living with MND in relation to accessible housing? More information can be found at www.mndassociation.org/acttoadapt

We recommend that councils learn from existing good practice by:

- Introducing a fast-track process for people with MND
- Removing financial assessments for Disabled Facilities Grants
- Maintaining a register of accessible homes for people to move into

These actions were reflected in the Government's guidance for local authorities in England on Disabled Facilities Grant (DFG) delivery, 28 March 2022, where specific mention is made of motor neurone disease on page

18. https://assets.publishing.service.gov.uk/media/6245b9ac8fa8f527744f0683/DFG_Guidance.pdf

Councillor Rust thanks Mr Chubbock for the question, explaining she had held a good meeting with Ms Heal re the difficulties experienced by people suffering with MND. She informed Council that she had shared the Charter with officers to see if they could help. She explained that officers were in the process of reviewing the housing assistance policy and would consider the national guidance when updating it, and also had the ability to fast track cases with a financial contribution to the Housing Review Panel to carry out necessary adaptations if required. She expressed the hope to make progress on this and work together.

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3) Question from Rob Archer

Cycle Parking Policy

Over the last decade there has been a net loss of around 100 cycle parking spaces in King's Lynn town centre. Most recently, the popular racks on the Tuesday Market Place were removed just before Christmas (just when they were most needed by shoppers) and only recently replaced. The very useful and accessible parking on Purfleet Street have been relocated to a much less secure and accessible location on Baker Lane (it's not possible to legally cycle from them northbound - making them almost useless for mobility-impaired people) and current plans for Baxter's Plain show the removal of most of the spaces there.

Does the borough council have a coherent cycle parking policy? We note the plans for two cycle hubs - in Baker Lane and at South Lynn - but these will be difficult to access from the cycle network and do not address the shortage of short-term parking around the town.

One of the reasons people give for not cycling into town is the lack of convenient parking. It may also be limiting much-needed tourism. The hugely popular Rebellion Way cycle route was launched last summer and, according to Strava data, at least 8000 cycling tourists passed through central King's Lynn. Many have commented on the shortage of convenient parking near pubs, cafes, shops etc

Cycling has huge benefits for mobility, health and the local economy, yet those benefits are limited by an apparent lack of planning for the growth in cycling.

Councillor de Whalley gave the following response:

Cycling provision across both Kings Lynn and the Borough as whole is included within both the Kings Lynn Local Cycling and Walking Infrastructure Plan (LCWIP) and County Wide LCWIP documents which have been produced in partnership with Norfolk County Council and consulted on at a community level.

Cycle parking falls within the remit in the main of Norfolk County Council who have improved provision at Baker Lane, Saturday Market Place, Broad Street and Tuesday Market Place in recent times, however we acknowledge some of this provision has been intermittent.

The re-provision of a pilot cycle parking scheme on Baker Lane which was funded by NCC, is subject to exactly the same Traffic regulation orders as the previous provision further along Purfleet St which was removed and has increased the number of spaces provided. (The scheme is of a comparable distance from the no cycling point on Purfleet St)

However whilst works are underway across the town as part of the Town Investment Plan there will be some effect on provision of cycle parking as a whole whilst projects come forward to fruition.

Whilst there is no specific Cycle Parking strategy document it is clear that provision in cycling and walking infrastructure is a priority for both councils.

Some 15 active travel projects identified in the Kings Lynn LCWIP are either underway or planned for the coming months. These include surfacing works, crossings and new links to enhance the offer across the network.

Investment from both the Town Deal funding, Bus Improvement Scheme and Shared Prosperity Fund are all being used to improve the Active Travel environment, with many schemes included cycle parking provision.

C:94 **RECOMMENDATIONS FROM COUNCIL BODIES**

i **Cabinet: 5 March 2024**

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Councillor Parish proposed the recommendation, seconded by Councillor Moriarty.

CAB130 : Anti Money Laundering Policy

RESOLVED: That CAB130 Anti Money Laundering Policy be approved.

C:95 **NOTICE OF MOTION**

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Councillor Kemp proposed her Notice of Motion 2/24, seconded by Councillor Ryves. Councillor Kemp spoke in support of the Motion. Councillor Ryves then spoke in support of the motion and commented on the cost of incineration, encouraging further sorting of waste.

“Wisbech Incinerator

This Council expresses its continued strong opposition to MVV Energie's proposed 625,000-tonne capacity Incinerator close to the West Norfolk border in Wisbech and notes with alarm that the Government granted a Consent Order on 20 February, which, however, may soon be subject to Judicial Review.

Council recognises that the operation would be carbon intensive and increase net carbon emissions, against the Norfolk Climate Change Strategy and achievement of Net Zero; that new facilities of this nature are against the advice of the All Parliamentary Group on Air Pollution and the National Infrastructure Commission; that the East of England already has an over - capacity of incinerators; and this Council wishes to prevent the bringing of London's waste onto the Fens road network, and the shipping of toxic waste into Lynn's port for transportation onto West Norfolk's congested road network to Wisbech.

As a Statutory Consultee, Neighbouring Authority and Interested Party at the recent Planning Enquiry, this Council supported the other neighbouring authorities, Fenland District Council, Cambridgeshire County Council and Norfolk Council in their opposition to the incinerator.

This Council will play a full part in any upcoming Judicial Review and will make strong representations against the facility to the Court, and will write to Government.”

Councillor de Whalley proposed the following amendments to the Motion, seconded by Councillor Parish:

“This Council expresses its continued strong opposition to MVV Energie's proposed 625,000-tonne capacity Incinerator close to the West Norfolk border in Wisbech and notes with alarm that the Government granted a Consent Order on 20 February, which, ~~however, may soon~~ **possibly** be subject to Judicial Review.

~~Council recognises that the operation would be carbon intensive and increase net carbon emissions, against the Norfolk Climate Change Strategy and achievement of Net Zero; that new facilities of this nature are against the advice of the All Parliamentary Group on Air Pollution and the ^{National} Infrastructure Commission; that the East of England already has an over capacity of incinerators. and this Council wishes to prevent the bringing of London's waste onto the Fens road network, and the shipping of toxic waste into Lynn's port for transportation onto west Norfolk's congested road network to Wisbech.~~

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~~As a Statutory Consultee, Neighbouring Authority and Interested Party~~ **Host Authority** at the recent ~~Planning Enquiry~~ **Examination by the Planning Inspectorate**, this Council supported the other neighbouring authorities, Fenland District Council, Cambridgeshire County Council and Norfolk County Council in their opposition to the incinerator.

~~This Council will play a full part in any upcoming Judicial Review and will make strong representations against the facility to the Court, and will write to Government.~~

The Council has commissioned external legal advice to assess the prospects of successfully challenging the Government's decision. It will review this to determine whether there is a case for a judicial review to be brought jointly with neighbouring authorities. If there is, and the other authorities indicated in this motion agree with our assessment, Council will support the review in a proportionate manner.”

Councillor Kemp accepted the amendments, so the amended Motion then became the substantive motion.

In debating the substantive, Councillor Long commented on commitment to the vote taken previously against the incinerator, but expressed concern about the lack of financial information and consultation on the action being taken by others.

Councillors Devulapalli, Bone and Rust expressed support for the substantive and expressing opposition to the incinerator.

Councillor Squire reminded members that a Judicial Review was not a challenge on the outcome of the decision, but on the process undertaken by the Inspectorate, so wasn't an opportunity to express disagreement with an incinerator. She reminded members that any waste was incinerated so she encouraged all to reduce the amount of waste they produced.

Councillor de Whalley commented on the due diligence being carried out to protect tax payers money, but waste was incinerated. He commented on the Fact that if new incinerators were built then waste reduction was more difficult. He drew attention to the processes involved in a Judicial Review

Councillor Kunes drew attention to issues that residents in Clenchwarton were still experiencing with a landowner burning illegally on his land.

Councillor Dark drew attention to the cross party decision taken on the incinerator and the comments from the portfolio holder. He asked what the motion would do –and what discussions had been taken with partner authorities and MPs to speak together. He commented it did not appear to be joined up working on the legal advice. Because he didn't believe the motion provided information on the advice etc he would therefore abstain.

Councillor Beales had expressed some concern for the Motion but welcomed the amendment. He didn't consider it was a motion in isolation but was working with other authorities. He considered it was important to obtain legal advice and to enable the council to continue to oppose the incinerator.

Councillor Parish expressed surprise at the comments made on cost. He drew attention to the conditions for moving forward depending on moving forward with it proportionately. He also referred to the time constraints of the Review, and the approach made by Fenland District Council. He felt it important for the Council to take its own advice quickly. Cambridgeshire County Council was not progressing with a Review. He considered the amended Motion removed inaccuracies and set out conditions on commitment.

Councillor Ware commented on the Judicial Review which could be very costly, risky and complex. She supported the retention of the Council's own legal advice.

Councillor Kemp summed up the discussion. The amended Motion was put to the vote and approved as follows.

RESOLVED: This Council expresses its continued strong opposition to MVV Energie's proposed 625,000-tonne capacity Incinerator close to the West Norfolk border in Wisbech and notes with alarm that the Government granted a Consent Order on 20 February which may possibly be subject to Judicial Review.

As a Host Authority at the recent Examination by the Planning Inspectorate, this Council supported the other neighbouring authorities, Fenland District Council, Cambridgeshire County Council and Norfolk County Council in their opposition to the incinerator.

The Council has commissioned external legal advice to assess the prospects of successfully challenging the Government's decision. It will review this to determine whether there is a case for a judicial review to be brought jointly with neighbouring authorities. If there is, and the other authorities indicated in this motion agree with our assessment, Council will support the review in a proportionate manner.

C:96

CABINET MEMBERS REPORTS - 21 MARCH 2024

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Councillor Parish proposed the reports en bloc.

Councillor Crofts asked Councillor Anota for an update on refurbishment of Downham Market toilets. He explained that it was moving forward and an updated proposal would be coming forward.

Councillor Kemp asked Councillor Ring if the West Lynn side would be incorporated into the riverfront project. He suggested that the ideas be submitted to the Town Deal Board.

Councillor Bearshaw asked Councillor Anota what the situation was with works to King's Court. Councillor Anota confirmed the stair case works were carried out all bar the cosmetic element. He explained that he had asked for a review of King's Court layout to be carried out in order for the potential for letting out further space.

Councillor Sandell asked Councillor Rust if she agreed that the additional donation to the foodbank was the right move. Councillor Rust reminded members that the proposal had been accepted unopposed and made reference to the cost of living crisis.

Councillor Heneghan asked about the pause in the provision of accessible play equipment, to which Councillor Rust explained she had been to a meeting on accessible play equipment which had showed what was available which had resulted in her taking stock of what was to be provided.

Councillor Kemp asked Councillor Anota whether the car park at the West Lynn Community centre would be extended. Councillor Anota invited Councillor Kemp to let him have the detail and he would look into it.

Councillor Lintern asked if parish councils were being encouraged to distribute new food caddies or they were being taken with the Beat the Bills Roadshow. Councillor Squire responded that she would be happy to work with parish councils and the Beat the Bills suggestion was very sensible.

Councillor Long asked how Councillors generally would be involved in the review of Alive West Norfolk. Councillor Ring reported that a report was being prepared over the coming months which would be brought through for Cabinet and Panel consideration.

By way of an update, councillor Beales informed Council that the groundworks contractor for Lovells, Bowie construction had gone into liquidation. He reported this would effect the Florence Fields site, but it would be for Lovells to source a replacement contractor.

Councillor Dark asked Councillor Ring who decided on the level of support for the children's schemes during holidays etc. Councillor Ring confirmed that the Alive West Norfolk Board made those decisions. He undertook to look at the figures quoted by Councillor Dark as activity in children was an important focus on health, he also suggested that schools should be doing more.

Councillor Ryves asked if the Community Based Housing approach might work. Councillor Rust explained it was in its early stages, but she had been introduced to it by a resident, and since she looked at some areas which could help support community driven schemes.

Councillor Devulapalli asked for clarification on 1/8 households not having access to green space, Councillor Rust undertook to check her records to see it was nationally.

In response to a question from Councillor Ryves on the £20m Government Towns Fund, Councillor Beales responded that the Council had been notified with information available on the Government's web site. He felt confident in the ability to deliver, the funding was flexible and could be used to cashflow projects. He reported on the fact there was a new Chair for the Town Deal Board, the role of the police and MPs had strengthened.

Councillor Rust responded to a point raised by Councillor Devulapalli on the shortage of therapeutic services in the East for child sexual abuse victims, she drew attention to an existing group of volunteers who were assisting with it, she had also drawn their attention to potential areas of funding through the Health and Wellbeing Partnership.

Councillor Bearshaw asked what the Council had to do with monitoring the Wash Barrier project. Councillor de Whalley said he would be looking into the integrity of the project. Councillor Squire informed members that she had spoken to the company and their PR representative was keen to speak to Councillors on the matter.

Leader's Questions

Councillor Long asked what progress had been made on the removal of a Chair following the Standards hearing. Councillor Parish responded that he had asked the individual to resign on 3 occasions, but they had declined to do so, so any change would have to take place at the Annual Council meeting. Councillor Nash asked the Leaders if the Group would adhere to the published rules when dealing with internal and external matters. Councillor Parish confirmed the rules would be adhered to and he would attempt to ensure that both Councillor Nash and the Legal representatives had their say.

Councillor Kemp asked if there would be a Town Council for King's Lynn. Councillor Parish responded that he would like to see one for the town, but it was necessary to comply with Council decisions, and drew attention to the fact that the King's Lynn Area Committee was now in place with executive powers. He explained that he received comments for and against a parish council.

Councillor Collingham asked the Leader if he supported the Queen Elizabeth Hospital bid as it currently stood or somewhere else. Councillor Parish suggested that he would be keen to see a direct comparison and reasoned arguments of the suggestions of the existing site and a different site/s. He undertook to support the hospital with their reasoned answer.

Councillor Ryves asked what plans were in place to work constructively with the Trust to achieve the new hospital. Councillor Parish explained that he met with the Trust, and re-iterated the need for straight forward answers from them as everyone wanted the best option for the new hospital for west Norfolk.

Councillor Dark drew attention to a previous debate on the protection of the shingle ridge flood defences for Snettisham and Wolferton. Councillor Parish commented that the shingle ridge was currently getting higher and wider. The Environment Agency report on the defenses was due out in the spring. He commented that a strong storm surge would not stop the ridge moving, although the Environment Agency had taken action against those households who had damaged the bank and had indicated that if it needed repairs they would deal with it.

C:97 **MEMBERS QUESTION TIME**

There were no questions.

The meeting closed at 7.33 pm