

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

## **CABINET DECISION SHEET**

**Decision Sheet from the Meeting of the Cabinet held on  
Monday, 20th November, 2023 at 4.30 pm in the Council Chamber, Town  
Hall, Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillor T Parish (Chair)  
Councillors A Beales, M de Whalley, J Moriarty, C Morley, S Ring and J Rust  
Apologies for absence were received from Councillors B Anota and S Squire

### **1 URGENT BUSINESS**

#### **NAR OUSE REGENERATION AREA ENTERPRIZE ZONE : ROAD & UTILITY CONTRACT COSTS ARISING FROM CONTAMINATION ISSUES**

Following agreement with the Chair of Corporate Performance Panel this item was being considered as a matter of urgent business, not subject to call in. the detail is set out in the item below

#### **CIL APPLICATION - DECISION ON FACILITIES PROJECT AT ALL SAINTS CHURCH, SOUTH LYNN.**

The Chair had agreed that this application be included in the consideration of the CIL items on the agenda.

### **2 DECLARATIONS OF INTEREST**

Councillor de Whalley declared a non pecuniary interest in the Hudson Fen Leisure Ltd, Grimston application which he had assisted in preparing, he spoke but did not vote thereon.

Councillor Parish declared a non pecuniary interest in the Heacham application.

Councillor Rust declared a non pecuniary interest in the West Norfolk Rugby Club application as she had attended events there.

Councillor Ring declared a non pecuniary interest in the West Norfolk Rugby Club application as a member of the club.

### **3 CHAIR'S CORRESPONDENCE**

None

### **4 MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor Bearshaw attended in person.  
Councillor Blunt attended on zoom.

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

It was noted that the CIL applications had been referred through from the CIL Funding Panel which had considered the items in detail.

6 **COMMUNITY INFRASTRUCTURE LEVY (CIL) FUNDING APPLICATIONS**

**RESOLVED:** That the applications for CIL Infrastructure Funding, including the item of urgent business on the All Saints Church application, be approved.

**Reason for Decision**

To ensure that the CIL monies collected are being spent on appropriate infrastructure projects to reflect the growth of population occurring in West Norfolk.

7 **EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED:** That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

8 **NAR OUSE REGENERATION AREA ENTERPRISE ZONE : ROAD & UTILITY CONTRACT COSTS ARISING FROM CONTAMINATION ISSUES**

In the event that it is intended to make a key decision at least 28 days before the Cabinet meeting is impracticable due to special urgency, the local authority obtain the agreement of the Chair of the relevant overview and scrutiny committee (Corporate Performance Panel) that the making of the decision is urgent and cannot reasonably be deferred (Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012).

Councillor Dark, Chair of the Corporate Performance Panel has given agreement to this.

**The matter will therefore not be subject to call in.**

**RESOLVED:** That the extension of scope on the existing road and infrastructure contract on the Nar Ouse Regeneration Area Enterprise Zone, to include the removal of the contamination in the Enterprise Zone area, including areas adjacent to the alignment of the road and utility works be approved. The additional costs of this

contract extension will be covered by the existing NORA Remediation budget within the Capital Programme.

### **Reason for Decision**

This decision is urgent as the road and utility construction contract is already underway, and there are significant risks associated with pausing and/or delaying this contract. If this decision is not taken in accordance with the recommendations, the contractor will need to cease works as they will not be able to comply with the requirements of the statutory regulator (Environment Agency) in respect of the contamination. This could lead to significant contractual dispute, cost and liabilities.

In addition to the above the new NHS Health Facility, currently under construction on the Enterprise Zone, is required to be open in March/April 2024. Delay in delivering the road and utility infrastructure could impact upon this.

The road and infrastructure delivery will open-up a significant swathe of development land that can be sold for capital receipts and encourage private sector investment and job creation. This site will have a potentially significant financial contribution to make to the King's Lynn & West Norfolk local economy.

**The meeting closed at 5.12 pm**