

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

COUNCIL

Minutes from the Meeting of the Council held on Thursday, 28th November, 2024 at 5.00 pm in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor P Bland (Mayor)
Councillors B Anota, B Ayres, T Barclay, M Bartrum, P Beal, A Beales, S Bearshaw, J Bhondi, R Blunt, F Bone, A Bubb, 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, 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, C Rose, 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 A Bullen, R Colwell, T de Winton, H Humphrey, J Ratcliffe, D Tyler and M Wilkinson

C:60 PRAYERS

Prayers were led by Rev Canon Ling

C:61 APPOINTMENT OF VICE-CHAIR FOR THE MEETING

Councillor Beales, seconded by Councillor Ring nominated Councillor S Bearshaw as Vice-Chair for the meeting.

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

C:62 MINUTES

RESOLVED: The Minutes of the meeting held on 31 October 2024 were agreed as a correct record and signed by the Mayor.

C:63 DECLARATIONS OF INTEREST

Councillors Bhondi, Blunt, Devulapalli, Dickinson and Lintern declared a pecuniary interest in the item on Second Homes Council Tax, and left the meeting during its consideration.

Councillor Kemp declared a non pecuniary interest as a GMB Equalities Officer.

C:64 MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS

None

C:65 **URGENT BUSINESS**

None

C:66 **COUNCIL TAX DISCOUNTS RESOLUTION FOR 2025/2026**

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Councillor Beales proposed that the item be withdrawn for consideration by the relevant Panel and Cabinet prior to coming back to the next meeting for consideration. This was seconded by Councillor Ring.

RESOLVED: That the matter be withdrawn for consideration by the relevant Panel and Cabinet prior to coming to the next Council meeting.

C:67 **APPOINTMENTS TO OUTSIDE BODIES - KING'S LYNN CONSERVANCY BOARD**

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Councillor Kirk proposed that Councillor T de Winton be nominated to the Conservancy Board. This was seconded by Councillor Kunes.

RESOLVED: That Councillor T de Winton be nominated to the Conservancy Board.

C:68 **PETITIONS AND PUBLIC QUESTIONS**

The Mayor invited 2 members of the public to ask their questions:

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1) Julia Irving

“It is well known that our natural environment is under serious pressure in the whole country and particularly in West Norfolk . Given this dire situation; can you tell me how many prosecutions the council taken forward under the Management of Hedgerows 1997?

Allied to this how many prosecutions has the council pursued under The Town and Country Planning Act 1990, of those who have cut down or damaged trees with Tree Preservation Orders?

Please give the total prosecutions since the start of the respective legislation.”

Councillor Moriarty gave the following response:

“I first want to set the national context. The importance of trees is widely recognised in terms of climate change, carbon reduction etc, but hedgerows are also a vital part of our countryside. They benefit our wildlife, the environment and our landscapes.

Hedgerows also play an important role in farming. They slow soil erosion and support an integrated pest management approach.

In June last year, the Government [launched a consultation](#) on how hedgerows should be protected in England.

By the time the consultation closed in September, almost 9,000 people shared their views. This substantial response highlighted how much hedgerows are valued by all and there was overwhelming agreement that hedgerows are valuable assets for wildlife and the environment.

There was consensus that hedges should be protected in law. This is what we were told the government will seek to do, in the context for farms through new regulations.

So that shows the national picture, but your question was specific about our record on prosecutions.

Firstly hedgerows - our records on such matters go back only to 2005 when a new computer system was brought in. There would appear to have been 32 cases brought to the attention of our enforcement team in the intervening years. There were no prosecutions.

Of the 32 cases two replacement notices were issued. In 2019 the notice was complied with, and in 2023 the replacement of the hedge took place during the compliance period. Of the remaining 30 I can tell you they were all followed up but were a combination of no breach, de minimis, or officers would have approved the work in question. Prosecution in such cases is discretionary and I happen to agree with the view taken by officers at that time that it would not be correct to prosecute for a mistake when the work would have been approved in any case. I suspect the courts would have held a similar view and questioned the use of public money in such a manner.

In terms of trees, in the main these would fall under either a Breach – Tree in a Conservation Area (BTCA) 80 reported possible cases, or Breach of Tree Preservation Order (BTPO) 73 such possible cases.

Action was deemed appropriate in about 10 per cent of alleged cases. For BTCA three cautions were issued and one prosecution undertaken. In terms of BTPO there were five prosecutions and three cautions. In the cases of the balance it would have been the opinion of our professional tree officer that it would not be in the public interest to take action, in effect they considered that a retrospective application would have been successful.

Of those five prosecutions I can tell you that in the first case there were two defendants – one received a fine and costs of over £4,000 and the other some £1,200.

In the second case the fine was £2,500 with nearly £200 costs. The third was £1,000 total, the fourth nearly £6,000, the fifth some £8,500 and the most recent case a £600 fine, £500 costs and £65 victim surcharge.”

By way of supplementary, Ms Irving asked how the council will describe and evaluate the system in place to monitor and protect trees with TPOs on them.

Councillor Moriarty explained that he believed that generally officers reacted to reports made by the public, or where a tree was at risk with building work. He undertook to follow up in writing.

2) Alistair Kent

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“Cllr Squire in her report to full council refers to the “Read the Label” lorry sticker a strategy to both increase the percentage of waste sent for recycling and reduce contamination. To be of use, waste must be clean, dry and loose.

It is unlikely that one message will reach all recyclers. People have different attitudes so will respond to different types of messaging. Those people who contaminate because they don’t care are less likely to take note of ‘Read the Label’ than those who contaminate because they are so keen to recycle they put in items that they hope will be recycled. The converted recyclers, if in doubt, will go to the web page to check but lukewarm recyclers won’t. They will only recycle if it’s easy. So to gain best results different styles of messages are needed.

How do the council’s messages about recycling take account of different attitudes?”

Councillor Squire gave the following response:

You are correct that one message does not suit all for recycling. That is why the borough council has supported national recycle week for the past 7 years.

In 2017 we encouraged residents to look for recyclable items in their bathrooms. In 2018 an interactive puppet show toured primary schools in the borough to educate children on what could be recycled in the hope they could share this message with the adults in their life. By

2020 we were using social media to help get the message across and this year we focused on encouraging residents to Look at the Label.

The Look at the Label scheme is a targeted scheme designed to have a simple message that is easy to recall. It is aimed at those who do not engage often with the council and features visual markers which require limited interactions.

It is designed to build simple confidence and this is reinforced with our school visits where the message goes home in hard copy with the children.

The message offers some reinforcement for good practise and is designed to restrain over enthusiastic recyclers and confirm actions in confident recyclers. Unfortunately no message is going to reach those who simply refuse to participate.

Our social media is targeted to specific groups and localities through acorn research. With messages being seen in areas of west Norfolk where we believe recycling could increase. So not just focussing on the whole of west Norfolk but also focusing on specific pockets.

We undertake paid for promotion through Meta as while we have a good number of followers on social media, we understand that not everyone in west Norfolk follows us. Our promotion was seen by West Norfolk residents on Facebook and Instagram reaching in excess of 18,000 residents with over 28,000 impressions throughout the week.

We visited schools in Emneth and West Lynn during recycle week and the team continue to visit more each week. Younger people are already encouraged to think green and this should hopefully encourage them to do so in their own home.

Our waste and recycling team based themselves outside Morrisons in Kings Lynn and the market in Downham Market. This proved very popular with many people coming up to talk to them. The bright campaign assets created by the borough council graphics team were seen by many more people at these high footfall locations.

Our Look at the Label campaign can still be seen on our fleet of collection vehicles, and was also part of a nation campaign spearheaded by the Government so shouldn't require checking on a web site.

An article was published in Your Local Paper during recycle week, this was followed up with an article in the Lynn News the following week including a video on their website. Our waste and recycling manager was also interviewed on BBC Radio Norfolk and the campaign was also covered in news bulletins on Radio West Norfolk.

Encouraging residents to recycle as much as they can, continues to be important to this council as it helps us towards our corporate priorities of protecting the environment as well as ensuring the efficient and effective delivery of our services. We will continue to run different campaigns and target different groups. We have set new recycling targets for the council which we hope to achieve, although we won't know if we have done so until 2026."

By way of supplementary, Mr Kent asked that given the amount of nappies which were deposited in the green bins were there any plans to liaise with parish councils, voluntary groups and other organisations to raise awareness of unsuitable items being added to the recycling.

Councillor Squire confirmed that the council did engage with a number of different organisations and would continue to do so to increase recycling.

C:69 **RECOMMENDATIONS FROM COUNCIL BODIES**

i **Cabinet : 5 November 2024**

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Councillor Moriarty proposed **CAB70: Gambling Act 2005 – Statement of Principles**, this was seconded by Councillor Beales and on being put to the vote agreed.

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Councillor Morley proposed **CAB71: Council Tax Support – Final Scheme 2025-26**, seconded by Councillor Bone.

In debating the item, Councillor Long acknowledged that there needed to be a scheme in place so would not vote against the proposal as he considered it meant others would have to pay more. Councillors Jones, Bone, Joyce and Kemp supported the recommendation.

On being put to the vote, the recommendation was agreed.

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Councillor de Whalley proposed **CAB72: Bio Diversity Task Group report**, this was seconded by Councillor Squire. Council debated the recommendations from the cross party group, with Councillors Long, Dark and Bone supporting it although Councillor Kunes questioned the climate change budget heading for the staffing element. On being put to the vote it was agreed.

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Councillor Beales proposed **CAB74: Constitution Update** and thanked those involved in the cross party work and gave a brief overview of the proposed changes. This was seconded by Councillor Ring who reserved his right to speak.

Councillor Long expressed support for the proposals having been closely involved in the process. Councillor Kemp did not support the changes to the consideration of Notices of Motion. Councillors Osborne, Bone, Moriarty and Ring supported the work of the cross party working group. Councillor Joyce made a comment on the budget process and the importance of members attendance under standing order 34 at planning committee.

On being put to the vote, the recommendations were agreed.

RESOLVED: That the recommendations from the Cabinet meeting held on 5 November 2024 be approved.

C:70 **NOTICE OF MOTION**

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Councillor Kemp proposed the following Notice of Motion (6 /24), seconded by Councillor Rose:

Saving Burman House Care Home

“Norfolk residents rate exceptionally highly, the care, compassion and commitment of all the Norsecare staff, who run Burman House Dementia Care Home. Our residents are pleading with their Borough Councillors, to do all we can, to save Burman House from impending closure by the County Council company Norse.

This Council is committed to supporting its residents and the Local Health and Care Economy in West Norfolk.

The closure of Burman House could see the loss of up to 30 local jobs, and worsen the shortage of Care Home, Respite and Convalescent beds in West Norfolk, placing additional pressure on the QEH.

Burman House, in Terrington St John, is rated Good by the Care Quality Commission. The residents benefit from the lovely gardens next to their rooms, which are all on the ground floor, in their unique rural setting.

Burman House is owned by Norfolk County Council which has contracts with NorseCare.

This Council will therefore write to Norfolk County Council to ask it to intervene and permanently halt the closure of Burman House.

It is understood that a reason given for closure, is the dimensions of the rooms. So the addition of modular bathroom extensions to each room, or other appropriate investment could be made.

It is understood that some residents are being planned to move to other NorseCare Homes, where the rooms are no bigger. This Council is aware a Care Home closure should only be a last resort as it causes such needless distress to residents. Our residents deserve better.”

Councillor Heneghan proposed the following amendment, seconded by Councillor Bone.

“Norfolk residents rate exceptionally highly, the care, compassion and commitment of all the Norsecare staff, who run Burman House Dementia Care Home. Our residents are pleading with their Borough Councillors, to do all we can, to save Burman House from impending closure by the County Council company Norse.

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It is understood that some residents are being planned to move to other NorseCare Homes, where the rooms are no bigger. This Council is aware a Care Home closure should only be a last resort as it causes such needless distress to residents. Our residents deserve better.

This Council is committed to supporting its residents and the Local Health and Care Economy in West Norfolk. It will therefore write (in the strongest possible terms) to Norfolk County Council and Norsecare to require assurances that:

- a. going forward, the care needs and required support for the frail, elderly and vulnerable residents of this borough and their families and

- loved ones will be given paramount importance in any decision making and
- b. this council will be consulted at an early stage and be part of the dialogue regarding any proposals for changes to the provision of care services (residential or otherwise) affecting its residents.

The full amendment was not initially accepted by Councillor Kemp.

Councillor Long, ward member, spoke against the original Motion and the amendment stressing the need to improve the County's care homes and maintain the dignity of its residents. He complimented the staff working in them. He drew attention to new facilities being built in Bowthorpe and expressed the hope that such facilities be provided in the west.

Councillor Joyce spoke about the homes being used for other purposes.

Councillors Dark, Moriarty, Rust, Squire, Sayers supported the amendment in order to provide better accommodation for the people of west Norfolk.

Councillor Parish made reference to properties being built in Hunstanton, and that the running of a care home was a business run on a financial basis.

Councillor Morley expressed concern about the term "in the strongest terms" in the motion which he did see as conducive to good working relations with the County Council.

Councillor Devulapalli drew attention to the fact that persons with dementia were susceptible to moving accommodation which could cause a decline in their condition. She felt that the Council should express a strong view.

Councillor de Whalley drew attention to retain care home provision in the west, and Councillor Bone supported the amendment drawing attention to the loss of jobs at the home.

Following the debate on the amendment Councillors Kemp and Rose accepted it, so making it the substantive motion.

Councillor Kunes drew attention to the fact that the Home needed updating 20 years previously.

Councillor Long drew attention to the fact that Norse were exploring new care facilities in west Norfolk before covid but had not come to fruition. He was also not happy with the phrase "in the strongest terms".

Councillor Rust thanked those staff at the home who were taking redundancy for their work, particularly those who had worked through Covid, others were moving to other facilities. She welcomed new facilities being built.

In summing up Councillor Kemp made reference to her constituents contacting her about the closure.

On being put to the vote it was

RESOLVED: That the amended Motion be agreed.

At 18:47 Council held a 10 minute recess.

C:71 **CABINET MEMBERS REPORTS**

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Councillor Beales presented the Leader and Cabinet Members reports en bloc.

Councillor de Whalley gave an update on the second phase of the street light contract tender. He undertook to provide Councillor Long with information on whether the new equipment was delivering savings.

Councillor Squire, in responding to Councillor Everett's question on flytipping following the introduction of appointments and collection of data by the County Council to that end, confirmed that so far fly tipping had not increased, and if it did there was no method to re-claim the clean up charges from them if it did. She suggested the question regarding data collected should be passed to the County Council.

Councillor de Whalley confirmed to Councillor Kemp that the work to the Ferry landing identified in the recent report would be undertaken.

In response to Councillor Parish's question re if the additional Traveller's sites being identified would follow the current planning guidance and Development Plan, Councillor Moriarty confirmed that planning policies must reflect the relevant national obligations.

In response to Councillor Heneghan's question on the water from the Gaywood River in the Walks, Councillor Aota explained that the pump wasn't working, but it was in the process of being fixed or replaced.

Councillor Aota also gave a response to Councillor Devulapalli that further testing of the herbicide free weed removal system was being further examined for potential use.

Councillor de Whalley confirmed that the 2023/24 carbon audit report was awaited.

Councillor Squires undertook to provide Councillor Ryves with the detail on the Council's policy on assisting land owners with fly tipping.

Following a question from Councillor Dark, Councillor Ring undertook to look into whether the increase in fees and charges for weddings at the town hall had affected bookings.

Councillor Crofts asked if there was likely to be a change in CIL application arrangements for the next round. Councillor Moriarty responded that the January 25 round would go ahead as usual and following that a review of the Governance arrangements would come forward to a Panel and Cabinet for consideration.

Councillor Parish asked Councillor Morley what options the council had budget wise in 3 years with the IDB funding formula and second homes council tax not yet agreed except aiming for a unitary authority. Councillor Morley confirmed that the budget plan still had to be shared with members, the plan was to ensure the fees and charges recovered costs, and restructuring would take place where possible. He reminded members that the reserves were required to develop Capital in order to invest to develop. He also highlighted that the long term empty homes issue had just been slipped for now.

Councillor Moriarty in responding to Councillor Coates gave a breakdown of the planning appeals statistics and undertook to provide them in writing.

Following a question from Councillor Sayers on whether the Council would utilise the powers under the Regeneration and Levelling Up Act on auctions on vacant shops, Councillor Ring drew attention to the news that King's Lynn CCTV was one of the best in the country. Up to now there was not ability to force private owners to rent their commercial properties, but an auction could soon be forced. He drew attention to the fact that the town's vacant shop numbers were less than the national average. There were also people waiting for the pop up shops which were planned.

In response to a question from Councillor Devulapalli on the decrease in housing support costs by the County Council, Councillor Rust encouraged members to fill in the consultation survey from the county and cautiously welcomed the fact that the council was not as dependent on that fund as others.

Councillor Blunt asked about the impact of the fact that this Authority was the Host Authority for the National Infrastructure Project. Councillor Moriarty explained that although the Host Authority it was not the decision maker, he also hoped that a Stakeholders Group could be set up.

Councillor Ware asked if the withdrawal of the 3G pitch application at River Lane meant the site was now out of the frame, to which Councillor Ring confirmed it was.

Councillor Ring confirmed he would lobby the Government for a national skills hub at the CITB, to which Councillor Ring confirmed he would.

Leader's Questions

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In response to a question from Councillor Long on whether the Leader would fight against bids that weren't right for west Norfolk, the Leader expressed the view that he would wait to see what came out of the white paper and then consider the response. He confirmed there was a meeting of Norfolk and Suffolk Leaders to discuss it.

Councillor Ware asked if the Leader had considered ceasing use of the social media platform X due to some of the content which was being published on it. The Leader commented that concerning content was not confined to X, and consideration had to be given to freedom of speech, but he would give it consideration.

Councillor Kemp asked if it was possible to return the Tuesday Market to its former levels of occupation, to which the Leader responded that with social and cultural changes it was very unlikely, although some towns had retained a market.

Councillor Parish asked the Leader if the Council should express a corporate view in the issue of inheritance tax on farmers taking into account the potential economic impact on this agricultural area. Councillor Beales expressed the view that the proposed levels were wrong and that the proposals would prompt farmers to shelve plans for expansion.

C:72 **MEMBERS QUESTION TIME**

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Councillor Moriarty asked the Chair of the Planning Committee if he could assure the council that any decisions by the Planning Committee would comply with all the local policies. Councillor Parish, Chair of the Planning Committee, responded it would be up to the Committee to decide.

The meeting closed at 7.57 pm