



Cabinet

Agenda

Tuesday, 13th October, 2026
at 6.00 pm

in the Council Chamber, Town Hall, Saturday
Market Place, King's Lynn and available for the
public to view on [WestNorfolkBC on You Tube](#)



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200

CABINET AGENDA

DATE: CABINET - TUESDAY, 13TH OCTOBER, 2026

VENUE: TOWN HALL, SATURDAY MARKET PLACE,
KING'S LYNN

TIME: 6.00 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - Items 13 and 14 below will be considered in private.

Should you wish to make any representations in relation to the meeting being held in private for the consideration of the above items, you should contact democratic.services@west-norfolk.gov.uk

1. MINUTES (Pages 5 - 14)

To approve the Minutes of the Meeting held on 8th September 2026 (attached).

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. DECLARATIONS OF INTEREST (Page 15)

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should

withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. CHAIR'S CORRESPONDENCE

To receive any Chair's correspondence.

6. MEMBERS PRESENT UNDER STANDING ORDER 34

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

7. CALLED IN MATTERS

To report on any Cabinet Decisions called in.

8. FORWARD DECISIONS (Pages 16 - 22)

A copy of the Forward Decisions List is attached

9. MATTERS REFERRED TO CABINET FROM OTHER BODIES

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda.

10. SHAREHOLDER COMMITTEE TERMS OF REFERENCE (Pages 23 - 36)

11. NATIONAL PLANNING SCHEME OF DELEGATION (Pages 37 - 56)

12. EXCLUSION OF THE PRESS AND PUBLIC

The Cabinet is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PRIVATE ITEM

Details of any representations received about why the following reports should be considered in public will be reported at the meeting.

13. EXEMPT - SOMMERFELD AND THOMAS WAREHOUSE (Pages 57 - 78)

14. EXEMPT - ICT TRANSFORMATION PROGRAMME (Pages 79 - 93)

To: Members of the Cabinet

Councillors A Beales (Chair), M de Whalley, S Lintern, J Moriarty, C Morley,
J Ratcliffe, S Ring (Vice-Chair), J Rust and S Squire

For Further information, please contact democratic.services@west-norfolk.gov.uk :

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

Minutes from the Meeting of the Cabinet held on Tuesday, 8th September, 2026 at 6.00 pm in the Town Hall, Saturday Market Place, King's Lynn

PRESENT: Councillor A Beales (Chair)
Councillors M de Whalley, S Lintern, C Morley, J Ratcliffe, J Rust and S Squire

OFFICERS:

Kate Blakemore – Chief Executive
Michelle Drewery – Deputy Chief Executive and Section 151 Officer
Emma Hodds – Chief of Staff and Monitoring Officer
Emma Kavanagh – Chief Operating Officer
Walton Mabuto – Economic Growth Officer
Siobhan Cleave – Assistant Director, Leisure and Culture
Debbie Ess – Senior Corporate Governance Officer
Duncan Hall – Assistant Director, Regeneration, Housing and Place
Carl Holland – Assistant Director, Finance
Honor Howell – Strategic Advisor to the Chief Executive and Leader

CAB33 APOLOGIES

Apologies for absence were received from Councillors Moriarty and Ring.

CAB34 MINUTES

RESOLVED: The minutes from the meeting held on 23 July 2026 were agreed as a correct record.

CAB35 URGENT BUSINESS

None.

CAB36 DECLARATIONS OF INTEREST

None.

CAB37 CHAIR'S CORRESPONDENCE

None.

CAB38 MEMBERS PRESENT UNDER STANDING ORDER 34

None.

CAB39 **CALLED IN MATTERS**

None.

CAB40 **FORWARD DECISIONS**

RESOLVED: The Forward Decisions List was noted.

CAB41 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

Cabinet noted the recommendations put forward by the Panels in relation to the following items:

Corporate Performance Panel – 2nd September 2026

- Business Improvement District – Business Plan
- Corporate Performance Monitoring – Quarter 1 – 2026-2027
- Budget Monitoring – Quarter 1 – 2026-2027
- Future Swimming Provision for West Norfolk.

CAB42 **BUSINESS IMPROVEMENT DISTRICT - BUSINESS PLAN**

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

The Assistant Director for Regeneration, Housing and Place presented the Business Improvement District (BID) Business Plan and the proposals to hold a BID renewal ballot. Cabinet noted that the Regeneration and Development Panel had received a presentation from the BID Manager in July, and that the Corporate Performance Panel had considered the Cabinet report and supported the recommendations.

The Assistant Director explained that a BID ballot was required every five years and that the renewal ballot was proposed to take place in the autumn, with the Borough Council acting as the ballot holder.

The Assistant Director provided an overview of the work undertaken by the BID and outlined how its activities contributed to the delivery of the Borough Council's Corporate Priorities.

Councillor Lintern spoke in support of the BID and noted that its activities complemented the Borough Council's events programme.

In response to a question from Councillor Rust, it was confirmed that the proposal to hold the ballot would be approved by the relevant government body, which was aware that the Borough Council was a voting member. Any potential conflicts of interest would have been identified and addressed as part of the approval process previously.

Councillor Morley referred to the 2025 Customer Satisfaction Survey, which had identified tackling anti-social behaviour as a priority for residents. He asked whether the Street Ranger Service could be expanded and whether there were further opportunities for collaboration between the Borough Council and the BID in relation to this provision. The Leader agreed that opportunities for further joint working could be explored, and Councillor Morley agreed to take this matter forward for further consideration.

Councillor Rust agreed to provide Councillor Morley with details of a perceptions survey that could be undertaken and compared against actual crime and anti-social behaviour statistics.

The Leader expressed support for the proposals and highlighted the wide-ranging benefits delivered by the BID.

RESOLVED:

- a) Endorse the Discover King's Lynn BID Business Plan 2027-2032.
- b) Endorse the holding of a BID renewal ballot in accordance with the Business Improvement Districts (England) Regulations 2004.
- c). Support the Borough Council to vote in favour of the BID renewal for all eligible properties within the BID area for which the Council is liable for the payment of the BID levy.
- d) Delegate authority to the Chief Executive, in consultation with the Deputy Leader, to undertake all actions necessary to facilitate the BID renewal process.
- e) Continue to work collaboratively with Discover King's Lynn to support the successful delivery of the BID Business Plan and wider town centre regeneration objectives.

REASON FOR DECISION:

To enable the Council to formally support the continuation of the King's Lynn Business Improvement District for the period 2027 - 2032 and to secure continued private sector investment in King's Lynn town centre and assist delivery of the Council's corporate priorities relating to economic growth, regeneration, business engagement and place-making.

CAB43 **CORPORATE PERFORMANCE MONITORING - QUARTER 1 2026-2027**

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

The Senior Corporate Governance Officer presented the report and highlighted that 83% of current projects were progressing well and remained on track, while the remaining 17% were subject to minor issues or delays which were being actively monitored. She also reported that 84% of Key Performance Indicators (KPIs) had met or exceeded their targets. Cabinet noted that a new KPI measuring the delivery of affordable homes within the borough had been introduced for 2026/27.

The Leader reported that the Corporate Performance Panel had considered the report and that the discussion had been constructive. He advised Cabinet that the Panel had put forward an additional recommendation that the Car Parking Strategy target be amended from Amber to Red, as the strategy had not yet been presented. Cabinet considered the recommendation, and the Assistant Director for Regeneration, Housing and Place explained that a deliberate decision had been taken to align the Car Parking Strategy with the King's Lynn and Hunstanton Masterplans, as the issues were closely linked. It was noted that both the Car Parking Strategy and the Masterplans were scheduled to be presented to Cabinet in October.

Councillor Rust referred to the target relating to the time taken to answer calls within the Customer Information Centre. She explained that the service was currently operating with reduced staffing levels but continued to achieve a high customer satisfaction rate. Councillor Rust further advised that the introduction of the virtual assistant on the Council's website had reduced the number of routine enquiries received by telephone, resulting in officers dealing primarily with more complex enquiries which required longer handling times.

Councillor Lintern referred to the recommendation from the Corporate Performance Panel regarding the Car Parking Strategy target. She considered that, in light of the explanation provided by the Assistant Director, it would be more appropriate to revise the associated deadlines rather than amend the target status.

Following discussion, Cabinet agreed that the target should remain at Amber status. It was noted, however, that should there be any further delays in bringing forward the Car Parking Strategy, the target status could be reviewed and revised if necessary.

Councillor Squire referred to the target concerning the tonnage of garden waste collected and asked Cabinet to note that performance in this area was likely to be affected by the dry weather and drought conditions experienced over the summer period. She also referred to the target relating to fly-tipping and advised that additional staff had now been recruited and were undertaking enforcement and investigation work in this area.

The Leader thanked Cabinet and the Corporate Performance Panel for their consideration of the Performance Monitoring Report and

emphasised the importance of both Members and officers providing supporting narrative and context to accompany performance data.

RESOLVED:

Cabinet reviewed the Performance Management Report and commented on the delivery against the Corporate Strategy.

REASON FOR DECISION:

Cabinet should use the information within the management report to review progress on the agreed actions and indicators and satisfy themselves that performance is at an acceptable level. Where progress is behind schedule members can seek additional information to explain variances.

CAB44 BUDGET MONITORING - QUARTER 1 2026-2027

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

The Portfolio Holder for Finance, Councillor Morley, presented the report and advised that performance at Quarter 1 remained on track.

The Assistant Director for Finance presented a summary of the report, highlighting that the Council remained in a stable financial position at Quarter 1 and that forecasts were in line with budget expectations. Members were directed to Appendix A, which provided details of budget movements during the reporting period.

Reference was made to paragraph 2.2.3 of the report, which outlined a number of key issues that could have an impact on the financial position in Quarter 2. These included the effects of the prolonged period of hot weather, which had affected grounds maintenance costs and had also contributed to higher than anticipated car parking income.

The Assistant Director provided an update on the ongoing Corporate Landlord Services programme and explained that associated budgets would need to be reprofiled. It was noted that while the programme could result in additional expenditure, it also had the potential to generate additional income in the future.

Cabinet was advised that the Internal Drainage Board (IDB) Compensation Grant received was significantly higher than had been originally forecast, resulting in a favourable impact on the Council's budget position.

The Assistant Director also provided an update on capital programme expenditure and outlined the movements from Tier 2 to Tier 3 schemes, as detailed within the report.

In response to a question from Councillor Rust, it was confirmed that IDB levies were funded through Council Tax receipts and that approximately £3.8 million was paid to the Internal Drainage Boards, representing around 43% of the Council Tax collected by the Borough Council.

In response to a question from Councillor de Whalley, the Assistant Director explained that the Hunstanton Promenade was subject to regular monitoring and that consideration was being given to the extent of any long-term or emergency works that may be required.

The Leader reminded Cabinet that the report reflected the Quarter 1 position and emphasised that the financial situation would continue to be monitored closely throughout the year. He highlighted the importance of robust budget management by Service Managers to ensure the Council remained well placed to respond to any exceptional circumstances, while continuing to deliver high-quality services for residents.

RESOLVED:

- 1) Note the forecast outturn for Revenue and Capital monitoring position as at 30th June 2026 for 2026/2027.
- 2) Agree to update the Capital Programme as set out in section 3 of the report.

REASON FOR DECISION:

To keep Cabinet informed of performance against budget for Capital and Revenue in the current financial year based on the data in the reported period.

CAB45 APPOINTMENT OF HONORARY ALDERMEN

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

The Leader of the Council presented the report and expressed his support for the former councillors nominated for Honorary Alderman status. He highlighted the significant contributions they had made through their civic duties, Council responsibilities and ward representation, together with their dedicated service to the local community.

Members of the Cabinet spoke in support of the nominations and agreed that the individuals concerned were worthy recipients of the honour in recognition of their long-standing commitment and service to the Borough and its residents.

RECOMMENDED:

1. That the Council places on record its sincere appreciation and gratitude for the eminent services rendered to the Borough Council by former Councillors Carol Bower, Colin Manning, Lesley Bambridge and Lord Greville Howard.

2. That, pursuant to Section 249(1) of the Local Government Act 1972, the title of Honorary Alderman be conferred upon former Councillors Carol Bower, Colin Manning, Lesley Bambridge and Lord Greville Howard in recognition of their eminent service to the Borough.

3. That an Extraordinary Meeting of the Council be convened on Thursday 29 October 2026, immediately following the ordinary meeting of the Council, for the formal conferment of the title of Honorary Alderman and the presentation of aldermanic badges to the recipients.

REASON FOR DECISION:

To formally recognise and record the Council's appreciation of the service of the former Borough Councillors listed above through the conferment of the title of Honorary Alderman and the holding of an Extraordinary Council meeting for that purpose.

CAB46 FUTURE SWIMMING PROVISION FOR WEST NORFOLK

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

The Monitoring Officer advised Cabinet that the report was being considered in open session. However, she noted that a separate report contained exempt information and that, should Cabinet wish to discuss any of the exempt elements, it would be necessary to temporarily exclude the press and public from the meeting.

Councillor Beales proposed amendments to the recommendations, namely that the allocation of £845,609.17 should be approved as the maximum amount and that the Leader should be consulted in relation to the exercise of the delegated authority proposed for the Chief Operating Officer and the Section 151 Officer. Cabinet agreed to the amended recommendations.

The Strategic Adviser to the Chief Executive and Leader presented the report and outlined the preferred option for replacing St James Swimming Pool with a standalone facility at Lynnsport. Cabinet was informed that approval was sought to progress the project to RIBA Stage 3, at which point a detailed business case would be available and a further decision would be required regarding whether the project should proceed.

The Strategic Adviser provided an overview of the current position at St James Swimming Pool, explaining that the facility was ageing,

approaching the end of its operational life and becoming increasingly costly to maintain.

Cabinet noted that, following the pause in Local Government Reorganisation, any future decision on whether to proceed with the project would likely rest solely with the Borough Council.

Councillor Rust referred to the potential public perception of the costs involved, noting that the sum requested related solely to progressing the project to RIBA Stage 3. She also highlighted the importance of maintaining swimming provision to improve water literacy and ensure that residents and communities had opportunities to learn to swim and develop water safety skills.

In response, the Strategic Adviser acknowledged that the proposed expenditure was significant but explained that it covered design work, ground investigations, the preparation of a business case and other professional services required to progress the project. She advised that a detailed cost breakdown was contained within the exempt appendix to the report. It was further noted that costs of between 6% and 10% of an overall project value were typically required to reach this stage of development, whereas the amount requested represented 3.7% of the estimated total project cost.

The Leader explained that the costs had been benchmarked against industry standards and that the expenditure was a necessary requirement to enable the project to progress.

In response to a question from Councillor Rust, the Assistant Director for Leisure and Culture advised that a 2024 survey had indicated that levels of drowning had doubled and that more than one million pupils due to enter secondary education in 2026 were unable to swim or remain safe in the water. She also reported that over 200 water-related incidents had been recorded in the previous year and that 22 people had drowned in Norfolk during the preceding five-year period.

Councillor Lintern commented that beach awareness and sea swimming safety courses had been delivered during the summer period.

Councillor Squire referred to the statistics provided and emphasised the importance of ensuring that appropriate facilities were available to enable people to learn to swim and develop water safety skills.

In response to a question from Councillor Squire, it was confirmed that the Lynnsport site had been identified as the preferred location as it would enable continuity of service. It was anticipated that St James Swimming Pool would remain operational until the new facility had been constructed and was ready for use.

Cabinet was advised that, subject to progress, a final decision on whether to proceed with the project was expected to be presented to Cabinet and Council in March 2027. If approved, completion of the new facility was anticipated by March 2029.

Councillor de Whalley spoke in support of measures to improve water literacy, particularly within deprived communities, and noted that the proposals aligned with the objectives of the Marmot approach.

In response to a question from Councillor Morley, it was confirmed that the £845,609.17 requested to progress the project to RIBA Stage 3 formed part of the overall estimated project cost of £22.93 million.

The Leader highlighted that the Corporate Performance Panel had considered the proposals and had supported the recommendations presented to Cabinet.

Councillor Morley commented on the importance of retaining swimming pool provision within King's Lynn and the positive contribution such facilities made to the health and wellbeing of residents. In response to a further question from Councillor Morley, the Assistant Director for Leisure and Culture provided details of the proposed movable pool floor, explaining that it had become an industry standard feature due to the flexibility it offered in programming activities and improving accessibility for users.

RESOLVED:

1. Recommend to Council to approve the allocation of a maximum of £845,609.17 to progress the project to build a standalone 8x25m swimming pool with learner pool and splash pad to RIBA Stages 2 and 3.
2. Delegate authority to the Chief Operating Officer in consultation with the Leader of the Council, the Strategic Advisor to the Chief Executive and Leader and the Portfolio Holder for Business to enter into an Access Agreement Leisure to progress the project to RIBA Stage 3.
3. Note that a future report will return with the full business case in March 2027 for a final decision on whether to proceed with the project.

RECOMMENDED:

That Council:

1. Approve the allocation of a maximum of £845,609.17 from reserves to fund the new Lynnsport Project through to RIBA Stage 3.
2. Delegate authority to the Section 151 Officer, in consultation with the Leader of the Council and Portfolio Holder for Finance, to determine the appropriate reserve to fund the work.

REASON FOR DECISION:

To progress the project to build a new standalone swimming pool at Lynnsport to RIBA Stage 3 to provide the Council with the final design, project cost-certainty and business case to provide members with the information required to determine whether to proceed to the construction of the new pool.

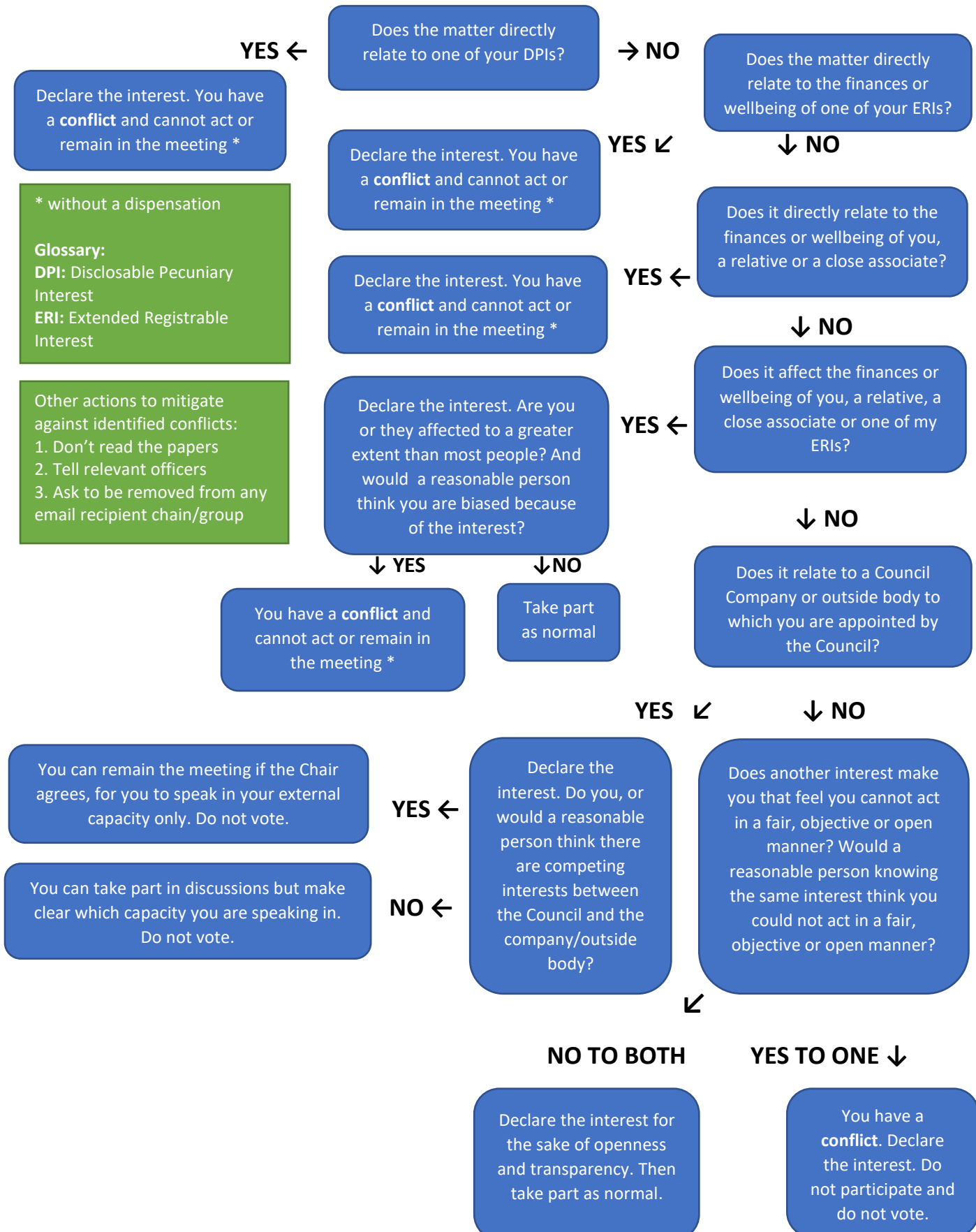
The timing of this decision reflects both the condition of the existing facility and the maturity of the work undertaken to date. St James Swimming Pool is continuing to deteriorate, with increasing maintenance requirements, rising operating costs and a growing risk to the long-term continuity of swimming provision. Progressing to the next steps now will maintain project momentum and preserve the value of the work already undertaken.

The meeting closed at 7.15 pm

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START





Forward Decisions List

The Forward Decision List outlines the Cabinet's upcoming decisions over the next few months. It specifies which decisions are considered significant and indicates those that may lead to portions of the meeting being conducted in private. In addition, the list highlights the responsible Lead Officer and Portfolio Holder.

This document will be updated and republished on the Council's website each month. Any queries relating to the Forward Decision List should be forwarded to Democratic Services: Democratic.Services@West-Norfolk.gov.uk

What is a Key Decision?

Key decisions are defined as an executive decision which is likely:

- to
- (a) To result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates, or (significant relates to £500,000 or more)*
 - (b) To be significant in terms of its effect on communities living or working in the area comprising two or more wards and electoral divisions in the Council's areas. (significant relates to one third of the population in a ward).*

The key decision and non-key decision process is only for decisions made by the Executive, i.e. not those made at Planning, Council, Licensing etc. When assessing whether or not a decision is a key decision the decision maker must consider all the circumstances of the case. However, a decision which results in a significant amount spent or saved will generally be considered to be a key decision.

Why might a decision be made in private?

Members of the public may be excluded from a meeting or information if the nature of the business to be discussed is likely to involve the disclosure of exempt information such as details that could identify an individual or pertain to the financial or commercial interests of a person or organisation. Such information should only be made exempt, if it is in the public interest to do so under Schedule 12A of the Local Government Act 1972.



Cabinet Members:

Councillor Alistair Beales: Leader
Councillor Simon Ring: Deputy Leader and Portfolio Holder for Business
Councillor Jim Moriarty: Portfolio Holder for Planning and Licensing
Councillor Sandra Squire: Portfolio Holder for Environmental and Coastal
Councillor Michael de Whalley: Portfolio Holder for Climate Change and Biodiversity
Councillor Chris Morley: Portfolio Holder for Finance
Councillor Jo Rust: Portfolio Holder for People and Communities
Councillor Sue Lintern: Portfolio Holder for Culture and Events
Councillor Josie Ratcliffe: Portfolio Holder for Transport Strategy and Car Parking

Cabinet Members can be contacted directly and their contact details can be found via our website: [Committee details - Cabinet](#)

17 Senior Management

Kate Blakemore: Chief Executive
Michelle Drewery: Deputy Chief Executive and Section 151 Officer
Emma Kavanagh: Chief Operating Officer
Emma Hodds: Chief of Staff and Monitoring Officer
Siobhan Cleeve: Interim Assistant Director Leisure and Culture
Stuart Ashworth: Assistant Director Environment and Planning
Liz MacDonald: Assistant Director Property & Projects
Martin Chisholm: Assistant Director Operations & Commercial
Duncan Hall: Assistant Director Regeneration, Housing & Place
Carl Holland: Assistant Director for Finance and Deputy Section 151 Officer
Honor Howell: Strategic Lead to the Chief Executive and Leader
Paul Lowes: Assistant Director Corporate Services
Mark Whitmore: Assistant Director, Health, Wellbeing and Public Protection

Members of the Senior Management team can be contacted directly via Chief.ExecutiveandLeaderPA@West-Norfolk.gov.uk



OCTOBER 2026

Date of meeting	Report title	Key or Non-Key Decision	Decision Maker	Cabinet Member/Portfolio	Lead Officer	Open or Exempt
13 October 2026	Shareholder Committee Terms of Reference	Non	Cabinet	Leader of the Council	Chief of Staff and Monitoring Officer (Emma Hodds)	Open
13 October 2026	Sommerfeld and Thomas Warehouse	Non	Cabinet	Deputy Leader and Cabinet Member for Business	Assistant Director, Regeneration, Housing & Place (Duncan Hall)	
13 October 2026	ICT Transformation Programme	Key	Cabinet	Cabinet Member for Finance	Chief of Staff and Monitoring Officer (Emma Hodds)	Fully exempt 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)
13 October 2026	National Planning Scheme of Delegation	Non	Cabinet, Council	Cabinet Member for Planning and Licensing	Assistant Director, Environment and Planning (Stuart Ashworth)	Open



NOVEMBER 2026

Date of meeting	Report title	Key or Non-Key Decision	Decision Maker	Cabinet Member/Portfolio	Lead Officer	Open or Exempt
17 November 2026	King's Lynn Masterplan and Parking Strategy	Key	Cabinet	Deputy Leader and Cabinet Member for Business	Assistant Director, Regeneration, Housing & Place (Duncan Hall)	Open
17 November 2026	Extension of the Corporate Insurance Contract Arrangements	Non	Cabinet	Cabinet Member for Finance	Assistant Director, Finance and Deputy Section 151 Officer (Carl Holland)	
17 November 2026	Budget Monitoring Quarter 2	Non	Cabinet	Cabinet Member for Finance	Assistant Director, Finance and Deputy Section 151 Officer (Carl Holland)	Open
17 November 2026	Council Tax Support Scheme for Working Age people for 2027/2028	Key	Cabinet, Council	Cabinet Member for Finance	Assistant Director, Finance and Deputy Section 151 Officer (Carl Holland)	Open
17 November 2026	Corporate Performance Monitoring Quarter 2	Non	Cabinet	Leader of the Council	Chief of Staff and Monitoring Officer (Emma Hodds)	Open



JANUARY 2027

Date of meeting	Report title	Key or Non-Key Decision	Decision Maker	Cabinet Member/Portfolio	Lead Officer	Open or Exempt
19 January 2027	Hunstanton Masterplan and Parking Strategy	Key	Cabinet, Council	Deputy Leader and Cabinet Member for Business	Assistant Director, Regeneration, Housing & Place (Duncan Hall)	Open
19 January 2027	Housing Delivery Strategy	Key	Cabinet	Cabinet Member for People and Communities	Assistant Director, Regeneration, Housing & Place (Duncan Hall)	Open

FEBRUARY 2027

Date of meeting	Report title	Key or Non-Key Decision	Decision Maker	Cabinet Member/Portfolio	Lead Officer	Open or Exempt
03 February 2027	Medium Term Financial Strategy 2026-2031	Key	Cabinet, Council	Cabinet Member for Finance	Assistant Director, Finance and Deputy Section 151 Officer (Carl Holland)	Open
03 February 2027	Capital Programme 2026-2030	Key	Cabinet, Council	Cabinet Member for Finance	Assistant Director, Finance and Deputy Section 151 Officer (Carl Holland)	Open
03 February	Treasury	Key	Cabinet, Council	Cabinet Member for	Assistant Director,	Open



2027	Management Strategy			Finance	Finance and Deputy Section 151 Officer (Carl Holland)	
03 February 2027	Capital Strategy	Key	Cabinet, Council	Cabinet Member for Finance	Assistant Director, Finance and Deputy Section 151 Officer (Carl Holland)	Open

MARCH 2027

Date of meeting	Report title	Key or Non-Key Decision	Decision Maker	Cabinet Member/Portfolio	Lead Officer	Open or Exempt
16 March 2027	Budget Monitoring Quarter 3	Non	Cabinet	Cabinet Member for Finance	Assistant Director, Finance and Deputy Section 151 Officer (Carl Holland)	Open
16 March 2027	Corporate Performance Monitoring Quarter 3	Key	Cabinet	Leader of the Council	Chief of Staff and Monitoring Officer (Emma Hodds)	Open

TO BE SCHEDULED

Date of meeting	Report title	Key or Non-Key Decision	Decision Maker	Cabinet Member/Portfolio	Lead Officer	Open or Exempt
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	King's Lynn Conservation Area Appraisal and Management Plan	Non	Cabinet, Council	Cabinet Member for Planning and Licensing	Assistant Director, Environment and Planning (Stuart Ashworth)	Open
	Empty Homes Strategy Review	Key	Council	Cabinet Member for People and Communities	Assistant Director, Health, Wellbeing and Public Protection (Mark Whitmore)	Open
	Housing Assurance Strategy	Non	Council	Cabinet Member for People and Communities	Assistant Director, Health, Wellbeing and Public Protection (Mark Whitmore)	Open
	Domestic Abuse Tenants/Residents Policy and Domestic Abuse Intersectionality Policy	Non	Council	Cabinet Member for People and Communities	Assistant Director, Regeneration, Housing & Place (Duncan Hall)	Open
	Heacham Beach Huts	Key	Cabinet	Deputy Leader and Cabinet Member for Business	Assistant Director, Property (Liz MacDonald)	Part exempt 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information)

REPORT TO CABINET

Borough Council of
**King's Lynn &
West Norfolk**



DATE OF MEETING	13 October 2026
REPORT TITLE	Annual Review of the Shareholder Committee Terms of Reference
LEAD MEMBER	Cllr Alistair Beales
LEAD OFFICER	Charlotte Marriott, Interim Corporate Governance Manager
CONSULTEES	Emma Hodds, Karl Patterson, Emma Briers
WARDS AFFECTED	None specifically

KEY DECISION	YES/NO
DECISION MAKER	Cabinet Recommendations to Council Part Cabinet Decision and Part Recommendations to Council Other Council Body
IS THE REPORT OPEN OR EXEMPT	OPEN/EXEMPT

FINANCIAL IMPLICATIONS	YES/NO
HR IMPLICATIONS	YES/NO
POLICY IMPLICATIONS	YES/NO
STATUTORY IMPLICATIONS	YES/NO
RISK MANAGEMENT IMPLICATIONS	YES/NO
ENVIRONMENTAL IMPLICATIONS	YES/NO
EQUALITY IMPACT ASSESSMENT COMPLETED	CONFIRM PRE-SCREEN COMPLETED AND IF FULL EIA REQUIRED AND COMPLETED

SUMMARY OF REPORT

This report presents the revised Terms of Reference for the Shareholder Committee for review and approval.

RECOMMENDATIONS

Cabinet resolves to:

- 1) Approve the revised Terms of Reference as set out at Appendix A.
- 2) Note that the Terms of Reference will continue to be reviewed annually.

Recommendation to Full Council:

- 1) N/A

REASON FOR DECISION

The Terms of Reference require annual review and the proposed revisions strengthen governance, oversight, reporting requirements and escalation arrangements.



CORPORATE STRATEGY

How does this proposal support our Corporate Priorities [Our priorities | Corporate Strategy 2023 - 2027 | Borough Council of King's Lynn & West Norfolk](#)

Promote growth and prosperity to benefit West Norfolk	Indirectly supports the Council's housing company activities by strengthening governance and shareholder oversight arrangements
Protect our Environment	No direct impact identified
Efficient and effective delivery of our services	Supports effective governance, accountability, performance monitoring and risk management of Council-owned companies
Support our communities	Indirectly supports community outcomes by ensuring Council companies operate effectively and in accordance with agreed objectives.

REPORT DETAIL

1. Introduction

The Shareholder Committee is a sub-committee of Cabinet established to exercise the Council's shareholder function in relation to Council-owned companies.

The current Terms of Reference state that:

“The Shareholder Committee will review the Terms of Reference annually.”

A review has now been undertaken to ensure the Committee's Terms of Reference remain robust and fit for purpose. This report presents the revised Terms of Reference to the Committee for review and approval.

Key Changes

- Revised and updated look of the Terms of Reference throughout
- Language revised throughout to make it easier to read and understand
- Expansion of 'Definitions' section – Reserved Matters and Business Plan are now expressly defined
- Renamed the previous 'Overview' section to 'Purpose and Scope'
- Strengthened and expanded the new 'Purpose and Scope' section, providing further clarity of the Committee's Scope.
- Inclusion of escalation and intervention routes where a company is underperforming
- Reporting requirements for Council Companies are now defined
- The Committee will produce an annual report to Audit Committee
- Date of approval and next date of review included



2. Background

An annual review has been undertaken to ensure the Terms of Reference remain robust and fit for purpose.

3. Proposal

Adopt the revised Terms of Reference incorporating updated definitions, strengthened governance arrangements, reporting requirements and escalation routes for underperformance.

4. Options Considered

- a) Approve the revised Terms of Reference – Recommended.
- b) Request further amendments – The Committee may identify additional changes.
- c) Retain the existing Terms of Reference – Not recommended.

5. Financial Implications

No direct financial implications. Improved oversight supports protection of the Council's financial interests.

6. HR Implications

None identified.

7. Policy Implications

The revised Terms of Reference strengthen the Council's ability to protect its financial and reputational interests, by providing clarity on reporting and oversight requirements, reducing risk exposure.

This revision introduces a formal escalation route if a company is underperforming or non-compliant.

8. Climate Change and Environmental Implications and considerations

None identified.

9. Statutory and Legal Implications

The revised Terms of Reference ensure that the Council's shareholder activity is exercised lawfully, transparently, and in a manner consistent with the Council's strategic objectives and statutory powers.

Local Government Act 2000 – Executive Arrangements. The Shareholder Committee is a sub-committee of Cabinet and exercises executive functions



on behalf of the Council. Approval of the revised Terms of Reference will therefore be considered for approval by Cabinet.

10. Local Government Reorganisation Implications

None identified.

11. Health and Safety Implications

None identified.

12. Consultees

Emma Hodds, Karl Patterson, Emma Briers and members of the Shareholder Committee

13. Equality Impact Assessment

Pre-screen completed. Governance changes are equality neutral and do not directly impact service users or staff.

14. Risk Management Implications

The revised Terms of Reference introduce strengthened risk oversight. The changes reduce governance, financial, and operational risk and support the Audit Committee's assurance role

15. Conclusion

The revised Terms of Reference provide clearer governance arrangements and are recommended for adoption.

LIST OF APPENDICES
• Appendix A – Revised Terms of Reference – Shareholder Committee – track changes • Appendix B – Revised Terms of Reference – Shareholder Committee – clean version

LIST OF BACKGROUND PAPERS
• None



PRE SCREENING EQUALITY IMPACT ASSESSMENT

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function

Is this a new or existing policy/service/function? (tick as appropriate)

New		Existing	✓
-----	--	----------	---

Brief summary/description of the main aims of the policy/service/function being screened.

This report presents the revised Terms of Reference for the Shareholder Committee for review and approval.

Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.

Who has been consulted as part of the development of the policy/service/function? – new only (identify stakeholders consulted with)

N/A – existing

Question

Answer

1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?

Please tick the relevant box for each group.
NB. Equality neutral means no negative impact on any group.

If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.

**For more information on health inequalities please visit [The King's Fund](#)*

	Positive	Negative	Neutral	Unsure
Age			✓	
Disability			✓	
Sex			✓	
Gender Re-assignment			✓	
Marriage/civil partnership			✓	
Pregnancy & maternity			✓	
Race			✓	
Religion or belief			✓	
Sexual orientation			✓	
Armed forces community			✓	
Care leavers			✓	
Health inequalities*			✓	
Other (eg low income, caring responsibilities)			✓	



Please provide a brief explanation of the answers above:

Question	Answer	Comments	
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	Yes / No		
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No		
If 'yes' to questions 2 - 3 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:			
Decision agreed by EWG member:			
4. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	Yes / No	Actions:	
		Actions agreed by EWG member:	
5. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No	Please provide brief summary:	
Assessment completed by: Name	Charlotte Marriott		
Job title	Interim Corporate Governance Manager		
Date completed	02.06.2026		
Reviewed by EWG member	Amy Pearce	Date	02/06/2026
☐ Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)			



Appendix A - Revised Terms of Reference – Shareholder Committee – track changes

Terms of Reference — Shareholder Committee (Draft for Adoption) **TERMS OF REFERENCE OF THE BCKLWN SHAREHOLDER COMMITTEE**

(Sub-Committee of Cabinet) **SUB-COMMITTEE OF CABINET**

1. Definitions

Council Companies ~~means the p~~Private limited companies in which the Borough Council of King's Lynn & West Norfolk BCKLWN is the majority shareholder ~~or~~ /owner

Governance Documents ~~means, as the context requires, t~~The Articles of Association, Business Plan, Shareholder Agreement and/or Intragroup Agreement and any other approved governance document

Reserved Matters Decisions requiring shareholder approval under Governance Documents

Business Plan The annual plan submitted by each company setting out objectives and priorities, KPIs, financial forecasts, risks, and investment requirements.

2. **Overview**Purpose and Scope

2.1 The Shareholder Committee (the "Committee") is a sub-committee of Cabinet, established to the purpose of which is to fulfil the Council's Shareholder Function in relation to the Council Companies, this being an executive function.

2.2 -The Committee is not responsible for matters relating to the operational management of the Council Companies.

2.3 The Committee acts as the single, strategic interface between the Council (as shareholder) and its companies, ensuring that:

2.3.1 Companies operate in line with the Council's strategic objectives.

Terms of Reference — Shareholder Committee



2.3.2 Companies deliver agreed outcomes set out in their Business Plans.

2.3.3 The Council's financial, reputational, and legal interests are protected.

2.4 Directors are held to account for performance, risk, and compliance.

2.52.4 The ~~Shareholder~~ Committee will exercise the Council's Shareholder Function in any company, limited by shares or guarantee, wholly owned by the Council for the purposes of service provision and/or trading activities.

2.62.5 The ~~Shareholder~~ Committee will exercise the functions delegated to it by Cabinet as set out in paragraph 4 below

3. Composition & Operation

3.1 The ~~Shareholder~~ Committee shall comprise of three Cabinet Members, ~~to be~~ appointed by the Leader.

~~3.2 Only Cabinet Members who are not Directors of any Council Company may serve or substitute. Members of the Shareholder Committee can only be substituted by other Cabinet Members who are not Directors of the Council Companies.~~

~~3.33.2~~ The ~~Shareholder~~ Committee shall appoint ~~its own~~ a Chair and Vice-Chair annually at the first meeting of the municipal year.

~~3.43.3~~ Quorum is three voting Members.

~~3.53.4~~ A ~~Shareholder~~ The Committee ~~meeting shall be held meet no less than at least~~ 4 times per ~~annum year~~.

~~3.63.5~~ The Chief Executive, Section 151 Officer and Monitoring Officer (or their nominees) ~~will~~ shall support the ~~Shareholder~~ Committee.

~~3.73.6~~ Any decisions made by the ~~Shareholder~~ Committee ~~must be notified to the Company Directors will be published~~ as soon as reasonably practicable following such decision being taken. 

~~3.83.7~~ Advisors may be invited to attend the ~~Shareholder~~ Committee as required.



4 ~~Functions delegated to the Shareholder Committee~~ Delegated Functions

The ~~Shareholder~~ Committee will have responsibility for the following:

4.1 Any decisions identified as being reserved to the Shareholder within the Governance Documents, subject to paragraph 4.3 below.

4.2 Any decisions that the Shareholder is required by legislation to make, subject to paragraph 4.3 below.

4.3 In respect of paragraphs 4.1 and 4.2, decisions may be taken provided that where a proposed recommendation is outside the Council's budgetary or policy framework, the ~~Shareholder~~ Committee will consider the recommendation and provide a recommendation to Full Council.

~~4.4 Approving the annual Business Plan for each company. Approval of the Business Plan for each of the Council Companies on an annual basis.~~

~~4.4 Holding each of the Council Companies~~ Company Directors to account for their delivery of and performance against the respective Business Plan.

~~4.5~~

~~4.6~~ 4.5 Receiving quarterly performance reports, including KPIs, service standards, financial performance, and risk.

~~4.7~~ 4.6 Approval ~~Approving and reviewing of~~ Shareholder Agreements ~~with the Council Companies, including and~~ any variations ~~thereto~~.

~~4.8~~ 4.7 Responsibility for holding the Council Companies to account for compliance with the respective Shareholder Agreements.

~~4.9~~ 4.8 Reviewing the Governance Documents on an annual basis ~~with a view to and recommending – making any~~ changes to improve governance and/or performance requirements of the Council Companies.

~~4.9~~

~~4.10~~ 4.9 Ensuring the Council Companies comply with legal, regulatory, and contractual obligations.

~~4.11~~

~~4.12~~ 4.10 Approving Director appointments and removals

~~4.13~~

~~4.14~~

~~4.15~~ 4.11 Where a company is underperforming or failing to comply with shareholder instructions, the Committee may:

~~4.16~~ 4.11.1 Require improvement plans.



4.11.2 Commission external reviews.

4.11.3 Recommend changes to company governance or leadership.

4.11.4 Refer matters to Cabinet or Full Council where required.

5 Scrutiny of the Shareholder Committee

- 5.1 All ~~decisions of the Shareholder Committee~~ decisions are subject to the call-in ~~arrangements set out in the Council's~~ under Standing Orders.
- 5.2 The Review and Development Panels may ~~otherwise~~ scrutinise the ~~Committee's~~ performance of the Shareholder Committee and ~~require that it request~~ reports ~~to them~~ on the status and progress ~~in relation to any~~ of the Council Companies and how the Shareholder Function is being performed.
- 5.3 Audit Committee ~~are to~~ shall receive an annual assurance report ~~that there is a sound system of~~ on internal control and risk management process ~~in place for each of the Council's~~ across all Council ~~e~~ Companies.

6 Reporting Requirements for Council Companies

6 Each company must provide:

- 6.1 Quarterly performance and financial reports.
- 6.2 Annual Business Plan for approval.
- 6.3 Annual accounts and audit findings.
- 6.4 Risk register updates.
- 6.5 Notifications of any matter requiring shareholder approval.

7

87 Review

- 7.1 The Shareholder Committee will review the Terms of Reference annually

Approved by the Shareholder Committee on XX June 2026

Next Review: XX June 2027

8.4



Appendix B – Revised Terms of Reference – Shareholder Committee – clean version

1. Terms of Reference — Shareholder Committee (Draft for Adoption)(Sub-Committee of Cabinet)Definitions

Council Companies	Private limited companies in which the Borough Council of King's Lynn & West Norfolk is the majority shareholder or owner
Governance Documents	The Articles of Association, Business Plan, Shareholder Agreement and/or Intragroup Agreement and any other approved governance document
Reserved Matters	Decisions requiring shareholder approval under Governance Documents
Business Plan	The annual plan submitted by each company setting out objectives and priorities, KPIs, financial forecasts, risks, and investment requirements.
Shareholder Function	The functions set out in paragraph 4 of these terms of reference (and for ease of reference is intended to equally apply to any company limited by guarantee)

2. Purpose and Scope

- 2.1 The Shareholder Committee (the “Committee”) is a sub-committee of Cabinet established to fulfil the Council's Shareholder Function in relation to the Council Companies, this being an executive function.
- 2.2 The Committee is not responsible for matters relating to the operational management of the Council Companies.
- 2.3 The Committee acts as the single, strategic interface between the Council (as shareholder) and its companies, ensuring that:
 - 2.3.1 Companies operate in line with the Council's strategic objectives.
 - 2.3.2 Companies deliver agreed outcomes set out in their Business Plans.
 - 2.3.3 The Council's financial, reputational, and legal interests are protected.
 - 2.3.4 Directors are held to account for performance, risk, and compliance.



2.4 The Committee will exercise the Council's Shareholder Function in any company, limited by shares or guarantee, wholly owned by the Council for the purposes of service provision and/or trading activities.

2.5 The Committee will exercise the functions delegated to it by Cabinet as set out in paragraph 4 below

3. Composition & Operation

3.1 The Committee shall comprise of three Cabinet Members, appointed by the Leader.

3.2 Only Cabinet Members who are not Directors of any Council Company may serve or substitute.

3.3 The Committee shall appoint a Chair and Vice-Chair annually at the first meeting of the municipal year.

3.4 Quorum is three voting Members.

3.5 The Committee shall meet at least 4 times per year

3.6 The Chief Executive, Section 151 Officer and Monitoring Officer (or their nominees) shall support the Committee.

3.7 Any decisions made by the Committee will be published as soon as reasonably practicable.

3.7 Advisors may be invited to attend the Committee as required.

4 Delegated Functions

The Committee will have responsibility for the following:

4.1 Any decisions identified as being reserved to the Shareholder within the Governance Documents, subject to paragraph 4.3 below.

4.2 Any decisions that the Shareholder is required by legislation to make, subject to paragraph 4.3 below.

4.3 In respect of paragraphs 4.1 and 4.2, decisions may be taken provided that where a proposed recommendation is outside the Council's budgetary or policy framework, the Committee will consider the recommendation and provide a recommendation to Full Council.

4.4 Approving the annual Business Plan for each company.



- 4.5 Holding Company Directors to account for the delivery of and performance against the respective Business Plan.
- 4.6 Receiving quarterly performance reports, including KPIs, service standards, financial performance, and risk.
- 4.7 Approving and reviewing Shareholder Agreements and any variations.
- 4.8 Responsibility for holding the Council Companies to account for compliance with the respective Shareholder Agreements.
- 4.9 Reviewing the Governance Documents on an annual basis and recommending changes to improve governance and/or performance requirements of the Council Companies.
- 4.10 Ensuring the Council Companies comply with legal, regulatory, and contractual obligations.
- 4.11 Approving Director appointments and removals
- 4.12 Where a company is underperforming or failing to comply with shareholder instructions, the Committee may:
 - 4.11.1 Require improvement plans.
 - 4.11.2 Commission external reviews.
 - 4.11.3 Recommend changes to company governance or leadership.
- 4.11.4 Refer matters to Cabinet or Full Council where required.

5 Scrutiny of the Shareholder Committee

- 5.1 All Committee decisions are subject to the call-in under Standing Orders.
- 5.2 The Review and Development Panels may scrutinise the Committee's performance and request reports on the status and progress of the Council Companies and how the Shareholder Function is being performed.
- 5.3 Audit Committee shall receive an annual assurance report on internal control and risk management process across all Council Companies.

6 Reporting Requirements for Council Companies

Each company must provide:

- 6.1 Quarterly performance and financial reports.
- 6.2 Annual Business Plan for approval.
- 6.3 Annual accounts and audit findings.
- 6.4 Risk register updates.



6.5 Notifications of any matter requiring shareholder approval.

7 Review

7.1 The Shareholder Committee will review the Terms of Reference annually

Approved by Cabinet on XX June 2026

Next Review: XX June 2027



REPORT TO CABINET

DATE OF MEETING	13 October 2026
REPORT TITLE	National Planning Scheme of Delegation
LEAD MEMBER	Councillor Jim Moriarty, Cabinet Member for Planning and Licensing
LEAD OFFICERS	Stuart Ashworth, Assistant Director – Environment and Planning Hannah Wood-Handy – Planning Control Manager
CONSULTEES	Extended Leadership Team, James Arrandale-Legal Services Manager & Deputy Monitoring Officer Cllr Vivienne Spikings - Chair of Planning Committee, Cllr Francis Bone – Deputy Chair of Planning Committee Planning Committee members
WARDS AFFECTED	All

KEY DECISION	No
DECISION MAKER	Recommendations to Council
IS THE REPORT OPEN OR EXEMPT	OPEN

FINANCIAL IMPLICATIONS	NO
HR IMPLICATIONS	NO
POLICY IMPLICATIONS	YES
STATUTORY IMPLICATIONS	YES
RISK MANAGEMENT IMPLICATIONS	YES
ENVIRONMENTAL IMPLICATIONS	NO
EQUALITY IMPACT ASSESSMENT COMPLETED	PRE-SCREEN COMPLETED

SUMMARY OF REPORT

The new National Scheme of Delegation for Planning is coming into force on the 31 October 2026. Local authorities must comply with the new legislative requirements, otherwise they risk unlawful decisions from occurring, which could be subject to judicial review, with the associated financial and reputational risks that brings.

This report explains the steps necessary to bring it into force through amending the council's current constitution, as well as setting up internal processes to ensure decision-making is not stalled, and there is as smooth a transfer to the new system as possible.

RECOMMENDATIONS

Cabinet recommends to Full Council, that it:

1. Notes the revised Planning Scheme of Delegation attached at Appendix A.
2. Notes the consequential amendments to the Constitution, and the Planning Committee Terms of Reference (attached at Appendix B) and related procedural rules required to implement the National Scheme of Delegation.



3. Authorises the Assistant Director for Environment and Planning to make operational procedural changes to implement the National Scheme of Delegation.

4. Authorises the Monitoring Officer, in consultation with the Assistant Director for Environment and Planning, to make any necessary consequential amendments arising from the implementation of the National Scheme of Delegation.

REASON FOR DECISION

To ensure the council is able to fulfil its planning decision-making duties in a legally compliant way.

CORPORATE STRATEGY

How does this proposal support our Corporate Priorities [Our priorities | Corporate Strategy 2023 - 2027 | Borough Council of King's Lynn & West Norfolk](#)

Promote growth and prosperity to benefit West Norfolk	It allows planning applications to continue to be legally determined, to facilitate growth and prosperity.
Protect our Environment	The planning system also operates to protect the environment, and allowing legal decision-making is a key part of this.
Efficient and effective delivery of our services	It allows planning decision-making to be made in a legal and efficient way.
Support our communities	An effective and legal planning service is expected by our communities.

REPORT DETAIL

1. Introduction

- 1.1 The purpose of this report is to implement the National Scheme of Delegation (NSD) for the Council's planning decision-making arrangements, which comes into force on the 31st October 2026, and to seek approval for the necessary



amendments to the Council's Constitution. The NSD forms part of the Government's wider programme of planning committee reform introduced through the Planning and Infrastructure Act 2025 and subsequent regulations. The reforms are intended to create greater consistency in planning decision-making across England, ensuring that planning committees focus on applications of genuine significance, and reduce unnecessary delays in the determination process.

- 1.2 The National Scheme of Delegation establishes a statutory framework that prescribes which planning applications must be determined by officers and which may be considered by planning committees. Local planning authorities are required to review and amend their constitutional and governance arrangements to ensure compliance with the new requirements before the regulations come into force. Failure to do so will leave the council vulnerable to unlawful decision-making, and the significant impacts associated with that.

2. Background

- 2.1 Historically, each local planning authority has operated its own locally determined scheme of delegation setting out which planning applications are decided by planning officers and which are referred to planning committee. Whilst the majority of planning applications across England are already determined under delegated powers, there has been significant variation between authorities in the proportion and type of applications referred to committee. The Government has identified this inconsistency as contributing to uncertainty, delays and inefficiencies within the planning system.
- 2.2 In response, the Government introduced powers through the Planning and Infrastructure Act 2025 to establish a National Scheme of Delegation. The detail of the scheme is set out in the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 and supporting statutory guidance issued by the Ministry of Housing, Communities and Local Government. The regulations divide planning applications into two categories. Schedule 1 applications are subject to mandatory officer delegation and must be determined by officers. Schedule 2 applications are subject to a presumption of delegation unless they meet specified criteria and are considered to raise issues of significant economic, social, environmental or planning importance warranting committee consideration.



- 2.3 The regulations also require local planning authorities to identify a "Nominated Officer" and a "Nominated Member" who will jointly determine whether Schedule 2 applications should be referred to committee. Government guidance indicates that these roles would normally be undertaken by the Chief Planning Officer (or equivalent) and the Chair of the Planning Committee respectively. Deputies will also be needed in the event the nominated officer and councillor are not available, to ensure the system continues to operate smoothly. This will replace the existing local referral and call-in arrangements, and ensure compatibility with the new statutory framework.
- 2.4 It should be noted that government guidance states that Schedule 2 applications are expected to be delegated as well, unless in exceptional circumstances where they need to be referred to committee. It is therefore a high bar to pass, and to be referred to committee, a Schedule 2 application will need to be subject to a 'gateway test'. To pass this test, as a minimum, at least one of the following statutory criteria must be met for a referral to committee to be considered to meet that threshold:
- A. where the application raises one or more issues of an economic, social or environmental significance to the local area
 - B. where the application raises one or more significant planning matters having regard to the development plan and any other material considerations
- 2.5 The 'Gateway test' assessment will be made by the nominated officer and nominated member. Ideally both should agree, but where there is disagreement, the default position is that the item will be delegated. Any decision reached must be recorded and published. It will also need to be reported to Planning Committee for their information.
- 2.6 As a consequence of the changes in the law, the Council is required to amend its Constitution, Scheme of Delegation and Planning Committee procedures to ensure compliance with the National Scheme of Delegation before the implementation date of 31 October 2026. This report sets out the proposed changes and seeks the necessary approvals to enable the Council to meet its statutory obligations.
- 2.7 Given the number of schedule 2 applications received by the borough council (approximately 550 in 2025), further refinement of those applications will be required, otherwise there is a danger that the nominated officer and member will be overwhelmed when carrying out the 'Gateway test'. For example, in theory each application for works to a protected tree could be taken forward to be



assessed through the gateway test, creating wholly unnecessary work. This will also need to be considered as part of the overall package of changes.

3. Proposal

- 3.1 The new planning National Scheme of Delegation (NSD) requires local planning authorities to review and amend their constitutional arrangements to ensure compliance with the new statutory framework before it comes into force on 31 October 2026. The Council is therefore required to implement a revised Planning Scheme of Delegation and associated governance arrangements.
- 3.2 The Council needs to adopt the revised Scheme of Delegation attached at Appendix A and ensure that any consequential amendments to the Constitution, Planning Committee Terms of Reference and related procedural rules are actioned. These amendments will ensure that planning applications are determined in accordance with the legislative requirements of the National Scheme of Delegation, and associated statutory guidance.

In summary the revised arrangements will:

- Delegate to officers all planning applications and functions that are required to be determined under Schedule 1 of the Regulations.
 - Establish a presumption of officer determination for Schedule 2 applications, unless they are referred to Planning Committee in accordance with the Regulations.
 - Designate the Assistant Director for Environment and Planning as the Council's Nominated Officer for the purposes of the Regulations, with appropriate provision for substitutes.
 - Designate the Chair of the Planning Committee as the Council's Nominated Member, with appropriate provision for substitutes.
 - Introduce a formal referral process for the 'Gateway Test', through which the Nominated Officer and Nominated Member may determine whether a Schedule 2 application raises issues of sufficient economic, social, environmental or planning significance to warrant determination by Planning Committee.
 - Remove and replace any existing local schemes that are inconsistent with the requirements of the National Scheme of Delegation.
 - Introduce a further triage system to ensure the nominated officer and member are not overwhelmed, given the potential number of schedule 2 applications in accordance with the national guidance.
- 3.3 Subject to approval, the revised constitutional arrangements shall take effect on 31 October 2026, coinciding with the commencement of the Regulations. The Assistant Director for Environment and Planning, in consultation with the



Monitoring Officer, shall be authorised to make any minor consequential, administrative or drafting amendments necessary to give effect to the approved changes and ensure ongoing compliance with legislative requirements and statutory guidance.

4. Options Considered

- 4.1 Usually there would be a 'do nothing' option as an alternative proposal. However, as a change to the scheme of delegation is a legal requirement, 'do nothing' is not an option. That would bring the council into disrepute and put it at significant risk of legal challenge, as unlawful planning decisions would be being made. That said there are effectively sub-options as to a triage system for items going forward to the 'Gateway Test', as that decision is in the control of the council.

Option 1 – Implement the new national scheme of delegation, with all Schedule 2 items go forward to be considered through the 'Gateway Test' (not recommended)

- 4.2 This option would see all potential Schedule 2 applications considered against the Gateway Test by the nominated officer and member. Based on the number of the type of schedule 2 applications in 2025, this could be 550 applications and would include the vast majority that would clearly fail the test. This would be a significant waste of officers time and resources, and the nominated member's time.

Option 2 – Implement the new national scheme of delegation, and triage the Schedule 2 applications as set out in Appendix A - para.4.7 (recommended)

- 4.3 This would allow a more proportionate approach, and remove applications which, for example, do not go to committee presently, such as tree works applications. It would represent a more balanced approach to the issue of the 'Gateway Test', and ensure those considered under the 'Gateway Test' are the right ones that have the potential to go to committee.
- 4.4 Given the legal requirements of the Scheme of Delegation and the statutory date for implementation, the triage system is drafted as set out in Option 2 and contained within Appendix A para. 4.7 and to note accordingly.

5. Financial Implications

- 5.1 There are no direct financial considerations associated with the changes. There will however be changes in the way planning decisions are made, which will mean less planning committee meetings, freeing up officer time within the planning and democratic services teams.



However, it should be noted that there will be new meetings between the nominated officer and nominated member, where decisions on whether an application should go to committee or not will need to be recorded and published.

6. HR Implications

6.1 See section 5.

7. Policy Implications

7.1 The proposal has policy implications as it requires amendments to the Council's Constitution, Planning Scheme of Delegation, Planning Committee Terms of Reference and related procedures to ensure compliance with the National Scheme of Delegation and statutory guidance.

7.2 The revised arrangements replace incompatible local referral or call-in provisions with a nationally prescribed framework, including new roles for the Nominated Officer and Nominated Member and a clear process for deciding whether Schedule 2 applications should be referred to Planning Committee.

8. Climate Change and Environmental Implications and considerations

8.1 The National Scheme of Delegation considers environmental implications/considerations as per the gateway test to planning committee and both climate change and environmental considerations are enshrined in planning law and policy in accordance with Development Plan and NPPF.

9. Statutory and Legal Implications

9.1 The Planning and Infrastructure Act 2025 provided the power to establish a National Scheme of Delegation for planning. The detail of the scheme is set out in the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 and supporting statutory guidance, issued by the Ministry of Housing, Communities and Local Government.

10. Local Government Reorganisation Implications

10.1 Each council will need to amend its constitution to bring forward the same national scheme of delegation. That said, discussions will take place in the context of LGR, to see if uniformity of areas/issues such as publishing decisions or other internal operational decisions can be achieved.

11. Health and Safety Implications

11.1 There are none.



12. Consultees

- 12.1 See title page, which sets out who has been consulted as part of this report. Planning Committee were consulted and fed back to MHCLG during the two rounds of consultation ahead of the national scheme being finalised.

13. Equality Impact Assessment

- 13.1 Please see the completed EIA pre-screening form included with this report, which is considered to have a neutral impact. The proposed changes to the constitution ensure that the Council meets its legal obligations.

14. Risk Management Implications

- 14.1 The principal risk is that, if the Council does not amend its Constitution, Scheme of Delegation and Planning Committee procedures before the regulations take effect on 31 October 2026, planning decisions will be legally vulnerable, exposing the Council to potential judicial review, reputational harm and financial risks.
- 14.2 The recommendations in this report mitigate these risks by approving the national scheme of delegation, allowing the making of the required constitutional amendments, confirming the Nominated Officer and Nominated Councillor roles, and introducing a clear referral process for Schedule 2 applications.
- 14.3 Transitional risks will be managed through advance preparation, clear communication with officers and members, recording and publication of referral decisions where required, and senior oversight by the Assistant Director for Environment and Planning in consultation with the Monitoring Officer.

15. Conclusion

- 15.1 The Council is required to implement the National Scheme of Delegation by 31 October 2026. The proposed amendments to the Constitution, Planning Committee Terms of Reference, Planning Scheme of Delegation and related procedures will ensure planning decisions remain lawful, efficient and consistent with the new statutory framework.



- 15.2 The adoption of the scheme of delegation will provide the necessary governance arrangements, nominated roles and referral process to support a smooth transition to the new system.

LIST OF APPENDICES

Appendix A – Planning Scheme of Delegation
Appendix B - Amendment to Planning Committee Terms of Reference (Part 3, 1 C of the Constitution)

LIST OF BACKGROUND PAPERS

Section 101 of the Local Government Act 1972
319ZZC 319ZZF of the Town and Country Planning Act 1990 (as inserted by the Planning and Infrastructure Act 2025)
Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026

PRE SCREENING EQUALITY IMPACT ASSESSMENT

For equalities profile information please visit [Norfolk Insight - Demographics and Statistics - Data Observatory](#)

Name of policy/service/function	Implementation of the new National Scheme of Planning Delegation			
Is this a new or existing policy/service/function? (<i>tick as appropriate</i>)	New	X	Existing	
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations, and identify relevant legislation.	The government is implementing a national scheme of planning delegation across the country, to ensure a degree of uniformity in how certain types of application are determined. Yes. Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026.			
Who has been consulted as part of the development of the policy/service/function? – new only (<i>identify stakeholders consulted with</i>)	Hannah Wood-Handy – Planning Control Manager, Extended Leadership Team, James Arrandale-Legal Services Manager & Deputy Monitoring Officer Cllr Jim Moriarty			



		Cllr Vivienne Spikings - Chair of Planning Committee, Cllr Francis Bone – Deputy Chair of Planning Committee Planning Committee members			
Question		Answer			
1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service? Please tick the relevant box for each group. NB. Equality neutral means no negative impact on any group. <i>If potential adverse impacts are identified, then a full Equality Impact Assessment (Stage 2) will be required.</i> <i>*For more information on health inequalities please visit The King's Fund</i>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Sex			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Armed forces community			x	
	Care leavers			x	
	Health inequalities*			x	
	Other (eg low income, caring responsibilities)			x	
Please provide a brief explanation of the answers above: This is about where an application is determined, and its mechanism, so it should have a neutral impact. Also being applied across the country.					
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				



3. Could this policy/service be perceived as impacting on communities differently?	No	
If 'yes' to questions 2 - 3 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary: Decision agreed by EWG member:		
4. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	Actions:
		Actions agreed by EWG member:
5. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	Please provide brief summary:
Assessment completed by: Name	Stuart Ashworth	
Job title	Assistant Director – Environment and Planning	
Date completed	21/8/26	
Reviewed by EWG member	Amy Pearce	Date 02/09/2026
☐ Please tick to confirm completed EIA Pre-screening Form has been shared with Corporate Policy (corporate.policy@west-norfolk.gov.uk)		



Appendix A

Planning: Scheme of Delegation

National Scheme of Delegation

1. Introduction

- 1.1 In accordance with section 101 of the Local Government Act 1972 and sections 319ZZC–319ZZF of the Town and Country Planning Act 1990, as inserted by the Planning and Infrastructure Act 2025, the following Scheme of Delegation is adopted to implement the National Scheme of Delegation of planning functions.
- 1.2 This Scheme supersedes and replaces the Council's previous planning delegation and call-in arrangements. The Scheme applies to the determination of all applications and related planning matters where the Council is the Local Planning Authority.
- 1.3 It must be read in conjunction with, and interpreted in compliance with, the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 ("the Regulations") and the statutory guidance, *Planning Committees and the National Scheme of Delegation of Planning Functions*, dated 1 June 2026.

2. Default Delegation to Assistant Director – Environment and Planning:

- 2.1 **To undertake all statutory and non-statutory functions of the Council acting as Local Planning Authority**, including but not limited to determination of all planning applications and all other applications related to a planning process, prior notifications, listed building applications and related matters, advert consent applications, and certificate of lawful use / development applications; dealing with all other matters including tree and hedgerow matters, making Tree Preservation Orders, High Hedgerow notices, EIA screening and scoping opinions, Habitats Regulations Assessment, planning appeal work, responding to statutory and non-statutory consultations including the NSIP process and the service of any notices in relation to any of the functions delegated, and serving all types of notice relating to planning enforcement.

3. Conditions

3.1 Applications that must be delegated to officers

3.1.1 Schedule 1 functions

- 3.1.2 In line with regulation 4 of the Regulations, the Council must delegate the determination of all Schedule 1 applications to an authorised planning officer. These applications cannot be referred to Planning Committee.



3.1.3 They include the following categories, as defined in the relevant legislation and the Regulations, which must always be decided by officers:

Application type	Explanation
1. Householder applications	Alterations or extensions to an existing dwelling, and development within the curtilage of a dwelling.
2. Minor commercial applications	Small-scale non-residential development below the thresholds for major development.
3. Minor residential applications	"Minor residential" is defined as proposals comprising up to nine dwellings, together with associated incidental development, on a site of less than 0.5 hectares, and certain small-scale developments involving existing flats, in accordance with the Regulations.
4. Permission in Principle	Applications made under section 58A of the Town and Country Planning Act 1990.
5. Section 73 variations where the original permission was Schedule 1	Applications under section 73 of the Town and Country Planning Act 1990 to vary or remove conditions where the original planning permission was granted on a Schedule 1 application.
6. Non-material amendments	Applications under section 96A(4) of the Town and Country Planning Act 1990 for non-material changes to an existing planning permission or permission in principle.
7. Section 106A modifications relating to Schedule 1	Requests or applications under section 106A(1)(a) or section 106A(3) of the Town and Country Planning Act 1990 to modify or discharge a planning obligation where the obligation is connected with a Schedule 1 application or approval.
8. Certificates of Lawfulness relating to planning	Applications under section 191(1) or section 192(1) of the Town and Country Planning Act 1990 for Certificates of Lawfulness of Existing or Proposed Use or Development.
9. Certificates of Lawfulness of Proposed Works to a listed building	Applications under section 26H(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 for a certificate of lawfulness of proposed works to a listed building.



10. Biodiversity Gain Plans	Submission of a Biodiversity Gain Plan under paragraph 13(2)(a) of Schedule 7A to the Town and Country Planning Act 1990.
11. Certificates of Appropriate Alternative Development	Applications under section 17(1) of the Land Compensation Act 1961.
12. Reserved matters applications relating to a non-large outline permission	Reserved matters applications resulting from an outline planning permission other than a large outline permission. A large outline permission is one authorising the provision of 500 or more dwellings or the provision of a building or buildings where 50,000 square metres or more of floorspace is created.
13. Discharge of conditions	Applications under article 27(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 made pursuant to a condition on a planning permission.
14. Prior approval applications	Applications made pursuant to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 for prior approval, or for a determination as to whether prior approval is required.

3.1.4 Schedule 1 applications subject to reclassification

3.1.5 For the avoidance of doubt, an application that would otherwise fall within Schedule 1 must instead be treated as a Schedule 2 application in the following circumstances:

Connected listed building matters

Where the Local Planning Authority considers that a Schedule 1 application for planning permission is connected with:

- an application for listed building consent; or
- an application to vary or discharge a condition attached to listed building consent.

Retrospective applications

Where an application would otherwise fall within Schedule 1 but is made under section 73A of the Town and Country Planning Act 1990 for development that has already been carried out.

Own-interest applications

Where an application would otherwise fall within Schedule 1 but is made by or on behalf of:



- the Authority;
- a member or officer of the Authority; or
- an entity owned or controlled, whether wholly or partly, by the Authority or by any of its members or officers.

3.2 Applications that may be determined by Planning Committee or by an officer

3.2.1 Schedule 2 functions

3.2.2 All planning applications not identified above as Schedule 1 applications, or otherwise specifically reserved to Full Council by law, are classified as Schedule 2 applications.

3.2.3 Schedule 2 applications are delegated to officers for determination by default unless the statutory test ("Gateway test") in regulation 5(3) of the Regulations is met and a decision is made to refer the application to Planning Committee.

3.2.4 Schedule 2 functions include:

Application type	Explanation
1. Planning applications not falling within Schedule 1	Applications that are not householder, minor residential or minor commercial applications, including major developments and larger-scale or more complex proposals.
2. Retrospective applications	Applications under section 73A(1) of the Town and Country Planning Act 1990 for planning permission for development that has already been carried out.
3. Reserved matters applications relating to a large outline permission	Reserved matters applications under an outline permission authorising the provision of 500 or more dwellings or the provision of a building or buildings where 50,000 square metres or more of floorspace is created.
4. Section 73 variations where the original permission was Schedule 2	Applications under section 73(1) of the Town and Country Planning Act 1990 to vary or remove conditions where the original planning permission was granted on a Schedule 2 application.
5. Section 106A modifications relating to Schedule 2	Requests or applications under section 106A(1)(a) or section 106A(3) of the Town and Country Planning Act 1990 to modify or discharge a planning obligation connected with a Schedule 2 application or approval.
6. Listed building consent	Applications under section 10(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.



7. Variation or discharge of listed building consent conditions	Applications under section 19(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
8. Connected planning applications under Schedule 1	Applications for planning permission that the Local Planning Authority considers are connected with an application for listed building consent or an application to vary or discharge a listed building consent condition.
9. Advertisement consent	Applications for express consent to display an advertisement under regulation 9(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
10. Tree Preservation Order consent	Applications under regulation 16(1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 for consent to carry out works to a protected tree.

4. Referral of Schedule 2 and own-interest applications to Planning Committee

4.1 In accordance with Regulation 5, a Schedule 2 application will only be referred to Planning Committee for determination where both the Nominated Officer and the Nominated Member agree that the application raises one or more issues of significance under the statutory referral criteria (also known as the “Gateway Test”).

4.2 The statutory referral criteria under Regulation 5(3) are:

4.2.1 Criterion A

The application raises one or more issues of economic, social or environmental **significance** to the local area, or

4.2.2 Criterion B

The application raises one or more **significant** planning matters having regard to the development plan and any other material considerations.

4.3 If neither criterion is satisfied, or if the Nominated Officer and the Nominated Member do not agree to refer the application, the application must be determined under officer delegation in accordance with Regulation 5(2).

4.4 When considering a potential referral, the Nominated Officer and the Nominated Member must have regard to the statutory guidance and the intention that only exceptional cases of significant local importance should be referred to Planning Committee.



4.5 Own-interest applications

- 4.5.1 Applications which are made (whether jointly with any other person) by the authority or an officer or member of the authority, or it is an application where, in the view of the nominated officer and nominated member, the authority or any of its members or officers has an interest, are own-interest applications dealt with under regulation 6.
- 4.5.2 The Nominated Officer and the Nominated Member may agree to refer an own-interest application to Planning Committee for reasons of transparency or propriety, even where the application may not satisfy Criterion A or Criterion B.
- 4.5.3 However, there is no automatic requirement or presumption that all own-interest applications must be referred to Planning Committee. Where an own-interest application is not referred, it will be determined under officer delegation. A different senior officer will act as the Nominated Officer where this is necessary to avoid a conflict of interest.

4.6 Nominated roles

- 4.6.1 For the purpose of the referral process, the Council designates:
- the Assistant Director for Environment and Planning (or future equivalent title), as the Nominated Officer;
 - the Chair of Planning Committee as the Nominated Member;
 - the Planning Control Manager, or future equivalent title, as substitute Nominated Officer; and
 - the Vice-Chair of Planning Committee as substitute Nominated Member.
- 4.6.2 In the exceptional circumstances of either the nominated officers or members, or their substitutes, not being available, then a Principal Planning Officer, and another member of the Planning Committee appointed by the Monitoring Officer, can act as the Nominated Officer or Member.
- 4.6.3 The Nominated Officer and the Nominated Member will jointly consider those Schedule 2 and own-interest applications that they, or other senior officers, consider may warrant referral.
- 4.6.4 They will determine by agreement whether an application meets the criteria for consideration by Planning Committee. However, where agreement is not possible, the application must be determined by officers in accordance with regulation 5(2) or regulation 6(3).
- 4.6.5 The statutory expectation is that most Schedule 2 and own-interest applications will not require referral and will be determined by officers.



4.7 Triage of Schedule 2 applications

4.7.1 The following Schedule 2 applications will always be considered under officer delegated powers :

- An application made under regulation 16(1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 (application for consent under tree preservation order) (c).

4.7.2 A Local Member(s) can ask for any Schedule 2 application to be considered by the Nominated Member and Nominated Officer at the “Gateway Test” stage. To be considered at this stage, any representations made by a Local Member(s) must come forward within **21 days of the date of publication of the application on the weekly list of applications or within 30 days of the date of the publication of an application for EIA development on the weekly list of planning applications, and must describe how the criterion in paragraph 4.2 are considered to be met, through completion of the “Gateway Test” pro-forma.** In considering whether the criterion in paragraph 4.2 apply, the Nominated Member and Nominated Officer shall have regard to any representations made in writing by the Local Member(s) - see note 5.5.2.

4.7.3 All other Schedule 2 applications shall be triaged by Officers to assess whether they may potentially meet the criterion, and therefore can proceed to the “Gateway Test” stage to be considered by the Nominated Member and Nominated Officer. Any triage decision shall be authorised by the Planning Control Manager or Assistant Director – Environment and Planning or in their absence, a Principal Planning Officer or in the case of Listed Buildings, the Principal Conservation Officer.

4.7.4 The Assistant Director- Environment and Planning or Planning Control Manager (or future equivalent titles), can refer any Schedule 2 application directly to the "Gateway Test" if they believe it meets the criterion.

4.7.5 Outside of the National Scheme of Delegation, the Assistant Director – Environment and Planning or Planning Control Manager (or future equivalent titles), can refer any other matter that may require Planning Committee input, to the committee e.g. statutory or non-statutory consultations on National Significant Infrastructure Projects (NSIP).

5. Notes

5.1 Removal of local call-in and referral triggers

5.1.1 For clarification previous local call-in powers and referral triggers no longer apply and are superseded by the new framework.

5.1.2 This includes arrangements enabling:



- a ward member to require referral;
- a town or parish council to require referral to the former sifting panel.

5.1.3 Ward members and town and parish councils may continue to make representations through the normal consultation process, but they cannot compel an application to be heard by Planning Committee.

5.2 Transparency and reporting

5.2.1 The Council will maintain a clear audit trail of referral decisions.

5.2.2 A record will be kept of all Schedule 2 and own-interest applications considered through the Nominated Officer and Nominated Member process, including:

- whether the application was referred to Planning Committee or determined under delegated powers; and
- a concise explanation of the reasons for that decision.

5.2.3 This information will be periodically reported to Planning Committee and published to support ongoing oversight and public transparency.

5.3 Prosecutions and injunctions

5.3.1 All prosecutions, injunctions and decisions associated with them, and the use of powers in default, shall be made only with the agreement of the Head of Legal Services (or their equivalent title), or a Chief Officer.

5.4 Other matters

5.4.1 All other planning-related functions and duties, or those activities undertaken by the Local Planning Authority on behalf of the Council, are delegated to the Assistant Director – Environment & Planning (or equivalent title), and to such officers that they authorise to make decisions as set out in Sub-Delegations.

5.4.2 For the avoidance of doubt, Local Members means the Ward Members(s) for the area covered by the application, and it will also include - in circumstances that should first be agreed with the Committee Chair - another Ward Member. Relevant circumstances are likely to include

- (i). where it is a major application and just outside the boundary of the Members ward and be likely to have a significant bearing on the adjacent Members ward; or,
- (ii). the Ward Member has a conflict of interest in the application – and has suggested their constituents approach the adjacent Member about the application; or,
- (iii). the Ward Member is not available due to exceptional unforeseen circumstances and the adjacent Member is helping out in their absence.



Appendix B - Amendment to Planning Committee Terms of Reference (Part 3, 1 C of the Constitution)

C - Planning Committee

Composition

- C.1 The Planning Committee shall consist of up to thirteen members (who must undertake relevant training before taking up the position). No councillor shall be disqualified from appointment by membership of any other Council body provided that no more than three members shall be elected from among the Members of the Cabinet.

Terms of Reference

- C.2 Subject to complying with any relevant legal requirements, the Committee shall apply such policies, procedures and consultative processes as the Council shall determine.

Functions Referred to the Committee

The Committee shall have the following functions:

- C.3 To determine the planning applications referred to it pursuant to the Regulations and the Constitution, as set out above.
- C.4 To consider, and where necessary determine, any other planning matter referred to it by the Chief Planning Officer.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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