

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

**Minutes from the Meeting of the Cabinet held on
Tuesday, 4th February, 2020 at 3.30 pm in the Assembly Room - Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor B Long (Chair)
Councillors R Blunt, I Devereux, P Gidney, P Kunes, A Lawrence and E Nockolds

CAB89 **MINUTES**

RESOLVED: The Minutes of the Meeting held on 7 January 2020 were approved as a correct record and signed by the Chair.

CAB90 **URGENT BUSINESS**

None

CAB91 **DECLARATIONS OF INTEREST**

Councillors Blunt, Lawrence and Long declared a non pecuniary interest in the Nar Valley Phase 4 item.

CAB92 **CHAIR'S CORRESPONDENCE**

Councillor Long referred to correspondence received from Councillor Squires on the Climate Change Motion and the King's Lynn Transport Strategy, who was unable to attend the meeting due to illness.

CAB93 **MEMBERS PRESENT UNDER STANDING ORDER 34**

The following Councillors attended under standing order 34:

Councillor Bone – Notices of Motion 4, 5 and 6

Councillor Joyce - Notices of Motion 4, 5 and 6, King's Lynn Transport Strategy and Nora Phase 4.

Councillor Kemp – Notice of Motion 4, Treasury Management, King's Lynn Transport Strategy and Nora Phase 4.

Councillor Morley – Treasury Management and King's Lynn Transport Strategy

Councillor Parish – Notice of Motion 5, Financial Plan and King's Lynn Transport Strategy

Councillor de Whalley - Notices of Motion 4 and 5.

CAB94 **CALLED IN MATTERS**

None

CAB95 **FORWARD DECISIONS**

The Forward Decisions List was noted

CAB96 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

The Regeneration and Development Panel comments on the Transport Strategy were received and were presented by Councillor Parish.

CAB97 **NOTICE OF MOTION 5/19 CLLR DE WHALLEY - CLIMATE CHANGE**

Councillor Devereux presented a report which referred to the Notice of Motion 5/19 submitted to Full Council in October 2019 by Councillor M de Whalley. Council referred the matter to Cabinet to consider the issue further and then report back to Full Council in due course. Cabinet had requested a report to consider the Motion and its potential impacts. The appendices to the report set out the work being done, and planned to be carried out by the Council.

In presenting the report Councillor Devereux explained that it addressed how the Council was addressing climate change, which had been ongoing for a number of years. The report suggested officers be instructed to produce a Climate Change Policy and strategy with an action plan. He informed members that an officer working group on the subject was ongoing and drew attention to the list of work within the authority which was being carried out. He explained that the Chief Executive was involved with the County Climate Change Group. In referring to the carbon footprint of the borough he reminded members that it was a reasonable observation to make that a lot of the areas of responsibility were global and national and were out of the council's control, but referred to the action plan prepared addressed those issues which were within the councils remit. He acknowledged that there was still much work to do and that circumstances would change but the Council needed to remain active in dealing with the issue. He moved that recommendation 1a in the report be put forward with recommendations 2 and 3.

Under standing order 34, Councillor M de Whalley spoke in support of his Motion drawing attention to the town of Stroud which had achieved carbon neutrality, and the district was working towards this for 2030. He drew attention to a survey which showed that 56% of respondents wanted this by 2030. He drew attention to Sir David Attenborough's call for 2020 to be the year of action on climate change and urged cabinet to declare a climate emergency.

Under standing order 34 Councillor Parish drew attention to the views of the Planning Committee on the wish to insist on photovoltaic panels being included on new builds particularly when it was a Council project. He considered officers should be instructed to do so.

Under standing order 34, Councillor Joyce commented that he felt decisions were taken outside of policies which were already in place.

Councillor Long drew attention to the work he had been undertaking since his position as portfolio holder for Environment, for example working with the IDBs, Charing the Norfolk Coast Partnership which administered the AONB. He considered that if the council had not been involved to the degree it had the area would be in a much worse position.

Councillor Long drew attention to the fact that this authority had for many years been applying for Salix funding, and was investing in a "Refit" scheme which looked across the council's property portfolio to upgrade the properties. He acknowledged that West Norfolk had high CO₂ levels, but reminded members about the types of industries which were present in the area. He acknowledged that the Council wasn't able to force the hand of the industries in the area, but through the Climate Change Strategy could try to influence them to change.

Councillor Long drew attention to the Intern post which was being extended in order to help progress the work involved.

RECOMMENDED: 1) That officers be requested to prepare a climate change policy & separate climate change strategy with action plan.

2) That the Council fully recognise the evolving climate crisis and work towards Borough Council carbon footprint neutrality and net zero district carbon emissions. The dates will be determined taking into account emerging policies at the national and local level.

3) The current 12 month UEA Intern post should be extended to a temporary 2 year fixed term post.

Reason for Decision

- 1) To ensure the Council is able to mitigate its carbon footprint
- 2) To consider and respond to Motion 5/19
- 3) To ensure the work plan and other areas of work are progressed

CAB98 NOTICE OF MOTION 4/19 - CLLR A KEMP - HARDINGS WAY

Councillor Gidney presented a report on Notice of Motion 4/19 which was submitted to Full Council in September 2019 in respect of proposed works affecting Harding's Way, King's Lynn. The report set out the background to the project and the wider policy initiatives developed by the Council over a period of time. The purpose of the

report was to enable Cabinet to consider the Notice of Motion and determine whether, or not, to accept the requests made under the Motion.

Councillor Gidney explained that the town would undergo a lot of investigations into traffic and routes. Those investigations would be put together in the process required and would be considered in due course.

Assistant Director Property and Projects explained that the report set out the history of the site which was a link point for 2 regeneration areas for the provision of sustainable living in the area. The CIF bid made for the road was for transportation improvements and to secure housing for the area. He explained that a traffic regulation order was required to open Hardings Way to allow for the residential development in the near future.

Under standing order 34 Councillor Kemp spoke to her motion and stated that the funding for the CIF road was provided as a bus lane more of which were needed to cover the number of additional houses being built. She drew attention to there being no green infrastructure, and that the NCC equalities impact assessment stated there would be implications for disabled people. She considered that the CO₂ levels on London Road would reduce if more buses used Hardings Way in line with the original vision of 26 buses phr, and expressed concern that permitting traffic on the road would mean HGVs using it.

Under standing order 34 Councillor Joyce made reference to a section 14 notice originally put on the road by Highways authority which was lifted in later years. Part of the then strategy was for a park and ride in the south of Lynn. He considered Hardings Way needed more buses on it but to have cars on it would negate the benefits of quicker access by buses.

Under standing order 34 Councillor Bone spoke on this and the next item 6/19 which was his notice of motion as he had to leave the meeting shortly. He echoed what had been said by other speakers and was concerned that Hardings Way would become another bottle neck for traffic. He felt that the traffic plan should be less car orientated and more sustainable for public transport. He had concern on the detrimental impact of cars on Whitefriars School. He wanted it to remain as a bus lane. He felt that the Enterprise Zone buildings would be a good opportunity to encourage green travel.

Under standing order 34 Councillor de Whalley wished to highlight the element of active travel such as walking and cycling of which Hardings Way was a green active travel link to King's Lynn. He drew attention that if opened up to traffic those walkers and cyclists would be breathing fumes.

Councillor Gidney responded that he did not necessarily disagree with what had been said, but evaluations had to be carried out across the town, and Hardings Way couldn't be ignored or shown any favouritism and could only be evaluated along with the air quality management issues.

Councillor Middleton drew attention to the fact that he lived in the vicinity of Hardings Way and passed through the area regularly. He drew attention to the differing views of people, some wanting to keep it closed and others wanting it opening. He referred to the bigger picture for the town and the Transport Strategy which had a list of options for the future, all of which should be examined. He stated that if the council were to consider making a decision to open it there would be consultation. He was happy to reject the motion.

Councillor Long drew attention to the press article recently about the Southgates on which he had received messages about Hardings way, however he reminded members that nothing could happen without knowing the impact on the town, so it was proper to reject the Motion, as it would impact on the future development along the road, the plans for which had been in place for some time.

RECOMMENDED: That having considered the requests made under Notice of Motion 4/19 together with the background information set out within this report; the proposals set out in the Notice of Motion 4/19 be rejected.

Reason for Decision

The Council has progressed a number of significant regeneration initiatives within the borough over several years with inputs from a variety of other public bodies and agencies. Significant amounts of funding have been secured from partner agencies to facilitate these initiatives that will help drive the growth, development and sustainability of King's Lynn as a sub-regional centre. The requests made under Notice 4/19 are considered contrary to long-standing Council policies.

CAB99 NOTICE OF MOTION 6/19 CLLR F BONE - HARDINGS WAY

Councillor Blunt presented a report which responded to Notice of Motion 6/19 from Councillor F Bone on Hardings Way. It sought to review the use of Harding's Way for general traffic which had been put forward as one of two options for Harding's Way as part of the King's Lynn Transport Strategy. He reassured members that no decision had been taken on this matter, but that it would be looked at when the projects were reviewed, modelling to see what Hardings Way could absorb, so in essence what had been requested in the Motion would happen, but in due course.

Councillor Bone had spoken in support of the Motion during the previous item.

Under standing order 34 Councillor Joyce made reference to a legal implication which he felt could potentially cause problems and would trigger a legal challenge. He undertook to speak to Councillor Blunt after the meeting.

RECOMMENDED: That Motion 6/19 be noted but that the detailed work requested as part of the Motion be completed as part of the future detail design phase and as part of any planning application should that option be taken forward as part of the King's Lynn Transport Strategy (KLTS).

Reason for Decision

To consider Motion 6/19

CAB100 **FINANCIAL PLAN 2019/2024**

The Section 151 Officer, T Stankley presented the Financial Plan 2019/2024 which showed that the Council could present a funded budget. The current general fund balances would be required to support the budget in the event that income levels were not achieved and/or delayed, whilst further cost reductions were made.

In presenting the report Ms Stankley explained that the figures had been increased with inflation at 1.7% where required. An additional £1.3m of savings had been identified when revising the 2019/2020 budget which should be achieved by the year. Parking charges had not been increased across the board, however the free third hour had now been removed from the two hour fee. As had previously been forecast, to balance the budget there would need to be a draw on reserves to make up for the shortfall in funding for the coming year.

It was explained that the significant risks identified in the Plan were around the uncertainty of how both the upcoming reform of the Business Rates Retention Scheme, and the outcome of the Government's Fair Funding Review, would impact on the Council's finances.

The Council Tax was proposed to be increased by £4.50 per annum, which with Special Expenses increases would remain within the £5.00 per annum increase permitted under the Council Tax referendum principles.

Under standing order 34, Councillor Parish asked why it was not possible for a 1 hour parking fee for Heacham beaches, rather than only 2-3 hours as he considered that affected the people visiting the beach, particularly in winter. Councillor Kunes confirmed that there was already a 1hour charge for parking at Heacham.

In proposing the budget, Councillor Long explained that the free 3rd hour parking needed to be reviewed, and it was preferable to do that rather than increase parking fees across the board.

Councillor Long drew attention to the fact that if the IDB precept was taken from the Borough's Council Tax levy, this Council's Tax would be the lowest in the country, he reminded members that most other authorities did not have IDB levies.

RECOMMENDED:

- 1 That Council approve the revision to the budget for 2020/2021 as set out in the report.
- 2 That Council reaffirm the Policy on Earmarked Reserves and General Fund Working Balance and the maximum balances set for the reserves as noted in the report.
- 3 That Council :
 - 1) Approves the budget of £18,441,610 for 2020/2021 and notes the projections for 2021/2022, 2022/2023 and 2023/2024.
 - 2) Approves the level of Special Expenses for the Town/Parish Councils as detailed in the report.
 - 3) Approves the Fees and Charges for 2020/2021 detailed in Appendix 5.
 - 4) Approves a Band D council tax of £130.37 for 2020/2021
- 4 That Council approves a minimum requirement of the General Fund balance for 2020/2021 of £922,080.

CAB101 **TREASURY MANAGEMENT STRATEGY FOR 2020/21 AND PRUDENTIAL INDICATORS FOR 2019/20 AND 2022/23**

T Stankley, the Section 151 Officer presented the report which explained that the Council was required to receive and approve a Treasury Management Strategy Statement; Annual Investment Strategy; and Minimum Revenue Provision Policy Statement which covered:

- *The Treasury Management Strategy*
- *Capital plans, including prudential indicators*
- *A Minimum Revenue Provision (MRP) Policy*
- *An Investment Strategy*

The report covered the requirements of the Local Government Act 2003, the Chartered Institute of Public Finance Accountants (CIPFA)

Prudential Code, the Ministry of Housing, Communities and Local Government (MHCLG) MRP Guidance, the CIPFA Treasury Management Code and the MHCLG Investment Guidance.

The Council's Treasury Advisor, Link Asset Services, provided a template document for the Treasury Management Strategy Statement, which was fully compliant with CIPFA's code and MHCLG's guidance. The Council had used this template in preparing the report.

This report looked at the period 2019-2024, which fitted with the Council's Financial Plan and Capital Programme. Officers of the council had prepared the report based on their views of forecasts for interest rates, and had used information provided by the council's Treasury Management Advisor, Link Asset Services.

Under standing order 34, Councillor Kemp asked if the KLIC loan impairment was included within the Statement of Accounts. The S151 Officer explained that the adjustment entries would be finalised in the near future and included in the final version of the Statement of Accounts for 2018/19. The Leader confirmed it would form part of the year's audit, and the Council had the building and were receiving income from it.

Under standing order 34, Councillor Morley asked members to consider the estimate of capital expenditure in 2019/2020 and the likelihood of being able to spend it within the timeframe left for the year, as the impact on the revenue budgets may be high.

Councillor Long responded that this was referring to the Capital Programme, but it was normal that items would slip from the Capital Programme into future years, but it was important to ensure it was covered. He also referred to the Council's investment history and drew attention to the fact that the Council had the lowest risk profile in Norfolk, but was receiving a higher rate of return than many others. He further commented that in order to do the best for West Norfolk, getting the best out of treasury management was important.

RECOMMENDED: That Council approve:

- 1) The Treasury Management Strategy Statement 2020/2021, including treasury indicators for 2020-2024.
- 2) The Minimum Revenue Provision Policy 2020/2021
- 3) The Investment Strategy 2020/2021

Reason for the Decision

The Council must have approved a Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2020/2021 by 31 March 2020.

T Stankley, Section 151 Officer presented the report which:

- revised the 2019/2020 projections for spending on the capital programme
- set out an estimate of capital resources that would be available for 2019-2024
- detailed new capital bids that were recommended to be included in the capital programme for the period 2020-2024
- outlined provisional figures for capital expenditure for the period 2019-2024
- Exempt section of the report detailed proposed future corporate capital projects

Councillor Long reminded members that the Capital programme was a snapshot in time, and items were often re-phased as required. He drew attention to the re-fit programme which was included in the plan for the coming years. He took on board the points raised by Councillor Morley in the previous item.

RECOMMENDED: 1) That the amendments to capital schemes and resources for the 2019-2024 capital programme as detailed in the report be approved.

2) That new capital bids are funded from available capital resources and included in the capital programme 2019-2024 as detailed in the report.

Reason for Decision

To report amendments, re-phasing and resources to the 2019-2024 Capital Programme

CAB103 KING'S LYNN AREA TRANSPORT STUDY

Councillor Blunt presented the report which explained that a transport strategy for King's Lynn had been drawn up after reviewing over 100 transport proposals for King's Lynn. The work had produced a balanced package of measures which allow for growth up to 2036. He reminded Members that the Plan was not solely a Hardings Way Transport Strategy but was for the whole of the town in order to support sustainable and economic growth in King's Lynn. It would look at 33 projects for the short, medium and long term which would be further investigated. He drew attention to the link in the report to the document.

Under standing order 34 Councillor Joyce made comments on the need for a roundabout south gates and so buses could go down Wisbech Road and Hardings Way. He considered there should be a park and ride in South Lynn in order to take the traffic out of the town centre.

Under standing order 34 Councillor Kemp commented that she felt the West Lynn ferry was the park and ride for the western area, she asked what the situation was for improving the amount of parking for the ferry.

Councillor Long confirmed that there was a capacity issue for the ferry parking, he referred to a proposed development in West Lynn which did require further parking for the ferry which had not been developed to date. The ferry was part of the strategy going forward as was enhanced access to it.

Under standing order 34 Councillor Parish, Vice Chair of the Regeneration and Development Panel presented its comments on the item which members had supported.

Under standing order 34 Councillor Morley made reference to the Port of King's Lynn and that it was not included in the document. Councillor Blunt acknowledged that this was something which should be included, and that the Plan would continue to grow over time. He drew attention to differing opinions he had received on elements of the Plan, and confirmed that in examining the different projects, funding would be sought and some worked into schemes.

Councillor Long drew attention to the fact that members and officers from the Borough had collaborated with the County Council report to ensure it came to West Norfolk to consider the options and to encourage investment in infrastructure. The Business Rates Pool had funded the production of the document. He thanked those who had provided input at the consultation sessions, and commented that the next stage was to look how it could link with the Towns Fund to benefit travelling through King's Lynn.

RESOLVED: 1) That the consultation responses received as part of the consultation process and that these are recognised in the proposal be noted.
2) That Cabinet adopt the King's Lynn Transport Strategy (KLTS) implementation Plan attached as Appendix A to the report.

Reason for Decision

To allow the Implementation Plan to be implemented. The plan does not form part of the Policy Framework and is therefore within Cabinets powers.

CAB104 **HUNSTANTON COASTAL MANAGEMENT PLAN**

Councillor Devereux presented a report setting out the Hunstanton Coastal Management Plan (HCMP) which was an operational plan to determine what works were required to the Hunstanton sea defences and cliffs over the next 100 years breaking down into short medium and long term projects.

The HCMP followed the general policies laid down in the Shoreline Management Plan 4 (SMP 4) which covered the coastline between Gibraltar Point and Old Hunstanton, and the joint Environment Agency / BCKLWN Wash East Coastal Management Strategy (WECMS).

Councillor Devereux gave information on the proposals set out in the Plan with monitoring and repairs.

Councillor Middleton expressed his disappointment that so many members of the public and councillors had left the meeting when the item was demonstrating work the Council was carrying out to protect the coastline.

Councillor Long commented that it was practical work being carried out that was needed for the area, funded by the Borough along with funding from the successful bid for funding by the Regional Flood & Coastal Committee.

Councillors Morley and Parish commented that they were in support of the proposal and many had seen the detail at the Regeneration and Development Panel.

RECOMMENDED: That the Hunstanton Coastal management Plan be adopted and the financial contributions be approved.

Reason for Decision

To enable the Council to plan prepare and carry out coastal works to meet its obligations under the Shoreline Management Plan 4 (SMP4) and Wash East Coast Management Strategy (WECMS).

CAB105 EXCLUSION OF THE PRESS AND PUBLIC

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

CAB106 NAR VALLEY PHASE 4 (TRADITIONAL BUILD)

Councillor Gidney presented the report which considered a viability appraisal for Nar Valley Park Phase four, built using traditional building methods. The previous proposal allowed for the project to be built using Modular Homes units which was not now possible. The land was acquired from the Receiver of Morston Assets in December 2016, following Morston Assets going into receivership.

Assistant Director Companies and Housing Delivery, D Gagen explained that following discussions with the Portfolio Holder, it was agreed that the scheme should be progressed as a traditional build project, in line with the Cabinet and Council approval in 2018, that proposed that, should the 'modular proposal become undeliverable the site should be delivered by traditional building methods', but that a report be presented to Cabinet and Council for approval prior the construction phase of the development taking place.

The surplus generated by the proposed scheme exceeded the benchmark of traditional build costs in the 2018 report. However, it was less than the proposed Modular proposal which had been demonstrated as being undeliverable on this site.

The financial impact on the scheme was set out in the report should the Council agree to sell 50% of the units to West Norfolk Property Ltd at 90% of open market value. The ultimate purpose being to create a revenue stream for the Council.

Under standing order 34 Councillor Joyce suggested it may be an opportunity for the Council to resist climate change by building the properties more efficiently, and influencing the Local Plan Task Group to persuade others to do so.

Under standing order 34 Councillor Kemp indicated her support for the scheme and suggested green measures.

Councillor Lawrence commented that he was pleased the project was progressing and would provide a mix of tenure. He thanked officers and members for this.

It was confirmed that the properties were being built in accordance with the agreement with Homes England, but some of the properties would have photovoltaics. It was noted that future Council developed sites were being planned to deliver more eco friendly properties. This was encouraged by Cabinet members. It was hoped to deliver homes within 18 months. It was also noted that this area would not have been developed if the Council had not stepped in to do so.

RECOMMENDED: 1) That the scheme be progressed as a traditional build project, in line with the Cabinet and Council approval in 2018.

2) That this site be developed using the Major Housing contract with Lovell Partnerships Limited.

3) That the PRS units be sold to West Norfolk Property Ltd at 90% of open market value.

Reason for Decision

1. To develop this site using the Major Housing contract with Lovell Partnerships Limited.

2. To allow the scheme to be developed using traditional methods.

4. To include the tenure mix shown in section 2.5 of this report.

5. To build properties for West Norfolk Property Ltd to manage for the benefit of the residents of the Borough.

The meeting closed at 5.48 pm