

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

**Minutes from the Meeting of the Council held on
Thursday, 23rd January, 2020 at 6.30 pm in the Assembly Room - Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor G Hipperson (Chair)
Councillors B Ayres, Miss L Bambridge, P Beal, J Bhondi, R Blunt, F Bone, C Bower,
A Bubb, A Bullen, Mrs J Collingham, J Collop, S Collop, C J Crofts, M de Whalley,
I Devereux, A Dickinson, P Gidney, M Howland, G Howman, B Jones, C Joyce, A Kemp,
J Kirk, P Kunes, A Lawrence, B Lawton, B Long, J Lowe, C Manning, G Middleton,
J Moriarty, C Morley, S Nash, E Nockolds, T Parish, S Patel, J Ratcliffe, C Rose, J Rust,
A Ryves, C Sampson, S Sandell, M Storey, A Tyler, D Tyler, D Whitby and M Wilkinson

Apologies for absence were received from Councillors C Hudson, H Humphrey and
S Squire

C:58 **PRAYERS**

Prayers were led by Rev Canon Ling

C:59 **MINUTES**

RESOLVED: The Minutes of the meeting held on 28 November 2019
were agreed as a correct record and signed by the Mayor.

C:60 **DECLARATION OF INTEREST**

None

C:61 **MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS**

None

C:62 **URGENT BUSINESS**

None

C:63 **PETITIONS AND PUBLIC QUESTIONS**

Under Standing Order 9 the Mayor invited the following public
questioners to post their questions to Council.

1 **Question from Brenda Kent read by Alistair Kent**

"This last November the University of Manchester and the Tyndall Centre for
Climate Change Research jointly issued a document with the title "Setting
Climate Commitments for King's Lynn and West Norfolk."

This document outlines the fair contribution that the authors of the report calculate we in this area should make towards meeting the Paris Climate Change Agreement.

Is making a fair contribution in this way a criteria being considered in forming the Council's policy on climate change mitigation?"

Councillor Devereux gave the following response:

"We have taken a phased approach towards setting targets, taking into account all relevant information sources. The first task agreed was to complete a carbon audit of the Council's estate. Once this has been completed we can then assess what measures are required for the Council to become carbon neutral and over what timeline.

Further work reviewing the district emissions detailed in the Tyndall Report is being considered and an assessment will be made on which of those areas identified by the Authors, which the Borough Council can influence. This work is also part of the Norfolk Local Authority County Group which has recently been formed with a key role being taken by our Chief Executive."

By way of supplementary Mr Kent on behalf of Brenda Kent asked whether the Council would set more ambitious targets to exceed those set in the Paris Climate Change Agreement.

Councillor Devereux responded that the Council would focus on the emissions reduction in the Council's estate, he and stated that the Council would consider the report and take into account the Council's ability to control the emissions, and would use its best endeavours in setting any targets.

2 Question from Alastair Kent

"In the Climate Change Update paper dated 3/12/2019 for the Environment and Community Panel the following timetable of actions is proposed:-

March 2020: Consider best Practices and develop the strategy

April 2020: Adopt strategy

April 2020 Onwards: Consult Stakeholders and Interested Parties

Clearly there is a need for policies and practices to be put in place urgently, and I do not wish to delay this in any way, but if, as proposed, the strategy is adopted in April and the consultation follows this, what meaningful opportunity will there be for stakeholders and other interested parties to contribute to the development of the strategy and ensure that it is adequate to address the challenges the Borough will face in the foreseeable future?"

Councillor Devereux gave the following response.

"The Strategy will embody the scope, scale and direction of travel of this Council's commitment to addressing the necessary action and responsiveness for dealing with the challenges we face with Climate Change. This is the natural extension of a journey to which we are already committed; building on the energy & emission control work started a decade ago and through our long-established programme of

work dealing with coastal erosion, tidal flooding and surface-water flooding, in partnership with the Internal Drainage Boards and the Environment Agency. As we have seen over recent years and in the report from the IPCC in November, the characterisation and magnitude of the Climate Change threat is rapidly changing. It is axiomatic therefore that a regular review process to recognize and deal with such change is embodied into our strategic planning process. So, the Strategy will inevitably change over time to meet changing factors. That process will be co-ordinated with County and National requirements and overseen through our Governance arrangements, including the Environment and Community Panel, supported and informed by public consultation. This will underpin our long-term Climate Change actions for decades to come.”

By way of supplementary, Mr Kent asked what opportunities there would be for public consultation on the policy, and why not before the initial adoption.

Councillor Devereux responded that the Council were facing a complex set of requirements, with the effect on the Council ill defined. The Strategy would attempt to define those requirements and would be open to consultation.

3 Question from Trudy Clark read by Bernadette Barclay

“Firstly, I acknowledge the work the Borough Council has done to help promote biodiversity in West Norfolk, but given the complex nature of the amount of work needed to help the Natural World, which is struggling in so many ways at present, and bearing in mind that the ‘State of Nature Report 2019’ has said most ‘Convention on Biological Diversity’ targets won’t be met, will the Borough Council acknowledge the work done by the diverse groups of volunteers that are freely giving their time and energy to help Nature in our Borough, and will the Borough Council pledge to help and support those groups in whatever ways possible so that they can move forward in 2020, for example, by allowing them to remove litter from hedgerows, which are under Borough jurisdiction; and by encouraging parishes to give their permission to volunteer groups to carry out projects that will benefit Nature, such as erecting nest boxes, sowing wild flower patches, removing rubbish, and planting trees?”

Councillor Devereux gave the following response:

“Thank you for acknowledging the good work this Council does on its own land and by working in partnership with other organisations in their stewardship of our SSSI’s, Ramsar Sites, AONB’s and Marine Conservation Zones.

We too are pleased to acknowledge the good work done by many statutory and voluntary bodies in delivering a whole range of activities which promote and protect biodiversity in the area of the Borough. Recognizing of course that our work involves much greater remit than just operating within our boundaries, and includes the Wash Marine and Norfolk Coast Partnerships

and their many supporting groups as well as the County-wide Environment Group headed by our Chief Executive.

Our local role is very much part of the evolving National scene such that we are aware of the far-reaching changes being proposed. For example, the recent review of National Parks; the way in which agriculture is to be supported post Brexit; and the extended producer responsibility on packaging and other products which will mean that the producer must pay for the costs of the harm done by their release in to the environment including as litter. Our Officers are very much involved in preparing for the next set of more detailed Government proposals expected this year.

In the meantime, we will continue to help voluntary groups, as we have done for many years, with practical help through the provision of equipment, including safety equipment, to enable community litter picks from land for which we are responsible and for the collection and safe disposal of the litter which is collected. We support many such events each year; and in 2019 we increased significantly the number of litter picking kits available to Parishes and community groups.

We have committed to working with our communities to plant more trees following the adoption of the motion at the last Council meeting showing the broad range of support from across the council for tree planting, which will be co-ordinated with the County. On issues of wild flower patches the council has a very good record and work is well in hand to identify management plans for grassed areas which can better reflect the needs of wildlife.

We are encouraging all of our Councillors as representatives of their communities, to attend local meetings and to promote these policies and make use of the available funding – including the use of the Community Infrastructure Levy – to clean, green and enhance their local environments. It should also be noted that the Environment and Community Panel in its deliberations on the Financial Assistance Scheme - Themed Fund, supported grants for litter picking and a reduction in single use plastics over the past year.

I believe that this demonstrates that this Council remains committed to taking local actions to promote Bio Diversity and to protect the Environment in a considered, supportive and meaningful manner.”

By way of supplementary Ms Barclay asked whether, as the council only had limited resources the Portfolio holder would meet with the Volunteers to discuss ideas and things they could assist in implementing.

Councillor Devereux responded that there was strong community engagement in this area and he suggested working with the portfolio holder with responsibility for things such as In Bloom building on the current relationships with groups and to continue working together.

C:64

APPOINTMENT OF SECTION 151 OFFICER

RESOLVED: That the new Assistant Director Resources - Michelle Drewery be appointed as the Council's S151 Officer on commencement of her role on 2 March 2020.

C:65 **PROPORTIONALITY**

In inviting Council to agree the recommendations in the report, the Mayor welcomed Councillor Vivienne Spikings back to the Council following the by election on 12 December 2020.

RESOLVED: That proportionality be amended by the change of seats as follows:

Conservatives gain 2 seats: 1 on Audit Committee and 1 on Regeneration and Development Panel.

Independents lose 2 seats: 1 on Audit Committee and 1 on Regeneration and Development Panel.

C:66 **CABINET MEMBERS REPORTS**

i **Business Development - Councillor G Middleton**

Councillor Middleton presented his report. In response to a question from Councillor J Collop about the proportion of smaller and larger businesses entering the Mayor's business awards, Councillor Middleton explained that there were a number of different awards available for businesses to be nominated for. He agreed to send round to members the detail and criteria for the awards to members.

Following a question from Councillor Kemp asking how he would make the town more accessible by bus, Councillor Middleton commented that connectivity was a large part of what was being focussed on in partnership with the County Council. He suggested that if it was an issue it should be raised on the County agenda as the Borough was not able to answer for them.

Councillor Morely asked if it was possible to see the business case for the Town Fund application, Councillor Middleton said he would send it round to members confidentially.

In response to a question from Councillor Rust regarding the traffic and parking being a barrier to using the town centre, and whether it was the price of parking or the lack of spaces, Councillor Middleton reported that it was the access to the parking rather than the cost.

Following a question from Councillor A Tyler regarding giving priority to the security of patrons and prevention of antisocial behaviour in the town, Councillor Middleton reported that there was ongoing work on the matter working with the Police, particularly at the bus station.

In response to a question from Councillor Ryves on the Council's view on investments and if safeguards to possible investments were set up, Councillor Middleton confirmed that investment opportunities were being looked into regularly and due diligence and safeguards were in

place. He referred to the Council's policy of investment in Norfolk with a £2m limit but confirmed that with the right approvals there was no barrier as to how much the Council could invest.

Councillor Joyce asked would it not be better to invest in public services that would be mutually beneficial for the area. In response Councillor Middleton reminded Members that it was important to do the right thing on behalf of the tax payer, and to provide opportunities for growth in the private sector to encourage companies to come to the area.

ii **Commercial Services - Councillor P Kunes**

Councillor Kunes presented his report. He informed Members that he had attended the carol service at the crematorium with the Mayor, and also presented the cheque to the Queen Elizabeth Hospital Children's bereavement suite raised from the recycling of the metal objects remaining from cremations.

Following a question from Councillor S Collop, Councillor Kunes undertook to meet with the ward councillors and funeral directors once a solution had been found for the issues at Gayton Road cemetery.

In response to questions from Councillor Rust, Councillor Kunes confirmed he was aware that there was a merchant's fee payable for card payments on car parks, he also explained that a final decision had not yet been taken on car parking charges for the following year.

Councillor Kemp asked whether a pest control service was to be re-established as she felt this was an important service to which Councillor Kunes explained it was a non statutory service which was no longer supplied by the Council. He agreed to discuss it with colleagues.

Councillor Kunes agreed to provide some comparator figures on car parks for Councillor Ryves, and to check which method was the most cost effective for car parking payment method as per the request from Councillor Collop.

iii **Development - Councillor R Blunt**

Councillor Blunt presented his report. He gave an update informing members he had recently attended the Knight's Hill Planning Enquiry, at which it had been possible to get the scope of heritage assets for the area to include St James' Church and Castle Rising Lodge and its setting. A decision was expected to be passed to the Secretary of State in April, with an early summer final decision.

He also showed the national award received by the Council for its Custom and Self Build process. He congratulated all officers and members involved in it.

Councillor Kemp made a comment on a mistake on the plan of the Local Transport Plan in the Regeneration and Development agenda which had now been amended. She considered that the impact of opening Harding's Way to emergency traffic or to all traffic as dangerous, to disabled people, pedestrians and the school and requested it be removed. Councillor Blunt responded that the plan amendment had put right a mistake. The strategy document was a series of different projects going through the consultation process. They would all have to be reassessed in due course. It would go through to the next stage and would be considered on its merits.

Councillor de Whalley asked about the proposed Wisbech incinerator which was only just outside the west Norfolk boundary. He stated it would drop its particulates into the borough which was the direction of the prevailing wind. Councillor Blunt explained that the decision when taken would not be taken by this authority, but we were being invited to make comments. He explained that in order that the authority had all the information available the applicants had been asked to present information on their application to ensure there was fair representation and the council could comment. He encouraged Councillor de Whalley to make his comments as part of the process.

In response to a question from Councillors Joyce and Rust regarding using the previous experience of fighting an incinerator, Councillor Blunt reminded members that the Council would participate in the consultation process. Councillor Long reminded members that those required to make the comments needed to be able to look clearly at the evidence provided.

In response to Councillor Parish's question on the fact that CIL did not apply to self builds so reduced the CIL pot by approximately £1m, Councillor Blunt explained that the Government made the rules around self build and CIL but other funding lines such as council tax came from the self builds. Councillor Parish also asked if consideration had been given to building new homes on the sustainability level 4. Councillor Blunt reminded members it was a viability issue of a build which influenced the route taken, but commented that it would be better if the requirement was part of building regulations.

Councillor Ryves asked if Councillor Blunt agreed that an improved quality of housing stock should be encouraged. Councillor Blunt reminded members it was part of the Local Plan.

Councillor Howman asked if KLACC were the body to prepare a neighbourhood plan for King's Lynn, to which Councillor Blunt informed him that a neighbourhood forum was the body to prepare such a plan.

iv Environment - Councillor I Devereux

Councillor Devereux presented his report, and informed members that the final issues around the waste contract were close to being resolved. He confirmed to Councillor Jones that as was the current situation, the contractors still would not be able to collect refuse from the back alleys in North Lynn.

In response to councillor Kemp's comments that introducing traffic to Harding's way would only shift the carbon, Councillor Devereux reminded members that air quality management requirements were clearly defined, and there were no elevated levels anywhere but Gaywood and London Road, so there was no issue on Harding's Way.

In response to a question from Councillor Lawton on the tree planting programme discussed at the previous meeting which his parish council were keen to participate with, Councillor Devereux explained that it linked to the County Council decision to plant 1m trees. These needed to be divided across Norfolk, and they were currently looking at the nature and species in order to sort what are to be planted where.

In response to a question from Councillor Parish on when the Environment Policy involving the single use plastics review would be included in the contract standing orders which were up for decision at this meeting, Councillor Devereux confirmed that this was in the process of preparation.

v Housing - Councillor A Lawrence

Councillor Lawrence presented his report.

In response to a question from Councillor A Tyler asking if the selling of the Big Issue in the town was deemed as begging, and whether the council was concerned about it, Councillor Lawrence confirmed he had not received any complaints about it.

Following a question from Councillor J Collop on the housing needs assessment Councillor Lawrence explained that it contained the forecasting information needed on the future requirements for housing.

Councillor Kemp drew attention to the fact that care leavers often found it difficult to get accommodation, she encouraged that the Housing Allocations policy be amended to give a high banding. Councillor Lawrence confirmed these issues were being looked at.

In response to a suggestion made by Councillor Bone that the Council's development company should develop locally rather than leaving it to private developers, Councillor Lawrence explained that there were 2 companies, one a registered provider which was not for

profit, and the second dealing with the commercial side, building houses, some of which were sold, some rented.

In response to a question on whether a Housing First approach to the strategy would be taken – offering permanent and affordable housing for the homeless, Councillor Lawrence confirmed he would endorse the approach where possible. He also confirmed the support of big issue vendors, particularly when they were veterans.

vi **Project Delivery - Councillor P Gidney**

Councillor Gidney presented his report. In response to a question from Councillor J Collop, he explained the project details availability to be provided on the web site.

He undertook to look into whether there was a green infrastructure map available following a question from Councillor Kemp.

He confirmed to Councillor Parish that with the ideas behind the less mowing and more natural area was an opportunity to engage with the public as per the public question this evening.

vii **Deputy Leader and Culture, Heritage and Health - Councillor Mrs E Nockolds**

Councillor Nockolds presented her report. She reminded Council that the David Copperfield film, some of which was filmed in King's Lynn had been released and was being used to promote King's Lynn for visitors.

Councillor A Tyler asked if she was aware of any West Norfolk projects which would be in danger following the UK's departure from the EU. Councillor Nockolds confirmed Norfolk County Council had some EU funding, but that there were no problems promoting the area, workshops were being held to encourage small businesses to be involved in promoting the area out of season.

Councillor J Collop thanked the council staff who had assisted in ensuring the park run in the flooded Walks could go ahead. Councillor Mrs Nockolds informed members that the volunteer led park runs were also now being held in Downham Market and Hunstanton.

Following a question from Councillor Rust regarding holding meetings with the Guildhall Trust and a memorandum of understanding (MoU) between the Trust and the Council, Councillor Mrs Nockolds confirmed she was meeting regularly with the Trust, and a form of MoU had been sent to the Trust in July.

Following a question from Councillor Kemp on the library, Councillor Mrs Nockolds reminded Members it was a County Council function.

Councillor Parish welcomed the promotion of recycling in tourist areas to encourage visitors to recycle their waste.

viii **Leader and Resources - Councillor B Long**

Councillor Long presented his report. Following a question on the meeting with Great Northern Train operators from Councillor A Tyler, Councillor Long confirmed he had conveyed the dissatisfaction felt in the Borough with the services run for the area including the new trains and timetabling. He had been informed that the toilets in King's Lynn station were being updated.

In response to a question from Councillor Kemp regarding the impact of the King's Lynn Transport Plan on people relating to Hardings Way and the need for an Environmental Impact Assessment for the scheme, Councillor Long drew attention to the fact the traffic was queueing to get into the town causing problems with air quality because of the waiting traffic whilst that road was empty with no pedestrians on it. He reminded members that there was a moral obligation to improve the traffic situation including with better utilisation of the route.

Councillor Morely asked whether further finances would be released for projects outside of the town which wouldn't be detrimental to the business case for the Town Fund bid. Councillor Long explained that there would be a review of the revenue and capital budgets as match funding would be required for any successful schemes.

C:67 **MEMBERS QUESTION TIME**

None

C:68 **RECOMMENDATIONS FROM COUNCIL BODIES**

i **Cabinet: 7 January 2020**

Councillor Long proposed the recommendations from the Cabinet meeting on 7 January 2020, seconded by Councillor Nockolds:

CAB84: Council Tax Support Final Scheme 2020-21
Councillor Joyce asked for his opposition to the recommendations to be recorded. In debating the item he considered that the borough scheme was the harshest on the weakest residents.

Councillor Howman stated that he felt the scheme penalised those on low income creating hardships and the Council should operate a 100% support scheme.

Councillor Rust opposed the proposal as she considered it penalised those in need who should be supported.

In summing up Councillor Long referred to the poor response from the consultation process carried out, and stated that the most vulnerable were protected under the scheme.

On being put to the vote the recommendations were approved.

The following items were agreed:

CAB85: Corporate Business Plan

CAB86: Contract Standing Orders – Update

RESOLVED: That the recommendations from the Cabinet meeting on 7 January 2020 be approved.

C:69 **NOTICE OF MOTION**

Councillor de Whalley proposed Notice of Motion (1/20) and spoke in support of it, this was seconded by Councillor Rust who spoke in support of it.

“This council recognises that it is the body vested with the authority within its jurisdiction (The Borough of King’s Lynn and West Norfolk) to take such timely actions necessary to prevent dangerous climate change, as our fair share of the UK’s efforts to limit global temperature increase to 1.5°C (as per our commitments to the Paris Agreement), which is not only morally and politically the right thing to do but that it is also an inescapable legal obligation following the Dutch Supreme Court Judgement (Urgenda v The State of the Netherlands) on December 20th, 2019.

“Environmental plans at all levels of government have the capacity to affect human rights, and the right to family life and the right to life. The Dutch Supreme Court’s ruling reflects this in stating that governments have a legal responsibility to reduce emissions, to mitigate climate change for the protection of their citizens under Articles 2 and 8 of the European Convention on Human Rights (ECHR, 1953). All governments bound by the ECHR are subject to the same obligations. The UK is a signatory to the ECHR, and the same obligations are on UK Statute as the Human Rights Act 1998. The scope of this Act within the UK is unaffected by the withdrawal agreement and can only be rescinded by an act of parliament.”

Under standing order 14.6 Councillor Long proposed the item be referred to Cabinet for consideration. This was debated and put to the vote whereupon it was

RESOLVED: That the Notice of Motion 1/20 be referred to Cabinet for consideration.

The meeting closed at 8.35 pm

