

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



COUNCIL MEETING

Agenda

Thursday, 15th October, 2020
at 4.30 pm

**Remote Meeting on Zoom 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
Fax: 01553 691663

Dear Councillor

You are hereby summoned to attend a meeting of the **Borough Council of King's Lynn and West Norfolk** which will commence at **4.30 pm** on **Thursday, 15th October, 2020** via **Remote Meeting on Zoom and available for the public to view on [WestNorfolkBC on You Tube](#)** to transact the business shown below.

Yours sincerely

Lorraine Gore
Chief Executive

BUSINESS TO BE TRANSACTED

1. PRAYERS

2. APOLOGIES FOR ABSENCE

3. MINUTES

To confirm as a correct record the Minutes of the Meetings of the Council held on 10 September and 8 October 2020 (previously circulated).

4. DECLARATION OF INTEREST

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.

5. MAYOR'S COMMUNICATIONS AND ANNOUNCEMENTS

To receive Mayor's communications and announcements.

6. URGENT BUSINESS

To receive any items of business which in the opinion of the Mayor are urgent.

7. PETITIONS AND PUBLIC QUESTIONS

To receive petitions and public questions in accordance with Standing Order 9.

8. CABINET MEMBERS REPORTS

In accordance with Standing Order 11.1 to receive reports from Cabinet Members in the following order and under Standing Order 11.2 (a) Members of the Council may ask questions of the Cabinet Member on their reports and Portfolio areas:

(Councillors are reminded that this is a question and answer session not a debate.)

- 1) **Business Development - Councillor G Middleton** (Page 6)
- 2) **Commercial Services - Councillor P Kunes** (Pages 7 - 8)
- 3) **Development - Councillor R Blunt** (Pages 9 - 12)
- 4) **Housing - Councillor A Lawrence** (Pages 13 - 14)
- 5) **Project Delivery - Councillor P Gidney** (Pages 15 - 16)
- 6) **Deputy Leader and Culture, Heritage and Health - Councillor Mrs E Nockolds** (Pages 17 - 19)
- 7) **Leader and Resources - Councillor B Long** (Pages 20 - 22)

9. MEMBERS QUESTION TIME

In accordance with Standing Order 11.2 (b), Members of the Council may ask any questions of the Chair of any Council Body (except the Cabinet).

10. RECOMMENDATIONS FROM COUNCIL BODIES

(Members are reminded this is a debate, not a question and answer session)

To consider the following recommendations to Council:

- 1) **Cabinet: 22 September 2020** (Pages 23 - 26)

CAB166 Climate Change Policy

CAB167 Notice of Motion 1-20 - Climate Change

CAB168 Revised Revenue Budget 2020-21

CAB170 Scrutiny and Executive Protocol

NB: the following item was called in so is therefore not included on this agenda - CAB171 Review of Standing Orders and Articles

Lorraine Gore
Chief Executive

CABINET MEMBERS REPORT TO COUNCIL**15 October 2020****COUNCILLOR GRAHAM MIDDLETON - CABINET MEMBER FOR BUSINESS DEVELOPMENT**

For the period 11 September to 6 October 2020

1 Progress on Portfolio Matters.**Accelerated Towns Fund**

As by now I'm sure you are all aware we have been successful in securing £750k in accelerated Town deal funding from the government.

This funding will be split between a new school of nursing, a partnership project between us, COWA and The Queen Elizabeth Hospital. We are really proud to get this plan over the line its has been an inspiration for a few years in the local area. The project is aimed at getting students on board September 2021.

The remaining £150k will be added to around £490k already secured and is to be spent on public realm improvements. The first £150k has to be spend within the town deal area of King's Lynn however the 490 is a Borough wide pot. We are currently working up an action plan for this funding.

Town Deal Board

Work on the town deal continues, the board has been fantastic and excellently chaired by Graham Purkins. Following the recent consultations with shoppers and business, we have now launched a new survey to reach out to the younger generations. Vision Kings Lynn will be running this survey and is a great opportunity for 16-24 year old to get involved and have a say on the future of our town. COWA are also going to be running some sessions.

2 Meetings Attended and Meetings Scheduled

Cabinet
Council
Officer meetings
Town Deal Board
Bid Meetings

CABINET MEMBERS REPORT TO COUNCIL

15 October 2020

COUNCILLOR PAUL KUNES - CABINET MEMBER FOR COMMERCIAL SERVICES

For the period 10th September to 15th October 2020

1 Progress on Portfolio Matters.

Cremations and Burials

I am very pleased to report that numbers have returned to “normal” (and indeed slightly below normal) levels during September.

Gayton Road Cemetery.

Studies into possible drainage schemes for the Cemetery are ongoing but it looks as if costs will be prohibitive. In the meantime, we continue to deal with burial requests on a case-by-case basis. Feasibility studies are being carried out on other options for Cemetery provision in the King’s Lynn area.

Car Parking Income. Again, pleased to report car parking figures continue to improve in King’s Lynn. Figures for the resort car parks are actually slightly ahead of last year’s figures.

2 Forthcoming Activities and Developments.

Parking

We are just waiting for a wayleave from AWA to use the culvert under the car park for drainage, once this is obtained the work will go out to tender. I was asked at the last Full council about the car park area at the Seven Sisters end of the club, but I am informed this is the responsibility of the club, not the Council

3 Meetings Attended and Meetings Scheduled

Cabinet
Portfolio briefing -Car parks-Crematorium and Cemeteries, IT and Licensing
Corporate performance panel
R&D Panel
E&C Panel

Cabinet Briefing
Conservancy Board.
IDB

All of the above meetings held on line.

CABINET MEMBERS REPORT TO COUNCIL

15th October 2020

COUNCILLOR RICHARD BLUNT - CABINET MEMBER FOR DEVELOPMENT

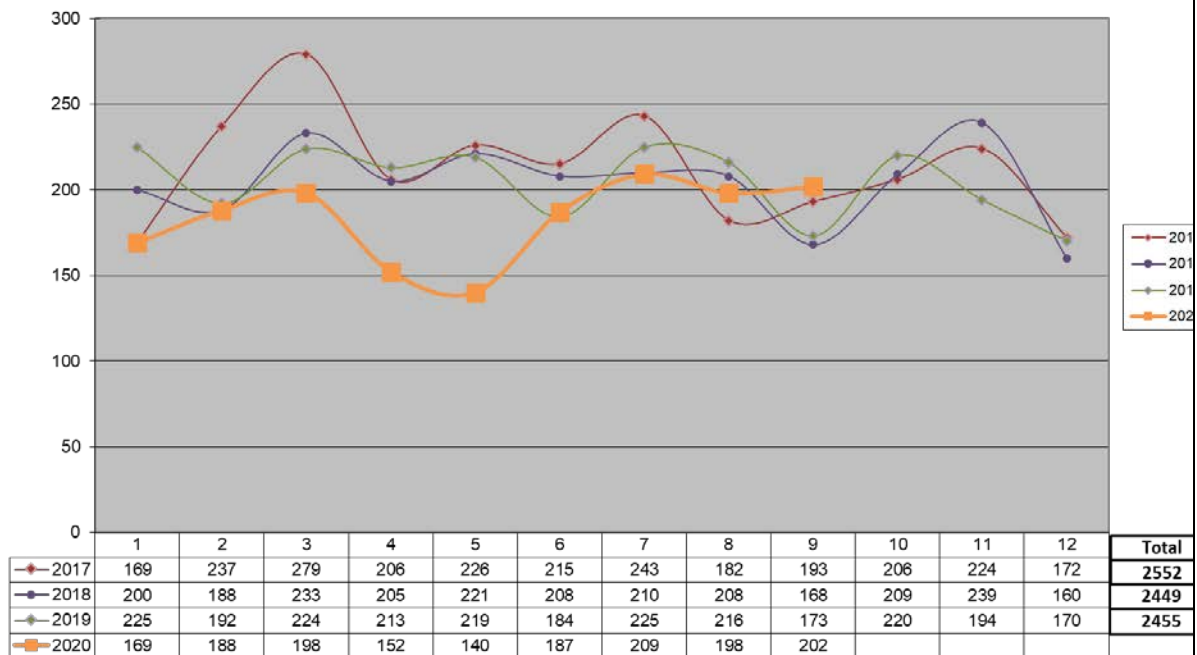
For the period from 10th September 2020 to 2 October 2020

1 Progress on Portfolio Matters.

Planning and Discharge of Conditions applications received

Applications are still holding up well and have been very consistent over the last 3 months.

Planning and discharge of condition applications received



Major and Minor dwelling application comparison

	1/1/18 – 11/9/18	1/1/19 – 11/9/19	1/1/20 – 11/9/20
No. of Major dwelling applications rec'd	20	24	14
No. of Minor dwelling applications rec'd	273	290	192

*Minor dwelling applications = up to 10 units

Major dwelling applications = over 10 units

Revenue income

Income for 2020/21

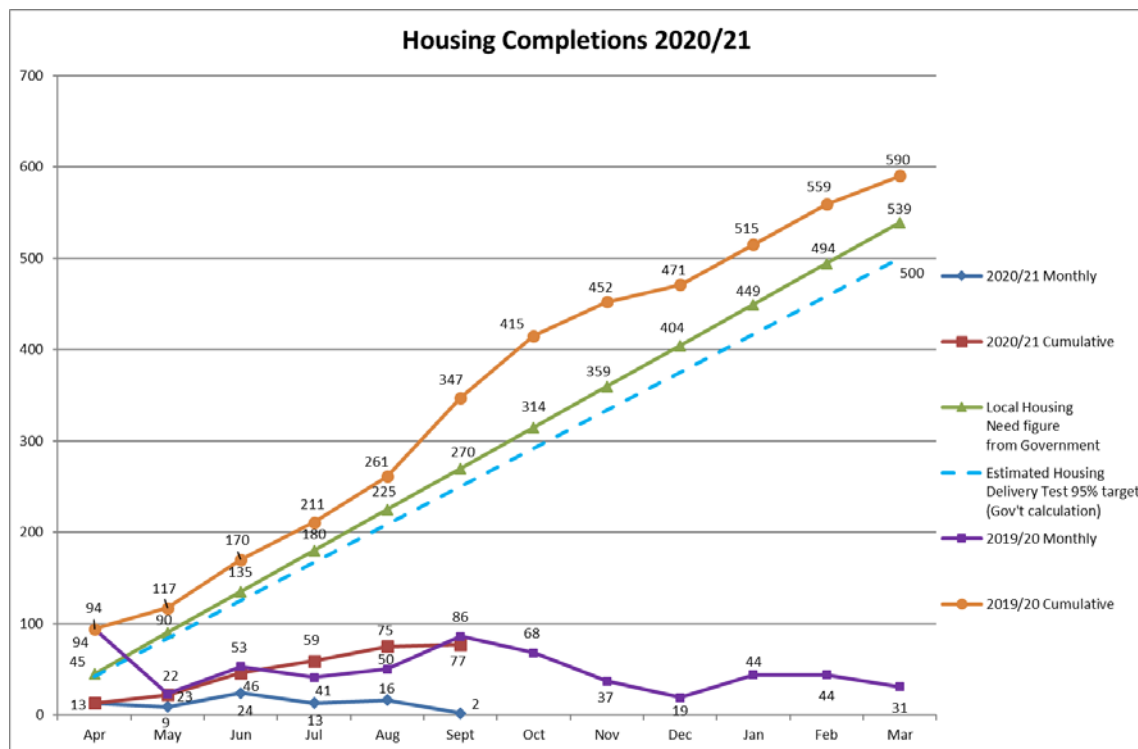
Apr - June	July	August	September (estimated)	Total	Projected Apr - Sept	Variance
£375,833	£91,223	£90,876	£138,000	£695,932	£550,002	+£145,930

Housing Completions

Completions are considerably lower in comparison to the same time last year. 75 completions between April and September compared to 347 for the same period in 2019.

The low level of completions continues to be a concern. Particularly as we are seeing a reduction in planning applications for proposed new dwellings.

We continue to wait to see if the Government will announce if the Local Housing Need figure will be reduced to reflect the impacts of Covid-19.



Appeal Performance – decisions made by The Planning Inspectorate 1/1/20 – 30/9/20

	Dismissed	Allowed
Planning appeals	24	10
	71%	29%
Enforcement appeals	4	0
	100%	0%

The national average for planning appeals allowed is around 34%.

Local Plan review progress Update

The Local Plan Task Group are continued to review the Local Plan, with meeting increased to broadly every two weeks. This measure has been taken to ensure that we keep to the timetable as best we can as we look to have the Local Plan review agreed and out for pre-submission consultation towards the end of year/early next year. With submission and examination to follow. So far, the vast majority of the policies have been agreed and we are moving into the settlement chapters.

Housing Delivery Test Action Plan

Cabinet recently endorsed our updated action plan. This provides a series of pro-active actions that departments across Borough Council will explore in an attempt to increase the number of both planning permissions and much need homes actually built out for people to live in. It is a response to the relatively recent test introduced by Government. The plan also sets out latest local housing need figure of 539 new homes per years, our 5-year housing land supply position of 6.97 years' worth, an of course out current HDT result of 83% which meant the need for the action plan and a 20% buffer in our land supply calculation (which makes it harder).

Consequences of failing the HDT or not being able to demonstrate a healthy land supply are that our Local Plan policies could carry less/limited or possibly no weight in the decision-making process resulting in development taking place in less desirable locations (i.e. not areas identified through allocations or development boundaries by the Local Plan).

The Action Plan can be viewed via the link below:

https://www.west-norfolk.gov.uk/info/20079/planning_policy_and_local_plan/753/housing_delivery_test_hdt_action_plan

Neighbourhood Plans

Activity has not only continued with this significant area of work, but has actually intensified over the last few months. Within the Borough there are in the region of x parish/town councils involved in the Neighbourhood Plan process. Below is summary of some of those that are reaching crucial stages:

- Holme next to sea: passed examination, can be given full weight in decision making process. Awaiting referendum due to pandemic
- Upwell: The examination is finished, final touches to the plan in-line with the Examiners report are being made, shortly this can be attributed full weight. Referendum will have to have wait
- Brancaster review: This one of the first reviews in the country, currently at the final consultation stage with examination to follow
- Thornham: at the final consultation stage, examination to follow
- Tilney All Saints: Have submitted their plan to the BC and the final consultation and

examination will occur in due course

- Castle Acre: Have submitted their plan to the BC and the final consultation and examination will occur in due course
- Hunstanton: Health check underway, will then submitted for consultation and examination
- Heacham: Health check underway, will then submitted for consultation and examination
- Others which have progressed significantly: Gayton, Terrington St. John, Stoke Ferry
- New ones that have started: Watlington, Marshland St. James
- Exploring their options: Walpole

Meetings Attended (via Teams Zoom and Youtube)

Portfolio Meetings,
Planning Committee
Planning Committee Sifting
Local Plan Task Group
Cabinet
Cabinet Briefings and Updates
Cabinet Sifting
Corporate Performance Panel
Various Meetings with Officers

CABINET MEMBERS REPORT TO COUNCIL

15 October 2020

COUNCILLOR ADRIAN LAWRENCE - CABINET MEMBER FOR HOUSING

For the period 10 September to 6 October 2020

Progress on Portfolio Matters.

Long term empty properties

1/10/20 there were 988 LTEH's in the Borough, this equates to 1.33% of the total number of houses in the BKLWN

Next Steps Accommodation Programme-Funding Programme

The Council submitted a funding application on 20th August for funding to support efforts to accommodate people who had been accommodated during the 'Get Everyone in' - the government led drive at the start of the Pandemic to get people off the streets. Two bids have been submitted for accommodation with support that could be procured and delivered this financial year. If successful it will help the Council to meet immediate needs and further needs that have arisen as a result of the Covid 19 pandemic. We are also working on accessing alternative funding options if the bids aren't successful.

The Winter Night shelter

The Winter Night shelter plan to open from a new venue at St John's Vicarage at the end of October. It is likely that because of social distancing requirements it will have a significantly reduced capacity, however, the charity is determined to ensure it can provide a safe bed for the night for those in need. We are currently awaiting further guidance from Government regarding the safe opening of night shelters. The Winter Night Shelter are liaising closely with Public Health England to ensure the accommodation is Covid 19 secure and the risks around Covid are minimised.

Reid Way

Broadland Housing Association has submitted a planning application for 7 self-contained, single storey modular units on Council owned land at Reid

Way. The units will be used primarily as temporary accommodation for families. Subject to receiving planning consent the units could be completed as soon as March 2021. This project aligns with the objectives set out in the Councils Homelessness and Rough Sleeper Strategy 2019-2024. Given the increase in homelessness due to the economic and social impacts of Covid 19 along with potential further increases with the lifting of the moratorium on evictions, the project has been accelerated to provide much needed family accommodation.

The Planning application can be viewed on the planning portal using **ref 20/01274/F**.

Moratorium on evictions

In March Government announced a suspension of social and private rent evictions. This came to an end on 20th September 2020. Landlords and tenants are expected to work together to come up with affordable repayment plans for anyone with rent arrears. This is an area that we continue to monitor closely as there is potential for significant increased homelessness with the social and economic impact of Covid-19.

2 Meetings Attended

Full council
Cabinet briefings
Cabinet
Cabinet sifting
Portfolio meetings
Conversations with officers

CABINET MEMBERS REPORT TO COUNCIL

15th October 2020

COUNCILLOR PETER GIDNEY

CABINET MEMBER FOR PROJECT DELIVERY

For the period 10 September to 02 October 2020

1 Progress on Portfolio Matters.

Following on from the information presented last Council Meeting.

Revision of future projects in Kings Lynn

Within the Boal Quay and Harding's Way area there are several projects which have and are being considered.

Because the Covid 19 pandemic has caused so much social and economic disruption it is very difficult to plan with any certainty.

A lot of discussions and analyses have and are taking place to prioritise schemes which deliver the most beneficial results for our community in service delivery and financial terms.

Fellow cabinet members with officers are developing applications for various Government grants to get the best for the Borough.

Pontoons

The new pontoon extension is substantially complete.

Instigations into the support building are continuing.

Sutton Estate

A new planning application is to go in for local housing at Sutton Estate Burnham Market 9 properties are proposed.

HAZ, no updates this month.

2 Forthcoming Activities and Developments.

Site appraisals in connection with the Government White Paper on Planning Reform. Design, sustainability, Form and Character.

3 Meetings Attended and Meetings Scheduled

September
12th Cabinet
16th Town Investment Portfolio Meeting
17th Attending Heritage Portfolio
21st Portfolio Meeting
22nd Cabinet
29th Portfolio Meeting
30th Government White Paper
October
1st Update on Riverfront and other proposals

CABINET MEMBERS REPORT TO COUNCIL

15 October 2020

**COUNCILLOR MRS EA NOCKOLDS
CABINET MEMBER FOR CULTURE, HERITAGE & HEALTH**

For the period 10 September to 15th October 2020

1 Progress on Portfolio Matters.

The Norfolk & Waveney CCG Local Delivery Group,(LDG), have recently met. The group have decided to research all possible data sources to identify the inequalities and the potential effect of the infection rates and deaths from COVID 19 in west Norfolk. This will include data which is held by Public Health at County Hall, BCKL&WN and NHSE as well as the views given by the public, through Healthwatch, our voluntary sector and other statutory bodies. Once the data has been obtained it should inform the LDG the types of inequalities west Norfolk has. An Action Plan will be formed and a work programme of manageable projects will emerge which hopefully will include small quick wins as well as longer term work to address complex issues and needs. Although infections per 100,000 population are low in west Norfolk the progress will depend on whether we move into a second phase, although it is planned to work with the plan whatever pace it can be managed within the set priorities.

Our Housing Staff are still working virtually with the medical staff at the QE Hospital, during Ward rounds, in contacting those patients who are in need of accommodation, or home improvements via our Care & Repair Team and or installation of the Care-Line before being discharged after their medical/surgical treatment. They also attend, virtually, the 'Discharge Committee'. Our LILY staff are involved in the Track & Tracing programme, particularly if Public Health are working with a local outbreak and at that time they will make contact.

Visit west Norfolk, with an extra new member of staff, will be integrating several new elements into the web-site and social media for 2 upcoming out of season autumn campaigns, including mirroring Visit East of England's branding, 'Unexplored England' called 'Autumn & Beyond'. The second out of season web-site content will be dedicated to sustainable tourism, including 'Cycling Norfolk', promotions and out of season wildlife, nature and outdoor activities. Together with Visit East of England we will be promoting digitally and encouraging visits and booking to our area for 2021 in late December. To monitor the overall impact of the COVID virus in the region, the impact of the summer season and training and skills development needs, Visit East of England are launching a tourism business survey later this month. The total of

viewers to the west norfolk web-site this year is 156,104, 64,000 of those was during July.

2 Forthcoming Activities and Developments.

The Norfolk Museum Service, (NMS), staff in Kings Lynn are undertaking detailed planning work to facilitate safe re-opening of Lynn Museum. The Museum will open with pre-arranged appointments to the Friends of the Museum and those with a Museum pass on the 6th October. After which the Public will be able to visit. Lynn Museum will marking the bicentenary of Kings Lynn artist Thomas Baines with a special exhibition named, 'Art, Exploration and Empire'. The Museum has 5 oil paintings by Thomas Baines and a collection of drawings and watercolours. Lynn Museum continues to develop social media presence, links with the local press and its partnership with Google Cultural Institute which shows the history of our whaling industry..

The NMS and our Learning and Outreach Officer at the Stories of Lynn have continued working with the young people who are part of the 'Kick the Dust' Norfolk project. This project is funded by the National Lottery Heritage Fund and has continued to engage with young people throughout the lockdown period using digital means.

During the October schools half term holiday the Heritage Forum have organised a 'History Festival', it is a mixture of digital and physical events celebrating the history of the whole of west Norfolk. There will be crafts, talks, walks and seminars. At Stories of Lynn the activities will be around Nelson and celebrating Trafalgar Day, other places taking part, with different stories and activities are Trues Yard, Lynn Museum and St Nicholas Chapel as well as the Minster.

Also during half term until November 24th, Collusion, the Cambridge based arts & technology company, have arranged with an artist, Ben Sheppee, designed and created projected artworks across 5 heritage buildings. Named, Drawdown, and will consist of a series of 5 light projections exploring how the effects of climate change can be reversed.

Alive WN have opened the cinema, Covid secure, for public viewing, films are being shown from Tuesday through to Sunday, at 50% capacity. They have received many positive comments both from the public and the press. The film programme is very varied from Art House Films, Musicals to David Attenborough.

3 Meetings Attended and Meetings Scheduled

Virtual meetings via Zoom or Microsoft Teams or Face to Face meetings.

Portfolio Meetings with;

Lorraine Gore Chief Executive

Duncan Hall Assistant Director

John Greenhalgh Assistant Director

Martin Chisholm Assistant Director

Open Space Team Nathan Johnson, Chris Durham and Claire Thompsett
Cabinet

Alive West Norfolk Board meeting and AGM

KL & WN Area Museums Committee

Norfolk Arts Forum

Towns Fund Board

West Norfolk Tourism Forum

Norfolk Armed Forces Covenant

Norfolk & Waveney CCG

District Councils H & WB Sub-Committee

CPP Panel

R&D Panel

WN Girls School Trust

KL Internal Drainage Board

Collusion

Downham Market Town Council Chairman & Clerk

Hunstanton Town Council Chairman & Clerk

West Norfolk History Festival Committee

Official Opening of the Corn Exchange Cinema

CABINET MEMBERS REPORT TO COUNCIL**15 October 2020****COUNCILLOR BRIAN LONG – LEADER & CABINET MEMBER FOR RESOURCES & ENVIRONMENT**

For the period 10 September to 5 October 2020.

1 Progress on Portfolio Matters.**Covid 19**

Hopefully all Councillors will have received updates relating to our efforts in dealing with Covid 19.

Staff continue to work despite the pandemic and my thanks goes to each and every one of them for their resilience and determination to keep the Council and its services running.

Whilst we were considering reintroduction of more staff to Kings Court offices this has been curtailed as cases of Covid once again start to increase. Staff working within Kings Court have accepted that more air flow through the building, at this time of year will mean colder working environments, despite heating being increased, dress code has been relaxed, however at the time of writing this report we are arranging an investigation of air flow requirements to allow safe working. Windows within the building do not have any provision for “trickle” ventilation so some windows have been fully opened. Once the assessment is completed consideration will be given to providing more controllable appropriate safe ventilation, allowing better working conditions not just for Covid but also going forward.

Recovery has been hampered by the resurgence in numbers, however at the time of writing this area is better than some other areas of the country, case numbers are being monitored closely with outbreaks and clusters being locally traced by Norfolk Public Health officers.

We have paused the reopening of the reception at Kings Court, although everything to facilitate this is now in place.

Under the Governments scheme to assist local government with Covid related loss in income we are in the process of submitting our first claim. This is expected to be in the region of £1m I will advise Council of exact amounts once they are known and how this impacts our financial plan.

Staff Welfare

Each year we encourage all staff to have a Flu jab, however this year we could not run our usual day at Kings Court. To help folks we have provided voucher for jab to be done within Boots the Chemists and it is hoped numbers will be as high as we normally complete “in house”.

2 Forthcoming Activities and Developments.

Waste Collection Contract

Following extensive discussions between the Council and our new contractor, various options to reintroduce food waste collections in April 2021 at the start of the new contract have been explored. The current specification of a separate food “pod” on each truck was the contractors preferred option, however concerns over social distancing within vehicle cabs led to the exploration of other options. Having normal RCVs without a pod and a separate vehicle for food waste was my preferred option, however additional costs for this service were prohibitive and so consideration of this option has had to be reassessed. Currently the default option of food pods will proceed with fleet of trucks ordered. If social distancing prevents staff being within the same cab we will have to keep food waste collections suspended and utilise pods for additional collection capacity.

Future Working / Collaboration

The White paper “Recovery and Devolution” looks set to be delayed until early 2021, this has not stopped discussions with neighbouring Councils on possibility of closer working and collaboration. We already share a number of services and sell services to others. However going forward we have to consider every area operation and whether or not we can have advantage in further working with others. This of course does not prevent exploring the potential within the white paper once published, but allows us to continue to get the best we can from services we offer.

3 Meetings Attended and Meetings Scheduled

In addition to my usual round of Portfolio and Cabinet Meetings I have also attended the following:

Town Deal Board x 2

Visit To Mintlyn Crematorium

Alive West Norfolk Board

Kings Lynn IDB

Water Management Alliance

Liaison Meeting with Downham Market Town Council

Freebridge Community Housing AGM

Corn Exchange Cinema – Official Opening

College Of West Anglia Liaison Board Meeting
Freebridge / Borough Council Liaison Meeting
Briefing on New Planning Changes
West Norfolk Property Board

RECOMMENDATIONS TO COUNCIL FROM CABINET ON 22 SEPTEMBER 2020

CAB166 CLIMATE CHANGE POLICY

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

Cabinet considered the report which explained that the Motion to Council 5/19 was submitted to full council in October 2019. Council referred the motion to cabinet. The motion was discussed at cabinet on 4 February, 2020.

This was then agreed in Council on 7 July, 2020. Cabinet's recommendations were as follows:

- a. That officers be requested to prepare a climate change policy and separate strategy with action plan.
- b. 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 considering emerging policies at the national and local level.
- c. The current 12-month UEA intern post should be extended to a temporary 2-year fixed term post.

The report explained that this climate change policy was the first of 2 significant pieces of work requested by cabinet: the climate change policy and the climate change strategy and action plan.

It was pointed out that a climate change policy was needed to guide the direction of our climate change work going forwards. This policy provided a framework for other areas of council work to be referred against.

The policy would work alongside the council's corporate priority "protecting and enhancing the environment including tackling climate change".

The policy highlighted our approach to tackling climate change, through reductions in our greenhouse gas emissions, as well as being the first step to embedding a positive climate change culture within the council.

Under standing order 34 Councillor de Whalley addressed the Cabinet on the report stating he considered that the matter was under resourced by the Council, he gave statistics relating to climate change and emissions. He stressed how important he considered it was to act quickly on this matter which he felt was a greater emergency than the current pandemic.

Under standing order 34 Councillor Ryes addressed Cabinet on the report. He congratulated officers on the report and policy which he felt focussed the mind.

Cabinet members supported the report which was one further step in a long journey. They thanked officers and Councillor Devereux who had been so involved whilst a cabinet member. The comments from the Environment and Community Panel were taken into account.

RECOMMENDED: That the climate change policy be adopted.

Reason for Decision:

To provide a framework and approach for future climate change work done by the BCKLWN.

CAB167 NOTICE OF MOTION 1-20 - CLIMATE CHANGE

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

Cabinet was reminded that Motion to Council 1/20 was submitted to Full Council in January 2020 and referred to Cabinet for consideration.

The wording of the Motion 1/20 was as follows:

“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 34 Councillor de Whalley, the mover of the motion addressed Cabinet disagreeing on the stance taken in the report about where the authority lay in relation to the case. He reminded Cabinet that west Norfolk was vulnerable whilst he considered that the Council was taking the bare minimum approach.

RECOMMENDED: That the motion be rejected.

Reason for Decision:

- The borough council is already taking timely actions to reduce emissions.
- The borough council is not the body vested with the authority within its jurisdiction to tackle all areas of King’s Lynn and West Norfolk emissions.
- The Dutch Supreme Court Judgement (Urgenda v The State of the Netherlands) does not bind the UK courts or government but may be of persuasive influence.
- The acceptance or rejection of this motion will not be determinative of the extent to which the Urgenda case impacts the borough council.

CAB168 REVISED REVENUE BUDGET 2020-21

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

The Assistant Director – Resources presented her report which explained that following the last monitoring report update to Cabinet, officers were asked to carry out a more detailed review of their budgets in order to identify plans to reduce the potential overspend in 2020/21 arising from the COVID-19 pandemic and report back to the September Cabinet meeting with recommendations for action. The report set out a proposal for revisions to the budget for 2020/21 which was the outcome of that work along with a number of proposed actions to further close the estimated budget gap.

The revised budget would also reflect the additional costs incurred by the Council in the response phase to the COVID-19 pandemic and the additional funding that had been received from central government.

The revised budget provided a funded budget for 2020/21 that incorporated budgets to meet the additional costs of COVID-19 to enable effective budget monitoring. There was still an expectation that a draw on the General Fund Reserve balance would be needed to fund the budget which was based on a prudent level at this time. The report set out the council's progress towards Financial Plan priorities for 2020/21 in the period 1 April to 31 July 2020.

In presenting the report the Assistant Director stressed that the report and recommendations did not take into account the effect of a second wave of covid restrictions and their knock on effects.

Councillor Nockolds stressed the need to support the vulnerable members of the community, and the need to use the reserves for this purpose.

RECOMMENDED:

- 1) That the savings set out in Appendix 1 to the report be approved
- 2) That the revised revenue budget for 2020/21 set out in Appendix 2 to the report be approved

Reason for Decision

To align budgets in response to the COVID pandemic and ensure effective budget monitoring can take place during 2020/21

CAB170 SCRUTINY AND EXECUTIVE PROTOCOL

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

The Monitoring Officer presented the report which presented a draft Protocol which was designed to assist Members of the Policy Review and Development Panels and the Cabinet by defining the relationship between the Executive and Scrutiny and the role of Cabinet Members in the Scrutiny process.

The Protocol had been prepared in response to the Ministry of Housing, Communities and Local Government's Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities ("the Statutory Guidance"). This was statutory

guidance which Local Authorities must have regard to when exercising their functions.

The draft Protocol was presented to all three Panels and was supported.

RECOMMENDED:

- 1) That the draft Protocol attached to the agenda be recommended to Full Council for approval as drafted.
- 2) That the operation of the Protocol be reviewed after 12 months of operation.

Reason for Decision

To respond to the Statutory Guidance and promote a good working relationship between Scrutiny and the Executive.