

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

Minutes from the Meeting of the Cabinet held on Wednesday, 8th February, 2023 at 3.30 pm in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor S Dark (Chair)
Councillors R Blunt, H Humphrey, P Kunes, G Middleton and S Sandell

Apologies for absence were received from Councillors A Dickinson and A Lawrence

CAB121 **URGENT BUSINESS**

None

CAB122 **DECLARATIONS OF INTEREST**

Councillor Blunt declared a non pecuniary interest in the Housing Delivery Grant item as a Director of West Norfolk Housing Ltd. He did not speak or vote thereon.

CAB123 **CHAIR'S CORRESPONDENCE**

None

CAB124 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor A Dickinson, C Joyce and T Parish attended on zoom and M de Whalley attended in person.

CAB125 **CALLED IN MATTERS**

None

CAB126 **FORWARD DECISIONS**

The Forward Decisions list was noted

CAB127 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

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

The Corporate and Performance Panel on 3 October 2022 commented on and supported the Call in of Officer Decisions item.

The Environment and Community Panel on 2 February 2023 had made comments on the Local Authority Housing Fund item

The Regeneration and Development Panels commented on the Hunstanton Multi User Hub and Transport Interchange.

CAB128 **LOCAL AUTHORITY HOUSING FUND**

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

The Housing Services Manager presented the report which provided information on the funding offered to BCKLWN in December 2022 through the Local Authority Housing Fund (LAHF). The programme had been established by the Department for Levelling Up, Housing and Communities (DLUHC) to support Local Authorities to acquire homes to accommodate households with housing needs who had arrived in the UK via Ukrainian and Afghan resettlement and relocation schemes.

The Council had been offered grant to acquire 14 homes for Ukrainian households and 2 larger properties for Afghan households. This was subject to acceptance of terms by the Council through a Memorandum of Understanding. The purpose of the report was to seek approval to accept the grant and inform the Cabinet of the requirements of the grant funding and potential delivery options.

Under standing order 34 Councillor de Whalley spoke of the plight of those refugees and supported the proposals.

Under standing order 34 Councillor Joyce commented that the EIA had not been published with the agenda. He sought clarification on the visa status of the people who would be homed in order to give reassurance to the host community.

It was explained that officers had spoken to the County Council who had confirmed that the Afghani refugees would have indefinite leave to remain, and the Ukrainian refugees would have a limited stay visa.

Under standing order 34 Councillor Parish commented that he was neutral on it at the moment, but he felt it was a rushed proposal by Government. He asked how many people were on the waiting list in west Norfolk

Councillor Middleton reminded members of the Council's duty to fulfil the same as the rest of the country. He reiterated that West Norfolk Housing Company would potentially be purchasing the properties which would be added to the housing stock. When at some time in the future the properties were vacated they would then become available to let as part of the Company's rentable stock. The Housing services

Manager confirmed that the properties were added to the stock and would not be adding to existing pressures on the waiting list.

Councillor Humphrey asked what would happen to the properties if there were not sufficient numbers to fill them on the allotted basis. It was confirmed that there were 2 properties for Afghani refugees and 14 for Ukrainian refugees, if there was not enough demand and they were not allocated they could be used for the wider needs. Councillor Humphrey also asked what the potential additional payments referred to in the report were, to which it was explained that if other authorities did not participate in the scheme there may be further funding available further down the line.

In summing up Councillor Dark confirmed that there was an issue with the size of waiting lists and the Council had been engaging with Freebridge on the matter. Councillor Dark reminded Members that the Afghani refugees had been supporting the British forces in Afghanistan or were women and children under threat, and the situation for the Ukrainian refugees was well known to all. They were all in the county legally and needed support, and if the Council didn't enter into this agreement there would be further pressure on Freebridge. He encouraged members to support them.

It was noted that the Environment and Community Panel had supported the recommendations in the report.

RESOLVED:

- 1) That the Council enter a Memorandum of Understanding with DLUHC based on the attached prospectus for the Local Authority Housing Fund (see appendix 2 of the report). Authority be delegated to the Chief Executive in consultation with the Portfolio Holder for Housing People and Communities to agree the final terms of the Memorandum of Understanding with DLUHC.
- 2) That the Council accept the total sum of £1,719,141 offered to the Council by DLUHC under the Local Authority Housing Fund to deliver the programme understanding the match funding requirements as set out in the report and prospectus attached to the report.
- 3) That, subject to agreement from West Norfolk Housing Company, the properties be acquired by West Norfolk Housing Company, funded by the grant, debt financing and other available funding
- 4) That the Council requests that West Norfolk Housing Company works with the Council to deliver the properties through the fund.
- 5) That the principle of allocating properties acquired through the fund to eligible Ukrainian and Afghan households be agreed. A further report setting out a policy approach will follow separately.
- 6) That authority be delegated to the Assistant Director Programme & Project Delivery to
 - a. alter the proposed NORA 4 tenure mix, originally agreed by Cabinet on the 4th February 2020 (CAB 106), where necessary, to facilitate the disposal of properties previously

- identified as Private Rent and/or Open Market Sale, to West Norfolk Housing Company (WNHC) as affordable housing
- b. negotiate the terms of any disposal with West Norfolk Housing Company.

Reason for Decision

The recommendations will ensure that the opportunity presented by the Local Authority Housing Fund to deliver affordable housing in the borough will be fully realised and will help to relieve pressures on the council's homelessness services.

CAB129 HUNSTANTON MULTI USER HUB AND TRANSPORT INTERCHANGE

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

R Eacott, Interim Project Delivery and Technical Advisor presented the report which explained that a planning application to build 47 apartments on land off Westgate, Hunstanton, with retail units, a new library and adult education facility, was approved in March 2021.

Work to develop this proposal, which would have provided a significant number of new homes for the town on a challenging site, was supported with a grant from Homes England. Around £800,000 was spent on this work, which was significantly less than the £1.5million that would be normal for a scheme of this size (figure based on 15% of a £10.4m scheme).

At the time that the planning application was submitted, Document B (Fire Safety) Volume 1, stipulated a height threshold of 30m before residential buildings required sprinklers. The proposed building would have been below this height. However, changes to Building Regulations (Approved Document B, Volume 11) were published in May 2020, taking effect from November 2020; the revised guidance stated that blocks of flats over 11m height should be provided with sprinklers. The top floor of the proposed unit was over 11m.

At the time, officers felt that it would be possible to proceed with the application and seek a way to resolve the sprinkler issue retrospectively.

However, a month after permission was granted, further regulatory changes – this time to fire standards – were announced.

This, combined with unforeseen rises in construction costs following the Covid-19 pandemic, and more recently forecast falling house prices, has had a material impact on the financial viability of this scheme, and to other Borough Council Major Housing Projects within the Capital Programme.

Officers had therefore been considering alternative options for the site. Matters of note have influenced that thinking:

1. A Neighbourhood Plan for Hunstanton was adopted in June 2022. This plan identified the designation of the site in the Neighborhood Plan (Policy M3: Protection of Local Community Facilities).
2. The County Council had indicated funding was available that could be used to support a plan to invest in an improved library / adult education facility (with toilets and a changing place facility), along with investment in an improved bus station and creating an Active Travel Hub.
3. The impact of financial viability of the housing development on the overall Accelerated Construction Programme (ACP).

Having reached the conclusion that the site had become unviable for a variety of reasons as a location for housing, the availability of other government grant for transport, and NCC prepared to fund their own library and to invest in the site as an Active Travel Hub, officers instead recommended that the Council pursues this option.

Under standing order 34, Councillor de Whalley confirmed that Hunstanton was in need of investment and this would help to redress the balance.

Under standing order 34, Councillor Parish confirmed he was not against this proposal but suggested that Heacham library be funded by the County Council.

Under standing order 34, Councillor Joyce made comments about west Norfolk not previously getting County Council funding.

Under standing order 34, Councillor Dickinson asked if it was being done with existing planning permission or new and the timescale proposed.

It was confirmed that a new planning application would be required on the same footprint, and with changes to the layout of the bus station. It was hoped to start in 2023.

Councillor Blunt expressed disappointment that the original plan was not viable, but embraced the amended proposals which were a sign of better working relationships with the County Council. He hoped it could be delivered swiftly.

Councillor Middleton expressed disappointment that the original proposal wasn't viable but confirmed that following the changes in legislation and viability it was right to move to another option. In response to comments made, he drew attention to the level of grant and spend in west Norfolk by the County Council in recent times. The proposal would bring much needed resources to Hunstanton.

In summing up Councillor Dark confirmed it was disappointing that the original proposal changed, but welcomed the new proposals. He explained that the bid was in the clean and active travel work which wasn't available in the original stage. He acknowledged that the investing West Norfolk was due to hard work and relationship building.

RECOMMENDED:

- 1) The Council will not proceed with housing on the bus station site in view of external factors affecting the viability of the scheme and the opportunity to pursue a viable alternative, and will remove the project from the Capital Programme;
- 2) NCC will continue to proceed with the improved library / adult education facility (including the library, toilets, and changing places toilet) on the site enabled with the addition of land owned by the Borough which will include the provision of an area for West Norfolk tourism information (subject to further negotiation);
- 3) NCC will proceed with the Bus Back Better Grant to improve coastal travel, cycle facilities and sustainability, invest to improve the bus station as a transport interchange and to agree terms with Borough Council for the land;
- 4) The Borough Council, supported by Norfolk County Council, to negotiate with Homes England in respect of the ACP funding originally allocated to development of this site.
- 5) The Borough Council will work with all parties on developing a joint strategic approach to regeneration and growth in the wider Hunstanton area through an agreed Masterplan;
- 6) That the Assistant Director for Property and Projects, in consultation with the Portfolio Holders for Property and Finance, S151 officer and Monitoring Officer be given delegated authority to finalise the legal arrangements for the land.

Reasons for Decision

To deliver on the Council's corporate objectives, in partnership with Norfolk County Council, to:

- Protect and enhance the environment, including tackling climate change; delivering on the Council's commitment to be carbon neutral by 2035; and
- Create and maintain good quality places that make a difference to people's lives.

CAB130 OFFICER DELEGATED DECISIONS - CALL IN

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

The Monitoring Officer presented a report which explained that the ability for Overview & Scrutiny Panels to call in decisions of the Executive was required by legislation, but the detail of the procedure for call-in was a locally determined matter for each Council. This Council's constitution did not list officer delegated decisions as decisions that could be called-in. It was recommended that they should be added to this list and Standing Orders duly amended.

Under standing order 34 Councillors Joyce and Parish commended the move.

Councillor Dark questioned the arrangements for urgent matters, to which it was confirmed that there was provision in legislation for urgent items to be dealt with.

RECOMMENDED: That Standing Orders 12 and 30 be amended as set out in this report to enable Officer's decisions to be subject to call in.

Reason for Decision

To ensure the Council's call-in procedure aligns with legislative requirements and best practice.

CAB131 **MINOR UPDATES TO DELEGATED AUTHORITIES FOR REVENUES AND BENEFITS OFFICER DECISIONS**

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

A number of delegated authorities for Revenues and Benefits Officer decisions have been agreed by Cabinet and Council. This report makes minor changes to two of these to bring them up to date and in line with other delegated authorities as follows:

2.1.4

Authority be delegated to the Revenues and Benefits Manager, in consultation with the s151 Officer and Council Leader, to agree the criteria for government support schemes and discounts where they:

- *Are part of a central government support initiative,*
- *Are funded by central government, and*
- *Will be administered by the Revenues and Benefits section*

2.2.4

Delegated authority is given to the Revenues and Benefits Manager, in consultation with the s151 officer and Council Leader, to agree any non-domestic rate relief schemes where the eligibility criteria are specified by central government, and the cost is met in full by central government through a grant.

RECOMMENDED: That the updated wording for the two delegated authorities for Officer decisions as shown at 2.1.4 and 2.2.4 is supported and recommended to Council for approval.

Reason for Decision

To ensure decisions can continue to be made in a timely manner

CAB132 **COUNCIL MEETING ARRANGEMENTS**

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

The Chief Executive presented a report on the Member input into the consideration of council meeting arrangements following the Notice of Motion to Council. It was agreed at Corporate Performance Panel on 13 April 2022 to establish an Informal Working Group (IWG) for

evidence gathering and preliminary analysis. The IWG met on 6 June 2022 and 4 July 2022 and the findings of the IWG were reported to CPP on 4 January 2023.

The recommendations from the CPP meeting were to maintain the status quo on meetings timings.

Councillor Dark suggested that for the remainder of the Municipal year the meetings remain the same, but then should members in the new administration wish to re-visit the timings they would be able to do so.

Under standing order 34 Councillor de Whalley supported the statement.

Under standing order 34 Councillor Parish confirmed that he supported the suggestion.

Under standing order 34 Councillor Joyce confirmed he had asked the Labour Group's opinion and they had all confirmed they preferred the 4.30pm start times rather than later start times. He referred to the 24hr work carried out by shift workers etc so 9-5 was not always the norm. He also drew attention to the fact that a good employer should give time off for Councillor work.

Councillor Middleton drew attention to the fact that councillors were allocated allowances which should compensate for a small amount of loss of earnings. He referred to the County Council and Breckland Councils whose meeting were at 10am. He supported no change prior to the elections.

Councillor Dark was heartened by the pragmatism shown for the status quo up to the elections, as he felt that with the important decisions having to be made it was not appropriate to spend time on this subject of start times.

RECOMMENDED: That the arrangements for council meetings as detailed in section 2 of the report continue and should members wish to change this after the election, Council reconsider the timings.

RESOLVED: That Cabinet approve the appointment of a Senior Democratic Services Officer as detailed in section 3 of the report.

Reason for Decision

To respond to the Motion to Council on 23 February 2022 and the arrangements for council meetings as covid restrictions are removed

The meeting closed at 4.42 pm