

Cabinet recommendations from 13 November 2018 to Council on 29 November 2018

CAB91 WEST WINCH/NORTH RUNCTON STRATEGIC GROWTH AREA - INFRASTRUCTURE DELIVERY PLAN

The Planning Policy Manager presented a report which explained that the Infrastructure Delivery Plan (IDP) had taken the requirements of the Local Plan and Neighbourhood Plan, for the strategic growth area at West Winch / North Runcton, and assessed the financial cost of these. The viability of the overall potential housing scheme was considered. It concluded that a viable scheme meeting the requirements could come forward. The IDP would be used as a basis for a S106 agreement to accompany planning applications for the area.

The IDP, as presented, had taken into consideration the comments and views of the various stakeholders. To give it appropriate status it was brought to Cabinet for consideration and endorsement by the Borough Council.

Beyond the IDP it was important that the Borough Council continued to use all available mechanisms to bring forward development on the site. The co-ordination of and submission of a planning application was proposed.

The Council's consultant James Brierley from Geraldeve, gave Cabinet some further explanations around the reasoning behind the approach:

- It would add the next level of granularity to proposed IPD;
- Allow for further engagement with all Stakeholders;
- Provide catalyst for holistic delivery;
- Create framework for physical delivery;
- Provide additional clarity
- Support all Stakeholders in delivery, minimising dead ends;
- Reduce duplication and support Stakeholders in commercial objectives

Cabinet debated the proposals and it was confirmed that if the major developer did not participate then it would put the whole site at risk of non delivery but there were potential compulsory purchase order routes if necessary.

Councillor Blunt explained that he wanted to work with all parties, drawing attention to the fact that some of the landowners needed support through the process, so it was to help them to help the council to deliver the major piece of work. It was confirmed that the Local Plan inspector was keen to look at the site from a holistic point of view as a community, not just houses. Councillor Blunt proposed an additional recommendation as follows which was agreed:

5) That officers seek to establish a South East King's Lynn Delivery Group (comprised the Borough Council, Norfolk County Council, landowners/developers and parish councils) to co-ordinate the preparation and submission of a masterplan; outline planning application for the whole area (excluding Hopkins Homes area) and the associated processes.

It was explained that the Hopkins Homes planning application was now being considered in accordance with the local plan policy.

The Regeneration and Development Panel had considered the item and supported the recommendations.

RECOMMENDED: 1) That the Infrastructure Delivery Plan (IDP) document and the levels of costs outlined within it are used to prepare a suitable S106 agreement to accompany planning approvals for development sites on the Growth Area.

2) Authority is delegated to the Chief Executive in consultation with the Leader to agree the form of planning application and associated documents and submit them.

3) Authority is delegated to the Chief Executive and Deputy Chief Executive in consultation with the Leader to sign off Option 3 if the Business Rates Pool bid is successful, or the use of alternative funding options if necessary, and the appropriate amendments to the Capital Programme are made.

4) Authority is delegated to the Property Services Manager in consultation with the Leader and Portfolio Holder to acquire land within the growth area should the situation arise.

5) That officers seek to establish a South East King's Lynn Delivery Group (comprised the Borough Council, Norfolk County Council, landowners/developers and parish councils) to co-ordinate the preparation and submission of a masterplan; outline planning application for the whole area (excluding Hopkins Homes area) and the associated processes.

Reason for Decision

To aid the co-ordinated development of the Strategic Growth Area

CAB92 GAMBLING ACT 2005 - REVIEW OF POLICY

Cabinet considered a report which explained that the Gambling Act 2005 required all local authorities to publish a Statement of Principles each three-year period. The Council's current policy was approved by Full Council on the 26th November 2015. An amended policy was presented for consideration.

Regulations required that local authorities had their statement of principles in place by the 31st January 2019.

RECOMMENDED: That the Council be invited to adopt the Statement of Principles in accordance with the requirements of the Gambling Act 2005.

Reason for Report

It is a Statutory requirement that the Council adopts a Statement of Principles

CAB94 **CORN EXCHANGE CINEMA**

Cabinet agreed to consider the report in open session, with the Appendix to the report remaining exempt under paragraph 3.

Councillor Nockolds presented a report which proposed a capital investment in the Corn Exchange of circa £1 million to create a 2 screen cinema offer. The cinema would occupy the upper bar area, currently an under used space and create a new income stream for the Corn Exchange. In addition to the benefits for the Corn Exchange, the cinema screen would also help to support the on-going viability of the King's Lynn Town Centre.

In discussing the proposals it was confirmed that officers had worked closely with the Majestic Cinema in order to improve the offer for King's Lynn town centre visitors and traders alike.

The Regeneration and Development Panel had received a presentation on the proposed cinema and supported the two screen option.

RECOMMENDED: That the Capital programme be amended to include a scheme to Centre a 2 screen Cinema in the upper bar area of the Corn Exchange.

Reason for Decision

To improve facilities at the Corn Exchange and generate additional use whilst contributing to the Council Cost reduction programme.

CAB95 **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.

CAB96 **RE-FIT - ENERGY PERFORMANCE CONTRACT**

Cabinet considered a report which reminded Members that the Borough Council had entered into an arrangement with Local Partnerships to deliver the Re:fit energy performance contract.

Following a tendering exercise Ameresco were the Council's preferred partner in delivering this project.

An initial High Level Appraisal (HLA) of 15 council buildings and in excess of 800 street lights has identified a guaranteed saving on a payback of 9.87 years and a rate of return of 10.13%.

The HLA document offered the "worst case" scenario that Ameresco guaranteed in line with the contract. When moving to Investment Grade Proposal (IGP) stage

Ameresco were committed to providing an improved position on guaranteed payback. In the event that they were unable to achieve this then the Council was not required to pay for this work.

The Defined Performance Parameters guarantee a minimum emission reduction of at least 478 tonnes CO²

A detailed monitoring and verification plan would be developed and agreed during the IGP stage to ensure that both parties were able to demonstrate and agree savings for the life of the project.

With appropriate approvals work could begin in March 2019 with estimated completion in July 2019.

The Leader explained that as Amaresco were continuing to find invest to save options he proposed to amend recommendation 2 to increase the capital programme to up to £2,000,000 to enable inclusion of those additional proposals.

Cabinet asked that in the monitoring of the contract that the CO² savings be included.

The Corporate Performance Panel had considered the report and endorsed its proposals with some minor additions which were taken on board by Cabinet, and would be monitoring the progress of the contract.

RECOMMENDED: 1) That all schemes be progressed to Investment Grade Proposal (IGP) stage at the tendered price of £20,500. The capital programme to be amended accordingly and funded from the Major Projects Reserve.

2) That provision be made in the capital programme for it to be increased by up to £2,000,000 to progress schemes outlined in Appendix A to the report- High Level Appraisal and additional schemes identified in the IGP, and funded by borrowing.

3) That delegated authority be granted to the Executive Director for Commercial Services and Deputy Chief Executive in consultation with the Council Leader to authorise go ahead for the identified schemes assuming that they remain at, or offer improved payback terms than those identified in Appendix A, High Level Appraisal in the report.

4) Enabling Works may be required to allow installation of some Energy Conservation Measures (ECMs), these will be identified at the IGP stage. Delegated authority to be given to the Executive Director for Commercial Services and Deputy Chief Executive in consultation with the Leader to authorise this work where cost effective and to report this expenditure through the monthly monitoring report.

Reason for Decision

Moving to IGP will provide a further, more detailed assessment of which ECMs can best deliver the council guaranteed energy and financial savings. The defined performance parameters are:

Minimum emission reduction of at least 478 tonnes CO₂

Maximum payback no more than 9.87 years

Amending the capital programme will provide the necessary funds to finance the project.