

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



# **COUNCIL MEETING**

## ***Agenda***

Thursday, 17th October, 2019  
at 6.30 pm

in the

**Assembly Room  
Town Hall  
Saturday Market Place  
King's Lynn**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
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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 **6.30 pm** on **Thursday, 17th October, 2019** in **The Assembly Room, Town Hall, Saturday Market Place, King's Lynn** 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 Meeting of the Council held on 5 September 2019. (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. REVIEW OF PROPORTIONALITY (Pages 12 - 13)**

**9. 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** (Pages 14 - 15)
- 2) **Commercial Services - Councillor P Kunes** (Pages 16 - 17)
- 3) **Development - Councillor R Blunt** (Pages 18 - 21)
- 4) **Environment - Councillor I Devereux** (Pages 22 - 23)
- 5) **Housing - Councillor A Lawrence** (Pages 24 - 26)
- 6) **Project Delivery - Councillor P Gidney** (Pages 27 - 28)
- 7) **Deputy Leader and Culture, Heritage and Health - Councillor Mrs E Nockolds** (Pages 29 - 31)
- 8) **Leader and Resources - Councillor B Long** (Pages 32 - 34)

**10. MEMBERS QUESTION TIME**

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

**11. 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: 24 September 2019** (Pages 35 - 38)

CAB53: Boal Quay – Gallery Proposal

CAB54: Nar Ouse Enterprise Zone Implementation and Delivery

CAB55: Heritage Action Zone – Chapel Street

## 12. NOTICES OF MOTION

To consider the following Notices of Motion:

### **(3/19), submitted by Councillor J Moriarty:**

In 2018 this Council introduced a new system for sifting planning applications. Said scheme was subsequently reviewed in early 2019.

On both occasions the council breached its own Scheme of Community Involvement (SCI) by failing to consult key partners in the planning process, namely Parish Councils.

It is agreed there will now be a consultation exercise with Parish Councils, said exercise to be overseen by an appropriate panel or body of elected councillors.

### **(4/19), submitted by Councillor A Kemp:**

#### **Lynn Transport Plan and Hardings Way Bus Lane**

A large number of Constituents across the Borough, including South Lynn and the Friars, and from the Walpoles to North Runcton and Setchey, are now aware of the harm, distress and adverse impact on disabled residents, people in mobility scooters, families with children and prams, retired residents, those less able to walk and children walking to school, in the South Lynn community, the Friars and other parts of the Borough, for whom Hardings Way is the only safe route into town, if Council goes ahead with its plan to run a road through the Buggy Pavement & Safe Route to School, and allow traffic, HGV's and two other roads across the Wisbech Road part of Hardings Way Bus Lane; and want to avoid the detrimental impacts.

In 2009, a bid for £5.3m funding from the Community Infrastructure Fund (CIF 2) to implement a package of transportation improvements in King's Lynn, was approved at the Borough's Cabinet.

This included a public transport road link across the waterfront area from Wisbech Road to Boal Quay.

This public transport link was Hardings Way.

The purpose of Hardings Way was to speed up buses through the bus lane and reduce congestion, air pollution and emissions from buses from London Road, from the town centre and from the gyratory.

Members - and the local community - were advised that it was envisaged that the road would never be a through traffic route, with the exception of buses.

The Transport Statement said that " the route would initially be used by 13 buses per hour, off peak, in each direction throughout the day, rising to an

anticipated 15 per hour from 2016 and 17 per hour from 2021. During peak hours, initial estimates are that 22 services per hour will use the route (0800 to 0900 and 1700 to 1800 Monday to Friday) It is likely that by 2021 the weekday am/pm peak could be up to a maximum of 26 per hour in each direction. There would be significantly less bus movements in all off peak periods”.

The Development Control Board said:

“The provision of the bus route is expected to reduce bus journey times, equating to a time saving of 4 minutes for AM peak inbound journeys and 3 minutes for PM peak outbound journeys.

In addition to extended scheduled journey times currently experienced at peak periods, extended layover times between journeys are planned throughout the day to provide a robust schedule that enables services to recover from unpredictable operational delays”.

### **Lynn Transport Strategy**

Hardings Way will underpin the success of the West Lynn Park and Ride, under consideration in the Lynn Transport Plan. Shuttle buses, using Hardings Way as the fast route to town, will encourage drivers to leave their cars outside the town, avoid the town centre queues and reduce congestion and emissions.

Hardings Way Bus Lane has a strategic role to play in further reducing traffic entering Lynn. The aspiration must be to increase the flow of buses and make Lynn a carbon neutral town.

### **Planning Application September 2017**

However, by a planning application of Sept 2017, the Borough granted itself planning permission that would place general traffic and and maximum HGV's on a fifth of Hardings Way, build three access stub roads for 50 houses on Hardings Way South and move the bus lane north 15m north; and instructed Norfolk County Council to amend the two Traffic Orders that banned general traffic on Hardings Way.

There was no highways impact assessment.

The County Council has destroyed the road specification for Hardings Way and it is uncertain if it was built to withstand maximum weight vehicles that the traffic orders would permit.

The Traffic Orders allows general traffic and maximum weight HGV's on the first 125m of the bus lane, even though the feeder road, Wisbech Road, has a 7.5 tonne weight limit.

The Equality Impact Assessment said that disabled people would suffer a significant detriment.

The access for the private firm placing maximum HGV's on the bus lane, and the other two accesses, would be paid for by the Borough Council.

There have been 1,400 online and written objections to general traffic on any part of Hardings Way.

There is a 38 degrees petition.

123 written objections to the Traffic Orders were sent to Norfolk County Council.

### **Flood Risk**

The Hardings Way South area was flooded in the Great Flood of '53, in the floods of '78 and Hardings Way was flooded during the storm surge

Tidal Hazard Mapping for the River Great Ouse shows the site is located in a high flood risk area, where the mapping identifies inundation to depths of up to 2m in a flooding event, over the development's lifetime. The Local Plan Task Group is being approached over concerns regarding the suitability, sustainability and safety of Hardings Way South as a location for people's homes.

### **Disability and Protected Groups**

This Council has just appointed a new Disability Champion for the Borough, and is committed to understanding, listening and improving life for disabled residents.

The western pavement along Hardings Way South is a key walking route into town for disabled people including buggy users, for families with prams and young children, and for the whole community. It encourages people to leave their cars at home and walk into town.

Hardings Way is the only safe route into town.

Implementation of the planning permission would allow an unsignalled crossing in the wide western pavement, and introduce points of conflict with cars, parked cars and HGV's in turning manoeuvres, putting disabled buggy users, cyclists and other vulnerable users at risk.

It would affect safety and independent use of the road for those less able to walk.

People in Buggies do not feel safe using London Road unaided to get into the town centre, as it has sloping pavements with an uneven surface and several road accesses that are not safe to cross, as they are not traffic lit and have inadequate drop kerbs.



Hardings Way Buggy Lane in contrast, has a wide smooth pavement on a flat surface that is easy for buggies to negotiate.

People with disabilities want to lead fulfilling lives and get to town under their own steam.

The implementation of the traffic orders would affect the independence and safety of disabled residents and the attractiveness of cycling into town. People would be deterred from getting into town under the own steam.

Hardings Way links into National Cycle Lane 1.

Hardings Way South is also used by parents to teach children to cycle.

Hardings Way South is part of the safe route to school for children at Whitefriars Primary.

The former Head of Whitefriars School was promised by the County Council in 2009 that general traffic would never be allowed on the Bus Lane, because of concerns about pollution near the adjacent school playground.

Hardings Way was built on waste ground that was the traditional walking route into town for residents and plays an important role in healthy lifestyles and improving public health outcomes in the deprived area of South Lynn.

In view of the disruption to the efficient working of the bus lane and to Lynn's Transport Strategy, the high flood risk to building in Hardings Way South, and the impact on older and disabled residents and young families if the Traffic Orders and planning permission were implemented, and in view for the strategic imperative to reduce traffic from entering the historic town centre:

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**Council urges Cabinet, in the strongest terms, to review all work planned to be done on or around Hardings Way, under (but not limited to) Planning Permission 17/01008/F, in the hope that they will not move the bus lane north, or introduce any new roads across it, and not allow any additional types of traffic onto it, or diminish any of its current features which enable pedestrians, prams and buggies to use it unhindered by traffic; in order to prevent the detrimental impacts.**

**(5/19). Submitted by Councillor M de Whalley**

1. This council recognises that:
  - a. Local Government exists to ensure the wellbeing of its population through its statutory and moral authority across a wide range of economic and social aspects of local life.

- b. The human influence on the climate system is unequivocal, and recent man-made emissions of greenhouse gases are the highest in history.
  - c. Recent climate changes have had widespread impacts on human and natural systems. This and other factors have led to a crisis in ecology and biodiversity.
  - d. West Norfolk is already at a high and increasing risk of the effects of climate change which endangers the population. This council has the legal and moral responsibility to act both across its own corporate activities and those wider economic and social issues over which it has regulatory control and influence.
  - e. The 2015 Paris Agreement, which the UK has ratified, sets a temperature target of limiting global heating well below 2°C with efforts to achieve 1.5°C.
  - f. “For King's Lynn and West Norfolk to make its fair contribution to delivering the Paris Agreement's commitment to staying ‘well below 2°C and pursuing 1.5°C’ global temperature rise, then an immediate and rapid programme of decarbonisation is needed.”\*
  - g. The 2018 Intergovernmental Panel on Climate Change report showed that “impacts are much greater if 1.5°C is exceeded.”
  - h. The social and economic costs of delayed action far outweigh those of rapid mitigation and adaptation to the 1.5°C target.
2. For the above reasons the Borough Council of King’s Lynn and West Norfolk declares a climate and biodiversity emergency and commits to the following actions:
- a. Ensure that every decision made by this council takes into consideration the impact on climate change and biodiversity as the top priority.
  - b. Achieve carbon neutrality by 2030, or earlier, across the Borough Council’s own corporate activities.
  - c. Use all Council regulatory means (such as local plan, transport, regeneration etc.) to ensure that the relevant aspects of life across West Norfolk become net zero carbon by 2030, or earlier,



across the population to meet the Borough Council's fair share of the UK commitment to the Paris Agreement temperature target.\*

- d. Not to exceed a Borough population-wide all-time "energy only" budget of 8 million tonnes of CO2 (or equivalent) emissions, as calculated recently to meet the Paris Agreement temperature target.
- e. Prepare a report, within six-months of this motion, outlining how West Norfolk can sufficiently reduce carbon emissions through energy and other Council strategies, plans and contracts to ensure the above commitments are met.
- f. Include a full carbon footprint for the Borough with future trajectories.
- g. The above report will be overseen by the formation of a Climate Change and Biodiversity task group which will report to the appropriate Council body.
- h. Review and performance monitoring of climate change strategy will take place every six months.
- i. Establish a West Norfolk Climate Change Partnership with key stakeholders & Government departments to develop new strategic and policy approaches.
- j. Invite contributions and instigate a wide-ranging programme of community engagement and awareness within the next six months.
- k. Lobby Westminster to deliver the legislation and resources necessary for the required changes.
- l. Provide adequate staff, time and leadership to effect the above.

\* Tyndall Centre, Manchester, "Setting Climate Commitments for King's Lynn and West Norfolk", October 2019.

### **6/19 Submitted by Councillor F Bone**

This Council notes:-

Hardings Way in South Lynn was built as part of a £5.3 million Government funded scheme to allow the NORA development to proceed and to help reduce pollution on London Road

When planning permission was granted, in 2009, it was for public transport, and not general traffic. Prohibition Orders were put in place to prohibit traffic entering Hardings Way from Wisbech Road.

A senior highways engineer of Norfolk Highways Authority who advised the Norfolk Casualty Reduction Partnership Board on highways safety issues wrote to state that Hardings Way was only for pedestrians, cyclists and public transport and was not safe for any other use.

Therefore, this Council calls on the Cabinet to bring a report to this Council detailing all aspects of Hardings Way to include, but not exclusively, implications of a nature that cover:

- Legal
- Financial
- Social
- Environmental
- Highways Safety
- Highways Impact Assessment

This Council instructs the Chief Executive to write informing Norfolk County Council that this Council will not fund any and all work carried out in association with Hardings Way until this Council has considered the report from Cabinet.

**Lorraine Gore**  
**Chief Executive**