

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



CABINET

Agenda

**TUESDAY, 1 OCTOBER 2013
at 5.30pm**

in the

**Committee Suite
King's Court
Chapel Street
King's Lynn
PE30 1EX**



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



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CABINET AGENDA

DATE: CABINET – TUESDAY, 1 OCTOBER 2013

VENUE: COMMITTEE SUITE, KING'S COURT, CHAPEL STREET, KING'S LYNN

TIME: 5.30 pm

1. MINUTES

To approve the Minutes of the Meeting held on 3 September 2013.

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

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.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

6. MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

7. CALLED IN MATTERS

To report on any Cabinet decisions called in.

8. FORWARD DECISIONS LIST

A copy of the Forward Decisions List is attached (Page 4)

9. MATTERS REFERRED TO CABINET FROM OTHER COUNCIL BODIES

To receive any comments and recommendations from other Council bodies some of which meet after the dispatch of this agenda. Copies of any comments made will be circulated as soon as they are available.

- Resources and Performance Panel– 24 September 2013
- Regeneration, Environment and Community Panel – 25 September 2013

10. REPORTS

1) Council Tax Support Scheme for 2014/2015 (page 7)

A draft Council Tax Support scheme falling within the reduced funding level was drawn up and, on 21 August 2012, agreed by Members as the draft scheme to be published for consultation. During the consultation period central government announced a transitional grant for Council Tax Support schemes containing minimal or no cuts to the level of help. On 4 December 2012 Cabinet agreed to recommend to Council to accept the grant, adopt the old scheme of Council Tax Benefit as the 2013/2014 Council Tax Support scheme and adopt the draft scheme taken to consultation as the 2014/2015 Council Tax Support scheme, subject to those in receipt of Carer's Allowance being added as a protected group.

Each financial year a billing authority must review its Council Tax Support scheme and, by 31 January, adopt their scheme for the forthcoming financial year. The report proposes that the Council adopts the draft Council Tax Support scheme, approved on 4 December 2012, as the Council Tax Support scheme for 2014/2015.

2) Business Rates Pooling (Page 12)

This report reviews the potential for establishing a business rates pooling arrangement for the Borough Council jointly with Norfolk County Council and other Norfolk district councils. The report considers the financial advantages to the Norfolk council tax payer and the potential risks to the councils involved.

3) King's Lynn Area Consultative Committee (Page 17)

This report responds to two notices of motion, 4/11 proposed by former Cllr Ian Mack and 9/11 proposed by Cllr David Collis. Cabinet established the King's Lynn Representational Task Group chaired by Cllr Lord Howard in June 2012. The Task Group met on four occasions and instigated a workshop involving all King's Lynn Ward Members. This report briefly summarises the work of the Task Group and presents the Task Group's recommendations to Cabinet.

4) Tender for External Printing Services (page 23)

The Council's current Print Framework Agreement, established in 2009, expires on 30 September 2013. A tender has been conducted under EU procurement regulations to create a new Framework Agreement which will run for the next 4 years.

To: Members of the Cabinet

Councillors N J Daubney (Chairman), A Beales, Lord Howard, A Lawrence, B Long, Mrs E A Nockolds, D Pope and Mrs V Spikings.

Cabinet Scrutiny Committee

For further information, please contact:

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FORWARD DECISIONS LIST

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
1 October 2013	Council Tax Support Scheme 2014/15	Review of the scheme for 2014/15	Key	Council	Leader Deputy Chief Executive	Previous scheme	Public
	Business Rates Pooling Arrangement		Key	Council	Leader Chief Executive		Public
	Tender for External Printing Services	Approval of the signing and sealing of the Print Framework Agreement	Key	Cabinet	Leader Deputy Chief Executive		Public
	King's Lynn Area Consultative Committee	Report of the King's Lynn Representational Task Group	Non	Cabinet	Special Projects Chief Executive		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
5 November 2013	Strategic and Economic Infrastructure Plan		Non	Council	Regeneration & Community Chief Executive		Public
	Award of Cremator Contract	Following procurement exercise, approval of	Key	Cabinet	Community Deputy Chief Executive		Public

		award of new cremator contract					
	Proposed Audit and Fraud Team	Review of the named teams	Key	Council	Leader Deputy Chief Executive		Private - Contains exempt Information under para 1 - information relating to any individual

	Discharge Of Homelessness Duty – Private Rented Sector		Non	Cabinet	Community Chief Executive		Public
	Town Heritage Initiative		Key	Council	Regeneration Chief Executive		Public
	Asset Management: Residential Property Investment Vehicle	Consideration of the use of the Council's assets to invest in residential property.	Key	Council	Resources Deputy Chief Executive		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
3 December 2013							

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
14 January 2014							

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards NONE	Mandatory	Be entirely within Cabinet's powers to decide	YES	
		Need to be recommendations to Council	NO	
		Is it a Key Decision	YES	
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Jo Stanton, Revenues and Benefits Manager E-mail: joanne.stanton@west-norfolk.gov.uk Direct Dial:01553 616349		Other Officers consulted: Dave Thomason Lorraine Gore		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening/ Full Assessment YES	Risk Management Implications YES

Date of meeting: 1 October 2013

1 COUNCIL TAX SUPPORT SCHEME FOR 2014/2015

Summary

Local Council Tax Support schemes were introduced from 1 April 2013. The national scheme of Council Tax Benefit was abolished and central government devolved responsibility to local authorities to design schemes to help residents on low incomes with their council tax costs. The funding for these schemes was also devolved and cut by 10 per cent.

A draft Council Tax Support scheme falling within the reduced funding level was drawn up and, on 21 August 2012, agreed by Members as the draft scheme to be published for consultation. During the consultation period central government announced a transitional grant for Council Tax Support schemes containing minimal or no cuts to the level of help. On 4 December 2012 Cabinet agreed to recommend to Council to accept the grant, adopt the old scheme of Council Tax Benefit as the 2013/2014 Council Tax Support scheme and adopt the draft scheme taken to consultation as the 2014/2015 Council Tax Support scheme, subject to those in receipt of Carer's Allowance being added as a protected group.

Each financial year a billing authority must review its Council Tax Support scheme and, by 31 January, adopt their scheme for the forthcoming financial year. The report proposes that the Council adopts the draft Council Tax Support scheme, approved on 4 December 2012, as the Council Tax Support scheme for 2014/2015.

Recommendation

- 1) That the Council Tax Support scheme as approved January 2013 be approved for consultation purposes for 2014/15 over a 6 week period ending 12 November 2013.**
- 2) That a further report be presented to Cabinet for consideration on 3 December 2013**

Reason for Decision

To ensure a Council Tax Support scheme for 2014/2015 falling within budget is agreed by full Council by 31 January 2014

1. Background

- 1.1. Council Tax Benefit (CTB) was abolished on 31 March 2013 and from April 2013 billing authorities have implemented their own local schemes of Council Tax Support (CTS) to assist people on low incomes with their council tax costs.
- 1.2. Funding for CTS has moved from demand led funding paid by the DWP to a fixed grant from DCLG. The funding has also been reduced by 10 per cent for working age customers as government have specified that no cuts can be made to the help given to pension age claimants.
- 1.3. The draft CTS scheme for 2013/2014 was designed to fall within the reduced funding levels. The high proportion of pension age claimants in the Borough meant a 25 per cent reduction in help for working age claimants. The CTS scheme was designed to spread this cut as evenly as possible whilst protecting vulnerable groups and incentivising work. Members agreed the draft CTS scheme for consultation on 21 August 2012 and the consultation period ran from 23 August 2012 to 18 October 2012.
- 1.4. In early October 2012 the government announced a Transitional Grant payable to local authorities whose schemes fell within certain parameters, including a maximum 8.5 per cent reduction for working age customers. At the Cabinet meeting of 4 December 2012 Members agreed to recommend to Council to adopt the existing CTB scheme as the local CTS scheme for 2013/2014 so the Transitional Grant could be claimed. As the Transitional Grant only covered £28,178 of the Borough's £113,000 shortfall Members agreed to make up the remaining £85,000 from the additional income raised from the technical changes to council tax discounts for empty homes.
- 1.5. Members also agreed that the draft CTS scheme outlined in the report be recommended to Council to be adopted as the CTS scheme for 2014/2015, subject to those in receipt of Carer's Allowance being added as a protected group. Full Council agreed this recommendation on 24 January 2013.

2. Council Tax Support Scheme For 2014/2015

2.1 A summary of the agreed CTS scheme for 2014/2015 is shown below. Full details can be found in the Cabinet Reports of 21 August 2012 and 4 December 2012.

CTS Scheme Principle: An equal cut is made to everyone apart from those in a protected group.

The scheme will mirror the old CTB scheme with the following amendments:

- Child Benefit and Child Maintenance are included as income
- Second Adult Rebate is removed
- A weekly deduction for each non-dependent of £10 is made regardless of their income
- The maximum amount of Capital allowed is £6,000
- No Tariff Income is assumed for capital under £6,000
- Self Employed people are assumed to have an income of at least the minimum wage
- The maximum amount of support is 75% of entitlement

The following are protected groups and the changes listed above will not apply:

- Those who have reached the qualify age for State Pension Credit
- Households with at least one child under the age of 5
- Those entitled to the Disability Premium as part of their needs calculation
- Those in receipt of Carer's Allowance

Work incentives are increased by allowing an extra £10 a week earnings disregard so the disregards are:

- | | |
|-----------------------|-----|
| • Single | £15 |
| • Couple | £20 |
| • Disabled or a Carer | £30 |
| • Lone Parent | £35 |

The following local disregards will apply:

- War Pensions will be fully disregarded in the income calculation

2.2 The scheme will not contain any transitional provisions however a discretionary Hardship Fund of £10,000 will be put in place to assist any person experiencing hardship as a result of the transition to the new Council Tax Support scheme.

3. Other Options Considered

3.1. The CTS scheme for 2014/2015 is designed to fall within the reduced funding levels whilst protecting vulnerable groups and incentivising work. The scheme has been subject to a full Consultation exercise and Equality Impact Assessment (available in the Cabinet Reports of 21 August 2012 and 4 December 2012).

- 3.2. The Council is able to adopt any scheme of CTS for its working age claimants for 2014/2015. Due to the impact of the funding reduction and the statutory requirement to protect the level of support for pension age claimants, if the CTS scheme is to fall within budget a significant reduction in the level of support has to be made for working age claimants. There are limited options available to achieve this and any alternative scheme will not be able to be significantly different to the CTS scheme agreed for 2014/2015.
- 3.3. Any CTS Scheme that does not fall within the reduced funding levels will impact financially on the Borough Council as well as the County Council, Police and Crime Commissioner and the Parish Councils. Any funding deficit applies to all preceptors in proportion to their percentage of the council tax charge. Based on 2013/2014 figures the annual cost of a scheme with no reduction in support to the Borough and Parish Councils would be approximately £113,000. The cost to the County Council would be over £1.1 million and the Police and Crime Commissioner around £79,000. The County Council has indicated they require any CTS scheme to fall within the reduced funding levels.
- 3.4. The impact on parish and town councils, through a reduction in council tax base, will vary throughout the borough according to the distribution of council tax support applicants.

4. Requirement To Consult

- 4.1. Before making a CTS scheme the regulations require the Council to consult any major precepting authorities, publish a draft scheme and then consult with other interested persons.
- 4.2. All of these actions were completed for the draft CTS scheme proposed in the Cabinet Report of 16 August 2012 and agreed as the CTS scheme for 2014/2015. The legal opinion is no further consultation is required as the scheme has already been fully consulted on.
- 4.3. However, although legal opinion is that consultation is not required, there remains a risk of a legal challenge and in the light of the ongoing implementation of welfare reform changes a further online consultation exercise will be carried out over a period of six weeks, ending on 12 November 2013. Welfare reform has introduced a number of high impacting changes and these may alter the responses previously given and highlight new issues. Any significant matters will be brought back to Members in a further paper for consideration.

5. Policy Implications

- 5.1. The Council Tax Support Scheme for 2014/2015 is a new policy.

6. Financial Implications

- 6.1 The funding for the CTS scheme for 2014/2015 is now rolled into the overall Formula Funding for the year and is no longer identified separately by central government.
- 6.2 The taxbase figures in the Financial Plan 2012/2016 assume the Council Tax Support scheme, and the corresponding reduction in the taxbase, remains at the same level as 2013/2014. The impact of this taxbase reduction in 2013/2014 is offset to some degree by the taxbase increase from the changes to the council tax reductions for empty properties and the Transitional Grant.
- 6.3 Adopting a Council Tax Scheme that reflects the reduced level of funding will have a positive impact on the Financial Plan and means the taxbase increase from the empty property discount changes is no longer required to offset the shortfall. In effect the Council will save the costs of a fully funded scheme of £113,000 less the £10,000 set aside as a hardship fund - £103,000 pa.

7. Personnel Implications

- 7.1 None

8. Statutory Considerations

- 8.1. The Council is required to agree a Council Tax Support Scheme for the forthcoming financial year by the 31 January of the preceding year.

9. Equality Impact Assessment (EIA)

- 9.1 Please see Appendix A

10. Risk Management Implications

- 10.1. CTS is funded by a fixed grant paid by central government at the start of the year. The CTS scheme is designed to fall within the available funding however any increases in demand during the year could represent a financial risk. The impact of the CTS scheme is, and will continue to be, reviewed monthly.

11. Declarations of Interest / Dispensations Granted

- 11.1. None

12. Background Papers

EIA and 4 December 2012 Cabinet report

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	YES	
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Ray Harding/Dave Thomason E-mail: ray.harding@west-norfolk.gov.uk Direct Dial:01553 616245		Other Officers consulted: Lorraine Gore		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening/ Full Assessment	Risk Management Implications YES

Date of meeting: 1 October 2013

2 BUSINESS RATES POOLING

Summary

This report reviews the potential for establishing a business rates pooling arrangement for the Borough Council jointly with Norfolk County Council and other Norfolk district councils. The report considers the financial advantages to the Norfolk council tax payer and the potential risks to the councils involved.

Recommendation

1. Cabinet recommends to Council that in principle and subject to the negotiation of the detailed financial and governance arrangements, the Borough Council of King's Lynn & West Norfolk agrees to join a business rates pool with Norfolk County Council and other Norfolk district councils.
2. Subject to their approval of the detailed pooling and governance arrangements the Deputy Chief Executive, in consultation with the Chief Financial Officer and the Leader of the Council, be given delegated authority to enter the Borough Council into a business rates pooling arrangement for Norfolk.

Reason for Decision

To maximise the amount of additional business rates income that is generated in Norfolk and invested in the Norfolk economy.

1 Background

- 1.1 The Local Government Finance Act 2012 introduced changes to the funding system for local government, with funding from April 2013, via a mix of locally retained business rates and government grants that are allocated from centrally retained business rates.
- 1.2 The intention of the new business rates retention scheme is to provide incentives for local authorities to increase economic growth, through retention of a share of revenue generated from locally collected business rates. In order to provide opportunities for the same incentives across all areas, the Government has included an arrangement within the new funding scheme for councils to be allowed to pool business rate resources where it makes local economic sense to do so. Providing a county council is part of a pooling arrangement, the creation of a pool within a two tier area can reduce or remove the levy on business rates growth paid to the Government by billing authorities. This will enable more business rates growth to be retained locally and used as agreed by the authorities within the pool.
- 1.3 Last year expressions of interest in creating a pool were required by the end of July 2012. Following discussion at Norfolk Leaders' Group, most councils decided not to pursue pooling in the initial year. However, Broadland District Council and Norfolk County Council submitted an expression of interest to the Department for Communities and Local Government (DCLG) in July 2012, who confirmed designation of the pool for 2013-14. The aim of this pool was to help support the economic growth strategy through potential to use additional retained business rates to provide funding for joint projects, including key infrastructure and provide a pathway for future pooling arrangements with authorities across the county. Governance arrangements were agreed by both councils and included provision for dissolving and reforming a new pool, should other councils wish to pool business rates in future years.
- 1.4 In 2013/14, 13 pools were created involving 90 councils. Collectively, based on provisional forecasts of income, pooled authorities expect to see growth in their rates income of some £44m; the lower levy rates of pools mean that about £17m of growth will be retained locally that would otherwise have been returned to central government.
- 1.5 From information and discussion with other councils, most pools have been set up on a fairly straightforward basis, with business rates pooled for the purpose of Government calculation of tariffs, top-ups and levy payment, but with arrangements in place that means that only the saved amount in levy payment is 'pooled' in respect of joint decision making. The key opportunity from pooling is to enable funds to be created that can actively support local economic development and in turn generate new business growth.

2 Proposed Pooling Arrangements for 2014/15

- 2.1 The Government has recently issued a prospectus for business rates pools for 2014-15, with a requirement for notification of new pools by 31 October 2013. As with last year, although pools are designated in the autumn, final decisions can be made after the local government finance settlement.
- 2.2 DCLG is apparently keen for local authorities to join pooling arrangements for business rates as it believes that it will “encourage” joint working on economic growth and service delivery.
- 2.3 In two tier areas such as Norfolk the upper tier authority, in this case NCC, will normally receive a top up from government and the district authorities will normally pay a tariff (levy) to government. The levy rate for any increase in business rates growth over and above the baseline funding level, adjusted for inflation for all Norfolk District authorities is 50%. The effect of pooling is that the levy rate will be reduced or eliminated completely. However, there are also financial risks associated with pooling. Some local authorities may find that a reduction in their local business rates income which would have qualified for a safety net payment (where business rates income falls by more than 7 ½% below the baseline funding position) if they are part of a pool, will no longer qualify where the overall pool is above its combined safety net threshold.
- 2.4 Clearly it is not possible to predict with certainty some months before the start of a financial year the outturn position for the forthcoming period. For example, the Council had not predicted an increase in business rates for 2013/14 as it anticipated that the King’s Lynn power station which has been mothballed could be taken out of the rating list. In fact, this did not occur and the Council now expects that its business rates will in fact increase by £860,000 above its baseline, 50% of which will be paid over to government by way of a levy payment and hence not be available for investment in Norfolk.

3 Options Considered

- 3.1 There are only two options available, either to choose to join a pooling arrangement with NCC and other interested Norfolk districts or not to do so.
- 3.2 A County Council can only be part of one pool. Therefore decisions affecting pooling in 2014-15 will need to be made collectively.
- 3.3 Recent discussion with DCLG has confirmed that pools can be created with considerable flexibility within the locally agreed governance arrangements. Therefore, it is entirely possible for a council to be an associate member of a pool where it makes sense in relation to economic strategy, but not part of the designated pool where it does not make financial sense to do so. This provides greater opportunity for collaboration in areas such as Norfolk, where there is varying levels of

business rates growth across the county area. In a situation where an individual district is predicting that it would have no business rates growth, and particularly if it expects to breach its safety net levels as Great Yarmouth did this year, then the Norfolk councils as a whole would financially benefit if that council stayed outside the pool and accessed safety net payments direct from DCLG.

- 3.4 In overall terms there would appear to potentially be considerable financial benefits to Norfolk authorities, including the Borough Council, from the creation of an extended business rates pooling arrangement for 2014/15.
- 3.5 Although the details have yet to be agreed, the model endorsed by the Norfolk Leaders is that the arrangement is established whereby the business rates are pooled for the purpose of the Government calculation of tariffs, top up and levy payments but in practice only the sum “saved” in levy payments is actually pooled for joint decision making, as is the arrangement for most of the existing business rates pools.
- 3.6 In order to reduce the risk to participating councils of the unanticipated loss of one or more major business rate payers in individual districts it would be prudent for the Norfolk pool to replicate the safety net support which the individual participating districts would lose access to, as a first call on the pooled payments.

4 Governance

- 4.1 Clearly if a pool is to be established it will be important to be clear about the governance arrangements for the investment decisions with respect to the pooled funds. The following principles have been endorsed by the Norfolk Leaders.
- 4.2 The purpose of the Norfolk business rates pool is to make strategic investments designed to “support Norfolk’s economic growth strategy”.
- 4.3 Decision making in relation to pooled funds to be determined by the Leaders of each authority participating in the business rates pool. Decision making to be by consensus.
- 4.4 Investment proposals to give priority for schemes which will:-
 - Lever funding from LEP growth and European funds
 - Support infrastructure projects which will lead to:-
 - Job creation
 - Further business rates growth
 - Housing growth
 - Improved skills and qualifications
 - New business creation/expansion

- Ready to start on site and have all relevant permissions, licences, land ownership arrangements in place.

5 Policy Implications

- 5.1 This proposal represents a clear policy change, but there are a number of precepts where similar business rate pools are already operating successfully in other County areas and the approach is strongly supported in policy terms by DCLG.

6 Financial Implications

- 6.1 Joining a Norfolk business rates pool will be financially beneficial to all the participating councils, creating a new fund for investment to support the County's economic growth strategy. It is currently estimated that approximately £430,000 per annum of additional funding will be generated in West Norfolk alone, and that in turn a broadly equivalent sum will be available to invest each year in the Borough.
- 6.2 Indicative figures for the County based on 2013/14 latest forecasts for business rates for each of the district/city councils is that in the year a saving in the levy payout to Government of £628,000 would have resulted if a business rates pool had been in place. (excluding Great Yarmouth which would have taken Government funding for a safety net payment). Figures for 2014/15 are not yet available.

7 Statutory Considerations

- 7.1 There is no statutory requirement for Councils to join a business rate pool but the Local Government Finance Act 2012 provides for their establishment.

8 Equality Impact Assessment (EIA)

(Pre screening report template attached)

9 Risk Management Implications

- 9.1 There is a risk that a major business could close in the Borough leading ultimately to a reduction rather than an increase in the amount of business rates collected and hence available for investment in the business rates pool. It is possible but unlikely that this could lead to a reduction below the business rates safety net level of 92 ½% of the business rates baseline. This is however to be mitigated by replicating the "safety net" provisions available to authorities outside business rate pooling arrangements as a first call on surpluses generated within the pool.

Background Papers

Report to Norfolk Chief Executives – August 2013

Report to Norfolk Leaders – 10th September 2013

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Operational	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
		Is it a Key Decision	YES	
Lead Member: Cllr Lord Howard E-mail: cllr.greville.howard@west-norfolk.gov.uk		Other Cabinet Members consulted: Cllr Brian Long		
Lead Officer: Ray Harding E-mail: ray.harding@west-norfolk.gov.uk Direct Dial:01553 616245		Other Members consulted: KL Representational Task Group Members		
Other Officers consulted: Victoria Jackson, Management Team				
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 1st October 2013

3 KING'S LYNN AREA CONSULTATIVE COMMITTEE

Summary

This report responds to two notices of motion, 4/11 proposed by former Cllr Ian Mack and 9/11 proposed by Cllr David Collis. Cabinet established the King's Lynn Representational Task Group chaired by Cllr Lord Howard in June 2012. The Task Group met on four occasions and instigated a workshop involving all King's Lynn Ward Members. This report briefly summarises the work of the Task Group and presents the Task Group's recommendations to Cabinet.

Recommendation

Cabinet is recommended to:

- 1) establish a King's Lynn Area Consultative Committee for the unparished area of King's Lynn;
- 2) establish the Committee for a trial period until 1st May 2015;
- 3) the Committee to meet on a quarterly basis; and
- 4) adopt the draft terms of reference attached at Appendix 1 for the Committee.

Reason for Decision

To respond to the notices of motion 4/11 and 9/11 providing for representation of the unparished area of King's Lynn.

Background

The Task Group first met in June 2012 and the terms of reference were to:-

- 1) Give consideration to the two notices of motion 4/11 proposed by Cllr Ian Mack and 9/11 proposed by Cllr David Collis.

- 2) To consider the issues raised by each resolution, together with any financial and/or resource implications.
- 3) Present a report making recommendations with respect to issues raised at Cabinet.

The notices of motion are printed in full below:-

NOTICES OF MOTION

The resolutions which were reported to Cabinet for consideration are printed in full below:

Councillor Mack and Collis have been invited to outline their proposals if they wish to do so:

Councillor Ian Mack proposed the following Notice of Motion (4/11) on 29 September 2011:

“Council notes:

- 1) The Localism Bill is currently being considered by Parliament and should receive its Royal Assent later this year.
- 2) That this Bill when passed will ensure that powers and responsibilities are devolved to the lowest practical level, empowering communities to act to address local issues and to hold to account those who provide public services within their area.
- 3) That most of the area of the Borough Council of Kings Lynn and West Norfolk has an effective and accountable democratic tier of local community representation, provided by Town and Parish Councils.
- 4) That there is the ability in the Parished areas for even wider participation in community issues, with public questions at Parish Council meetings and the holding of Parish meetings annually and via petition on specific issues.
- 5) That at the centre of this Borough, in King’s Lynn and Gaywood, no such tier of Parish or Town Council exists.

Council believes:

- 1) There is a need to encourage community participation and influence on local services which have such an impact on the quality of life in our communities.
- 2) That steps need to be taken now to address the inequity of community level democratic representation and participation between Parished and non Parished areas of the Borough.

3) There are actions which this Borough can take ahead of the Localism Bill being enacted to address some aspects of this deficit.

Council Resolves:

1) To establish as a first step, an area committee of this Council to cover the unparished areas of Kings Lynn and Gaywood.

2) To agree that the membership of this committee shall be all Borough Councillors in the wards covering the above areas.

3) That the agenda of each meeting of this area committee shall have an item of suspension of standing orders for public questions and participation.

4) That County Councillors representing King's Lynn and Gaywood be invited to attend the meetings of the area committee.

5) That the terms of reference of this area committee shall include oversight of Borough Council services which are currently provided out the "Special Expenses" levied on the citizens of King's Lynn and Gaywood.

6) That a task and finish group be established once the Localism Bill has been passed and guidance on its implementation received, to examine further what opportunities it may give to the citizens of this Borough in both the Parished and currently unparished areas, including consideration of options for the Parishing of King's Lynn and Gaywood."

Cllr David Collis proposed the following Notice of Motion (9/11) on 27 October 2011:

"That this Council proceeds to the introduction of First Tier Representation of Non Parished areas of the Borough by means of Town Council/Parish Councils, without further delay".

Following consideration of the two notices of motion which were taken together, Cabinet established the King's Lynn Representational Task Group.

The Task Group considered, as part of its work programme, the extensive work undertaken on Boundary and Parish reviews which concluded in 2004.

The Task Group then went on to consider the various community and neighbourhood arrangements which had been established in all or parts of King's Lynn from 1995 to the present time.

Options Considered

Subsequently, an options paper was considered by the Task Group. Options considered included:-

- **Enhanced Safer Neighbourhoods Action Panels**
Ruled out as this would have fundamentally altered the current basis on which the SNAPS operate and did not have the support of Norfolk Constabulary.
- **Community Forums**
Ruled out on the grounds of cost and the need to start from scratch in many parts of the town.
- **King's Lynn Area Committee**
The Task Group considered that a King's Lynn Area Committee in a modified form had merit and the remainder of the work programme focused on refining this option.
- **Single Town/Parish Council**
Ruled out on the grounds of cost, lack of officer capacity to undertake the required community governance review, time required (minimum of 12 months) to establish, and the additional annual cost to the Council Tax payers of King's Lynn (estimated at around £58 extra cost per household per annum based on relevant comparators).
- **Multiple "neighbourhood" based Parish Councils**
Ruled out on largely the same grounds as the Single Town/Parish Council but in addition would not have provided a single coherent voice for King's Lynn.

The Task Group then set up a facilitated workshop of all King's Lynn Ward Members which concluded that:

Membership

- An area committee should comprise all 15 King's Lynn Borough Councillors

Agenda

- To be set by the Area Committee itself with a remit to raise and discuss issues of concern to King's Lynn and its residents.
- The group did not see the Area committee fulfilling a scrutiny role

Frequency of meetings

- Bi monthly

Access to information

- Meetings to be open to the public with arrangements for public speaking rights in line with that for other council bodies.

Preferred Functions

- The meeting identified a 'long list' of possible functions and responsibilities for the proposed Area Committee which were condensed into the terms of reference.

The Task Group considered the report of the workshop and instructed officers to produce draft terms of reference for a King's Lynn Area Consultative Committee to be established for a trial period and to meet quarterly.

The Task Group at its final meeting considered and supported the draft terms of reference (Appendix 1) and agreed to present these to Cabinet for consideration.

Policy Implications

In policy terms, the creation of an area consultative committee for the unparished area of the borough is a new departure.

Financial Implications

The financial implications for the proposed Area Consultative Committee are relatively modest and can be contained within existing budgets provided the frequency of meetings remains as recommended. The main costs associated with the proposal relate to officer time in arranging, servicing and supporting the meetings.

Personnel Implications

There are no significant personnel implications.

Statutory Considerations

None

Risk Management Implications

There are no significant risks associated with this proposal.

Declarations of Interest / Dispensations Granted

None

Background Papers Agendas, minutes and reports to the King's Lynn Representational Task Group, Equality Impact Assessment (EIA) pre Assessment

King's Lynn Representational Task Group
King's Lynn Area Consultations Committee
Draft Terms of Reference and Operational Model

Role

The role of the Committee is to:

- Enable Borough Councillors from the unparished area of King's Lynn to meet together to discuss issues of mutual interest which have implications beyond the boundaries of individual wards. Recent examples might include the proposed Saddlebow Incinerator.
- To act as a consultative forum on issues affecting the whole or the majority of the unparished area of King's Lynn. Recent examples might include the most appropriate location for the Parkour equipment, and planning applications for major developments.
- To act as a consultative forum on the funding raised by, and utilisation of the King's Lynn Special Expenses, and to offer input on priorities for this expenditure and if appropriate the level of funds to be raised.
- To encourage community engagement within King's Lynn.

The Committee will meet on a quarterly basis and be supported by Democratic Services and a senior officer. It is further proposed that the Committee initially operates only until 1 May 2015.

Membership

All of the Borough Councillors representing the unparished area of King's Lynn.

The Committee shall appoint its own Chairman and Vice-Chairman.

Other Bodies

It is not intended that the Committee should usurp or replace the role or responsibility for individual Councillors. In particular to address matters which relate to their individual ward.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory/Operational	(a) Be entirely within cabinet's powers to decide YES		
		(b) Need to be recommendations to Council		NO
		(c) be a key decision		YES
Lead Member: Cllr Nick Daubney E-mail: cllr.nick.daubney@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Tony Hague, Purchasing E-mail: tony.hague@west-norfolk.gov.uk Direct Dial: 01553 616791		Other Officers consulted: Tim Humphreys (Tourism) and Victoria King (Sports Marketing - Lynnsport)		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications (incl S.17) YES	Equal Impact Assessment NO	Risk Management Implications YES

Date of meeting: 1 October 2013

4 TENDER FOR EXTERNAL PRINTING SERVICES

Summary

The Council's current Print Framework Agreement, established in 2009, expires on 30 September 2013. A tender has been conducted under EU procurement regulations to create a new Framework Agreement which will run for the next 4 years.

Recommendation

Cabinet is asked to approve the signing and sealing of framework agreements with a number of printers that will be party to the new arrangement.

Reason for Decision

To comply with EU procurement regulations and to ensure ongoing availability of competitive quality printing services.

BACKGROUND

1. The existing Framework Agreement started in 2009 with twelve external printers. Over the period of the agreement three have been removed or dropped out for various reasons. The Agreement operates by sending a Request For Quote (RFQ) to all of the printers, that are party to the framework, for each new print requirement that arises thus ensuring a competitive price every time.
2. It is estimated that the existing and previous Frameworks have saved the Council over £20,000 per annum compared to previous external print costs. Around 20 - 30 RFQs are sent out per annum and a further 10 – 15 print jobs are placed as repeat orders at prices previously quoted in response to an RFQ. Total Council spend through the Framework Agreement is around £85,000 per annum.
3. It is intended that, like the current Framework, the new Agreement will operate for four years, the maximum allowed under EU regulations. To

cover the possibility of printers dropping out of the Agreement and to try to include more printers with the ability to cover web printing (reel fed printing presses) and ballot paper production we aim to include up to 12 firms in the new Agreement.

4. The contract was advertised on the Council's website and a Contract Notice was placed in the Official Journal of the European Union (OJEU) on 21 May 2013. Pre-Qualification Questionnaires (PQQ) were sent out to 49 companies that responded and 21 of those companies returned their PQQ by the deadline on 28 June 2013.
5. The PQQs included samples of the firm's work which have been scored for range of products and quality of finish. References have also been obtained from three referees for each firm. Applicants have been scored on the range of their technical abilities and their quality management systems. Their financial security, insurance cover and health & safety systems have all been checked.
6. From the 21 firms that submitted PQQs 2 have been eliminated for various reasons and the remaining 19 were sent an Invitation to Tender on 5 August 2013. The tender consists of a range of twelve print jobs which the Council requires on a regular basis. These include Corn Exchange theatre brochures, ballot papers, tourism publications and sports centre marketing materials as well as smaller jobs such as NCR receipt books and small leaflets. Firms do not have to tender for every job as the intention is to include small firms that will be competitive on smaller jobs as well as large companies that will be more competitive on the larger jobs and those that can handle the more specialist work such as ballot papers.
7. Having completed a rigorous PQQ process all of the tendering firms are deemed to be "qualified" and therefore the award process for a place on the Framework Agreement will be made solely on the prices submitted in the tender. Any firm providing the best price for any one of the twelve tender items will automatically be awarded a place on the Framework. Second, and possibly third, placed firms may then be considered dependant in how many fall into each category.
8. Tenders are due to be returned by 16 September 2013 and an update to the report will be issued prior to the Cabinet meeting to provide a summary of the tender responses and a recommendation as to which firms are included in the new Framework Agreement.

Policy Implications

This procurement exercise has been carried out in accordance with the Council's Procurement Strategy and the Council's financial regulations and standing orders.

Financial Implications

Costs associated with these services are borne by the individual client departments from existing revenue budgets. There are no separate financial implications.

Statutory Consideration

The procurement exercise has been carried out in accordance with EU procurement regulations, including having been advertised in OJEU (Official Journal of the European Union).

Risk Assessment

Having a contract in place with printers that have been thoroughly assessed reduces the risk that Council publications may not be produced in a timely manner or to a satisfactory quality. The risk of “rogue spend” resulting in poor value for money is also reduced.

Access To Information

Initial Tender Information
Pre-Qualification Questionnaire
Invitation to Tender