

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**CABINET SCRUTINY COMMITTEE**

**Minutes of a Meeting of the Cabinet Scrutiny Committee  
held on Wednesday 22 September 2010 at 6.00pm  
in the Committee Suite, King's Court, Chapel Street, King's Lynn.**

**PRESENT:**

Councillors A Tyler (Chairman) I Mack (Vice-Chairman),  
P Burall, C Crofts, M Pitcher,  
D J Pope and J M Tilbury

Present under Standing Order 34: Councillor J Loveless

Other Members Present:

Councillor N Daubney, Portfolio Holder - Resources (left the meeting at 7pm)  
Councillor Lord Howard, Portfolio Holder – Special Projects

Apologies for absence were received from Councillors D Collis, Mrs E Nockolds and G Sandell

**CSC29: WELCOME**

The Chairman welcomed those present to the meeting, particularly members of the public, who felt strongly about the town's heritage and the arts. He explained that the Committee's role was to question the decision of Cabinet, not to debate the Council's policy for arts, heritage and tourism. He added that much concern has been expressed through telephone calls and on emails sent to himself and other Members and he expected that questions on these issues would be raised by Councillors when the matter was debated later in the meeting.

**CSC30: MINUTES**

The minutes of the meeting held on 4 August 2010 were agreed as a correct record and signed by the Chairman.

**CSC31: URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

**CSC32: DECLARATIONS OF INTEREST**

There was none.

CSC33: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor Loveless attended for King's Lynn Town Hall/Arts Centre (CSC38).

CSC34: **CHAIRMAN'S CORRESPONDENCE**

The Chairman reported that he had received no letters but had received a large number of emails raising issues of concern relating to the proposals for the Arts Centre.

CSC35: **RESPONSE TO PREVIOUS COMMITTEE RECOMMENDATIONS**

There was none.

CSC36: **MATTERS CALLED-IN PURSUANT TO STANDING ORDER 12**

There was none.

CSC37: **NOTICE OF MOTION 4/10 – COMMUNITY GOVERNANCE REVIEW**

The Chairman stated that the parishing of King's Lynn was a matter of concern to many and it was felt that the current situation meant that there was no mechanism for the views of communities in the unparished area to be communicated to the administration.

Councillor Burall asked whether any consideration had been given by Cabinet to the promises made by the Government relating to community representation and the Big Society. This included a lot of references to involvement by Parish Councils, which could not be undertaken where these bodies did not exist.

In response, the Leader explained that undertaking a review would be an expensive and complicated process, which made no sense at the present time when the country was facing a big financial crisis and the Council's own income was likely to be cut by at least 25%. He confirmed that Councillor Burall had made a valid point and that consideration had been given to the Big Society and community representation. It was explained that in all the reviews being undertaken throughout the Council, future ways of working and delivering services through partnership forums, community forums and other community based groupings were being explored and would be the subject of a Cabinet report in due course.

The Vice-Chairman commented that he was reassured by what he had heard and made reference to statements made by the Communities Secretary, Eric Pickles, which indicated that the Government was determined to shift power to the community. He stated that at the Resources and Performance Panel meeting the suggestion of setting up Area Committees had been dismissed by the Deputy Leader. He considered that this was such an important matter and sought

reassurance that it would be progressed in a timely manner, and that issue of Area Committees had not been dismissed.

The Leader stated that he was anxious not to add another layer of government. He believed that the views of the administration and the opposition were not too far apart and he considered that the proposals would be welcomed when these came forward. He considered that it was important to move forward quickly and hoped that the report would be presented to Cabinet in December.

The Chairman commented that he was sympathetic to the views of both parties that a cheaper option should be introduced which would enable communities to keep in touch with and make their views known to the Administration.

CSC38: **KING'S LYNN TOWN HALL/ARTS CENTRE**

The Chairman introduced the item and reminded the Committee that its role was to scrutinise the recommendations of Cabinet, which were read out. He explained that he was hoping to hear about all the items which had been considered by Cabinet and those which had not, and why, as well as detailed costings. He asked what the Council had considered with regard to financing the proposal.

Councillor Lord Howard, Portfolio Holder for Special Projects, explained that the Council was facing a grave financial situation. Approximately 75% of its funding was provided by Central Government and it was anticipated that this was likely to be subject to a reduction of approximately 25% over the next 3 years following the Government's Comprehensive Spending Review. The Council had a statutory duty to provide some services, such as refuse collection, while others were discretionary, including arts. While promotion of the arts was desirable, the Council had to look across all its services in order to identify the savings necessary to meet the projected shortfall. He emphasised that the provision of visual arts was not being stopped, but being relocated into a facility which was larger than that currently offered. Alternative options had been explored, including the possibility of the service being run by the private sector. He stated that there was a limit to the level of subsidy which could be given to the arts and the proposal took steps to enable the service to continue while reducing its outgoings.

The Chairman asked whether Cabinet had considered other areas where cuts could be made which would enable this facility to remain at the Arts Centre.

In response, the Leader emphasised that there was a deep financial crisis in the country, which faced a situation not experienced by the current generation. The Council was facing a significant reduction in its grant for future years and would not be allowed to raise additional revenue through an increase Council Tax. In any case, the administration had made a manifesto commitment not to increase

Council Tax above inflation. He emphasised that every aspect of the Council was being reviewed with all parts of the Council having to find savings. It was considered better to spread the impact across all services rather than taking the easy option to cut discretionary services. He understood the importance of the cultural offering to King's Lynn and believed this proposal represented a good way forward and protected this service. He now wanted to work with interested groups and the community to take the proposal forward.

The Vice-Chairman stated that he had concerns that there may be other innovative ways of providing the service which had not been considered. He also expressed concern that the report on such an important issue was lacking in detail, such as the different elements of expenditure and best/worst case scenarios. He asked how Cabinet could reach a decision without such information. He also asked why the provisions of the Local Government Act had not been used, so that more detailed information could be provided to Members on grey pages for discussion in closed session and sought reassurance that secret meetings had not taken place when more detailed information had been available.

Councillor Lord Howard explained that the cost of preparation of detailed projections was expensive and would not be undertaken until the final negotiations had been completed, so as not to fetter these negotiations. He stated that in his view, the level of savings indicated in the report may be an under estimate of what might be achieved. He confirmed that no meetings had been held in secret, although as Portfolio Holder with responsibility for this matter, regular meetings had taken place with the officers involved. He advised that when the negotiations had been completed then work would move to the next stage.

Councillor Burall stated that the report gave no information about what the new facilities for visual arts displays would be, which would have been helpful. He made reference to the invitation to all Councillors to view the Town Hall prior to the Council meeting the following week and suggested that, in order to make an informed decision, Councillors would also need to view the existing facilities. He also made reference to the Big Society, which stated that where a local authority was considering closing an existing service then the option for the community to take over the running of the service could be explored. He considered that local people should be given this opportunity if this had not been done. He stated that he understood the urgency of making a decision with regard to the Town House Museum due to the ending of the lease. However, this was not the case with the Arts Centre and he considered that this facility should not close before consultation had been carried out and, at the very least, local people should be given the opportunity to put forward their own ideas.

The Chairman asked why consultation did not take place prior to this proposal being put forward.

Councillor Lord Howard stated that consultation had taken place across the whole of the borough, not just with interested parties, as services were funded by all Council Tax payers. Results of the consultation showed that the Arts Centre was the second most popular area for which funding should be reduced, after the Marina/NORA. He added that the Arts Centre would be available for hire/lease and an approach could be made to the Council by individuals, interested groups or the private sector wishing to run the facility.

Councillor Tilbury stated that he was unaware of this consultation and asked what form it had taken and how it had been conducted. In response, Councillor Lord Howard advised that the consultation had been undertaken through the Citizens' Panel. In response to a further comment from Councillor Tilbury suggesting that Councillors could have been informed of this consultation at a Council meeting, Councillor Lord Howard stated that it would be inappropriate to do this when unrelated matters were being discussed.

In response to further questions from Councillor Tilbury, Councillor Lord Howard advised that savings would be made as a result of only running one building instead of two. The proposal would bring greater use and access to the Town Hall creating the opportunity for more visitors, and once installed the facilities could be reviewed.

The Leader expressed sadness that the Committee had focussed its question on a single aspect of the proposal, which should be taken in the context of the whole report. The proposal would allow better use and increased access to the Town Hall complex, additional income would be generated from rent from the Registrars Service, leases from the Arts Centre for appropriate uses of the buildings and there would be savings made in staffing costs through operating shared reception facilities. He added that there had been strong interest from various sources for appropriate uses of the Arts Centre. He emphasised that savings had to be made and it was a decision which could not be put off.

The Chairman asked whether consideration had been given to the physical aspects for the display of artworks at the proposed venue. He expressed his concern that this might be inadequate and asked whether Cabinet was satisfied that the facilities would be equal to or better than the current facilities. In response, the Leader stated that in terms of size the area would increase from 250 – 300 sq. metres approximately. Specialist advice would be sought to develop the new facility to ensure it would be successful.

The Chairman asked why consultation could not take place before the decision was taken by Council at its meeting on 30 September. He expressed concern that a decision in principle would be made before consultation was undertaken. The Leader emphasised that based on the assumption that the Council's grant settlement would be reduced by 25% - 40% the funding would no longer be available and savings had to be made.

Councillor Lord Howard stated that all the Council's services would be affected by the reviews which were currently being undertaken. Consultation was costly and it was not possible to consult on everything. He added that it had been confirmed that events such as the Eastern Open could be held in the new facility.

The Vice-Chairman commented that he understood the economic benefits of arts and heritage which attracted resources to the Borough. He asked what analysis had been carried out about the potential quality aspects of the new arts facility, which was about more than just the floor plan. In response, Councillor Lord Howard advised that consultation had taken place with arts professionals and reiterated that events comparable to the Eastern Open, which was a prestigious event, could be held in the new facility.

The following proposal was made by Councillor Burall:

That Council be invited to consider:

- (i) That arrangements be made for Councillors to visit the existing Arts Centre, prior to a decision being made.
- (ii) That a decision on the future of the Arts Centre be postponed for two months so that those members of the community with an interest and expertise in the visual arts can be consulted for their ideas and proposals about how the visual arts can best be supported while savings are made.

He stated that as the other reviews necessary to meet the cuts target were not going to be complete before Christmas, a two month delay to this review would not hold up the final overall programme.

Councillor Tilbury seconded the proposal and suggested that the proposed delay might encourage those who may be interested in doing so to bring forward alternative proposals for the Arts Centre.

Following an assurance from the Chief Executive that a visit to the Arts Centre would be arranged for Members, Councillor Burall withdrew part (i) of his proposal.

The Chief Executive stated that if the decision was made to relocate this service then appropriate technical and arts advice would be sought to ensure that the right facility was achieved. He emphasised that some extremely valuable work was done at the Arts Centre and that this still needed to be delivered. There was also the economic imperative to ensure that King's Lynn was an attractive place to relocate to and to visit.

The Leader gave his assurance that the Council would work with relevant bodies to ensure that appropriate, quality facilities were provided. Having given prior notice to the Chairman of another appointment, he then left the meeting.

Councillor Loveless addressed the Committee under Standing Order 34. With regard to the closure of the Arts Centre visual arts facilities and transfer to the Town Hall, he asked why the report did not place more emphasis on the positive aspects of the proposal ie to make the Town Hall more vibrant and an artistic attraction. He made reference to recommendation 6 concerning the lease of the Arts Centre and whether it meant that the Council wanted to try and give up the lease. If the Council was to continue to manage the complex, he asked why it had not been made clear that the remaining facilities could be used by other organisations or arts groups. With regard to the working with Heritage Groups, he stated that there had previously been a band of committed volunteers involved in showing visitors around the Guildhall, which had now been discontinued. He expressed the hope that Cabinet would seriously be encouraging volunteers to do similar work at the Arts Centre and Town Hall. He welcomed the proposal that Councillors should visit the Arts Centre so that they were aware of the facilities which were currently available.

Addressing the question about visitors to the Guildhall, the Chief Executive advised that there had been a difference between the information provided from the National Trust and arrangements for access to the Guildhall. Discussions would be held with the Town Guides to try and improve the arrangements and future access. It was acknowledged that the intended future use of the Arts Centre should have been addressed in the Cabinet report and it was emphasised that it was the intention to bring in appropriate alternative uses for the building. He reiterated that if voluntary groups were interested in putting forward proposals, then these would be considered by the Council. However, he reminded Members that there had been two occasions in the past when voluntary groups had to be bailed out by the Council at considerable cost and it would want to be assured that it would not be placed in a similar situation again.

The Vice-Chairman stated that he supported the proposal for deferral of the decision on the Arts Centre. He considered that there was a lack of appropriate detail in the Cabinet report and only limited assurances had been given in respect of the finances, which he believed could have been included on grey pages, which would have been available to all Councillors and dealt with in closed session. He stated that he did not consider the Citizen's Panel to be an appropriate method of consultation and that more consultation should be undertaken before a decision could be made. He was not convinced about the quality of the facilities which would be on offer and was concerned that the specifications for a Visual Arts Centre had not been fully examined, making reference to the "Big Sink" projects recommendations. He also stated that while the benefits were shown in the report, the risks had not been included. He commented that all the questions and comments at the meeting had been from opposition parties' Members and asked whether this was an indication that the other Members supported the proposals.

Councillor Pitcher advised that he supported the arts and did not want to see the Arts Centre close. However, he was a realist and understood the financial difficulties which were being faced by the Council and that decisions had to be made. He added that he did not want to see front line services affected by cuts, which would be the alternative. He stated that in his year as Mayor, he had observed how under-used the Town Hall was and welcomed the proposal which would increase its use and improve public access.

The Chairman commented that the majority of correspondence he had received had been positive about the increased use of the Town Hall.

Councillor Crofts made reference to the subsidy per head which was required to support the Arts Centre and which was far greater than that given to sports facilities. He recognised that savings had to be made and that high subsidy levels could not continue to be supported. He welcomed the opportunity for other bodies to run the Arts Centre, but that they would need to be aware of the high running costs involved.

Councillor Tilbury acknowledged that greater use could be made of the Town Hall and stated that Councillor Burall's proposal was sensible, as it would allow further consultation to take place so that a decision could be taken based on evidence.

The Committee then voted on the proposal, which was agreed as follows:

**RECOMMENDED:** That Council be invited to consider that a decision on the future of the Arts Centre be postponed for two months so that those members of the community with an interest and expertise in the visual arts can be consulted for their ideas and proposals about how the visual arts can best be supported while savings are made.

CSC39: **PORTFOLIO HOLDERS' DECISIONS MADE UNDER DELEGATED POWERS**

The schedule of Portfolio Holders' decisions made under delegated powers was noted.

CSC40: **DATE OF NEXT MEETING**

The Committee noted the date of the next meeting which was scheduled to be held on **Monday 11 October 2010** at 6.00pm.

**Meeting closed at 7.26 pm**