

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

**CABINET**

**Minutes from the Meeting of the Cabinet held on  
Wednesday, 5 February 2014 at 5.30pm in the Committee Suite, King's  
Court, Chapel Street, King's Lynn**

**PRESENT:** Councillor N J Daubney (Chairman).  
Councillors A Beales, Lord Howard (until 5.35pm), A Lawrence, B Long,  
Mrs E Nockolds, D Pope and Mrs V M Spikings.

CAB124: **MINUTES**

**RESOLVED:** The Minutes of the Meeting held on 14 January  
2014 were approved as a correct record and signed by the Chairman.

CAB125: **URGENT BUSINESS**

There was no urgent business.

CAB126: **DECLARATIONS OF INTEREST**

None.

CAB127: **CHAIRMAN'S CORRESPONDENCE**

None.

CAB128: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

None

CAB129: **CALLED IN MATTERS**

None

CAB130: **FORWARD DECISIONS LIST**

The forward decision list was noted.

CAB131: **MATTERS REFERRED TO CABINET FROM COUNCIL  
BODIES**

i) **Resources and Performance Panel: 27 January 2014**

The Panel made the following recommendation to Cabinet, which was  
dealt with when Cabinet considered the report on the agenda:

RP102: Exempt Cabinet Report: Procurement Review

RESOLVED: That the Panel support the recommendation to Cabinet as follows:

That Cabinet considers the outcome of the tender evaluation exercise and resolve that no contract is awarded and pursues the goal of reducing the Council's procurement cost through the work of the Procurement Working Group established as part of the wider Cost Reduction Programme approved by Cabinet in November 2013.

RP103: Cabinet Report: Coast Share

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

Cabinet is recommended to:

- 1) Agree that the Borough Council joins Coastshare Limited.
- 2) Appoints two Members to join the Coastshare Executive Board.

RP104: Cabinet Report: Capital Programme 2013 – 2017

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

- 1) Cabinet recommends to Council the amendments to capital schemes and resources for the 2013 – 2017 Capital Programme as detailed in the report.
- 2) Cabinet recommends to Council that new capital bids of £195,000 were to be funded from available capital resources and included in the Capital Programme 2014 – 2017.

RP105: Cabinet Report: Financial Plan 2013 – 2017

RESOLVED: That the Panel support the recommendations to Cabinet as follows:

Recommendation 1

It is recommended that Council approve the revision to the Budget for 2013/2014 as set out in the report.

Recommendation 2

Council is recommended to reaffirm the Balances and Reserves Policy and the maximum balances set out for the reserves as noted in the report.

Recommendation 3

It is recommended that Council:

- 1) Approves the budget of £18,805,380 for 2014/2015 and notes the projections for 2015/2016 and 2016/2017.
- 2) Approves the level of Special Expenses for the Town/Parish Councils as detailed in the report.
- 3) Approves the Fees and Charges 014/2015 detailed in Appendix 3.
- 4) Approves a Band D council tax of £111.97 for 2014/2015.

Recommendation 4

Council is recommended to approve a minimum requirement of the General Fund balance for 2014/2015 of £974,515.

**ii) Regeneration, Environment and Community Panel – 29 January 2014**

The Panel made the following recommendations to Cabinet, which were dealt with when Cabinet considered the reports on the agenda:

**REC112: Cabinet Report – Discharge Of Homelessness Duty By Private Rented Sector Offer Of Accommodation**

RESOLVED: That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

- (i) That the Private Rented Sector Offer Policy and Procedure detailed in Appendix A of the report be approved for discharge of homelessness duty.
- (ii) That the Chief Executive in consultation with the Portfolio Holder with responsibility for housing is delegated authority to make minor amendments to this Policy

**REC114: Cabinet Report – Capital Programme And Resources 2013-2017**

RESOLVED: That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

It is recommended that:

- 1) Cabinet recommends to Council the amendments to the capital schemes and resources for the 2013-2017 capital programme as detailed in the report.
- 2) Cabinet recommends to Council that new capital bids of £195,000 are to be funded from available capital resources and included in the capital programme 2014-2017.

REC115: Cabinet Report – The Financial Plan 2013/2017

RESOLVED: That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

Recommendation 1 – It is recommended that Council approve the revision to the budget for 2013/2014 as set out in the report.

Recommendation 2 – Council is recommended to reaffirm the Balances and Reserves Policy and the maximum balances set for the reserves as noted in the report.

Recommendation 3 – It is recommended that Council:

1) Approves the budget of £18,805,380 for 2014/2015 and notes the projections for 2015/2016 and 2016/2017.

2) Approves the level of Special Expenses for the Town/Parish Councils as detailed in the report.

3) Approves the Fees and Charges 2014/2015 detailed in Appendix 3.

4) Approves a Band D council tax of £111.97 for 2014/2015.

Recommendation 4 – Council is recommended to approve a minimum requirement of the General Fund balance for 2014/2015 of £974,515

REC117: King's Lynn Town Hall And Public Realm

RESOLVED: That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

That Cabinet:

1) Approve the proposals for the Saturday Market Place

2) Approve the Stage 2 application to the HLF for the Town Hall including an additional contribution of £60,000 from the Town Hall reserves.

3) Agree that in the event of a successful award from the HLF that the Council undertake to meet any shortfall in this project to enable the project to progress.

4) Delegate authority to the Executive Director of Commercial Services in consultation with the Portfolio Holders for Health and Wellbeing, Assets, Resources, Regeneration to make any minor amendments to the scheme prior to its final submission to the HLF.

CAB132: 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.”

CAB133: **PROCUREMENT REVIEW**

Councillor Howard introduced a report which explained that as part of the Council’s cost reduction programme, Cabinet agreed at their meeting on 8 January 2013 to commission an external review of the Authority’s procurement practices and purchasing arrangements, as a “focused spending reduction and value for money exercise, procured on a “no win, no fee” basis with the emphasis placed on supplier spend analysis work”. The tender also included the requirement to examine a selection of recent procurements and identify good practice from elsewhere in balancing cost, quality and value for money to aid the Council, in improving outcomes in the future. Cabinet instructed officers to carry out the procurement exercise and to prepare a further report on the outcome, together with a timetable on how the work identified within the tender will be delivered. This report responded to Cabinet’s instructions.

Councillor Daubney reminded Members that at the Resources and Performance Panel meeting the Panel recommended that no contract was awarded and Officers pursue the goal of reducing the Council’s procurement expenditure. Councillor Lord Howard agreed with those recommendations as he did not feel that the money should be spent in that way.

**RESOLVED:** That no contract is awarded and the goal of reducing the Councils procurement cost through the work of the Officer Procurement Working Group established as part of the wider Cost Reduction Programme approved by Cabinet in November 2013 be pursued.

**Return to Open Session**

CAB134: **CAPITAL PROGRAMME AND RESOURCES 2013-2017**

The Chief Financial Officer presented the Cabinet report which set out the Capital programme for 2013/2017. The report reviewed progress against the current year spend and reviewed resources available. It also projected the programme by a further year to 2016/2017. The report set out the new Capital bids for inclusion in the Programme for the period 2014-2017, in a revised format which grouped schemes in major and operational schemes.

Councillor Beales welcomed the new format, and drew attention to the large number of capital repairs and improvements. He gave a note of caution, reminding members that it was necessary to project in this manner, but it was also necessary to recognise that in exceptional circumstances it would be necessary to change the programme, with the recent events in the south of England being prime examples.

Councillor Daubney acknowledged the point, and commented that there was a lot in the Capital Programme which was exciting and something to be proud of.

Both the Resources and Performance and the Regeneration, Environment and Community Panels had considered the report and supported the recommendations.

**RECOMMENDED:** 1) That the amendments to capital schemes and resources for the 2013-2017 capital programme as detailed in the report be approved.

2) That new capital bids of £195,000 be funded from available capital resources and included in the capital programme 2014-2017.

CAB135: **FINANCIAL PLAN 2013-2017**

Councillor Daubney presented the full Financial Plan 2013/2017 which provided an overview of the budget proposals. Council would be asked to approve the Financial Plan 2013/2017 and the Council Tax for 2014/2015 on 27<sup>th</sup> February 2014. The Financial Plan had also been presented to the Resources and Performance and Regeneration, Environment and Community Panel the previous week and supported.

Councillor Daubney commented on statements made regarding “black holes in budgets”, and that he was disappointed the budget shortfall for the 2016/17 year was referred to as this. He reminded Members that each year another year was added to the projections for the future, the undertaking over the Administration’s lifetime to freeze Council Tax had been a significant commitment, and the same undertaking would project for the future years to ensure the budgets continued to balance. As experienced Councillors know, a black hole in financial terms means a deficit that cannot be funded and that is very far from the case in this Borough.

Councillor Daubney congratulated the Finance Officers involved in the production of the Budget documents, and in their forecasts for Government grant levels which had proved correct.

Councillor Long concurred with the statement made by the Leader, and stated that he felt the record of only a 3% increase in Council Tax during the lifetime of the Administration was something to be proud of. He reminded Members that at the same time as keeping the Council Tax low, this year they were putting over £400,000 into balances. He congratulated the Leader and Officers for the work carried out.

The Chief Financial Officer confirmed that notification had been received of the Government Grant Settlement, which had proved to be £1,400 more than anticipated.

Councillor Pope asked if, when there were joint elections, Parish Councils were still required to pay a proportion of the cost of the election. The Chief Financial Officer confirmed that the policy regarding the payment for elections by Parish Councils hadn't changed, she would confirm to the Cabinet Member the exact details of the requirement.

Councillor Beales in supporting the Budget reminded Members that the Council was still able to fund the discretionary schemes in the Capital Programme. He thanked all those involved.

**RECOMMENDED:** 1) That Council approve the revision to the Budget for 2013/2014 as set out in the report.

2) That the Balances and Reserves Policy be re-affirmed and the maximum balances set for the reserves be approved as noted in the report.

3) That Council :

i) Approves the budget of £18,805,380 for 2014/2015 and notes the projections for 2015/2016 and 2016/2017.

ii) Approves the level of Special Expenses for the Town/Parish Councils as detailed in the report.

iii) Approves the Fees and Charges 2014/2015 detailed in Appendix 3.

iv) Approves a Band D council tax of £111.97 for 2014/2015

4) That Council approves a minimum requirement of the General Fund balance for 2014/2015 of £974,515.

CAB136: **KING'S LYNN TOWN HALL AND PUBLIC REALM**

Councillor Mrs Nockolds presented the report which detailed the proposals for a Public Realm Scheme to enhance the Saturday Market Place and the project for the King's Lynn Town Hall to be submitted to the Heritage Lottery Fund (HLF) for grant aid. She drew attention to the public consultation which had been carried out, and explained that following consultation with the HLF the original scheme presented had been reduced slightly to £1,850,000.

The Executive Director, Chris Bamfield informed Members that the County Council had carried out their statutory consultation regarding the public realm aspect and they were working on some amendments as follows which would involve further consultation:

- Changes to the original proposals to reverse the flow of traffic in College Lane.

- Making Nelson Street and Priory Lane access only to prevent them being used as a rat run.
- The choice of the asphalt surfaces was being reduced from 3 types to 1, and the saxon paving in the Market Place.
- Further consultations were ongoing with English Heritage and other interested parties in order to get the scheme submitted before the end of February.

Councillor Beales in commenting on the item drew attention of the importance of the scheme for King's Lynn, its ambitions and scope, and was pleased that the materials used were being fully considered with the 20<sup>th</sup> Century clutter being removed, and the traffic objections seemed to have been resolved.

Councillor Daubney expressed support for the scheme and what it would bring for the area. In looking to the recommendations, it was proposed that in recommendation 3) the specific figure of £185,479 included in the report be included in the decision. He expressed concern that Cabinet should be content with any amendments to be made to the scheme, and proposed that should any major amendments be proposed they be brought back to a meeting of the Cabinet. The decision on whether an amendment was deemed as minor or major would be decided by the Chief Executive in consultation with the Leader.

**RESOLVED:**

- 1) That the proposals for the Saturday Market Place be approved.
- 2) That the Stage 2 application to the HLF for the Town Hall including an additional contribution of £60,000 from the Town Hall reserves be approved.
- 3) That in the event of a successful award from the HLF the Council undertake to meet any shortfall up to £185,479 in this project to enable the project to progress.
- 4) That delegated authority be granted to the Executive Director of Commercial Services in consultation with the Portfolio Holders for Health and Wellbeing, Assets, Resources, Regeneration to make any minor amendments to the scheme prior to its final submission to the HLF (whether minor or major amendments will be defined by the Chief Executive in consultation with the Leader). Any major amendments would need to be reported back to Cabinet for decision.

CAB137: **DISCHARGE OF HOMELESSNESS DUTY BY PRIVATE RENTED SECTOR OFFER OF ACCOMMODATION**

Councillor Lawrence presented a report which explained that the Localism Act 2011 (s148 and 149) amended the 1996 Act and new statutory regulations had been produced and allowed suitable Private Sector Rented Offers to be used to end the full homelessness duty without requiring the applicant's agreement. This brought the use of

Private Rented Sector Offers in line with the use of social housing offers.

The Social Housing Allocations Policy adopted by Council in June 2013 established the Council's intention to use the new powers to discharge homelessness duty with an offer of suitable accommodation via a Private Rented Sector Offer. Hence, there was no guarantee that an unintentionally homeless household would be guaranteed a social housing offer.

The use of a Private Rented Sector Offer enabled more housing options for homeless households and could reduce waiting time in temporary accommodation pending full discharge of duty.

Sheila Farley, Housing Services Operations Manager confirmed that the proposal would assist the Council in meeting its homelessness obligations, whilst ensuring that as much accommodation was available as possible at reasonable cost to the Borough and the households involved.

The Regeneration, Environment and Community Panel had considered the report and supported the recommendations, making recommendations for minor amendments. Cabinet drew attention to the recommendation which gave delegated authority for minor amendments to officers, and agreed that providing the policy met legislation requirements, Government Guidelines and any changes in caselaw they were content with the proposals in the report.

**RECOMMENDED:** 1) That the Private Rented Sector Offer Policy and Procedure detailed in Appendix A to the report be approved for discharge of homelessness duty.

2) That the Chief Executive, in consultation with the Portfolio Holder with responsibility for housing be given delegated authority to make minor amendments to this Policy to ensure it complies with legislative requirements, Government Guidance and caselaw.

CAB138: **COAST SHARE**

Councillor Daubney presented a report which proposed that the Borough Council joined Coastshare Limited, a not for profit company established by North Norfolk District Council and Great Yarmouth Borough Council. The Coastshare was a not for profit company set up in light of the change in the Finance Act 2012 that allowed for the provision of services at cost to not for profit organisations without a requirement to charge VAT.

The Chief Executive explained that the opportunity extended to other not for profit organisations, and was a good way of ensuring that funding for good work remained in the area. He drew attention to a

point of clarification by the Legal Services Manager that the legal advice referred to in section 12.2 of the report had been sought by North Norfolk District Council.

It was agreed that the 2 members to be appointed would be notified to officers by the Leader.

**RECOMMENDED:** 1) That the Borough Council joins Coastshare Limited.

2) That the Leader appoint two Members to join the Coastshare Executive Board.

**The Meeting closed at 6.09 pm**