

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Tuesday, 2 December 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, B Long, Mrs E Nockolds,
D Pope and Mrs V M Spikings.

Apologies for absence were received from Councillors A Lawrence
and Lord Howard.

**CAB105: SUSPENSION OF STANDING ORDER 36 – RECORDING OR
BROADCASTING OF MEETINGS**

It was noted that since Council approved the changes to Standing
Orders at its meeting on 27 November 2014, it was now no longer
necessary to suspend Standing Orders.

CAB106: MINUTES

RESOLVED: The Minutes of the Meeting held on 4 November
2014 were approved as a correct record and signed by the Chairman.

CAB107: URGENT BUSINESS

There was no urgent business.

CAB108: DECLARATIONS OF INTEREST

None

CAB109: CHAIRMAN'S CORRESPONDENCE

None.

CAB110: MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

Councillor J Moriarty attended the meeting to address Cabinet on item
10 1) Freedom of Information and Data Protection policies.

CAB111: CALLED IN MATTERS

There were no called in matters.

CAB112: **FORWARD DECISIONS LIST**

The forward decision list was noted.

CAB113: **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

i) **Resources and Performance Panel: 25 November 2014**

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

RP89: Cabinet Report: Council Tax Support Scheme

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

That the Council Tax Support Scheme as approved on 10 September 2014 be adopted as the Council Tax Support Scheme for 2015/2016.

RP90: Cabinet Report: Base Budget Monitoring Report

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

It is recommended that Cabinet approve:

- 1) The changes, transfers to/from reserves and revised revenue estimates for 2014/2015 as detailed in section 1 of the report.

ii) **Regeneration Environment and Community Panel: 26 November 2014**

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

REC85: Cabinet Report – Wash East Coastal Management Strategy

RESOLVED: That the Regeneration, Environment and Community Panel supports the recommendation to Cabinet as follows:

Cabinet is invited to recommend the Council to approve the Wash East Coastal Management Strategy (WECMS).

CAB114: **UPDATES OF : FREEDOM OF INFORMATION; ENVIRONMENTAL INFORMATION POLICY; DATA PROTECTION ACT POLICY AND THE PUBLICATION SCHEME**

The Legal Services Manager presented a report which reminded Members that the Council had various statutory obligations concerning management of and access to information. The amended Data Protection Policy and Freedom of Information (FOI) policies, were now merged with the Environmental Obligations for ease of administration as their accessibility rights were the same. The policies and Publication Scheme were attached to the report and set out how the Council would implement these statutory obligations whilst assuring transparency in terms of the information available.

Under Standing Order 34, Councillor J Moriarty addressed the Cabinet. He made reference to the fact that he had had drawn to his attention a case where officers had informed someone that because they hadn't stated they wanted information under the Freedom of Information Act then they wouldn't provide it. He urged that all Officers be trained in the requirements of the legislation, records be kept of the staff training, and that staff should deal with enquiries direct, rather than having to go to the specific FOI officer.

The Legal Services Manager confirmed that an FOI request didn't have to be made in that specific terminology, as officers should be actioning the request regardless of how the request was worded. She confirmed that a schedule of training for officers was prepared and once the new policy had been agreed would begin to be rolled out. It was also confirmed that records were kept of staff training. She drew attention to the fact that because eastlaw operated legal services across more than one organisation, there was more expertise and staff to draw on for advice and guidance. It was scheduled to provide training for Members on the requirements of the Acts and the rights of members to information from the organisation.

With regard to the compliance rate of responses to FOI requests, Members attention was drawn to the fact that the Information Commissioners target was set at 85% compliance, whereas the compliance rate target for the authority was 95%, with the majority exceeding that target and being dealt with within the statutory timeframe.

Councillor Daubney acknowledged the fact that the issue of ongoing training was important for officers and Members.

Councillor Beales also acknowledged the training issue, and the need for Members to be trained on the subject ensuring the broader issues were covered. He commented that officers should be trained to recognise the issue generally but that the specialist staff needed to be in place to ensure compliance. He further commented that the Member training should deliver information on the exemptions to FOI and that it

be in plain English. He drew attention to the difficulty of finding information on the Information Commissioners website.

Councillor Daubney drew attention to his correspondence with the Information Commissioner which had been far from plain English and clear. He confirmed that the training would be built into schedules if it wasn't already.

Councillor Long asked whether there were statistics which showed how many of the 800 requests logged were able to be signposted to the website. The Legal Services Manager commented that a large number of requests came from commercial organisations and journalists, and a number of requests were received about business rates which required formatting in different ways, it was planned to format a report on the business rates information for the web site to signpost people to. The Publication Scheme was intended to reduce the amount of work involved in dealing with the requests.

RECOMMENDED: That the updated policies and publication scheme be approved.

CAB115: **BUDGET 2014/15 – MONITORING**

The Chief Financial Officer presented a report which updated the 2014/2015 revenue estimates and the projections for 2015 to 2017. The figures would form the base on which the new Financial Plan 2014/2018 would be formulated for council tax setting purposes in February 2015. Formal approval was required by Cabinet for the amendments to the 2014/2015 revenue estimates. The amendments had been reported to members as part of the monthly monitoring reports for April to September 2014 and were summarised in section 1 of the report. The report showed the saving, in 2014/2015 was estimated to be £129,680 and £393,600 would flow through into 2015/2016 and £374,190 into 2016/2017.

Councillor Long asked if the decision to pay the pension contributions in the method planned had not been taken the overall position would show a £500,000 saving. This was confirmed.

Councillor Beales commented that the report was good news, and it was a sensible approach to pay the pension contribution in one payment giving a saving of £176,000. The Chief Financial Officer confirmed that should the contribution not have been made in one payment, then there would have been contributions in future years.

It was noted that the Resources and Performance Panel at its meeting had supported the recommendations.

RESOLVED: The changes, transfers to/from reserves and revised revenue estimates for 2014/2015 as detailed in section 1 of the report be approved.

CAB116: COUNCIL TAX SUPPORT SCHEME FOR 2015/16

Councillor Daubney presented a report which reminded Members that Local Council Tax Support schemes had been 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 percent. The Council scheme gave protection to pensioners, families with children under 5 and other vulnerable groups.

The Deputy Chief Executive explained that in the first year of operation, 2013/2014, the Council determined to continue to operate a scheme similar to the old Council Tax Benefit Scheme as the Council received a transitional grant from central government to partly offset the loss of funding. In 2014/2015 the Council introduced a Council Tax Support Scheme that reduced the cost of the scheme to fit within the reduced funding from Government. The report explained that each financial year a billing authority must review its Council Tax Support scheme and, by 31 January, adopt its scheme for the forthcoming financial year.

It was noted that on 10 September 2014 Cabinet agreed that the Council Tax Support Scheme for 2014/2015, updated for changes in benefit legislation during 2014/2015 together with uprating of allowances and premiums for pension age claimants as the draft scheme for 2015/2016 would go to public consultation. The consultation period ran over a six week period from 19 September 2014 to 31 October 2014.

There were three responses to the consultation exercise which were noted in the report. The report proposed that the Council adopt the draft Council Tax Support Scheme, approved on 10 September 2014, as the Council Tax Support Scheme for 2015/2016.

Councillor Beales drew attention to the protection in place for vulnerable groups and asked for further explanation on the work incentives mentioned in the report. The Deputy Chief Executive explained that the levels of work incentive income set out would not be included in the calculation for benefit per week.

It was noted that the Resources and Performance Panel at its meeting had supported the recommendations.

RECOMMENDED: That the Council Tax Support Scheme as approved on 10 September 2014 be adopted as the Council Tax Support Scheme for 2015/2016.

CAB117: THE WASH EAST COASTAL MANAGEMENT STRATEGY

Councillor Long presented a report which sought approval for The Wash East Coastal Management Strategy (WECMS) covering the coastline from Hunstanton Cliffs to Wolferton Creek (Snettisham beach) area. The documentation presented was the culmination of work that evolved from the Shoreline Management Plan dealing with the more practical measures of dealing with the coastal areas. The Environment Agency was the lead agency for the document, and if accepted by the Council would go to them for adoption nationally.

Councillor Long drew attention to the coastal recharge scheme to the south of Hunstanton which was proving to be problematical as it wasn't just a one off capital recharge scheme, it needed regular recharges resulting in ongoing revenue costs. He drew attention to the good work by Peter Jermany, Water Management Officer on the document.

It was acknowledged that some of the print had not produced well in the hard copy of the appendix, but it was clear exactly what was proposed, and the version on line did not have the same problem.

Councillor Beales drew attention to the discussions held at the Regeneration Environment and Community Panel which he felt had been dealt with well. He felt it was clearly set out what was proposed, and should be supported.

RECOMMENDED: That the Wash East Coastal Management Strategy (WECMS) be approved.

The Meeting closed at 6.05pm