

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on
Tuesday, 3 March 2015 at 5.30pm in the Committee Suite, King's Court,
Chapel Street, King's Lynn**

PRESENT: Councillor N J Daubney (Chairman)
Councillors, A Lawrence, B Long,
Mrs E Nockolds, D Pope and Mrs V M Spikings.

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

CAB148: MINUTES

RESOLVED: The Minutes of the Meeting held on 3 February
2015 were approved as a correct record and signed by the Chairman.

CAB149: URGENT BUSINESS

There was no urgent business.

CAB150: DECLARATIONS OF INTEREST

None.

CAB151: CHAIRMAN'S CORRESPONDENCE

None.

CAB152: MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

None.

CAB153: CALLED IN MATTERS

None.

CAB154: FORWARD DECISIONS LIST

The forward decision list was noted.

**CAB155: MATTERS REFERRED TO CABINET FROM COUNCIL
BODIES**

i) Resources and Performance Panel: 24 February 2015

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

RP124: Cabinet Report: Treasury Management Strategy

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

Cabinet is asked to recommend to Council:

- 1) The Treasury Management Strategy Statement 2015/2016, including treasury indicators for 2015/2018.
- 2) The Investment Strategy 2015/2016.
- 3) The Minimum Revenue Provision Policy 2015/2016.
- 4) Adopt the revised Treasury Management Practices (TMPs).

RP125: Cabinet Report: Members It Solution

Resolved: The Panel supports the recommendation to Cabinet as follows:

Cabinet resolves

- 1) To provide each Member with an iPad tablet device, Citrix access and a mobile phone, replacing the current Council ICT solution, unless Members choose to utilise their own compatible equipment.
- 2) That the 3G option is not entered into except on an exceptions basis.
- 3) To implement an allowance of £10 per month towards the cost of Broadband and ICT peripherals.
- 4) To introduce Members Computer Usage Guidelines.

ii) **Regeneration Environment and Community Panel: 25 March 2015**

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

REC122: Cabinet Report: Byelaws For Skin Piercing Activities

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

1. The Council approves the byelaws as set out in Appendix 1 and authorising the affixing of the common seal to the byelaws.
2. Authorise Legal Services Manager to apply to the Secretary of State for confirmation of the byelaws.

REC123: Antisocial Behaviour, Crime And Policing Act 2014

Resolved: That the Regeneration, Environment and Community Panel supported the recommendations to Cabinet as follows:

That Cabinet:

1. Notes the new powers under the Antisocial Behaviour and Policing Act 2014.
2. Delegates the Executive Director Central and Community Services to authorise officers of the Council under the Act.
3. Delegates powers under Section 53 of the Act to the Executive Director Central and Community Services to authorise designated persons to issue Community Protection Notices and Fixed Penalty Notices, subject to such training and accreditation deemed appropriate.
4. Sets the level of Fixed Penalty Notice at £80 reduced to £60 if paid within 14 days.

REC124: Cabinet Report: Delegation Of Decision Making For Neighbourhood Development Plan Processes

Resolved: That the Regeneration, Environment and Community Panel supports the recommendations to Cabinet as follows:

That the Cabinet:

1. Reserves to itself decisions
 - 1.1 as to whether a neighbourhood plan should proceed to a referendum, and if so whether the plan must first be amended to meet the relevant statutory requirements; and
 - 1.2 designation of a neighbourhood forum where there are competing groups applying for designation.
2. Delegates authority to the Executive Director for Environment and Planning, in consultation with the Portfolio Holder for Development, to make decisions on.
 - 2.1 designation of a neighbourhood forum, unless there are competing groups applying for designation.
 - 2.2 Designation of a neighbourhood area (as per existing delegated authority).
 - 2.3 Formal representations in response to consultation (pre-submission and publication stages) on draft neighbourhood plans; and
 - 2.4 'Making' (adopting) a neighbourhood plan. (Note that the Council has no choice by to do so if a neighbourhood plan if it passes the local referendum).
3. Delegates authority to the Executive Director for Environment and Planning to make decisions on.
 - 3.1 screening neighbourhood plans under the environmental assessment regulations;
 - 3.2 informal comments on emerging neighbourhood plans (pre-submission);
 - 3.3 whether a neighbourhood plan submitted to the Borough Council meets the statutory requirements of completeness;
 - 3.4 timing of publication, and scope of associated publicity and consultation;

- 3.5 appointment of independent examiner;
 - 3.6 the details of any changes required to the neighbourhood plan by the Cabinet decision at 1 above; and
 - 3.7 minor amendments, corrections or updates to any of the decisions above (including 1 to 4), and issuing of any statutory notices of publicity notifying such decisions.
4. Congratulates Brancaster and South Wootton Parish Councils on their preparation of a draft neighbourhood plans for their respective areas, and for being the first two in the Borough to be submitted.

REC125: Cabinet Report – Award Of The Honorary Freedom Of The Borough – Honorary Alderman Dr Paul R Richards

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

- 1. That an Extraordinary Meeting of the Council be held prior to the Council meeting on 23 April 2015 in order to approve the award of the Honorary of Freedom of the Borough to Honorary Alderman Dr Paul Richards, under section 249 of the Local Government Act 1972, in recognition of the eminent service that Dr Richards has given to the Borough, the promotion of its history and Hanse connections.
- 2. That the common seal of the Council be affixed to a certificate to be presented to Dr Richards at a formal ceremony at the Town Hall after the Council meeting on the evening of 23 April 2015.

REC127: Exempt Cabinet Report – King's Lynn Town Hall

Resolved: (i) That the Regeneration, Environment and Community Panel support the recommendations to Cabinet as follows:

That Cabinet agree to appoint the selected contractor for the Town Hall scheme as detailed in the report.

- (ii) That the Panel were supportive of the proposed refurbishment works to the first floor toilets.

CAB156: **AWARD OF THE HONORARY FREEDOM OF THE BOROUGH – HONORARY ALDERMAN DR PAUL RICHARDS**

Councillor Daubney presented a report which explained that he had written a letter of nomination as Leader of the Council and on behalf of the Conservative Group of the Borough Council of King's Lynn and West Norfolk to award the Honorary Freedom of the Borough to Honorary Alderman Dr Paul R Richards. The nomination had been supported in writing by the following:

- Sir Jeremy Bagge
- The Rotary Club of King's Lynn
- Malcolm Catlin, Marriott's Warehouse
- Councillor J M Tilbury
- James K Lee, Chartered Surveyor

Councillor Daubney drew attention to the tireless work that Dr Richards had devoted to the town of King's Lynn and the Borough, particularly in promoting the links with the Hanse League, the membership of which the town was celebrating its 10th year. He acknowledged that the honour had not been presented to an individual in many years, but felt that Dr Richards was a worthy recipient of the honour. He explained that, subject to Council agreeing to it, it was planned that a formal special meeting of Council be held prior to the 23 April 2015 Council meeting, which would be followed by a ceremony to bestow the honour.

It was noted that the Regeneration Environment and Community Panel had debated the item and supported the recommendations.

RECOMMENDED: 1) That an Extraordinary Meeting of the Council be held prior to the Council meeting on 23 April 2015 in order to approve the award of the Honorary of Freedom of the Borough Honorary Alderman Dr Paul Richards, under s249 of the Local Government Act 1972, in recognition of the eminent service that Dr Richards has given to the Borough, the promotion of its history and Hanse connections.

2) That the common seal of the Council be affixed to a certificate to be presented to Dr Richards at a formal ceremony at the Town Hall after the Council meeting on the evening of 23 April 2015.

CAB157: DELEGATION OF DECISION MAKING FOR NEIGHBOURHOOD DEVELOPMENT PLAN PROCESSES

Councillor Mrs Spikings presented a report which explained that several neighbourhood development plans were in preparation by parish councils, and the first two of these, Brancaster and South Wootton had now been submitted to the Borough Council. Councillor Mrs Spikings explained that the submission triggered a process in which the Borough Council needed to make a series of different formal decisions as it was desirable that appropriate provisions were made in advance for the decisions to be made expeditiously and at the appropriate level within the Council for these and subsequent neighbourhood plans.

It was noted that the Regeneration Environment and Community Panel had debated the item and supported the recommendations.

RESOLVED: 1) That Cabinet reserves to itself decisions

1.1. as to whether a neighbourhood plan should proceed to a referendum, and if so whether the plan must first be amended to meet the relevant statutory requirements; and

1.2. designation of a neighbourhood forum where there are competing groups applying for designation.

2) That delegated authority be given to the Executive Director for Environment and Planning, in consultation with the Portfolio Holder for Development, to make decisions on

2.1. designation of a neighbourhood forum, unless there are competing groups applying for designation;

2.2. designation of a neighbourhood area (as per existing delegated authority);

2.3. formal representations in response to consultation (pre-submission and publication stages) on draft neighbourhood plans; and

2.4. 'Making' (adopting) a neighbourhood plan. (Note that the Council has no choice but to do so if a neighbourhood plan if it passes the local referendum.)

3) That delegated authority be granted to the Executive Director for Environment and Planning to make decisions on:

3.1. screening neighbourhood plans under the environmental assessment regulations;

3.2. informal comments on emerging neighbourhood plans (pre-submission);

3.3. whether a neighbourhood plan submitted to the Borough Council meets the statutory requirements of completeness;

3.4. timing of publication, and scope of associated publicity and consultation;

3.5. appointment of independent examiner;

3.6. the details of any changes required to the neighbourhood plan by the Cabinet decision at 1 above; and

3.7. minor amendments, corrections or updates to any of the decisions above (including 1 to 4), and issuing of any statutory notices or publicity notifying such decisions.

4) That Brancaster and South Wootton Parish Councils be congratulated on their preparation of a draft neighbourhood plans for their respective areas, and for being the first two in the Borough to be submitted.

CAB158: **TREASURY MANAGEMENT STRATEGY STATEMENT, MINIMUM REVENUE PROVISION POLICY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2015/2016**

Cabinet considered a report which explained that the Council was required to receive and approve a Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy which covered:

- Capital plans, including prudential indicators
- A Minimum Revenue Provision (MRP) Policy
- The Treasury Management Strategy
- An Investment Strategy

The report covered the requirements of the Local Government Act 2003, the Chartered Institute of Public Finance Accountants (CIPFA) Prudential Code, the Department of Communities and Local Government (CLG) MRP Guidance, the CIPFA Treasury Management Code and the CLG Investment Guidance.

The report looked at the period 2015/2018 which fitted with the Council's Financial Plan and capital programme. The report was based upon the Treasury officers' views on interest rates, supplemented with leading market forecasts provided by the Council's treasury advisor, Capita Asset Services, Treasury Solutions.

It was noted that the Resources and Performance Panel had debated the item and supported the recommendations.

RECOMMENDED: 1) The Treasury Management Strategy Statement 2015/2016, including treasury indicators for 2015/2018.

- 2) The Investment Strategy 2015/2016.
- 3) The Minimum Revenue Provision Policy 2015/2016.
- 4) Adopt the revised Treasury Management Practices (TMPs).

CAB159: **PROPOSED MEMBERS ICT SOLUTION**

Councillor Pope presented a report which, in consultation with Councillor Beales as part of the ICT Development Group had worked up the proposal to move away from the current fully managed ICT solution consisting of a PC 'Wyse Terminal', broadband and telephone land line service for Members, to a combination of iPads, Citrix remote access and provision of a mobile phone, following the 2015 Elections - saving up to £62,421 over a 4 year period.

The report looked at lessons learned from the current provision of Members ICT and examined the results of an iPad trial undertaken by a cross section of Elected Members.

A brief summary of some of the potential benefits of the move were 1) the facility to receive minutes, agendas and email via 'apps' straight to an iPad device 2) cost reduction 3) reduced ICT staff visits, 4) less ICT equipment taking up space at home for Members.

Councillor Pope referred to the issue of 'Paperless Meetings' and commented that for things such as the Planning agenda Members would still be able to have a hard copy should they require one. He drew attention to the question of the inclusion of a '3G' simcard, and recommended that they only be included in exceptional circumstances. The report also sought approval to issue 'Members Computer Usage Guidelines' as part of the rollout.

Councillor Pope drew attention to the benefits of the Mod Gov system which would provide quick and easy access on the ipads to documentation as soon as it was published.

With regard to the issue of Members using their own devices, Councillor Long asked whether only apple devices would be supported or any other android devices would be supported. The ICT Manager confirmed that other android devices could be used, but the guidelines would be updated closer to the time as Government Guidance would probably change closer to the time.

Councillor Nockolds commented that she had piloted the ipad amongst other devices and had found the ipad to be better than the other devices. She found it easy and very useful to use. She thanked the IT staff for their help and assistance throughout the process. Councillor Mrs Spikings concurred with the comment.

Councillor Daubney commented that the trail had gone well, and he was keen to use the mod gov software when it was up and running. He looked forward to the introduction of the equipment which would make Councillors more efficient and for the public to be able to communicate with them.

Councillor Long asked if the Broadband lines would be switched off immediately. The ICT Manager explained that there would be a period of time between the introduction of the new equipment to permit Councillors to make their own arrangements.

It was noted that the Resources and Performance Panel had debated the item and supported the recommendations.

RESOLVED: 1) To provide each Member with an iPad tablet device, Citrix access and a mobile phone, replacing the current Council ICT solution, unless Members choose to utilise their own compatible equipment.

2) That the 3G option is not entered into except on an exceptions basis.

- 3) To implement an allowance of £10 per month towards the cost of Broadband and ICT peripherals.
- 4) To introduce Members Computer Usage Guidelines.

CAB160: **ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

Councillor Long presented a report which set out an overview of the Anti-Social Behaviour and Policing Act 2014, amend the delegation of powers to allow for the implementation of new powers and to agree the level of fixed penalty fines under the Act.

It was noted that the Regeneration Environment and Community Panel had debated the item and supported the recommendations.

RESOLVED: 1) That the new powers under the Anti-Social Behaviour and Policing Act 2014 be noted.

2) That the Executive Director Central and Community Services be delegated to authorise officers of the Council under the Act.

3) That powers under s53 of the Act be delegated to Executive Director Central and Community Services to authorise designated persons to issue Community Protection Notices and Fixed Penalty Notices, subject to such training and accreditation deemed appropriate.

4) That the level of Fixed Penalty Notice be set at £80 reduced to £60 if paid within 14 days.

CAB160: **BYELAWS FOR SKIN PIERCING ACTIVITIES**

The Environmental Health Manager (Commercial) presented a report which contained a proposal to adopt new byelaws relating to skin piercing activities and the adoption of the national Tattoo Hygiene Rating Scheme. The Council had the responsibility to ensure that the skin piercing activities carried out within the Borough did not pose a public health threat.

The new byelaws would reflect the conditions set out in the Tattoo Hygiene Rating Scheme and would be voluntary for those premises carrying out skin piercing and tattoos but the premises would be rated which would indicate to customers the levels of hygiene operated.

Councillor Long commented that hopefully the rating would have a similar effect of improving the levels of hygiene as the food establishment rating system.

Councillor Daubney, in supporting the proposals commented that people undergoing these procedures should have the assurance that they would be treated in a safe environment.

It was noted that the Regeneration Environment and Community Panel had debated the item and supported the recommendations.

RECOMMENDED: 1) That the byelaws as set out in Appendix 1 to the report be approved and the affixing of the common seal to the byelaws be authorised.

2) That the Legal Services Manager be authorised to apply to the Secretary of State for confirmation of the byelaws.

CAB161: UPDATE TO THE CODE OF CORPORATE GOVERNANCE

Councillor Daubney presented a report which addressed the review of the Council's Code of Corporate Governance in line with an audit recommendation made in August 2014. The review had been conducted and the existing Code of Corporate Governance updated and refreshed in line with new guidance and the Council's governance framework.

RECOMMENDED: That the Code of Corporate Governance be approved.

CAB162: 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."

CAB163: KING'S LYNN TOWN HALL

Councillor Mrs Nockolds presented a report which set out the results of the tender process for the procurement work for the Town Hall project. Tenders for the building work had been received from five contractors.

The tenders included options for additional work which were not part of the original HLF scheme, particularly the toilets on the first floor of the building. It was considered advantageous for the Council to carry out works when parts of the building were closed and those areas that remained open can be managed as part of an overall site plan. The building works were due to commence in April with completion early in 2016. Satisfactory references had been taken up for the successful tenderer.

Councillor Long asked whether it would be more cost effective to carry out the work over a longer period of time, to which it was responded

that it was scheduled in order to have the building opened by Easter 2016.

It was noted that the Regeneration Environment and Community Panel had debated the item and supported the recommendations particularly endorsing the additional work tendered for on the toilets.

RESOLVED: That Pentaco Construction be appointed for the Town Hall scheme as detailed in the report.

The Meeting closed at 6.14 pm