

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

CABINET DECISION SHEET

**Decision Sheet from the Meeting of the Cabinet held on
Tuesday, 30 October 2012 at 5.30pm in the Assembly Room, Town Hall,
Saturday Market Place, King's Lynn**

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

An apology for absence was received from Councillor Lord Howard

1. **MINUTES**

RESOLVED: The Minutes of the Meeting held on 2 October 2012 were approved as a correct record and signed by the Chairman.

2. **URGENT BUSINESS**

There was no urgent business.

3. **DECLARATIONS OF INTEREST**

None

4. **CHAIRMAN'S CORRESPONDENCE**

None.

5. **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor T Manley addressed the Cabinet for item 9 (x).

6. **CALLED IN MATTERS**

None

7. **FORWARD DECISIONS LIST**

The new format of forward decision list was noted.

8. **MATTERS REFERRED TO CABINET FROM COUNCIL BODIES**

i) **Resources and Performance Panel: Audit Committee: 23
October 2012**

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

ARC56: Cabinet Report: Mid Year Treasury Report 2012/2013
RESOLVED: That Cabinet be informed that the Resources and Performance Panel – Audit and Risk Committee supports the recommendation as set out in the report to Cabinet as follows:

Cabinet is asked to note the report and the treasury activity.

ii) Resources and Performance Panel: 23 October 2012

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

RP69: Cabinet Report: Outsourced Payroll Contract

RESOLVED: That Cabinet be informed that the Resources and Performance Panel supports the recommendation as set out in the report to Cabinet as follows:

That Cabinet approve the awarding of the outsourced payroll contract to Bedford Borough Council.

RP70: Cabinet Report: Corporate Apprenticeship Scheme

RESOLVED: That Cabinet be informed that the Resources and Performance Panel supports the recommendation as set out in the report to Cabinet as follows:

1) That six apprentices to be employed on 18 month Fixed Term Contracts which are supernumerary to the Fixed Term Establishment List.

2) That these posts be funded corporately and that the cost of the apprentices (either £13,484 or £14,795 per annum (including oncosts) depending on their age) be met from budget savings made to date in the 2012/13 year.

iii) Regeneration, Community and Environment Panel – 24 October 2012

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

REC82: Museum Square Project

RECOMMENDATION: That the Panel supported the recommendations to Cabinet as set out the report.

REC83: Black Sack Waste Recycling Contract

RECOMMENDATION: That the Panel supported the recommendations to Cabinet as set out the report.

REC85: Gambling Act 2005 – Statement of Principles

RECOMMENDATION: That the Panel supports the recommendation to Council as set out in the report to adopt the Statement of Principles in accordance with the requirements of the Gambling Act 2005.

REC86: Proposal for a Large Scale Housing Development on some of the Council's Land Holdings

RECOMMENDATION: That the Panel supported the recommendations to Cabinet as set out the report:

That Cabinet

(1) Approves a budget of £30,000 to take the project through to the procurement stage.

(2) Requires a further report which updates members on progress made and how the procurement is to be evaluated prior to it being advertised in the European Journal.

9. REPORTS

i) Mid Year Review Treasury Report 2012/2013 (Page 13)	RESOLVED: That the Mid Year Review Treasury Report 2012/2013 and the treasury activity be noted. Reason for the Decision The Council must make a Mid Year Review of its Treasury operation, as part of the CIPFA code of Practice.
ii) Town Hall (Page 32)	RESOLVED: That the submission of a grant application to the HLF for the Town Hall be agreed. Reason for Decision To enable the development of the Town hall as part of an integrated heritage offering for King's Lynn.
iii) Gambling Act 2005 – Statement of Principles (Page 39)	RECOMMENDED: That the Council be invited to adopt the Statement of Principles in accordance with the requirements of the Gambling Act 2005.

	<p>Reason for Decision</p> <p>To comply with the Statutory requirement that the Council adopts a Statement of Principles.</p>
<p>iv) Review and Update of Contract Standing Orders (Page 76)</p>	<p>RECOMMENDED:</p> <p>That the new version of Contract Standing Orders, as set out in the report, be adopted.</p> <p>Reason for Decision</p> <p>To ensure that the Council's purchasing and disposal procedures continue to reflect best practice in order to obtain best value and to guard against corruption, discrimination and breaches of public procurement regulations.</p>
<p>v) Permanent Contracts for Care and Repair Staff (Page 119)</p>	<p>RECOMMENDED:</p> <p>That the following be approved:</p> <ol style="list-style-type: none"> 1) To replace those fixed term contracts which have run for in excess of two years with permanent contracts of employment. 2) These positions (14 posts, 12.50 FTE) to be shown as an addition to the Council's agreed number of permanent posts, to clearly illustrate that these positions are linked to external funding. 3) That delegated authority for decisions on future staffing levels (both increases and decreases) be given to the Executive Director Environmental Health and Housing in conjunction with the Portfolio Holder Community and the Executive Director Central Services in conjunction with the Leader. Any future changes to staffing levels to be clearly linked to the provision of services on behalf of other Council's and associated changes in service arrangements or new business opportunities. <p>Reason for Decision</p> <p>Although there is no additional certainty with respect to the existing external funding arrangements, there is no</p>

	<p>justification in continuing to periodically renew fixed term contracts for posts that are envisaged to continue within a permanent staffing structure. Continuous employment beyond two years gives rise to certain employment rights including redundancy payment. There seems no reason to continue extending fixed term contracts if there is no advantage in doing so.</p>
<p>vi) Corporate Apprenticeship Scheme (Page 125)</p>	<p>RECOMMENDED:</p> <p>That the following be approved:</p> <p>1) That six apprentices be employed on 18 month Fixed Term Contracts which are supernumerary to the Fixed Term Establishment List.</p> <p>2) That these posts be funded corporately and that the cost of the apprentices (either £13,484 or £14,795 per annum (including oncosts) depending on their age) be met from budget savings made to date in the 2012/13 year.</p> <p>Reason for Decision</p> <p>To support the Council's corporate objectives relating to helping people in West Norfolk maximise their potential. This proposal will enable the Council to offer employment opportunities for young people in a range of job roles. This proposal is also a clear demonstration to other local businesses of the Council's commitment to supporting young people in West Norfolk.</p>
<p>vii) Outsourced Payroll Contract (Page 130)</p>	<p>RESOLVED:</p> <p>That the award of the outsourced payroll contract to Bedford Borough Council be approved.</p> <p>Reason for Decision</p> <p>In accordance with the Council's contract standing orders it is necessary for the contract awarded to the successful supplier to be approved by Cabinet.</p>

<p>viii) Proposal for a Large Scale Housing Development on some of the Council's Land Holdings (Page 132)</p>	<p>RESOLVED:</p> <p>1) That a budget of £30,000 to take the project through to the procurement stage be approved.</p> <p>2) That a further report which updates members on progress made and how the procurement is to be evaluated be presented to Cabinet prior to it being advertised in the European Journal.</p> <p>Reason for Decision</p> <p>To help the Authority meet the housing needs of resident population, producing a capital receipt and help stimulate the local economy and jobs market.</p>
<p>ix) Millennium Communities Agreement: Process for Agreeing Variations (Page 144)</p>	<p>RESOLVED:</p> <p>1) That delegated authority be granted to the Chief Executive in consultation with the Portfolio Holder for Regeneration and Commercial Services to authorise requests to vary the terms of the MCA with the NORA partners.</p> <p>2) That requests for variations from the NORA partners are dealt with by completion of a variation request form (document template in appendix 1).</p> <p>Reason for Decision</p> <p>To facilitate development of the Nar Ouse Regeneration Area in line with the corporate business plan.</p>

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."

<p>x) Black Sack Waste Recycling Contract (Page 148)</p>	<p>RECOMMENDED:</p> <p>1) That Officers be authorised to enter into a Framework Agreement and a conditional contract with Material Works for waste recycling services to commence in April 2014. The conditional terms shall</p>
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be:

- i Planning consent
- ii Environmental Permit
- iii Commercial scale demonstrator
- iv End of Waste Certification
- v Recycling Credits
- vi positive endorsement from the independent verification of the viability of the process.

2) The contract be for a period of 16 years.

3) The Framework Agreement will allow Waste Collection Authorities in Norfolk and those Waste Collection Authorities who have a border with Norfolk, to enter into 'call-off' contracts with Material Works within 4 years from the commencement of the service to this Council.

4) That the Chief Executive be instructed to serve 'Notice' on Norfolk County Council of the intention to withhold waste collected in black bins for the purposes of recycling by this Council.

5) That, notwithstanding recommendations 1-4 above, the Chief Executive in consultation with the Leader be delegated to engage consultants to carry out an independent verification of the process.

Reason for Decision

The proposals within the report will enable the Council to recycle close to 100% of household waste produced within the Borough without the need of landfill or incineration collected within the black wheeled bins. The material produced from the process can be processed into a variety of products improving employment prospects within

	<p>the Borough. The technology would make the Borough a leader in innovation for waste treatment.</p> <p>Recommendation 5 is added to ensure an independent verification of the process from a waste industry expert.</p>
<p>xi) Museum Square Project (MSP) (Page 156)</p>	<p>RESOLVED:</p> <p>1) That a collaborative relationship with the project developers, Lotus Group Ltd be entered into.</p> <p>2) That a Memorandum of Understanding (MoU), which states the key principles of this collaborative relationship with the Lotus Group be signed.</p> <p>3) That delegated authority be granted to the Chief Executive in consultation with the Cabinet Member for Regeneration to negotiate the terms and conditions of a Master Development Agreement (MDA), which will set out the development details in terms of plans, drawings, land assembly, funding, timetable & phasing, type & quantum of use classes and partners' rights, responsibilities and obligations</p> <p>4) That a report be brought to the Cabinet Meeting at a future date setting out the final Master Development Agreement (MDA)</p> <p>Reason for Decision</p> <p>The Museum Square Project will deliver a scheme that would enhance King's Lynn town centre's viability, vitality and sub-regional competitiveness. This proposal meets the following national and local policy objectives:</p> <p>1. National Planning Policy Framework (March 2012):</p> <p>Ensuring the vitality of town centres [...] - local planning authorities should recognise town centres as the heart of their communities and pursue policies to</p>

	<p>support their viability and vitality</p> <p>2. Borough Council of King's Lynn & West Norfolk Local Development Framework - Core Strategy (adopted version July 2011):</p> <p>CS03 – Provide at least 20,000 sqm of retail floor space as an extension to the existing town centre west of Railway Road</p> <p>3. King's Lynn Town Centre Extension Development Framework (September 2008):</p> <p>Town Centre Extension Master Plan recommended option is to provide over 25,000 sqm of new retail and leisure floorspace in the town centre to the west of Railway Road</p> <p>4. The Portas Review Recommendations (2011):</p> <p>Recommendation 14 – Make explicit the presumption in favour of town centre development in the wording of the National Planning Policy Framework (NPPF) – this has been supported by government and reflected in the NPPF</p>
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The Meeting closed at 7.00 pm