

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

Minutes from the Meeting of the Cabinet held on Tuesday, 24th May, 2016 at 5.30 pm in the Meeting Rooms 1-3, King's Court, Chapel Street, King's Lynn

PRESENT: Councillor B Long (Chairman)
Councillors A Beales, R Blunt, A Lawrence, Mrs K Mellish and Mrs E Nockolds

In attendance:

Deputy Cabinet Members: P Colvin I Devereux, P Hodson, G Middleton, J Westrop and Mrs A Wright

Apologies for absence were received from Councillors N Daubney and S Squires

CAB1 MINUTES

RESOLVED: The Minutes of the Meeting held on 5 April 2016 were approved as a correct record and signed by the Chairman.

CAB2 URGENT BUSINESS - LATE ITEM - PAYMENT OF ALLOWANCES FOR DEPUTY CABINET MEMBERS

The Chairman had agreed that the following item be considered under Section 100(b)(4)(b) of the Local Government Act 1972, in order that the allowances for all members may be resolved at the commencement of the Municipal year.

Councillor Long presented the report which proposed that the newly appointed Deputy Cabinet Members be paid an allowance of £1,100 per annum. He explained that the reduction in the number of Cabinet Members and the removal of the position of Assistant to the Leader had ensured the proposal was within budget. Councillor Long gave information on the role and level of responsibilities of the Deputy Cabinet Members which is set out below.

It was agreed that Deputy Cabinet Members would be trained to ensure it was clear what their role was in meetings when representing a Cabinet Member, and that they were not in possession of any delegated authority. It was agreed that the reference to Deputy Cabinet Members and their roles be inserted in the appropriate section of the Constitution.

RECOMMENDED: 1) That the purpose and role of the Deputy Cabinet Members be noted as follows and included within the relevant sections of the Constitution:

Purpose

To assist and work with the designated Cabinet Member with their responsibility for allocated portfolios.

Duties and Responsibilities

1. To assist the designated Cabinet Member in shaping and developing the strategic priorities of the Council as it relates to the allocated portfolio.
2. To assist the designated Cabinet Member in monitoring performance in specified areas relating to the allocated portfolio.
3. Where appropriate and where permissible under the Council's Constitution to represent the designated Cabinet Member at meetings or visits.
4. The role of Deputy Cabinet Member does not allow any use of Cabinet Members delegated powers or responsibilities.

- 2) That an allowance of £1,100 be paid to Deputy Cabinet Members.

CAB3 LATE ITEM - APPOINTMENT TO JOINT SAFETY AND WELFARE AND JOINT EMPLOYEE COMMITTEES AND CABINET TASK GROUPS

The Chairman had agreed that the item be considered in order that the memberships were updated for the current year in order to ensure that business could continue with the up to date membership.

Cabinet was invited to appoint to the Joint Safety and Welfare Committee and Joint Employee Committee, agree to appoint to the Local Development Framework Task Group for the forthcoming year.

It was agreed to disband the Broadcasting Task Group as it had completed the work required in the changes to the constitution, and the ability of the public to record meetings remained.

RESOLVED: 1) That officers be instructed to seek the Membership from Group Leaders for the Local Development Framework Task Group for the new Municipal Year.

- 2) That the Broadcasting of Public Meetings Task Group be disbanded as the legislative requirements.

- 3i) That the Membership of the Joint Safety and Welfare Committee Membership be confirmed as:

Councillors B Long, K Mellish and J Westrop

- ii) That the Membership of the Joint Employee Committee be confirmed as follows:

Councillors I Devereux, M Chenery of Horsbrugh, B Long, K Mellish and J Westrop.

CAB4 DECLARATIONS OF INTEREST

None

CAB5 CHAIRMAN'S CORRESPONDENCE

None

CAB6 MEMBERS PRESENT UNDER STANDING ORDER 34

Councillor J Moriarty attended the meeting under Standing Order 34 and addressed Cabinet on items 10,12 and 13.

CAB7 CALLED IN MATTERS

No matters were called in.

CAB8 FORWARD DECISIONS

The Forward Decision list was noted.

CAB9 MATTERS REFERRED TO CABINET FROM OTHER BODIES

None

CAB10 STATEMENT OF COMMUNITY INVOLVEMENT

The LDF Manager presented a report which explained that the Council adopted a Statement of Community Involvement (SCI) in 2006. This review of the Council's SCI had taken account of the recent changes in legislation and policy. Planning legislation set out a number of statutory requirements with respect to consultation on planning policy documents and planning applications. The SCI set out how the Council would meet these requirements along with the additional activities the Council would undertake to involve people in the planning system.

The report also explained that the Localism Act 2011 also set out a 'duty to co-operate', which was a requirement that the Council engage with neighbouring Councils and other statutory bodies to consider joint approaches to plan-making. The Council was committed to meeting this duty and intended to work closely with neighbouring authorities, other partner organisations and stakeholders.

The revised SCI was required to go out to consultation for 6 weeks, to give stakeholders and the local community the opportunity to comment upon the document.

The report proposed that those comments would then be considered by the Executive Director - Environment and Planning and the Cabinet Member, with the intention that the document was amended if required and then adopted via delegated powers.

Under Standing Order 34, Councillor Moriarty suggested that the final document should go to Council for approval, rather than the delegated authority being granted to finalise the document.

In response it was agreed that the document would come back through to Council for approval after the consultation process was complete.

In response to a suggestion that Applicants and Agents be required to carry out public consultation it was noted that the Government advice was that they

should do it and the wording was contained in the document. It was also noted that at the Heacham Appeal currently being undertaken comments had been made on the developer's involvement with the village.

RESOLVED: 1) That the Statement of Community Involvement be made available for consultation for a period of 6 weeks.

2) That the final version of the document prepared after the consultation period be reported back through to Council for final approval.

CAB11 CHILD PROTECTION POLICY

Councillor Mrs K Mellish presented a report which invited Members to consider and endorse updates to the corporate Child Protection Policy. The policy had been in place since 2007 and had been revised to reflect current practice and developments which had evolved during the intervening period. The policy was designed to ensure the Council met its responsibilities and safeguarded children and young people from potential harm and abuse, as well as protecting itself, its staff and elected members.

Councillor Mrs Nockolds commented that she was pleased that Council property leases etc were being reviewed to take into account the safeguarding element.

Under Standing Order 34 Councillor Mrs Wright asked if Childhood Obesity was considered under the policy, to which it was undertaken to look into whether it was.

RECOMMENDED: 1) That the revised Child Protection Policy be approved.

2) That delegated authority be given to the Executive Director, Central and Community Services, in consultation with the relevant Portfolio Holder, to agree amends/updates to the Policy that may be required to ensure it remains compliant with legislation

3) That Officers take steps to ensure that the Council's duty to safeguard and promote the welfare of children is appropriately reflected in contracts, leases and licences

CAB12 OUTSIDE BODIES APPOINTMENTS FOR CABINET 2016-17

The report sought nominations for Executive appointments to serve on outside bodies and partnerships requiring confirmation for 2016/17 to ensure continued involvement in the community by the Council.

Under Standing Order 34, Councillor Moriarty sought clarification on the Freebridge Consultative Body representation which in the agenda showed Councillor Daubney. It was explained that the membership shown in the agenda was shown for the previous year for ease of nominating for the current year.

RESOLVED: That the following changes be made to the Executive Outside Body appointments for 2016/17:

Alive Leisure Trust – Councillor Mrs A Wright
 British Destinations and British Resorts and Destinations Association – Policy Committee – Delete
 College of West Anglia Board – Councillor B Long
 Downham Market Leisure Centre – Councillor K Mellish
 Freebridge Community Housing and Borough Council Strategic Forum – Councillors B Long A Lawrence and R Harding.
 Hunstanton Green Management Committee – Mrs E Nockolds
 King's Lynn Town Centre Partnership – Councillor B Long, Sub - Councillor P Hodson
 Local Authority Company Board (Alive Management) – Councillors B Long, Mrs E Nockolds and Mrs K Mellish
 Local government Association – Councillor B Long
 Norfolk and Waveney Enterprise Services – B Long
 Norfolk Coast Partnership – Councillor B Long , Sub – Councillor S Squire
 Norfolk County Playing Fields Assn – Councillor E Nockolds if the body is still meeting – if not delete.
 Norfolk Parking Partnership – Councillor Mrs K Mellish, Sub - Councillor J Westrop
 Norfolk Police and Crime Panel – Councillor B Long, Sub - Councillor C Manning
 Norfolk Waste Partnership – Councillor B Long, Sub - Councillor S Squires
 North Lynn Discovery Centre – Councillor G Middleton
 Thameslink – Councillor Long if it were to meet.
 West Norfolk Chamber of Commerce – Councillor Long
 West Norfolk Sports Council Management Committee – Councillor Mrs E Nockolds
 West Norfolk Tourism Executive Committee – Councillors Mrs E Nockolds and Mrs A Wright.

2) That the reporting arrangements be noted, as shown in section 3 of the report.

3) To note that all other appointments to Outside Bodies will be made at the Council meeting on 30 June 2016.

CAB13 CONSTITUTIONAL UPDATES

Cabinet considered a report which recommended updates to the following elements of the Constitution to take into account changes in the Council Scrutiny structure, and the Cabinet responsibilities, also taking the opportunity to review and update the documents:

Part 1 – Summary and Explanation

Part 2 – Articles

Part 3 – Terms of Reference of Council Bodies including the Scheme of Delegation

Part 4 – Standing Orders

Under Standing Order 34 Councillor Moriarty:

- suggested that hard copies of the constitution be given to new members on appointment.
- asked if Deputy Cabinet Members would be appointed to serve on Panels as he considered it would be looked upon in the same way as Cabinet Members.

- Asked how information could be ascertained about meetings attended by Deputy Cabinet Members.

In response it was confirmed that hard copies of the Constitution would be made available should Members wish, Deputy Cabinet Members had not and would not be appointed to serve on Panels, but it was agreed to add this wording to the Constitutional elements as required. With regard to information on meetings attended, it was explained that the Deputy would report back to the Cabinet Member who would be able to answer questions on it.

RECOMMENDED: 1) That Council approve parts 1-4 of the amended Constitution

Part 1 – Summary and Explanation

Part 2 – Articles (with the addition in 16.04 (a) to say a hard copy of the Constitution will be available to Councillors should they wish)

Part 3 – Terms of Reference of Council Bodies including the Scheme of Delegation (subject to the inclusion in F 1 and H.1 of Deputy Cabinet Members not being appointed to sit on Audit Committee and Policy Review and Development Panels)

Part 4 – Standing Orders

2) That the Chief Executive, in consultation with the Leader be given delegated Authority to make minor amendments to the elements to resolve any anomalies which may occur.

3) That all elements of the Constitution be automatically updated to take into account any legislative requirements.

CAB14 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

CAB15 AFFORDABLE HOUSING INVESTMENT: THROUGH A LOCAL WHOLLY OWNED HOUSING COMPANY

The item was deferred for future consideration

CAB16 CONTRACT FOR CALL ALARM MONITORING

The Careline Community Service Manager presented a report explaining that the current alarm monitoring contract with Invicta Telecare (Trading as Centra Pulse) expired on 30th June 2016. A tender exercise had taken place under

EU Procurement Regulations for a replacement contract that would run until 2020. 5 tender responses were received by the deadline on 22nd April 2016 and were opened on 25th April 2016. The shortlisted Contractor attended an interview on 6th May 2016. An update to the report on the outcome of the tender process and interview was provided for members' attention. Questions were answered on the breakdown of the tender criteria.

RESOLVED: That the completion of a formal contact with Herefordshire Housing Ltd be approved from 1st July 2016 at an estimated contract value, based on current volumes of over the initial four year contract, with provision for extensions of up to two additional years in total.

CAB17 **BUSINESS RATE HARDSHIP RELIEF APPLICATION**

Cabinet considered a report which explained that an application for Businesses Rates Hardship Relief had been received in November 2015 which had been declined. The Hardship Relief policy allowed the ratepayer to ask Cabinet to reconsider this decision. The application was considered.

RESOLVED: That the application for Hardship Relief be declined.

CAB18 **CONVERSION OF OFFICE SPACE TO SELF CONTAINED RESIDENTIAL ACCOMMODATION**

The Item was deferred for consideration at a future meeting

The meeting closed at 6.35 pm