

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

Minutes from the Meeting of the Cabinet held on Tuesday, 6th October, 2015 at 5.30 pm in the Committee Suite, King's Court, Chapel Street, King's Lynn

PRESENT: Councillor A Beales (Vice-Chairman in the Chair)
Councillors P Beal, A Beales, R Blunt, Lord Howard, A Lawrence, B Long,
Mrs E Nockolds and D Pope

An apology for absence was received from Councillor N Daubney

CAB57 **MINUTES**

RESOLVED: The Minutes of the Meeting held on 9 September 2015 were approved as a correct record and signed by the Chairman.

CAB58 **APOLOGIES**

Councillor Beales, in giving Councillor Daubney's apologies informed Members that whilst he was still unwell, he had also suffered a bereavement today. Cabinet wished its condolences and best wishes to be sent to Councillor Daubney.

CAB59 **URGENT BUSINESS**

None

CAB60 **DECLARATIONS OF INTEREST**

CAB61 **CHAIRMAN'S CORRESPONDENCE**

CAB62 **MEMBERS PRESENT UNDER STANDING ORDER 34**

The following Councillors attended under Standing Order 34 for the items shown:

Councillors K Mellish items 10 & 12
Councillor Westrop – item 10
Councillor McGuinness – Item 10

CAB63 **CALLED IN MATTERS**

None

CAB64 **FORWARD DECISIONS**

Noted

CAB65 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

i) Resources and Performance Panel – 29 September 2015

The following item recommendation was taken into account during consideration of the item on the agenda:

RP58 Cabinet Report: Devolution

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

- 1) Note and endorse the submission of the Norfolk Letter of Intent.
- 2) Endorse the proposal to progress a joint Norfolk and Suffolk devolution deal.
- 3) Comment upon and support the proposed functions for inclusion in the devolution negotiations as outlined in Section 3 of the report.
- 4) To note that it will be a requirement that the Borough Council joins and participates full in a 'Combined Authority' for Norfolk and Suffolk in the event that an attractive devolution agreement is reached.
- 5) Authorise the Leader to pursue negotiations on behalf of the Borough Council to help to secure a devolution deal for Norfolk and Suffolk with Government.
- 6) That a further report be brought forward on the matter for a decision to be taken by Council.

ii) Joint Regeneration & Development and Environment and Community Panels – 30 September 2015

The following recommendation was made by the Panel:

RD&EC65: Cabinet Report – Residential Caravan Site Licensing

RESOLVED: That the Regeneration & Development and Environment & Community Panel support the recommendations to Cabinet as set out below:

- 1) Members note the report and endorse the approach to dealing with, and enforcement associated with residential caravan sites.

- 2) Members approve the amendments to the standard residential caravan site licence conditions.
- 3) Members approve the adoption of the proposed Fees Policy with annual fees commencing in April 2016.
- 4) It is proposed that the Chief Executive, in consultation with the Portfolio Holder with responsibility for housing be given delegated authority to make minor amendments to the standard conditions to ensure it complies with legislative requirements, Government Guidance and caselaw.

CAB66 **DEVOLUTION**

The Chief Executive presented a report which set out Norfolk's ambition for and approach to the Government's Devolution proposals contained in the 'Cities and Local Government Devolution Bill' currently before Parliament.

The report explained that the approach which had been taken thus far in Norfolk was set out in the letter 'Devolution – Letter of Intent' and associated paper 'The Norfolk Offer' (Appendix 1 to the report) which had been submitted by all of Norfolk's Council Leaders and the Chairman of the New Anglia Local Enterprise Partnership (LEP).

Norfolk Leaders were responding to an invitation for expressions of interest to be submitted to Government by 4th September 2015. The Leaders had expressed a clear view that devolution proposals should, if at all possible, be based on the New Anglia LEP geography, i.e. for both Norfolk and Suffolk.

The initial submissions for both Norfolk and Suffolk had been well received in Government and civil servants had made it very clear that going forward these two proposals would be greatly strengthened if they could be combined into a single 'devolution deal'.

The Chief Executive explained that discussions and negotiations had moved on quickly since the report had been written, and that the functions put forward for devolution were broadly the same, but phrased slightly differently as follows, with some explanation of the areas they would look to address:

- Productivity, business support and inward investment – establishment of a Productivity Commission; Building on the success of the New Anglia Growth Hub to improve local business support; MAS and Growth accelerator funding into Growth Fund from 2017 and £10m from the Local Growth Fund to be used to expand the Growing Business Fund; create Productivity Fund; inward investment service focussed on key locations and sectors; local network of innovation centres and devolution of European Structural Funds.

- Coherent Housing and Planning – Joint Strategic Plan supported by delivery plans so decision making is made locally; identification of new settlements and re-thinking of the Local Plan process to prevent perpetual reviews.
- Assets and Infrastructure – Devolved capital funding; influence of strategic road network and rail franchises and infrastructure programmes; joined up approach to coastal management and defences with pooling of resources; influencing priorities for utilities to support growth in key locations; permitting user contributions for concessionary passes and local discretion to vary age threshold on disabled eligibility.
- Education, Employment and Skills – Post 16 education and skills provision; co-commissioning post 16 education and skills provision; ability to establish a Regional Schools Commissioner; a single entity for schools planning; a Joint Education Infrastructure Plan delivering the maximum number of school places with the available resources; provision of a network of Institutes of Technology; an Apprenticeship levy system which worked at a local level; employment support allowance and a more effective delivery of the service with DWP; Novation of the National Careers Service contract to the local area and local commissioning to Work Programme Plus and other nationally procured employment programmes.
- Health and Care Redesign – a more medium term approach to financial planning and devolvement of multi year settlements for health care and safety; local control of public service estates and capital assets including NHS and Police

Two new elements were as follows:

- Blue Light – collaboration between the services and encouragement of preventative early help work to reduce demand.
- Finance – greater local autonomy over resources with the retention of Business Rates and fees, freedom to set all discounts and allowances in the Council Tax system and certainty over New Homes Bonus.

The Chief Executive highlighted the underpinning key principles which the Group had agreed:

- There was no appetite for an elected Mayor.
- Agreement would only be reached with the Government for devolution of an issue if it was in the interests of the community, businesses and Norfolk and Suffolk as a whole.
- Double Devolution – subsidiarity must be incorporated in the arrangement.

- Every Council, and the LEP had to sign up to the Joint Authority in order for it to exist.

The report asked Members to note that the Devolution of those particular services would require a combined Authority for Norfolk and Suffolk which would be a legal entity in its own right, to which the Borough would be a participant. It also requested permission to enable the Leader to pursue negotiations on behalf of the Authority. The Chief Executive re-assured Members that before any final commitment was given by the Authority a report would be brought back to Cabinet and Full Council for consideration.

The next major stage was a challenge session of Leaders and a Minister was to be held on 22 October and was key in terms of any go ahead by the Government to work up proposals in detail, or if it would be side-lined. If it was successful, then a Governance Review had to take place and detailed negotiations on each area would commence. There were good officer groups being set up across both Counties to look at each area.

Under Standing Order 34, Councillor Mrs K Mellish asked for the following points to be considered:

- 1) As the Borough was so far removed from most of the other authorities involved, how much influence would it have in comparison to the larger authorities?
- 2) How sure was it that the Borough would receive a portion of the funding?
- 3) She felt that the difference from Devolution and a Unitary authority was a thin line, would the Council have to let go any of its current powers, particularly as it had been so successful in the past at fighting it.
- 4) She felt that when there was a windfall, getting consensus from all the authorities would be impossible.

Under Standing Order 34, Councillor Mrs J Westrop addressed the Cabinet endorsing the previous comments made, but also drew attention to the issue of education, skills and employment. She raised concern that the consensus required of the new Authority would not be to the advantage of West Norfolk. The LEP priorities were absent, and the building industry needed a solid and committed workforce, and without a commitment to that it wouldn't happen.

Councillor Mrs Westrop also drew attention to the standard of education and level of achievement in West Norfolk which was lower than the national average. She urged that for under 16 and over 16

education the right partners be worked with, and not necessarily the obvious ones.

In response to Councillor Mellish's points, Councillor Beales commented that whilst it was right to be mindful of all the issues, Devolvement wasn't about Local Government Review but devolving powers down to this level from Government to Norfolk and Suffolk so there would be a more local focus than there was now which was a national focus. West Norfolk would be a bigger fish in a smaller sea than at present and so would have more influence than at present. There was a requirement to work together and reach consensus.

With regard to Councillor Mrs Westrop's comment on the construction industry, Councillor Beales acknowledged that it was an important point, and the skills agenda being dealt with at a local level as proposed would be an advantage.

Councillor Beales drew attention to a question which had been received from Councillor McGuinness asking if the arrangement would seek local control of vacant NHS land & buildings within the area which the Chief Executive had responded that the NHS estate in both Norfolk & Suffolk would be included, the police assets were already included via their involvement in the 'one public estate' initiative.

The Chief Executive explained that the Borough sat in a very strong position of influence as the Leader Chaired the Norfolk Leaders Group, and the Chief Executive Chaired the Norfolk and Suffolk Chief Executives Steering Group. He re-iterated the point on being in a better position to attract funding and influence services when it was controlled locally. With regard to the educational element it would be looking to be at District cluster levels working with the Further Education colleges. He reassured Members that the process involved drawing powers down to the local level, not aggregating the Council's powers upwards, and the announcements on the retention of business rates revolved around the Devolution agenda.

In relation to the points on the Construction Industry the Council and Greater Peterborough, Greater Cambridge LEP had assisted the CITB in obtaining large amounts of funding, and were also supported by the New Anglia LEP.

In response to the point on education and schools in West Norfolk, the Chief Executive drew attention to the work being done by the Council to support the schools which had seen positive results with West Norfolk's schools improving faster, and the Skills Funding Agency would be body worked with for the post 16 education.

Councillor Long asked if the Blue Light Services had the inclusion of Police and Crime Commissioner, NHS, Fire Authorities and Coastguard. The Chief Executive explained that this element was the least developed area of work but it was about encouraging

collaboration between them, as the area was under severe financial pressure.

Councillor Beal asked what benefit would be gained with the transfer from the Environment Agency to the combined authority. The Chief Executive responded that in terms of flooding issues there were lots of organisations involved, and the proposal was to look for a coherent strategic approach to dealing with flood risk and funding and get a better deal for the money rather than the many different structures and better output for all the area.

Councillor Pope reminded Members that the Government had to balance its books so there was no extra funding to that already being used. He expressed concern about the involvement of the LEP as an unelected body and asked how the Borough would be treated if the LEP was responsible for issuing funding.

Councillor Pope also commented on the fact that the Government could currently take over a failing body, but if one was devolved into the combined Authority they would potentially be a drain on resources, with the setting of the Council Tax currently set by authorities individually to the level they decided being put in jeopardy. He also asked how Parish Councils fitted into the equation as they weren't a body that had to be consulted as part of this.

In response, Councillor Beales stated that it was clear that the functions of the Borough Council would remain as they currently were. He acknowledged the distance between the different authorities involved, but reminded Members that Parishes would be able to have more of an influence with the proposals than currently was the case as they had direct access to the Borough Councillors to reflect their opinions.

With regard to the point on Council Tax pressures, Councillor Beales reminded Members that all RSG funding was under pressure and likely to be withdrawn, so the Business Rates retention would be preferable as local authorities would have more control over that area, but the funding coming from Government would not be any more than currently spent. In answering the point about the LEP involvement, Members were reminded it was 1 vote per body so they would be one of 17.

The Chief Executive confirmed that there would be no extra money and that it would continue to decrease across the board, but the proposal was in order to get better value for money from the money given. He also re-iterated that the Council would not be any loss of the Council's current powers through this route.

Councillor Mrs Nockolds drew attention to the fact that under the Economic Growth element, the Rural Enterprise Zones featured, so would be helpful in rural areas for employment and productivity, whereas they were often ignored by the Government. The Chief

Executive commented that the proposal was that the Rural Enterprise Zones should be on the same level as the Urban Zones.

Councillor Lord Howard commented that the paper was broad and that a final decision couldn't be taken until all of the detail was available. He proposed an amendment to recommendation 5 to show that the decision being taken "does not extend to conceding any existing Borough Council functions or powers without separate and prior authorisation by this Cabinet and Council." This amendment was agreed.

Councillor Lawrence commented that as some other authorities may have financial problems, they may struggle to carry out their obligations, and potentially stop the rest. He expressed reservations about the word "endorse" in recommendation 2 at this stage in the proceedings. It was suggested that the recommendation should confirm continued work on the proposal. This was agreed.

In summing up, Councillor Beales commented that the proposal was a huge opportunity for the Council to benefit from what were currently centralised services being run more locally. He re-iterated that the fact that any final proposal would have to come back to Cabinet and Council for decision.

It was noted that the Resources and Performance Panel had considered the proposal in detail and had supported the recommendations.

RESOLVED: 1) That the submission of the Norfolk Letter of Intent be noted and endorsed.

2) That progress towards a joint Norfolk and Suffolk devolution deal be continued.

3) That the proposed functions for inclusion in the devolution negotiations as outlined in Section 3 of the report and updated in accordance with the additional paper distributed to all Members be supported.

4) That it be noted that it will be a requirement that the Borough Council joins and participates fully in a 'Combined Authority' for Norfolk and Suffolk in the event that an attractive devolution agreement is reached.

5) That the Leader be authorised to pursue negotiations on behalf of the Borough Council to help to secure a devolution deal for Norfolk and Suffolk with Government – for the avoidance of doubt this authority does not extend to conceding any existing Borough Council functions or powers without separate and prior authorisation by this Cabinet and Council.

6) That a further report be brought forward on the matter for a decision to be taken by Council.

CAB67 **RESIDENTIAL CARAVAN SITE LICENSING**

The Residential Caravan Site Licensing item was deferred in order for further consideration to be given to some of the detail.

CAB68 **HONORARY RECORDER**

Cabinet considered a report which set out the request from Judge Holt that the Borough Council reinstate the post of Honorary Recorder of King's Lynn. The position was purely ceremonial and would be held by a Judge that sat most regularly and was senior in the town. The role of the post was to strengthen links between the town and the Judiciary and they would be invited to attend the main Civic events.

Under Standing Order 34 Councillor Mellish asked if re-establishing the role would help support the Motion put forward to Council to save the County Court in King's Lynn from closure. This was confirmed.

RECOMMENDED: That Council support the appointment of an Honorary Recorder for the Borough, and grant delegated authority to the Chief Executive in consultation with the Leader to make the appointment.

CAB69 **STORIES OF LYNN, TOWN HALL- EXHIBITION TENDER**

Councillor Mrs Nockolds presented a report which set out the result of a tender exercise recently undertaken to provide the exhibition and displays within the Town Hall complex as part of the Heritage Lottery Scheme. Realm Projects had submitted the winning tender at a cost of £510,4452.

RESOLVED: That the selected contractor, Realm Projects, be awarded the contract for the Town Hall exhibition as detailed in the report.

The meeting closed at 6.40 pm