

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**

**RESOURCES AND PERFORMANCE PANEL**

**Minutes from the Meeting of the Resources and Performance Panel held on  
Tuesday, 2nd June, 2015 at 6.00 pm in the Committee Suite, King's Court,  
Chapel Street, King's Lynn**

**PRESENT:**

Councillors Anota, Blunt, Collop, Daubney, Devereux, Gourlay, Hipperson,  
Humphrey, Lawrence, Graham, Morrison, Pope, Rochford, Tyler and Wareham

An apology for absence was received from Councillor Hodson

**RP:1: APOLOGIES**

Apologies were received from Councillor P Hodson.

**RP:2: MINUTES**

The Minutes of the Resources and Performance Panel meeting held on  
24 February 2015 were confirmed as a correct record and signed by  
the Chairman.

**RP:3: DECLARATIONS OF INTEREST**

There were no declarations of interest.

**RP:4: URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business.

**RP:5: MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor Mrs K Mellish.

**RP:6: CHAIRMAN'S CORRESPONDENCE (IF ANY)**

There was none.

**RP:7: MATTERS REFERRED TO THE COMMITTEE FROM OTHER  
COUNCIL BODIES AND RESPONSES MADE TO PREVIOUS  
COMMITTEE RECOMMENDATIONS/REQUESTS**

Panel Members noted the responses made by Cabinet at its meeting  
held on 31 March 2015 to the recommendations made by the

Resources and Performance Panel at its meeting held on 24 March 2015 in respect of the following items:

- Corporate Apprenticeship Scheme.
- Staff Pay Award.
- Proposed Acquisition – Former Grain Silo Site at South Quay.

RP:8: **CORPORATE PERFORMANCE MONITORING - FULL YEAR 2014/2015**

The Personnel Services Manager presented the report which contained information on the corporate performance monitoring undertaken during 2014/2015 and provided background information for new Councillors present.

Members were reminded that the Council's Performance Framework included quarterly monitoring and reporting of performance. Each quarterly performance report was presented to the Resources and Performance Panel and was available to all Councillors and Portfolio Holders for information on the Council's Intranet, Insite.

The Panel was informed that the indicators monitored were reported in full on the Performance Monitoring 2014/2015 report which was attached at Appendix A.

The Personnel Services Manager explained that at the Resources and Performance Panel held on 24 February 2015, questions were raised in relation to the Q3 performance monitoring report in respect of the following indicators:

- CE1 – Percentage of known licensable Houses in Multiple Occupation (HMOs) with a current licence. How is the indicator monitored to ensure that all HMO's were known and licensed. An explanation was set out at 3.2 of the report.
- CO2 – Household waste recycled and composted – what was included in the figure? An explanation was set out at 3.3 of the report.
- RE5/RE8 – Rent arrears on retail/industrial units – What was the procedure for handling outstanding arrears? An explanation was set out at section 3.4 of the report.

Members' attention was drawn to the key points from the 2014/2015 monitoring report. The graph at 4.1 showed a decrease in the percentage of indicators that had improved for 2014/2015 compared to 2013/2014, and an increase in the percentage of indicators where performance had worsened. It was highlighted that of the 34 eligible indicators for 2014/2015, 13 improved, 16 worsened and 5 stayed the same. The graph at 4.2 showed that 71% of the performance indicators met the annual target set, this was an improvement

compared to 2013/2014. A quarterly breakdown for 2013/2014 and 2014/2015 was shown for comparison. Of the 34 eligible indicators, 24 met the target set and 10 did not.

In conclusion, the Personnel Services Manager advised that the indicators set out in the table at section 5.1 met the 2014/2015 individual targets as well as improving performance levels compared to the 2013/2014 full year figure. The indicators set out at section 5.2 of the report did not meet the 2014/2015 targets set, and the performance achieved was not as good as the 2013/2014 full year figure.

The Panel was invited to agree the actions outlined in the Action Report.

Councillor Devereux referred to the staff achieving savings towards the Council's budget and commented that this was a key driver and asked therefore why it had not been included as an Indicator in the Council's Performance Plan. In response, the Leader explained that the Council continually measured financial forecasts and this information would be included in the Monthly Monitoring Report which was available for all Members to view on the Council's Intranet, Insite.

In response to questions from Councillor Blunt regarding the setting of key indicators, the Personnel Services Manager explained that the indicators were set on an annual basis by the Portfolio Holders and the Council's Management Team.

The Leader informed Members that part of the Panel's work was to receive performance indicator reports and ask questions, for example, why a certain target had been set.

In response to further questions from Councillor Blunt, the Leader explained that the Resources and Performance Panel, together with other Panels would have the opportunity to view and comment upon key objectives for the following year. The Chairman, Councillor Humphrey commented that Members were free to comment and ask questions and that such input was welcome.

Councillor Morrison referred to the table at section 3.3 of the report relating to indicator CO2 – Household waste recycled and composted and commented that the figures reported for garden waste total for Q4 appeared to be down compared to Q1. In response, the Leader explained that he did not have the required information to hand, but would arrange for it to be emailed direct to the Panel.

In response to questions from Councillor Morrison relating to indicator RE3 – Local supplier invoices paid within 10 days, the Leader explained that the Administrations wished to be business friendly and so it was important for the target to remain at the current level and to be continued to be monitored. The Leader explained that the Council had on many occasions investigated why there was non-compliance

and in some cases this was due to the wrong details being set out on the invoice submitted by the supplier. In conclusion, the Leader commented that the target acted as a good incentive to drive forward.

Councillor Gourlay asked why there was an increase in staff turnover. In response, the Personnel Services Manager explained that there had been a slight increase in staff turnover which was due to natural turnover. She informed the Panel that there were more job opportunities within the economy and that there was no reason for the Council to be concerned at the current time. The Council had not experienced any problems with recruitment and people outside of the area were submitting applications for job vacancies with the Council. The salary levels remained competitive with other business organisations.

In response to questions from Councillor Blunt relating to Houses in Multiple Occupation (HMOs), the Chief Executive explained that the majority of HMOs were located within towns and that the Council relied upon information from Members, Parish Councils and other sources when a house had reached the status of an HMO. It was explained that not all HMOs joined the Licensing Scheme which applied to properties of three stories and above, but that unlicensed HMOs were still inspected. The Chief Executive informed the Panel that the Government was currently consulting on the licensing regime which was not specific to HMOs and the Council would continue to have a watching briefing on any future Government proposals.

Councillor Collop commented that HMOs were an interesting subject and that it was important for the Council to monitor the situation and be aware that some HMOs remained unlicensed.

In response to questions from Councillor Collop on arrears for retail and industrial units, the Leader explained that during April the footfall within the town had fallen and the reasons for this could have been the impact of the road works on John Kennedy Road and the works being undertaken to improve the bus station which were both good investment to encourage visitors to the town. Members were informed that the percentage of empty shops was still below the national average and that a number of the vacant shops were under offer. The Leader added that he had recently attended a meeting of the Town Centre Partnership and figures which were reported indicated that King's Lynn was a vibrant growing town.

The Chief Executive explained that the arrears on industrial units was due to one particular unit, but reported that the lease for that unit had now come to an end and the Council had retained the deposit. The business had been sold and further payments had been made to the Council.

Councillor Collop commented on the Pop Up Shop initiative to encourage new business to test the market and added that he hoped

the Leader would take this initiative forward. The Leader explained that the scheme had been trialled, but would take the suggestion forward with the Town Centre Manager.

Councillor Gourlay stated that the information relating to the licensing of HMOs on the Council's website was ambiguous. In response, the Chief Executive undertook to email the relevant information direct to the Panel and look at the wording published on the Council's website.

In response to questions from Councillor Middleton on the Council's procedure for dealing with unlicensed HMOs, the Portfolio Holder advised that if information was submitted to the Council, then the officers would investigate. It was the Council's aim to have all relevant HMOs licensed. If the Council's investigation determined that an HMO was unlicensed that appropriate action would be taken which could include closing the property down.

The Chairman, Councillor Humphrey referred to indicator CE5 – Number of households living in temporary accommodation and asked why the target had been set at a high level. In response, the Chief Executive explained that the target had been set the previous year and there had been a rise in homelessness applications, the Council would continue to monitor the situation carefully and the target for the current year would be placed at a lower level. The Council's primary aim was to try not to use bed and breakfast accommodation which proved costly. The Council received assistance for providing temporary accommodation from housing associations, particularly Freebridge Community Housing and hostels.

In response to comments from Councillor Blunt on Indicator RE1 – Value of sales, non-housing and capital assets, the Assistant Director explained that when the Capital Programme had been set an estimate had been made to the level of capital receipts anticipated, however, the land receipts had not been forthcoming in 2014/2015, but it was hoped some would be achieved in 2015/2016. The revenue and capital receipts would roll over year on year. A report would be presented to the Audit and Risk Committee on 8 June 2015.

The Chairman, Councillor Humphrey advised that the telephone number for the reporting of fly tipping was 0500 and therefore incurred a cost. He asked if a landline number could be provided which would be no cost to a member of the public. The Leader undertook to look at the provision of a landline.

**RESOLVED:** The Panel reviewed and noted the Council's 2014/2015 Performance Monitoring report and agreed the actions outlined within the Action Report.

RP:9: **Q4 2014/2015 CORPORATE BUSINESS PLAN MONITORING REPORT**

In presenting the report, the Personnel Services Manager explained that the Corporate Business Plan Monitoring Report had been developed to demonstrate progress against the Council's Corporate Business Plan. The report contained information on the corporate performance monitoring undertaken during Q4 2014/2015.

The Panel was advised that the Council's Corporate Business Plan was adopted in November 2011 and set out the Council's priorities for the period to the next local elections in 2015.

The Personnel Services Manager explained that from the adoption of the plan, it was agreed that a report would be prepared quarterly, setting out progress against the work plan – including details of any completed or new work key actions. The report was brought to the Resources and Performance Panel on Quarters 2 and 4. However, it was highlighted that all quarterly reports were available to Members on the Council's Intranet, 'Insite'.

It was noted that the report contained an Executive Summary on the first page provided an overview of progress against the six outcomes set out in section 1.2.

The Personnel Services Manager advised that Members should note that outcomes which were completed prior to Q4 had been removed from the report and were contained in a separate archive report which was available to view on the performance pages of Insite. Any outcomes indicated as now completed on the Q4 report would be removed from the next monitoring report and added to the archive report.

In conclusion, the Personnel Services Manager explained that the 2014/2015 Quarter 4 report, detailed progress with agreed actions. The Executive Summary for the 2014/2015 Quarter 4 performance report indicated that key actions in the 6 outcome areas were progressing well and that performance was on track. Five actions had been completed during the quarter and one action had been cancelled. Target dates for some key actions had been revised which were reflected in the report.

In response to questions from Councillor Blunt regarding who made the decisions on the key actions set out in the Corporate Business Plan, the Leader outlined the process and explained that the Plan arose from the Conservative Manifesto which was viewed by the Management Team and who would analyse the content and draft a strategy and action plan which would then be translated into the Corporate Business Plan. Once the Corporate Business Plan had been agreed it then passed back to the political level to monitor its progress.

Following further questions from Councillor Blunt regarding improving communications and the infrastructure required, the Leader advised that this important issue had been included in the Manifesto and would appear in the Corporate Business Plan.

Councillor Devereux commented that he was surprised that no financial information had been included in the Corporate Business Plan and asked if such detail would be provided in the future. The Chief Executive outlined the process involved when drafting the Corporate Business Plan and explained there was opportunity for Member input through the Panel meetings. The Corporate Business Plan was then presented to Cabinet and finally signed off by Council. The financial information had been previously kept separate, but commented that it could be built into the Corporate Business Plan through the monitoring and annual process of setting the Council's budget.

Councillor Blunt asked when Members would be able to view the Corporate Business Plan for 2016 onwards. In response, the Chairman, Councillor Humphrey explained that the priorities for the forthcoming Corporate Business Plan were being developed and would be available to Members at the appropriate time.

In response to questions from Councillor Collop regarding the Community Infrastructure Levy (CIL) and the consultation process to keep people informed as to how the levy would be spent, the Portfolio Holder explained that the Council's Housing Strategy Officer was currently drafting a document setting out the Council's priorities which would come forward for consideration by Members.

Following comments and questions from Councillor Gourlay on the Council's actions to improve the air quality, the Chief Executive explained that the Air Quality Management Plan provided a snapshot as at 31 March 2015. It had been agreed that the Air Quality Plan would be worked through by a Steering Group and the Portfolio Holder for Environment to ensure the plan moved forward and be adopted and implemented through the democratic process.

The Chairman, Councillor Humphrey referred to the Council's involvement in actively encouraging and promoting apprenticeship opportunities and asked if there was any feedback from other employees within the Borough. In response, the Leader reminded the Panel that the Council had its own Apprenticeship Scheme which had been successful with the last tranche of candidates and added that the Council benefitted from having its own Business Liaison Officer to promote opportunities for apprenticeships within local businesses, including liaison with the Chamber of Commerce and the College of West Anglia.

**RESOLVED:** The Panel reviewed and noted the Council's Q4 2014/2015 Corporate Business Plan Monitoring report.

RP:10: **CABINET REPORT: REVIEW OF OVERVIEW AND SCRUTINY**

The Chief Executive presented the report and informed the Panel that in 2014 a Corporate Peer Challenge was undertaken at the Borough Council. One of the issues which emerged quite strongly from the review was a fairly widespread concern amongst the Members who participated that the current Overview of Scrutiny arrangements were not particularly effective. An in depth review of the Council's overview and scrutiny function was subsequently commissioned from the Centre for Public Scrutiny (CfPS). The report summarised the main findings and recommendations arising from the review and recommends a way forward to seek to enhance the effectiveness of the Overview and Scrutiny arrangements.

The Panel was advised that the review, conducted by the CfPS concluded that:

- Overview and Scrutiny arrangements were not working as effectively as they could do in King's Lynn and West Norfolk.
- There were examples of the scrutiny function working well, such as with the development of the Tuesday Market Place Scheme, but that these were the 'exception rather than the rule.'
- There was almost universal dissatisfaction with how the Cabinet Scrutiny Committee operated.
- Panel agendas tended to be dominated by Cabinet Reports and often little value was added by their consideration.
- The scrutiny process had been used for party political purposes on occasion.
- There was positive desire from the Administration and opposition parties to change overview and scrutiny and address these issues.

The Chief Executive outlined the potential improvements put forward by the reviewers as detailed in the report.

Members' attention was drawn to the Summary of Recommendations set out in the report.

The Chief Executive advised that the most radical/fundamental proposal put forward was the abolition of the Cabinet Scrutiny Committee and its replacement with a new Corporate Performance Scrutiny Committee. If adopted this would require some consequential changes to the Terms of Reference for the Resources and Performance and Regeneration, Environment and Community Panels, which might incorporate a rebalancing of the workloads between the two Panels.



The Panel was informed that the proposal to decouple the Audit and Risk Committee from the new Resources and Performance Panel had a clearer and stronger rationale in this context.

Members were advised that in terms of methodology of working, the most significant recommendation was perhaps recommendation 8, which sought to move the Panels from the current practice of primarily focused on pre-Cabinet Scrutiny of Cabinet reports conducted a week or so prior to the Cabinet meeting itself, towards a more self-generated, developmental, work programme. The proposed approach would incorporate some of the positive aspects of the old 'Committee' regime whereby the Panels would be involved in the development of policy and initiatives rather than merely commenting upon fully developed reports a few days before each Cabinet.

In conclusion, the Chief Executive explained that whilst it would be an option to present the recommendations straight to Cabinet and Council for determination, given their significance in terms of the role of Members, in particular in relation to policy formation included in these proposals, it was felt to be more appropriate to take a more measured and individual approach to their consideration.

Under Standing Order 34, Councillor Mrs Mellish addressed the Panel and commented that the briefings prior to full Council were extremely useful and worked well. However, she expressed concern regarding recommendations 2 and 5 set out in the Peer Challenge report and added that it was important to discuss the recommendations in the Working Group to be established. In conclusion, Councillor Mrs Mellish stated that it was a positive report.

Councillor Devereux added that it was a good report, but commented that he was surprised that there would be no personnel, financial or risk implications and there could be significant benefits as yet unquantified. He commented that there could be a potential saving of man hours for both Councillors and officers.

In response to comments from Councillor Morrison, the Chief Executive explained that details relating to financial and personnel implications had not been included at this stage. It was recommended that a Task and Finish Group be established to consider the Centre for Public Scrutiny report and to present proposals and recommendations to Cabinet. At that stage consideration would be given to any implications, both financial and personnel.

Councillor Collop reported that he had taken part in the Corporate Peer Challenge process and that he welcomed the proposal to decouple the Audit and Risk Committee from the new Resources and Performance Panel. Councillor Collop commented that he was content with the proposal for three Panels, less meetings and the opportunity for Members to participate in small working groups and put forward ideas. Councillor Collop stated that there would be opportunities for some

Opposition Members to become involved with the process and participate in the Task and Finish Group. Councillor Collop also added that he supported the recommendation to abolish the Cabinet Scrutiny Committee and replace it with a new Corporate Performance Scrutiny Committee.

The Leader assured Councillor Collop that Members would be involved with the Task and Finish Group and that he was aware that there was talent within the Council that was perhaps being under-utilised. The process would enable Councillors to work constructively together to put forward proposals to Cabinet for consideration.

Councillor Gourlay expressed disappointment that the Opposition Group had not been briefed prior to Annual Council. However, he concurred with the comments made by Councillor Collop.

In response to further comments from Councillor Collop relating to the Centre of Public Scrutiny report being available on line for Members to view, the Chief Executive undertook to forward to the link to the Panel to enable Members to view the report.

The Chairman, Councillor Humphrey added that Cabinet reports considered by the Panels one week prior to the Cabinet meeting was too late and he welcomed the proposal for the Panels to become involved at an earlier stage and input into the report and would therefore have a constructive part to play in the process. He added that he supported the proposed workshop with the Centre of Public Scrutiny and the establishment of a Task and Finish Group.

The Leader added that he had found the comments made by Members to be encouraging and that the Panel had had a good debate and that he looked forward to working together with Members to making the Council more efficient.

A discussion took place on the wording of Recommendation 3 – Task and Finish Council Task Group. It was therefore proposed by the Chairman, Councillor Humphrey and agreed by the Panel that the words “Task and Finish Council Task Group” be replaced with “Working Group.”

“To establish a **Working Group** to consider the CfPS report and the outcome of the Member workshop and make recommendations to Cabinet.”

**RESOLVED:** The Panel supported the recommendation to Cabinet and Council as set out in the report, subject to amending the wording of Recommendation 3 to read:

Cabinet and Council are recommended to:-

- 1 Received and comment on the findings of the CfPS review.

- 2 Instruct officers to arrange a workshop for Members with the CfPS to consider in more depth their report and examples of good practice from similar authorities
- 3 To establish a **Working Group** to consider the CfPS report and the outcome of the Member workshop and make recommendations to Cabinet.
- 4 To bring a further report to Cabinet to finalise revised arrangements for the performance of the overview and scrutiny process within the Borough Council.

RP:11: **PANEL'S WORK PROGRAMME AND CABINET FORWARD DECISIONS LIST**

The Panel considered its Work Programme and the Cabinet Forward Decisions List as it related to Resources and Performance.

Councillor Collop referred to the items scheduled to be considered on 29 September 2015, Hunstanton Sailing Club Progress Report and asked if a written report could be presented by the Borough Council Officers and that representatives from Hunstanton Sailing Club be invited to attend to enable Panel Members to ask questions. In response, the Chief Executive advised that a written report from the Regeneration Team would be presented to the Panel and that representatives from the Hunstanton Sailing Club would be invited to attend.

The Chairman, Councillor Humphrey explained that Members that they could ask for specific reports to be included on the Panel's Work Programme.

The Chairman, Councillor Humphrey reminded Members that there were a number of financial related training sessions included within the Induction/Training Programme which had been included in the Members Induction Folder.

**RESOLVED:** (1) That the Work Programme be noted.

- (2) A written officer report be presented to the Panel on 29 September 2015 and a representative be invited to attend.

RP:12: **DATE OF NEXT MEETING**

The next meeting of the Resources and Performance Panel would be held on **Tuesday 23 June 2015 at 6.00 pm** in the Committee Suite, King's Court, Chapel Street, King's Lynn.

**The meeting closed at 7.35 pm**

