

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on Tuesday,
9th January, 2018 at 5.30 pm in the Council Chamber, Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

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

CAB97 **MINUTES**

RESOLVED: The Minutes of the Meeting held on 28 November 2017 were approved as a correct record and signed by the Chairman.

CAB98 **URGENT BUSINESS**

None

CAB99 **DECLARATIONS OF INTEREST**

None

CAB100 **CHAIRMAN'S CORRESPONDENCE**

None

CAB101 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor Joyce attended for the items on Boundary Review, and the Scrutiny Review.

Councillor Pope attended for all the items.

CAB102 **CALLED IN MATTERS**

The Chairman reported that CAB90: Planning Scheme of Delegation had been Called In from the Cabinet meeting dated 16 November 2017. The Corporate Performance Panel had considered the call in and had not supported the call in, therefore releasing the recommendations for consideration by Council at its meeting on 25 January 2018.

CAB103 FORWARD DECISIONS

The Forward Decisions list was noted.

CAB104 MATTERS REFERRED TO CABINET FROM OTHER BODIES

The following bodies submitted comments and recommendations to Cabinet on the items shown.

1) Cross Party Boundary Review Task Group - 11 December 2017

The Task Group considered the documents published by the Local Government Boundary Commission and made the attached comments. Cabinet is invited to consider and endorse those comments in the form of a letter to the Commission.

Under Standing Order 34, Councillor Joyce addressed the Cabinet and commented that in the meeting he had been present at with the Boundary Commission they had been told that the Commission wouldn't accept 4 Member wards and that the Commission would consider each of the submissions made with equal weight. He stated that he didn't see the reasoning behind the numbers submitted, but supported the submission for South Lynn.

Councillor Long explained that at a briefing session the Commission had indicated the fewer members per ward the better. The Task Group, so confirmed by Council had opted for 54 Members with the smaller number of members per ward preferred. This had been confirmed by the Boundary Commission and all working had been in line with that agreement.

The Chief Executive confirmed that the proposals were workable, but it would have been useful to have better guidance in making a submission.

Concern was expressed that the Commission had amended so many of the proposals following the comments of one person when that view was not always the view of others in the area and brought together parishes who did not have a community link, or that it split a parish.

Under Standing Order 34 Councillor Pope asked if there was any intention to disagree with the proposals for the Upwell Delph area. Councillor Long confirmed that the comments made would not affect this area.

RESOLVED: That the comments made be supported and a letter sent to the Local Government Boundary Commission.

The following comments received from the Panels were considered

alongside the agenda items:

- 2) Environment and Community Panel – 6 December 2017 - Comments on the Scrutiny Review report
- 3) Regeneration and Development – 12 December 2017 - Comments on the Scrutiny Review report - attached
- 4) Corporate Performance Panel – 18 December 2017 – Comments on the Scrutiny Review report and the Non Domestic Rates – Discretionary Revaluation Relief 2017/18.

CAB105 **EQUALITIES POLICY**

The Policy, Performance and Personnel Manager presented a report which explained that the Council's corporate Equality Policy was last updated in 2008. Since then there had been changes to legislation with regards to equalities issues, which had been reflected in the Council's procedures and practices but which were not reflected in the current policy. The policy had therefore been revised to bring it up-to-date with regards to the roles and responsibilities of a local authority. An amended Glossary of Terms had also been distributed.

RECOMMENDED:

1. That the proposed revised Equality Policy be approved
2. That the steps required to implement the new policy, including the provision of training be supported.
3. That delegated authority be granted 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

Reason for Decision

To ensure that the Council meets its statutory duties with respect to equalities

CAB106 **NON DOMESTIC RATES - DISCRETIONARY REVALUATION RELIEF 2017/18**

The Revenues and Benefits Manager presented a report which explained that at the Budget on 8 March 2017 the Chancellor had announced the Government would make available a discretionary fund of £300m over four years from 2017/2018 to support those businesses facing the steepest increases in their business rates bills as a result of the 2017 business rates revaluation.

It was noted that every Billing Authority had been awarded a share of the £300m based on the increases in their rates bills, and Billing

Authorities were free to decide on a scheme to allocate this to their ratepayers.

The Council agreed its Discretionary Revaluation Relief Scheme for 2017/2018 on 21 September 2017. Take up of the scheme had been monitored closely and it appeared that, now the majority of eligible businesses had claimed their relief, there was surplus funding available for 2017/2018. Any unspent funding at the end of the year had to be returned to Central Government and could not be transferred to another year. Therefore the report detailed the options for distributing the surplus.

Cabinet Members asked whether there was any possibility that further claimants would come forward, and whether the claims would be similar for year 2. It was explained that there was a small contingency set aside from the budget, but that much work had gone into getting eligible businesses to apply, and the year 2 calculations had been mapped using this years figures.

It was noted that the Corporate Performance Panel had considered the report and supported the proposed recommendation.

RECOMMENDED

That the Discretionary Revaluation Relief Scheme be amended as detailed in Section 3 of the report.

Reason for Decision

To ensure the Council's Discretionary Revaluation Relief Scheme distributes the maximum amount of help available to local businesses whose business rates bills have increased as a result of the 2017 revaluation.

CAB107 SCRUTINY REVIEW

Councillor Long presented the report which presented the conclusions of the Scrutiny Structures Task Group over a year on from the re-structure which had taken place in 2016.

The report set out the Task Group's response to the questionnaire issued on Scrutiny structures and arrangements generally which had been issued to all Councillors, and elicited 31 responses. Any proposals to change the current arrangements were included as recommendations to Cabinet and Council for implementation for the 2017/18 Municipal year.

Under Standing Order 34 Councillor Joyce addressed the Cabinet explained that he hadn't completed the survey but felt that combining policy review and scrutiny meant that a Panel would be scrutinising

itself. He also commented that he supported the recommendation that the Leader should appoint the Chairmen.

Under Standing Order 34 Councillor Pope stated that there were many comments about the Audit Committee. He questioned how the Committee could have more training sessions when they currently had them prior to each meeting. He asked why the training should be obligatory when it wasn't for other Panels and suggested that the numbers on panels would be better suited with a lesser number such as 9. Councillor Pope also commented that he supported the Leader appointing the Chairmen, and also stated that when members couldn't attend meetings they should obtain a substitute for the meeting as in not attending it was preventing other members from taking up the opportunity.

In response to Councillor Pope's questions, the Leader explained that in no way was the content of the report or the responses to the questions a criticism of himself or the Audit Committee but a compliment. The responses indicated that the arrangements he had set up for the new Committee were supported by Members and should continue into future years. The reasoning behind the recommendation that Audit training be obligatory was because they were carrying out specific tasks on behalf of the Council and should be trained accordingly. Councillor Long also indicated that making the size of the Panels larger ensured proportionality and membership of more of the opposition members with smaller groups.

In response to Councillor Joyce's comment on scrutiny, Councillor Beales explained that the Panels were involved in the development of policy which would then come forward to the Cabinet for a decision and recommendation to Council. The Panels would then scrutinise and monitor the decisions of Cabinet.

Each of the Panels had considered the report and had submitted their comments to Cabinet as set out in the extracts published. Cabinet gave full consideration to those comments made.

Taking into account the comments of the Panels it was agreed that recommendation 9 in the report relating to the appraisal of Chairmen be deleted (and the following recommendations be renumbered)

RECOMMENDED:

- 1) That all the current arrangements continue with the exception of those items listed below
- 2) That the attendance of Audit Members for Audit training should be obligatory as it is for Planning and Licensing initial training.
- 3) That Panels be encouraged use the powers available to them and therefore make clear recommendations on items coming before

them so they can be incorporated into reports in the progress of being prepared, or taken into account at the Cabinet meeting.

4) That Panels should consider their own performance indicators and they be encouraged to monitor the progress in line with the Corporate Objectives through that route.

5) That the number of post implementation reviews undertaken be monitored by the Joint Chairs meetings.

6) That in working on policy development and reviews and project programme work, Panels be encouraged to have discussions with portfolio holders :

For example – Cabinet Members could attend a Panel meeting at the beginning of the year to discuss their plans for the year in order to incorporate potential items into work plans in accordance with the Business Plan.

7) That the Leader nominate the Panel/Committee Chairs for agreement at Council with the Vice-Chairs to be appointed by the Panels/Committee.

8) That terms of reference be approved for Chairs of Scrutiny bodies (set out as an appendix). (NB they include the points raised in question 15 set out in the report)

9) That the amended arrangements be reviewed after a further 12 months of operation.

Reason for Decision

To seek to make the roles and functions of the Council's policy development and scrutiny panels more effective and thereby enhance the good governance of the Borough Council. Report recommendation 9 was deleted to take into account comments made from the Panels.

CAB108 **LOCAL AUTHORITY HOUSING COMPANY NAME**

Councillor Lawrence presented a report which showed that a Cabinet Report of 11 June 2014 (with Council approval on 24 June 2014), agreed to the establishing of a Local Authority Housing Company. The primary purpose for establishing the company was to act as a vehicle to secure new affordable housing units in the Borough utilising 'off site' Section 106 planning funds granted by developers who in ordinary circumstances provide off site financial contributions in lieu of onsite affordable housing units. The company would retain ownership of the units but sub contract the management to a suitable housing association (Registered Provider/ RP). This approach would enable the Borough Council to retain ownership of the assets and benefit from revenue stream.

The company would be established in such a way that it could take ownership of any unsold market units, should there be any, from schemes where the Council was acting as a developer. These properties could subsequently be privately rented and create additional income, until they were sold at a point in the future. Cabinet was invited to name and appoint members of the Board.

Under Standing Order 34 Councillor Pope sought reassurance that the properties within the Company would not be given away. It was confirmed that the properties would not be subject to the right to buy.

RESOLVED:

1. That the Housing Company be called "West Norfolk Property"
2. That the Membership of the new West Norfolk Property Housing Board be made up of the following 3 Councillors:

Portfolio Holders for Corporate Projects and Assets, Housing and Community and the Leader

2 Officers: Strategic Housing Manager and Chief Executive,

and the Executive Director – Financial Services appointed as Company Secretary.

Reason for Decision

To enable the Company to be established and registered.

The meeting closed at 6.30 pm