

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on Tuesday, 17th April, 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, Mrs K Mellish and
Mrs E Nockolds

Apologies for absence were received from Councillor A Lawrence

CAB138 **MINUTES**

RESOLVED: The minutes of the Meeting held on 13 March 2018 were approved as a correct record and signed by the Chairman

CAB139 **URGENT BUSINESS**

None

CAB140 **DECLARATIONS OF INTEREST**

None

CAB141 **CHAIRMAN'S CORRESPONDENCE**

None

CAB142 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor J Moriarty attended under Standing Order 34 for the item on the charging uncontested elections.

CAB143 **CALLED IN MATTERS**

None

CAB144 **FORWARD DECISIONS**

The Forwards Decision List was noted.

CAB145 MATTERS REFERRED TO CABINET FROM OTHER BODIES

The Joint Employee Committee had considered the Pay Award Item and had accepted the recommendations. The comments from Unison were also distributed to members.

CAB146 PROCUREMENT STRATEGY

The Procurement Officer presented a report which explained that the last time that the Council formally adopted a Procurement Strategy was in December 2007 which was due for review in December 2009, but the review was repeatedly postponed for a variety of reasons until the strategy eventually fell out of use.

In 2014 the current National Procurement Strategy was published by the Local Government Association and in February 2015 the Public Contracts Regulations 2015 replaced the previous 2006 regulations.

A new Procurement Strategy for the Council has been created by the Procurement Team by working through the National Procurement Strategy and picking out all of the headings that could be applied to the Borough Council of King's Lynn & West Norfolk.

Cabinet asked whether the culture of working with the Procurement Team was now embedded within the organisation, to which it was confirmed that it was the norm that contracts over £10,000 would involve the procurement team. It was also confirmed that of those contracts held by the Council approximately 200 were above £10,000.

In response to a question on whether the management of contracts was an area for improvement the Procurement Officer explained that once awarded it was currently for the department to manage the contract, and operational managers job descriptions had been changed accordingly. Procurement officers contract managed those contracts that were delivered across a number of service areas and sometimes service areas did not follow new arrangements and contract management issues were not highlighted.

The section on insite gave best practice for procurement etc. The Procurement Officer also commented that a central contract management structure could also be of benefit.

Cabinet suggested that it may be appropriate to measure the performance against tangible evidence to look for obvious examples which could have been helped by the provision of a central contract management arrangement. It was agreed to invite the Corporate Performance Panel to consider carrying out such a review in due course.

RESOLVED: 1) That the strategy be adopted and implementation be supported.

2) That the Corporate Performance Panel be invited to consider monitoring the performance of the policy going forward.

Reason for Decision

To formally support the ongoing development and modernisation of procurement and contract management within the Council with the aim of making further savings and supporting the local economy.

CAB147 **REVIEW OF KEY DECISION LEVEL**

Councillor Long presented a report which reminded Members that The Scheme of Delegation set out the areas delegated to Portfolio Holders to make decisions and complied with the Council's Financial Regulations. Key Decisions were not delegated to Portfolio Holders and must be considered in Cabinet. Key Decisions were defined as:-

an executive decision which is likely –

- (a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (b) to be significant in terms of its effect on communities living or working in the area comprising two or more wards and electoral divisions in the Council's areas

where significant under a) above is £250,000 or more and significant under b) above is one third of the resident population in a ward.

It was noted that the level of key decisions had not been reviewed since it was originally approved and as many contractual decisions amounted to a key decision when the finances were added for the life of the contract, the decision would need to go to Cabinet even when the tender had come in under budget. Raising this level would permit a decision to be taken by individual Cabinet Members / and or Officers where delegation permits, but would still be transparent with decisions published as required.

Recommended: That the Key Decision Limit be set at £500,000.

Reason for Decision

To permit relatively modest revenue contracts which run for a number of years to be procured more speedily, and to reflect the impact of inflation since the original figure of £250,000 was agreed when Executive arrangements were originally set up.

CAB148 UNCONTESTED PARISH COUNCIL ELECTIONS

Councillor Long presented a report which proposed to pass on the full costs of uncontested Parish Council Elections to the Parish Councils concerned, both at the four-yearly Parish Council Elections as well as any Casual Vacancies. It was noted that Parishes already paid for their contested elections.

Under Standing Order 34, Councillor J Moriarty asked the Cabinet to defer making a decision on the report in order that the Environment and Community Panel could give the item consideration. He asked: if the figures were measurable, what other Councils did, if it was a stealth tax leading Parishes to increase their precepts, and what the statutory implications were.

Councillor Long reminded Members that one of the Panels, he considered that it fitted with the Corporate Performance Panel, could have requested the item to come to its last meeting, but the item could be deferred to the May meeting of Cabinet should the Panel wish to see the item as he considered it would be unconstitutional for the Leader to instruct them to do so.

Cabinet discussed the recommendations set out in the report and the fact that contested elections were charged for, and that this should potentially have been agreed at the same time. The proposal was to cover the costs incurred by the Council in carrying out the processes involved in declaring vacancies etc, not to make a profit on it. It was acknowledged that a parish was able to budget for this process and would not be subject to the cap on precepts that the Borough was.

Cabinet agreed to defer the decision on the item as requested.

RESOLVED: That consideration of the item to charge Parish Councils for their own uncontested elections be deferred to the 29 May meeting to give the a Panel chance to look at the report should it choose to do so.

Reason for Decision

To take into account the representations made by Councillor Moriarty at the meeting.

CAB149 PAY AWARD 2018/19

The Executive Director, D Gates presented the report which reminded Members that the Council's annual pay increase for all employees was locally determined, having regard to national pay and labour market information. The report recommended the pay increase for 2018/19 of 2% with the matching of the bottom point of PG Scales to the lowest

point on the National pay scale of £8.50. The report outlined that the award had been included in the budget.

The comments received from Unison had been distributed to members and were supportive of the proposals asking for the review of the bottom grades the following year. The Executive Director confirmed that this was the plan, and the intention was to continue to work with Unison to carry this out, as had been the case the previous year.

Cabinet commented on the good working relationship with the Unions as demonstrated by the Joint Employee Committee meeting, and considered the proposal a good solution to a difficult funding situation.

The Chairman commented that it would be nice to be able to offer a higher pay award but in the financial climate with the reductions in Government funding it was the best option. He acknowledged that most staff understood the financial situation, and was pleased with the meeting held with the unions and appreciated where their comments were coming from.

RESOLVED: 1) That an annual pay award of 2% be implemented with effect from 1st April 2018.

2) That the Authority continues its practice of matching the bottom point of PG Scales to the lowest point on the National pay scale of £8.50 to continue the process of moving towards the expected level of the National Living Wage by 2020.

Reason for Decision

To implement an annual pay increase for employees which reflects the approach taken by the National Employers in relation to the percentage pay increase offered for 2018/19, which is reflected in the Authority's Financial Plan for 2017-2022. To reflect the approach taken by the National Employers in relation to increases in the minimum wage paid to employees.

CAB150 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act.

CAB151 MANAGEMENT STRUCTURE - DEPUTY CHIEF EXECUTIVE

The Leader presented a report which had been prepared following a request from the Chief Executive to extend his current phased retirement by further reducing his working week. The report proposed the re-establishment of the role of Deputy Chief Executive. It is proposed that the position be established on the same basis as

previously i.e. the post holder would be Deputy Chief Executive and Executive Director. It is also proposed to increase the number of Assistant Directors from 2 at present. The arrangements proposed would assist the organisation with succession planning, strengthen the resilience of the senior management and pave the way for further reductions in the senior management costs.

Cabinet discussed the implications of the proposals and supported the recommendations.

RESOLVED: 1) That the re-establishment of the Deputy Chief Executive position be approved; and agree to the Chief Executives request to reduce his working hours.

2) Receive a further report on proposals to increase the number of Assistant Directors once the Deputy Chief Executive post has been appointed.

Reason for Decision

To strengthen the resilience of the management structure, assist the Council with its succession planning and pave the way for further reductions in senior management costs.

The meeting closed at 6.17 pm