

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

**CORPORATE PERFORMANCE PANEL**

**Minutes from the Meeting of the Corporate Performance Panel held on Wednesday, 3rd June, 2020 at 3.00 pm in the Remote Meeting on Zoom and available for the public to view on WestNorfolkBC on You Tube - Zoom and You Tube**

**PRESENT:**

Councillors B Ayres, P Beal, J Collop, Mrs A Dickinson, C Hudson, H Humphrey, C Manning, G Middleton, J Moriarty, S Nash, C Rose, D Tyler and D Whitby

**Portfolio Holders**

Councillor B Long - Leader

Councillor I Devereux - Environment

Councillor P Gidney – Project Delivery

Councillor P Kunes – Commercial Services

Councillor G Middleton – Business Development

Councillor Mrs E Nockolds – Culture, Heritage and Health and Deputy Leader

**Officers:**

Alexa Baker, Solicitor

Lorraine Gore, Chief Executive

Tony Hague, Procurement Officer

Duncan Hall - Assistant Director

Matthew Henry- Assistant Director

Honor Howell - Assistant to Chief Executive

**Members present under Standing Order 34:**

Councillors Miss L Bambridge, M de Whalley, C Joyce and C Morley

CP94 **WELCOME AND INTRODUCTIONS**

The Chair informed the Panel that the meeting was being broadcast live on You Tube.

The recording of the meeting is available at:

<https://www.youtube.com/user/WestNorfolkBC>

The Democratic Services Officer conducted a roll call to confirm attendees.

CP95 **APPOINTMENT OF VICE-CHAIR**

**RESOLVED:** Councillor P Beal. be appointed Vice-Chair for the meeting.

**CP96 APOLOGIES**

There were no apologies for absence.

**CP97 MINUTES**

**RESOLVED:** The minutes of the meeting held on 2 March 2020 were agreed as a correct record, subject to the following amendments:

- Councillor L Bambridge as substitute for Councillor Ayres.
- Apologies received from Councillor B Ayres.

**CP98 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**CP99 URGENT BUSINESS UNDER STANDING ORDER 7**

The Chair informed those present that there was an item of exempt item of urgent business which would be considered after Agenda Item 13.

**CP100 MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillors L Bambridge, C Joyce, C Morley, A Ryves and M de Whalley.

**CP101 CHAIR'S CORRESPONDENCE (IF ANY)**

There was no Chair's correspondence.

**CP102 OFFICER UPDATE - CURRENT SITUATION AND IMPACT ON THE PANEL WORK PROGRAMME**

The Assistant Director, Central Services provided an overview on the current situation following lockdown and the impact on the Panel Work Programme.

The Chair advised that the Recovery Plan would be presented to a Joint Panel Meeting on 25 June prior to Cabinet on 30 June 2020.

**CP103 PROCUREMENT AWARENESS**

The Panel received a presentation from the Procurement Officer (copy circulated with the Agenda).

Following the presentation, the Panel was invited to ask questions/comment.

Councillors C Morley and A Ryves addressed the Panel under Standing Order 34.

The Chair thanked the Procurement Officer for his detailed and informative presentation.

The Procurement Officer responded to questions relating to:

- What measures the Council undertook to prevent fraudulent invoices and payment and monitoring procedures in place.
- Length of existing contractors and potential for extension clause.
- Total procurement spend locked into long term contracts.
- Refuse Collection Contract and criteria for joining with other councils to achieve economies of scale.
- Lift Maintenance contract and consideration of Norfolk wide contract
- CFPS Centre of Excellence – independent assessment of unit. The Procurement Officer undertook to discuss with his Line Manager and Senior Management to consider whether the Council be subject to an independent assessment of the procurement unit.
- Opportunities for Joint Procurement – the Chief Executive gave an example of the Bank Tender across whole of Norfolk which included Norfolk County Council and all district councils.
- Examples of Contractors open to Members for scrutiny.
- Disaggregation – definition of term not acceptable.
- 2015 Regulations.
- Thresholds – calculation of figures in Euros and converted to pounds sterling on 1 January every other year and fixed for two years.
- Joint Ventures.
- Wholly owned subsidiary companies
- King's Lynn Innovation Centre.
- Borough Council's process in place to enable challenge of procurement decisions/evaluation.
- Borough Council's in-house supplier and procurement process in place.
- Borough Council provide a Procurement advice service to Boston Borough Council.

The Chair informed the Panel that Members could request that more details be provided of specific contracts if required at a future Panel meeting.

The Assistant to the Chief Executive presented the report and highlighted the indicators that had not met target set out in the Action Report attached to report.

Recovery Strategy and new indicators 25 June 2020.

There were no questions from Panel.

Councillor C Morley and Ryves addressed the Panel under Standing Order 34. The Assistant to the Chief Executive responded to questions in relation to:

- The Q4 indicators would be published in the Agenda for the Joint Panel Meeting on 25 June 2020. More meaningful indicators would be presented to the Corporate Performance Panel to enable monitor recovery in different areas.
- Norfolk County Council metrics dashboard which demonstrated a good example of presenting data.
- Refresh of Indicators.
- LD8 council tax collection rates.

The Chair congratulated the Assistant to the Chief Executive and her team on the work being undertaken relating to the corporate performance monitoring.

**RESOLVED:** The Panel:

- 1) Reviewed the performance monitoring report.
- 2) Agreed the actions outlined in the action report.

CP105 **CABINET REPORT: PROPOSED VIRTUAL MEETINGS STANDING ORDER AMENDMENTS**

The Solicitor outlined the proposed amendments to the Virtual Meetings Standing Orders and drew attention to the following sections:

- Section 3 – Amendment of Standing Orders.
- Section 4 – Meetings of the Council.
- Section 6 - Members in remote attendance.
- Section 9 – Remote Attendance by Members of the Public.
- Section 17 – Voting.
- Section 20 – Interests of Members and Officers in contracts and other matters.
- Standing Order 34 - Rights of non-members to attend meetings of Council bodies

The Solicitor invited the Panel to consider what to do if a Member drops out of a meeting (4.10 and 4.11).

The Chair thanked the solicitor for her thorough presentation of the proposed amendments.

Councillors Joyce and de Whalley, Ryves addressed the Panel under Standing Order 34.

The solicitor responded to questions in relation to:

- Definition of remote attendance.
- Comfort breaks being scheduled in if required.
- Example given of loss of IT and Member's right to vote on an item.
- Monitoring undertaken by Democratic Services during the meeting to ensure Members attendance and the meeting remains quorate.
- Members of Public loss of IT and right to speak – representation can be read out to the meeting. Guidance note is available to the public attending the Planning Committee.
- Loss of connection by Members during the meeting.
- Proposed Amendment 4.11 – loss of audio in remote attendance, Chair to determine if that person carry on to participate in that item.
- Public remote access to a meeting in accordance with Government regulations.  
Councillors should be seen and heard in a remote meeting. Length of broadband width in rural areas and access to meetings. It was highlighted that the regulations stated that Members have to be heard. If practicable to be seen as well.
- Provision for consideration of exempt items. Exclusion of press and public. Councillors remain who are observing during an exempt item when livestreaming ceased. Provision to be made in the amendments to Standing Orders.
- Advice to Members attending under Standing Order 34.
- Standing Order 20 Declaration of Interests.

The Panel adjourned for a comfort break at 5.05 pm and reconvened at 5.15 pm

The following amendments were debated.

#### Paragraph 4.10

Councillor Moriarty proposed, in principle, an amendment on the recommendations to Cabinet. Seconded by Councillor B Ayres

“If a Member is deemed to have left a remote meeting pursuant of 6.5 of Standing Orders and later rejoins the remote meeting, the Chair may decide that Member is precluded from contributing to the debate or voting on any item of business during which they were not in attendance pursuant to Standing Order 6.5 taking into account the nature of the meeting, length of absence and presence or not of a written report.”

The Solicitor to draft amendments to 4.10 for inclusion within the report to Cabinet which achieves the overall principle and intention that the Chair should have discretion to decide whether a Member can still participate.

The Democratic Services Officer conducted a roll call. The amendments were carried.

Paragraph 4.11

Councillor Moriarty proposed an amendment on the recommendations to Cabinet. Seconded by Councillor S Nash.

“If the Chair determines, a remote meeting may be adjourned for no more than 10 minutes to allow an attendee of that meeting to leave and immediately rejoin, where it is identified that there is poor quality connection that is adversely affecting the conduct of the remote meeting.”

The Democratic Services Officer conducted a roll call. The amendments were carried.

**RESOLVED:** The Panel proposed that the Solicitor should draft amendments to the proposed changes to Standing Orders for remote meetings, to be incorporated into the report for Cabinet on 30 June 2020, addressing the following matters:

- 1) Standing Order 4.10 – A relaxation of this clause so that the Chair has discretion to decide whether a Member can continue to participate in the Meeting.
- 2) Standing Order 4.11 – A relaxation of this clause to allow further time.
- 3) Standing Order 34 – To take account of Members who wish to observe the meeting when there are exempt items.

CP106 **CABINET FORWARD DECISIONS LIST**

The Panel noted the Cabinet Forward Decisions List.

CP107 **EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That under Section 100(A) of the Local Government Act, 1982, 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 of Schedule 12A to the Act.

CP108 **FUTURE HIGH STREETS FUND**

Officers presented an update to the Panel and responded to questions/comments.

Councillors L Bambridge and M de Whalley addressed the Panel under Standing Order 34.

Under Standing Order 34, the Chair read out a statement from Councillor A Holmes.

**RESOLVED:** That the update report be noted.

CP109 **WORK PROGRAMME**

Reference was made to a Motion from Full Council – Freedom of the Borough which had been referred to the Panel.

**RESOLVED:** The above item be scheduled on the Panel's work programme and soon as possible.

CP110 **DATE OF NEXT MEETING**

The next meeting of the Corporate Performance Panel would take place on Wednesday 22 July 2020 at 3.00 pm via Zoom and available to view on You Tube.

**The meeting closed at 6.52 pm**