

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET

**Minutes from the Meeting of the Cabinet held on Tuesday, 3rd August, 2021
at 3.30 pm in the Assembly Room, Town Hall, Saturday Market Place, King's
Lynn PE30 5DQ**

PRESENT: Councillor S Dark (Chair)
Councillors R Blunt, A Dickinson, P Kunes, A Lawrence, B Long, G Middleton
and S Sandell

CAB18 **MINUTES**

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RESOLVED: The minutes of the meeting held on 15 June 2021 were agreed as a correct record and signed by the Chair.

CAB19 **URGENT BUSINESS**

None

CAB20 **DECLARATIONS OF INTEREST**

None

CAB21 **CHAIR'S CORRESPONDENCE**

None

CAB22 **MEMBERS PRESENT UNDER STANDING ORDER 34**

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Councillor C Morley – CAB27, 28, 29, 30 and 32
Councillor C Joyce - Items CAB27, 28, 29, 30 and 32
Councillor de Whalley – Items CAB 25, 28, 29 30 and 32

CAB23 **CALLED IN MATTERS**

None

CAB24 **FORWARD DECISIONS**

The Forward Decision List was noted.

CAB25 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

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Comments from the Corporate Performance Panel on 21 July 2021 were received and noted.

The comments from the Regeneration and Development Panel held on 20 July were received and noted.

The comments from the Audit Committee on 26 July 2021 were received and noted.

CAB26 **PARKWAY**

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Cabinet was presented with a report on the proposed development at Parkway. The report presented a financial viability assessment relating to the development of the COWA housing allocation, and sought cabinet approval to enter into a contract with Lovell to develop approximately 228 homes following the viability assessment set out in the report.

RECOMMENDED: That the following be approved:

- 1) A new planning application be submitted for a revised scheme of approximately 228 dwellings
- 2) Capital funding allocation of £45.2m for the development of the site
- 3) Approve optional environmental enhancements of £1.71m (included within the Capital funding allocation above) as detailed in section 8 of this report

Reasons for Decision

To progress the Major Housing Project:

- To achieve significant delivery of sustainable housing over a 4-5 year period
- To achieve a commercial return to the Council (through Capital and Revenue receipts)
- To stimulate economic activity in the local area through direct and indirect employment
- To create apprenticeships within the local construction industry
- To deliver the pace of construction required by the Accelerated Construction Programme funding

CAB27 **MEMBERS ENQUIRIES INBOX**

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The Assistant to the Chief Executive presented a report which explained that in August 2020, due to resource constraints caused by the response to the COVID-19 pandemic, the council introduced the Members Inbox to coordinate responses to enquiries from Members. Its purpose was to free up senior officer time to focus on their covid response work, ensuring that Members still received timely responses to their queries. The new process was agreed by all group leaders and their deputies and was an informal change and not reflected in the Council's Constitution. The report recommended making the arrangement permanent.

Under standing order 34, Councillor Morley commented that he used the service regularly and supported its continuation. He commented on the limited number of members who had responded to the survey.

Under standing order 34, Councillor Joyce referred to his experience of the service, which was dependent on other officers answering questions. He considered that whilst the Corporate Performance recommendation of referring to Directors if not responded to by officers, that cabinet member non responses should go to the Leader.

In debating the report Cabinet members supported the proposals, along with those from the Corporate Performance Panel. The Leader encouraged members not receiving responses from Cabinet Members should either go through their Group Leaders or contact him.

RECOMMENDED: That the council's constitution be amended to retain the Members Inbox as a permanent measure to respond to general Member enquiries to enable them to carry out their roles within their constituencies, subject to the suggested amendments in recommendation 1 from Corporate Performance Panel to add the Member Officer protocol timeframes to the timecales, with referral to the Executive Director or Chief Executive if no response was received.

Reason for Decision

To continue to provide a forum for Members to ask questions and receive responses in a timely manner.

The council's constitution be amended to retain the Members Inbox as a permanent measure to respond to general Member enquiries to enable them to carry out their roles within their constituencies.

CAB28 COUNCIL MEETINGS INTERIM ARRANGEMENTS

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Cabinet considered a report explaining that following the expiry of the powers granted by Section 78 of the Coronavirus Act 2020, from 7th

May the council had reverted to face-to-face meetings for Members, supported by Democratic Officers in the room. This report considered the impact of the decision not to extend the facility of virtual meetings for councils and to recommend to Cabinet/Council, interim measures to enable the council to fulfil their statutory obligations in respect of council meetings whilst maintaining social distancing and COVID-19 safety measures at all times.

The council was mindful that although regulations would no longer be in place, there was a responsibility to keep members and officers safe during this time until the impact of the relaxation of the rules was known.

The following interim arrangements for council meetings were suggested:

- Pending any outcome of the government's consultation process, the existing arrangements for council meetings would continue and be reviewed again at the end of September 2021.
- Council meetings would be held in the Assembly Room or the Stone Hall at the Town Hall if necessary.
- Members of each committee or panel would be required to physically join the meeting or apologies should be sent
- Members attending under SO34 may do so in person, but alternatively may join via Zoom.
- Members of the public may attend in person or view via the YouTube channel. Public speakers in Council and Planning can join via Zoom as they do now.
- Live streaming of all council meetings will continue
- Democratic Services officers will attend the meetings in person, with support from ICT and other Democratic Services Officers will carry out the administration of the live stream remotely
- All other council officers attending meetings will join remotely to keep numbers in the room to a minimum except for the member of senior management team supporting the panel.

- Whilst not compulsory, we strongly recommend that all members undertake lateral flow testing prior to attending a meeting. If that test is positive, that Member should self-isolate until a PCN test can be carried out.

Under standing order 34 Councillor Morley commented that whilst recognising the benefits of hybrid meetings he preferred officers were in the room and recognised the benefits of face to face networking.

Under Standing order 34 Councillor Joyce in supporting the arrangements commented that the health and safety of all involved was paramount, and felt the hybrid was a superior system, with large savings on travel to be made.

Under standing order 34 Councillor de Whalley supported hybrid arrangements and streaming and recording meetings.

In debating the report attention was drawn to the work being carried out to improve the technology, and that the use of headsets by members and officers on zoom assisted.

In discussing the presence of officers in the room it was felt that the option should be kept open, and it was agreed to add “may” attend via zoom. The numbers of people present in the room would be monitored.

RECOMMENDED: 1) That the recommendations for the interim arrangements for council meetings be approved.

2) That Council and Scrutiny Panel meetings continue to meet at their current start times.

3) That Officers may attend meetings via Zoom to limit the number of people in the room at one time

4) Members attending under SO34 may do so via Zoom or in person

5) That a further review of council meetings is conducted at the end of September 2021, when the impact of the relaxing of national covid measures are more widely known

Reason for Decision

To enable council meetings to proceed according to legislation whilst maintaining COVID-19 secure at all times, reducing any associated risk to officers, members or the public

CAB29 **APPOINTMENT OF A MONITORING OFFICER TO THE BOROUGH COUNCIL**

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Cabinet considered a report which reminded members that the Local Government and Housing Act 1989 required the council to appoint a Monitoring Officer to be responsible for specified statutory functions. The Monitoring Officer could not be the councils Head of Paid Service or it's Chief Finance (Section 151) Officer.

The council had a Service Level Agreement with its legal services provider, Eastlaw, to provide the Monitoring Officer function for two days a week. This arrangement was due to expire at the end of September 2021. Unless the council renegotiates this agreement, the Monitoring Officer service would reduce to one day a week.

The report explained that the borough council was increasing involved in large, innovative and complex projects which required legal support, advice and due diligence as well as other work such as Code of Conduct investigations and support for Parish Councils.

The workload of the Monitoring Officer had increased significantly over the last 18 months and had reached a level that was unmanageable under the existing arrangements and more resource was required to undertake this role.

Under standing order 34 Councillor Morley supported the proposal.

Under standing order 34 Councillor Joyce agreed with the proposal, and drew attention to the cost implications and the fact that some parishes were referring high numbers of issues to the monitoring officer.

Under standing order 34 Councillor de Whalley supported the proposal.

In debating the proposal Cabinet referred to the potential to come to arrangements with Parishes to pay for the legal advice if sufficient resource was available.

It was noted that the corporate performance Panel had supported the recommendations.

RECOMMENDED: That the borough council create a post and proceed with the recruitment and appointment of a full time Monitoring Officer to be employed solely by the council.

Reason for Decision

To ensure the council is able to carry out it's statutory functions and has the resource to provide the relevant advice, guidance and legal opinion on the many functions it carries out.

CAB30 **COUNCILLOR COMMUNITY GRANT SCHEME**

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The Assistant to the Chief Executive presented a report which explained that the borough council was proposing to introduce a Councillor Community Grant Scheme with the aim of funding community projects and initiatives that would deliver better outcomes for residents in their Ward as well as contributing to the achievement of the Council's Corporate Business Plan priorities. Each ward councillor would be given a budget of £1,000p.a. to assist their constituents with funding for projects which met the criteria for the scheme.

Under standing order 34 Councillor Morley reminded members that members governance obligations and reputational impact needed to be taken into account in the usage of the scheme.

It was noted that training would be provided for members on its use.

Under standing order 34 Councillor Joyce supported the scheme.

Under standing order 34 Councillor de Whalley expressed concern about conflicts of interests for members.

In debating the item Cabinet supported its introduction as ward members knew their areas needs well, but also wished to ensure its administration on both sides was not time consuming. It was noted that the funding could be used to encourage other funding opportunities. Following discussions it was noted that the fine tuning of the scheme was still to be agreed, therefore Cabinet agreed to delegate the wording of the final version to be submitted to Council for approval to the Chief Executive in consultation with the Leader.

RESOLVED: That the Chief Executive, in consultation with the Leader agree the final submission of the policy to be presented at Council for decision.

RECOMMENDED: That the Councillor Community Grant Scheme be introduced and Council sets aside the budget required for the scheme.

Reason for Decision

To give councillors the means of providing financial support to local communities, with projects and initiatives that meet the proposed criteria and provides clear and demonstrable benefits to the people and environment of their local communities

CAB31 **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.

CAB32 **COMMUNICATIONS SERVICE**

Cabinet considered a report which looked at the resources required by the Council's Communications team in order to respond to a change in demand and focus requested by the new political administration which came into effect in May 2021. The work would involve more public engagement.

Under standing order 34, Councillor Morley commented on the financial implications.

Under standing order 34, Councillor Joyce made reference to the need to ensure comments from all political groups were able to be made if requested. He supported the proposal providing it was not one sided views.

Under standing order 34 Councillor de Whalley supported the increase in public engagement.

Cabinet debated the report and the financial recommendations. It was agreed that the cover arrangements be put in place in exceptional circumstances following agreement with the Leader.

RESOLVED: 1) That the creation of two new posts within the Communication Service be approved.

2) That the creation of a budget of £33,210 which will be used to buy in specialist advice/expertise or to provide the flexibility to create a further post if required to strengthen resources within the team be approved. Authority for the allocation of this budget to be delegated to the Executive Director/Assistant Director Central Services in consultation with the Leader.

3) That the creation of a new budget of £5,000 to enable specialist Communications resources to be utilised to cover for the Communications Manager for a period of two years be approved in exceptional circumstances to be approved by the Chief Executive in consultation with the Leader.

4) That delegated authority be granted to the Executive Director and Assistant Director Central Services to oversee the development of progression schemes within the service to aid retention of existing staff.

Reason for Decision

To ensure the provision of an effective Communications Service for the Council, in line with organisational priorities

The meeting closed at 5.09 pm