

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET DECISION SHEET

**Decision Sheet from the Meeting of the Cabinet held on
Tuesday, 15th March, 2022 at 3.30 pm in the Assembly Room, Town Hall,
Saturday Market Place, King's Lynn**

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

Apologies for absence were received from Councillor A Dickinson

1 MINUTE'S SILENCE IN SUPPORT OF THE PEOPLE OF UKRAINE

As it was the first Cabinet meeting since the commencement of the war by Russia against Ukraine, Cabinet held a minute's silence in support of the people of Ukraine.

2 MINUTES

The Minutes of the Meeting held on 9 February 2022 were agreed as a correct record and signed by the Chair.

3 URGENT BUSINESS - EMERGENCY DECISION IN SUPPORT OF UKRAINIAN REFUGEES COMING TO THE BOROUGH

The Chair reported that the Chief Executive had today following consultation with himself as the Leader and Councillor Sandell as Cabinet Member, signed a decision under her emergency powers to make funding available for Ukrainian refugees coming to west Norfolk. Members had received a copy of the decision earlier in the day, and all Group Leaders had expressed their support of the move.

4 DECLARATIONS OF INTEREST

None

5 CHAIR'S CORRESPONDENCE

None

6 MEMBERS PRESENT UNDER STANDING ORDER 34

Councillor Moriarty – items 7,9,11 and 14
Councillor Parish – items 7, 9,and 12
Councillor de Whalley – items 9 and 12

7

CALLED IN MATTERS - MEMBERS ALLOWANCES

The Chair reported that CAB103 Members Allowances Independent Review from the meeting on 9 February 2022 was called in, considered and upheld at the Corporate Performance Panel meeting on 3 March 2022.

The CPP minute had been distributed and the recommendations were considered by Cabinet.

Councillor Moriarty spoke under standing order 34 and explained that the call in had been upheld on his casting vote and had resolved as below:

RESOLVED: The Corporate Performance upheld the call in and supported the Cabinet recommendations subject to:

- 1) Requesting Cabinet to ask the Independent Remuneration Panel to undertake a review on the special responsibility allowances for them to be equitable as a matter of urgency.
- 2) Asking Cabinet to take into account the debate and discussion at the Corporate Performance Panel before coming to a decision to go forward to Full Council.

Councillor Parish addressed Cabinet under standing order 34 in support of the allocation of increased levels of opposition leader special responsibility allowances.

The Chair drew attention to the advice received from the Monitoring Officer in relation to the matter in that no changes other than inflationary should be made at this stage. He drew attention to the Cabinet's recommendations made at its meeting on 9 February.

Cabinet considered the recommendations from the Corporate Performance Panel, had listened to the members addressing Cabinet under standing order 34 and debated the matter. On being put to the vote it was agreed that the original recommendations made by Cabinet be adhered to and considered by Council at its Special Meeting on 23 March 2022.

RECOMMENDED: 1) Having considered in detail the recommendations of the IRP, Cabinet considers that there two issues for not making significant changes Members' Allowances for the year commencing 1 April 2021. Firstly, the current financial climate is not propitious for increasing the overall sum paid to Councillors, which is the effect of the IRP's review. Secondly, there have been significant changes to working practices as a result of the pandemic, with Councillors seeing a wholesale change of having to carry out all of their duties from home, with all meetings conducted via online means, i.e. Teams and Zoom. This has resulted in what might amount to

permanent changes to working practices and therefore a review would be better conducted when those revisions have been fully evaluated.

2) That existing allowances be increased in line with the inflationary increase of the officers' pay award, effective from 1 April 2021.

3) In accordance with the Regulations, Cabinet recommends that allowances for a maximum period of the next 3 years commencing 2022/23 should continue to be indexed in line with the officers' pay award. This is in compliance with the Regulations. An IRP may be called at any time should the need arise or be otherwise appropriate but in any case will be called no later than autumn 2024 to conduct a further review and to report its findings in sufficient time to allow a revised scheme to be approved by Council, in accordance with the regulations, to come into effect on 1 April 2025.

4) That, subject to receiving Council approval, the pecuniary implications to be paid in the current financial year.

8 **FORWARD DECISIONS**

The Forward Decision List was noted

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

Cabinet considered the comments and recommendations from other Council bodies as below:

- 1) **Environment and Community Panel** – 15 February 2022 made comments on the Hackney Carriage and Private Hire Licensing procedures item.
- 2) **Corporate Performance Panel** – 3 March 2022 – the Panel had supported the recommendations on the Legal Services Review, and requested a minor amendment to include the Monitoring Officer in the recruitment process.

Under standing order 34 Councillor Moriarty presented the comments to Cabinet drawing attention to the comments on the involvement of the Monitoring Officer in the appointment of Legal staff. The comments were noted.

- 3) **The CIL Spending Panel – 15 March 2022** made recommendations to Cabinet on the transfer of funding from the CIL Strategic Pot to the Community Pot in the sum of £149,079.39 in order to facilitate the award of a greater number of requests in the Community Pot.

Councillor Blunt presented the request which had been unanimously supported by the Spending Panel. He reported he

would be coming back to a later meeting with a further review of the process once the review had been completed.

Under standing order 34 Councillor de Whalley spoke in support of the recommendation which he felt redressed the balance of awards given for small against large applications for funding .

Under standing order 34 Councillor Moriarty spoke in support of the recommendation and concurred with councillor de Whalley.

Under standing order 34 Councillor Parish supported the recommendation and the further review.

Cabinet considered and supported the request.

RESOLVED: That the transfer of £149,079.39 from the Strategic Fund into the Local & Community Fund be approved to allow the allocation of more CIL Funding to projects.

10 **REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING PROCEDURES AND CONDITIONS**

RECOMMENDED: That the Council be invited to adopt the revised Hackney Carriage and Private Hire Licensing Procedures and Conditions document.

Reason for Decision

Changes to the existing Hackney Carriage and Private Hire Licensing Procedures and Conditions document are required to incorporate Statutory Standards for the protection of the travelling public. Additional changes to the age and mileage of licensed vehicles are proposed to assist with financial hardship of the licensed trade, alongside additional vehicle testing requirements to ensure vehicle safety

11 **REVIEW OF THE UNREASONABLE COMPLAINTS POLICY**

RESOLVED: That the matter be referred back to the Corporate Performance Panel to give further consideration to the points raised by the Ombudsman regarding the proposed inclusion of the Standards Board as putting a further step in the path of someone making a referral to the Ombudsman.

Reason for Decision

At the Chair of the Panels request, to give the Panel the opportunity to consider those comments the Ombudsman before re-submitting recommendations.

12 **BIODIVERSITY TASK GROUP**

RESOLVED: That a Task Group made up of 5 Members 3 Con, 1 Ind and 1 Lab, chaired by a Cabinet member be set up to give consideration to the issues identified in the notice of motion.

Reason for Decision

To respond to the Notice of Motion.

13 **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 3 of Part 1 of Schedule 12A to the Act.

14 **LEGAL SERVICES REVIEW**

RECOMMENDED: 1) That the Assistant to the Chief Executive invokes the notice period for termination of contract with the current provider (12 months)

2) That an in-house legal team be established and the resources recruited to manage the council's legal work and the Monitoring Officer be fully involved in that process.

3) That authority be delegated to the Chief Executive in consultation with the Leader of the Council to progress the project to create an in-house legal function, together with the procurement of software for the administration of the service. An in-house service is within budget, as set out in the Financial Implications within the report.

Reason for Decision

As set out in the report.

The minor amendment to recommendation 2 also takes into account the comments from the Corporate Performance Panel.

The meeting closed at 5.00 pm