

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

**Minutes from the Meeting of the Cabinet held on Monday, 11th April, 2022  
at 2.00 pm in the Assembly Room, Town Hall, Saturday market Place, King's  
Lynn**

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

Apologies for absence were received from Councillors A Dickinson and  
A Lawrence

**CAB122 MINUTES**

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**RESOLVED:** The Minutes of the meeting held on 15 March 2022 were agreed as a correct record and signed by the Chair.

**CAB123 URGENT BUSINESS**

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The Chair reported that in consultation with Councillor Sandell, the Portfolio Holder, and Councillor Middleton Deputy Leader in the Leader's absence, the Chief Executive had taken an urgent decision under her delegated powers in order to permit the Council Tax Energy Rebate Discretionary Scheme to assist households with the rising costs of energy. the government had instructed that the payments had to be made by the end of April.

**CAB124 DECLARATIONS OF INTEREST**

None

**CAB125 CHAIR'S CORRESPONDENCE**

None

**CAB126 MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillor Moriarty items CAB130 & 133  
Councillor Nockolds item CAB130  
Councillor Joyce item CAB130 & 133  
Councillor de Whalley Item CAB130

**CAB127 CALLED IN MATTERS**

None

**CAB128 FORWARD DECISIONS**

The forward decision list was noted

**CAB129 MATTERS REFERRED TO CABINET FROM OTHER BODIES**

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The Environment and Community Panel had endorsed the recommendations in the Memorials Safety Policy report.

The recommendations from the joint meetings of Regeneration and Development and Corporate Performance Panel on 30 March and 6 April 2022 on the Guildhall and Creative Hub Options including Governance were sent to Cabinet and were considered along with the report.

**CAB130 GUILDHALL CREATIVE HUB OPTIONS INCLUDING GOVERNANCE**

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Cabinet considered a report which set out the progress made on the St George's Guildhall and Creative Hub project as part of the Town Deal programme and the Council approvals required as the accountable body and leaseholder/owner of the Centre. The approvals were required to complete both a Business Case for the Towns Fund stage 2; and a Business Plan (and a stage 1 application) to the National Lottery Heritage Fund (NLHF), to secure match funding for the project.

It was noted that a clear direction and plan on the future management and operational arrangements for the Guildhall and Creative Hub were critical to the NLHF application and Towns Fund Business Case. The Guildhall Project Board (that included The National Trust and Norfolk County Council) had considered the best governance and operational structure for the future new enterprise, and the most appropriate characteristics of any new legal entity. The recommendation was based on the unanimous views of a number of culture sector specialists consulted, including retained consultants for the project, FEI Ltd.

The comments of the joint meetings of the Regeneration and Development Panel and Corporate Performance Panel were considered by the Cabinet.

Under standing order 34 Councillor de Whalley addressed Cabinet in support of the proposals whilst encouraging the provision of resources for future funding and an archeological building record be carried out.

Under standing order 34 Councillor Nockolds commended the work completed which had commenced many years ago but was prevented due to lack of finance. She encouraged its marketing as a heritage asset along with the others in the town.

Under standing order 34 Councillor Moriarty addressed Cabinet on the views of the Joint Panels and the comments made at those meetings regarding the selling points of the complex such as the oldest theatre, and the Shakespeare connection.

Under standing order 34, Councillor Joyce drew attention to the risks if National Lottery funding was not forthcoming. He asked where the revenue funding for the project in the future would come from.

Cabinet debated the report and its recommendations reminding members that the council had a full repairing lease on the building for a further 30 years. Attention was drawn to the debate held in the joint Panels meetings, and the fact that this was a unique opportunity that could not be ignored with its potential transformational benefits for the town as a whole. It was also noted that the Charitable Incorporated Organisation would potentially be able to access funding opportunities that the council would not be able to access. The Cabinet was reassured that should the funding application be unsuccessful there would be further opportunity to consider the plans. Cabinet acknowledged the work that Councillor Nockolds had done over the years to support and develop the Guildhall.

Attention was drawn to the additional recommendations from the Panels in recommendation 3 to further involve the panels and recommendation 5 to include the Task Group in the consultation process. These were agreed.

#### **RECOMMENDED:**

1. The Council endorses the Vision Manifesto (appendix 1) and the Business Plan (appendix 2) for the Centre for submission to the Towns Fund and NHLF.
2. That following consideration of the options for securing funding for the Guildhall and Creative Hub set out in section 4, the council agrees to amend the capital programme as set out in section 7.3 in the report, to underwrite the match funding required in order to secure the Towns Fund allocation.
3. In the event the NLHF Stage 1 or 2 applications are not successful, a further report be brought back to Cabinet and

relevant Panels to confirm the final project scope and extent of funding required as detailed in section 7.3 of the report

4. That following a consideration of the options for a governance and operating model that a new separate entity is formed. That on consideration of options (appendix 3), that this entity is a newly formed for purpose Charitable Incorporated Organisation (CIO).
5. That the process of forming a new Independent CIO with a wholly owned trading subsidiary is commenced and matters relating to this including:
  - Finalising the constitution and Governing Document the way the CIO will run
  - Selecting the Chair and two initial trustees before an application to the Charities Commission is made as detailed in section 5 of the report.
  - Choosing a name

are delegated to the Monitoring Officer and Chief Executive in consultation with the Portfolio Holder for Business, Culture and Heritage and the newly formed task group.

6. The financial implications of the decisions as set out in section 7 of this report are endorsed and reflected in the Council's Financial Plan from 2025 onwards
7. Delegate authority to the Assistant Director for Property & Projects in consultation with the Portfolio Holder for Commercial Property to negotiate and conclude the leases with existing tenants.

### **Reason for Decision**

To provide the match funding evidence for the 'Guildhall and Creative Hub' to secure the £4.8m Towns Fund allocation.

A timely decision about how a future enterprise will be governed and the model under which it will operate is an important part of planning the 'Guildhall and Creative Hub' project and the associated funding submissions. The decision will demonstrate to funding bodies that the council is giving careful consideration and certainty at this stage to the future sustainability of the investment being sought and the key documents that will define the relationship between the council and the entity that will run the Guildhall and Creative Hub.

The project directly supports and will deliver against the Council's commitment and ambitions for culture as set out in the Council's Cultural Prospectus and Town Investment Plan (2021).

**CAB131 MEMORIALS SAFETY POLICY**

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Cabinet considered a report which explained that the Borough Council of Kings Lynn and West Norfolk (BCKLWN) was responsible for the maintenance and operation of 5 cemeteries and 17 closed churchyards. All of the cemeteries and 16 of the 17 closed churchyards were adorned with a variety of headstones and burial memorials. As operators of these sites BCKLWN was also responsible for the safety of visitors, contractors and employees in these locations, and one of the key safety measures duly placed on the council was to ensure the safety of the grounds including memorials / headstones in these locations are safe, and not at risk of falling and injuring a person.

The report set out the procedure for the ongoing testing of memorials / headstones in these locations. as well as the policy and methodology for managing memorial safety.

Cabinet discussed the implications of the policy and the fact that any headstones or memorials affected would be treated with care and respect.

It was noted that the Environment and Community Panel had considered the item and supported the recommendations.

**RECOMMENDED** 1) That the Council to be invited to adopt the new policy for Memorial Safety Testing and subsequent methodology for dealing with unsafe memorials.

2) That an additional capital amount of £25,000 to test and inspect closed churchyards, with subsequent testing funding by an increase in the annual contributions to reserves be approved.

**Reason for Decision**

To define a clear policy for the management and any resultant actions with results of memorial safety testing.

To ensure appropriate resources for the testing (ie financial resources)

**CAB132 EXCLUSION OF THE PRESS AND PUBLIC**

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**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.

**CAB133 RESOURCING - FORWARD PLANNING**

Cabinet considered a report which proposed an increase in resources at Management Team level in the short term and provided the opportunity to forward plan for future resourcing. Cabinet acknowledged that additional resources required to carry out the work proposed in the Borough.

Under standing order 34 Councillor Moriarty confirmed he would have question on timings when the item was presented to Corporate Performance Panel.

Under standing order 34 Councillor Joyce spoke on future recruitment and changes.

Cabinet reminded members that the proposal was in order to ensure the council was able to manage the high workloads on its staff and ensure knowledge was shared amongst teams and the Chief Executive was responsible for supporting the staff under her, whilst the Cabinet was responsible for supporting the Chief Executive in her role..

**RECOMMENDED:** 1) That an additional full time Executive Director be recruited who will be responsible for Regeneration, Economic Development and Growth

2) That the Chief Executive, and both existing Executive Directors reduce to 4 days (30 hours) as detailed in the report

**Reason for Decision**

To provide sufficient capacity and expertise at a senior level to respond to Towns Fund, Shared Prosperity and Levelling Up funding opportunities. To commence forward planning for resources at Management Team level.

**The meeting closed at 3.28 pm**