

Borough Council of
**King's Lynn &
West Norfolk**



Cabinet

Agenda

Tuesday, 15th November, 2022
at 3.30 pm

in the

Council Chamber
Town Hall
Saturday Market Place
King's Lynn

Also available to view on Zoom and available for the public to view on [WestNorfolkBC on You Tube](#)



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200

CABINET AGENDA

DATE: CABINET - TUESDAY, 15TH NOVEMBER, 2022

VENUE: COUNCIL CHAMBER, TOWN HALL, SATURDAY
MARKET PLACE, KING'S LYNN PE30 5DQ

TIME: 3.30 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - Items 15-17 below will be considered in private.

Should you wish to make any representations in relation to the meeting being held in private for the consideration of the above item, you should contact Democratic Services

1. **MINUTES**

To approve the Minutes of the Meetings held on 10 August, 26 September and 19 October 2022 (previously circulated).

2. **APOLOGIES**

To receive apologies for absence.

3. **URGENT BUSINESS**

To consider any business, which by reason of special circumstances, the Chair proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. **DECLARATIONS OF INTEREST**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should

withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. CHAIR'S CORRESPONDENCE

To receive any Chair's correspondence.

6. MEMBERS PRESENT UNDER STANDING ORDER 34

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

Members are permitted to ask questions of Cabinet on the Pay Award item on the agenda as the report was not submitted to the Corporate Performance Panel for consideration.

7. CALLED IN MATTERS

To report on any Cabinet Decisions called in.

The call in for Member Delegated Decision - Council Tax Support Scheme 2023/24: Draft Scheme for Working Age Customers for Consultation was confirmed on 21 October 2022. This was submitted to the Corporate Performance Panel on 31 October 2022 for consideration.

The Call in was not upheld.

8. FORWARD DECISIONS (Pages 6 - 11)

A copy of the Forward Decisions List is attached

9. MATTERS REFERRED TO CABINET FROM OTHER BODIES (Pages 12 - 13)

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda.

10. PAY AWARD 2022 - 2023 (Pages 14 - 34)

Members are invited to pose questions to Cabinet on this report as it has not been submitted to the Corporate Performance Panel for their comments.

11. GOVERNANCE OF COUNCIL COMPANIES (Pages 35 - 53)

12. CORPORATE BUSINESS PLAN MONITORING REPORT (Pages 54 - 72)

13. **BALLOONS, SKY LANTERNS AND FLYING RINGS** (Pages 73 - 78)

14. **EXCLUSION OF THE PRESS AND PUBLIC**

The Cabinet is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 3 of Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

PRIVATE ITEM

Details of any representations received about why the following reports should be considered in public will be reported at the meeting.

15. **EXTENSION TO THE MRF CONTRACT** (Pages 79 - 90)

16. **WASTE CONTRACT - RE-INVESTING PERFORMANCE DEDUCTIONS**
(Pages 91 - 96)

17. **PROPOSAL TO RE-DEVELOP KASET – SKATEPARK AT LYNNSPORT**
(Pages 97 - 103)

To: Members of the Cabinet

Councillors R Blunt, S Dark (Chair), A Dickinson, H Humphrey, P Kunes,
A Lawrence, G Middleton (Vice-Chair) and S Sandell

For Further information, please contact:

Sam Winter, Democratic Services Manager 01553 616327
Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street
King's Lynn PE30 1EX

FORWARD DECISIONS LIST

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
15 November 2022						
	Staff Pay Award	Key	Council	Leader Exec Dir – D Gates		Public
	Review of Governance of Council Companies	Non	Cabinet	Leader Chief Executive		Public
	Balloon and Lantern report	Non	Cabinet	Corporate Services and Environment Asst Director – M Chisholm		Public
	Corporate Business Plan Monitoring	Non	Cabinet	Leader Asst to C Ex		Public
9	Options for Kaset Skate Park at Lynnsport	Non	Council	Community Asst to C Ex		Private Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Waste Contract – Reinvesting Performance Deductions	Non	Cabinet	Environment and Climate Change Asst Director G Hall		Private Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)

	NEWS Partnership	Non	Cabinet	Environment and Climate Change Asst Director G Hall		Part Public & Part Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
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Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
17 January 2023						
7	West Winch Framework Masterplan	Key	Council	Development and Regeneration Asst Dir – S Ashworth		Public
	Council Tax Support Scheme 2023/24 (including NoM 11/22)	Key	Council	Finance Asst Dir – M Drewery		Public
	Southgates Regeneration Area Development Brief and Next Steps	Key	Council	Development and Regeneration Asst Dir – D Hall		Public
	Levelling up Government response and actions	Key	Council	Business Culture & Heritage Asst Director – D Hall		Public
	Southend Road Hunstanton	Key	Cabinet	Development and Regeneration Asst Dir – D Ousby		Part Public part Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)

	Lynnsport One	Key	Council	Regeneration & Development Asst Dir Companies & Housing Delivery – D Ousby		Part Public part Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Asset Management – Land and Property	Key	Cabinet	Property Asst Dir Property and Projects		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
∞	Changes to Council Tax Charges for Long Term Empty Properties and Second Homes for 2024/2025	Key	Council	Finance Asst Dir – M Drewery		Public
	Recommendations from the Urban Wildlife Informal Working Group	Non	Cabinet	Environment and Climate Change Asst Dir – S Ashworth	Informal Working Group Agendas and Minutes	Public
	Freedom of the Borough - amendments	Non	Council	Leader Chief Executive		Public
	Custom and Self Build Site – Stoke Ferry	Non	Cabinet	Regeneration and Development Assistant Director - D Hall		Public
	Shared Prosperity Fund Update	Non	Cabinet	Business, Culture and Heritage Assistant Director D Hall		Public
	Meeting Arrangements	Non	Cabinet	Chief Executive – L Gore Leader		Public
	Contract for credit card transaction services	Key	Cabinet	Finance Asst Dir – Resources		Private Contains exempt

						Information under para 3 – information relating to the business affairs of any person (including the authority)
	LUF – Oasis – Update and Site Approval	Key	Cabinet	Leader Asst Dir – D Ousby		Part Public and part Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
6	West Winch Collaboration Agreement	Non	Cabinet	Development and Regeneration Exec Dir – G Hall		Public
	Guildhall CIO Governing Document	Non	Cabinet	Business Culture & Heritage Asst Dir - D Hall		Public
	Hunstanton Bus Station report	Key	Cabinet	Development & Regeneration Asst Dir – D Ousby		Part Public part Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Parkway	Key	Council	Development & Regeneration Asst Dir – D Ousby		Part Public Private - Contains exempt Information under para 3 – information relating to the business affairs of

						any person (including the authority)
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Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
7 February 2023						
	Budget	Key	Council	Finance Asst Director – M Drewery		Public
	Capital Programme	Key	Council	Finance Asst Director – M Drewery		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
7 March 2023						

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
18 April 2023						

Items to be scheduled

	Notice of Motion 7-21 – Councillor Kemp – Equalities	Non	Council	Leader Asst Dir B Box		Public
	Procurement Strategy	Non	Cabinet	Finance Asst Dir – D Ousby		Public
	Review of Planning Scheme of Delegation (summer 23)	Non	Council	Development and Regeneration Asst Dir – S Ashworth		Public

RECOMMENDATIONS TO CABINET 15 NOVEMBER 2022 FROM THE CORPORATE PERFORMANCE PANEL MEETING HELD ON 3 OCTOBER 2022

CP29: Call-in of Officer Delegated Decisions

[Click here to view the recording of this item on You Tube.](#)

The Monitoring Officer presented the report which considered options for the call-in of Officer Delegated Decisions. She explained that the Chair of Corporate Performance Panel had asked for a paper reviewing the current arrangements and in conducting the review the Monitoring Officer had felt that Officer Delegated Decisions should be subject to call-in and the report set out proposed changes to Standing Orders for Members consideration. She explained that the provision of call-in of Officer Delegated Decisions was a locally determined issue.

If the Corporate Performance Panel were supportive of the proposals to amend Standing Orders they would be presented to Full Council for approval in due course.

The Chair thanked the Monitoring Officer for her report and invited questions and comments from Members. Members of the Panel indicated their support for the proposals.

RESOLVED: That the Cabinet be recommended to recommend onto Full Council changes to Standing Orders as set out below to make Officer Delegated Decisions subject to call-in.

12 The calling-in of Cabinet recommendations and executive decisions

12.1 Any Cabinet decision or Cabinet recommendation to the Council, delegated Cabinet Member's decision or officer delegated decision, may be presented for call-in to the Corporate Performance Panel

...

12.8 Upon conclusion of the debate the Corporate Performance Panel will decide upon one of the following two courses of action:

(a) support the Cabinet/Cabinet Member's/officer's recommendation(s) or decision(s). In this case the recommendation(s) or decision(s) will, respectively, be free to pass to Council as they originally stood, or, be available for immediate implementation; or,

(b) uphold the call-in.

12.9 If the Panel upholds the call-in it may then take one of three courses of action:

(a) report to Council, Cabinet or the relevant Cabinet Member or officer requesting that the Cabinet/Cabinet Member's/officer amend or substitute the recommendation(s) or decision(s); or,

(b) if the issue is considered urgent or straightforward, formulate a counter-recommendation or amendment; or,

(c) investigate the matter further at another meeting within thirty working days (beginning with the day after the issue of the notification of the call-in) and then follow the same process as set out above (12.8-12.10)

12.10 The Cabinet/Cabinet Member/officer may amend, substitute or withdraw any recommendation or decision in respect of any matter that has been called-in under

paragraph 12.3 of this Standing Order.

.....

12.12 No decision of the Cabinet/Cabinet Member/officer that is called in under paragraph 12.3 of this Standing Order shall be acted upon (even if it is amended, substituted or withdrawn) until the call-in is either ended by the Corporate Performance Panel or approved by the Council.

....

12.14 If the Corporate Performance Panel:-

(a) does not end a call-in within 30 days from the date of the decision which has been called in (and the recommendation or decision remains in dispute); or

(b) refers a call-in directly to Council under paragraph 12, the Council shall determine whether to approve the recommendation or decision that has been called-in or to revoke, vary, amend and/or remit it back to the Cabinet/Cabinet Member/officer for further consideration.

30.5 Record of individual decision

As soon as reasonably practicable after an Executive decision has been taken by an individual member of the Executive or an officer, they will prepare, or instruct the proper officer to prepare, a record of the decision, a statement of the reasons for it and any alternative options considered and rejected.

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide	NO	
		Need to be recommendations to Council	YES	
	Operational	Is it a Key Decision	NO	
Lead Member: Leader E-mail: Cllr.stuart.dark@west-norfolk.gov.uk		Other Cabinet Members consulted: Deputy Leader Finance Portfolio Holder		
		Other Members consulted:		
Lead Officer: Debbie Gates E-mail: Debbie.Gates@west-norfolk.gov.uk Direct Dial: 01553 616605		Other Officers consulted: Management Team Trade Unions		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications NO	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications YES

Date of meeting: 15th November 2022

PAY AWARD 2022/2023

Summary

The Council's annual pay increase for all employees is locally determined, having regard to national pay and labour market information. This paper recommends the pay increase for 2022/23 and outlines the budget implications.

Recommendation

1. Members determine that an increase of £1925 or 4% (whichever is the greater) be applied to all salary points.
2. That changes to annual leave and working hours are not implemented as part of the local Pay Award as any changes to terms and conditions that are negotiated nationally would continue to apply to our employees.
3. That officers review with Unison representatives the National Settlement once finalised and report to Cabinet should any further actions be recommended.

Reason for Decision

To implement an annual pay increase for employees that balances the requirement to make financial savings with the need to recruit and retain good quality employees.

1. Background

1.1 The Council's annual pay increase for all employees has been locally determined since 1991. The overall context for the 2022/23 Pay Award is rising inflation, which the Bank of England estimates to peak at over 10% in 2022, a resulting fall in living standards which is particularly acute for employees on the lowest pay grade, low unemployment and a strong labour market coupled with continuing pressures on public sector budgets. Jonathan Boys, CIPD Labour Market Economist in the Spring 2022 CIPD Labour Market Outlook comments: "The public sector has less flexibility to respond to recruitment and retention challenges with increases to pay and other benefits arrangements. Yet, the public sector has much higher hiring intentions than the private sector. This means that, in time, it could become increasingly difficult for the public sector to compete for talent".

1.2 Pay increases over the past 5 years are detailed below:

2021/22	2.5% and a minimum wage of £9.50 per hour
2020/21	2.5% and a minimum wage of £9.25 per hour
2019/20	2% and a minimum wage of £9.00 per hour
2018/19	2% and a minimum wage of £8.50 per hour
2017/18	1% and a minimum wage of £7.78 per hour together with the removal of pay grade PG13

2. General Pay and Prices

2.1 The latest Retail Prices (RPI) figure for July 2022 increased to 12.3% from 11.8% in April 2022. The Consumer Price Index (CPI) increased to 10.1% from 9.4% in June 2022. Data for the previous 5 years is shown below:

	RPI (July)	CPI (July)
2021	3.8%	2 %
2020	1.6%	1 %
2019	2.8%	2.1%
2018	3.2%	2.5%
2017	3.61%	2.6%

2.2 The Bank of England's Monetary Policy Report, August 2022 projects that the CPI inflation rate will rise to 13% later in Quarter 4 of 2022, remaining at very elevated levels throughout 2023, before falling to the 2% target during 2024. It states that current inflation levels have been driven by higher prices for goods and food, particularly imports, together with higher fuel and energy prices which have been

driven by the war in the Ukraine and lockdowns in China. The report also states that “real household post-tax income is projected to fall sharply in 2022 and 2023, while consumption growth turns negative”.

- 2.3 The Office for National Statistics (ONS) reports that average earnings across the economy (excluding bonuses) rose by 4.2% in the first quarter of 2022, 7% (including bonuses), which demonstrates the increasing gap between wage growth and price growth.
- 2.4 The National Living Wage increased to £9.50 per hour with effect from 1st April 2022. The Council’s lowest wage rate under these proposals continues to exceed this figure. The Real Living Wage Foundation promotes a higher hourly rate to meet the everyday needs of workers. This is called the “Real Living Wage” and an increase from £9.90 per hour to £10.90 per hour was announced on 22 September 2022. Employers voluntarily chose to become a living wage employer and agree to pay the rate recommended by the foundation within 6 months of the announcement, which is usually made in November. For 2022 the announcement is being made two months earlier due to current inflation levels and Living Wage. Employers should implement the rise by 14 May 2023. The lowest rate of pay under these proposals for Council staff would be £10.50 per hour with effect from 1st April 2022, which exceeds the Real Living Wage rate at the time. The most recent revision to the Real Living Wage will be a consideration for the 2023/24 pay award.

3. National Negotiations

- 3.1 The National Pay Settlement for 2021/22 was 2.75% at the bottom of the pay spine, 1.75% for all other staff.
- 3.2 The Trade Unions have submitted their pay claim for 2022/23, the most significant elements are outlined below:
 - A substantial increase with a minimum of £2000 or the current rate of RPI – whichever is greater – on all spinal column points.
 - A reduction in the working week – without loss of pay – to 35.
 - One additional day of annual leave.
 - A one-off Covid-19 recognition payment to all employees.
 - A review of mileage rates.
 - National minimum agreement on homeworking policies and introduction of a homeworking allowance for staff working at home.
 - A review of terms for family leave and pay.

The National Employers have responded to this claim by offering:

- An increase of £1925 on all NJC pay points wef 1st April 2022 (pro rata for part time staff)
- An increase of 4.04% on all allowances wef 1st April 2022 (This does not include mileage allowances which are linked to HMRC approved rates)
- An increase of one day to all employees’ leave entitlement wef 1st April 2023 (pro rata for part time staff)
- The deletion of pay point 1 from the NJC spine wef 1st April 2023

Unison and GMB are currently consulting their members about this offer, but Unite have rejected it without member consultation

3.3 The local Unison branch have asked that the following be considered locally:

- An 8% increase on all salary points
- A minimum wage of £9.90 to ensure all pay meets or exceeds the level of the Real Living Wage.
- A reduction in the working week to 35 (pro rata for part time staff)
- A contractual additional day for Christmas Eve (to be granted in lieu if necessary for operational reasons).

Their full submission is attached (Appendix A).

4. Proposal

4.1 The Authority has made budget provision for a 2.5% annual pay increase for all employees from the 1st April, together with separate provision for increases in the minimum rate of pay. It is recognised, however, that recent increases in both RPI and CPI are resulting in significant cost of living increases and that this is being reflected in recent pay claims and awards across both the public and private sectors.

4.2 We continue to balance the requirement to make financial savings with the need to recruit and retain good quality employees. This is particularly important given current labour market pressures with competition for a range of professional, technical and specialist roles making recruitment and retention more challenging. Turnover for 2021/22 at 10.4% was slightly higher than pre-Covid levels and remains at similar levels in the current year. The Council uses a variety of approaches to respond to recruitment and retention challenges, including a proactive training and development programme, use of apprentices and flexible/hybrid working policies, but the ability to offer competitive salaries is a critical response in a competitive labour market.

4.3 It is therefore recommended that an increase of £1925 or 4% (whichever is the greater) be applied to all salary points.

4.4 It is recommended that changes to annual leave and working hours are not implemented as part of the local Pay Award as any changes to terms and conditions that are negotiated nationally would continue to apply to our employees.

5 Trade Union Comments

UNISON comments

“UNISON members welcome that the proposed pay award has been revised in response to the national employers offer. UNISON agree that staff on lower grades should see a larger percentage increase in their pay. UNISON also appreciate that the minimum hourly rate has risen to £10.50, but note that the new Living Wage rate, announced on 22nd September 2022 is £10.90. UNISON request that the previous (July 2022) proposed pay offer be recorded, as this gives the background to the origin of the 4% settlement:

Staff on minimum wage: a 5% uplift (min hourly pay of £10 per hour)

Staff on less than £25,696: a 4.5% uplift (the councils median salary)
 Staff on £25,696 or more: a 4% uplift

In a poll of UNISON members, a majority voted to reject the July 2022 offer. The introduction of the 4% in the current proposed pay settlement differs, and is higher than the national offer. The 4% increase for senior staff will see those staff receive a higher sum than the proposed £1925.

The rapidly rising prices of food, utilities, fuel are the same price for all workers. In the interest of fairness, and in recognition that employees on lower pay scales work is of equal value, UNISON propose using the same total budget for the pay award, but redistribute equally between workers in monetary terms. By reallocating the higher 4% alternative award (in monetary terms) proposal for those on £48,000+, and redistributing the total pay award budget equally between all workers, this would have the effect of increasing the flat rate pay uplift to a figure above the £1,925 for everyone. In the unique economic climate, applying the flat rate principle across the board in line with the NJC principle (albeit a potentially higher amount), appears the fairest method of distribution, particularly given the larger proportional impact of essentials price rises on lower salaried workers.

UNISON welcomes that progression schemes have been introduced within some departments and understand that other departments have expressed an interest too, as this will help with recruitment and staff retention. Unison is keen to start discussions regarding pay for 2023/24 as soon as possible and can collaborate on a staff survey so that employees can be involved in the process. Employees would all welcome an early 23/24 pay award settlement, with the option to revise in 23/24, if the 23/24 national pay award is settled later and is significantly different.”

6 Financial Implications

6.1 The council budgeted a level of 2.5% for the pay award for each of the four years of the financial plan. The estimated additional cost to the council to fund the proposal is between £686,720 and £721,180 in 2022/23 and increase each year as set out in the table below. This takes into consideration that the council has a number of vacant posts where the pay award will not take effect until those posts are filled.

Impact on Financial Plan	2022/23	2023/24	2024/25	2025/26
Lump sum increase to salary £1925 or 4% whichever is the greater, excluding vacant posts (pro rata for part time staff	£ 721,180	£ 752,190	£ 784,530	£ 818,260

6.2 This can be met from the council's reserve balance in 2022/23. However, future years will need to be incorporated into the budget setting process and assessed as part of the financial plan work currently being undertaken for 2023/24 onwards. The current financial plan estimated a gap of £2.3m 2025/26 and the implication is that this gap may materialise earlier.

6.3 The council also needs to consider the financial implications for its wholly owned company, Alive West Norfolk who have also budgeted for a 2.5% pay award. The estimated additional cost for AWN staff has been calculated as between £155,210 and £155,745 in 2022/23 as can be seen in the table below:

Impact to AWN	2022/23	2023/24	2024/25	2025/26
Lump sum increase to salary £1925 or 4% whichever is the greater, excluding vacant posts (pro rata for part time staff	£ 155,745	£ 162,542	£ 169,627	£ 177,650

- 6.4 The council has budgeted for a management fee payable from AWN to the council of £345k in 2022/23 increasing to £412k in 2023/24. AWN have made good recovery since the pandemic, however, there are some areas of activity that are still below pre-pandemic levels. The implication is that AWN may not be able to achieve sufficient income to cover this increase in the pay award and may request a reduction to the Management Fee payable to the council. The council will need to continue to closely monitor the financial performance of AWN and assess the risk of this materialising so relevant action can be taken in a timely manner.
- 6.5 Again, any implications arising from this will need to be reflected in the financial plan going forward. As mentioned previously, the financial plan allows for a 2.5% pay award for future years. Further consideration will need to be given to whether this is budgeted at the right level given the current economic climate. This will inevitably add further challenge to reduce the budget gap in the financial plan.

7. Risk Management Implications/Options

- 7.1 The local Unison branch request for an 8% increase on all salary points would exceed budget provision by approximately £1.23 million in the current financial year across the Council and Alive West Norfolk and would actually be lower than the sum offered at the bottom of the pay scales.
- 7.2 The recommended increase exceeds current budget provision but can be met from reserve balances for the current year and will be built into budgets for future years of the current Financial Plan. The financial implications of this are covered in Section 6.
- 7.3 The recommendation incorporates a minimum hourly rate of £10.50, which exceeds the current “Real Living Wage”
- 7.4 An alternative approach for the current year would be to delay implementation of our local pay award until the National Pay negotiations have concluded. This will further delay payments to staff and we are aware that many of them are relying on the increased salary and backdated payments to help them to cope with the rising cost of living as we approach the winter months.

8. Statutory Considerations

- 8.1 There are no statutory considerations, other than the requirement to pay the National Living Wage.

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy/service/function	2022 Pay Award				
Is this a new or existing policy/ service/function?	Existing				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations	<p>The Council's annual pay increase for employees is locally determined, taking local, regional and national pay and labour market information in consideration. This report outlines the recommendations for a pay award for the 2022/23 year.</p> <p>The proposals reflect the Council's ongoing commitment to match the bottom point of local pay grades to the minimum national local government pay scales.</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			√	
	Disability			√	
	Gender			√	
	Gender Re-assignment			√	
	Marriage/civil partnership			√	
	Pregnancy & maternity			√	
	Race			√	
	Religion or belief			√	
	Sexual orientation			√	
Other (low income)	√				
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No				
3. Could this policy/service be perceived as impacting on communities differently?	No				

<p>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	<p>Yes</p>	<p>The Council recognises the particular difficulties faced by its lowest paid employees and introduced an organisational minimum wage in 2014, which has been updated annually since that time. The proposals for the 2022 pay award recommend a minimum pay of £10.00 per hour which supports the continuation of this approach.</p>
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	<p>Yes</p>	<p>Actions: Impact is positive so further action is not required.</p> <p>Actions agreed by EWG member: ...Becky Box.....</p>
<p>Assessment completed by: Name</p>	<p>Debbie Gates</p>	
<p>Job title</p>	<p>Executive Director</p>	
<p>Date</p>	<p>30th June 2022</p>	

Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.



PAY UPLIFT SUBMISSION: April 2022/23

**SUBMITTED BY
UNISON TO
BOROUGH COUNCIL OF KINGS LYNN & WEST NORFOLK**

1. INTRODUCTION

The following pay uplift submission by UNISON is on behalf of our members working for the Borough Council of Kings Lynn & West Norfolk.

The submission is set at a level that is fair and reasonable, recognising the following key points:

- Substantial increases in the cost of living over recent years, including in the current rapidly rising interest rate for the last 12 months, have significantly reduced the value of staff wages.
- The foreseeable financial impact of the national insurance rate increase scheduled for April 2022.
- Appropriate reward is needed to sustain the morale and productivity of staff in their crucial role of delivering high quality services.
- Appropriate reward is needed for the increased workload and stress placed on staff against a background of unprecedented changes in working practices relating to the ongoing coronavirus pandemic. Staff assisted with support to our community, delivering food parcels and supplies to those who were housebound when the pandemic arrived. With the current conflict between Russia and the Ukraine, teams within the authority are now involved in supporting Ukrainian refugees arriving in West Norfolk. Many employees have undertaken such work in addition to their own workloads, getting no additional support, yet maintaining the high standards of work expected.
- Average pay settlements across the economy have been running ahead of those received by the Borough Council of Kings Lynn & West Norfolk staff over recent years, increasing the likelihood of recruitment and retention issues.
- Nobody should be paid less than the nationally recognised Living Wage rate, which has become a benchmark for the minimum level of decent

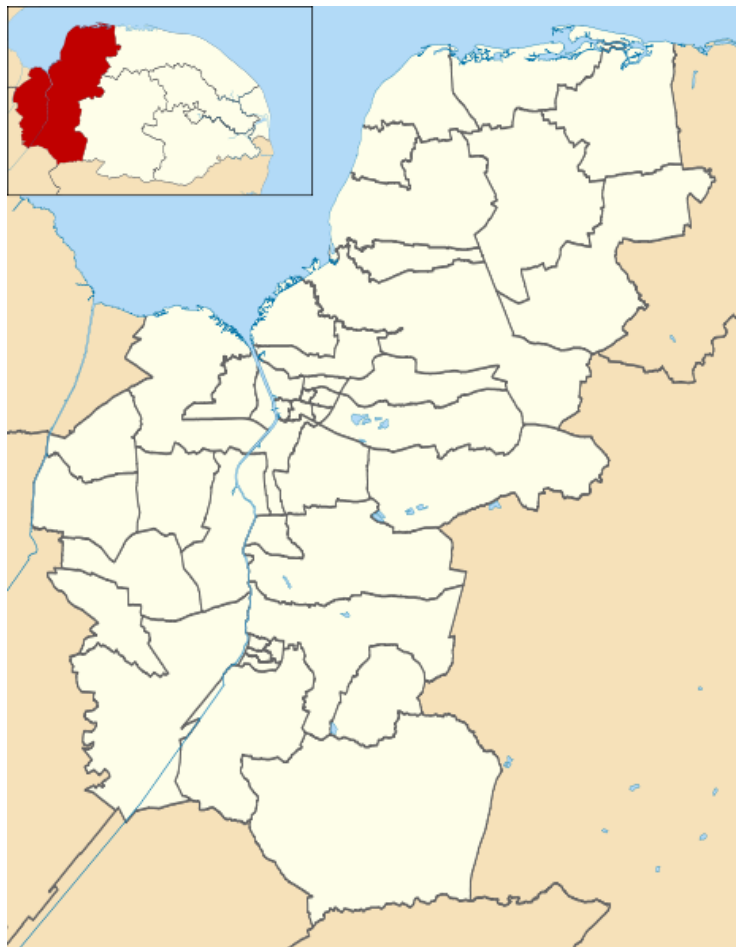
pay across the UK. A rate now paid by large sections of the public services and many major private companies.

2. SUMMARY OF SUBMISSION

After consultation with our members on their views, we are seeking to make the following submission on their behalf:

- An 8% increase on all salary points.
- A **minimum wage rate of £9.90** to ensure all pay meets or exceeds the level of the real living wage as calculated by the Real Living Wage Foundation.
- A reduction in the working week from **37 hours to 35 hours** per week. (part time worker hours reduced pro-rata).
- A contractual **additional day leave** for Christmas Eve (in lieu where required).

We believe the submission outlined above, if awarded, would constitute a fair and equitable award for 2022/23. One that would be reflective of the wider economic impacts upon pay, and also proper recognition of the work undertaken by staff employed by Borough Council of Kings Lynn & West Norfolk Council.



3. FALLING VALUE OF PAY

The value of pay is crucial to the maintenance of the quality of living. Pay awards that are above the cost-of-living rise are real term pay rises. Pay awards that fall below the costs-of-living rise are real term pay cuts.

The historical context of pay awards in Borough Council of King's Lynn & West Norfolk against the ever-rising cost of living over the last decade is outlined in the table below:

Year	KL & West Norfolk BC	RPI
2010	1%	4.6%
2011	0%	5.2%
2012	0%	3.2%
2013	1% (£7 min wage)	3.0%
2014	1% & 1.5% <£21.5K (£7.20 min wage)	2.4%
2015	1% (£7.52 min wage)	1.0%
2016	1% (£7.52 min wage)	1.8%
2017	1% (£7.78 min wage)	3.6%
2018	2% (£8.50 min wage)	3.3%
2019	1% (£9.00 min wage)	2.6%
2020	2.5% (£9.20 min wage)	1.5%
2021	2.5% (£9.50 min wage)	6.3%

For 10 of the last 12 years, cost-of-living pay awards in the Borough Council of King's Lynn and West Norfolk Council have fallen below RPI.

Between the start of 2010 and the end of 2021, the cost of living, as measured by the Retail Prices Index, has risen by a total of 45.8%. But more recently the rises have been even more dramatic.

As of December 2021, inflation rates for the previous 12 months were at highs not seen for over 10 years. With CPI at 4.8% and RPI even higher at 6.3% the impact on workers cost of living is already considerable.

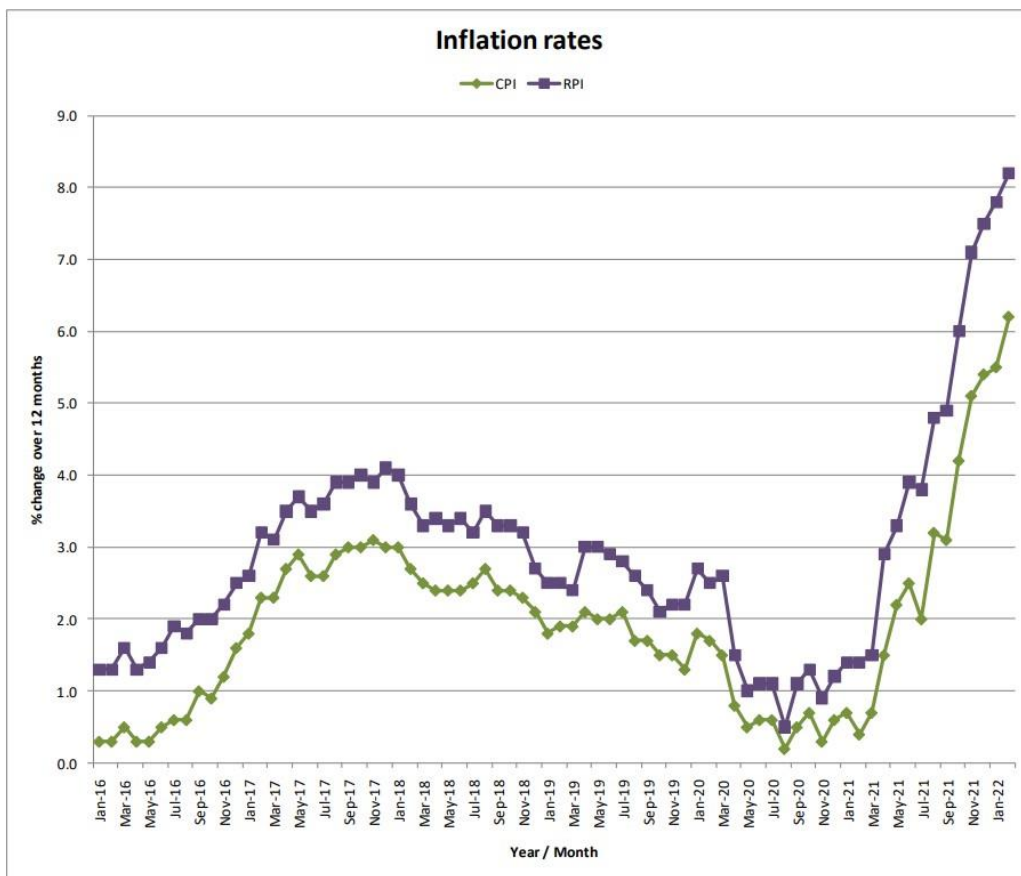
Yet, despite this record rate of inflation for 2021, the rocketing cost of living has, to date, shown no signs of abating in 2022.

Interest rates have exploded over 2021 and into 2022, putting the February 2022 RPI rate at 8.2% and the CPI rate at 6.2%¹. The Bank of England predicts that inflation will rise to around 10% this year.² For context these are inflation rates not seen for 3 decades. The May Monetary Policy report also states that it will take around two years to achieve the target 2% inflation.

The table below tracks both CPI and RPI over the last 6 years:

¹Office for National Statistics, UK Consumer Price Inflation: Feb 2022, published March 2022

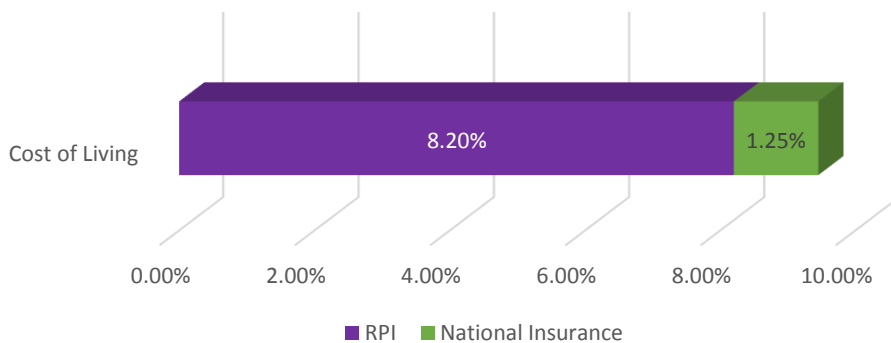
²Bank of England, Monetary Policy Report - May 2022



Not least, staff have seen particularly acute rises in the following areas:

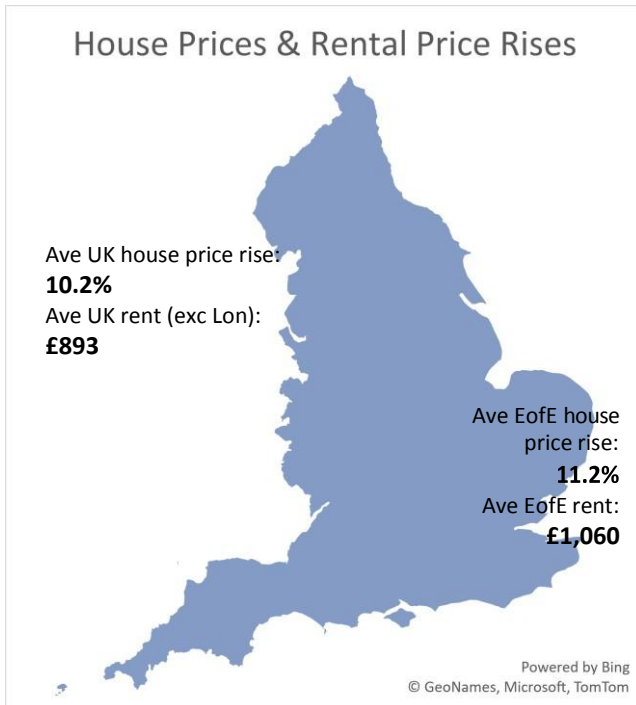
- A 29% increase in gas bills;
- A 21% increase in petrol prices;
- A 19% increase in electricity bills;
- A 31% increase in heating oil prices.
- A further rise in the price cap on energy predicted for October 2022.

In addition to these inflationary factors, from 6th April 2022 to 5th April 2023 national insurance contributions are set to increase by 1.25%³



³National Insurance (.gov) - <https://www.gov.uk/national-insurance/how-much-you-pay>

The rising price of house/flat purchases as well as rising cost of rentals also remains one of the biggest issues facing employees and their families.



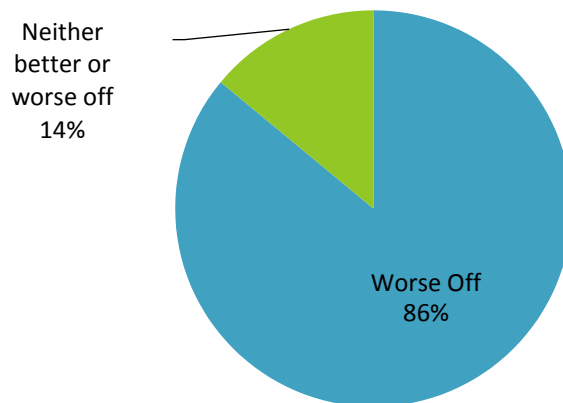
Across the UK, house prices rose by 10.2% in the year to October 2021⁴.

The latest figures show the East of England region specifically saw the second highest 12 month rise of 11.2%.

Private rental prices have also seen a significant increase, taking the average monthly rent for new tenancies in the UK up 8.3% to £1,060 per calendar month in December 2021⁵.

Rental costs in the East of England continue to be the 3rd highest, other than Greater London or the South East.

Finally, in terms of local staff feedback, a recent UNISON survey in March 2022 found that 86% of staff members, when assessing their pay against the rising cost of living, felt “worse off” when comparing their pay to Jan 2021.



The combined impact of these economic factors upon the cost of living is significant. It is therefore crucial that a significant pay uplift is awarded this year which is reflective of these financial pressures and takes account of the real- world consequences this has, as many families will struggle to make ends meet.

⁴ Office for National Statistics, UK House Price Index: October 2021, published December 2021

⁵ HomeLet Rental Index December 2021

4. FALLING BEHIND AVERAGE PAY RATES

The ability of the Borough Council of King's Lynn & West Norfolk to attract and retain staff in the long term will be damaged if the pay of staff falls behind the going rate in the wider labour market.

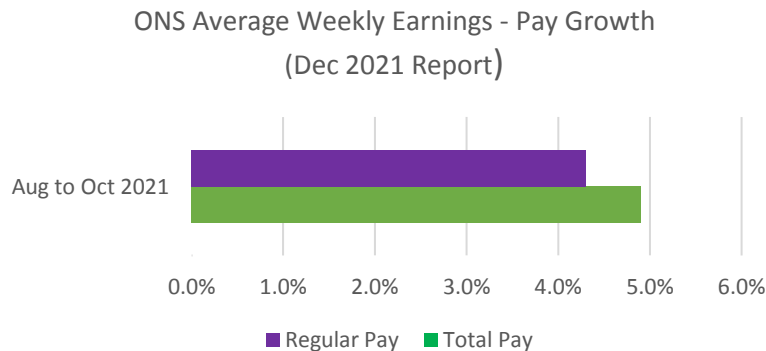
The table below shows that local pay settlements have largely been behind economy averages, resulting in the borough council pay rates growing steadily more uncompetitive over a sustained period.

Year	Average pay settlements	National Joint Council (NJC) settlements	Borough Council KLWN pay increases
2010	2.0%	0%	1%
2011	2.5%	0%	0%
2012	2.5%	0%	0%
2013	2.5%	1%	1%
2014	2.5%	2.2%*	1%
2015	2.2%	2.2%*	1%
2016	2.0%	1%*	1%
2017	2.0%	1%*	1%
2018	2.5%	2%*	2%
2019	2.5%	2%*	2%
2020	2.3%	2.75%	2.5%
2021	2.0%	1.75%	2.5%

* For NJC SCPs over a certain level

The Office for National Statistics⁶ in its December report calculated that growth in average total pay (including bonuses) was 4.9% and growth in regular pay (excluding bonuses) was 4.3% for employees from August to October 2021.

Furthermore, average total pay growth for the private sector was 5.4%.



⁶ ONS Average weekly earnings in Great Britain: Dec 2021

In the same report, weekly earnings for regular pay are reported as £548. Over a 52-week year this equates to £28,496. Contrasted against the average salary in the Borough council of King's Lynn & West Norfolk of £20,766 (2019/2020) there is a marked difference.

In 2022 average earnings across the economy are surging ahead at 5.3% and the Office for Budgetary Responsibility's March 2022 Economic and Fiscal Outlook suggests that earnings growth will average 5.3% throughout 2022.

It is crucial to consider these metrics in the wider labour market when estimating organisational impacts if this year's pay offer and rates do not keep pace with market comparators.

5. LIVING WAGE BECOMING STANDARD MINIMUM PAY BENCHMARK

The Living Wage has become a standard benchmark for the minimum needed for low-paid staff to have a "basic but acceptable" standard of living.

The Borough council of King's Lynn & West Norfolk is now competing in a labour market where the Living Wage of £9.90 an hour outside London and £11.05 an hour in London has become an increasingly common minimum point in the pay scale.

The Real Living Wage	
£9.90 per hour (Outside of London)	£11.05 per hour (Within London)

Studies supported by Barclays Bank have shown that Living Wage employers report an increase in productivity, a reduction in staff turnover / absenteeism rates and improvements in their public reputation.

Consequently, there are now almost 9,000 employers accredited as Living Wage employers by the Living Wage Foundation, including almost half of the largest companies listed on the UK Stock Exchange, and household names such as Barclays, HSBC, Nationwide, Google and IKEA are among them.

Focussing locally, within the East of England specifically, the following councils are proudly Living Wage accredited employers⁷:

Cambridge City Council, Cambridgeshire & Peterborough Combined Authority, Colchester Borough Council, Felixstowe Town Council, Hadleigh Town Council, Harlow Council, Ipswich Borough Council, Norwich City Council, and Uttlesford District Council.

Across the public sector, the Living Wage has now long been set as the minimum pay rate across all Scotland's public sector organisations and this was

⁷ Accredited Living Wage Employers (<https://www.livingwage.org.uk/accredited-living-wage-employers>)

extended to social care workers in Scotland’s private and voluntary sector from October 2016. The Welsh Government has committed to achieving the same goal in social care by 2024.

6. RECRUITMENT AND RETENTION PRESSURES BUILDING

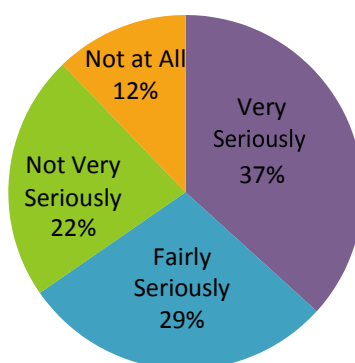
Following the economic downturn triggered by the pandemic, recruitment and retention pressures are now beginning to reassert themselves on employers.

Average turnover rate is estimated at 17% and median turnover rates are estimated at 14.5% across the economy⁸.

There is also evidence to suggest that the labour market is set to tighten further due to, the effects of the pandemic; restrictions on freedom of movement as a result of Brexit; and a growth in demand for hybrid and remote working, with many employees leaving to work for organisations where they could work on a hybrid basis. This creates a perfect storm for employers looking to recruit and retain employees.

Almost half of employers (46%) now report having “hard to fill” vacancies, with public sector employers all reporting higher levels than the average – 59% of NHS employers report hard to fill vacancies, 52% among public administration employers and 49% among education employers⁹. Employers are taking action in response to recruitment challenges with 47% reporting that they are raising wages as a result.

UNISON asked local staff, as part of the March 2022 survey, if since January 2021 had they considered leaving their current position:



With two thirds of local staff respondents feeding back they are now either “very seriously” or “fairly seriously” considering leaving the organisation, this presents a notable organisational risk in terms of retention of experience and talent.

This is a marked difference from last year’s results in which 4 out of 5 respondents were either “not very seriously” or “not at all” considering leaving.

⁸XpertHR, Labour turnover rates 2021

⁹CIPD, Labour Market Outlook, Autumn 2021

What is clear is that across the labour market employers are facing significant recruitment and retention issues. Those employers that are taking proactive action to significantly improve pay and conditions, will present a much more attractive offer to prospective new employees. It is therefore crucial that, against this backdrop, local government employers do not get left behind.

To ensure that the Borough Council of King's Lynn & West Norfolk can attract and retain the best, it must compete in the wider marketplace by providing improved pay and conditions.

7. MORALE UNDER THREAT

Working in the context of tight budgets and the unprecedented demands of the Covid-19 pandemic, staff have faced greater workload pressures. The recent ongoing Ukrainian disaster has also required staff to undertake additional duties outside of their usual workloads, adding further pressures.

The resulting increased stress puts the morale of the workforce at risk and poses a long-term threat to the ability of the Borough Council of King's Lynn & West Norfolk to provide a consistent quality of service.

In 2020/21, of the 822,000 workers in the UK suffering from work-related stress, it's estimated that over 50% reported that this was caused or made worse by the effects of the coronavirus pandemic¹⁰.

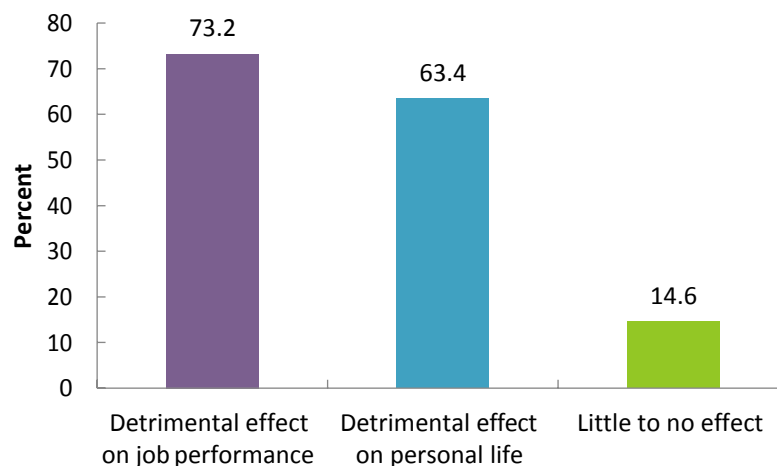
In 2021 research by CIPHR revealed that in the UK the joint leading cause of workplace stress for UK adults were concerns about money¹¹.

Factoring the rapid rise in the cost of living, in the absence of a significant pay increase, this could foreseeably lead to dramatically increased stress for employees within the Borough of King's Lynn & West Norfolk. At a time where they are also struggling to maintain vital public services amid an ongoing global pandemic, the Ukraine crisis and widespread cost of living crisis.

In the recent UNISON survey conducted in March 2022, staff provided the following feedback on how workplace issues had changed since January 2021:

- **75.5%** felt that workloads had increased
- **71.4%** felt that stress had increased
- **63.3%** felt that staff numbers had decreased

With reference to workload increases, feedback on the impact was as follows:

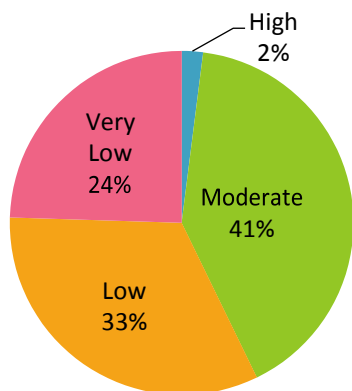


¹⁰ HSE Work-related stress, depression, or anxiety statistics in Great Britain 2021

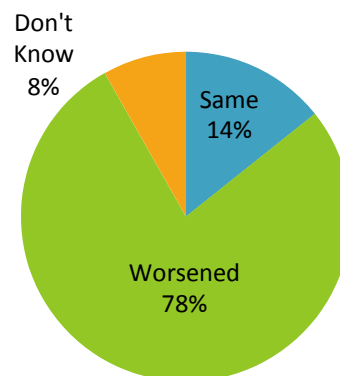
¹¹ CIPHR – Workplace stress statistics in the UK 2021

Such significant impacts are cause for concern in terms of future retention. Current levels of workplace morale were also questioned in the March 2022 survey, and UNISON received the following feedback from staff:

How would you describe morale in the organisation?



How do you feel that morale has changed since January 2021?



The majority of respondents both felt moral was either “low” or “very low” as well as that it had worsened since January 2021. When taken in conjunction with other metrics within the survey it is again cause for concern with regards to retention of staff in the short to medium term.

The annual pay review provides a key opportunity for employers to recognise the work that has been undertaken by employees and award a commensurate uplift in recognition.

8. AFFORDABILITY

Fair pay rises for public sector workers would stimulate local economies. A recent analysis by the TUC¹² released in September 2021 calculates that if real term pay cuts since 2010 were reversed in line with CPI for example, that would boost the East of England economy by £313million.

A fair pay uplift for Borough Council of King’s Lynn & West Norfolk staff would also translate into a boost for the local economy as workers inevitably spend much of their pay locally.

¹² TUC Fair Pay for Key Workers: Briefing for Rishi Sunak MP

9. CONCLUSION

There can be no doubt that staff in the Borough Council of King's Lynn & West Norfolk have seen the value of their earnings fall considerably over recent years. This is seriously compounded by the now widely reported and immediate cost of living crisis in the UK. With prices for housing, food, fuel and energy all rocketing, staff members and their families need a serious pay rise, reflective of these pressures, just to make ends meet.

Evidence also suggests that local staff are also falling behind pay settlements for comparable jobs and the wider labour market.

Combined with these developments, the last year has seen intensified pressures placed on staff at the same time as greater job choices are opening up for staff in an improving labour market. Not least because of the increasing offer of remote working expanding the recruitment net of many employers.

When positioning these factors against staff feedback relating to workloads, stress and morale, this is a crucial moment for the Borough Council of King's Lynn & West Norfolk to take decisive action.

Therefore, this pay claim represents a very reasonable estimate of the reward staff deserve for their dedication, skill and hard work, and the minimum improvement in pay needed to maintain workforce morale for delivering consistently high quality services.

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards No	Discretionary	Be entirely within Cabinet’s powers to decide YES			
		Need to be recommendations to Council NO			
		Is it a Key Decision NO			
Lead Member: Cllr Graham Middleton E-mail: cllr.graham.middleton@west-norfolk.gov.uk		Other Cabinet Members consulted: N/a			
		Other Members consulted: N/a			
Lead Officer: Alexa Baker, Monitoring Officer Direct Dial: 01553 616270		Other Officers consulted: Lorraine Gore, Chief Executive Michelle Drewery, section 151 officer Becky Box, Assistant Director for Central Services			
Financial Implications YES	Policy/ Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications YES	Environmental Considerations NO

Date of meeting: 15 November 2022

GOVERNANCE REVIEW OF THE COUNCIL’S COMPANIES

<p>Summary</p> <p>This report sets out proposed actions to improve the governance arrangements surrounding the Council’s three operating wholly owned trading companies: Alive West Norfolk, West Norfolk Housing Company Limited and West Norfolk Property Limited, following a governance review.</p> <p>The primary recommendation is the creation of a ‘Shareholder Committee’, which is proposed to be a decision-making sub-committee of Cabinet, which shall exercise the function of Shareholder. This will involve holding the companies to account against their business plans and approving governance documents in the Shareholder capacity. This will be a Council body which all Members may attend under their Standing Order 34 rights and its decisions will be subject to the scrutiny call-in procedure.</p> <p>To allay concerns around conflict of interest, it is proposed that for two out of the three companies, Members should be no longer act as directors, so that the Member role is fulfilled through the Shareholder function and holding the directors to account via the Shareholder Committee. The report details the reasoning for holding back at this stage on the third company for now.</p> <p>To improve openness and transparency, it is also recommended that a ‘Shareholder data room’ be created through Mod Gov which will contain all relevant documents pertinent to the Council’s Shareholder function, which Members will have full access to, on a confidential basis (where required).</p>
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Recommendations

- 1) Cabinet hereby establishes a sub-committee to be known as ‘the Shareholder Committee’ and sets the terms of reference as shown in Appendix 1 to this report as the terms of reference for the Shareholder Committee. Cabinet delegates full authority to the Shareholder Committee to carry out its terms of reference.
- 2) Authority is delegated to the Chief Executive in consultation with the Leader to enter Service Level Agreements between the Council and each of its wholly owned companies in respect of all support provided by the Council to that wholly owned company.
- 3) The Corporate Governance Action Plan attached at Appendix 2 be approved.

Reason for Decision

To improve the governance of the Council’s wholly owned companies.

1. Purpose of Report

- 1.1 The purpose of this report is to set out proposed actions to improve the corporate governance of the Council’s wholly owned trading companies. The report sets out an action plan to take forward recommendations arising out of the governance review that has been undertaken.

2. Background/Current Position

- 2.1 This Council has three wholly owned operating trading companies:

- i. Alive West Norfolk (limited by guarantee) (“AWN”)
- ii. West Norfolk Housing Company Limited (limited by shares) (“WNHC”)
- iii. West Norfolk Property Limited (limited by shares) (“WNP”)

- 2.2 Summary details of the companies are set out at Appendix 3, but for the ease of reference, the companies are engaged in the following:

- i. AWN: Operation of sports and arts facilities
- ii. WNHC: Renting and operating of Housing Association real estate (company is a registered social housing provider)
- iii. WNPL: Other letting and operating of own or leased real estate

- 2.3 The Council’s owner/shareholder function is an executive function and presently sits within the Portfolio for Business, Culture & Heritage.

- 2.4 The board of directors of each company is made up of current or former Cabinet Members and senior officers, with WNHC also having independent non-executive director appointments to the board.

- 2.5 The Council’s Chief Executive is recorded at Companies House as the company secretary to WNHC and WNPL (a legacy appointment). There is no Company Secretary appointed for AWN.

- 2.6 Bespoke Articles of Association have been adopted for all three companies. They are not as aligned with each other as they could be.
- 2.7 There is no Shareholder Agreement between the Council and AWN or WNP. There is no mandatory requirement for these to be in place, however they are a mechanism by which robust governance requirements can be adopted and monitored.
- 2.8 The governance documents in relation to WNHC are more advanced. There is a Shareholder Agreement, Intragroup Agreement, Board Terms of Reference, Chair role description and Director Services Agreement.
- 2.9 The Council has been providing each of its companies with back office support, for example company secretarial work, finance, HR, etc. The extent of this back office support has developed on a piecemeal basis and has not been properly captured into formal agreements.
- 2.10 There have been no changes to officer job descriptions to set out the requirements of them to act as a company Director and how this interfaces with their Council officer role.
- 2.11 The Agendas and Minutes of the companies' board meetings are published and accessible to Members, however Members are not permitted to attend company board meetings under the Standing Order 34 rights as the companies are private limited companies and are not 'Council bodies' under the Constitution.

3. Governance actions

The Shareholder Function:

- 3.1 The Shareholder function is an executive function, and therefore the responsibility for the exercise of the shareholder function sits with the Council's Executive – the Leader and Cabinet. The Council's owner/shareholder function presently sits within the Portfolio for Business, Culture & Heritage.
- 3.2 For the ease of reference, the term 'Shareholder' in this report is intended to cover AWN which is a company limited by guarantee.
- 3.3 Going forwards, it is proposed that a Shareholder Committee be established which will be a sub-committee of Cabinet with authority and decision-making powers delegated by Cabinet to exercise the shareholder function. The proposed Terms of Reference for this sub-committee are set out at Appendix 1.
- 3.4 The Shareholder Committee would be responsible for approving the companies' governance documents, business plans, holding directors to account against the delivery of the business plans and the Shareholder Agreement and determining the shareholder reserved matters that are set out in the Shareholder Agreement (see below examples).
- 3.5 Recommended Shareholder reserved matters are as follows (this is not intended to be an exhaustive list):
 - i. approval and modification of the company business plan;
 - ii. appointment and removal of the directors;
 - iii. varying the Articles of Association;
 - iv. relevant staff recruitment and remuneration (including directors);
 - v. changes in ownership or membership of a company;
 - vi. acquisition/disposal of other entities or an ownership stake in another entity;

- vii. acquisition and disposal of assets by the company (utilising a cap if required);
- viii. approval of borrowing;
- ix. termination/winding up of the company.

3.6 The Shareholder Committee is proposed to consist of three Cabinet Members. The list of the Shareholder functions are set out within paragraph 4 of the proposed Terms of Reference at Appendix 1.

3.7 The Shareholder Committee will be supported by officers internally within the Council who do not have responsibility for acting as directors (or in any other capacity) for the companies.

Roles of Other Council Bodies:

Audit Committee

3.8 Audit Committee has recommended revising its terms of reference (awaiting Full Council approval) to include:

Receive assurance that there is sound system of internal control and risk management process in place for each of the Councils Local Authority Trading Companies.

Policy Review and Development Panels

3.9 The Shareholder Committee will be holding the companies to account against their business plans, delivery and performance. The Council's scrutiny function will include holding the Shareholder Committee to account in ensuring the effective exercise of the shareholder function, and assessing whether the Council's interests and investment in the companies are protected.

3.10 The appropriate panels may scrutinise the decision making of the Shareholder Committee, including via the call-in procedure. The Panels may add items to their agendas within their remit which involve the Council companies, to include requiring directors of the companies to attend meetings and provide information, however for effective public administration there should not be a duplication of the companies being required to account to the Shareholder Committee and the scrutiny panels in the same way. Scrutiny's primary role with regards to the Council companies will be to scrutinise the Shareholder Committee's performance in carrying out the shareholder function.

The Company Board of Directors:

3.11 It is essential to good governance that all those involved in a corporate structure clearly understand their respective roles and responsibilities, and those of others within the corporate structure.

3.12 Appointed company directors are responsible for (not intended to be an exhaustive list):

- i. Acting in the statutory role of a company director with fiduciary duties to the company;
- ii. Acting in the best interest of the company;
- iii. The day-to-day operational control and running of the company;
- iv. Development of new business opportunities within the parameters of the agreed business plan;
- v. Staff terms and conditions;
- vi. The development and implementation of its internal procedures;
- vii. Running the company in accordance with the governance documents and business plan;
- viii. Developing and delivering new business plans at the regularity required in the governance documents;

- ix. Regular reporting on progress of the business plan to the Shareholder;
- x. Accounting to the Shareholder for the performance of the company.

3.13 The Statutory duties imposed on a director under the Companies Act 2006 are as follows:

- i. act within their powers;
- ii. promote the success of the company;
- iii. exercise independent judgment;
- iv. exercise reasonable care, skill and diligence;
- v. avoid conflicts of interest;
- vi. not accept benefits from third parties.

The duty under S.172 of the Companies Act 2006 to promote the success of the company is an overarching duty. This must be considered by directors in all decisions that are made for the company

3.14 The question that arises for every Council setting up and maintaining a wholly owned company is the extent to which its officers and Members are placed on the Board of Directors. CIPFA guidance on Local Authority owned companies states as follows at page 49:

The law does not prohibit or restrict appointments of officers or members to non-executive director positions for a local authority company, but it is good practice to have some 'distance' between key authority decision makers and company decision makers in terms of personnel.

3.15 When a Member or an officer acts as a director of a wholly owned local authority company, there is an overriding duty to always act in the best interests of the company. This creates a more pressing conflict for Members because their public law duty to the Council can never be avoided or delegated. Where Members do act as Directors, checks and balances can be put in place to manage and mitigate potential and actual conflicts, and the Member Code of Conduct continues to apply. Members therefore run the risk of challenges to their actions and decisions as directors of the company through the standards regime, as well as potential liability under the Companies Act 2006.

3.16 In contrast, officers' relationship with the Council is contractual, and their terms and conditions of employment can be amended to set out that they are required to act as director, and where they so act, the officer must put set aside their contractual duty to the Council and must put the interests of the company first.

3.17 Best practice is that the Council's statutory officers should not serve as directors on the boards of the Council's companies, as they need to keep their discretion unfettered to fulfil their roles within the Council as shareholder.

3.18 To make clear the respective roles and responsibilities as regards the Shareholder Committee, it is therefore proposed in the Action Plan at Appendix 2 as follows:

- i. AWN change the composition of its Board of Directors to: Managing Director of AWN, two Council Officers not holding a statutory post and two independent non-executive directors;
- ii. WNPL change the composition of its Board of Directors to: three Council Officers not holding a statutory post and two independent non-executive directors;
- iii. That AWN and WNPL create a non-voting Shareholder representative seat on their respective Boards (intended to take effect once the changes at i) and ii) have been made).

- 3.19 These proposed changes would need to be set out in amended governance documents, the approval of which is proposed to be delegated to the newly created Shareholder Committee. It would be for the Shareholder Committee to approve the skills appraisal and personal specification for the identified independent non-executive director roles.
- 3.20 As WNHC has registered status from the Regulator of Social Housing, which included submission of its governance documents, it is not proposed to alter the make up of this company's board structure yet until all governance improvements emanating from the Action Plan have been implemented, in order to provide assurance when seeking approval for future changes from the Regulator.
- 3.21 The Shareholder Committee ought to begin carrying out its shareholder functions as soon as possible, in line with the Action Plan, to bring about the governance improvements required. It is recognised that the recruitment of independent non-executive directors with the relevant and appropriate skillset is a process that will take some time. This will mean (for the interim) Cabinet Members taking decisions on the Shareholder Committee in relation to companies on which other Cabinet Members sit as Directors. This interim position will need to be managed by carrying out an immediate conflict of interest assessment, identifying the checks and balances that can be put in place to mitigate the risks and perceived risks and providing targeted training to those Members and officers that are affected.
- 3.22 The proposed non-voting Shareholder representative is recommended to be a Cabinet Member who would attend the company Board meetings as an observer, to participate in discussions and advance the shareholder's position. This will support the continuation and sharing of knowledge and experience around the companies that current Cabinet Member Directors have built up over their tenure in post. The Shareholder representative is not a Director and would not count for quorum purposes or be able to vote on Board resolutions. The Shareholder representative would be expected to attend Shareholder Committee meetings in this capacity, to relay to the Shareholder Committee their observations at the Board meetings.
- 3.23 Directors of the Council companies are not currently remunerated and it is not proposed to change this. Any future changes would be a decision reserved to the Shareholder within the governance documents. Members would not in any event be entitled to receive more than the equivalent of Member allowances, with their Member allowance being duly reduced by the same amount. Officers are not entitled to receive separate remuneration from the Council companies. Remuneration is therefore only really engaged with respect to independent non-executive directors on the board of directors.

Governance Documents

- 3.24 Key to good governance are the documents which set the parameters in which the companies are to operate.
- 3.25 There is a Shareholder Agreement in place with WNHC but not AWN or WNPL.
- 3.26 The Shareholder Committee can, through a Shareholder Agreement, set out the performance levels required for the companies and set out how the relationship between the Council and the companies will work. Securing alignment of the governance documents with all the companies, so

far as is possible, will promote consistency for the Shareholder Committee to carry out their role with all companies.

3.27 It is therefore proposed that the following be undertaken:

- i. Shareholder Agreements be agreed between the Council and AWN and WNPL respectively;
- ii. Updated Articles of Association to reflect and support the content of the Shareholder Agreement and align all three companies' governing documents so far as possible;
- iii. Minor clarificatory changes to the governance documents for WNHC;
- iv. Refreshed business plans for AWN and WNPL;
- v. The formalising of support services provided to the companies by the Council, under service level agreements.

Company Secretary

3.28 The company secretary function is an important role akin to that of a local authority Monitoring Officer. Duties should encompass company and Companies House administration, statutory and regulatory compliance, corporate governance, supporting the directors in ensuring they are complying with their duties and liaising with the shareholder.

3.29 It is proposed that one of the first decisions of the newly created Shareholder Committee be to select a new Company Secretary for all companies, proposed to be a member of the Council's legal team (not the Monitoring Officer) under the provisions of the Service Level Agreements proposed to be entered into, or an external provider suitably qualified in providing this role.

Shareholder Documents

3.30 In order to provide a centralised location where all Members can locate documents relevant to the Council's Shareholder function, it is proposed that a 'data room' be created in Mod Gov which will contain current and historic business plans, signed Shareholder Agreements, Articles Association, agendas and minutes of company board meetings, etc

4. Other options considered

Shareholder function

4.1 There are several ways in which the Cabinet can exercise its shareholder function. The Cabinet, as a whole, may exercise the shareholder function, the Cabinet may delegate the function or certain shareholder decisions to an individual cabinet member or to an officer of the Council.

4.2 A shareholder advisory committee could be established which would advise the Portfolio Holder delegated to carry out the executive function, prior to the taking of a decision This would not be a formal sub-committee of the Cabinet and given its advisory capacity, would have no decision-making authority.

4.3 The composition of a shareholder advisory committee, its remit and terms of reference would be for the Cabinet to decide. The shareholder advisory committee could comprise of elected members from the Council's administration and other groups, as well as external non-members with sector specific expertise who would act in a similar capacity to independent non-executive directors appointed to the companies' boards and who would be recruited in a similar way.

4.4 A Shareholder Advisory Committee is not considered to be appropriate for the Council's wholly owned companies, as this adds another layer of meetings before decisions are taken at the executive level. Additionally, this does not absolve the Portfolio Holder of the duty to make their

own decisions rather than just following the Advisory Committee's recommendations. It is therefore considered that the Shareholder function is best met by a Shareholder Committee, rather than requiring the decision making of the shareholder function to be taken ultimately by one person.

The Company Board of Directors

- 4.5 Consideration has been given to replacing the current executive Cabinet Members with non-Cabinet Councillors, aka 'back-benchers'. This would be more in line with CIPFA's stated good practice to keep some 'distance' between key authority decision makers and company decision makers, however would not remove the Member conflict issue entirely in terms of not being able to delegate or fetter their duty to the Council.
- 4.6 In the event that recruitment of suitable independent persons to fulfil the identified seats on the Board of Directors of AWN and WNPL is not successful, it is proposed that the matter be taken to the Shareholder Committee to determine whether the seats should be opened up to 'back-benchers'.

5. Policy implications

- 5.1 Bolstering the Shareholder function will serve to enable the Council to set the strategic direction of its companies in line with the Council's own policies, the Corporate Business Plan, Capital programme, etc.
- 5.2 The publication of non-statutory guidance by CIPFA provides a notable model to compare with the council's current arrangements and inform work to enhance the current governance framework.

6. Financial Implications

- 6.1 The recommendations will ensure that the Council can operate within standards of best practice and ensure that the Council's strategic objectives are being met across companies in which it has a financial interest in.
- 6.2 The recommendations will have implications for the Council and its subsidiary companies. The companies will be able to operate more effectively and will be accountable to the Council in its role as Shareholder.
- 6.3 Having improved and more robust corporate governance arrangements in place will help improve the underlying financial viability of the Council. The recommendations will allow an approach which will provide clarity on what is expected from the Council's companies such as key deliverables, supplemented with reports on financial and operational performance. This will result in provision of up to date and consistent information to support the Council when setting the budget and carrying out other financial responsibilities such as monitoring and year end financial reporting.
- 6.4 The UK Corporate Governance Code 2018 makes reference to the benefits of clear relationships and integrated business objectives between companies in a group arrangement.
- 6.5 There are likely to be some costs associated with implementing the recommendations. The review of SLA's will result in confirmed arrangements for support services and the associated charges to each company. The Council's financial plan will need to be updated to reflect these. It should be noted that the companies have the autonomy to consider whether these services can be provided more economically from alternative external providers. Other costs may be associated with

consideration of remuneration as set out in section 3.23. Again, these will need to be reflected in the financial plan if required. The impact in the current financial year is likely to be minimal and will be met within budget.

7. Personnel Implications

- 7.1 The proposed revisions to the roles of Officers acting as Directors of the Council's wholly owned companies will be managed in accordance with the normal procedures for revising terms and conditions of employment and job descriptions, including consultation with individual employees as appropriate. Any changes to the Council's organisational structure to support the revised governance structure for Council owned companies will also be implemented in accordance with normal procedures for managing organisational changes.
- 7.2 Council officers have previously supported the recruitment of independent members for the WHNC Board, and this experience can be utilised to assist with similar recruitment activities for AWN and WNPL as required.
- 7.3 Officer time will be required for the development and ongoing management of service level agreements detailing the support services provided to the three Council companies to support the revised governance arrangements.

8. Statutory Implications

- 8.1 The companies are controlled companies under Part V of the Local Government and Housing Act 1989 and therefore must comply with the requirements thereto.
- 8.2 Section 1 of the Localism Act 2011 provides local authorities with the power to do anything an individual may do, subject to a number of limitations. This is referred to as the 'general power of competence'. A local authority may exercise the general power of competence for its own purpose, for commercial purpose and/or for the benefit of others. In exercising this power a local authority is still subject to its general duties (such as fiduciary duties it owes to its rate and local tax payers) and to the public law requirements to exercise the general power of competence for proper purpose.
- 8.3 The Local Government Act 2003 sets out various powers relating to trading, borrowing and investing.
- 8.4 The Companies Act 2006 sets out the comprehensive governance regime under which the Council's companies are required to operate.
- 8.5 The proposed Shareholder Committee meetings will be held in public (subject to exemption provisions under Schedule 12 A of the Local Government Act 1972) and will operate within the relevant Standing Orders in the Council's Constitution, including the call in provisions.
- 8.6 The Cabinet has the authority to create the Shareholder Committee and adopt its terms of reference.

9. Equality Impact Assessment

- 9.1 Public authorities are required to have due regard to the aims of the Public Sector Equality Duty (Equality Act 2010) when making decisions and setting policies.

9.2 The decisions recommended are not considered to have an impact under the Equality Act 2010, as the recommendations are to improve internal governance structures rather than impact on the service provision to the end user.

10. Risk Management Implications

10.1 The corporate risk register currently includes a risk relating to AWN not performing against its business plan. This report proposes an enhanced relationship with regular oversight of the performance of all wholly owned companies by a shareholder committee and additional assurance by Audit Committee of company arrangements relating to matters such as risk management and business continuity.

10.2 Improving the governance of the Council companies and the way in which the Council undertakes its shareholder role will support and promote the effective risk management for the Council. The Shareholder Committee and Audit Committee will be assessing the risk management surrounding the Council companies within the remit of their Terms of Reference.

11. Declarations of Interest / Dispensations Granted

11.1 Cabinet members who are board directors of the Council companies are recommended to declare this interest.

12. Environmental considerations

12.1 No direct implications. The company business plans could include specific objectives and targets regarding environmental issues such as carbon reduction.

Background documents

- Local Authority Owned Companies: A Good Practice Guide, May 2022, CIPFA

Governance review action plan

Recommendation	Action	Delegation	Target Date
Cabinet establish a shareholder sub-committee	<ul style="list-style-type: none"> • Terms of reference adopted • Appoint to committee • Schedule meetings • Inaugural committee meeting 	Cabinet decision CE/ED under Scheme of Delegation	November 2022 January 2023
Review existing Member Directors potential conflicts of interest and implement action plan to manage conflicts	<ul style="list-style-type: none"> • Implement plan to ensure appropriate checks and balances are in place to mitigate risk of Member Directors being placed in a position of conflict for all companies 	CE/ED/MO under Scheme of Delegation	January 2023
Training for relevant Officers and Members, including those who are appointed to outside bodies	<ul style="list-style-type: none"> • On recognising, mitigating and managing any actual and potential conflicts of interest • Duties as directors 	CE/ED/MO under Scheme of Delegation	January 2023
Change regarding company secretary function	<ul style="list-style-type: none"> • Head of paid services ceases in the role of company secretary to WNHC and WNP. • Such support is provided by the Council's in-house legal team or an appropriate external provider. 	Shareholder Committee	January 2023
Review Loans provided to WNHC and WNP against the impending subsidy control legislation.	<ul style="list-style-type: none"> • West Norfolk Housing Company Ltd • West Norfolk Property Ltd 	MO/s151 officer under Scheme of Delegation	January 2023

Governance review action plan

<p>Review and formalise support services provided by the Council to the companies under service level agreements</p>	<ul style="list-style-type: none"> • A review is undertaken of the support services required by each of the companies and any support they currently received from the Council. Any support provided to the Council should be fully costed and recovered in full from the companies to show the true cost of operating those companies. • Formalising of support services provided to the companies by the Council, under service level agreements. • The Council's support service provision is provided for in the companies' governance documents, to be reviewed at least annually. 	<p>CE under Cabinet delegated authority</p> <p>Shareholder Committee</p>	<p>January 2023</p>
<p>Creation of a Shareholder data room for relevant officers and all Members</p>	<ul style="list-style-type: none"> • Create data room in Mod Gov of all relevant Shareholder function documents 	<p>CE/ED under Scheme of Delegation</p>	<p>January 2023</p>
<p>Amendments to job descriptions and contracts of employment for job roles required to take office as a Director of a Council company and provision of conflict of interest guidance for officers</p>	<ul style="list-style-type: none"> • Review of all instances across the Council where officers are required, as part of their role, to act as a Director or other official capacity at another organisation outside this Council, to include capturing all instances and considering whether such a requirement should continue. • HR to lead on consultation and review of JDs for officers that are required to fulfil a directorship as part of their role and provide guidance and training to officers on managing conflicts of interest. 	<p>CE/ED under Scheme of Delegation</p>	<p>March 2023</p>
<p>Company directors</p>	<ul style="list-style-type: none"> • Ascertain the status of the indemnification and insurance of their directors. • Governance documents to make express provision for the companies to indemnify and insure their directors. • Appointment of directors is confirmed in a letter of appointment. • Directors enter into a contract for services with the relevant company. 	<p>Shareholder Committee</p>	<p>March 2023</p>

Governance review action plan

<p>Preparation and completion of common template governance documents and refreshed business plans.</p>	<p><u>Alive West Norfolk</u></p> <ul style="list-style-type: none"> • Shareholder governance agreement • Refreshed business plan • Revised Articles of association 	<p>Shareholder Committee</p>	<p>April 2023</p>
	<p><u>West Norfolk Housing Company Ltd</u></p> <ul style="list-style-type: none"> • Revised Shareholder governance agreement • Refreshed business plan • The definition of “Group” in the Intragroup Agreement between the Council and WNHC is clarified and revised to only cover housing-related activities. 	<p>Shareholder Committee</p>	<p>April 2023</p>
	<p><u>West Norfolk Property Ltd</u></p> <ul style="list-style-type: none"> • Shareholder governance agreement • Refreshed business plan • Articles of association 	<p>Shareholder Committee</p>	<p>April 2023</p>
<p>Implementing changes in the composition of the companies’ boards as set out in the governance documents</p>	<p><u>Alive West Norfolk</u></p> <ul style="list-style-type: none"> • No BCKLWN councillors on Board • No statutory officers on Board • AWN board – 2 officers, 2 independent directors plus AWN Managing Director. <p><u>West Norfolk Property Limited</u></p> <ul style="list-style-type: none"> • No BCKLWN councillors on Board • No statutory officers on Board • WNP board – 3 officers, 2 independent directors 	<p>Shareholder Committee</p>	<p>June 2023</p>
<p>Shareholder</p>	<p>Alive West Norfolk and West Norfolk Property Limited to have a non-</p>	<p>Shareholder</p>	<p>June 2023</p>

Governance review action plan

representative role on company boards, as required by governance documents	voting Shareholder representative seat on their respective Boards, such requirement to be formalised within Shareholder Agreements.	Committee	
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**TERMS OF REFERENCE OF THE BCKLWN SHAREHOLDER COMMITTEE
SUB-COMMITTEE OF CABINET**

1. Definitions

Council Companies	means the private limited companies in which BCKLWN is the majority shareholder/owner
Governance Documents	means, as the context requires, the Articles of Association, Business Plan, Shareholder Agreement and/or Intragroup Agreement
Shareholder Function	Means the functions set out in paragraph 4 of these terms of reference (and for ease of reference is intended to equally apply to any company limited by guarantee)

2. Overview

- 2.1 The Shareholder Committee is a sub-committee of Cabinet, the purpose of which is to fulfil the Council’s Shareholder Function in relation to the Council Companies, this being an executive function.
- 2.2 The Shareholder Committee will exercise the Council’s Shareholder Function in any company, limited by shares or guarantee, wholly owned by the Council for the purposes of service provision and/or trading activities.
- 2.3 The Shareholder Committee will exercise the functions delegated to it by Cabinet as set out in paragraph 4 below

3. Composition & Operation

- 3.1 The Shareholder Committee shall comprise of three Cabinet Members, to be appointed by the Leader.
- 3.2 Members of the Shareholder Committee can only be substituted by other Cabinet Members who are not Directors of the Council Companies.
- 3.3 The Shareholder Committee shall appoint its own Chair and Vice-Chair annually at the first meeting of the municipal year.
- 3.4 Quorum is three voting Members.

- 3.5 A Shareholder Committee meeting shall be held no less than 4 times per annum.
- 3.6 The Chief Executive, Section 151 Officer and Monitoring Officer (or their nominees) will support the Shareholder Committee.
- 3.7 Any decisions made by the Shareholder Committee must be notified to the Company Directors as soon as reasonably practicable following such decision being taken.
- 3.8 Advisors may be invited to attend the Shareholder Committee as required.

4 Functions delegated to the Shareholder Committee

The Shareholder Committee will have responsibility for the following:

- 4.1 Any decisions identified as being reserved to the Shareholder within the Governance Documents, subject to paragraph 4.3 below.
- 4.2 Any decisions that the Shareholder is required by legislation to make, subject to paragraph 4.3 below.
- 4.3 In respect of paragraphs 4.1 and 4.2, decisions may be taken provided that where a proposed recommendation is outside the Council's budgetary or policy framework, the Shareholder Committee will consider the recommendation and provide a recommendation to Full Council.
- 4.4 Approval of the Business Plan for each of the Council Companies on an annual basis.
- 4.5 Holding each of the Council Companies to account for their performance against the respective Business Plan.
- 4.6 Approval of Shareholder Agreements with the Council Companies, including any variations thereto.
- 4.7 Responsibility for holding the Council Companies to account for compliance with the respective Shareholder Agreements.
- 4.8 Reviewing the Governance Documents on an annual basis with a view to making any changes to improve governance and/or performance requirements of the Council Companies.

5 Scrutiny of the Shareholder Committee

- 5.1 All decisions of the Shareholder Committee are subject to the call-in arrangements set out in the Council's Standing Orders.
- 5.2 The Review and Development Panels may otherwise scrutinise the performance of the Shareholder Committee and require that it reports to them on the status and progress in relation to any of the Council Companies and how the Shareholder Function is being performed.
- 5.3 Audit Committee are to receive assurance that there is sound system of internal control and risk management process in place for each of the Council's companies.

6 Review

- 6.1 The Shareholder Committee will review the Terms of Reference annually

APPENDIX 3. SUMMARY DETAILS OF THE COUNCIL'S COMPANIES

Alive West Norfolk (Company Number 11802914)

Incorporated:	1 February 2019
Company Form:	Private limited company; limited by guarantee
Business:	Operation of arts facilities Operation of sports facilities
Directors:	Deborah Gates – BCKLWN Executive Director Cllr Brian Long – BCKLWN Portfolio Holder for Corporate Services Cllr Graham Middleton – Deputy Leader and Portfolio Holder for Business, Culture and Heritage Cllr Elizabeth Nockolds Lorraine Gore – BCKLWN Chief Executive
Secretary:	None recorded
Member/owner:	BCKLWN

West Norfolk Housing Company Limited (Company Number 10368299)

Incorporated:	9 September 2016
Company Form:	Private limited company; limited by shares
Business:	Renting and operating of housing association real estate:- The development and management of social housing in and around King's Lynn and West Norfolk Regulator of Social Housing Registration Nr. 5057
Directors:	Cllr Brian Long – BCKLWN Portfolio Holder for Corporate Services Cllr Richard Blunt – BCKLWN Portfolio Holder for Development and Regeneration Anita Goddard-Gill–Deputy Assets Manager of Broadland Housing Association (a Registered Provider) Duncan Hall – BCKLWN Assistant Director Regeneration, Housing and Place Ray Harding – Retired (former BCKLWN CEX) Ray Johnson - Retired
Secretary:	Lorraine Gore – BCKLWN Chief Executive
Shareholder:	BCKLWN

West Norfolk Property Limited (Company Number 11305604)

Incorporated:	12 April 2018
Company Form:	Private limited company; limited by shares
Business:	Other letting and operating of own or leased real estate
Directors:	ClIr Brian Long – BCKLWN Portfolio Holder for Corporate Services ClIr Richard Blunt – BCKLWN Portfolio Holder for Development and Regeneration ClIr Adrian Lawrence – BCKLWN Portfolio Holder for Property Duncan Hall – BCKLWN Assistant Director Regeneration, Housing and Place Ray Harding – Retired (former BCKLWN CEX)
Secretary:	Lorraine Gore – BCKLWN Chief Executive
Shareholder:	BCKWLN

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :			
Any especially affected Wards	Mandatory	Be entirely within Cabinet's powers to decide		YES	
		Need to be recommendations to Council		NO	
		Is it a Key Decision		NO	
Lead Member: Cllr Stuart Dark E-mail: cllr.stuart.dark@west-norfolk.gov.uk		Other Cabinet Members consulted: All Cabinet members			
		Other Members consulted: Corporate Performance Panel			
Lead Officer: Honor Howell E-mail: honor.howell@west-norfolk.gov.uk Direct Dial:01553 616550		Other Officers consulted: Management Team			
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment If YES: Pre-screening/ Full Assessment NO	Risk Management Implications NO	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 15 November 2022

Corporate Business Plan Monitoring Report 1 April - 30 September 2022

<p>Summary</p> <p>The monitoring report has been developed to demonstrate progress against the Council's Corporate Business Plan and contains information on the progress made on the key actions up to the end of September 2022.</p> <p>There are currently 48 agreed actions in place to progress the Council's Corporate Business Plan. The monitoring report indicates that 29 of the actions are on track, 12 actions are slightly behind, 1 action is significantly behind, 1 action is on hold and 5 actions have been completed.</p> <p>Additional performance information is available in the Q1 2022/23 corporate performance monitoring report, reviewed at the Corporate Performance Panel on 3 October 2022. The report comprises of a revised suite of indicators agreed by portfolio holders and management team as the key performance measures to monitor key council services and impacts on borough wide issues, all indicators are linked to the Corporate Business Plan priorities.</p> <p>Recommendation</p> <ol style="list-style-type: none"> 1. That Cabinet considers and comments on progress against the Corporate Business Plan. <p>Reason for Decision</p> <p>To consider progress with the delivery of the Corporate Business Plan for the period 1 April – 30 September 2022.</p>
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1. Background

- 1.1 The Council's 2019-2023 Corporate Business Plan was reviewed and approved by Council on 2 December 2021, it sets out the broad framework for the remaining period of the administrative term 2021-2023.
- 1.2 The priority areas the Council will continue to focus on are:
 - Focusing on delivery
 - Delivering growth in the economy and the provision of local housing
 - Protecting and enhancing the environment including tackling climate change
 - Improving social mobility and inclusion
 - Creating and maintaining good quality places that make a positive difference to people's lives
 - Helping to improve the health and wellbeing of our communities
- 1.3 These priorities are further defined in 12 objectives and 48 key actions that are reflected in directorate plans, service plans and individual targets set during staff appraisals.

2. Monitoring Report

- 2.1 The monitoring report will focus on each of the corporate priorities individually, providing management team and members with an overview on how many actions are on track, slightly behind, significantly behind, on hold or completed.
- 2.2 Assistant Directors are responsible for providing the latest update on progress as well as rating each of the key actions they are responsible for up to 30 September 2022. An overall summary is provided at the end of the report, which over the coming year when additional data is available, will track the movement of the key actions currently in place to support the delivery of the Corporate Business Plan.
- 2.3 In terms of the activities covered by the corporate business plan, the Council is progressing although some aspects are experiencing delays often as a result of externally influenced factors. The monitoring report at Appendix A indicates that 29 of the actions are on track, 12 actions are slightly behind, 1 action is significantly behind, 1 action is on hold and 5 actions have been completed.
- 2.4 A number of actions that could be challenging relate to activities, programmes and projects, where current inflation levels and supply chain challenges are creating very significant levels of risk and uncertainty about our capacity to deliver as planned within available resources, a challenge common to all councils.
- 2.5 Notable aspects of delivery include:
 - 2.5.1 Development of the speculative commercial development units (Phase 1) at the Nar Ouse Regeneration Area Enterprise Zone is progressing well. The Phase 1 units (2 office and 2 light industrial) should achieve completion in October/November 2022, several expressions of interest have been received. Tender documents for Phase 2 are being prepared and the market will be tested during late summer/early autumn 2022.

- 2.5.2 The Tender process for the road infrastructure works at the Nar Ouse Regeneration Area Enterprise Zone Tender has been completed, and the contract awarded. The road (and other) infrastructure works commenced early late August/September 2022 and are programmed to be completed within 40 weeks, weather depending. These infrastructure works will open up a significant tract of commercial development land that will be available for purchase, or lease, by private sector (and other) businesses/developer/investors and potentially facilitate significant investment in the local area.
- 2.5.3 An alternative approach has been taken to updating staff on the Corporate Business Plan. Interviews with managers have been filmed and distributed via the weekly staff update that goes to all council staff. To date, updates have been completed on the councils budget, homelessness and rough sleepers strategy, climate change and the St Georges Guildhall. The videos are proving popular and the subjects covered are brought more to life by staff explaining to staff how they fit with the corporate priorities. Wherever possible press releases and other external communications are being linked to the relevant corporate priority to ensure activities to reinforce key messages and demonstrate the links between agreed priority areas and activities that are taking place.
- 2.5.4 A range of communications activities have been undertaken to support the Council's climate change agenda, including support for the Council sponsored 'Climate Change Expo' held at the Corn Exchange on 21 June, support for the 'solar together' project and the Norfolk Climate Change Partnership website. Activities undertaken to date are consistent with progress towards the overall Climate Change Action Plan.
- 2.6 Important points to flag in terms of delivery are:
- 2.6.1 Work is underway in accordance with the revenue and capital estimates timetable which includes additional workstreams to be undertaken. There has been some delay due to external factors but this will not impact on the timescales for delivery of the budget proposals to Cabinet and Council in February 2023.
- 2.6.2 Opportunities continue to be explored to increase our digital offer to residents. Increased use of web-chat has assisted with managing an increased volume of calls into the contact centre and helps to provide a clear and speedy response to most enquiries received via this format. However, pressure on resources within the CIC and the increased call volumes is impacting on our ability to devote time to developing new approaches further.
- 2.6.3 Whilst a range of approaches are adopted to maximise the potential for recruitment activities to be successful, the current external job market, locally, regionally and nationally, is having an impact due to factors which are outside of our control. We have been able to recruit to the majority of permanent vacancies advertised and wherever possible strategies are used to consider alternative and longer term solutions to harder to recruit roles, such as the development of progression schemes and use of apprentices. However, the capacity issues currently being experienced by teams are therefore ongoing and are likely to impact on progress against agreed priorities for some time.

3 Options Considered

3.1 None.

4 Policy Implications

4.1 The Corporate Business Plan sets the council's policy framework until the next electoral cycle in May 2023 and as such is the council's primary policy document. All other documents and plans will need to take account of this new policy framework when they are being prepared or refreshed.

5 Financial Implications

5.1 There are no direct financial implications of this plan as its implementation is through the existing services, programmes and budget provisions already in place.

6 Personnel Implications

6.1 None.

7 Environmental Considerations

7.1 The corporate business plan includes a specific priority focused on protecting and enhancing the environment including tackling climate change. This will be progressed through the delivery of the council's climate change strategy and action plan and through related plans such as the emerging Local Plan.

8 Statutory Considerations

8.1 None.

9 Equality Impact Assessment (EIA)

9.1 None to report.

10 Risk Management Implications

10.1 Progress with corporate business plan actions provides an input for risk management and may identify emerging risks and evidence improvement/deterioration in risk scores and the delivery of mitigation measures. This will need to be factored into updates of the corporate, directorate and project risk registers.

11 Declarations of Interest / Dispensations Granted

11.1 None.

12 Background Papers

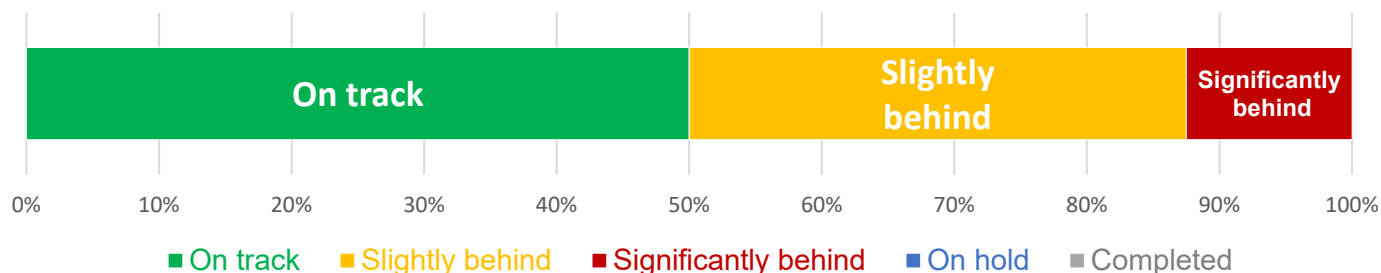
12.1 None.

2022/23 Corporate Business Plan Monitoring Report

1 April – 30 September 2022

Focusing on delivery

Current position breakdown of key actions



1.1 Set a Medium-Term Financial Strategy to fund council services by a prudent mix of investment, services and tax income, while maintaining adequate reserves	RAG rating
<ul style="list-style-type: none"> Monitor performance against revenue and capital budgets on a monthly basis to Management Team and Members 	G
<ul style="list-style-type: none"> Report variances and corrective action in a timely manner to Management Team and Members 	A
<ul style="list-style-type: none"> Provide treasury functions for the delivery of the financial plan and advise and support on new projects and initiatives. 	G
<ul style="list-style-type: none"> Prepare revenue and capital estimates and report to Panel/Cabinet in February 2023 as part of the budget and council tax setting process 2023/24. 	A
Progress update provided by Assistant Director	
<p>The outturn report for 2021/22 was presented to Cabinet in August 2022 and a draft Statement of Accounts published on the Council's website on 1 August 2022. Monitoring reports for 2022/2023 suffered a slight delay but is now back on track with June and July reports completed and August currently under review. Redesign of the monitoring report is taking shape with positive feedback and engagement from Management Team, Portfolio Holder for Finance and Audit Committee.</p> <p>The Capital Programme is also being developed to support reporting to Member Major Projects Board. This development work and review will involve some changes to the capital budgets and profiles. This is taking longer to conclude due to the nature and complexity of some of the schemes but is expected to be completed for period 6 monitoring report.</p> <p>Work is now underway in accordance with the estimates timetable which includes additional workstreams to be undertaken. There has been some delay due to external factors but this will not impact on the timescales for delivery of the budget proposals to Cabinet and Council in February 2023.</p>	M Drewery

Rating definition

Slightly behind - Minor slippages in timescales but corrective action is anticipated to achieve the agreed completion date.

Significantly behind - Serious slippages in timescales but despite intended corrective action some or all of the outputs may not be achieved by the original completion date.

2022/23 Corporate Business Plan Monitoring Report

1 April – 30 September 2022

1.2 Develop and increase the range and effectiveness of the Council's approach to communicating and engaging with employees, businesses, local communities and visitors	RAG rating
<ul style="list-style-type: none"> • Develop and implement communications plans for major council projects as required or identified by Leader and Chief Executive • Communicate the new corporate business plan 	G
	G
Progress update provided by Assistant Directors	
<p>Communication plans and activities for the Council's major projects are currently being progressed in line with the stages of project development/delivery. In particular, work in relation to the Nar Ouse Business Park, West Winch growth area, Southern Seafront & Bus Station in Hunstanton and Towns Fund projects have been progressed in the first two quarters.</p> <p>An alternative approach has been taken to updating staff on the Corporate Business Plan. Interviews with managers have been filmed and distributed via the weekly staff update that goes to all council staff. To date, updates have been completed on the Corporate Business Plan, the councils budget, homelessness and rough sleepers strategy, climate change and the St Georges Guildhall. Further updates are planned on West Winch major housing, littering and fly-tipping, tree planting, Levelling Up and the west Norfolk Investment Plan. The videos are proving popular with staff and the subjects covered are bought more to life by staff explaining to staff how they fit with the corporate priorities. Wherever possible press releases and other external communications are being linked to the relevant corporate priority to ensure activities to reinforce key messages and demonstrate the links between agreed priority areas and activities that are taking place. For example, activities to support our local communities has included work to promote services and support for refugees and to communicate information relating to the energy rebate and CIL.</p>	<p>B Box</p> <p>H Howell / B Box</p>

1.3 Be attentive to our customer and community needs	RAG rating
<ul style="list-style-type: none"> • Continue to deliver all statutory services to an appropriate standard within available resources, whilst also responding to the priorities set out in the Corporate Business Plan. • Ensure that effective recruitment, retention and employee development processes are in place so that services are appropriately and effectively resourced and aligned to the delivery of statutory services and the Council's corporate priorities. 	A
	R
Progress update provided by all Assistant Directors	
<p>Operations and Commercial - Public Open Space have experienced difficulty recruiting and retaining staff, seasonal staff in particular which causes service pressure on delivering necessary outcomes. Service requirements are achieved at a basic level with resources aligned to meet these outcomes. Crematorium & Cemeteries have also seen recent rounds of recruitment provide a lack of suitable candidates resulting in jobs being re-advertised, as pay rates fall behind crematoria and funeral industry standards, staff are leaving to join other funeral companies. Car Parks are also having problems with recruiting Civil Enforcement Officers due to the low pay for the type of work involved.</p>	M Chisholm

Rating definition

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<p>Resources - All services continue to be delivered. However, Government initiatives are causing significant and additional workload against unrealistic timescales which services are doing their best to accommodate. This inevitably means reprioritising workloads and resources accordingly. ICT are currently experiencing difficulty in recruiting to key posts which is now having some impact on service delivery. External audit of the financial statements is significantly behind schedule with the audit of the financial statements for 2019/20 still ongoing and expected to be completed in Jan/Feb 2023 when the external auditors have available resource. This is having a knock on impact/delay in commencing the audit of the financial statements for both 2020/21 and 2021/22 which in turn, will affect other work priorities and deadlines in the coming months/year. The timetable for the audit of the financial statements is set by the external auditors.</p>	M Drewery
<p>Planning and Environment - Due to the high volumes of planning applications that continue to be received, there is a current backlog of about 3 weeks on the validation of planning applications. Additional staff have been appointed in the validation team and we hope this backlog will soon reduce. Whilst figures for determining planning applications are well above national targets, there is heavy reliance on extensions of time (EOT's), so applications are taking longer than is preferable to determine. At present consultancy planners are helping carry out some of the required workload, and we are trying to recruit extra planners to try to address these issues, although it should be noted the market for suitably qualified staff is extremely challenging. Managers are considering various options to ensure that we can attract suitable staff to the authority. With regards environmental health, air quality, contaminated land and other associated work is on track.</p>	S Ashworth
<p>Central Services - Staff continue to support the effective delivery of statutory services, either directly or indirectly by the provision of appropriate support to services delivering statutory functions. In particular work to recruit a new Executive Director (Place), additional posts for Planning and to create our new in-house Legal Services team are currently being progressed, with the aim of securing high quality candidates in a competitive market. A revised approach to job advertising has been introduced to promote our vacancies more effectively to candidates. Progression schemes, linked to formal professional qualifications/apprenticeships are being developed in a number of areas and a revised progression scheme for Planning professionals has recently been implemented. We have re-launched our management development activities, which had been on hold during the pandemic with a new level 5 management programme commencing in May and a second programme scheduled to commence in January 2023. A level 3 management course has also commenced in partnership with CWA. Wider training provision is now returning to pre-pandemic levels with a particular focus on updating skills and knowledge in relation to statutory areas such as safeguarding and health and safety. During September the Civics and Communications teams have undertaken significant additional work to support the Council's civic responsibilities following the death of Her late Majesty Queen Elizabeth II.</p>	B Box
<p>Health Wellbeing and Public Protection - Statutory services across Housing Options, CSNN, Housing Standards are slightly behind due to covid, supporting Homes for Ukraine and additional pressures arising from cost of living. Recruitment continues to provide significant challenges for all teams. The Food Health and Safety Team are under significant pressure with increased workload from Brexit and food safety inspection catch up post covid. Reliance on contractors to keep service afloat. Care and Repair are seeing significant pressures with a waiting list of 310 clients waiting for assessments, this has been exacerbated by Occupational team resourcing issues within Norfolk County Council.</p>	M Whitmore

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<p>Legal and Licensing – Legal services has entered a period of transition during this monitoring period. Notice to terminate has been provided on the agreement with NNDC/eastlaw for the provision of legal services. There is ongoing recruitment of an in-house legal team to help support all other sections of the Council in delivery of their functions, however even in the event of a successful recruitment process, it is unlikely a legal team will be in place until early 2023. There are ongoing issues with NNDC/eastlaw regarding the level of legal support being provided under the agreement with them, which are being addressed, which has heightened the historic resource issues that were already known. This has created an increased legal resource gap, therefore in the meantime alternative external legal resource has been secured to support officers on urgent matters. The Licensing team is continuing to provide an effective service, ensuring that complaints/queries from Ward Members and members of the public are followed up and that there is appropriate engagement with the trades.</p>	A Baker
<p>Regeneration, Housing and Place - Recruitment to key posts for the Towns Fund programme has been challenging and is a risk to completing business cases and delivery. Wider workforce issues that impact on consultants capacity to undertake work on behalf of the council is also a risk.</p>	D Hall
<p>Programme and Project Delivery - Currently able to deliver core services throughout the directorate however, concerns regarding capacity going forward. Recruitment to replace staff loss through progression scheme initiated in corporate projects within budget, and recruitment to employ new contract and procurement officer in progress as part of succession planning / staff retirement.</p>	D Ousby
<p>Property and Projects – Over the past few years the department has faced significant staff resource issues with posts being vacated and these have proven difficult to fill, particularly the professional posts. However, two important/key posts have been successfully filled during 2022 and the team is now prioritising the work programme in order to deal with a backlog of work. In addition to filling these posts with external candidates, the department is developing longer term staff resource resilience by appointing two Higher Level Apprentices who are in the process of attaining their Royal Institution of Chartered Surveyors (RICS) degrees, whilst gaining practical experience in their day-to-day work. The “grow your own talent” approach should help stabilise staff resource issues in the near future. The team continues to support the delivery of statutory and non-statutory services, and the Corporate Business Plan, by the provision of professional property services, and the generation of revenue and capital from the council’s property portfolio. Further challenge has been faced with the various funding streams (Town Deal etc) and it has been necessary to divert and/or allocate staff resources in order to deal with projects related to these funding streams.</p>	M Henry

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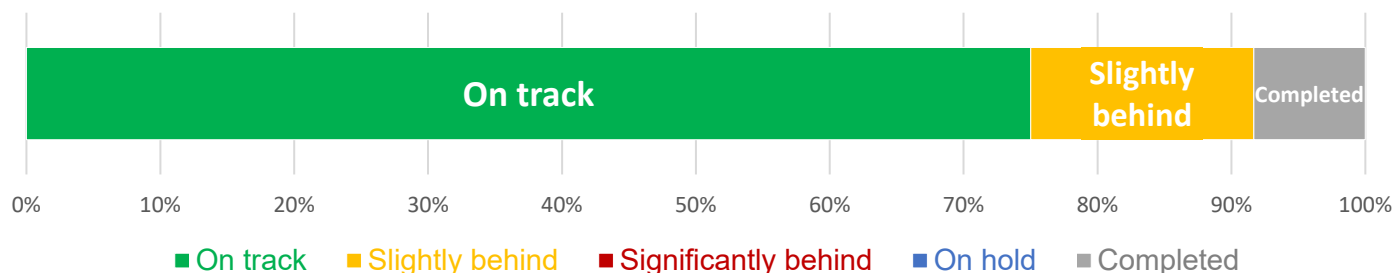
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Delivering growth in the economy and the provision of local housing

Current position breakdown of key actions



2.1 Develop our town centres and the rural offering; recognised as great places to live, visit and invest into	RAG rating
• Implement the Town Investment Plan	G
• Develop a business case for projects / programmes that were part of the Heads of Terms agreement from DLUHC	A
• Develop further the West Norfolk Holiday guide in the context of the on-going changes to accessing information digitally	Completed
• Deliver the Council's directly managed commercial programmes	G
• Deliver the Council's directly managed housebuilding programmes	G
• Develop and manage the portfolio of PRS properties managed by West Norfolk Property Limited	A
• Develop affordable homes to be managed by West Norfolk Housing Company Limited	G
• Achieve community benefits through market engagement with Local Suppliers, SMEs & VCSEs - in support of the local economy; and measure the monetary value of social value provided by contractors (through the 2021-2025 Procurement Strategy)	G
Progress update provided by Assistant Directors	
The Business cases have been completed and could be subject to some minor changes as the Local assurance Framework process is completed. The summary documents will be submitted to government in the timescales as agreed. Work was undertaken to review details of projects, and advice was taken on cost inflation and appropriate contingency. Following this a funding gap was evident and a process of prioritisation was undertaken in line with Government guidance. Some projects were re-scoped with additional outcomes identified, and some projects were de-scoped, with one being removed.	D Hall
The West Norfolk Holiday Guide was replaced with 'Where to Stay in West Norfolk' guide which has been published (available at Tourist Information Centre/ Points) and is available on the website visitwestnorfolk.com and an app.	D Hall

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Development of the speculative commercial development units (Phase 1) at the Nar Ouse Regeneration Area Enterprise Zone is progressing well. The Phase 1 units (2 office and 2 light industrial) should achieve Practical Completion in October/November 2022. Tender documents for Phase 2 are being prepared and the market will be tested during late summer/early autumn 2022. Several expressions of interest expressed for the Phase 1 units and Heads of Terms issued.	M Henry
The Tender process for the road infrastructure works at the Nar Ouse Regeneration Area Enterprise Zone Tender has been completed, and the contract awarded. The road (and other) infrastructure works commenced early late August/September 2022 and are programmed to be completed within 40 weeks, weather depending. These infrastructure works will open up a significant tract of commercial development land that will be available for purchase, or lease, by private sector (and other) businesses/developer/investors and potentially facilitate significant investment in the local area.	M Henry
Housing development schemes on site are on track however, delays in the programme overall expected during Q4 this year.	D Ousby
Measuring monetary / social value of SME / VCSE can only be completed annually in the spending review and depends on the quality of data recorded on the Unit 4 system for all suppliers.	D Ousby

2.2 Deliver the Local Plan	RAG rating
• Ensure the close relationship between Local Plan, Corporate Business Plan and other corporate work	G
• Engage with internal departments in Local Plan Review consultation	G
• Take forward strategic transport policies for the Borough	G
• Assist towns and parishes to prepare their own neighbourhood plans	G
Progress update provided by Assistant Director	
Whilst the actions are on track, there are two vacancies in the policy team which we hope can be filled soon, especially given the forthcoming Local Plan Examination hearings (starting December 2022). At present a consultancy planner is helping carry out some of the required workload.	S Ashworth
The Towns Fund Active and Clean Connectivity Project Business Case is on track, aiming to improve affordability, convenience, reliability and sustainability of travel options to and from places of work and places of interest (especially shops and amenities) and reducing congestion within the town.	D Ousby

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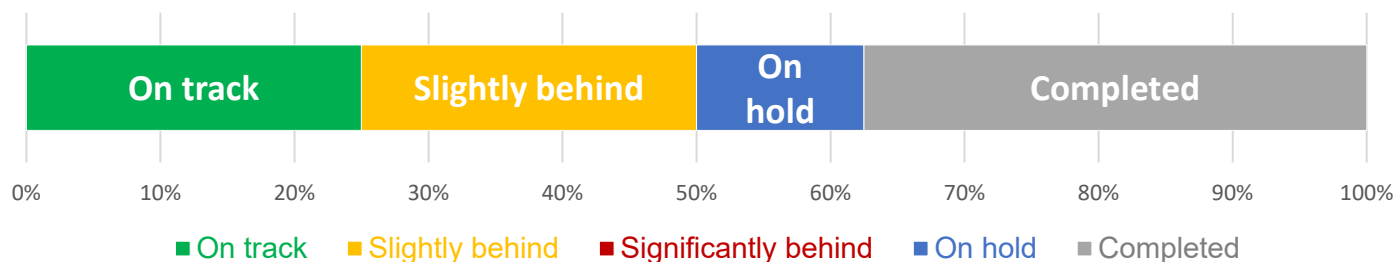
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2022/23 Corporate Business Plan Monitoring Report

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Protecting and enhancing the environment including tackling climate change

Current position breakdown of key actions



3.1 Deliver on our commitment to be carbon neutral by 2035 by implementing the council's carbon reduction strategy and encourage our partners, communities and local businesses to reduce their environmental impact.	RAG rating
• Declare a Climate Emergency	Completed
• Adopt the Climate Change Strategy and Action Plan	Completed
• Increase the number of trees in the district	A
• Increase walking, cycling and sustainable transport	A
• Work in partnership with the Chamber of Commerce to co-ordinate Expo22	Completed
• Continue to provide an active role within the Norfolk Climate Change Partnership	G
• Implement a communications programme to promote the council's activities to address climate change and encourage mitigation and adaptation by residents and businesses	G
• Show leadership by assessing the environmental impact of council procurement (through the 2021-2025 Procurement Strategy)	On hold
Progress update provided by Assistant Directors	
There are 79 agreed actions in place to progress the Climate Change Strategy and Action Plan, currently 21 of the actions are on track, 25 actions are in progress, 2 actions are stalled, 12 actions are awaiting start and 19 actions have been completed. The Refit2 project, utilising a £3.8 million Government grant to help de-carbonise heat generation in council buildings, is nearing practical completion. The newly appointed Senior Climate Change Officer is helping to oversee the work started with BP Pulse with the installation of 26 Fast EV charging points and to agree contracts with BP Pulse to replace the 4 Rapid EV charging points at Hunstanton and King's Lynn.	S Ashworth
The heat and dry weather during the summer has adversely affected a number of the newly planted trees at King's Reach causing a far greater number to fail than would have normally of expected. Where trees have failed they will be replaced as part of the ongoing tree management process. The installation of CCTV has been completed and public information boards are being drawn up.	M Chisholm
The Active and Clean Connectivity Programme is still to be delivered, currently awaiting approval for the final Business Case.	D Ousby

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2022/23 Corporate Business Plan Monitoring Report 1 April – 30 September 2022

<p>A range of communications activities have been undertaken to support the Council's climate change agenda, including support for the Council sponsored 'Climate Change Expo' held at the Corn Exchange on 21 June, support for the 'solar together' project, the Norfolk Climate Change Partnership website and a range of tree planting activities. Activities undertaken to date are consistent with progress towards the overall Climate Change Action Plan.</p>	<p>B Box</p>
<p>An updated Procurement Strategy is on hold pending the updated National Procurement Policy Statement by central government.</p>	<p>D Ousby</p>

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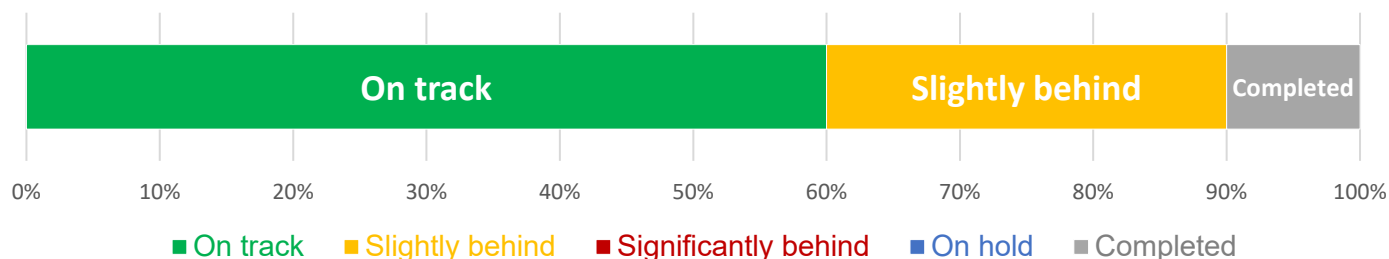
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2022/23 Corporate Business Plan Monitoring Report

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Improving social mobility and inclusion

Current position breakdown of key actions



4.1 Assist our residents to maximise their opportunities by accessing the support and services they are entitled to.	RAG rating
<ul style="list-style-type: none"> Review the Homelessness and Rough Sleepers Strategy following the implementation of 'Everyone In' initiative and the introduction of a number of new accommodation and support services funded by central government through the Next Steps Accommodation Programme and the Rough sleeper Initiative. 	G
<ul style="list-style-type: none"> Support the production of and publish key strategic documents in conjunction with Norfolk County Council that identify needs, gaps in services and strategies to address them. Strategic work is underway with Norfolk County Council in the following areas; <ul style="list-style-type: none"> Older Persons Housing Needs assessment Norfolk Homelessness Prevention Strategy 2021-2025 Support In Safe Accommodation Strategy for Norfolk 2021-2024 	G
<ul style="list-style-type: none"> Deliver a Council Tax Support scheme for working age people in the borough that supports those most in need. 	Completed
<ul style="list-style-type: none"> Improve the digital offer for our residents and service users and consider ways of addressing digital exclusion. 	A
<ul style="list-style-type: none"> To help tackle loneliness and social isolation in adults of all ages. 	G
Progress update provided by Assistant Directors	
<p>The Homelessness and Rough sleeping strategy was reviewed at the end of 2021, and additional actions introduced to reflect emerging issues including new responsibilities in connection with Domestic Abuse. Actions have been identified to address:- future demand pressures arising from households from Ukraine seeking accommodation following an initial period with families or hosts; and Private Rented Sector (PRS) supply issues relating to a trend of PRS landlords leaving the sector and selling properties.</p>	D Hall
<p>Wider family homelessness is increasing and the use of Bed and Breakfast has become necessary even for families. This situation has been more challenging because of some specific issues with time taken for reletting periods by key social housing provider FCH.</p>	D Hall

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<p>The Home Office announced its wider asylum dispersal scheme in order to re-settle asylum seekers across all areas of the United Kingdom. We are working with the Home Office and Serco to identify appropriate accommodation opportunities to achieve a target for West Norfolk of 127 bedspaces by December 2023. The pressures of local housing demand particularly in the private rented sector means that the focus will be on creating new stock including renovating vacant commercial buildings in the town.</p>	D Hall
<p>The revised Council Tax Support Scheme 2022/2023 was approved by Council on 25th January 2022 and implemented from 1 April 2022. Work is underway to set out options/proposals for the scheme on 2023/24.</p>	M Drewery
<p>We continue to explore opportunities to increase our digital offer to residents. Increased use of web-chat has assisted with managing an increased volume of calls into the contact centre and helps to provide a clear and speedy response to most enquiries received via this format. However, pressure on resources within the CIC and the increased call volumes is impacting on our ability to devote time to developing new approaches further.</p>	B Box
<p>Lily is working well and supporting those in need, referrals have settled and are well within targets.</p>	M Whitmore

4.2 Ensure the Council participates in a range of initiatives which support the development of skills in and pathways to work for local people.	RAG rating
<ul style="list-style-type: none"> Support the development of skills intervention projects including the College of West Anglia (CWA) School of Nursing, and the Town's Fund – King's Lynn Youth and Retraining Pledge. 	G
<ul style="list-style-type: none"> Explore ways of delivering an employment support initiative (possibly through Towns Deal) that could align with the emerging Youth Pledge. 	G
<ul style="list-style-type: none"> Continue to ensure opportunities for the provision of apprenticeships are maximised, both by the Council as an employer and by supporting local businesses to maximise use of apprenticeship schemes. 	G
<ul style="list-style-type: none"> Review and re-prioritise/re-focus the Council's improving educational attainment programme in line with identified needs in relation to skills in West Norfolk. 	A
<ul style="list-style-type: none"> Assist educational agencies / establishments deliver work experience opportunities; enhance links with COWA and schools. 	A
Progress update provided by Assistant Directors	
<p>A local Skills Partnership group has been established to support skills development and break down barriers to enter the labour market. The group is overseeing the delivery of the Towns Fund Youth Training Pledge and School of Nursing but going beyond this to examine opportunities for interventions that could be funded locally by the UK Shared Prosperity Fund (UKSPF) or the Multiply (Adult Literacy).</p>	D Hall
<p>The West Norfolk Investment Plan was submitted to Government within the August deadline following two successful stakeholder engagement sessions. During September a further fund associated with the UK Shared Prosperity Fund was announced. The Rural England Prosperity Fund shares some objectives and some similar interventions with UKSPF but is different and recognises the challenges and differences relating to rural areas.</p>	D Hall

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<p>The Council remains committed to the provision of apprenticeship opportunities within it's own workforce with employees currently completing apprenticeships at various levels across all service areas. New opportunities for apprenticeships are being developed on an ongoing basis and progress with existing apprentices is regularly monitored with support provided to ensure that programmes are successfully completed.</p>	<p>B Box</p>
<p>Our improving educational attainment programme is being reviewed, although progress is slow due to other work priorities and the loss of many key contacts over the COVID period. Links are being developed with the project team responsible for the Youth and Retraining Pledge to raise aspirations and work related skills in young people in west Norfolk. Our west Norfolk primary heads network, which was put on hold during the pandemic, relaunched in September and opportunities to re-engage with secondary schools are currently being explored.</p>	<p>B Box</p>
<p>During 2021/22 the Council offered work placements to CWA students undertaking their Public Services course for the first time and plans to expand this during the 2022/23 academic year are already well underway. Links with DWP and other partners to provide information and support in relation to work experience and careers has commenced, but progress is slow due to other workloads.</p>	<p>B Box</p>

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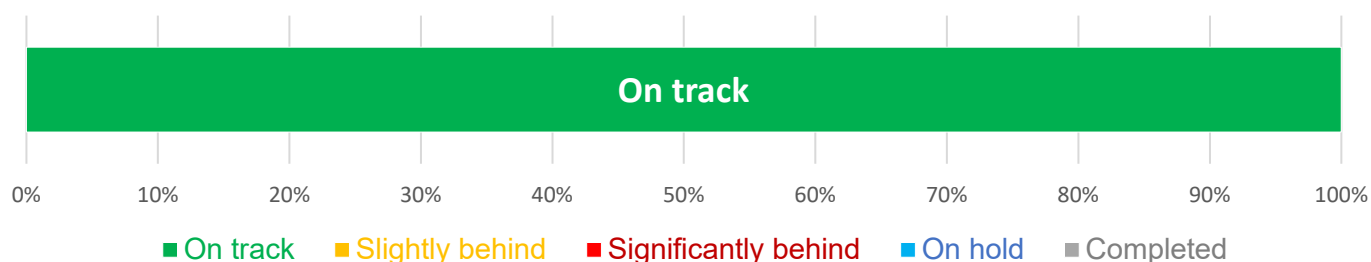
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2022/23 Corporate Business Plan Monitoring Report

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Creating and maintaining good quality places that make a positive difference to people's lives

Current position breakdown of key actions



5.1 Target littering and fly-tipping	RAG rating
<ul style="list-style-type: none"> Work with partners across the county and regionally to deliver the SCRAP fly-tipping campaign 	G
Progress update provided by Assistant Director	
<p>Work on the SCRAP campaign continues with locally produced material released to the press showing progress and explaining how fly-tipped materials can be taken to the tip for free. We have worked with ITV Anglia on their successful launch of their environmental campaign in Hunstanton. A second Clean Neighbourhoods Enforcement Officer has been appointed and is due to start in October 2022.</p>	M Chisholm

5.2 Maintain standards for open and green spaces	RAG rating
<ul style="list-style-type: none"> Engage with the public to enhance the involvement and interest of local residents with regards to areas of Public Open Space 	G
<ul style="list-style-type: none"> Engage with and assist in developing and supporting existing voluntary and community group's including Parish Councils. 	G
<ul style="list-style-type: none"> Continue to develop and improve visual image on key routes into west Norfolk 	G
Progress update provided by Assistant Director	
<p>Public engagement continues through the development and delivery of In Bloom, winning gold in three categories this year.</p> <p>A successful collaboration with Sedgford PC on tree planting has been achieved.</p> <p>Currently developing methodology for improvements of litter picking on key routes with opportunities to improve appearance and bio-diversity in a small number of key locations.</p>	M Chisholm

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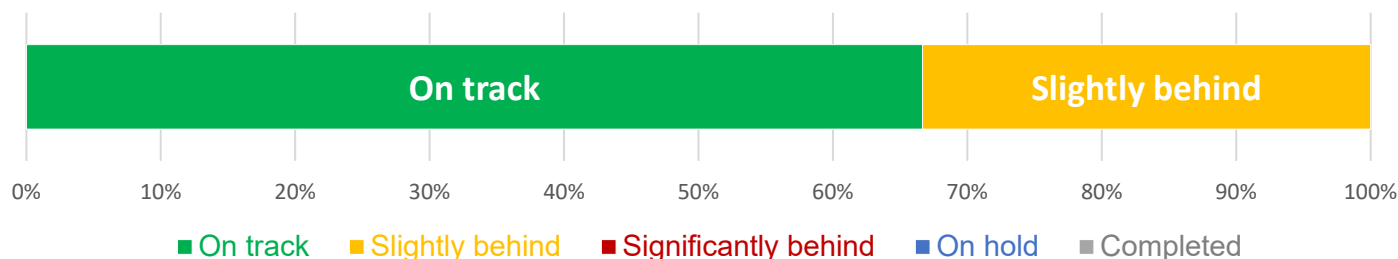
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1 April – 30 September 2022

Helping to improve the health and wellbeing of our communities

Current position breakdown of key actions



6.1 Improve and develop the quality of local sport and leisure facilities	RAG rating
<ul style="list-style-type: none"> Work with partners on local projects to improve health and physical activity levels 	G
<ul style="list-style-type: none"> Support the development of health & well-being schemes to encourage activity. 	G
<ul style="list-style-type: none"> Consider Playstreet initiatives and specific health programmes for targeted groups. 	G
<ul style="list-style-type: none"> Work with NHS and Active Norfolk on a borough/county wide approach to exercise referral as well as implement a Cancer Rehab programme delivered from the new Wellbeing Centre at QEH. 	G
Progress update provided by Assistant Director	
<p>The new Health and Wellbeing Partnership is now in place with the first two formal meetings successfully held. The Lily Careline Manager and Assistant Director also attend meetings in respect of Inactivity and Health Inequalities. The new ICS model will present significant opportunities to align health with local priorities.</p> <p>Current schemes/initiatives</p> <ul style="list-style-type: none"> working with the Queen Elizabeth Hospital (QEH) to provide employer subsidised memberships with over 420 now sold. Man v Fat Football now has over 120 players seeing a combined weight loss of over 1000kg All to Play For Football supporting men with mental health conditions taking place weekly in partnership with Wellbeing, Mind and 856 Foundation. Funding secured from Adrian Flux, 856 Foundation and Anglia Ruskin University to support a new role to focus on improving physical activity participation in North Lynn. Cancer Care programme established in partnership with QEH is being delivered from the Cancer Wellbeing Centre at QEH. Task and Finish group set up for West Norfolk to implement the Active NoW exercise referral scheme. QEH Pain Management Clinic, QEH Diabetic Team, NHS Health Check Service and NHS Wellbeing Surgery Coordinator are new referral partners for the AWN Wellness Referral Scheme. 	M Whitmore

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2022/23 Corporate Business Plan Monitoring Report 1 April – 30 September 2022

6.2 Reduce crime and anti-social behaviour	RAG rating
<ul style="list-style-type: none"> Work with partners to tackle anti-social behaviour, fear of crime and to deal with neighbourhood nuisance/public health issues 	A
<ul style="list-style-type: none"> Provide technical knowledge and expertise to help develop proposals which benefit the town economically whilst conforming with current codes of practice on good design for noise control and ensuring opportunities for Crime and ASB are designed out. 	A
Progress update provided by Assistant Director	
<p>Generally on track however, as reported in 1.3 significant pressures in supporting other corporate work (eg Homes for Ukraine Welfare Visits etc) has given rise to additional pressures. Enviro-crime work is progressing well following additional investment in this area of the service.</p>	M Whitmore

Rating definition

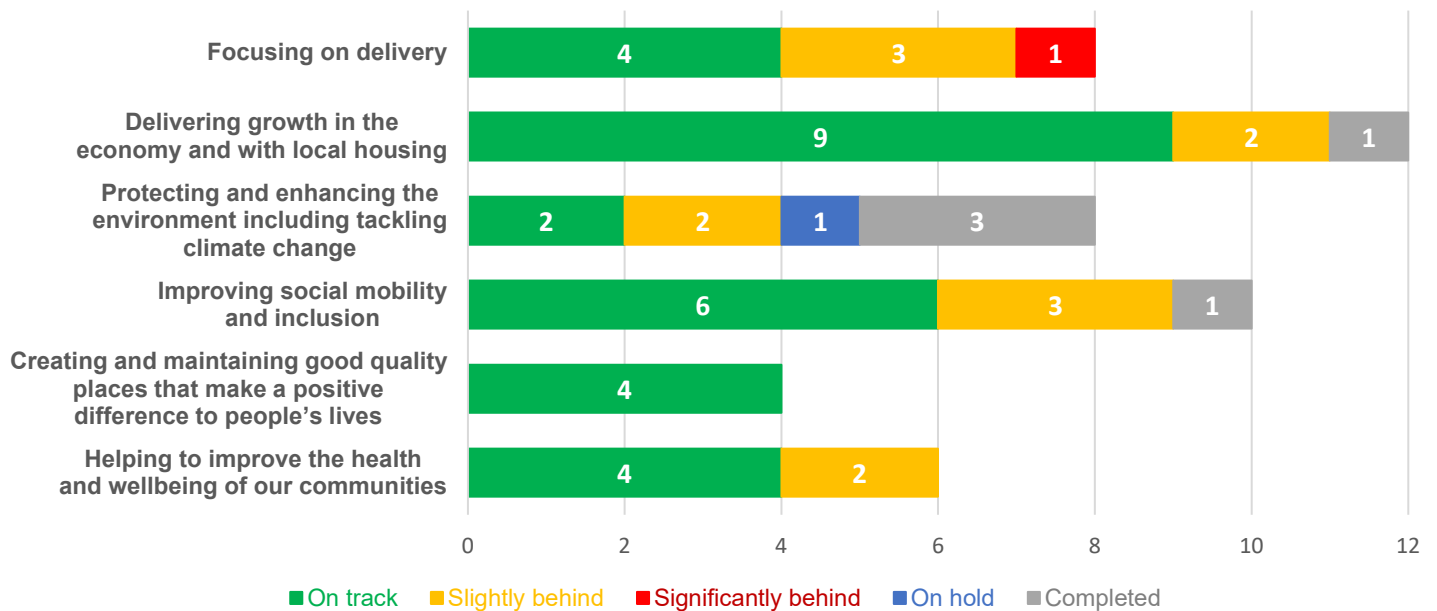
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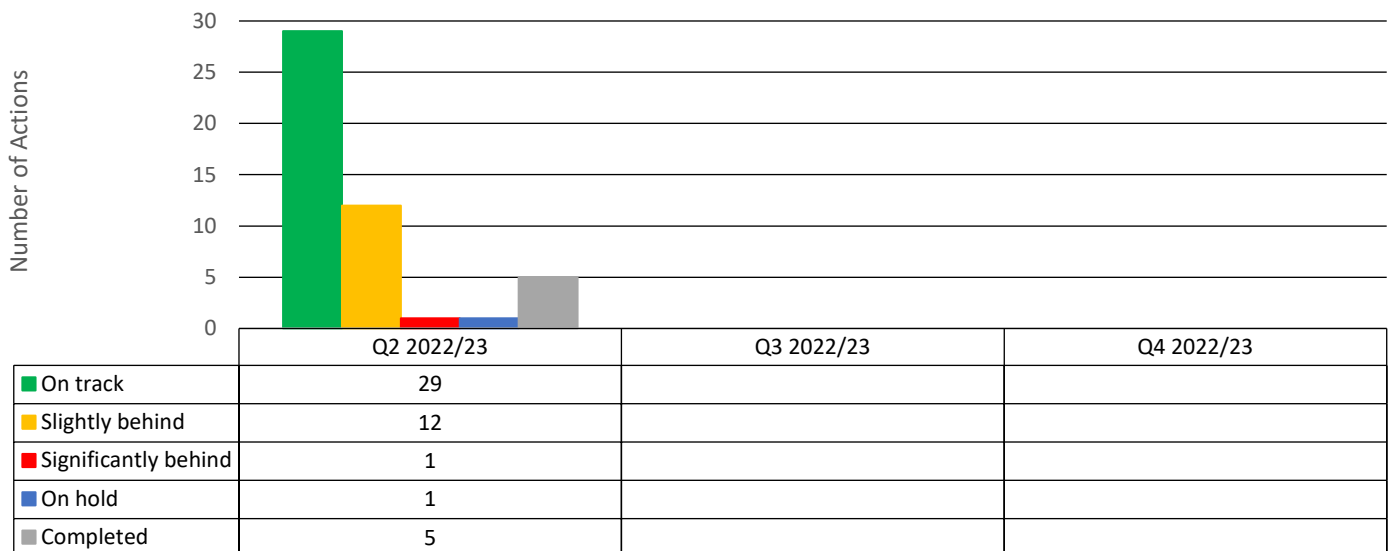
2022/23 Corporate Business Plan Monitoring Report

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Overall position breakdown of key actions



Breakdown of key actions



Rating definition

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REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Discretionary /	Be entirely within Cabinet's powers to decide		YES	
	Operational	Need to be recommendations to Council		NO	
		Is it a Key Decision		NO	
Lead Member: Cllr H Humphrey E-mail: cllr.harry.humphrey@west-norfolk.gov.uk			Other Cabinet Members consulted:		
			Other Members consulted: Cllr Brian Long		
Lead Officer: Martin Chisholm E-mail: martin.chisholm@west-norfolk.gov.uk Direct Dial: 01553 616650			Other Officers consulted: David Morton, Nathan Johnson, Mark Whitmore		
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment YES If YES: Pre-screening	Risk Management Implications YES	Environmental Considerations YES

Date of meeting: 15th November 2022

BALLOON, SKY LANTERN & FLYING RINGS

Summary

The release of balloons and sky lanterns in the outdoor environment poses a threat of harm to wildlife and livestock from ingestion, entanglement, entrapment and through the panic they cause. The flames within sky lanterns can pose a fire hazard and when released out to the sea a risk to the proper and effective operation of coastal rescue services.

Plastic flying rings, when used on the beaches and inadvertently left or lost present a risk to marine wildlife and in particular, seal pups as they may become trapped around the neck of the pups and may, in time, cause strangulation of the pup as they mature/grow if they are not caught, and the ring removed.

Both of the above are a potential source of litter and waste in our environment.

Recommendation

1. To continue to prohibit the mass release of balloons and sky lanterns on council land and beaches through terms and conditions of hire.
2. To continue to discourage any mass release of balloons and sky lanterns through funding or officer time.
3. To prohibit the use of flying rings on council beaches and proactively discourage their use in other areas where there is a chance they could end up in the sea.

4. To sign up to the Norfolk County Council Balloon and Sky Lantern Charter
5. Use available opportunities to promote these practices and encourage environmentally friendly alternatives, some of which can be found on the RSPCA website [Eco-Friendly Alternatives to Balloon Releases & Sky Lanterns | RSPCA](#).
6. To acknowledge that the extent of the powers available currently are to warn, inform and engage with land users in the hope that they comply, currently there are no associated resource to patrol the affected areas nor powers to penalise anyone failing to comply.

Reason for Decision

The recommendations enable the council to raise awareness of balloons, sky Lantern and flying ring releases as an avoidable animal welfare, financial and safety issue, and prevent release on Council land.

1 Background

In August 2016, Cabinet resolved to prohibit the mass release of balloons and sky lanterns through the terms and conditions of hire of Council land.

A code of conduct was also agreed for adoption to discourage staff and members from supporting mass balloon and sky lantern releases.

In September 2020 a further report was made to the Environment & Community Panel to present an update and to consider extending the ban on balloons and sky lanterns a ban of flying rings on Borough Council Beaches.

The release of balloons and sky lanterns in the outdoor environment poses a threat of harm to wildlife and livestock from ingestion, entanglement, entrapment and possibly cause the animals to panic. The flame within sky lanterns can also pose a fire hazard and, when released out to sea, pose a risk to the proper and effective operation of coastal rescue Services.

Flying rings are a potential danger to sea life and in particular, sea lion pups as they may become trapped around the neck of the pups and may cause strangulation of the pup as they mature / grow, if they are not caught and the ring removed.

This has been highlighted in the local press via the Friends of Horsey Seals who have been touring the coastline towns of Norfolk and Suffolk highlighting the danger of flying rings.

All of these items are also a source of waste in the environment.

The present ban only applies to those people/groups 'hiring' and/or using Borough Council land inc. beaches.

At the meeting in September 2020, it was recommended that:

- The Code of Conduct be amended to include a ban on mass release of balloons and sky lanterns by anyone on Borough Council land.
- The Terms and Conditions of Hire include the ban on mass release.
- The Borough Council sign up to the Norfolk County Council Balloon and Lantern Release Charter.
- The Council provide and promote links to alternatives to the mass release of balloons/sky lanterns such as those provided by the RSPCA
- Flying rings be banned on Borough Council Beaches and that liaison with friends of Horsey Seals take place to encourage public and retailer education.
- A Code of Conduct be established for the ban on flying rings

2 Options Considered

A total ban has been considered but there are no powers to enforce this. Control via hire agreements where in place and education and advice is as far as we can practically go for the time being.

3 Policy Implications

None

4 Financial Implications

None

5 Personnel Implications

None

6 Environmental Considerations

These actions seek to improve environmental conditions both in terms of reducing the potential danger to wildlife and habitat and by reducing waste.

7 Statutory Considerations

None

8 Equality Impact Assessment (EIA)

(Pre screening report template attached)

Completed

9 Risk Management Implications


Clearly there is a reputation risk when birds, seal pups and other wildlife is found to have become entangled with any of the items in this report. It should be noted however, that those that appear on our beaches and land won't always have been associated with balloons, sky lanterns or flying rings that have been discarded from our land.

10 Declarations of Interest / Dispensations Granted

None

11 Background Papers

E&C report

Question	Answer	Comments			
Pre-Screening Equality Impact Assessment	Borough Council of King's Lynn & West Norfolk 				
Name of policy/service/function	Balloon, Sky Lantern & Flying Rings Policy				
Is this a new or existing policy/service/function?	New				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations	The policy aims to clarify the Council's stance on the release of balloons and sky lanterns and the use of flying rings on Council land.				
Question	Answer				
1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service? Please tick the relevant box for each group. NB. Equality neutral means no negative impact on any group.		Positive	Negative	Neutral	Unsure
	Age			✓	
	Disability			✓	
	Gender			✓	
	Gender Re-assignment			✓	
	Marriage/civil partnership			✓	
	Pregnancy & maternity			✓	
	Race			✓	
	Religion or belief			✓	
	Sexual orientation			✓	
	Other (eg low income)			✓	

2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	
3. Could this policy/service be perceived as impacting on communities differently?	No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	Actions: Actions agreed by EWG member:
If ‘yes’ to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary: Decision agreed by EWG member:		
Assessment completed by: Name B Box		
Job title: Asst Director		
Date 7 November 2022		

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