

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**CORPORATE PERFORMANCE PANEL**

Minutes from the Meeting of the Corporate Performance Panel held on Monday, 27th February, 2023 at 4.30 pm in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: J Moriarty (Chair)
Councillors B Ayres, C Hudson, B Long, J Lowe, C Manning, C Morley, S Nash,
C Rose and D Tyler

Portfolio Holders**Officers:**

Becky Box, Assistant Director, Central Services
Lorraine Gore, Chief Executive
Honor Howell, Assistant to the Chief Executive

CP99 **APOLOGIES**

Apologies were received from Councillor Mrs Spikings and Alexa Baker, Monitoring Officer.

CP100 **MINUTES**

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The minutes of the meeting of the Corporate Performance Panel held on 4 January 2023 were agreed as a correct record and signed by the Chair.

CP101 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

CP102 **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business.

CP103 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillors M de Whalley and P Beal were present under Standing Order 34.

CP104 CHAIR'S CORRESPONDENCE

There was no Chair's correspondence.

CP105 CALL-IN

There were no call-ins.

CP106 Q3 2022/23 CORPORATE PERFORMANCE MONITORING REPORT

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In presenting the report, the Assistant to the Chief Executive explained that the corporate performance monitoring report was in place to monitor progress against agreed performance indicators for the year 2022/23. It was noted that the report contained information on the corporate performance monitoring undertaken for Q3 2022/23.

The Panel was informed that the Q3 2022/23 monitoring report showed that 36 targets had been met, 11 indicators were near to target and 7 indicators required improvement.

The Assistant to the Chief Executive advised that following the publication of the Agenda, the correction to the following information:

- Page 32, 5.6: King's Lynn long stay, car parking tickets purchased – November 2022 should read 12,866.

The Assistant to the Chief Executive advised that the monitoring report now featured a summary to highlight specific performance issues where indicators had not met or were near to the agreed targets. Trend detail and officer comments were included to provide an overview of the indicators listed in the summary.

The Assistant to the Chief Executive explained that the Assistant Director for Careline and Care and Repair was present to answer any questions in relation and adapt grants completed, emergency repair grants and what the team would be working on and why the indicators were showing red at the current time.

In response to questions from Councillor Long on indicator 1.3 % of calls answered within 90 seconds, the Assistant to the Chief Executive explained that the clock started ticking once the customer had joined the queue not when selecting the appropriate option. It was deemed 90 seconds to be a fair target and during Q3 the response time had been 69 secs. It was explained that during Q3 the Customer Information Centre had seen the volume of calls and resources return to normal, this had resulted in monthly targets being met with an 8% improvement from Q2.

Councillor Kunes commented that he had previously been involved with the sale of telephone equipment for call centres and that 90 seconds was the standard time to respond to calls but explained that the target time could be adjusted.

Councillor de Whalley stated that after looking at the information it seemed to be an achievable target to work to.

The Assistant to the Chief added that it was an important target because many customers telephoned on mobile phones who were charged whilst waiting for a response so it should be a priority to answer calls as quickly as possible.

In response to questions from the Chair, Councillor Moriarty in relation to adapt grants completed, emergency repair grants, the Assistant Director explained the target was the number of grants delivered within timescale and provided an overview on the Disabled Facilities Grant, Adapt and emergency repairs grants. It was highlighted that there had been significant delay during the Pandemic and the team were now working through the backlog. In conclusion, the Assistant Director explained that it was necessary to review how the information was presented to the Panel in the future to provide a better overview on how the service was performing.

The Chair welcomed Oliver Judges, new Executive Director – Place to the meeting.

Councillor Morley asked for clarification on the figures for the following indicators and how they linked together:

- 2.10: Number of homes delivered.
- 2.11: Number of new homes built (BCKLWN).
- 2.12: Number of new homes sold (BCKLWN).

In response, the Assistant to the Chief Executive explained that she would need to speak to the relevant Assistant Director as to why there was disparity between homes built and homes sold and respond to Councillor Morley.

The Chief Executive added that the number of homes delivered included those delivered across the Borough not just the units developed by the Borough Council.

Following further questions from Councillor Morley on indicator 2.14: Number of new Affordable Homes (West Norfolk Housing Company Ltd) and questioned if text be inserted to indicate how many were affordable homes were built in a year and that there appeared to be a gap. In response, the Chief Executive advised that officers could look at the points raised by Councillor Morley regarding West Norfolk

Housing Company and affordable units to ascertain if the requested information could be included in future reports.

In response to questions from Councillor Long on the number of private rented properties with West Norfolk Property and the number of affordable properties with West Norfolk Housing Company, the numbers were fine but it was the knowledge that they were being rented or vacant possession or taken possession of, etc, the Assistant to the Chief Executive explained that the properties were being lived in but officers would look to add more details to the indicators when the annual report was presented to the Panel.

The Chair, Councillor Moriarty invited the Panel to submit questions on specific areas in advance when the report was presented to future meetings to ensure that responses could be available.

The Chair thanked the Assistant to the Chief Executive for the report and the Assistant Director for responding to questions raised.

RESOLVED: The Panel reviewed the performance monitoring report.

CP107 **CABINET REPORT: LOCAL GOVERNMENT ASSOCIATION (LGA) - CORPORATE PEER CHALLENGE**

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The Chair, Councillor Moriarty advised that the item would be deferred as the appendix to the report had not been included in the agenda and had only been published on Mod Gov earlier in the day, it was not fair to ask the Panel to consider the item.

RESOLVED: The report to be deferred to 5 April 2023.

CP108 **HUNSTANTON PROMENADE WASTE WATER - UPDATE**

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The Assistant Director, Property and Projects introduced Tracy Brooker, Property Services Manager to the Panel who would be presented future reports.

The Assistant Director presented the report published as a supplement to the agenda and explained that the kiosk tenants had been canvassed regarding the disposal of waste and responses had been attached to the report as an appendix. The Panel was advised that all tenants had claimed that they disposed of waste in an appropriate manner and that only one complaint had been received by Property Services in relation to waste water. The responsibilities of tenants had

been included in the Lease and the Borough Council would monitor the situation when resource was available. In conclusion, the Assistant Director explained that there was a legal remedy if there was a breach of the terms of the Lease.

The Property Services Manager explained that there were provisions within the Leases for disposal of waste water appropriately and that the Council had a meeting scheduled with Anglian Water Authority week commencing 6 March 2023. The Panel was advised that tenants were reminded on an annual basis at the beginning and end of the season of their responsibilities for appropriate disposal of waste material.

In response to a comment from the Chair, Councillor Moriarty on the appendix, the column Waste Water, Kiosk 13, transferred to where, the Assistant Director explained that it was an extract from an excel spreadsheet and undertook to circulate the information to the Panel.

Councillor Long provided clarification that where waste oil, water and trade waste was being removed from kiosks were presumably all items classified as waste were controlled by the appropriate Act and there would be waste transfer note for each consignment for any commercial waste operator collecting waste. In response, the Assistant Director advised that the companies collecting waste were all registered and recognised companies, but there was a concern that waste was being taken home and disposed of as residential waste. The Panel was informed that there was a relatively modest amount of waste generated from a kiosk.

Under Standing Order 34, Councillor Beal referred to paragraphs 2.1 and 2.2 and asked for clarification on the monitoring arrangements. In response, the Assistant Director explained that a letter was sent to tenants to reinforce their responsibilities for disposal of waste and that Borough Council officers from Property Services and Resort Services monitored the situation when resource was available but highlighted the difficulties in policing the disposal of waste material.

In response to a question from the Chair, Councillor Moriarty if the Council could assist with the kiosk tenants compliance with the terms of the lease, the Assistant Director advised that the majority of tenants had arrangements in place with recognised companies. If the Council provided assistance a service charge would be incurred and highlighted the fact that Property Services had only received one complaint on disposal of waste water.

Under Standing Order 34, Councillor Beal outlined his reasons why he did not agree with the explanation from the Assistant Director. Councillor Beal stated that a simple solution would be for every kiosk to be issued with a water bowser which was emptied on a weekly basis and a trade waste bin be placed outside each kiosk. In response, the Portfolio Holder for Environment explained that it would not be economically viable for the Council to provide a bowser for each kiosk.

Following the comments and questions from the Panel, the Chair asked for a further ten minute update to be provided to the next meeting.

RESOLVED: The Panel to receive a further update report to be presented to the Panel at the next meeting on 5 April 2023.

CP109 **PORTFOLIO QUESTIONS AND ANSWER SESSION**

There were no Portfolio Holder questions.

CP110 **CABINET FORWARD DECISIONS LIST**

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The Panel noted the Cabinet Forward Decisions List.

The Chair invited the Panel to forward any items for inclusion on the work programme.

CP111 **PANEL WORK PROGRAMME**

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The Panel noted the work programme.

The Chair invited the Panel to forward any items for inclusion on the work programme.

CP112 **DATE OF NEXT MEETING**

The next meeting of the Corporate Performance Panel will be held on 5 April 2023 at 4.30 pm in the Council Chamber, Town Hall, King's Lynn.

CP113 **FULL REVIEW OF INVESTIGATING AND DISCIPLINARY COMMITTEE (IDC)**

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The Assistant Director, Central Services explained that the item had been requested by the Corporate Performance Panel (CPP), supported

by the Chair of the Panel. It was explained that the report responded to a brief as captured on the CPP work programme as follows:

“Full Review of the Investigating and Disciplinary Committee (IDC)” to include the appointment of Members, standing orders relating to the investigation of discipline of statutory officers and terms of reference for that Committee.”

The Panel was advised that a paper was attached to the covering report setting out the background to the creation of the IDC and the additional information requested by the Panel. The Assistant Director explained that also attached were the model procedure, the recommendations from the report to Council and the Terms of Reference for the IDC as set out in the Constitution.

Councillor Nash stated that the Council had the policy in place to deal with such things and his view thought it was worth bearing in mind and considering, as Councillors dealing with the quasi-judicial procedure who had responsibility to the public. to learn the procedure so when officers perverted the procedure on behalf of voters, Councillors spotted the perversion of the course of justice and acted upon it. Councillor Nash emphasised the inadequacy of Councillors on the Committee.

Councillor Hudson made comments regarding the delay in the procedure for investigations but the Chair, Councillor Moriarty reminded Councillor Hudson she was referring to the Standards Committee and not the IDC.

Councillor Nash declared an Interest in the IDC as he was involved in a complaint and added that one of the things the Council failed to pick up was that neither the person complained about or the complainant was interviewed. The IDC was delegated to appoint an external investigator at a cost of £700 per day plus VAT and in this particular case was 4 days and that only one meeting was convened. Councillor Nash agreed with the statement made by Councillor Hudson that the investigation procedure used by the Council was ignored by officers.

Councillor Hudson added that contrary to what council officers thought, Councillors had a lot of knowledge and added that there was no need to appoint anyone outside as Councillors who had knowledge of the Council, etc could be approached themselves to take this sort of task forward some knowledge of the Council, etc. Councillor Hudson commented that there were enough Council officers in house and there was no need go outside of the Council.

The Chair, Councillor Moriarty explained that the Council had a statutory obligation to have an IDC.

Councillor Long drew the Panel’s attention to the recommendation and highlighted that Members were not scrutinising the Standards

Committee regime. There was a statutory requirement for an IDC the report explained that the Council had an Appointments Board, which dealt with recruitment for senior officer posts such as the Chief Executive and Monitoring Officer and it was recommended that body in existence also performed this function. Councillor Long gave an overview on why investigations were required and explained the benefit of an external adviser.

The Assistant Director, Central Services advised that the committee had been formed and this report summarised the creation and implementation of the committee.

Councillor Nash stated that the independent investigator should be appointed by the IDC at the choice of the statutory officer complained of. Councillor Nash highlighted the responsibility of Councillors to oversee what the officers were doing.

The Assistant Director, Central Services explained that the IDC had been created by extending the terms of reference for the existing Appointments Panel and within the regulations that you are able to extend the remit of an existing Council body to take on the responsibility.

In response to a question from the Chair, Councillor Moriarty on this arrangement being normal practice in other Councils, the Assistant Director, Central Services explained that it was normal practice for local authorities to use an existing structure to take on this responsibility. It was possible there could be a standalone committee, but this was the choice of a local authority

Following a further question from the Chair, Councillor Moriarty on the delegated decision arrangement during the Pandemic, the Assistant Director, Central Services confirmed that there had been a report for Full Council with the recommendations as attached at Appendix B of the report.

The Chair thanked the Assistant Director for the interesting report.

RESOLVED: That the report was considered by Panel Members to familiarise themselves with the requirements for implementing an IDC within the Council and the steps undertaken to establish this Committee.

CP114 **PRESENTATION ON RENT ARREARS**

RESOLVED: The report to be deferred to 5 April 2023.

The meeting closed at 5.26 pm