

## REPORT TO CABINET

<b>Open/Exempt</b>		Would any decisions proposed:			
<b>Any especially affected Wards</b>	<b>Mandatory/ Discretionary/ Operational</b>	Be entirely within Cabinet's powers to decide		YES/ <del>NO</del>	
		Need to be recommendations to Council		<del>YES</del> /NO	
		Is it a Key Decision		<del>YES</del> /NO	
Lead Member: Cllr Terry Parish, Leader E-mail: <a href="mailto:cllr.terry.parish@west-norfolk.gov.uk">cllr.terry.parish@west-norfolk.gov.uk</a>		Other Cabinet Members consulted:			
		Other Members consulted: King's Lynn Area Consultative Committee			
Lead Officer: Alexa Baker, Monitoring Officer E-mail: <a href="mailto:alexa.baker@west-norfolk.gov.uk">alexa.baker@west-norfolk.gov.uk</a> Direct Dial: 01553 616270		Other Officers consulted: Lorraine Gore, Chief Executive, Michelle Drewery, Section 151 Officer			
Financial Implications YES/ <del>NO</del>	Policy/ Personnel Implications YES/ <del>NO</del>	Statutory Implications YES/ <del>NO</del>	Equal Impact Assessment <del>YES</del> /NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/ <del>NO</del>	Environmental Considerations <del>YES</del> /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If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					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: 5 MARCH 2024

**Subject: Revising King's Lynn Advisory and Consultative Committee into a decision making body**

### Summary

The Council has included within its Corporate Strategy for 2023 – 2027 the following:

*Bring forward proposals to enable the King's Lynn Advisory and Consultative Committee (KLACC) to become a decision-making body.*

KLACC has been consulted at two public meetings on these proposals.

A draft Terms of Reference for an Area Committee (Appendix 1) is attached.

### Recommendation

#### Cabinet resolves:

1. That a new executive Area Committee constituted pursuant to section 9E of the Local Government Act 2000 be established, to be known as the 'King's Lynn Area Committee ("KLAC")'.
2. The terms of reference at Appendix 1 be adopted for KLAC.

### Reason for Decision

To deliver the Council's Corporate Strategy.

# 1 Background

- 1.1 The Council established the King's Lynn Advisory and Consultative Committee (KLACC) to provide a forum in which matters affecting the unparished areas of King's Lynn could be discussed. KLACC also acts as a consultative forum on various matters and can make recommendations to Cabinet on proposed highway improvement schemes within the area.
- 1.2 KLACC consists of 14 Councillors representing the 8 wards of the unparished areas of Kings Lynn. The legal status of KLACC is that of an advisory committee and therefore does not have any decision-making powers. The current KLACC Terms of Reference:

## Terms of Reference and Operational Model

### Role

The role of the Committee is to:

Enable Borough Councillors from the unparished area of King's Lynn to meet together to discuss issues of mutual interest which have implications beyond the boundaries of individual wards. Recent examples might include the proposed Saddlebow Incinerator.

To act as a consultative forum on issues affecting the whole or the majority of the unparished area of King's Lynn. Recent examples might include the most appropriate location for the Parkour equipment, and planning applications for major developments.

To act as a consultative forum on the funding raised by, and utilisation of the King's Lynn Special Expenses, and to offer input on priorities for this expenditure and if appropriate the level of funds to be raised.

To encourage community engagement within King's Lynn.

Within the deadlines of the Scheme and in a timely fashion to feed into the Council's budget process, make recommendations to Cabinet on proposed highway improvement schemes, which have been supported by a business case and are within the unparished areas of King's Lynn and West Lynn, for match funding through the County Council's Parish Partnership Programme, or similar parish funding schemes.

- The Committee will meet on a quarterly basis and be supported by Democratic Services and a senior officer. The King's Lynn Area Advisory Committee will continue to operate after 1<sup>st</sup> May 2015 in its current format for a period of 4 years.

### Membership

All of the Borough Councillors representing the unparished area of King's Lynn.

The Committee shall appoint its own Chairman and Vice-Chairman.

### Other Bodies

It is not intended that the Committee should usurp or replace the role or responsibility for individual Councillors. In particular to address matters which relate to their individual ward.

## **2 Options Considered**

- 2.1 The Council has set out to revise KLACC into a decision-making body as part of its Corporate Strategy.
- 2.2 KLACC Members were consulted with on two occasions, on 11 January 2024 and 13 February 2024.
- 2.3 At the KLACC meeting of 11 January, options for the legal status of a decision-making body were discussed. The two options were:
  - a. A free-standing non-executive (ie. A Full Council function) committee. The Committee would have terms of reference setting out the remit in which it could act, set by Full Council. The Committee would need to be politically proportional and therefore it would not be possible to have a decision-making body solely made up of ward members from unparished areas of King's Lynn, unless Groups were willing to give up seats to enable this.
  - b. An executive Area Committee. This would be a Committee established by Cabinet, but legislation requires that membership be made up of only members from the area it covers. Setting a new body up as executive function will have increased alignment with current decision-making powers which sat with Cabinet.
- 2.4 The KLACC members agreed that an executive Area committee was the preferred option.
- 2.5 KLACC's views on the following key areas as sought:
  - a. The remit and decision-making powers of the newly created body; and
  - b. The name of the newly created body

### The remit and decision-making powers of the newly created body;

- 2.6 KLACC Members approved, in substance, the terms of reference at Appendix 1, which sets out the remit and decision making powers.
- 2.7 This includes authorising the spend of allocated budget, within defined parameters and always subject to the Council's policy framework and overall budget.
- 2.8 Within the current budget and the proposed 2024/2025 budget there are two reserves which can be allocated to a new decision-making body. The first, which sits at £10,800.00, has already been approved to be allocated to KLACC and relates to the income generated through Covid from the use of the South Lynn Community Centre. The second, which sits at £35,500.00, has a current allocation towards Fairstead and South Lynn community centres.

- 2.9 Once the allocated reserves are exhausted, the only remaining funding (excepting a specific Full Council budget allocation in future years) for the new body would be in connection with special expenses. This would either result from a) specific items currently charged to special expenses for King's Lynn being stripped out, leaving surplus for other expenses or b) increased income from the community centres rendering a surplus of special expenses which the decision-making body could allocate elsewhere. The setting of special expenses would remain a Full Council function.
- 2.10 KLACC Members approved the inclusion of a new enhanced role of monitoring special expenses throughout the year, which would include areas of underspend and overspend and directing corrective action and enabling proposals to be formulated for special expenses for the following year, where possible.
- 2.11 Submitting bids for relevant funding applications has been delegated to the new body in the terms of reference, subject to the Chief Executive's approval of the officer time and resource to support the new body.

#### The name of the newly created body

- 2.12 KLACC Members resolved on naming the new body the King's Lynn Area Committee 'KLAC'.

### **3 Policy/Personnel Implications**

There will be personnel implications with officers supporting KLAC with their enhanced decision-making powers, including submitting bids for funding, however the terms of reference contain a provision that require the Chief Executive, as head of paid service, to approve the officer resource to ensure this remains within the available capacities.

### **4 Financial Implications**

There are currently two reserves that will be allocated to KLAC. A £10,800 reserve related to income generated through COVID from the use of the South Lynn Community Centre 6 and the second £35,500 currently allocated towards Fairstead and South Lynn Community Centers. The creation of an executive area committee would enable the committee to apply for funding such as Community Infrastructure Levy and Shared Prosperity Funding for projects specific to King's Lynn. Future budget allocation would be approved through Full Council and/or the budget monitoring process.

### **5 Policy Implications**

Decisions of KLAC would have to be taken in accordance with the Council's approved policy framework.

### **6 Environmental Considerations**

None

## **7 Statutory Considerations**

Section 9E of the Local Government Act 2000 provides the power for Cabinet to set up an Area Committee.

## **8 Equality Impact Assessment (EIA)**

(Pre-screening report template attached)

No direct impact.

## **9 Risk Management Implications**

Decisions of the new KLAC will be subject to call-in and can be scrutinised before their consideration by KLAC.

## **10 Declarations of Interest / Dispensations Granted**

CLlr Rust is the Chair of KLACC.

## **11 Background Papers**

None