



Cabinet
Tuesday, 1st August, 2023 at 3.30 pm
in the Council Chamber, Town Hall, Saturday Market
Place, King's Lynn PE30 5DQ

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **MATTERS REFERRED TO CABINET FROM OTHER BODIES** (Pages 2 - 10)

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

Recommendations from the Corporate Performance Panel held on 24 July 2023

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RECOMMENDATIONS TO CABINET 1 AUGUST 2023 FROM THE CORPORATE PERFORMANCE PANEL HELD ON 24 JULY 2023

CP31 CABINET REPORT: DRAFT COUNCIL TAX SCHEME FOR 2024/2025

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In presenting the report, the Revenues and Benefits Manager explained that the Council operated a scheme to help working age people on low incomes with the cost of their council tax by reducing their council tax bill. This was known as the Council Tax Support (CTS) scheme. It was explained that there was a national set of regulations for a CTS scheme for customers who had reached pension age, but the Council were free to decide the rules for its own CTS schemes for working age people in the area, taking into account some government requirements. The Panel was advised that the report only referred to the Borough Council's CTS Scheme for working age people.

Members were advised that the Council must review and agree its CTS scheme for its working age residents for each financial year and there was a process to follow when deciding its CTS scheme. It was noted that the Council must first consult with Norfolk County Council and the Police and Crime Commissioner for Norfolk as they are affected by the Council's scheme. The Revenues and Benefits Manager explained that Cabinet must then decide on a set of draft rules for the Council's working age CTS scheme which were then open for public consultation for six weeks. Once the consultation closed the Council must review the responses and full Council must agree a final CTS scheme by March 2024, taking into account any comments made as part of the consultation. Reports were then taken to the Corporate Performance Panel and to Cabinet as appropriate as part of the process.

The options for the proposed draft CTS scheme for working age people for 2024/2025 were detailed in section 2.

The Chair invited the Portfolio Holder, Finance to address the Panel.

Councillor Morley commented that at least for the last 2 years Councillors had been trying to persuade the Council to give 100% support to those who needed it. This was time for the Administration to deliver the support. Councillor Morley supported the report and the Council moving towards 100% support and would welcome the endorsement from the majority of Members of Corporate Performance Panel.

Councillor Long added that it was not a surprise that the new Administration was coming forward with a 100% Council Tax Support Scheme as it had been said over a number of years they wanted to see a 100% scheme. His opinion had not changed and he still believed

that everybody should pay their share of local services and delivery to offer a scheme where anybody over national pension age who would qualify and other protected groups had been 100% protected. Councillor Long commented that it was the other groups that didn't fit into the criteria where there had been an increase over the past 75% up to 84% received a 16% council tax bill and that in his opinion was fair and equitable. In conclusion, Councillor Long outlined the burden of a 100% Council Tax Support Scheme.

Councillor Jones commented that he was pleased to see the 100% Council Tax Support Scheme.

The Chair reminded the Panel that there were four options available as set out in section 2 of the report.

Councillor Mrs Dickinson asked questions in relation to supporting data and added that looking at report there appeared to be 6 or so variables but the Panel was only being presented with 4 options and felt that the options could be expanded a little and in particular, would be interested in seeing what the national levels would be whilst still retaining the 84% support as an example.

Councillor Mrs Dickinson referred to 2.1, Page 236, Option 1, 3rd bullet point:

“There is a growing trend across England for local authorities to make their CTS schemes more generous in response to the cost of living crisis. In 2023/2024 29 authorities increased their level of support, and around a third of CTS schemes now cover up to 100% of a household's council tax bill.”

and asked what the context of up to is it 100% or approaching 100%. In addition, Councillor Mrs Dickinson added that assuming a third were given 100%, what were the remaining two thirds doing. In Councillor's Dickinson opinion this was significant and thought that the Council should look at itself in conjunction with other local authorities because there were approximately 275 billing authorities in the country and two thirds was 180 and would therefore like to ask for data, for example how many of those offered between 75% and 84% and 84% and 99% support. In conclusion, Councillor Mrs Dickinson commented that there were likely potential statistics that the Council would wish to compare itself with prior to making a decision and once a decision had been made to operate a 100% CTS scheme it would be difficult to withdraw from in the future.

In response, the Revenues and Benefits Manager explained that it was difficult to expand in detail on every single option but added that the report tried to capture the variables where these are different to the national scheme and pension scheme. The Revenues and Benefits Manager gave an example of the capital limit where it was difficult to establish what the impact would be as the Council had a lower limit

than the national scheme and we would not know how many people would benefit if the limit was increased. In response to the question about up to 100% support, the Revenues and Benefits Manager explained that claimants could receive the maximum support of 100% but it could be less if someone had more income than the allowed amount, for example if they had earnings above the limit.

The Revenues and Benefit Manager advised that in relation to other authorities there was a report available by an independent firm to advise government which showed different schemes, a copy of which would be circulated to the Panel.

Councillor Lintern thanked the Revenues and Benefits Manager for the report because the up to was critical rather than a blanket 100% because as Councillor Long commented that were amongst the 70% who would not qualify and could not tell the circumstances and the disposable income people had.

Councillor Osborne stated that the Panel needed to take on board comments made but highlighted the opportunities available set out for the options set out in the report. In his opinion Councillor Osborne commented that Option 1 was a good way to fill the gaps in a concise and workable way for the Council.

Councillor Long commented on the small number of responses received in previous years to the consultation exercise and stated that the last thing the Council would wish to do is to consult on 4 options ought to be honed down and to make a recommendation to consult on a couple of options not 4.

In response, the Revenues and Benefits explained that the purpose of the report was to identify the preferred option for the draft CTS scheme to go out to consultation and added that the questions were being revised to encourage a higher response rate.

The Revenues and Benefits Manager reminded that the Panel that this was the draft scheme going out to consultation and no final decision had been made and there would be the opportunity to consider the results of the consultation and the feedback received and any expanded options in the second round of the report. In response, Councillor Mrs Dickinson commented that it would be useful for the Panel to see the comparable data.

The Chair, Councillor Dark provided an overview of the background of the Scheme and why it had been set up in that way in previous years. The Panel was informed that local Councils had the flexibility to set up its own scheme/levels and who it wished to include at the next level up. The Chair outlined the reasons why the Council had taken the decision in the past when it was looked at with officers, the Council was on 75% but surrounding neighbours were 82% to 92% and Norwich City Council 100%, the Borough Council was 84%, which brought the

Council in line with other authorities. It was noted that some schemes were more generous by offering 100% support and other schemes by helping a greater number of people. The Chair added that he could not see details in the report on how the Council was currently in relation to other surrounding Councils. The Chair explained that the council started from a very low council tax rate as borough in the first instance. The Chair added that in his opinion it would be more beneficial to help more people by providing 84% support.

In response to further questions from the Chair the Revenues and Benefits Manager drew the Panel's attention to page 240 which set out the impact on the Council of the current CTS Scheme offering support up to 84% of the council tax bill. Section 4.2 included the additional impact of moving to option 1. It was highlighted that the Borough Council is the first Norfolk Council to take the draft CTS through the democratic reporting cycle so there was no information currently relating to other Councils. The Panel was informed this information from other Norfolk authorities would be included in the final report to be considered in November 2023.

Councillor Long concurred with the comment made by the Chair that it would be preferable to provide support to a greater number of people rather than helping some to a bigger level. Councillor Long added that it was important to get a fair and equitable scheme and added those groups already in scheme receiving 100% and the proposal from Chair for the scheme to demonstrate to help more and to pick up those who may require assistance above current level of help. If that was a proposal from the Chair, he would second it.

Councillor Morley, Portfolio Holder for Finance commented that it the Panel looked for statistics to try and demonstrated that the move to 100% not being reasonable for the residents of West Norfolk, when he looked at data on inflation, mental health issues, foodbanks and people making use of them including nurses and policemen and the whole environment and wanting to help more but this is about the minimum the council can do and being a leader across Norfolk encourage other authorities to move to a 100% scheme.

The Chair commented there was a challenge for the Council there was an issue of showing positive gestures, but actually bearing in mind council takes 7p in tax £ raised in West Norfolk and the difference between 84% and 100% and asked Members did they consider they had all the data to make a decision. The Panel was asked to consider how many people put in the scheme to benefit others.

The Chair proposed Option 1 to be the preferred option subject to the following amendment: Within the scheme going forward the Panel would seek to look at how the council could incorporate more people that are currently not within the scope of the scheme into the support which was seconded by Councillor Long.

The Panel voted on the above proposal – For (5), Against (4).

RESOLVED: The Panel selected option 1 as the preferred option to recommend to Cabinet for the draft CTS scheme rules for working age people for 2024/2025, subject to the following amendment:

Within the scheme going forward the Panel would seek to look at how the council could incorporate more people that are currently not within the scope of the scheme into the support.

CP32 **CABINET REPORT: REVENUE OUTTURN 2022/23**

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The Financial Services Manager explained that the attached report would be presented to Cabinet on 1 August 2023. The report set out in summary the revenue outturn for 2022/2023 for the Council. The Panel was informed that the report showed details of the major differences between actual costs/income compared to the revised estimates for 2022/2023 reported in the January 2023 financial monitoring.

The key issues set out in the report were outlined.

Councillor Long congratulated the Finance Team on the budget process identifying additional money to be transferred to reserves which was welcomed to be utilised in the best possible way to benefit the residents of West Norfolk.

Councillor Lintern stated that it was great to have services come in under budget, but added what was the use money in reserves where many services were not fulfilled and referred to issues, particularly fly-tipping. The Council should therefore not be congratulated when the services were not as good as they should be.

Councillor Long provided an overview of the very efficient and prompt time taken to clean up fly tipping incidents once they had been reported and that the performance indicators had reported that the service had been in the top quartile.

Councillor Mrs Dickinson commented that the information missing from the list of reserves that she would like to see, was whether they were new or adding to existing ones and would have like to have seen the details in the report.

In response, the Financial Services Manager explained that the reserves in appendix 2 were all existing reserves, and the some of the uses may be additional to or variations to the existing specific activities, but all are assigned to a reserve that aligns to the purpose for which the reserves is set aside for.

The Portfolio Holder for Finance explained that he had included in his Council report the appreciation of the performance of the previous Administration and giving the new Administration a bonus by transferring £1.8m to reserves. The Portfolio Holder added that it was the objective of the current Administration to run quality services in a cost effective way.

Following comments from Councillor Devulapalli on the level of and increasing reserves over the minimum required. The Financial Services Manager explained that it had been an unsettled few years due to a number of factors and .to come in under budget was prudent and from a Finance Officer's perspective was satisfactory. It was noted that there was still uncertainly going forward due to a number of factors typically described under the heading of, cost of living, but from a technical point of view it was around inflation, particularly, in terms of providing services and the cost of providing those services so there would be continuing uncertainty. Across the country there was no prescribed manner for determining what the minimum level of reserves should be. Full Council agreed the authority's level of minimum level of reserves. The current methodology was advised to Members prior to the Pandemic when there had been a number of years of stability, the Council had come through a turbulent time and now might the time to review methodology for setting the minimum level of reserves. But that would need to be a debate and there is no prescribed solution of what methodology or limit is deemed adequate.

The Chair commented that during the last 4 years it had been volatile for all in West Norfolk due to a number of factors. The fact was that the outturn report for last year showed £500,000 predicted to go into reserves but because officers were conservative in what grants might be forthcoming, what the impacts of volatility were, the Council ended up £1.4m going in and services were delivered on top of additional services which had to be delivered in response to Covid, etc. It was noted that there were many other Administrations continuing or New Administrations who would be grateful for a balanced funded position.

RESOLVED: That the Corporate Performance Panel supported the recommendation to Cabinet as set out below:

That Cabinet approves:

- 1) The draft revenue outturn position for 2022/2023 (section 2).
- 2) Review and agree the new transfers to reserves as listed at Appendix 2.
- 3) Review and agree the amendments to the Earmarked Reserves Policy (Section 4).
- 4) Agree to extend the Councillors Community Grant Scheme for 2023/2024.

CP33 **CABINET REPORT: CAPITAL OUTTURN 2022/23**

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

The Financial Services Manager explained that the attached report would be presented to Cabinet on 1 August 2023. The report provided details of the outturn of the 2022/23 capital programme and outlined amendments and rephrasing to the spending on schemes, revising the programme for 2022/2027.

The Panel's attention was drawn to the key issues set out in the report and it was highlighted that it is recommended to Cabinet that the new items to the capital programme as set out in section 5.4 (Tables 10 to 13) be progressed.

It was noted that a requirement of capital controls was that details of the minimum revenue provision (MRP) calculation were reported to Cabinet. It was explained that MRP was the minimum amount that must be charged to the Council's revenue accounts each year as a provision to repay debt. A local authority was required to calculate an amount of MRP which they considered to be prudent, prepare a statement of its policy on making MRP.

There were no questions from the Panel or Councillors attending under Standing Order 34.

RESOLVED: That the Corporate Performance Panel supported the recommendation to Cabinet set as set out below:

That Cabinet:

- 1) Note the outturn of the capital programme for 2022/23 of £25,347,122 including Exempt Schemes.
- 2) Note the financing arrangements for the 2022/2023 capital programme.
- 3) Approve the rephrasing (as set out in Section 2.6 and Appendix 1a) into the 2022/2027 capital programme and financing assumptions as detailed in the report noting that further review will be undertaken during monitoring in 2023/2024.
- 4) Approve the new items to the capital programme as set out in Section 5.4 (Tables 10 to 13) to be progressed.

CP34 **CABINET REPORT: APPOINTMENT OF REPRESENTATIVES TO INQUORATE PARISHES**

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The Deputy Monitoring Officer presented the report and advised that the Local Government Act 1972 contained a provision designed to address the issue, providing that district Councils (i.e. the Borough Council) may appoint its own Councillors temporarily to make the Parish Council quorate until there were a sufficient number of Parish Councillors, which will enable business to continue in the interim. The power of instating Borough Councillors can either be exercised by Full Council or under delegated authority.

The Panel was informed that a couple of cases had occurred recently where Parish Councils became inquorate.

The Deputy Monitoring Officer outlined the purpose of the report.

The Deputy Monitoring Officer outlined three minor amendments to the report published for Cabinet on 1 August.

After sitting for 3 hours, the Panel resolved to continue the meeting.

Councillor Long wished it to be recorded he was against the resolution to continue the meeting.

Councillor Lintern commented that, as a related but separate issue, the Council should look at the reasons why Parish Councils had become inquorate, particularly lack of support for Parish Councils and the vexatious behaviour they worked in with issues of bullying, etc and would like to put on the table for a debate as to what could be done and suggested that an item be placed on the Panel's future work programme.

Councillor Long concurred with the comments made by Councillor Lintern.

Councillor Long supported the recommendation for the Council to delegate authority to the Returning Officer as set out in the report to avoid periods in which Parish Councils were unable to carry out their business.

The Deputy Monitoring Officer suggested the two points made by Councillors Long and Lintern could be considered together, in that where you had parish councils which were externally threatened by disruption or vexatious behaviour, then avoiding having a hiatus for that council was on balance probably going to be more likely to avoid those disruptions becoming problematic.

The Chair commented that Borough Councillors had work and home lives etc and that when a Borough Councillor was delegated to temporarily assist with a Parish Council, Members should be mindful that no criticism should be made against a Councillor who is not able to take on additional responsibilities due to personal circumstances, etc.

Councillor Long suggested that the Council look at the geographical area to the Parish Council requiring temporary assistance and seek to appoint the Borough Councillor nearest to that area in question.

RESOLVED: That the Corporate Performance Panel supported the recommendation to Cabinet and Full Council as set out below:

Council delegates to the Returning Officer the power to issue Orders under Section 91(1) of the Local Government Act 1972 appointing Borough Councillors temporarily to Parish Councils, when required after consultation with the proposed Borough Councillor(s) and their Group Leader (where relevant).

CP41 **EXCLUSION OF PRESS AND PUBLIC**

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RESOLVED: That under Section 100(A)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

CP42 **EXEMPT CAPITAL OUTTURN REPORT 2022/2023**

The Financial Services Manager presented the report and responded to questions and comments from the Panel.

CP43 **EXEMPT CABINET REPORT: STAFF PAY AWARD**

The Assistant Director, Central Services presented the report and responded to questions and comments from the Panel.

Following a lengthy discussion it was

RESOLVED: The Panel did not support the recommendations to Cabinet as set out in the report.