

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



Cabinet

Agenda

Tuesday, 3rd August, 2021
at 3.30 pm

in the

Assembly Room
Town Hall
Saturday Market Place
King's Lynn



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

CABINET AGENDA

DATE: CABINET - TUESDAY, 3RD AUGUST, 2021

VENUE: ASSEMBLY ROOM, 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 - Item 16 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 Meeting held on 15 June 2021 (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.

7. CALLED IN MATTERS

To report on any Cabinet Decisions called in.

8. FORWARD DECISIONS (Pages 6 - 9)

A copy of the Forward Decisions List is attached

9. MATTERS REFERRED TO CABINET FROM OTHER BODIES

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

10. PARKWAY (Pages 10 - 20)

11. MEMBERS ENQUIRIES INBOX (Pages 21 - 29)

12. COUNCIL MEETINGS INTERIM ARRANGEMENTS (Pages 30 - 40)

13. APPOINTMENT OF A MONITORING OFFICER TO THE BOROUGH COUNCIL (Pages 41 - 45)

14. COUNCILLOR COMMUNITY GRANT SCHEME (Pages 46 - 54)

15. 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 1 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.

16. COMMUNICATIONS SERVICE (Pages 55 - 61)

To: Members of the Cabinet

Councillors R Blunt, S Dark (Chair), A Dickinson, P Kunes, A Lawrence,
B Long, 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
3 August 2021						
	Provision of Monitoring Officer	Key	Cabinet	Leader Chief Executive		Public
	Members Enquiries arrangements	Non	Council	Leader Chief Executive		Public
	Parkway	Key	Council	Project Delivery Asst Dir Companies and Housing Delivery – D Ousby		Public
	Allocation of members budget for ward issues.	Non	Cabinet	Climate Change and Commercial Services Exec Dir – L Gore		Public
	Staffing for Communications	Non	Cabinet	Leader Exec Dir – D Gates		Public
20	Interim Arrangement for meetings	Non	Cabinet	Leader Chief Executive		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
24 August 2021 - Special Meeting						
	Town Fund Submission	Key	Cabinet	Regeneration & Development Asst Dir Housing & Place – D Hall		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
21 September 2021						
	Pay Award 2021-22	Non	Cabinet	Leader Exec Dir – D Gates		Public
	Review of Corporate Business Plan	Key	Council	Leader Chief Executive		Public
7	Update to the Major Project Board terms of reference	Non	Cabinet	Leader Asst Dir Property & Projects – M Henry		Public
	Balloon and Lantern Policy	Non	Cabinet	Corporate Services and Environment Asst – M Chisholm		Public
	Lynnsport One	Key	Council	Project Delivery Asst Dir Companies & Housing Delivery – D Ousby		Private - Contains exempt information under para 3 – information relating to the business affairs of any person (including the authority)
	Revenue Outturn 2020/2021	Key	Cabinet	Leader Asst Dir - M Drewery		Public
	Capital Programme and Resources 2020-2025 Outturn	Key	Cabinet	Leader Asst Dir - M Drewery		Public

	Re-Fit - Street Lighting			Environment Asst Dir – N Gromett		Public
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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
16 November 2021	Gambling Act – Statement of Principles	Non	Council	Environment Assistant Director – S Ashworth		Public
	Enforcement Policy on Fly Tipping and Public Nuisance	Non	Council	Environment Assistant Directors – S Ashworth and J Greenhalgh		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
11 January 2022						

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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
8 February 2022						
	Budget	Key	Council	Leader S151 Officer Asst Dir Resources		Public
	Capital Programme	Key	Council	Leader S151 Officer Asst Dir Resources		Public
	Treasury Management Strategy	Key	Council	Leader S151 Officer Asst Dir Resources		Public
	Capital Strategy	Key	Council	Leader S151 Officer Asst Dir Resources		Public

Date of meeting	Report title	Key or Non Key	Decision Maker	Cabinet Member and Lead Officer	List of Background	Public or Private Meeting
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		Decision			Papers	
15 March 2022						

REPORT TO CABINET

Open		Would any decisions proposed: Be entirely within Cabinet's powers to decide NO			
Any especially affected Wards Gaywood Clock Ward	Discretionary	Need to be recommendations to Council		YES	Is it a Key Decision
Lead Member: Cllr Richard Blunt E-mail: <i>cllr.richard.blunt@West-Norfolk.gov.uk</i>		Other Cabinet Members consulted: Leader and Deputy Leader			
Lead Officer: David Ousby E-mail: David.ousby@west-norfolk.gov.uk Direct Dial: 01553 616505		Other Members consulted:			
Other Officers consulted: Management Team Matthew Henry, Duncan Hall, Stuart Ashworth, Ruth Wilson					
Financial Implications YES	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO Assessment	Risk Management Implications YES	Environmental Considerations NO

Date of meeting: 3rd August 2021

PARKWAY DEVELOPMENT

Summary

To present a financial viability assessment relating to the development of the COWA housing allocation

To seek cabinet approval to enter into a contract with Lovell to develop approximately 228 homes following the viability assessment set out in this report

Recommendation

That Cabinet approve the following:

- 1. A new planning application be submitted for a revised scheme of approximately 228 dwellings**
- 2. Capital funding allocation of £45.2m for the development of the site**
- 3. Approve optional environmental enhancements of £1.71m (included within the Capital funding allocation above) as detailed in section 7 of this report**

Reasons for Decision

To progress the Major Housing Project:

- To achieve significant delivery of sustainable housing over a 4-5 year period**
- To achieve a commercial return to the Council (through Capital and Revenue receipts)**
- To stimulate economic activity in the local area through direct and indirect employment**
- The create apprenticeships within the local construction industry**
- To deliver the pace of construction required by the Accelerated Construction Programme funding.**

1. Background

- 1.1. On 18th September 2018 Cabinet recommended to Council, that we enter into a contract with Homes England, to accept their accelerated funding (ACP) offer to bring this site forward. The principal requirement for the ACP funding is that the housing is delivered at 130% of the current market housing delivery rate. The contract was agreed on the basis that this development should be taken forward as part of the Major Housing contract with Lovell Partnerships Limited to facilitate the acceleration of the development.
- 1.2. On 6th August 2019 Cabinet approved the purchase of the College of West Anglia (COWA) land and expenditure of £2,063,000. Cabinet require that, prior to entering into contract to commence development a full report on viability be prepared outlining the cost and revenue assumptions.

2. Details of the scheme

- 2.1. The scheme will provide 'Affordable' dwellings. This is in line with the Council's policy of 15% 'tenure blind' affordable housing homes in King's Lynn. The remaining 85% of homes will be a mixture of For Sale and Private Rented (PRS) properties.
- 2.2. It is proposed that the Affordable and PRS housing will be acquired and managed by the Council's wholly owned companies.
- 2.3. The site is registered with the Government's New Help to Buy scheme. On past schemes, Help to buy has played a significant role, with up to 80% of purchasers taking advantage of the scheme on some sites. The new scheme is more restrictive than the last scheme and runs for 2 years to March 2023. This new scheme will only be available to 'First Time Buyers' , but this is not expected to be an issue with this site.

3. Update on Progress

- 3.1. Planning Committee resolved to grant planning permission for 379 houses at land off Parkway on 15th April 2021. This consent has not yet been issued due to the requirement for third parties to sign the S106 agreement.
- 3.2. Following the recent change in leadership at the Council, officers have been instructed to review this project.
- 3.3. Given the uncertainties surrounding cost benefits of the overall scheme, combined with public concerns over the environmental impact of the scheme and the reduced benefits that the bridge will deliver, Cabinet considered whether to progress the consented scheme or reconsider an alternative.
- 3.4. On 15th June 2021 Cabinet resolved:
 - *Development will not proceed on the Eastern part of the site and that the new road bridge as proposed in the planning application is not constructed*
 - *That a new (or revised) planning application be submitted for the development of the allocated COWA site only*
 - *That the Council seek to work with the local community to explore the options to retain the Eastern area as publicly accessible green space*

- *That the Council seek to re-negotiate the Business Rates Pool (BRP) funding of £2 million to promote active travel and deliver enhanced cycle and footpath access between Fairstead, Hardwick and the Town Centre and the creation of a managed nature reserve*
- *That officers enter into discussions to recast the Town Deal submission to reflect wider connectivity issues within the town and promote active travel.*

4. Programme

- 4.1. The programme for the revised scheme is contained in **Appendix A**
- 4.2. The key stages on the programme (which is governed by the requirements for the ACP funding agreement) are as follows:
- 4.2.1. High Level Appraisal – **Appendix C**
 - 4.2.2. Planning submission – September 2021
 - 4.2.3. Planning consent February 2022
 - 4.2.4. Start on Site June 2022
 - 4.2.5. First plot construction start November 2022
 - 4.2.6. Practical completion October 2025

5. Policy Implications

- 5.1. The WNPL business plan proposes that the Major Housing contract will have a proportion of 20% Private Rental Properties allocated to the scheme. This will be subject to approval by both Cabinet and Council when considering the financial viability appraisal needed to approve commencement of each project. The financial impact of including the PRS properties in lieu of Market Housing are shown in the financial implications below.
- 5.2. A new National Planning Policy Framework was published in July 2018. It sets the planning policy context for local authorities. There is a focus on the provision of new housing, but with a new emphasis on different types of housing need. Among the groups mentioned specifically are people who want to rent their homes. We are asked to assess the need for this tenure and make provision. In this context the use of part of the site for the Private Rented Sector is encouraged.

6. Financial Implications

- 6.1. On the basis of the appraisal carried out, the scheme will deliver a return to the Council of approximately £2.5m (5.6% return) as set out in the High-Level Appraisal (July 2021) as set out in **Appendix C**. A layout of the revised scheme is shown in **Appendix B**.
- 6.2. The tranches of funding that have already been drawn from the ACP (£2,114,716) and BRP (£200,000) will be retained to support the development costs incurred to date.
- 6.3. In terms of viability, there are abnormal costs in relation to the ground conditions, flood risk mitigation and surface water attenuation within this part of Kings Lynn. These additional costs are expected to be in the region of £8,000 per dwelling.

- 6.4. The scheme will incorporate several discretionary environmental enhancements which carry additional costs. Further details of these items are included in **section 7** of this report.
- 6.5. The High-Level Appraisal includes target Value Engineering cost savings to be achieved of £1.1m.
- 6.6. The revenue forecasts are based on current market values. The PRS properties are shown at full open market value. At these values the PRS properties are anticipated to deliver a net yield to WNPL of around 3-4%.
- 6.7. A Post Planning Appraisal will be undertaken in March 2022 (subject to planning) and the financial viability reviewed prior to entering the construction contract. At this point a scheme viability report will be brought back to Cabinet for consideration, including valuation options for the PRS properties.
- 6.8. The current High Level Appraisal is based on the acquisition of 46no. PRS dwellings by WNPL, the acquisition of 34no. Affordable dwellings by WNHCL, with 148no. Open Market sale dwellings.

7. Personnel Implications

- 7.1. The scheme will be delivered by the Corporate Projects team, using the Major Housing Contract with Lovell Partnerships Ltd. As a result, there are no personnel implications.

8. Environmental Considerations

- 8.1. It is proposed that this scheme will deliver a number of environmental enhancements that will reduce the carbon footprint of these dwellings and act as an exemplar scheme for other proposals that will come forward. These enhancements go significantly further than required under planning and building regulations and will cost approximately an additional £1.7m as detailed below
- 8.2. The detailed design of the buildings continues to follow the Council's 'Fabric First' principal, which means that the buildings are built in a way that makes them thermally efficient, no matter what heating source is used.
- 8.3. As with other housing developed in Kings Lynn with our development partner Lovell, these homes will feature enlarged windows to enhance natural daylight within the dwellings, at an additional cost of approximately £1,500 per dwelling.
- 8.4. Photo voltaic panels will be placed within the roof structure for those properties with the best alignment to the sun and will assist with the electrical requirements for the buildings. This will cost approximately £1,500 per dwelling where PV is installed.
- 8.5. All properties will incorporate Air Source Heat Pumps (ASP), with underfloor heating on the ground floor. There will be no mains gas supply to any of the properties. ASPs will provide more efficient and economical heating to the properties, making them cheaper to run, but carry an additional capital cost of approximately £3,000 per dwelling.
- 8.6. Parking for the development is within curtilage where possible. All properties with on plot parking will have the infrastructure required for a 7kW EV charging point. All other parking spaces will have trunking and draw strings

installed from their parking spaces to their dwelling to allow electric charging points to be installed should they be required. Making all dwellings on the development EV ready costs approximately £1,500 per dwelling.

- 8.7. In addition to the above optional environmental enhancements, surface water attenuation issues require the inclusion of lagoons and swales to the southern boundary. These will have environmental benefits for wildlife, but will limit the use of open space in that area. The alternative would be to install storage tanks underground at an additional cost of circa £98,000.
- 8.8. The loss of some trees will be unavoidable; however, trees will be replaced at a rate of 3 for one, which is additional to what would normally be expected for a development of this size.

9. Statutory Considerations

- 9.1. The statutory authority for the proposal is contained in s1 of the Localism Act 2014 and s12 and s95 of the Local Government Act 2003.
- 9.2. This report complies with the terms and conditions of the Councils contract with Lovell for the Major Housing Project.

10. Equality Impact Assessment (EIA)

- 10.1. None (Prescreening report template attached)

11. Risk Management Implications

- 11.1. The main risks associated with agreeing to the scheme are listed below. These are then looked at more fully together with the risk mitigation strategy for each in the subsequent paragraphs.

- Market values fall
- Market values do not increase as expected
- Unable to sell Market Properties
- Costs increase more than expected
- Interest rates rise higher than expected
- Unknown problems are found with the sites
- Cost of enabling works increase

- 11.2. The following paragraphs consider the above risks in more detail

11.2.1. Unable to sell Market Properties – before a phase starts, agreements for the disposal of the Affordable units will be in place. It would be highly unlikely that no market sales could be made.

11.2.2. Costs increase more than expected – The appraisal is based on current market conditions projected forward for a start on site in June 2022. A large percentage of the costs will be fixed prior to starting any phase the overall viability being appraised on a quarterly basis with Lovell, as is the current practice on all our schemes.

11.2.3. Interest rates rise higher than expected – this is an allowable cost and is considered before the go-ahead is given for each project. The current appraisal uses an interest rate of 2.75%, the Council is currently borrowing short term money at or below 0.5%.

11.2.4. Unknown problems are found with the sites – significant investigations have been made on the site including borehole investigations. As a result, it is highly unlikely that any further problems are found with the site.

11.2.5. Cost of enabling works increase – All known costs have been allowed for at this stage, however a pre-commencement appraisal in May 2022 (as shown in the programme in **Appendix A**) will review costs prior to the start on site.

12. Declarations of Interest / Dispensations Granted

12.1. None.

13. Background Papers

- Report to Cabinet 15th June 2021
- CPP presentation (March 2021)
- Report to Cabinet 6th August 2019
- WNPL business plan December 2018

Appendix A - Programme

Parkway Programme	From	To
AGREE MASTERPLAN	Jun-21	
CONSULTANT DESIGNS	Jun-21	Aug-21
FEE PROPOSALS	Jun-21	
REFRESH SURVEYS AND REPORTS	Jun-21	Aug-21
HIGH LEVEL APPRAISAL	Jul-21	
PRE PLANNING VIABILITY	Sep-21	
PLANNING SUBMISSION	Sep-21	
DETERMINATION PERIOD	Sep-21	Jan-22
PLANNING GRANTED	Feb-22	
POST PLANNING APPRAISAL	Mar-22	Apr-22
CONDITION CLEARANCE, DESIGN & PROCUREMENT	Mar-22	Oct-22
PRE COMMENCEMENT APPRAISAL	May-22	Jun-22
START ON SITE	Jun-22	
FIRST PLOT FOUNDATION	Oct-22	
PLOT CONSTRUCTION (Pace dictated by ACP programme dates)	Nov-22	Oct-25
PC ON FINAL UNIT	Oct-25	

Appendix B – 228 dwellings site layout



Appendix C – High Level Appraisal

228

Dwellings

Expenditure	
Total costs	£47,493,828
Revenue	
Total revenues	£47,696,125
Funding	
Accelerated Construction Programme (to date)	£2,114,716
Business Rates Pool (to date)	£200,000
Total funding	£2,314,716
Development return	£2,517,013

Pre-Screening Equality Impact Assessment

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



Name of policy/service/function	Parkway				
Is this a new or existing policy/service/function?	Existing				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>The creation of 228 new homes of which : -</p> <p style="text-align: center;">15% Affordable 20% PRS 65% Private Sale</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 (e.g. low income)			√	
Question	Answer	Comments			
2. Is the proposed policy/service likely to affect relations between certain equality communities	No				

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?		
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	Shortage of 'decent' housing in the Borough.
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:
<p>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:</p> <p>N/A</p> <p>Decision agreed by EWG member:</p>		
Assessment completed by: Name David Ousby		
Job title Assistant Director		
Date 8th July 2021		

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES /NO	
	Discretionary /	Need to be recommendations to Council	YES/ NO	
	Operational	Is it a Key Decision	YES /NO	
Lead Member: Cllr Stuart Dark (Leader) E-mail: cllr.stuart.dark@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted: All members		
Lead Officer: Lorraine Gore E-mail: lorraine.gore@west-norfolk.gov.uk Direct Dial: 01553 616345		Other Officers consulted: Monitoring Officer Management Team Assistant Directors		
Financial Implications YES /NO	Policy/Personnel Implications YES/ NO	Statutory Implications YES/ NO	Equal Impact Assessment YES/ NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES /NO

Date of meeting: 3rd August 2021

MEMBERS ENQUIRIES EMAIL INBOX

Summary

In August 2020, due to resource constraints caused by the response to the COVID-19 pandemic, the council introduced the Members Inbox to coordinate responses to enquiries from Members. Its purpose was to free up senior officer time to focus on their covid response work, ensuring that Members still received timely responses to their queries. The new process was agreed by all group leaders and their deputies and was an informal change and not reflected in the Council's Constitution. The agreement and goodwill of Members using the service was essential for the service to run effectively.

Recommendation

Following consultation with Members and Officers, agreement is sought from Cabinet to amend the council's constitution to retain the Members Inbox as a permanent measure to respond to general Member enquiries to enable them to carry out their roles within their constituencies.

Reason for Decision

To continue to provide a forum for Members to ask questions and receive responses in a timely manner.

1. Background

- 1.1 The Members Enquiries Inbox was introduced in August 2020, during the first wave of the COVID-19 pandemic. The arrangement was put into place with the agreement of the Leader of the Council and Opposition Leaders and their Deputies to help alleviate the numbers of questions addressed to officers by members, given that officers capacity was significantly reduced due to the response to COVID-19. Officers reported that they found it difficult to carry out the research necessary to respond to Members in a timely manner. Members were finding this increasingly frustrating.
- 1.2 Cabinet will recall that it was clearly stated that any enquiries relating to political or policy matters still needed to be directed to the Leader or Portfolio Holder or a request made that the enquiry be bought before one of the Policy Review and Development Panels. Members Enquiries did not extend to debating responses provided because the Member did not agree with it.

2. Options Considered

- 2.1 The table below outlines the volume of emails received by members into the Inbox between Sept 2020 – May 2021.

Table 1

Month	Number	Month	Number
September 2020	128	February 2021	209
October 2020	95	March 2021	189
November 2020	115	April 2021	128
December 2020	138	May 2021	76
January 2021	166	Total	1,244

Average 138 emails a month or 6 per working day

- 2.2 With the agreement of all group leaders and their deputies, the Members Enquiries procedure has been extended until the end of September 2021.
- 2.3 A review of the service has taken place to consider the options for the most effective and efficient method of responding to Members questions after the current date expires. Any change to the process as laid out in the Member/Officer protocol will need to be bought to Cabinet and full council for agreement before it can be implemented.
- 2.4 In the initial communication to Members in respect of the Members Enquiries inbox, it was reiterated to all Members that:
1. Emails to the Member Enquiries Inbox will be acknowledged within 2 working days and a response provided within 10 working days

2. An enquiry relating to an ongoing planning application in a Members own Ward should be sent to the allocated case officer and they should receive a response within 5 working days
 3. Requests under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004 should be directed to FreedomofInformation.KingsLynn@north-norfolk.gov.uk
 4. Queries relating to council meetings, assistance with accessing Zoom meetings or information on the democratic process should be sent directly to Democratic Services
 5. Any questions relating to a political or policy matter should be directed to the Leader and/or Portfolio Holder
- 2.5 The inbox is managed by the Assistant to the Chief Executive, assisted by the Chief Executive and Leader PA and the Policy and Performance team. The inbox is monitored hourly and cover is provided for annual leave and sickness.
- 2.6 To gather opinions from both Members and Officers on their perception of the service and its effectiveness, a consultation exercise has been taken. The questions they were asked to provide feedback are detailed below:
1. Have you used the Members Enquiries inbox since its launch in August 2020?
 2. If you have used the service, how satisfied were you with the service you received?
 3. Were you satisfied with the response time to your enquiry?
 4. If a response took longer than expected, were you kept updated of its progress?
 5. Do you have any suggestions of how the service may be improved?
 6. Please provide any other comments you think are relevant.

A summary of the results of the consultation are shown in Appendix A.

- 2.7 Approximately 25% of members responded to the consultation. The views of members were overall very positive with two negative comments, included at Appendix A.
- 2.8 The responses from officers were supportive of the process and they felt that a central system for logging enquiries was useful. This excludes planning enquiries where the guidance is to contact the planning officer in respect of an ongoing application.

3. Recommendation

- 3.1 It is recommended to Cabinet that the Constitution is changed to permanently retain the Members Enquiries Inbox. This will enable responses to questions to be collated and responded to in a timely manner in consultation with the appropriate officers.

3.2 Following member feedback, statistics on response times will start to be logged and reported on.

4. Policy Implications

4.1 The decision will require a change to the Member/Officer protocol. This is to be agreed by Cabinet/Council. The updated Member/Officer protocol is attached at Appendix B.

5. Financial Implications

5.1 There are no financial implications.

6. Personnel Implications

6.1 There are no personnel implications

7. Statutory Considerations

Equality Impact Assessment (EIA)

Pre-screening attached.

8. Risk Management Implications

8.1 There are no risk management implications.

9. Environmental Considerations

9.1 There are no environmental considerations

10. Declarations of Interest / Dispensations Granted

10.1 None

Background Papers

Email communications to Members/Officers



Pre-Screening Equality Impact Assessment

Name of policy/service/function	Members Enquiries Inbox				
Is this a new or existing policy/ service/function?	New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	Requesting Members direct all questions to the Members Enquiry Inbox instead of emailing individual officers. This will centralise the process allowing statistics on response rates and questions asked to be recorded				
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			X	
	Disability			X	
	Gender			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
Other (eg low income)			X		
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 favoring a particular community or denying opportunities to another?	Yes / No	Does not impact on customers			
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No				
<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>	Yes / No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Name	Honor Howell				
Job title: Assistant to the Chief Executive	Date 17 June 2021				

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.

Members Enquiries – Consultation Feedback – Comments

Members Responses

1. I've used the service once. Took a while to get an answer.
2. Yes, many times
3. I have ever actually used this service. Nothing has never come my way which I needed to ask for a councillor's reply. This is not to say it will never happen, it just hasn't happened so far.
4. Yes – carry on regardless, I like it
5. I think it's great
6. I'd like to comment those on planning, planning enforcement and CSNN for their prompt responses
7. I've never used this service
8. Love the Members Enquiries Inbox – please keep it
9. I'm opposed to this continuing as I feel it's presented barriers to my getting answers. I have had to wait on occasion and I don't always get the answers readily
10. I have found the availability of Members Enquiries very useful and would quite like it to continue to be available. The initial contact via the Members inbox is helpful as on occasions I am not sure who to contact so it's a useful filtering process and hopefully prevents mis-directed emails
11. I began as an opponent to the idea but have been won around but records need to be kept on times taken to respond.
12. Enquiries can frequently wander into the political arena
13. Could be useful to keep this option after the end of September for when there are uncertainties as to who is the best person to department to deal with the enquiry

Officer Responses

1. Frequently consulted by Members Enquiries for information
2. For Planning it just builds another step into the system. I often deal with Cllrs direct because of the nature of planning work
3. It's a really useful set up. Helps with filtering and repeat queries – and saves a lot of time for other officers. Also – it means that councillor queries are less likely to get buried in the other emails – and potentially there is a better response rate – you and your team's chasing probably means that the councillor get a better service/response rate.
4. I would prefer to continue using the co-ordinated members inbox rather than having to responding to enquiries by individual members on an ad hoc basis.
5. Works well, as long as I get to see all the questions being asked of the service area's I am responsible for.

Tracked changes to Member/Officer Protocol:

47 Officers will make every effort to give timely responses to Member's enquiries in accordance with the process and appropriate timescales set out in Paragraphs 105 - ~~111.08~~

Member Enquiries

104 It is acknowledged that there are a wide range and diversity, of enquiries that a Member may wish to pursue, this section offers guidance on the procedure relating most commonly received Member enquiries as follows.

105 Planning applications / planning enforcement: ~~enquires~~ should normally be directed in the first instance to the case officer who will normally reply by email or telephone within three working days. Should the matter be of a particularly sensitive or complex nature the enquiry should be directed to the relevant team leader or the planning control Manager. Members are encouraged to check the planning section of the Councils website prior to contacting officers when seeking information on live planning applications.

106 Matters (other than live planning/ planning enforcement cases) related to a ~~Councillors~~ Member's own Ward: ~~enquires~~ should normally be ~~directed sent by email to the the relevant Executive Director or in his/her absence to the relevant service manager~~ Member Enquiries Mailbox, which will be acknowledged within 2 working days and a response should be provided within 10 working days. ~~who will normally respond by email or telephone within three working days. In more complex cases an acknowledgement will be provided within three working days but a full response may take a longer period of time. If this is the case further time is required to provide a the response, the~~ Member will be given an estimate of the length of time necessary to prepare a full response ~~(which will not normally be greater than 10 working days)~~ together with a brief explanation of the reason that a longer timescale is required. Should the Member be unhappy with the explanation provided than this should be raised with ~~the relevant Service Manager/an~~ Executive Director. Where a matter is considered by the Member to be particularly urgent ~~officers will make every effort to deal with enquiry within one working day and time is of the essence, Members should confirm this within their email to the~~ Members Enquiries Mailbox.

107 Policy matters under active consideration by a Council body or any other matter directly relating to a report due to be considered by a Council body: ~~enquires~~ should be sent by email to the Member Enquiries Mailbox, which will be acknowledged within 1 working day and a response will aim to be provided before the relevant meeting. ~~enquires should be directed to the author of the relevant report, and in his/her absence to the Chief Executive/Deputy Chief Executive who will normally respond within two working days.~~

108 ~~General enquiries/complaints~~ Complaints: ~~enquires~~ should be directed to the Democratic Service Manager, ~~or to~~ the Monitoring Officer or to the Chief Executive. ~~de~~ Depending on the nature and severity of the issue, a response will be provided within three working days but in more complex cases an acknowledgement will be provided together with an estimation of the time likely to be required to fully address the matter.

109 Portfolio/political issues - such enquires should be directed to the Council Leader/Deputy leader or the relevant portfolio leader.

Members' access to documents and information

110 This part of the protocol should be read in conjunction with the Access to Information Rules in the Council's constitution.

111 Members may request ~~senior officers to provide them with~~ such information, explanation and advice as they may reasonably need to assist them to discharge their roles as Members. This may range from general information about some aspect of the Council's services to specific information on behalf of a constituent. Requests should be sent by email to the Member Enquiries Mailbox, which will be acknowledged within 2 working days and a response should be provided within 10 working days. Where information is requested on behalf of a third party, it will only be provided if:

- it is in the public domain, and
- it is not barred by legislation from being given.

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES /NO	
	Discretionary /	Need to be recommendations to Council	YES/ NO	
	Operational	Is it a Key Decision	YES/ NO	
Lead Member: Cllr Stuart Dark (Leader) E-mail: cllr.stuart.dark@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted: Group Leaders and Deputies		
Lead Officer: Lorraine Gore E-mail: lorraine.gore@west-norfolk.gov.uk Direct Dial: 01553 616345		Other Officers consulted: Management Team Assistant Directors Executive Directors		
Financial Implications YES/ NO	Policy/Personnel Implications YES/ NO	Statutory Implications YES/ NO	Equal Impact Assessment YES/ NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/ NO

Date of meeting: 3rd August 2021

COUNCIL MEETINGS – INTERIM ARRANGEMENTS

Summary

Following the expiry of the powers granted by Section 78 of the Coronavirus Act 2020, from 7th May the council has reverted to face-to-face meetings for Members, supported by Democratic Officers in the room. This report considers the impact of the decision not to extend the facility of virtual meetings for councils and to recommend to Cabinet/Council, interim measures to enable the council to fulfil their statutory obligations in respect of council meetings whilst maintaining social distancing and COVID-19 safety measures at all times.

Although nationally, covid restrictions and legislation are being relaxed from Monday 19th July, in Norfolk, numbers of positive cases are growing to the extent they are doubling each week. The council is mindful that although regulations will no longer be in place, there is a responsibility to keep officers and members safe during this time until the impact of the relaxation of the rules is known.

Recommendation

- That Cabinet agree with the recommendations for the interim arrangements for council meetings
- It is recommended that Council and Scrutiny Panel meetings continue to meet at their current start times.
- Officers will attend meetings via Zoom to limit the number of people in the room at one time

- Members attending under SO34 may do so via Zoom or in person
- That a further review of council meetings is conducted at the end of September 2021, when the impact of the relaxing of national covid measures are more widely known

Reason for Decision

To enable council meetings to proceed according to legislation whilst maintaining COVID-19 secure at all times, reducing any associated risk to officers, members or the public.

1. Background

- 1.1 Under the powers granted by section 78 of the Coronavirus Act 2020, new regulations were introduced to allow local authorities to meet remotely or in hybrid format. The regulations came into force on 4 April 2020 and applied to meetings taking place before 7 May 2021.
- 1.2 The regulations were brought in specifically to make express provision for local authorities to deal with the challenges of holding physical meetings during the coronavirus pandemic. They have helped local authorities to redeploy resources to deal with the pandemic and ensure that essential business continues whilst protecting the health and safety of their members, officers and public.
 - 1.2.1 The regulations allowing hybrid meetings ended on 7 May 2021 and despite a High Court challenge, council meetings must be held in person. For hybrid meetings to continue, new primary legislation would be required.
- 1.4 Over the past few months, the borough council has worked hard with partners to manage the pandemic, deal with local outbreaks, and roll out the vaccination programme whilst providing business as usual services. We have also recently delivered a double set of COVID-secure elections and subsequent Annual General Meetings. The provision of virtual meetings has allowed for critical decisions to be made democratically and without undue delay. It has, without doubt, increased the transparency of the decision-making process and the equity of access for elected members and the public.
- 1.5 The Prime Minister has announced that all covid restrictions will be relaxed on Monday 19th July 2021. However, in Norfolk and across the country, cases of the Delta variant of covid continue to rise and are currently doubling each week. For west Norfolk, the number of positive cases are at similar levels to those seen in the middle of February 2021, despite the highly successful vaccination programme. It is with

this in mind that the council should proceed with caution and try to maintain social distancing wherever possible.

2. Options Considered

- 2.1 With the covid legislation revoked, council meetings require physical attendance. The decision makers are required to be in the room for the meeting to be valid. The public can attend if they wish, subject to adherence to social distancing guidelines.
- 2.2 The legislation does not apply to working groups who may continue to meet remotely and Members attending under SO34 may also attend remotely as they are not the decision makers in the room.
- 2.3 There have been some significant benefits of remote meetings, including:
 - Increased flexibility for councillors e.g. travel/time constraints to attend physical meetings were overcome, particularly where there were consecutive meetings in one day.
 - Reduced vehicle uses with a positive impact of Co2 emissions related to each meeting
 - More efficient use of councillor time
 - Increased citizen engagement
 - Assisted councillors with caring responsibilities
- 2.4 Following a High Court decision that in-person meetings will go ahead following a challenge from several local authorities, the Government has held a 'Call for Evidence' consultation process to which the council has provided a response (Appendix A). In the intervening period, the council has reverted to face-to-face meetings.

3. Interim arrangements for council meetings

- 3.1 Pending any outcome of the government's consultation process, the existing arrangements for council meetings will continue and will be reviewed again at the end of September 2021.
 - 3.1.1 Council meetings will be held in the Assembly Room or the Stone Hall at the Town Hall if necessary.
 - 3.1.2 Members of each committee or panel will be required to physically join the meeting or apologies should be sent
 - 3.1.3 Members attending under SO34 may do so in person, but alternatively may join via Zoom.
 - 3.1.4 Members of the public may attend in person or view via the YouTube channel. Public speakers in Council and Planning can join via Zoom as they do now.

- 3.1.5 Live streaming of all council meetings will continue
- 3.1.6 Democratic Services officers will attend the meetings in person, with support from ICT and other Democratic Services Officers will carry out the administration of the live stream remotely
- 3.1.7 All other council officers attending meetings will join remotely to keep numbers in the room to a minimum except for the member of senior management team supporting the panel.
- 3.1.8 Whilst not compulsory, we strongly recommend that all members undertake lateral flow testing prior to attending a meeting. If that test is positive, that Member should self-isolate until a PCN test can be carried out.

4. Policy Implications

- 4.1 Returning to face-to-face meetings will not require an amendment to currently policy. However, this may change if the government introduces new primary legislation for council meetings following the consultation process.

5. Financial Implications

- 5.1 Introducing hybrid meetings will inevitably lead to cost savings relating to both officers and members. Time spent on travel and travel expenses will reduce. The annual cost of Zoom is £3,262.80 which should be offset by the savings made in travel claims.

6. Personnel Implications

- 6.1 There will be benefits to council officers attending hybrid meetings as prior to the pandemic, an officer had to attend the face-to-face meeting at the start and wait for their agenda item. They can now be invited into the meeting at the appropriate time, negating the need for them to attend for items which they are not responsible for.
- 6.2 Hybrid meetings may also help with safety measures as officers will not be required to attend the meeting in person will be able to avoid travelling in poor weather/dark evenings across a rural area. This applies equally to members attending under SO34 and not required to attend the meeting in person.

7. Statutory Considerations

- 7.1 Implementing the recommendations will align with current statutory obligations.

Equality Impact Assessment (EIA)

Pre-screening equality Impact Assessment attached.

8. Risk Management Implications

- 8.1 There are two risks to the recommendations
1. Failure of the ICT systems streaming the meetings
 2. A virtual attendee losing connection and not able to reconnect
- 8.2 Whilst the risks are significant, it is difficult to mitigate against them as we are unable to foresee if/when they occur. However, an ICT representative will be available at all meetings to try to resolve any issues as they arise. Officers and members will also be able to connect to the Teams/Zoom meeting by telephone should such an issue occur.
- 9. Environmental Considerations**
- 9.1 As noted previously in this report, the proposal will reduce Co2 emissions due to fewer people attending the meetings and the related reduction in vehicle usage.
- 10. Declarations of Interest / Dispensations Granted**
- 10.1 None

Background Papers

Coronavirus Act 2020 Section 78

<https://www.localgov.co.uk/Virtual-council-meeting-challenge-dismissed-by-High-Court/52242>

https://consult.communities.gov.uk/local-government-stewardship/local-authority-remote-meetings-call-for-evidence/consultation/my_response?user_id=ANON-N2UZ-453H-K&key=fbdecc3d1255befa6002f2249e65d89d4d6413ed

Pre-Screening Equality Impact Assessment



Name of policy/service/function	Council meetings				
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 rigidly constrained by statutory obligations					
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	X			
	Disability	X			
	Gender	X			
	Gender Re-assignment	X			
	Marriage/civil partnership	X			
	Pregnancy & maternity	X			
	Race	X			
	Religion or belief	X			
	Sexual orientation	X			
Other (eg low income)	X				
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 favoring a particular community or denying opportunities to another?	No	<p>Members of the public have an improved ability to observe and take part in the democratic process. They can physically attend the meetings and/or where they have access to the necessary technology can watch live via Zoom or Youtube and could be invited to participate via Zoom.</p> <p>The ability to access the meeting digitally from home or their choice of place may be beneficial for those reliant upon with public transport, those on low incomes or those with mobility issues.</p> <p>The ability to view/listen to the live/recorded proceedings may also provide a richer experience than relying upon the written agenda, reports and minutes.</p>			
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				
<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>	No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by:	35				
Name					
Job title	Date				

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.

Response ID ANON-N2UZ-453H-K

Submitted to **Local Authority Remote Meetings - Call for Evidence**

Submitted on **2021-06-10 11:51:00**

Your personal data

1 Are you happy to continue?

Please tick this box if you are happy to continue:

Yes

Introduction

2 What is your name?

Name:

Honor Howell

3 What is your email address?

Email:

honor.howell@west-norfolk.gov.uk

4 What is your organisation?

Organisation:

Borough Council of King's Lynn and West Norfolk

5 Where in the UK is your organisation based?

England

6 What type of organisation are you responding on behalf of?

Please select an option from the drop-down list below:

District Council

If you selected other, please specify:

Scope of this Call for Evidence

Purpose of this Call for Evidence

Terminology

Background

The Current Arrangements

7 Generally speaking, how well do you feel the current remote meetings arrangements work?

Very Well

Please explain your answer in more detail, though note you will be asked about specific advantages and disadvantages of remote meetings in further questions:

Allowed public meetings to continue in difficult times. Officers can attend late meetings from home, reducing travel time.

Public engagement has increased with more viewing meetings on YouTube than ever attending in person.

Less apologies from Members

Permanent Arrangements

8 Generally speaking, do you think local authorities in England should have the express ability to hold at least some meetings remotely on a permanent basis?

Yes

Please explain your answer in more detail.:

Yes. There are many reasons for this:

Reduced costs - travel allowances

Less emissions people not travelling

The technology is there. It has proven to work. Why not continue?

Benefits of Remote Meetings

9 What do you think are some of the benefits of remote meetings?

More accessible for local authority members, Reduction in travel time for members, Meetings more easily accessed by local residents, Greater transparency for meetings, Easier to chair meetings in an orderly fashion, Other (please specify below)

For each benefit you have selected, please explain each of your answers in more detail:

a) Many of our members are retired and elderly. Remote meetings mean they do not have to leave their homes and travel to meetings. We have experienced far less apologies for meetings, especially during winter when poor weather may have affected attendance.

b) The Borough Council of King's Lynn and West Norfolk covers 550 square miles. It is a large rural borough and some Members live towards the boundaries of the district. Travel time can be quite lengthy for some, up to an hour in some cases.

c) We have seen a large rise in citizens attending (virtually) the meetings which are streamed via YouTube. This enables residents to understand the political process and how councils and scrutiny works. We have seen more engagement from our customers now they can view the meetings whenever they want.

d) The meetings are recorded so there are less challenges to the minutes or actions during the meetings.

e) the Chair or Vice Chair can monitor the chat function to see who wants to speak. this ensures questions are responded to in the order correctly.

f) More efficient for officers in reduced travel and only need to attend for their reports only

Please upload a file using this link:

YT Analytics.docx was uploaded

Cost of remote meetings

10 [For local authorities only] Have you seen a reduction in costs since implementing remote meetings in your authority?

Yes

Please explain your answer in more detail.:

Attached is a spreadsheet with Members expenses paid for the last 3 years. Costs have clearly reduced considerably.

Please upload a file using this link:

Copy of Members expenses paid.xlsx was uploaded

Disadvantages of Remote Meetings

11 What do you think are some of the disadvantages of the remote meetings arrangements?

I do not think there are any disadvantages to remote meetings

For each disadvantage you have selected, please explain each of your answers in more detail:

For each disadvantage you have selected, please explain any suggestions you have to mitigate/overcome them.:

Advantages of Physical Meetings

12 What do you think are some of the main advantages of holding face-to-face meetings, as opposed to remote meetings?

Please provide your answer in the box below:

Members can speak informally (although they should be able to talk informally outside of formal meetings).

Potential to encounter local residents face to face, listen to their concerns in persons (but they should be accessible to their local residents in their ward to discuss their concerns or via other comms channels such as facebook etc).

Constraints on Remote Meetings

13 If permanent arrangements were to be made for local authorities in England, for which meetings do you think they should have the option to hold remote meetings?

For most meetings with a few exceptions (please specify)

Please explain your answer in more detail.:

There is justification for Full Council to be held face to face, as long as officers can attend remotely to keep numbers down.

14 If permanent arrangements were to be made for local authorities in England, in which circumstances do you think local authorities should have the option to hold remote meetings?

I think local authorities should be able to decide for themselves which circumstances they should have the option to meet remotely

Please explain your answer in more detail.:

this should be within the remit of the LA in consultation with it's Members. What works for one council may not work for another for a variety of reasons.

15 Would you have any concerns if local authorities in England were given the power to decide for themselves which meetings, and in what circumstances, they have the option to hold remote meetings?

No

Please explain your answer in more detail.:

No. We are not aware of any misuse of power in such arrangements. It will be discussed between the Administration and the Senior Management with all arrangement mutually agreed,

16 If yes, do you have any suggestions for how your concerns could be mitigated/overcome?

Please provide your answer in the box below:

N/A

Public Sector Equality Duty

17 In your view, would making express provision for English local authorities to meet remotely particularly benefit or disadvantage any individuals with protected characteristics e.g. those with disabilities or caring responsibilities?

Yes

Please explain your answer in more detail.:

Many local authorities have spoken of the potential benefits that remote meetings could have for members or potential members with disabilities or young families. However, there are also those for whom remote meetings may post additional difficulties, for example, those with hearing visual impairments or those more likely to struggle with the technology.

It would provide access to those who are unable to attend in person.

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES /NO	
	Discretionary /	Need to be recommendations to Council	YES/ NO	
	Operational	Is it a Key Decision	YES /NO	
Lead Member: Cllr Stuart Dark (Leader) E-mail: cllr.stuart.dark@west-norfolk.gov.uk		Other Cabinet Members consulted: Cabinet		
		Other Members consulted: All members		
Lead Officer: Lorraine Gore E-mail: lorraine.gore@west-norfolk.gov.uk Direct Dial: 01553 616345		Other Officers consulted: Management Team Assistant Directors		
Financial Implications YES/ NO	Policy/Personnel Implications YES/ NO	Statutory Implications YES/ NO	Equal Impact Assessment YES /NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES/ 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: 3rd August 2021

TITLE – APPOINTMENT OF A FULL TIME MONITORING OFFICER

Summary

The Local Government and Housing Act 1989 requires the council to appoint a Monitoring Officer to be responsible for specified statutory functions. The Monitoring Officer cannot be the councils Head of Paid Service or it's Chief Finance (Section 151) Officer.

The council has a Service Level Agreement with its legal services provider, Eastlaw, to provide the Monitoring Officer function for two days a week. This arrangement is due to expire at the end of September 2021. Unless the council renegotiates this agreement, the Monitoring Officer service will reduce to one day a week.

The borough council is increasing involved in large, innovative and complex projects which require legal support, advice and due diligence as well as other work such as Code of Conduct investigations and support for Parish Councils.

The workload of the Monitoring Officer has increased significantly over the last 18 months and has reached a level that is unmanageable under the existing arrangements and more resource is required to undertake this role.

Recommendation

That Cabinet agree that the borough council create a post and and proceed with the recruitment and appointment of a full time Monitoring Officer to be employed solely by the council.

Reason for Decision

To ensure the council is able to carry out its statutory functions and has the resource to provide the relevant advice, guidance and legal opinion on the many functions it carries out.

1. Background

- 1.1 The borough council currently has a part-time Monitoring Officer (MO) as part of our Service Level Agreement (SLA) with Eastlaw.
- 1.2 The original SLA allowed for the provision of MO services for half a day a week. However, this was not sufficient to fulfil the needs of the council and in January 2020 the council increased this to 2 full days and paid a further fee to Eastlaw for the increased cost to allow them to backfill the other work covered by the MO.
- 1.3 The Local Government and Housing Act 1989 requires the council to appoint an MO to be responsible for specified statutory functions. The MO cannot be the council's Head of Paid Service or its Chief Finance (Section 151) Officer.
- 1.4 It is the duty of the MO to prepare a report to full council or the Executive in relation to non-executive and executive functions respectively where they are of the opinion that any proposal, decision or omission by the council has given rise to, or is likely to or would give rise to a contravention of any enactment or rule of law, or to maladministration. The MO also has responsibility pursuant to sections 27-34 of the Localism Act 2011 to administer the ethical regime for members of the council and all parish councillors in the council's district, as well as acting for the MO for all such parish councils.
- 1.5 In addition to the above, the MO, as one of the three statutory officers has a general role in ensuring and advising on the lawfulness of the council's actions.
- 1.6 The Borough Council of King's Lynn and West Norfolk is a large district council, covering 550 square miles with a population of 150,000 residents. It has over 54 borough councillors and over 100 parishes.
 - 1.6.1 The borough council delivers many complex and innovative projects and it is clear that the 2 days provided by the MO under the SLA is not sufficient to carry out the important role of providing advice and due diligence to meet its requirements. The volume of work has increased significantly over the last 18 months and the demands placed on the existing MO are currently unmanageable.
 - 1.6.2 The statutory role carried out by the MO is essential to safeguard the borough council by carrying out effective due diligence, providing

advice and guidance, attendance at meetings as well as managing Code of Conduct issues for the borough, town and parish councils. If, due to the sheer volume of work, this cannot be fulfilled in a timely way, the council is vulnerable to service complaints as well as legal challenges, placing the council at increased risk.

2. Options Considered

- 2.1 The council is currently reviewing the provision of its legal services and this work is ongoing. Regardless of the outcome of the review, it is clear that a council of this size and position requires a dedicated MO to enable it to fulfil all its statutory functions and to manage the workload, which is not expected to reduce in the medium to long term. A full time MO would be employed by the borough council and could focus solely on the needs of the council.
- 2.2 A review of the provision of legal services is also being undertaken and a further separate report will be presented to Cabinet later in the year.

3. Recommendation

- 3.1 That Cabinet approve the request that the council requires a full time MO and agree to the council creating an additional post, develop a job description and proceed to a full recruitment process via an external advert.

4. Policy Implications

- 4.1 There are no policy implications.

5. Financial Implications

- 5.1 A full job description and personal specification for the role will be completed and will proceed to the councils Job Evaluation Panel to be graded. This will be a senior role, reporting directly to the Chief Executive and will be at a senior grade due to the skills and responsibilities required and to attract candidates of the calibre and skills required.
- 5.2 There will be additional in year costs of the appointment for 2021/22 due to this being an additional post. The overall costs will be included within the legal services review.
- 5.3 The appointment of a dedicated MO will result in the requirement to renegotiate the terms of the SLA with Eastlaw with a corresponding reduction in the cost of the SLA. The existing arrangement for the extra days provided by the MO are due to end on 30 September 2021.

6. Personnel Implications

- 6.1 The proposals outlined in this report represent an increase in the Council's permanent establishment by the creation of a new Monitoring Officer post.
- 6.2 The job description for the post will be subject to evaluation via the Council's job evaluation process. The post is a statutory role reporting directly to the Chief Executive and due to the nature of the position is expected to be evaluated at a level broadly equivalent to an Assistant Director.
- 6.3 This post will be subject to an external recruitment process. Due to the position being a statutory role the appointment will be made by the Appointments Panel.
- 6.4 As a new stand-alone role, there are no requirements for formal consultation with existing staff or Trade Union. Management Team and Assistant Directors have been consulted on the proposal so that they are aware of the introduction of the role and how this will fit into the Council's existing staffing structure.

7. Statutory Considerations

- 7.1 The Local Government and Housing Act 1989 requires the council to appoint an MO to be responsible for specified statutory functions.

8. Equality Impact Assessment (EIA)

Pre-screening attached.

8. Risk Management Implications

- 8.1 The MO has key responsibilities within a local authority. If the council is not able to fulfil those responsibilities within the timescales required, this may leave the council vulnerable with the associated risk of legal challenge.

9. Environmental Considerations

- 9.1 There are no environmental considerations.

10. Declarations of Interest / Dispensations Granted

- 10.1 None

Background Papers



**Pre-Screening Equality Impact
Assessment**

Name of policy/service/function	Recruitment of a full time Monitoring Officer				
Is this a new or existing policy/ service/function?	New / Existing-(delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	Proceed to advertise for a recruit a full time Monitoring Officer for the Borough Council				
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			X	
	Disability			X	
	Gender			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
	Other (eg low income)			X	
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 favoring a particular community or denying opportunities to another?	Yes / No				
3. Could this policy/service be perceived as impacting on communities differently?	Yes / No				
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	Yes / No				
<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>	Yes / No	Actions:			
		Actions agreed by EWG member:			
Assessment completed by: Name	Honor Howell				
Job title: Assistant to the Chief Executive	Date 23 June 2021				

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.

REPORT TO CABINET

Open/Exempt		Would any decisions proposed :		
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide	YES /NO	
	Discretionary /	Need to be recommendations to Council	YES/ NO	
	Operational	Is it a Key Decision	YES /NO	
Lead Member: Cllr Stuart Dark (Leader) E-mail: cllr.stuart.dark@west-norfolk.gov.uk		Other Cabinet Members consulted: Cabinet		
		Other Members consulted: CPP		
Lead Officer: Lorraine Gore E-mail: lorraine.gore@west-norfolk.gov.uk Direct Dial: 01553 616345		Other Officers consulted: Management Team Assistant to the CEO		
Financial Implications YES/ NO	Policy/Personnel Implications YES/ NO	Statutory Implications YES/NO	Equal Impact Assessment YES/ NO If YES: Pre-screening/ Full Assessment	Risk Management Implications YES /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: 3rd August 2021

TITLE – PROPOSED COUNCILLOR COMMUNITY GRANT SCHEME

Summary

The borough council is proposing to introduce a Councillor Community Grant Scheme with the aim of funding community projects and initiatives that will deliver better outcomes for residents in their Ward as well as contributing to the achievement of the Council's Corporate Business Plan priorities. Each ward councillor will be given a budget of £1,000p.a. to assist their constituents with funding for projects which meet the criteria for the scheme.

Recommendation

That Cabinet agree to introduce the Councillor Community Grant Scheme and set aside the budget required for the scheme.

Reason for Decision

To give councillors the means of providing financial support to local communities, with projects and initiatives that meet the proposed criteria and provides clear and demonstrable benefits to the people and environment of their local communities.

1. Background

- 1.1 Many local councils provide their ward members with funding towards improving community facilities, activities, the environment and the health and well-being of their communities. This report sets out the objective of introducing a scheme for the Borough Council of King's Lynn and West Norfolk to help support members give practical financial assistance to schemes in their constituencies which will benefit the community as well as contribute to the councils overall vision and corporate business plan.
- 1.2 Voluntary and Community organisations vary enormously both in terms of their size and structures and how they support local communities. Whilst many rely on significant grant funding to deliver key support, for some more grass root organisations a small amount of funding such as £50 towards a new cooker for a lunch club can make a big difference. Some of these groups are not eligible for most funding because they are not charities or constituted organisations.
- 1.3. Elected members are often well placed to identify local needs and are in touch with grass root organisations operating in their ward. Making funding available to each Councillor in order to support this organisation is proposed. Those members who are county councillors will be familiar with similar schemes through the county council.
- 1.4 Attached at Appendix A is a proposed scheme. If agreed, it is recommended that this is run as a pilot over 2 years (starting in October 2021) in order to assess the impact and value for money. To make it as easy as possible for grassroots organisations to apply it would be supported by a simple on-line application form focussing on the purpose of the organisation and what they need funding for. Any funding awarded would be paid into a bank account in the name of the group or to an organisation who agrees to accept the funding and passport it to the group. Where this is not possible, it can be paid to an individual where it can be shown the individual is acting on behalf of the local community, for example through a letter of endorsement from a local organisation.
- 1.5 If each member is given £1,000 for their ward then £54,000 would be available across all wards to facilitate community schemes.
- 1.6 Prior to the launch of the scheme, a training session will be offered to all councillors. The training will set out member roles and responsibilities, including issues to consider when awarding funding, transparency, data protection and signposting to other funding support options.

2. Options Considered

- 2.1 The council also operates a Financial Assistance Grant Scheme for organisations to apply for funding. However, the Councillor Community Grant Scheme is designed for councillors to be able to assist their

constituents directly and have influence on where the money is spent within their area. In wards with more than one ward councillor, all councillors should agree to any application to the funds of the other councillors.

3. Recommendation

- 3.1 That Cabinet agree to create a Councillor Community Grant Scheme which to support local projects and activities that will have a positive impact in their area.

4. Policy Implications

- 4.1 A draft policy can be found in Appendix A.

5. Financial Implications

- 5.1 A grant of £1,000 for all councillors will give a maximum annual cost of £54,000. A budget from ???? has been allocated to the scheme.
- 5.2 There will be a resource requirement to allocate the payments to the applicants, but the application will be decided by the individual councillor, in accordance to the criteria set out in the scheme policy.

6. Personnel Implications

- 6.1 There are no personnel implications.

7. Statutory Considerations

- 7.1 There are no statutory considerations.

8. Equality Impact Assessment (EIA)

Pre-screening attached.

- 8.1 The funding could be used to fund activities that support groups with protected characteristics and therefore support the council's equalities objectives

8. Risk Management Implications

- 8.1 There is a small risk that funding could be allocated to projects not set out in the criteria, however, members would make declarations about the use of funding, which would be in the public domain ensuring awards are transparent. The amount of funding available ensures there is no significant financial risk. Members are required to adhere to their code of conduct and training would help minimise the risk.

9. Environmental Considerations

9.1 The funding could be used to fund grassroots activities that have a positive environmental impact.

10. Declarations of Interest / Dispensations Granted

10.1 None

Background Papers

None



**Pre-Screening Equality Impact
Assessment**

Name of policy/service/function						
Is this a new or existing policy/ service/function?		New / <u>Existing</u> -(delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations		Proceed to advertise for a recruit a full time Monitoring Officer for the Borough Council				
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	X			
		Disability	X			
		Gender	X			
		Gender Re-assignment	X			
		Marriage/civil partnership	X			
		Pregnancy & maternity	X			
		Race	X			
		Religion or belief	X			
		Sexual orientation	X			
Other (eg low income)	X					
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 favoring a particular community or denying opportunities to another?		Yes / No	Each ward will be given the same amount of funding and awards will be made according to the criteria as set out in the policy document.			
3. Could this policy/service be perceived as impacting on communities differently?		Yes / No	All communities in west Norfolk have serving borough councillors. Some have more than one, due to their size but the funding allocated to each councillor reflects this.			
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?		Yes / No				
<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>		Yes / No	Actions:			
			Actions agreed by EWG member:			
Assessment completed by: Name		Honor Howell				
Job title: Assistant to the Chief Executive		Date 5 July 2021				

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.

Councillor Community Grant Scheme – Policy Document

Every Borough Council of King's Lynn and West Norfolk District Councillor will be given a grant budget of £1,000 to award for projects or services that will offer community benefits in their own ward area.

The council is committed to promoting equality and diversity and welcomes applications from all sectors of the community, regardless of race, gender, disability, sexual orientation, age, status, religion, or belief.

Basic rules of the scheme

- Projects must benefit the community in the councillor's ward area.
- The minimum grant is £50 and the maximum £1,000 for each councillor.
- A councillor can fund up to 100 per cent of the total cost of a project.
- The project must be completed within 12 months of the grant award decision.
- All the budget should be allocated by the end of the financial year. Any unallocated budgets at the will return to the council's general reserves.
- Councillors should make their decisions within eight weeks of receiving an application

Eligibility

Local unconstituted groups or organisations whose primary purpose is to benefit the residents of their community.

Who is not eligible?

- Other local authorities/public sector bodies
- Individuals not part of a community group
- Profit-based businesses
- Political and lobbying groups
- Nationwide organisations

What we will fund

Applications should focus on projects that deliver a clear and demonstrative benefit to the people of west Norfolk, specifically in the ward area of the district councillor considering the request. The Borough council accepts no liability or responsibility for any of the projects funded by this grant scheme, now or in the future and should not involve officer time or any ongoing costs such as maintenance.

Appropriate projects could include, but are not limited to:

- Replacement equipment or improvements to community centres/halls
- A community newsletter
- Improvements to community facilities (for example accessibility improvements)
- The purchase of equipment for community use
- One of hire costs
- One-off repairs
- Major repairs such as repairing a section of roof or major boiler repairs (but not routine servicing) to community buildings.

What we will not fund

- Retrospective funding for work/projects already commenced
- Statutory activities that are either the council or another public sector organisation responsibility
- Recurring revenue costs (salaries, rent, maintenance)
- Projects that benefit private businesses
- Political activities, lobbying or campaigning
- Projects that, in the assessment of the borough council show actual unlawful discrimination within the terms of the Equality Act 2010

Applications will not be considered during the period of purdah up to borough and county elections.

Application and Award Process

Organisations can apply using the council's online form available from our website. Applicants should read the guidance notes on our website before completing an application. Once submitted, it will be passed to the appropriate borough councillor the district councillor will then carry out an evaluation of the application to confirm eligibility, their decision, any additional grant conditions and noting any declarable interests. The councillor may contact the applicant to complete their evaluation. Once the councillor submits their completed evaluation an officer will either:

- Send a grant award offer to the applicant that will include our standard (and any additional) conditions
- Inform the applicant that they were unsuccessful
- The applicant must sign and return the grant award offer, confirming they will meet all our conditions and the bank details for their organisation.
- On receipt of the signed grant offer the council will release the grant payment.
- The council will only make payments by BACs to accounts in the name of the applying organisation/individual representing the community group

Standard Conditions

The following Standard Conditions will be attached to each grant offer:

- The organisation will only spend the grant on the project listed in their application and must do so within 12 months of the award date or they will return the funding
- The organisation will return a proportionate amount of the grant if the project costs less than expected or they receive additional funding towards the project
- The funding is non-transferrable and must be spend on the project/costs listed in the application
- The group/organisation will comply with all relevant regulations, objectives, and delivery of its core activities
- The organisation agrees to have regard to the need to safeguard and promote the welfare of children, young people, and vulnerable adults
- The organisation will consult with the ward member before making significant changes to the project/work covered by the grant
- The organisation will acknowledge the council's support in any press, publicity, or promotion of the project (consulting our communications team beforehand)
- The organisation acknowledges the council accepts no responsibility or liability for this project or the facilities it provides now or in the future

Monitoring of the Grants

Ward councillors will have an annual budget of £1,000 and will be expected to monitor each grant awarded to ensure spending is appropriate and will be required to produce sufficient evidence to show that the grant has been spend appropriatly. If the awarded project has not started by the grant expiry date (12 months from the award date), the organisation must repay the grant in full to the council.

Document is Restricted