

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CABINET DECISION SHEET

**Decision Sheet from the Meeting of the Cabinet held on
Tuesday, 15th November, 2022 at 3.30 pm in the Council Chamber,
Town Hall, Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor G Middleton (Vice-Chair in the Chair)
Councillors R Blunt, H Humphrey, P Kunes, A Lawrence, and S Sandell

Apologies for absence were received from Councillors S Dark and A Dickinson

1 APPOINTMENT OF VICE-CHAIR FOR THE MEETING

RESOLVED: That Councillor R Blunt be appointed Vice-Chair for the meeting.

2 MINUTES

RESOLVED: The Minutes of the Meetings held on 10 August, 26 September and 19 October 2022 were agreed as a correct record and signed by the Chair.

3 URGENT BUSINESS

None

4 DECLARATIONS OF INTEREST

Councillors Blunt, Lawrence and Long declared a personal interest as Council appointed Directors of West Norfolk Housing Company and West Norfolk Property.

Councillors Long and Middleton declared a personal interest as Council appointed Directors of Alive West Norfolk. Councillor Middleton did not vote on the Kaset item.

Councillor Nockolds as a Director of Alive West Norfolk declared she was speaking as a councillor for the Kaset item.

All members declared that they would be speaking as Councillors rather than Directors on the Governance of Council Bodies item.

5 CHAIR'S CORRESPONDENCE

None

6 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillors B Long, A Dickinson (Zoom), C Joyce(Zoom), A Kemp and E Nockolds attended under standing order 34.

7 **FORWARD DECISIONS**

The Forward Decisions List was noted.

8 **CALLED IN MATTERS**

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

The Call in was not upheld.

9 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

Corporate Performance Panel on 31 October 2022 made recommendations on the following items:

CP64 Corporate Business Plan Monitoring Report 1 April – 30 September 2022

CP65 Review of Governance of Council Companies

The Environment and Community Panel on 1 November 2022 made recommendations on the following items:

EC39 Options for Kasset at Lynnsport

EC40 Extension to MRF Contract

10 **PAY AWARD 2022 - 2023**

RECOMMENDED: 1) That an increase of £1,925 or 4% (whichever is the greater) be applied to all salary points.

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

3) That officers review with Unison representatives the National Settlement once finalised and report to Cabinet should any further actions be recommended.

Reason for Decision

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

11

GOVERNANCE OF COUNCIL COMPANIES

RESOLVED: 1) That a sub-committee to be known as 'the Shareholder Committee' be established and the terms of reference be set as shown in Appendix 1 to the report as the terms of reference for the Shareholder Committee. That full authority be delegated to the Shareholder Committee to carry out its terms of reference.

2) That authority be delegated to the Chief Executive in consultation with the Leader to enter Service Level Agreements between the Council and each of its wholly owned companies in respect of all support provided by the Council to that wholly owned company.

3) That the Corporate Governance Action Plan attached at Appendix 2 to the report be approved.

Reason for Decision

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

12

CORPORATE BUSINESS PLAN MONITORING REPORT

RESOLVED: That the progress against the Corporate Business Plan be noted.

Reason for Decision

To consider progress with the delivery of the Corporate Business Plan for the period 1 April – 30 September 2022.

13

BALLOONS, SKY LANTERNS AND FLYING RINGS

RESOLVED: 1) That the council continue to prohibit the mass release of balloons and sky lanterns on council land and beaches through terms and conditions of hire.

2) That the Council continue to discourage any mass release of balloons and sky lanterns through funding or officer time.

3) That the use of flying rings on council beaches be prohibited and their use be proactively discouraged in other areas where there is a chance they could end up in the sea.

- 4) That the Norfolk County Council Balloon and Sky Lantern Charter be signed up to.
- 5) That available opportunities be used to promote these practices and encourage environmentally friendly alternatives, some of which can be found on the RSPCA website [Eco-Friendly Alternatives to Balloon Releases & Sky Lanterns | RSPCA](#).
- 6) That it be acknowledged that the extent of the powers available currently are to warn, inform and engage with land users in the hope that they comply, currently there are no associated resource to patrol the affected areas nor powers to penalise anyone failing to comply.
- 7) That all parish councils within the borough be encouraged to adopt this approach for areas within their ownership.

Reason for Decision

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

14 EXCLUSION OF THE PRESS AND PUBLIC

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 they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

15 EXTENSION TO THE MRF CONTRACT

RESOLVED: 1) That the proposal of extending the MRF contract to 30th September 2027 be approved.

2) That Changing the “gate fee” under the MRF contract from fixed to variable as set out at section 4 of this report, to apply from 1st October 2021 be approved.

3) That as joint shareholder of Norse Environmental Waste Services Ltd (NEWS) it be agreed that changes to the Shareholder Agreement and MRF Contract be made to ensure the continued provision of the processing of collected dry recyclables up to 30th

September 2027, such agreement to incorporate consequential drafting changes.

4) That delegated authority be granted to the Chief Executive and Monitoring Officer in consultation with the Leader and the Portfolio Holder for the Environment to conclude negotiations with the relevant parties and complete the necessary documentation to bring Resolutions 1-3 into effect.

Reason for Decision

Whilst noting the changes in risk, an extension of the contract on the proposed terms does still represent the most viable option, as it will allow the service of sorting collected dry recyclables to be secured in the longer term and provide stability of arrangements during a period where national waste policy and legislation on waste is expected to lead to changes on the volume and composition of waste collected by Councils.

16 WASTE CONTRACT - RE-INVESTING PERFORMANCE DEDUCTIONS

RESOLVED: 1) That a budget be set to one side into which these performance deductions should be paid. This budget would be used to fund improvements to waste collection across the Borough and that this includes an earmarked reserve.

2) That the Executive Director (Environment and Planning), in consultation with the Portfolio Holder for the Environment be authorised to make changes to Schedules 2 and 4 of the Waste and Related Services Contract 2021 to provide greater flexibility to the rectification of missed collections.

Reason for Decision

To enable investment to take place improving the quality and frequency of waste provision and provide increased flexibility to resolve missed bin collections.

17 PROPOSAL TO RE-DEVELOP KASET – SKATEPARK AT LYNNSPORT

RESOLVED: 1) That the Council with the support of Alive West Norfolk progress the work to move to cost certainty for the project by providing funding of £110,942

2) That delegated authority be granted to the council's Section 151 Officer, in consultation with the Portfolio Holder for People and

Communities and Portfolio Holder for Finance, that, following resolution on some outstanding queries on the proposed business case, funding of £110,942 is allocated from earmarked reserves to engage consultants to prepare a cost certainty model to inform a final business case on which a decision can be made.

Reason for Decision

The Kaset skatepark provides an area specifically aimed at skateboarding which limits the prospective service users. Kaset does not achieve high attendance numbers and does not, in turn, provide a profit. This project is designed to improve the offer to the boroughs residents by providing a state-of-the-art Activity Centre, which will offer a range of activities, aimed at children of all ages, and thus create a more inclusive and appealing leisure interest for our communities.

If the project is to proceed, a cost certainty model will provide the council with the data to support the decision-making process and demonstrate if the project is affordable and will provide a return on investment for the council.

The meeting closed at 5.21 pm