

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**CABINET**

**Minutes from the Meeting of the Cabinet held on
Wednesday, 10th August, 2022 at 2.00 pm in the Council Chamber, Town
Hall, Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor S Dark (Chair)
Councillors R Blunt, B Long, G Middleton and S Sandell

Apologies for absence were received from Councillors A Dickinson and
A Lawrence

CAB50 **THE LATE COUNCILLOR JOHN COLLOP**

Following the sad death of Councillor John Collop, as a mark of respect
Cabinet stood and held a minutes silence in his memory.

CAB51 **URGENT BUSINESS**

None

CAB52 **DECLARATIONS OF INTEREST**

None

CAB53 **CHAIR'S CORRESPONDENCE**

None

CAB54 **MEMBERS PRESENT UNDER STANDING ORDER 34**

Councillors C Morley, J Moriarty, T Parish and M de Whalley attended
under standing order 34.

Councillor Kunes attended via zoom but did not vote on items.

CAB55 **MATTERS REFERRED TO CABINET FROM OTHER BODIES**

None

CAB56 **ASSURANCE FRAMEWORK - TOWNS FUND**

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The Monitoring Officer presented a report which explained that a requirement of a Town Deal was to implement a Local Assurance process for the development and sign off of individual Business Cases for the Towns Deal projects, to finally be signed off by the Section 151 Officer and Town Deal Board Chair. This was a locally devised framework and therefore each town awarded a Towns Deal would have developed their own bespoke framework.

Cabinet approved existing King's Lynn's Towns Deal Local Assurance Framework (LAF) on 24 August 2021. The LAF was developed as a projection of how the governance and decision making would work, however given the concept of a 'Town Board' represented an entirely new way of working for the Council, this projection was not based on any relevant experience. Now that the Town Deal Programme Board had had experience of taking business cases through this governance framework, it had identified improvements that could be made to streamline the process without losing any of the governance oversight.

Under standing order 34 Councillor de Whalley addressed Cabinet expressed concerns that the risks for the projects were significant, and also reflected that the riverfront plan needed to be sympathetic with the key buildings and protecting the heritage of the Custom House.

Under standing order 34 Councillor Morley referred to correspondence he had had with the Monitoring Officer on the subject where she had answered a number of questions. He stated that he did not believe that the paper had enhanced the project assurance process. He didn't think that the diagram fully explained the process and that in the Guildhall case that many of the boxes or arrows were explained. He felt that it should reflect what we had done. He also considered that the Consultants employed were not classed as independent, but experts and also that due diligence was not complete until the Panels had considered them.

Under standing order 34 Councillor Moriarty sought clarification as to whether this was a cabinet decision. It was confirmed it was a cabinet decision.

Under standing order 34 Councillor Parish concurred with Councillor Morley's comments and also commented that he was not happy with the Town Board as it had no opposition members on it. The change was moving the draft proposals before the Town Board had seen them which meant panels couldn't influence it.

The Monitoring officer confirmed that a wholesale review of the LAF would be carried out

Councillor Middleton commented that comments from members and stakeholders had been listened to and hence the proposed changes. He considered it a more efficient way of dealing with things. He referred to how other councils were carrying out this process. He

confirmed that this Council's way of progressing was thorough and allowed members to have their say. He confirmed there was risk, but as much of it was mitigated as possible, but in order to deliver for the town it was important to move forward. He confirmed that the Government had agreed the re-prioritised list of projects. He also confirmed that the comments on protecting the heritage buildings were in line with his views to maintain and enhance in an appropriate way.

Councillor Long asked whether the processes were all requirements of the Government, or additionally put in place. The Monitoring Officer explained that when asked by officers, the Government had said it was a local decision to make. Their only requirement was to submit the business case and signed off by the Town Board Chair (with the S151 Officer). All other processes had been put in place locally. Councillor Long was happy with the additional measures put in place to ensure Councillors had the opportunity to have input.

Councillor Kunes commented on the look after the Custom House, but not necessarily for it to stay in its current usage, as it had changes such over the years.

Councillor Blunt referred to the amount of work that had gone into the process so far, but that the diagram was to show the flow, not the detailed information. It was trying to reflect the fact that it gave members the opportunity in the process. It was in order to create a business case to get signed off.

Councillor Dark in referring to the points made there were no major omissions in the diagram. It brought rationalisation and clarity.

RESOLVED: That the King's Lynn Town Deal Local Assurance Framework be amended by replacing the diagram on page 10 of the document with the diagram set out at Appendix 2 to the report.

Reason for Decision

To ensure that the governance arrangements around the Towns Board are realistic and fit for purpose.

CAB57 EXCLUSION OF THE PRESS AND PUBLIC

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

CAB58 **EXTENSION TO THE MRF CONTRACT**

The Waste and Recycling Manager presented a report which explained that the contract for processing mixed dry recyclables collected by Councils in Norfolk was delivered by joint venture company contract with Norse Environmental Waste Services Ltd (NEWS). This arrangement was for all seven Waste Collection Authorities in Norfolk (ie the District, City and Borough Councils) and the County Council in its role as a Waste Disposal Authority.

The contract expired on 30 September 2024 and costs were currently paid based on a fixed gate fee. To secure a three-year extension to 2027 which had been allowed for in the contract, payment for the service would have to change from the existing fixed gate fee basis to a variable gate fee, which would be based on actual costs and which would apply from October 2021. The process for the change was heading towards completion with documents providing for the change heading towards a finalised format.

Under standing order 34 Councillor de Whalley asked the likelihood of meeting recycling targets, to which it was confirmed that there would be changes to legislation but encouragement would be given to recycle more and waste less to endeavour to continue to improve.

Under standing order 34 Councillor Parish asked if soft plastics were collectable, to which it was explained that the Government were wanting soft plastics to be included in kerbside collections in coming legislation.

In responding to Councillor Moriarty's question under standing order 34 the financials of this could be seen in the monitoring reports as they came through. It was also confirmed that other authorities had already approved this extension.

Under standing order 34 Councillor Morley asked for the detail on the Council's exposure which was explained.

Councillor Dark made reference to the report detail on the smoothing financials.

Cabinet debated the report and supported the recommendations.

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

2) That the changing the "gate fee" under the MRF contract from fixed to variable as set out at section 4 of the 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 NEWS is Teckal compliant, 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

An extension would 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

The meeting closed at 3.15 pm