

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CORPORATE PERFORMANCE PANEL

Minutes from the Meeting of the Corporate Performance Panel held on Monday, 3rd October, 2022 at 4.30 pm in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillors J Moriarty (Chair), G Hipperson (substitute for B Ayres), C Hudson, H Humphrey, J Kirk, J Lowe, C Manning, S Nash, E Nockolds (substitute for C Rose), V Spikings, S Squire (substitute for C Morley) and D Tyler.

PRESENT UNDER STANDING ORDER 34: Councillor M de Whalley (on Zoom)

OFFICERS:

Alexa Baker – Assistant Director and Monitoring Officer
 Becky Box – Assistant Director Central Services
 Ged Greaves – Corporate Performance Manager
 Matthew Henry – Assistant Director Property and Projects

CP22 **APOLOGIES**

Apologies for absence were received from Councillors Ayres, Morley and Rose.

CP23 **MINUTES**

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The Chair proposed an amendment to the minutes for item CP10 Review of New Waste Collection Contract Performance – Stage 2 in that the resolution wording should be changed from 'received' to 'receive'.

RESOLVED: The minutes from the previous meeting were agreed as a correct record subject to the above amendment.

CP24 **DECLARATIONS OF INTEREST**

There was none.

CP25 **URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

CP26 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor de Whalley.

CP27 **CHAIR'S CORRESPONDENCE (IF ANY)**

There was none.

CP28 **CALL-IN (IF ANY)**

There was none.

CP29 **CALL-IN OF OFFICER DELEGATED DECISIONS**

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The Monitoring Officer presented the report which considered options for the call-in of Officer Delegated Decisions. She explained that the Chair of Corporate Performance Panel had asked for a paper reviewing the current arrangements and in conducting the review the Monitoring Officer had felt that Officer Delegated Decisions should be subject to call-in and the report set out proposed changes to Standing Orders for Members consideration. She explained that the provision of call-in of Officer Delegated Decisions was a locally determined issue.

If the Corporate Performance Panel were supportive of the proposals to amend Standing Orders they would presented to Full Council for approval in due course.

The Chair thanked the Monitoring Officer for her report and invited questions and comments from Members. Members of the Panel indicated their support for the proposals.

RESOLVED: That the Cabinet be recommended to recommend onto Full Council changes to Standing Orders as set out below to make Officer Delegated Decisions subject to call-in.

12 The calling-in of Cabinet recommendations and executive decisions

12.1 Any Cabinet decision or Cabinet recommendation to the Council, delegated Cabinet Member's decision or officer delegated decision, may be presented for call-in to the Corporate Performance Panel

...

12.8 Upon conclusion of the debate the Corporate Performance Panel will decide upon one of the following two courses of action:

(a) support the Cabinet/Cabinet Member's/officer's recommendation(s) or decision(s). In this case the recommendation(s) or decision(s) will,

respectively, be free to pass to Council as they originally stood, or, be available for immediate implementation; or,

(b) uphold the call-in.

12.9 If the Panel upholds the call-in it may then take one of three courses of action:

(a) report to Council, Cabinet or the relevant Cabinet Member or officer requesting that the Cabinet/Cabinet Member's/officer amend or substitute the recommendation(s) or decision(s); or,

(b) if the issue is considered urgent or straightforward, formulate a counter-recommendation or amendment; or,

(c) investigate the matter further at another meeting within thirty working days (beginning with the day after the issue of the notification of the call-in) and then follow the same process as set out above (12.8-12.10)

12.10 The Cabinet/Cabinet Member/officer may amend, substitute or withdraw any recommendation or decision in respect of any matter that has been called-in under paragraph 12.3 of this Standing Order.

.....

12.12 No decision of the Cabinet/Cabinet Member/officer that is called in under paragraph 12.3 of this Standing Order shall be acted upon (even if it is amended, substituted or withdrawn) until the call-in is either ended by the Corporate Performance Panel or approved by the Council.

....

12.14 If the Corporate Performance Panel:-

(a) does not end a call-in within 30 days from the date of the decision which has been called in (and the recommendation or decision remains in dispute); or

(b) refers a call-in directly to Council under paragraph 12, the Council shall determine whether to approve the recommendation or decision that has been called-in or to revoke, vary, amend and/or remit it back to the Cabinet/Cabinet Member/officer for further consideration.

30.5 Record of individual decision

As soon as reasonably practicable after an Executive decision has been taken by an individual member of the Executive or an officer, they will prepare, or instruct the proper officer to prepare, a record of the decision, a statement of the reasons for it and any alternative options considered and rejected.

CP30 **TOWN DEAL BOARD (GOVERNANCE)**

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The Chair proposed that this item be deferred to a future meeting of the Panel as he had been made aware that this paper had been presented to the Town Deal Board in advance of the Corporate Performance Panel and he wanted to investigate the circumstances of this.

RESOLVED: The item be deferred and brought back to Panel at a future date.

CP31 **Q1 2022/23 CORPORATE PERFORMANCE MONITORING REPORT**

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

The Corporate Performance Manager presented the report which contained information on the corporate performance monitoring undertaken for Q1 2022/2023.

The Chair thanked the Corporate Performance Manager for the report and invited questions and comments from Members, as summarised below.

Councillor Squire referred to section 3.8 and asked if the reduction in recycling had resulted in an increase in residual waste. The Corporate Performance Manager agreed to find out and report back to the Panel.

Councillor Humphrey referred to section 2.4 relating to the percentage of rent arrears and commented that the 25% target was not very ambitious. The Assistant Director, Property and Projects provided the Panel with the reasoning behind this target explaining that rent payments had been impacted by the pandemic, temporary legislation as a result of pandemic, and the economy. He explained that work was now being carried out to recover rent arrears by working with the commercial businesses, implementing payment plans, ongoing negotiations and discussions.

The Panel discussed this performance indicator and it was proposed that more detail be brought to the Panel at a future date setting out the processes, policies and reasoning on what was being done to tackle commercial rent arrears. The Monitoring Officer advised that the Panel

could not consider the detail of individual cases and ongoing negotiations but could look at the theory and procedures in places to deal with commercial rent arrears.

Councillor Hipperson asked if indicators were benchmarked against other Local Authorities. The Corporate Performance Manager explained that previously there was a national suite of Performance Indicators, so benchmarking could be carried out, but the national system, which was provided by the Audit Commission was no longer available.

Due to technical issues the continuation of the remainder of this item was deferred until later on in the meeting.

[Click here to view the recording of the remainder of this item on YouTube.](#)

The Corporate Performance Manager explained that he would look at what benchmarking was available and could bring back information to a future Panel meeting.

Councillor Nockolds referred to section 4.4 which related to Council Tax support and asked if this had a knock on effect with people going into arrears. The Corporate Performance Manager explained that this target was now improving and hopefully in the next round of reporting it should be showing as green.

RESOLVED: 1. The Panel reviewed the performance monitoring report.
2. The Corporate Performance Manager to respond to outstanding issues.
3. A report be scheduled onto the Work Programme to provide information on commercial rent arrears.

CP32

**NOTICE OF MOTION FROM COUNCIL 13 JULY 2022:
MENOPAUSE WORKPLACE PLEDGE**

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The Panel considered the Notice of Motion which had been referred to the Corporate Performance Panel by Full Council.

Councillor Spikings commented that there was a disparity between Councillors and Staff and she would like to see services available to Councillors as well as staff, not just relating to the Menopause, but to all elements relating to health and support.

The Assistant Director, Central Services clarified that resources available were only available to support initiatives relating to staff. The Monitoring Officer explained that the Council had to work within

Legislation and currently there was no Legislation relating to Duty of Care for Councillors.

The Assistant Director, Central Services explained that the Motion of the wording should be amended so that it only related to staff.

Councillor Squire referred to the informal Member Support Group, which was looking into support available for Councillors and it was explained that the Monitoring Officer was investigating this issue and was in discussion with the Local Government Association.

Councillor Squire commented that something needed to change to ensure support was available for Councillors.

Councillor Humphrey acknowledged that there was a specific legal duty to care of staff and had assumed that menopause would not need separate action as it would be part of the council's duty of care and suggested that the Panel be provided with background information on the support and initiatives that staff could currently access.

Councillor Nash commented that he was appalled with the lack of support available for Mental Health and other welfare issues for Councillors and he referred to a recent issue where he had tried to contact officers for information and support.

The Assistant Director provided information on the services available for employees relating to Menopause support which included advice, guidance, training for Managers and Menopause Awareness Day.

The Chair asked for clarification on the informal Member Support Group and the Monitoring Officer explained that each Group had nominated a Member to attend the Member Support Group, which was an informal arrangement and looked to improve support for Members. It was explained that the Member Support Group would look into the issues raised relating to the disparity between support available for Councillors and staff.

It was proposed that consideration of the Notice of Motion be adjourned until such time that other issues had been looked into and brought back to the Panel for consideration.

Councillor Spikings commented that it was important for Councillors to be kept up to date on issues that impacted staff, for example Health and Safety concerns.

Councillor Squire referred to the Corporate Performance Monitoring and the increase in staff sickness absences.

The Assistant Director explained that issues relating to Health and Safety would be considered at the Joint Safety and Welfare Committee

and sickness absences were still being impacted by the Pandemic, for example delays in treatments.

RESOLVED: 1. Consideration of the Notice of Motion be adjourned until other issues had been presented to the Panel for consideration.
2. An information report to be brought to the Panel providing detail of the support services available for staff.
3. A report to be brought back to the Panel providing information on current Legislation, general policies and any updates from the Local Government Association in relation to support for Members.
4. Following consideration of the above reports, the Notice of Motion be brought back to the Corporate Performance Panel so that they could present their findings back to Full Council.

CP33 **PORTFOLIO HOLDER QUESTION AND ANSWER SESSION**

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The Chair explained that he had asked the Leader for information on Devolution and explained to the Panel that discussions were ongoing.

The Chair would also ask the relevant Portfolio Holder for an update on the Coastal Pressures Group.

CP34 **PANEL WORK PROGRAMME**

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The Chair explained that he had received a request from Councillor Ryves asking for the Panel to consider the Heritage Lottery Fund Bid for the Guildhall. The Chair explained that this would be discussed at the next Panel sifting meeting.

Councillor Nash asked for an update on the Policy of Unreasonably Consistent Complainants and it was explained that the Informal Working Group looking at this were scheduled to meet again soon.

It was noted that the Notice of Motion on the Menopause Workplace Pledge would be scheduled onto the Work Programme to come back to Panel as per the Panel discussion.

RESOLVED: The Panel's Work Programme was noted.

CP35 **CABINET FORWARD DECISION LIST**

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Councillor Squire raised an issue about recommendations from a Panel which had not yet been taken forward and would raise this issue with the Chief Executive.

RESOLVED: The Cabinet Forward Decision List was noted.

CP36 **DATE OF NEXT MEETING**

The next meeting of the Panel was scheduled to take place on 17th October 2022 at 4.30pm in the Town Hall, King's Lynn.

CP37 **EXCLUSION OF PRESS AND PUBLIC**

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

CP38 **EXEMPT: KLIC REPAYMENT PLAN**

The Assistant Director, Property and Projects provided the Panel with an update on the KLIC Repayment plan.

CP39 **EXEMPT: UPDATE ON GUILDHALL TENANCIES**

The Assistant Director, Property and Projects provided the Panel with an update on Guildhall tenancies and responded to questions from Members of the Panel and Councillor de Whalley who addressed the Panel under Standing Order 34.

The Chair was advised to direct questions relating to the Business Case to the Regeneration Team.

The meeting closed at 5.50 pm