

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CORPORATE PERFORMANCE PANEL

**Minutes from the Meeting of the Corporate Performance Panel held on
Wednesday, 5th April, 2023 at 4.30 pm in the Council Chamber, Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor J Moriarty (Chair)
Councillors B Ayres, B Jones (substitute for Councillor J Lowe),
C Manning (Vice-Chair), C Morley and C Rose

Portfolio Holders:

Councillor R Blunt, Development and Regeneration (Zoom)
Councillors Mrs A Dickinson, Finance
Councillor H Humphrey, Corporate Services

Under Standing Order 34:

Councillor A Ryves (Zoom)

Officers:

James Arrandale, Deputy Monitoring Officer and Principal Solicitor
Alexa Baker, Monitoring Officer
Becky Box, Assistant Director, Central Services
Tracy Brooker, Property Services Manager
Debbie Gates, Executive Director
Matthew Henry, Assistant Director, Property and Projects
Oliver Judges, Executive Director, Place
David Ousby, Assistant Director – Programme and Project Delivery
(Commercial and Housing)
Wendy Vincent, Democratic Services Officer

CP115 **APOLOGIES**

Apologies for absence were received from Councillors J Lowe and D Tyler, L Gore – Chief Executive.

CP116 **MINUTES**

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The minutes of the Corporate Performance Panel held on 27 February 2023 were agreed as a correct record and signed by the Chair.

CP117 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

CP118 **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business.

CP119 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

Councillor A Ryves (Zoom) was present under Standing Order 34 for all items.

CP120 **CHAIR'S CORRESPONDENCE (IF ANY)**

CP121 **CALL-IN**

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Officer Delegated Decision – Shared Prosperity Funding for King's Lynn Bid Ltd 'The Place' Project

Councillor Morley presented the call in and outlined the reasons why he had called in the Officer Delegated Decision.

The Regeneration and Programmes Manager responded to questions from the Panel.

The Monitoring Officer explained that the Portfolio Holder for Business, Culture and Heritage had a conflict of interest and that it was therefore preferable that the consultee was a different Portfolio Holder.

Under Standing Order 34, Councillor Ryves addressed the Panel.

The Chair invited Councillor Morley to sum up the reasons why he had called in the Officer Delegated Decision.

The Chair invited the Panel to debate the call-in.

The Panel debated the call-in.

The Monitoring Officer provided advice to the Panel on the options if the Panel determined to uphold the call-in.

The Panel voted on the call-in.

RESOLVED: 1) The Panel upheld the call-in.

2) The Officer Delegated Decision be re-taken with an different Portfolio Holder named as the consultee.

CP122 **CABINET REPORT: LOCAL GOVERNMENT ASSOCIATION - CORPORATE PEER CHALLENGE**

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The Executive Director presented the report to consider the Notice of Motion (16/22) presented to Council on 1 December 2022. It was resolved that the Motion be referred to Cabinet for consideration and decision.

It was explained that it was recommended that a peer review was undertaken every five years and that the last peer review was eight years ago.

The Panel was informed that following discussion with the LGA and given the elections in May 2023 it was suggested that it is appropriate for the peer challenge to take place in September 2023. This will provide time for the Council to settle post-election, prepare the position statement and timetable and avoid the summer holiday period.

The Chair thanked the Executive Director for the report and invited questions from the Panel.

There were no questions from the Panel.

RESOLVED: The Panel supported the recommendation to Cabinet as set out below:

That Cabinet:

- 1) Approve that a Corporate Peer Challenge be undertaken as set out in the report and the LGA scoping document.
- 2) Delegate to the Chief Executive in consultation with the Leader to agree the final details with the LGA to facilitate the delivery of the Corporate Peer Challenge.

CP123 **CABINET REPORT: MEMBERS' ICT**

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The ICT Manager presented the report which outlined a proposal to provide Members with an ICT solution following the 2023 Elections.

It reviewed the current provision of Members ICT equipment and examined the results of a questionnaire that was sent to all Elected Members during February 2023.

The Panel's attention was drawn to the following sections of the report:

- Current ICT Solution.
- Current ICT Support Arrangements.
- Setting the Scene – Current trends regarding ICT device usage.
- Options considered.
- Proposed Solution.

The Chair thanked the ICT Manager for the report and invited questions from the Panel, a summary of which is set out below.

In response to a question from Councillor Morley on Councillors not being issued with a Council mobile phone, the ICT Manager explained that Councillors could request a sim card for use in their personal mobile phone.

Following further questions, the ICT Manager explained that a keyboard could be supplied with an iPad. It was noted that there was a range of keyboards which Councillors could choose from.

In response to question from the Chair, Councillor Moriarty on excessive data use, the ICT Manager explained that if the data used was excessive outside of the normal Wi-Fi using a sim card then the amount would be deducted from the Member's allowance.

The Portfolio Holder for Finance commented that Councillors should not be dictated to on what their Member allowance was spent on. In response, the Monitoring Officer explained that agreement would be required from the Councillor before any ICT costs could be deducted from the allowance.

Councillor Morley commented on issues experienced due to not being able to access InSite from an iPad and that clear instructions would need to be given to new Councillors following the May Election. In response, the ICT Manager explained that a new version of SharePoint would be available by the end of 2023 which would make InSite more user friendly for both iPads and laptops.

The Portfolio Holder for Corporate Services, Councillor Humphrey added that the Members ICT allowance was a contribution to IT costs and Councillors could opt to use a Sim card but it would be acceptable to make a deduction from the Member's allowance if that Member choose to use a Sim card.

Councillor Moriarty declared an interest as he had a sim card in his Council iPad which was not paid from his allowance but used in his Councillor role at Parish Council meetings.

The Chair thanked the ICT Manager for the report.

RESOLVED: The Panel supported the recommendations to Cabinet as set out below:

- 1) It is recommended that each Elected Member is provided with either an iPad tablet or laptop after the 2023 elections.
- 2) A 4G sim car can be provided in cases of poor connectivity, access to Microsoft Portal and where required a sim card to replace the current Council supplied mobile phone.
- 3) If a 4G iPad or laptop sim is provided the cost of this will be deducted from the Members allowance.

CP124 **CABINET REPORT: TOWNS FUND LOCAL ASSURANCE FRAMEWORK**

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The Monitoring Officer presented the report and explained that it was a government requirement of the Borough Council, in its role as Accountable Body for the King's Lynn Town Deal to ensure there was an appropriate local assurance process in place to oversee the delivery of approved projects in line with the approved Business Cases. It was noted that the report sought approval to update the Local Assurance Framework to reflect the latest government guidance for the implementation phase of the Town Deal for King's Lynn.

In conclusion, the Monitoring Officer explained that the LAF was critical to manage the Towns Fund investment to ensure the appropriate reporting, monitoring and governance arrangements were in place to manage the risks, spend and delivery of the programme.

It was noted that Councillors Middleton and Blunt were the Council appointed representatives on the Town Board.

The Chair thanked the Monitoring Officer for the report and invited questions from the Panel.

The Monitoring Officer responded to questions in relation to:

- The reasons why it was considered that the report was not a key decision.
- Town Deal Delivery Phase and diagram at Appendix 1, page 65 of the Agenda – structure to be put in place to satisfy Government criteria.
- Programme Management – diagram on page 56 of the Agenda.
- Town Deal Programme Board.
- Regular Project Highlight Reports and published for project boards included the Member Major Projects Board.
- Scrutiny process – Scrutiny Panels would be updated during the project delivery at key stages of projects and if there was a significant change a report would be brought to Cabinet and the

Scrutiny Panels could choose to include the item on their work programme.

Following further comments and questions from the Panel, the Monitoring Officer explained that the Town Deal Board (TDB) projects were now into the delivery phase and the future role of the TDB would be to provide an oversight of the projects.

The Portfolio Holder for Development, Councillor Blunt provided an overview of the role of the TDB going forward and that the Government criteria had to be adhered to in order to receive the £25m funding.

The Regeneration Programmes Manager concurred with the comments made by the Portfolio Holder for Development and the Monitoring Officer on the future role of the TDB and added that regular performance monitoring reports were available.

Following a comment from Councillor Morley relating to the Guildhall, the Monitoring Officer advised that this would be subject to a separate report and would be a key decision.

The Executive Director, Place explained that projects were being closely monitored and officers were working to ensure there were clear processes going forward.

Councillor Morley proposed that the report should be a key decision but there was no seconder to support the proposal.

Councillor Morley voted against the recommendation set out below.

RESOLVED: The Panel supported the recommendation to Cabinet as set out below:

That Cabinet approve the updated King's Lynn Town Deal Local Assurance Framework (Appendix 1).

CP125 **PARKWAY - WHAT HAS CHANGED ON THE PROJECT FROM INCEPTION TO IT BEING APPROVED BY COUNCIL**

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The Assistant Director, Project Delivery (Commercial and Housing) gave a PowerPoint presentation (copy circulated with the Agenda) and responded to questions and comments from the Panel, a summary of which is set out below.

Councillor Morley commented that it would be useful for Councillors to be aware of the current position. In response, the Assistant Director advised that the final due diligence checks were being undertaken prior

to entering into a contract to build out the scheme as set out in Council approval.

Following further comments from Councillor Morley regarding pre condition 9 of development, the Portfolio Holder for Development and Regeneration, Councillor Blunt explained that as part of the build process work could carry on up to the point of laying slabs and added that he had provided an answer to this question at Full Council. The Portfolio Holder congratulated the Assistant Director for the presentation and all the information being collated in one place.

Under Standing Order 34, Councillor Ryves asked for clarification on the viability of the scheme as it currently existed and financial impact on the council going forward. In response, the Executive Director, Place explained that the current economic factors had been taken into account and going forward all due diligence checks and monitoring would be undertaken and if there was any change this would be brought back through the democratic process

Councillor Ryves requested information on the current figures and likely financial impact. In response, the Monitoring Officer explained that the request would be dealt with outside of the meeting and a response sent to Councillor Ryves.

The Chair thanked the Assistant Director for the informative presentation and useful to have all the information in one place and commented that this would be a good reference tool for new Councillors.

RESOLVED: The Panel noted the content of the presentation.

CP126 **SUMMARY OF THE PERFORMANCE OF COUNCIL OWNED COMPANIES/BUSINESSES**

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The Monitoring Officer presented the report and explained that a Councillor request for an agenda item was made and accepted from Councillor Morley and Councillor Ryves to provide a summary of the issue the performance of council owned businesses, West Norfolk Property, West Norfolk housing and Alive Leisure, and any other 100% owned or partially owned business which operate independently of the Council.

The Panel's attention was drawn to the Briefing Note – Councillor Request in relation to Council Property companies (West Norfolk Housing Company Ltd and West Norfolk Property Limited).

Councillor Morley commented that on 2.1 of the Briefing Note stating that there was no decision tree and added that this would be useful as

part of the Councillors Induction Training. Councillor Morley added that the Chief Executive had assured him that the set of key performance indicators for the new Administration would include an aggregation of affordable housing in various different guises

Under Standing Order 34, Councillor Ryves stated that he looked forward in the future to understanding and receiving clarification on what was happening with the companies.

Councillor Morley commented on the issue of scrutiny with the housing companies as it took some time for the solicitor's advice to emerge. Councillor Morley added that the governance structures of the companies was changing and a Shareholder Committee had now been set up.

The Chair informed Members that the Shareholder Committee work plan would be included on future Agendas of the Panel and items could be identified to be considered on the Panel's work programme.

The Portfolio Holder for Finance, Councillor Mrs Dickinson provided feedback from the first meeting of the Shareholder Committee held on 17 March 2023.

RESOLVED: The summary was noted.

The Panel adjourned at 6.13 pm and reconvened at 6.25 pm.

CP127 **NOTICE OF MOTION FROM COUNCIL 13 JULY 2022: MENOPAUSE WORKPLACE PLEDGE**

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The Assistant Director, Central Services reminded Members that the item had been requested by the Panel following discussions at its meeting held on 3 October 2022. The discussions noted that a range of employee welfare and wellbeing initiatives were provided to Council employees and requested that a report outlining those be brought to a future meeting.

The Panel was reminded that the discussions also requested a report to clarify whether the Council had responsibilities with regards to the provision of welfare and wellbeing support to Elected Members. The report would be presented by the Principal Solicitor, Legal Services.

The Principal Solicitor presented the report and explained that research had been undertaken via a Monitoring Officer National Forum to ascertain what other Councils were doing and explained that the Council's approach was consistent with other local authorities in that Monitoring Officer's had to powers to put a programme in place for Councillors. The Council could therefore signpost Members to the

Local Government Association for peer to peer support who may have the same kind of experiences.

The Chair commented that Council had decided it would be referred to CPP, it was therefore not necessary to go back Cabinet as the Panel had received the information requested and had familiarised themselves with details.

Councillor Manning commented that the Council had been undertaking what it was required to do within its powers.

The Monitoring Officer explained that the Notice of Motion to Full Council was made by Councillor Squire and the Leader referred it to CPP. The Panel was advised that there was provision under Standing Orders that it be set back to Full Council but that Council had not decided that. However, if the Panel was to propose that the Council sign up to the Menopause Pledge then a formal recommendation would need to be made to Cabinet. If the Panel determined that the Council should not sign up to the Menopause Pledge then there was no requirement for the Motion to go back to Cabinet/Council..

The Assistant Director, Central Services responded to questions from Councillor Morley on the Employee Wellbeing Hub.

The Chair thanked officers for the report.

RESOLVED: That the report was noted.

CP128 **PRESENTATION ON RENT ARREARS - GENERAL - PART 1**

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The Property Services Manager gave a presentation (copy published a supplement to the Agenda) and highlighted the following areas:

- Background.
- Commercial Rent (Coronavirus) Act 2022.
- Current Performance Indicators.
- Current Performance Indicators as at Q3 2022.
- Industrial Portfolio.
- Retail Portfolio.
- Performance Indicators for Achievable Rents.
- Performance Indicators on Rent Arrears.
- Methods of Recovering Rent Arrears during the Moratorium.
- Additional Methods currently employed.
- Other Methods being considered.
- Conclusion.

The Assistant Director, Property and Projects provided an overview on how the Council liaise with tenants to agree a payment plan which

arrears occurred. The Panel was advised that further details would be provided under the exempt rent arrears item later in the meeting.

The Chair thanked officers for the presentation and invited Members to ask any questions during the exempt item.

RESOLVED: The Panel noted the content of the presentation.

CP129 **PORTFOLIO HOLDERS QUESTION AND ANSWER SESSION**

There were no Portfolio Holder questions.

CP130 **CABINET FORWARD DECISIONS LIST**

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The Panel noted the Cabinet Forward Decisions List.

CP131 **SHAREHOLDER COMMITTEE FORWARD PLAN**

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The Committee noted the Committee forward plan.

CP132 **PANEL WORK PROGRAMME 2023/2024**

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The Panel noted the work programme.

CP133 **DATE OF NEXT MEETING**

The next meeting of the Corporate Performance Panel will be held on 14 June 2023 at 4.30 pm in the Council Chamber, Town Hall, King's Lynn.

CP134 **EXCLUSION OF PRESS AND PUBLIC**

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

CP135 **EXEMPT: KING'S LYNN INNOVATION CENTRE (KLIC) - REVENUES**

AND OUTCOMES

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

CP136 **EXEMPT - PRESENTATION ON RENT ARREARS - PART 2 - TO FOLLOW AND PUBLISHED AS A SUPPLEMENT**

The Assistant Director, Property and Projects and the Property Services Manager gave a presentation and responded to questions and comments from the Panel.

The meeting closed at 7.17 pm