

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



Shareholder Committee

Agenda

Wednesday, 20th March, 2024
at 3.00 pm

in the

**Council Chamber, Town Hall and available
for the public to view on [WestNorfolkBC on
You Tube](#)**



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

Tuesday 12 March 2024

Dear Member

Shareholder Committee

You are invited to attend a meeting of the above-mentioned Committee which will be held on **Wednesday, 20th March, 2024 at 3.00 pm** in the **Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

Yours sincerely

Chief Executive

AGENDA

1. **Apologies for absence**
2. **Declarations of Interest** (Page 4)

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.

3. **Minutes of the previous meeting** (Pages 5 - 7)
4. **Chair's correspondence**

5. 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.

6. 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.

7. Committee Forward Plan (Pages 8 - 12)

8. Date of future meeting

9. Exclusion of Press and Public

To consider passing the following resolution:

“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”.

10. Housing Company Financing (Pages 13 - 212)

To:

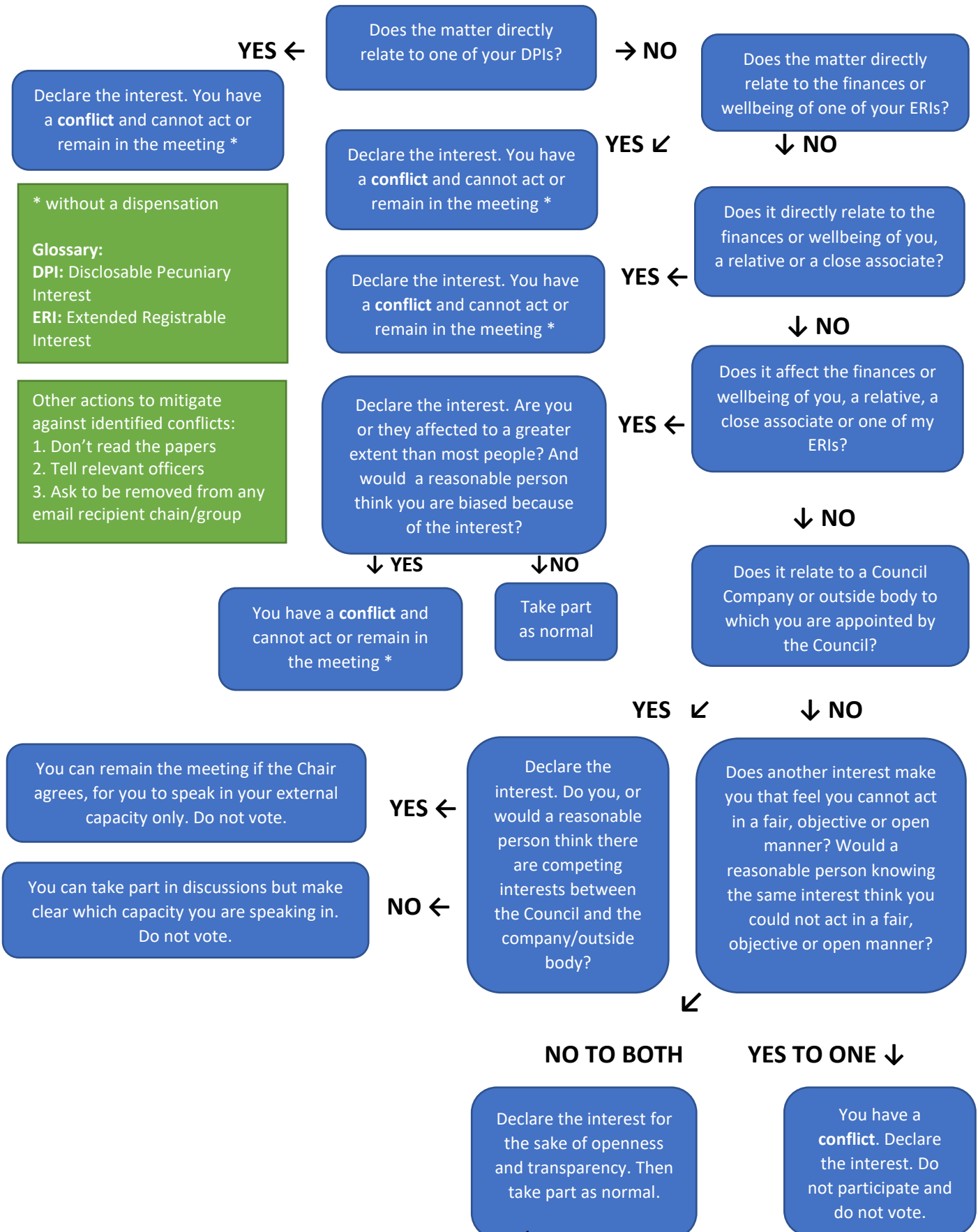
Shareholder Committee: Councillors A Beales, C Morley and S Ring

Relevant Officers

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



Declare the interest. You have a **conflict** and cannot act or remain in the meeting *

* without a dispensation

Glossary:

DPI: Disclosable Pecuniary Interest

ERI: Extended Registrable Interest

Other actions to mitigate against identified conflicts:

1. Don't read the papers
2. Tell relevant officers
3. Ask to be removed from any email recipient chain/group

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

SHAREHOLDER COMMITTEE

**Minutes from the Meeting of the Shareholder Committee held on Monday,
20th November, 2023 at 3.15 pm in the Council Chamber, Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor A Beales (Chair)
Councillors C Morley and S Ring

An apology for absence was received from Councillor

1 MINUTES OF THE PREVIOUS MEETING

RESOLVED: The Minutes of the meeting held on 23 October 2023 were agreed as a correct record and signed by the Chair.

2 DECLARATIONS OF INTEREST

None

3 CHAIR'S CORRESPONDENCE

None

4 MEMBERS PRESENT UNDER STANDING ORDER 34

Councillor Kemp was present in person.
Councillor Ryves was present for part meeting on zoom.

5 URGENT BUSINESS

None

6 COMMITTEE FORWARD PLAN

RESOLVED: The Committee's workplan was noted.

7 REVIEW OF WEST NORFOLK HOUSING COMPANY GOVERNANCE DOCUMENTS

The Committee was informed that West Norfolk Housing Company had reviewed their governance documents to ensure compliance with the latest legislation and regulations. In accordance with the Shareholder Agreement, amendments to the company's Memorandum and Articles of Association must be approved by the council as the Shareholder.

The amendments were considered and noted.

RESOLVED: That the proposed amendments to the memorandum and Articles of Association for West Norfolk Housing Company be noted and the amendments be agreed.

Reason for Decision

To ensure West Norfolk Housing Company's governance documentation continues to be compliant with the latest legislation and regulations as well as the new NHF Code of Governance which the Board of Directors has agreed to transition towards.

8 **DATE OF FUTURE MEETINGS**

The following meeting dates were noted:

22 January 2024 at 4.00pm

20 March 2024 at 3.00pm

9 **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 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.

10 **WEST NORFOLK HOUSING AND WEST NORFOLK PROPERTY COMPANIES BUSINESS PLANS**

The Committee considered a report which set out that the council's wholly owned housing companies were West Norfolk Housing Company, and West Norfolk Property.

The Shareholder Agreements for the companies were explicit that each company Board of Directors shall provide a draft updated business plan annually for the Shareholder to comment on and to endorse the plan. The business plans were not able to be adopted or varied unless the Shareholder had given consent.

Appended to the report were the draft business plans for West Norfolk Housing Company and West Norfolk Property for consideration by the Shareholder Committee. Comments would be conveyed to the company boards to consider. The final draft would be presented to the

Shareholder Committee in January 2024 with final agreement scheduled for March 2024.

In considering the Draft Plans the Committee sought clarification and commented on elements of them including financing, thin capitalisation and tenancy terms. It was noted that there was a requirement for compliance in the Plans so the Boards should have a plan of action to ensure compliance with changes in legislation and be able to inform the Committee of how they were planning to address them.

Under standing order 34 Councillor Kemp addressed the Committee seeking clarification on the benefits of purchasing properties as opposed to spending on bed and breakfast for homeless families. She also asked about working arrangements with Freebridge. The need to acquire properties was acknowledged, it was also confirmed that the second point was for the Council to address.

Under standing order 34 Councillor Ryes sought clarification on lending and financing terms available to the company to which the S151 Officer gave a full explanation.

RESOLVED: That the Shareholder Committee note the draft business plans for West Norfolk Housing Company and West Norfolk Property having asked for clarification on a number of issues giving due regard to the strategic outcomes defined in the council's Corporate Strategy in respect of the provision of affordable housing.

Reason for Decision

To enable the Board of Directors for the council's wholly owned Housing Companies to plan the appropriate actions to meet their strategic aims and objectives. The Committee sought explanation and reassurance on a number of issues contained within the draft plans.

The meeting closed at 4.18 pm

SHAREHOLDER COMMITTEE FORWARD PLAN

Date of Meeting	Report Title	Decision Maker	Cabinet Member Lead and Lead Officer	List of Background Papers	Public or Private Meeting
13 February 2023 – meeting postponed	Election of Chair	Shareholder Committee	Leader Monitoring Officer – A Baker	Cabinet Report 15 November 2022	Public
	Shareholder Committee Terms of Reference	Shareholder Committee	Leader Monitoring Officer – A Baker	Cabinet Report 15 November 2022	Public
	Appointment of a Company Secretary	Alive West Norfolk Board	Leader Assistant to the Chief Executive – H Howell		Public
	Appointment of Directors to the Board of the council companies	Alive West Norfolk Board	Leader Assistant to the Chief Executive – H Howell		Item scheduled at end of agenda should the committee determine to exclude the Press and Public to consider the report
Date of Meeting	Report Title	Decision Maker	Cabinet Member Lead and Lead Officer	List of Background Papers	Public or Private Meeting
17 March 2023	Election of Chair	Shareholder Committee	Leader Monitoring Officer – A Baker	Cabinet Report 15 November 2022	Public
	Shareholder Committee Terms of Reference	Shareholder Committee	Leader Monitoring Officer – A Baker	Cabinet Report 15 November 2022	Public
	Appointment of a Company Secretary	Alive West Norfolk Board	Leader Assistant to the Chief Executive – H Howell		Public
	Appointment of Directors to	Alive West Norfolk	Leader		Item scheduled at

	the Board of the council companies	Board	Assistant to the Chief Executive – H Howell		end of agenda should the committee determine to exclude the Press and Public to consider the report
Date of Meeting	Report Title	Decision Maker	Cabinet Member Lead and Lead Officer	List of Background Papers	Public or Private Meeting
	Election of Chair	Shareholder Committee	Democratic Services Monitoring Officer – A Baker	Cabinet Report 15 November 2022	Public
25 October 2023	Review of Terms of Reference	Shareholder Committee			Public
	Section 21's - WNH	Shareholder Committee	Cllr Alistair Beales – Portfolio Holder for Council Companies		Public
	Draft Shareholder Agreement West Norfolk Property	Shareholder Committee	Cllr Alistair Beales – Portfolio Holder for Council Companies Assistant Director – Legal, Governance and Licensing		Private – Contains exempt information under para 3 – information relating to the business affairs of any person (including the authority)
	Corn Exchange Contracts	Shareholder Committee AWN Board	Cllr Simon Ring – Portfolio for Leisure and Tourism		Private – Contains exempt information under para 3 – information relating to the business affairs of any person (including the authority)

Date of Meeting	Report Title	Decision Maker	Cabinet Member Lead and Lead Officer	List of Background Papers	Public or Private Meeting
16 November 2023	Review of Draft Business plans for WNP WNH	Shareholder Committee	Cllr Alistair Beales – Portfolio Holder for Business Alexa Baker – Monitoring Officer		Private – Contains exempt information under para 3 – information relating to the business affairs of any person (including the authority)
	Review of WNHC Governance Documents	Shareholder Committee	Cllr Alistair Beales – Portfolio Holder Council Companies Honor Howell – Corporate Governance Manager		Public
Date of Meeting	Report Title	Decision Maker	Cabinet Member Lead and Lead Officer	List of Background Papers	Public or Private Meeting
22 January 2024 – meeting postponed	Responses from WNH and WNP regarding Section 21 Notices	Shareholder Committee	Cllr Alistair Beales – Portfolio Holder Council Companies Alexa Baker – Monitoring Officer		Public
	Review of draft business Plan for AWN	Shareholder Committee	Cllr Simon Ring – Portfolio Holder – Leisure Honor Howell – AWN Client Officer		Private – Contains exempt information under para 3 – information relating to the business affairs of any person (including the authority)
	Consideration of WNP and WNH business plans following initial feedback	Shareholder Committee	Cllr Alistair Beales – Portfolio Holder Council Companies Duncan Hall/Karl Patterson –		Private – Contains exempt information under para 3 –

			Housing Companies		information relating to the business affairs of any person (including the authority)
	Appointment of new Director to WNPL	WNPL Board	CLlr Alistair Beales – Portfolio Holder Council Companies Karl Patterson		Item scheduled at end of agenda should the committee determine to exclude the Press and Public to consider the report
Date of Meeting	Report Title	Decision Maker	Cabinet Member Lead and Lead Officer	List of Background Papers	Public or Private Meeting
20 March 2024	Council Companies Funding	Shareholder Committee	CLlr Alistair Beales – Portfolio Holder for Business Michelle Drewery – Section 151 Officer Duncan Hall/David Ousby – Housing Companies	Cabinet Report 5 December 2023	Part public and part Private – contains exempt information under Para 3 – information relating to the business affairs of any person (including the authority)
Date of Meeting	Report Title	Decision Maker	Cabinet Member Lead and Lead Officer	List of Background Papers	Public or Private Meeting
23 April 2024	Shareholder Committee Terms of Reference	Shareholder Committee	Leader Monitoring Officer – A Baker		Public
	Responses from WNH and WNP regarding Section 21 Notices	Shareholder Committee	CLlr Alistair Beales – Portfolio Holder Council Companies Alexa Baker – Monitoring Officer		Public

Date of Meeting	Report Title	Decision Maker	Cabinet Member Lead and Lead Officer	List of Background Papers	Public or Private Meeting
June 2024	Approval of Business plans for WNP WNH	Shareholder Committee	Cllr Alistair Beales – Portfolio Holder for Business Alexa Baker – Monitoring Officer Duncan Hall/Karl Patterson – Housing Companies		Private – Contains exempt information under para 3 – information relating to the business affairs of any person (including the authority)

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Agenda Item 10

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