

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

CORPORATE PERFORMANCE PANEL

Minutes from the Meeting of the Corporate Performance Panel held on Monday, 8th November, 2021 at 4.30 pm in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor J Moriarty (Chair)
Councillors B Ayres, J Collop, I Devereux (Vice-Chair), C Joyce (substitute for Councillor C Hudson), C Manning, C Morley, S Nash, S Patel and C Rose

Portfolio Holders:

Councillor R Blunt, Development and Regeneration
Councillor S Dark, Leader (via Zoom)
Councillor P Kunes, Environment
Councillor B Long, Corporate Services
Councillor G Middleton, Deputy Leader/Business, Culture and Heritage

Under Standing Order 34:

Councillor P Beal for CP55

Officers:

Alexa Baker, Monitoring Officer
Becky Box, Assistant Director, Central Services
Lorraine Gore, Chief Executive
Ged Greaves, Senior Policy and Performance Officer (via Zoom)
Matthew Henry, Assistant Director, Property and Projects (via Zoom)
Wendy Vincent, Democratic Services Officer

CP48 **APOLOGIES**

Apologies for absence were received from Councillors C Hudson, J Kirk and D Tyler.

CP49 **MINUTES**

The minutes of the Corporate Performance Panel held on 1 September 2021 were agreed as a correct record and signed by the Chair.

CP50 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

CP51 **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business.

CP52 MEMBERS PRESENT PURSUANT TO STANDING ORDER 34

Councillor P Beal was present under Standing Order 34 for Item 8.

CP53 CHAIR'S CORRESPONDENCE

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The Chair reported that he had been contacted at the end of last week and the weekend regarding a planning sifting issue and explained that what had transpired was the Parish Council had requested a Borough Councillor call in the planning application. However for whatever reason the application did not get called in and although PC had given a number of material planning reasons. The sifting panel had determined that the application be determined under delegated authority. The Chair added that this presented a problem as under the current system the Parish Council did not know if the Borough Councillor or the system stopped the call in going forward as they were not aware of items to be considered before sifting panel until after the sifting meeting had taken place.

The Chair stated that he thought it be useful if Members discussed the item today in case the Panel wished to put a recommendation to Cabinet and that Councillor Blunt, Portfolio Holder was present to give his thoughts.

At the invitation of the Chair, Councillor Blunt addressed the Panel and expressed his disappointment that this had happened. Councillor Blunt commented that there were two separate issues – the sifting process and the call-in process and that he would like some time to discuss the issues with the planning officers and the sifting panel to look at the processes.

Councillor Blunt undertook to discuss the issues raised with the planning officers to enable the processes were visible and clear and invited Members to forward any suggestions.

Councillor Devereux commented that recently he had experienced the issues outlined within his own parish and added that there appeared to be a visibility issue and that a protocol might help.

Councillor Joyce outlined the issues regarding significant changes to applications that Councillors had called in and then determined under delegated powers. Councillor Joyce asked for the following in regard to significant changes be recorded in the minutes:

“Councillor Blunt said in response to my question on significant changes (and the definition), restarting the planning process again when there was a significant change in the planning application.”

Councillor Morley asked if permitted development rights applications could be called in.

In response to the comments made by the Panel, Councillor Blunt advised that issues raised would be taken on board when he undertook the review of both the call in and sifting panel processes.

In conclusion, the Chair thanked Councillor Blunt for attending the meeting today and that the Panel accepted his offer. When the Panel discussed the agenda item on planning sifting it might be broadened to consider other planning matters.

CP54 **CALL-IN**

There were no call-ins.

CP55 **WASTE ISSUES HUNSTANTON PROMENADE**

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In presenting the report, the Waste and Recycling Manager explained that a Councillor had requested a report addressing the points raised as they related to the work of the Panel with specific reference to waste related matters on the Promenade at Hunstanton.

The Waste and Recycling Manager outlined the key issues and options considered as set out in the report.

The Assistant Director, Property and Projects explained that the report set out terms and conditions imposed upon the Borough Council's business tenants for kiosk operations. The Panel was informed that there were problems with policing some issues and highlighted that it was not possible to staff in place all day just in case one of the tenants did not comply with the conditions set out in their lease.

The Waste and Recycling Manager responded to questions from the Panel in relation to:

- The Borough Council's duty of care.
- Steps taken and could be taken by the Borough Council to address the actions such as people placing waste where it should not be on Borough Council owned land.
- Borough Council's Enforcement Policy and actions which could be taken to address any breach identified and evidenced.

In response to questions from the Chair on cigarette butts and a collaborative forum with other groups, the Waste and Recycling Manager explained that there was always discussions in various county groups who worked together, discussed such issues and a potential solution.

Under Standing Order 34, Councillor P Beal addressed the Panel and outlined the issues which had been ongoing for 3 years and highlighted the large percentage of water waste going down the drain, all pumping cleaning chemicals into the drain which directly went into the sea. Councillor Beal drew attention to page 35 – litter and that he as Ward Councillor had raised concern. Councillor Beal referred to photographs he had taken identifying issues relating to waste and added that managing these issues was difficult but that there was an easy cure, a bin was required for waste which could be collected twice weekly by the trade lorries and a bowser installed to deal with water waste.

Councillor Beal asked who currently paid the water rates on the kiosks. In response, the Assistant Director Property and Projects explained that it was unclear but outlined the work which was ongoing with Anglian Water to identify where the supply came from and the route to the kiosks. The Assistant Director undertook to meet with Councillor Beal to explore the issues raised but highlighted that disposal of waste was the responsibility of the tenant and that any potential solution would incur a cost to the kiosk operators.

In response to the issues raised by Councillor Beal, the Refuse and Recycling Manager explained that officers were always interested in evidenced photos which could identify who, where and when they were taken to identify any issues which required addressing. Councillor Beal offered the photographs he had taken to the Waste and Recycling Manager.

Councillor Long, Portfolio Holder for Corporate Services commented that as Portfolio Holder he had only actually had the resort for a short period of time. However, over the years he had had an interest in waste and recycling matters and that he was aware Councillor Beal had raised this specific issue kiosks on previous occasions and that evidence was required of any wrongdoing to enable any appropriate action to be taken. Councillor Long highlighted the importance of the resort being clean and tidy both for residents and visitors and that the council did a good job in ensuring that Hunstanton was clean and tidy on a daily basis.

Under Standing Order 34, Councillor Beal reiterated the importance of a clean resort and referred to the comments made by Councillor Long. Council Beal added that he had two shops in Hunstanton and every day visitors had passed comments on how clean the town was.

In response to questions raised by Councillor Joyce in relation to officers being on the ground and undertaking an educational role and the resource required, the Deputy Leader explained that he would take on board the points made in relation to the disposal of both solid and water waste. The Portfolio Holder for Business, Culture and Heritage added that the council could undertake an educational exercise during the winter months with regard to solid and water waste. The Panel was

informed of the Enforcement Policy which was being considered by the Environment and Community Panel on 9 November 2021.

With regard to the issues raised with the disposal of water waste, the Portfolio Holder for Business, Culture and Heritage explained that this was the responsibility of the kiosk tenant and if the traders ask the Borough Council to assist to identify a solution it was noted that the council could choose to invest, for example, installation of a pump system. However, it was noted that if traders sought the assistance of the council and this level of investment was made, it would be necessary for the council to look at the current tenancy agreement and levels of rent paid and there could be a potential increase in cost.

The Chair thanked the Waste and Recycling Manager for the report and the Portfolio Holders for attending and providing input into the debate.

RECOMMENDATION: 1) The Panel noted the report and the outcomes which were compliant with the law and provided for the delivery of the Corporate Plan and Policies of the Council.

2) Councillor Beal to attend a meeting with the Assistant Director, Property and Projects to discuss the issued he had raised set out above. The chair to be informed of the outcome of the meeting and be reported back to a future meeting of the Panel.

CP56 **REVIEW OF THE PERSISTENT COMPLAINTS POLICY**

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The Chair invited Councillor Nash to present his report which had been circulated with the Agenda.

Councillor Nash drew the Panel's attention to Page 43, the four recommendations set out below:

- The UPCP be returned to the March 2013 wording with three amendments. Subsequent amendments to that policy currently in force, whilst being negated will in fact be inherently satisfied by a proper appeal process.
- Under bullet point 9, the 'scattergun' definition be narrowed in accordance with this report.
- Under bullet point 12, new and relevant evidence/information can be presented at any time during the period in which an individual's complaint is registered under the policy.
- The Standards Committee be employed to administer appeals to the UPCP in a process commensurate with that of the Localism

Act 2011 standards regime whereby both parties to the complaint are afforded the opportunity to present their evidence to the committee either personally or through a representative. Additionally, it has already been established that the role description of the Council's Localism Act 2011, section 28 Independent Person allows for that individual to be nominated to a role commensurate with the Localism Act 2011 standards regime and as such, the Independent Person can be approached by either or both of the parties to the complaint in order for the Independent Person to provide an independent opinion before the Standards Committee reaches its decision.

Councillor Nash commented that he was speaking about this policy as he had had probably exclusive experience of being on both sides of the policy. Councillor Nash added that based on his experience to make it fair and useful policy for all concerned it was important to discuss those matters. Most points were discussed and agreed on at the October 2019 Corporate Performance Panel meeting and it should hopefully not be too laborious to go through them again.

Councillor Nash thanked the Chair.

The Chair thanked Councillor Nash and invited the Monitoring Officer to address the Panel.

The Monitoring Officer commented that she understood that on the last occasion, advised legal advice had been requested on the proposals put forward by Councillor Nash.

The Monitoring Officer provided a brief summary on the legal opinion.

The Monitoring Officer provided advice on whether the proposals could be accepted and changes made, except for a couple of areas which she would go through, the proposals could be accepted and that it was for Members to consider if whether they should be accepted and the reasons why.

The Monitoring Officer outlined the points that she considered would definitely need to stay in the policy as set out below:

Local Government Ombudsmen recommendations in relation to a complaint that was previously made:

- A requirement to set out a right for a review on a regular basis of the actual placement on the register.
- Review of the policy.

The Monitoring Officer advised that the above two points were contained in the current policy and that as she read the proposals the adoption of the 2013 policy would remove that. The Monitoring Officer

therefore advised she was very insistent that those two points would need to stay in.

In terms of the proposals as they were broken down, to return to March 2013 Policy - yes, subject to what she had said was possible. The Monitoring Officer stated that her overall legal opinion was that the current policy was preferable in a number of areas and she was happy to go through those, but that she did think that it was the preferable policy.

With regard to the proposal for adopting the 2013 policy, subject to those three amendments and that she would deal with those three amendments in turn because it maybe that alternative proposals could be put forward.

Scattergun Definition

The Monitoring Officer couldn't see actual wording about what Councillor Nash would like to change that to, so her comment there was that the current wording based on the 2013 policy and the current one was pretty much in accordance with the Local Government Ombudsmen's reference to the scattergun approach and it was just that the current one set out the various organisations and the point of that provision was to say that where a scattergun approach a complaint coming into the council, MP and different organisations. In the report there seemed to be a sort of understanding that it related to people in the council but if you actually read the wording of what was there it related to different organisations that was what the scattergun reference was to. Just to highlight Members to consider that, there was no wording to what Councillor Nash wanted to change it to and asked if Councillor Nash wished to come in on this point and clarify to Members what he was proposing it was changed to.

Councillor Nash commented that he did not have the new policy in front of him but stated the council was contemplating two policies I believe here, but if the council was to return to the 2013 policy there were serious problems with the scattergun approach because the scattergun approach actually contradicted the council's own complaints policy where it advised you to go to your councillor and it does in fact pretty much contradicted section 6 of the Whistleblowing policy which advised you to go to the Leader of the Borough Councillor, your ward councillor, the external auditor, a solicitor, the police, in fact all those in the 2013 policy. All of those people will score you bullet star prize for a place on the Unreasonable Persistent Complainants Policy, so there was a clear contradiction in two council policies and the council must not conflate the two policies at this point. If the council was to look at adopting the 2013 policy then that should be looked at.

In terms of the proposal, the Monitoring Officer asked Councillor Nash what proposal he wished to make on the scattergun, one of the proposals was to change the definition, Members needed to be clear

on what the changes you were proposing to be made. Councillor Nash added that this was a discussion once it had been agreed to adopt the 2013 policy, he was hoping there would be a further discussion as there was a lot to chew over at one meeting.

The Chair stated to Councillor Nash that he was not looking for this meeting to come forward with a proposal based on your report to the next Cabinet meeting but that he wanted an opportunity to explore the appropriate wording for scattergun. The Chair sympathised with Councillor Nash on the wording in relation to scattergun approach and that if he was a complainant he would be guilty of scattergun approach as he would go for legal advice, contact the Citizens Advice Bureau and advise others to take, but if it was a question of coming up with wording to clarify that this would do this after the meeting and therefore it would not be going as a recommendation to the next Cabinet meeting and maybe Full Council the final arbiter.

The Chair asked when previously discussed at the Corporate Performance Panel was there any wording suggested as an alternative. Councillor Nash responded that he did not think the Panel did, let me check. The Chair asked to park that and move onto the Monitoring Officer's next point.

Proposal to amend a bullet point within the 2013 policy in relation to when new and relevant evidence could be submitted

The Monitoring Officer explained that the next point was in relation to amending a bullet point within the 2013 policy in relation to when new and relevant evidence could be submitted, She did agree that if a complainant was on loosely termed the register then if there was new and relevant evidence then that should come forward and one would expect if there was new and relevant evidence that would be an appeal, therefore she did agree with that point.

Proposal in relation to the Appeals Process

In relation to the proposal that the appeals process be replaced with a process whereby the Standards Committee would be convened to hear an appeal, subject to changes in the Constitution that would be permissible. She added that she had not seen any other Council do that but there was no reason why this council could not do that. Members were invited to consider the reasoning of why they would go to that extent of extending the terms of reference of a committee of the council to include this process which was not routine but Members may well feel that if their constituents rights were being interfered with to such an extent that they were being told not to contact them then they might want that sort of involvement, so there was a reasonable basis on which Members may wish to consider this proposal but just to note if it was to go forward then there would need to be clear recommendations on changing the Constitution to extend the terms of reference of the Standards Committee.

Councillor Ayres commented that he spoken on this item previously and the Panel was still facing the same problem, the Panel was presented with a large amount of paperwork which had merits that needed to be looked at in a democratic fashion and that it required the input of more than one person. Councillor Ayres asked if there was a case of setting up an informal working group to look at the document and to bring the findings back to the Panel.

Councillor Nash referred to the appeals process and added that this was one of the important things to bring across from his report and commented that previously the council had experienced criticism for the way it had managed this policy. The use of the Standards Committee which he had said in his report had met only three times in the last eight years, the Standards Committee could be nominated for that role by law. If complaints got to the stage where it required that sort of scrutiny then the Standards Committee with its training was an ideal place to carry out an impartial review of the evidence from both sides and this had been lacking and this was a massive failure of the council and that this was picked by the Local Government Ombudsman when it carried out a review of a complaint.

The Chair commented that they had discussed it at a previous meeting and thought it through and did not agree that the Panel should re-justify its view, however he was attracted to the suggestion of an informal working group as it was very complicated and would explore it more after Councillor Middleton had addressed the Panel.

Councillor Middleton commented that there was a couple of things and that it might be his own opinion and everyone would form their own. Councillor Middleton added that the council had a robust policy and followed the legal guidelines for this type of policy and stated that from the Cabinet's point of view if the Corporate Performance Panel wished to put forward any recommendation it needed to be pretty robust and quite solid on the understanding what needed changing within that he asked Councillors to look at what was currently in front of them is one Councillors interpretation and opinion of what that current policy was and he thought that this definitely needed looking at as a Panel as it may not form the same opinion. One Councillor, Councillor Nash had done a look of research into it and formed his own opinion of that. The setting up of an informal working group could be a way to form the Panel's idea as what you wish if anything to Cabinet, but you may wish to form the decision that actually the policy was robust as it had been and therefore having an informal working group would drain resource from the council for the Panel to reach the same opinion that the council had a robust policy, why would councillors spend time looking at it because informal working group would put a recommendation forward based on at the moment one Councillor's opinion.

The Chair interrupted Councillor Middleton and stated that he felt Councillor Middleton was trying to guide the Panel.

In response, Councillor Middleton commented that it was up to the Panel to decide how to do it, but from a Cabinet's point of view whatever those recommendations looked like needed to be pretty robust and not woolly we think this needed to be changed.

The Chair added that the previous Chair of CPP when this item was discussed would have ensured that last set of proposals put forward were not woolly and he would ensure that future proposals were also not woolly.

At the invitation of the Chair, the Portfolio Holder for Corporate Services addressed the Committee and commented that he did not consider a review was required, but it was entirely within the gift of the Panel if it wanted to put forward recommendations to Cabinet, the route it got to that he was absolutely ok with. The point made by Councillor Middleton was right in that you did not necessarily change all the rules because one case did not fit the rules in place or someone felt he/she had not been dealt with properly in result of where the rules were and how they sat and if they were in the same part along the requirements as what you would see at most district level councils across the country, tweaking around the edges to make them to work better was all good if you get to that point and maybe an informal working group might be able to get to that point but the council did not want to stray too far away as to what was expected within the sector because ultimately anyone who was looking at in terms of an Ombudsman complaint would be judging against what they saw within the sector across the whole country rather than the fact that the words had been tweaked that would make it better for one person and not better for somebody else.

The Chair accepted the comments made by Councillor Long and added that no doubt he would had made that speech if the proposals from the Panel had gone forward as they should have done previously. The Chair added that he was determined that they will go forward but maybe if there was a compromise it would be done via an informal working group and take it to Cabinet and Council will make their decision. The Chair thanked Councillor Long for his contribution.

Councillor Nash commented that in view of the comments made if Councillor Ayres would like to propose that Motion then I will be more than happy to second the Motion

At the invitation of the Chair, the Chief Executive addressed the Panel and explained that this policy did not get used very often and it was only in very unique situations that the policy was used. The current policy had not been used in that period. The Chief Executive referred to Councillor Nash's report, second bullet point and the Monitoring Officer had accepted that point if Councillor Nash could come up with some wording this could come back to a further Panel meeting or a working group whichever way this was going to be done.

With regard to the first item, Councillor Nash look back at what his definition of scattergun, the Monitoring Officer could look at that come up with some wording to the Panel or working group or whatever route was determined.

As far as using the Standards Committee for dealing with appeals if that was the approach the Panel wished to do then again if it was fully transparent and a robust process there were no issues with that approach, what was required was a policy fit for purpose, robust and transparent and both herself and the Monitoring Officer would support that whether it was via an informal working group or bringing the proposals back to the Panel to take forward.

With regard to the proposal from Councillor Ayres on setting up an informal working group, the Chair asked if he had in mind the number of participants which did not need to be politically proportionate and meetings (no more than 2). Councillor Ayres agreed that two meetings would be sufficient and between 5 or 6 participants.

Councillor Ayres proposed that an informal working group be set up to consider the proposals put forward by Councillor Nash. The proposal was seconded by Councillor Moriarty and on being put to the vote was carried. Members of the informal working group – Councillors B Ayres, C Manning, J Moriarty, S Nash.

The Chair thanked all those present for their input into the debate.

RESOLVED: An informal working group be set up to consider the proposals put forward by Councillor Nash and to report back the findings at a future meeting of the Corporate Performance Panel.

CP57

CABINET REPORT: REVIEW OF THE CORPORATE BUSINESS PLAN

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The Senior Policy and Performance Officer presented the report which appended the revised Corporate Business Plan for the period to the next local elections in 2023 which would be considered by Cabinet on 16 November 2021.

The Panel was reminded that the six priority areas from the previously agreed plan had been retained and were set out at section 1.3 of the report, the detail beneath those priorities had been re-cast and that formed 12 objectives and 47 key initiatives.

The Senior Policy and Performance Officer explained that the Plan would focus the activities for the remainder of the Administrative term and progress updates would be presented to the Panel.

The Leader commented that he had nothing further to add but that he was available to answer any questions from the Panel.

The Leader responded to questions from Councillor Morley in relation to governance and communication of the Corporate Business Plan. The Leader invited Councillor Morley and the Panel to forward wording in relation to governance and Cabinet would look at that.

The Leader gave the Panel assurance that the Corporate Business Plan would be communicated widely.

The Chair thanked the Senior Policy and Performance Officer for attending and presenting the report.

RESOLVED: The Panel recommend to Cabinet the approval of the Corporate Business Plan.

CP58

CABINET REPORT: UPDATE TO THE MAJOR PROJECT BOARD TERMS OF REFERENCE

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The Assistant Director, Property and Projects presented the report and explained that the Council set up a Member Major Projects Board (MMPB) during 2019 to provide more formal over-sight and monitoring of the delivery of the Council's major projects and the programme of major projects.

It was highlighted that the operation and effectiveness of the Board had been hampered particularly by the Covid-19 pandemic, with many projects being stalled or delayed and Board meetings being cancelled.

The report sought to provide a greater degree of clarity in respect of the role of the MMPB and particularly its relationship with other existing Panels and Committees within the Council. The revised Terms of Reference for the Member Major Projects Board were set out in the report.

Councillor Joyce referred to page 10, 2.1(b) operate on behalf of the Cabinet, ... and commented that it naivety for the Labour Group to act on behalf of a Conservative Cabinet and added it should read operate on behalf of the Council. The Monitoring Officer explained that as it was a sub-committee of Cabinet it could only act on behalf of the Cabinet and not Council but that the alternative was to have a free standing committee.

The Chair added that 2.1(b) would remain, in principle, operate on behalf of Cabinet and that it was proposed there would be three representatives from other political groups and asked if those

representatives were allowed to be on scrutiny panels and would they be in effect be scrutinising themselves. The Monitoring Officer advised that there would be a conflict so would not be able to sit on a scrutiny panel. The Chair asked the Leader if this was considered a possible problem. In response, the Leader thanked the Assistant Director, Property and Projects and the Monitoring Officer for the report and that the Chair had raised a good question.

The Leader further added that Cabinet was trying to give some clarity because at the first meeting of the MMPB there were some issues around the role and remit of the Board and its importance to move forward. The Leader provided context and provided an overview of importance of the development of projects, scrutiny and what was missing and why the MMPB was set up.

Councillor Morley commented that Cabinet was marking its own homework and asked how the scrutiny panels would be linked into the MMPB and enable to panels to carry out scrutiny effectively. Councillor Morley added that a governance review was required across the board and was not content or convinced this was a step in the right direction and would look for some comfort that it would feed into the various scrutiny panels with relevant data and performance modules based upon project management methodology which was used throughout the country but may not be by this Administration.

The Chair commented understood why the council lost track of events because of the Pandemic but was looking for reassurance that whilst work in recent months that people go back to the report to the Audit Committee in May 2019 and to the flowchart presented to Audit Committee, because going on as the council was, was accepted that it was not acceptable and mistakes were made and how did the council avoid them in the future. The Chair asked if Cabinet had considered that the council should have a MMPB and an additional scrutiny body as he was not convinced of the make-up and Cabinet marking their own homework was going to prevent a similar set of events that occurred two or three years ago.

Councillor Long stated that he could see where the Panel was coming from regarding Cabinet marking their own homework. The most important thing that the council needed to get right was the methodology by which Cabinet approved a project to commence. Beyond that what process monitors it to ensure on track, time and budget to delivery right outcomes at the end. With regards to some projects the appropriate place, in his opinion, to be scrutinised was the appropriate panel.

Councillor Devereux commented that he recalled the earlier discussions at Cabinet where it had been decided that a MMPB was required and implicit in that decision was that there was process which managed the programmes of work and that they all conformed to a consistent process. In his view what was needed was a Project

Assurance Board which sat over the top look what happening across the authority to ensure projects were delivered on time, within budget, right outcomes, etc and were there were lessons to be learned that could feed in going forward to the management activity. In conclusion, Councillor Devereux explained that a simple board was required to give Members confidence that the right things were happening at the right time.

In response to observations made by the Chair, the Monitoring Officer explained that as an alternative to setting up a new scrutiny panel, the panel could look at reviewing the terms of the reference of the current scrutiny panels to consider whether you think they go further, far and specific enough to cover what was required to be scrutinised. The Chair expressed concern that this was a lesson learnt as to what happened previously that Councillors were not scrutinising efficiently enough, not doing their job properly and was the fault of Councillors that things went wrong and that they needed to change that. The Chair noted Councillor Devereux's reference to scrutiny and that the one thing MMPB did not do was scrutinise.

Councillor Blunt added that one thing that was lacking was the major project was set up and went through processes but there was not a way of presenting the project back to his need Cabinet and that this proposed role of the MMPB would enable this. Councillor Blunt commented that a continuous process of re-looking at any issues, monitoring, etc. and that he was suggesting it was a scrutiny body but a sub-committee of Cabinet. Cabinet needed to look at projects and enable the relevant Portfolio Holder to provide feedback on a particular project.

Councillor Joyce explained that the council needed some way to keep eye on major projects, the scrutiny system in place was a good system, but did not work, the right questions were asked and answers given. Councillor Joyce provided background information on the reasons why MMPB was set up. Councillor Joyce added that Cabinet took decisions on behalf of the council and if the MMPB was going to work in whatever form, then input was required from the opposition and that the aim was to make it work for the council.

In response, the Leader explained that he understood the points raised by Councillor Joyce and that the intent of the MMPB was to make it clearer to the opposition and would allow the Cabinet and three members of the opposition to see the projects and timelines, etc in that meeting which gave an opportunity would be making recommendations to Cabinet and made known to people. The Leader added that he took on board the comments from Councillor Joyce and undertook to look at the wording if it did cause Councillor Joyce difficulty, but in relation to principle and ethos put opposition members into the MMPB process to provide an overview of projects.

Councillor Joyce referred to 2.1(b) and suggested that the following words be taken out – operate on behalf of the Cabinet.

The Chair added that the Monitoring Officer had outlined what the situation was and asked Councillor Joyce if the above wording was deleted then there was a solution.

The Monitoring Officer explained that Councillor Dark had explained that he was happy to take away the comments made by Councillor Joyce and have a look at them before the Cabinet meeting.

Councillor Long stated that there had not been MMPB meetings during the Pandemic as he took a decision that it was not important was therefore a deliberate decision taken by myself in consultation with the Chief Executive not to hold meetings as there were more pressing duties for officers to be undertaking during the national Pandemic.

The Chair added that he was looking for confirming referring back to original problem encountered by the council and why the Audit Committee report came forward with a recommendation for such a board and liked the suggestion from the Monitoring Officer to review the terms of the reference of the scrutiny bodies as they did not do their job and would not put forward a proposal but would leave Cabinet to consider those points during their informal discussions.

Councillor Morley commented that would like some form of reporting module that set out performance, time and costs and a better defined management methodology that enable scrutiny panels to scrutinise effectively. In response, the Leader provided reassurance that a mechanism would be explored as to how projects could be monitored in the first meeting of the MMPB which included opposition Members and report back.

The Chair asked the Leader if the Cabinet would discuss the points raised by the Panel in the Cabinet meeting and that it was not just rubber stamping exercise. It had been an important debate and important that the council needed to get it right.

Councillor Joyce, seconded by Councillor Moriarty that 2.1(b) be amended as follows

- (b) To provide assurance that the council's major projects programme is run in accordance with the Officer Major Projects Board Terms of Reference.

And on being put to the vote was lost.

Councillor Patel, seconded by Councillor Manning proposed that the recommendation set out in the report, but on being put to the vote was lost.

RESOLVED: The Panel did not support the recommendation to Cabinet as set out in the report.

CP59 **FOR INFORMATION ONLY - FORMAL COMPLAINTS AGAINST THE BOROUGH COUNCIL 1 APRIL 2020 TO 31 MARCH 2021**

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The Ombudsman Interactive Map was shared on the screen for the Panel to view.

Ask question at sifting in terms of breakdown of the previous year's figures

The Chair referred to Appendix A and commented that it would be useful for the Panel to receive the breakdown by department of the 2019/2020 and would be included in the minutes of the meeting (the information requested is attached).

The Panel noted the annual report.

CP60 **CABINET FORWARD DECISIONS LIST**

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The Panel identified the following item for the next meeting on 8 December 2021:

- Council's insurance tender.

CP61 **PANEL WORK PROGRAMME**

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The Assistant Director, Central Services advised that the following item would be added to the 8 December meeting:

- Draft Business Case for the Youth and Skills Pledge which was part of the Town Deal.

CP62 **DATE OF NEXT MEETING**

The next meeting of the Corporate Performance Panel will be held on 8 December 2021 at 4.30 pm in the Assembly Room, Town Hall, King's Lynn, Norfolk.

The meeting closed at 6.39 pm

Appendix C

Breakdown of Corporate Complaints received in 2019/2020

Month	Total Received 2019-2020	Leisure	Parking	Property	Planning	Licensing	Central Services	Housing	Finance	Cumulative Total
Apr	4				1			1	2	4
May	4				1	1		1	1	8
Jun	1								1	9
July	5	2							3	14
Aug	2				2					16
Sept	0									16
Oct	2						1		1	18
Nov	1			1						19
Dec	2		1					1		21
Jan	1				1					22
Feb	1								1	23
Mar	0									23
Total	23	2	1	1	5	1	1	3	9	23

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