

Council Meeting



Date	28 September 2009
Venue	Lowther Pavilion, Lytham
Members	Mayor (Councillor Paul Rigby) Deputy Mayor (Councillor Patricia Fieldhouse) Brenda Ackers, Ben Aitken, Christine Akeroyd, Tim Ashton, Keith Beckett, John Bennett, Karen Buckley, David Chedd, Maxine Chew, Elizabeth Clarkson, Peter Collins, John Coombes, Michael Cornah, Fabian Craig-Wilson, John Davies, Barbara Douglas, David Eaves, Trevor Fiddler, Tony Ford, Richard Fulford-Brown, Lyndsey Greening, Craig Halewood, Kathleen Harper, Howard Henshaw, Ken Hopwood, Keith Hyde, Angela Jacques, Cheryl Little, Kiran Mulholland, Linda Nulty, Janine Owen, Barbara Pagett, Albert Pounder, Dawn Prestwich, John Prestwich, Simon Renwick, Louis Rigby, Elaine Silverwood, John Singleton, Roger Small, Heather Speak, Thomas Threlfall.
Officers	Phil Woodward, Ian Curtis, Bernard Hayes, Tracy Scholes, Clare Platt, Annie Womack, Alan Royston, Hazel Wood, Andy Cain, Allan Blundell.
Others	Reverend M Hartley

35. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000. No interests were declared.

Councillor Bill Thompson

The council stood in silence in memory of Councillor William "Bill" Thompson, who had recently passed away. Councillor Thompson had been a well-respected councillor for 34 years and had served as chairman of the Planning Committee for much of that time.

36. Confirmation of Minutes

RESOLVED:

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To approve the minutes of the Council meeting held on 27th July 2009 as a correct record for signature by the Mayor.

37. Mayor's announcements

- The Mayor thanked Councillors for attending the Harvest Lunch and reminded members that tickets for the 60s night to be held at the Clifton Arms Hotel are still available from the Mayor's Secretary.

38. Chief Executive's Communications

The Chief Executive reported that there were no communications to bring to Members' attention at this meeting.

39. Questions from Members of the Council

The following question had been submitted by Councillor Oades (the Mayor requested that the question be read out by the Chief Executive in the absence of Councillor Oades):

"As the remaining £360,000 has now been received from Town Manor for the Heeley Road site, could you please advise me when the Council will discuss how the monies will be used? As these monies did not form part of the approved budget in March, 2009, I would expect that decision making with regard to this sum will be the responsibility of the full Council?"

The Portfolio holder for Finance and Resources, Councillor Roger Small responded accordingly.

40. Questions for members of the Public

The following question had been submitted by Mr P Savic:

"Why is the North Beach Car Park still being offered for sale when the Shoreline Management Plan and the Dunes Management Plan both state the value of preserving our natural assets to protect the shoreline. Does the Council realise that the loss of the Car Park to the community will affect visitors and residents and there will be a major impact on the environment in this area by allowing residential development in this location. The car park was originally debated by Council under the accommodation project but is absent on tonight's agenda and the Policy and Service Review Scrutiny Committee recommended that the car park should be excluded from the list of assets for disposal. Why have Members not received a briefing report from the Executive relating to the importance placed upon this asset?"

The Portfolio holder for Finance and Resources, Councillor Roger Small responded accordingly.

41. Notice of Motion (14/09/2009)

The Mayor reported that a Notice of Motion had been received from Councillors Fabian Craig-Wilson and Kiran Mulholland and read as follows:-

"That this Council supports the local fire fighters of St. Annes, Station W36, and recommends that the Lancashire Combined Fire Authority remove St. Annes Fire Station from the list of 6 fire stations scheduled for restructuring, so that current levels of personnel and working hours are retained."

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The mover of the motion requested that the council discuss the motion at the meeting and the council RESOLVED to do so

Following discussion and following a recorded vote on the motion, the Council RESOLVED to approve the notice of motion.

Votes for the proposal (43): Councillors Brenda Ackers, Ben Aitken, Christine Akeroyd, Tim Ashton, Keith Beckett, John Bennett, Karen Buckley, David Chedd, Elizabeth Clarkson, Peter Collins, John Coombes, Michael Cornah, Fabian Craig-Wilson, John Davies, Barbara Douglas, David Eaves, Trevor Fiddler, Patricia Fieldhouse, Tony Ford, Richard Fulford-Brown, Lyndsey Greening, Craig Halewood, Kathleen Harper, Howard Henshaw, Ken Hopwood, Keith Hyde, Angela Jacques, Cheryl Little, Kiran Mulholland, Linda Nulty, Janine Owen, Barbara Pagett, Albert Pounder, Dawn Prestwich, John Prestwich, Simon Renwick, Louis Rigby, Paul Rigby, Elaine Silverwood, John Singleton, Roger Small, Heather Speak, Thomas Threlfall.

Votes against (0)

Abstentions (0)

42. Appointments to the Standards Committee

Ian Curtis (Head of Legal Services) presented the report on appointments to the Standards Committee. He explained that Fylde's Standards Committee oversees the ethical governance of both Fylde Borough Council and its parishes. The membership of the committee was presently eleven, comprising of four borough councillors, three parish members and four independent persons.

An outstanding complaint was presently incapable of resolution because of statutory bars and conflicts of interest that affected all of the existing parish members. There was therefore a need to appoint an additional parish member to the Standards Committee.

A proposal to take a recorded vote on the matter was moved and seconded but lost, 16 votes to 19.

Following discussion the Council RESOLVED:

1. To increase the size of the Standards Committee by appointing one extra parish member.
2. To appoint parish Councillor Alan Metcalf as the additional parish member.

(Councillors Nulty, Chew, Greening, Silverwood and Speak requested that there vote be recorded as having voted against the decision)

43. Clifton (Lytham) Housing Association Ltd

Ian Curtis (Head of Legal Services) introduced a report on the Clifton (Lytham) Housing Association Ltd. He explained that the council was invited to nominate a councillor to become a director and shareholder of Clifton (Lytham) Housing to fill the vacant position created by the death of Councillor Thompson.

Following discussion the Council RESOLVED:

1. To nominate Councillor Roger Small to become a director of Clifton (Lytham) Housing Association Ltd.

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2. To agree to Councillor Roger Small to receive the transfer of Councillor Thompson's share in Clifton (Lytham) Housing Association Ltd or (if the share is forfeited) the allocation of one share in the company.

44. Call-In Request. Disposal & Acquisition of Land & Property Assets

Councillor Karen Buckley introduced the report and presented the recommendations of the Policy and Service Review Scrutiny Committee which provided details of the decision-making process and procedures associated with the disposal and acquisition of land and property assets as considered recently by her Committee and by the Cabinet.

Councillor Roger Small proposed an amendment to the recommendations of the Policy and Service Review Scrutiny Committee which was seconded by Councillor Buckley.

Following discussion the Council RESOLVED: That the following recommendation be made to the Cabinet:

1. "That the Council will be given the opportunity to debate the disposal of the following assets in relation to the Council's accommodation project prior to a decision being taken by the Cabinet -

- North Beach Car Park
- Town Hall site
- Wesham Offices site
- Public Offices, Clifton Drive South
- St David's Road North Depots

2. That the Council should adopt, as part of its Constitution, the processes and procedures for the disposal and acquisition of land and property assets attached as an appendix to the report.

45. Options For The Future Structure of Scrutiny

Councillor John Coombes (Leader of the Council) presented a report which asked the Council to consider proposals for a change in the number and make up of scrutiny committees and the remit of those committees in order to maintain an effective overview and scrutiny process for the future.

Following discussion the Council RESOLVED:

1. That the Council dissolves the four current committees and the Scrutiny Management Board, and creates two committees to replace them.
2. That the Council sets the terms of reference for those committees, to be titled the Overview Committee and the Scrutiny Committee, as detailed in the report.
3. That the Council sets the membership of each committee at 16.
4. That the Council makes the changes to the Constitution as set out in Appendix 4 of the report relating to the quorum for scrutiny meetings.

5. That the Director of Governance and Partnerships be authorised to invite nominations to the committee seats on the basis of the political balance calculation contained in the report.

46. Capital Programme - Replacement of Cremators and Installation of Mercury Abatement Equipment

Councillor Cheryl Little (Portfolio holder for Social Wellbeing) introduced a report on the Capital Programme - Replacement of Cremators and Installation of Mercury Abatement Equipment.

The Department for Environment Food & Rural Affairs (DEFRA) require that by January 1st 2013 a minimum of 50% of all cremations in England & Wales were abated for the emission of mercury.

The cremation equipment at Lytham Park did not comply with DEFRA's air quality emissions requirements and was also approaching the time when replacement was necessary as it was coming to the end of its serviceable life. Several major items of equipment were already obsolete or did not meet current guidelines.

The most recent renovation of the crematorium was in 1994, and it was now in need of some repair and refurbishment. As the chapel would have to be closed to carry out any repairs and maintenance it would be financially prudent to do these works at the same time as the crematorium was closed for cremator replacement.

Following discussion and following a recorded vote, the Council RESOLVED to:

- a) approve a capital budget of £780,000 for the replacement of the cremators and installation of associated abatement equipment.
- b) approve an unfunded budget increase to the revenue budget estimates of £70,000 in 10/11, £81,000 in 11/12, £79,000 in 12/13 and £78,000 per annum thereafter, to finance this capital scheme.
- c) approve that any balance remaining after replacement of the cremators and installation of abatement equipment (up to the amount identified in the capital programme) be used for general refurbishment of the crematorium whilst it is not operating, subject to compliance with financial regulations.

Votes for the proposal (38): Councillors Brenda Ackers, Ben Aitken, Christine Akeroyd, Tim Ashton, Keith Beckett, John Bennett, Karen Buckley, David Chedd, Maxine Chew, Elizabeth Clarkson, Peter Collins, John Coombes, Michael Cornah, Fabian Craig-Wilson, Barbara Douglas, David Eaves, Trevor Fiddler, Patricia Fieldhouse, Tony Ford, Richard Fulford-Brown, Craig Halewood, Kathleen Harper, Ken Hopwood, Keith Hyde, Angela Jacques, Cheryl Little, Janine Owen, Barbara Pagett, Albert Pounder, Dawn Prestwich, John Prestwich, Louis Rigby, Paul Rigby, Elaine Silverwood, John Singleton, Roger Small, Heather Speak, Thomas Threlfall.

Votes against the proposal (1): Councillors Linda Nulty

Abstentions (3): Councillors Lyndsey Greening, John Davies, Howard Henshaw,.

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