

Council Meeting



Date	28 July 2008
Venue	Lowther Pavilion, Lytham
Members	Mayor (Councillor Susan Fazackerley) Deputy Mayor (Councillor Janine Owen) Brenda Ackers, Ben Aitken, Christine Akeroyd, 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, Kevin Eastham, David Eaves, Trevor Fiddler, Patricia Fieldhouse, Lyndsey Greening, Kathleen Harper, Paul Hayhurst, Ken Hopwood, Keith Hyde, Angela Jacques, Cheryl Little, Kiran Mulholland, Linda Nulty, Elizabeth Oades, Barbara Pagett, Albert Pounder, Dawn Prestwich, John Prestwich, Simon Renwick, Louis Rigby, Paul Rigby, Elaine Silverwood, Heather Speak, William Thompson, Thomas Threlfall.
Officers	Phil Woodward, Dave Joy, Bernard Hayes, Ian Curtis, Allan Oldfield, Allan Blundell, Andy Cain, Christopher Kitchin

82. 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.

Councillor Linda Nulty declared a personal interest in item 13 Appointment of Additional Members of the Standards Committee in that her husband was proposed for appointment to the committee.

Councillor Paul Rigby declared a personal interest in item 17 Call-in of Cabinet Decision in that he was a director of New Fylde Housing Ltd.

Councillor Albert Pounder declared a personal interest in item 17 Call-in of Cabinet Decision in that he was a director of New Fylde Housing Ltd.

Councillor Barbara Douglas declared a personal interest in item 17 Call-in of Cabinet Decision in that she was a director of New Fylde Housing Ltd.

83. Confirmation of Minutes

RESOLVED:

To approve the minutes of the Council meeting held on 14 May 2008 as a correct record for signature by the chairman.

84. Mayor's announcements

- The Mayor referred Members to the late report which had been circulated regarding a call-in request made by the Policy and Service Review Scrutiny Committee relating to a Cabinet decision to dispose of surplus land at Heeley Road, St. Annes.

The Mayor was in agreement that the item should be considered by the Council as a matter of urgency, in accordance with the Local Government Act 1972. (This matter was dealt with at items 16 and 17 on the agenda).

- The mayor had the pleasant task of reporting the success of the Council in achieving a commendation in the 2008 Municipal Journal Awards for member development achievement of the year. The award was framed and the Mayor presented this to Councillor Keith Hyde as member champion for member development and chair of the Member Development Steering Group.
- The Mayor reminded Members of the Mayoral Charity Lunch that was taking place at the Lindum Hotel on Sunday 3 August 2008 and requested that any Members interested in attending the lunch should contact Lyndsey Lacey as soon as possible.
- The Mayor reminded Members that this was her first business meeting as Chairman of the Council and that she expected everyone to have close regard to the Standing Orders of the Council during debates so that proceedings would take place in a professional and inclusive manner.

85. Chief Executive's Communications

The Chief Executive reported that there were no communications.

86. Questions from Members of the Council

The following question was submitted by Councillor Elizabeth Oades:

"Have the savings projected to be made in the budget in regard to Kirkham One Stop shop been achieved?"

The Portfolio holder for Finance and Efficiency, Councillor Paul Rigby responded.

The following Question was submitted by Councillor Louis Rigby:

"How much has it cost the Council to hire premises for various meetings since the closure of the council chamber at the Town Hall?"

The Portfolio holder for Finance and Efficiency, Councillor Paul Rigby responded.

87. Questions for members of the Public

There were no questions from members of the public.

88. The 2008/09 Corporate Plan

Councillor Albert Pounder, Cabinet Portfolio for Customer Relations & Partnerships/ Corporate Performance and Development presented a report that provided details of the 2008/09 Corporate Plan for Fylde Borough Council that included an action plan outlining the priority actions for the medium and long term achievement of the corporate and community objectives.

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The Council RESOLVED to approve the 2008/09 Corporate Plan.

89. Appointment of Section 151 Officer

Councillor Paul Rigby, Cabinet Portfolio for Finance and Efficiency presented a report that sought the Council's approval to the appointment of the Section 151 Officer - the Council's statutory financial advisor.

The appointment of the Section 151 Officer was a matter that required the confirmation of the Council.

The Council RESOLVED:

1. To approve the recommendations of Cabinet that -
 - a. That Mr B.P. Hayes be appointed as the officer responsible for the administration of the Council's financial affairs under Section 151 of the Local Government Act 1972 in accordance with the secondment arrangements agreed in a service level agreement with Preston City Council.
 - b. That the Assistant Director (Finance) of Preston City council be appointed to act as the Council's Deputy Section 151 Officer on the same basis as the appointment of Mr Hayes outlined in recommendation 1a.

90. Multi Area Agreements

Councillor John Coombes, Leader of the Council presented the report on the proposed governance arrangements for the Multi Area Agreement (MAA). The Council had previously agreed a draft of the Fylde Coast Multi Area Agreement and had asked for a further report to consider the proposed governance arrangements. The report presented those proposals.

Phil Woodward (Chief Executive) expanded on some key points of the MAA outlining the benefits and opportunities that would be available to Fylde Borough Council through the MAA.

Members raised several questions regarding policy, overview and scrutiny and financial matters. It was noted that the joint committee proposed under the governance arrangements would be advisory only and that any key decisions would need to be referred to each participating authority for determination.

Members requested that an annual progress report should be provided to the Council on the implementation of the MAA.

Following a full debate it was RESOLVED:

1. That the proposed governance and performance reporting arrangements for the Fylde Coast Multi Area Agreement detailed within the report be approved and be subject to review after one year of implementation.

91. Alterations Review to the Fylde Borough Local Plan - Saved Policies

Councillor John Bennett introduced the item on the Alterations Review to the Fylde Borough Local Plan - Saved Policies. The purpose of the report was to seek Council's authority to formally submit a list of Local Plan policies to the Government Office North West, which the Council wished to save beyond 9 October 2008.

The Planning Policy Scrutiny Committee considered this matter in detail at its meeting on 5 June 2008 when it resolved to note the list of policies to be saved and recommended to

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Council that an application to save the policies beyond 9 October 2008 should be formally submitted to Government Office for the North West.

The Council RESOLVED:

1. That the list of local plan policies to be saved for an extended period, detailed in the report, be agreed.
2. That an application in respect of the agreed list of local plan policies to be saved be formally submitted to Government Office for the North West.

92. Fylde Interim Housing Policy

Councillor John Bennett presented a report on the Fylde Interim Housing Policy. In anticipation of the significant increase in the housing requirement for Fylde Borough contained in the emerging new Regional Spatial Strategy (the number of dwellings to be built in Fylde Borough between 2003 and 2021) an Interim Housing Policy (IHP) had been prepared which provided a basis for determining planning applications for housing within existing settlement boundaries until the relevant elements of the Local Development Framework had been completed.

Members highlighted the importance of having a policy in place which sought to ensure that low cost housing could be retained in perpetuity.

Following a full debate members RESOLVED:

1. That the Interim Housing Policy be adopted for purposes including development control.
2. That the Interim Housing Policy comes into force immediately on adoption but that discretion and flexibility is shown by decision makers in respect of relevant planning applications which had been submitted previously in the full expectation that they would be considered under the 'Small Sites Exemption'.

93. Constitution

Councillor Albert Pounder, Cabinet Portfolio for Customer Relations & Partnerships/Corporate Performance and Development presented a report on the Constitution. The Council's constitution needed to be re-adopted by the Council each year. The report invited the Council to re-adopt the constitution subject to changes that had been put forward by the Audit Committee.

Following consideration it was RESOLVED to re-adopt the constitution incorporating the changes put forward by the Audit Committee.

94. Appointments to the Standards Committee

Ian Curtis (Legal Services Executive Manager) presented the report. Recent changes made by the government to the ethical standards regime suggested that the Committee needed a larger membership.

The Council was therefore invited to appoint two additional independent persons to the Committee.

There was also a vacancy for a parish representative and the council was invited to fill that vacancy.

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The council was also invited to consider what borough councillors it wished to appoint to the committee.

Mr Curtis informed the Council that two names had been put forward to fill the two vacant independent seats. These were Roy Male and Glynn Driver. Mr Curtis explained that the District/Parish Liaison Meeting had recommended that the council appoint Councillor Richard Nulty of Greenhalgh-with-Thisleton Parish Council to fill the vacancy caused by the resignation of Councillor McCormick.

Councillor Albert Pounder, seconded by Councillor Patricia Fieldhouse proposed that Councillor Brenda Ackers be appointed as Vice Chairman of the Standards Committee .

The Council RESOLVED:

1. To increase the size of the Standards Committee by filling the vacancy for a parish member and appointing two extra independent persons.
2. To appoint Richard Nulty of Greenhalgh-with-Thisleton Parish Council as a parish member.
3. To appoint Mr. Male and Mr. Driver as the two independent persons.
4. To re-appoint the current members of the committee.
5. To appoint Councillor Brenda Ackers as Vice Chairman of the Standards Committee.

95. Allocation of Committee Membership

Mr Ian Curtis (Legal Services Executive Manager) presented a report which provided details of the nominations put forward for committee seats by the various political groups.

At its meeting on 31 March 2008, the Council allocated committee seats to the various political groups in accordance with the requirements for political balance. All political groups were requested to submit their nominations for their seats.

RESOLVED -

To appoint councillors to the various committees taking effect from 1 September 2008 as detailed below:

Performance Improvement Scrutiny Committee

Paul Hayhurst replaced David Chedd

Community Outlook Scrutiny Committee

Peter Collins replaced Elaine Silverwood

Policy and Service Review Scrutiny Committee

Elizabeth Clarkson replaced Fabian Craig-Wilson

Elaine Silverwood replaced Peter Collins

Planning Policy Scrutiny Committee

Kevin Eastham replaced Keith Beckett

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Ben Aitken replaced William Thompson as Vice-Chairman

Kevin Eastham replaced John Bennett as Chairman

Development Control Committee

John Bennett replaced Trevor Fiddler as Chairman

Audit Committee

Ben Aitken replaced John Coombes

Cheryl Little replaced Simon Renwick

Fabian Craig-Wilson replaced Paul Rigby

Janine Owen replaced Kathleen Harper

Linda Nulty replaced Paul Hayhurst

Linda Nulty replaced Keith Hyde as Vice-Chairman

96. Noting of Urgent Decision Taken

Councillor Paul Rigby, Cabinet Portfolio for Finance and Efficiency presented the report on noting of urgent decision's taken. Under the Council's constitution, there was ability for urgent decisions to be made outside the budget and policy framework. Such decisions could be taken in certain circumstances and were required to be reported subsequently to Council for information.

This report gave formal notification that no decisions had been made using this ruling during the past 3 months.

The Council RESOLVED to note this report.

97. Exclusion of the Public: Call-In of Cabinet Decision

Following consideration it was RESOLVED that the public be not excluded from the meeting

98. Call-In of Cabinet Decision

Councillor Karen Buckley (Chairman of the Policy and Service Review Scrutiny Committee) presented the report that referred to a call-in request to the Council, which was agreed by the Policy and Service Review Scrutiny Committee, in relation to a decision by the Cabinet to dispose of a surplus land asset at Heeley Road, St. Annes.

Councillor Buckley recommended that Cabinet commission a further valuation to determine best value for disposal land at Heeley Road, St. Annes. This was seconded by Councillor Thomas Threlfall.

Several Councillors raised issues regarding the achievement of best value for the disposal of the land and that this could only be achieved if the land was submitted to open competitive tender.

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Councillor Paul Hayhurst recommended that a recorded vote take place on the substantive motion, this was seconded by Council Peter Hardy. Upon being put the vote was lost.

(Councillors Hayhurst, Pagett, Greening, Hardy, Nulty, Harper, Chedd, Oades, Collins, Henshaw, Silverwood, Speak, Davies, Hopwood, Chew and Beckett requested that their vote be recorded as having voted in favour of a recorded vote).

Following a lengthy debate Council RESOLVED that the matter be referred back to the Cabinet with a recommendation that a further valuation of the land (on the basis both of open market value and of value in terms of the proposed affordable scheme) be commissioned .

(Councillors Hayhurst, Pagett, Greening, Hardy, Nulty, Harper, Chedd, Oades, Collins, Henshaw, Silverwood, Speak, Davies, Hopwood, Chew and Beckett requested that their vote be recorded as having voted against the motion).

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