

## Council Meeting



Date	28 November 2011
Venue	Lowther Pavilion, Lytham
Members	Mayor (Councillor Howard Henshaw ADK (MALAYSIA)) Deputy Mayor (Councillor Kevin Eastham) Ben Aitken, Christine Akeroyd, Frank Andrews, Tim Armit, Susan Ashton, Keith Beckett, Julie Brickles, Karen Buckley, David Chedd, Maxine Chew, Alan Clayton, Peter Collins, Simon Cox, Fabian Craig-Wilson, Susanne Cunningham, John Davies, Leonard Davies, David Donaldson, Charlie Duffy, David Eaves JP, Susan Fazackerley, Trevor Fiddler, Tony Ford JP, Gail Goodman JP, Nigel Goodrich, Peter Hardy, Kathleen Harper, Paul Hayhurst, Karen Henshaw JP, Ken Hopwood, Angela Jacques, Cheryl Little, Kiran Mulholland, Edward Nash, Elizabeth Oades, Albert Pounder, Dawn Prestwich, Richard Redcliffe, Louis Rigby, John Singleton JP, Elaine Silverwood Heather Speak Thomas Threlfall, Viv Willder, Peter Wood.
Officers	Phil Woodward, Allan Oldfield, Paul O'Donoghue, Nicola Martin, Annie Womack, Hazel Wood, Andy Cain, Alan Blundell, Bernard Judge.
Members of the Public	Members of the public were in attendance

### Prayers

Prayers were offered by the Mayor's Chaplain, Reverend Antony Hodgson.

### 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.

Councillor Duffy declared a personal interest in item 8.

### 36. Confirmation of Minutes

RESOLVED: To approve the minutes of the council meetings held on 26 September 2011 as a correct record for signature by the Mayor subject to the figure 83,394 in paragraph 5 (item 34 refers) be amended to 83,934.

37. Mayor's Announcements

The Mayor advised Council of various events he had attended including Civic Tours of Blackburn and Pendle and the service of Remembrance of the duke of Lancaster regiment in Warrington.

The Mayor met the archbishop of York at a reception at County Hall and attended 40<sup>th</sup> anniversary of girl guiding in the North West.

The Mayor informed councillors that he was pleased with the attendance at Remembrance Sunday and Armistice days.

The Mayor informed councillors that he is hosting an afternoon tea at the Town Hall on Wednesday 7 December, tickets available from the Mayors secretary.

The Mayor stated that Christmas Drinks receptions for Councillors, their wives and Council staff will also be held on 20, 21 and 22 December.

Councillor David Eaves, Leader of the Council thanked Phillip Woodward, Chief Executive on behalf of the Conservative group and wished him a long and happy retirement.

The Mayor also passed on his best wishes to the Chief Executive from himself and the Mayoress.

The Mayor asked that a minute's silence be observed in respect for the recent death of Ex Councillor David Mitchell.

38. Chief Executive's Communications

Mr Woodward thanked the Mayor and the Leader for their good wishes and invited all members for a drink and buffet in the next few weeks.

Mr Woodward informed members that he and a number of councillors had recently attended a photographic exhibition hosted by the Lytham St Annes Photographic Society at the Drive Methodist Church. As a result of the contacts made at the exhibition he was, along with the Deputy Mayor, investigating the possibility of producing a booklet to include the top 100 photographs, as presented by the Society, of Fylde Borough scenes. It was hoped that it would be possible to publish this sometime in 2012.

Mr Woodward also informed members that Wednesday 30 November was the public sector day of action he expected that the Council will be running services at 30-40% capacity.

39. Questions from Members of the Council

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There were no questions from members of the Council.

#### 40. Questions from members of the Public

There were no questions from members of the public.

#### 41. Cabinet Recommendation - Additional Capital Borrowing: Boxes to Bins Project

Councillor Karen Buckley, Portfolio Holder for Finance and Resources explained that the report presented a recommendation from the Cabinet for Council to approve the necessary capital expenditure to implement the modernisation of the Council's waste collection and recycling service. Although requiring an initial capital outlay, the proposals will generate recurring savings in the Council's revenue budget.

Councillor Tony Ford suggested that Fylde support the British economy and invest in buying British products instead of foreign. Councillor Peter Hardy also enquired as to how many green boxes we currently have in stock and what is to be done with the old ones.

Councillor Albert Pounder, Portfolio Holder for Customer and Operational Services explained that the procurement of the new bins would be subject to the statutory rules governing the purchase of such equipment and that the Council would need to demonstrate the best value for money. In connection with the old recycling boxes the public would be given the option to keep them if they wish or to let the Council dispose of any unwanted bins.

After debate it was RESOLVED:

1. That the Council approved an addition of £1,322,500 to the capital programme for the purchase of bins in order to implement the Boxes to Bins Project as recommended to Council by the Cabinet on 16<sup>th</sup> November 2011. (The standard service to comprise two additional 180 litre wheeled bins per property)
2. The financing arrangements for the capital outlay to be secured by the Council's Section 151 Officer in the most advantageous manner for the Council which will be fully financed from existing revenue resources.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

#### 42. Cabinet Recommendation - Unfunded Budget Increase to the MTFs: Lowther Gardens Trust

This item has been withdrawn from the agenda as agreed at the Cabinet meeting on 16 November 2011.

43. Recommendations of the Community Focus Scrutiny Committee Relating to their review of the sale of Clifton (Lytham) Housing Association Limited

Councillor Mulholland, Chairman of Community Focus Scrutiny Committee introduced the report relating to their review of the processes leading to the disposal of the Clifton (Lytham) Housing Association Limited by a scrutiny committee.

A Task and Finish Group of the Community Focus Scrutiny Committee was established. Its final report was considered by the Committee at its meeting on 8 November 2011 and the recommendations of that Committee were presented to the Council. Councillor Eaves proposed that the recommendations be accepted subject to their impact on the Council's Constitution being referred for consideration by the Audit Committee at its January meeting.

Councillor Duffy proposed an additional recommendation suggesting that *any councillor who quotes from a written document during a Council debate, in order to strengthen their case should have taken all reasonable steps to verify the accuracy and provenance of that document and should, on request, make it available for scrutiny by any other councillor during that debate and for a period of one month thereafter.*

After debate it was RESOLVED:

1. To agree the recommendations of the Community Focus Scrutiny Committee, including the additional recommendation proposed by Councillor Duffy and refer them to the Audit Committee for further consideration of their impact on the Council's Constitution.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

44. Notice of Motion

Following notice given under rule 11 of the Council Procedure Rules, the following Motion was proposed by Cllr Elizabeth Oades and seconded by Cllr Maxine Chew.

*"That this Council continue to look at alternative Governance options with a view to adopting more democratic processes, as and when the Localism Bill becomes law.*

*That regular cross party T & F meetings take place, as soon as possible, to investigate the most suitable and successful systems and report back to Council when this work is complete."*

Cllr Oades requested that the motion be dealt with at this meeting, and her request was carried by a show of hands.

After the debate a vote was taken and **the motion was carried** unanimously.

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(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

#### 45. Nominations to Outside Bodies

The council makes a number of appointments to outside bodies, which are confirmed in July each year by the council. Since the annual confirmation of appointments this year two additional outside bodies have come into existence which the Council were now invited to make nominations to.

Councillor David Eaves, Leader of the Council put forward nominations to fill the vacant positions on the Fylde Three Tier Forum and Lancashire Health and Wellbeing Board.

Councillor Elizabeth Oades put forward alternative nominations to fill the positions.

During the ensuing debate it was recommended that the item be deferred in order for the Leader to discuss nominations with opposition councillors and consider any substitute arrangements. This was proposed by the Leader and seconded by Councillor Fazackerley.

After discussion the Council RESOLVED: To defer the item to a future Council meeting.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

#### 46. Financial Forecast Update (Including Revenue, Capital & Treasury Management) 2011/12 to 2015/16

Councillor Karen Buckley, Portfolio Holder for Finance and Resources provided Members with an update of the financial forecast for the five years 2011/12 to 2015/16. She explained that the report includes changes arising since the Budget was set by Council in March 2011.

After debate it was RESOLVED: That the Council note the implications of this updated forecast as detailed in the report.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

#### 47. Mid Year Prudential Indicators and Treasury Management Monitoring Report 2011/12

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Councillor John Singleton, Chairman of the Audit Committee introduced the report which included a mid year review of Treasury Strategy and Prudential Indicators which the Audit Committee had scrutinized in line with the recommendations of the revised CIPFA (Chartered Institute of Public Finance Accountants) Code of Practice on Treasury Management.

The Council RESOLVED: To approve the revised Prudential Indicators and Limits as agreed at the Audit committee meeting of the 10<sup>th</sup> November 2011.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

#### 48. Wood Street Public Realm Improvement Scheme

Councillor Trevor Fiddler, Portfolio Holder for Planning and Development, introduced a report that presented the details of a proposed public realm improvement scheme for land to the north and south of Wood Street, St Annes. The draft scheme was included in a report which was approved by Cabinet on 23<sup>rd</sup> March 2011, and was viewed as a priority project in the context of the hosting of the Open in 2012 (Lytham St. Annes 2020 Vision document). The objective of the scheme is to improve an area that will be in a high profile location in the context of the hosting of the event. It is located in between areas that have already been regenerated or are scheduled to be so by July 2012.

At the time of the Cabinet Report in March 2011 no funding sources had been identified. The Cabinet resolved that should additional resources be identified then an additional report should be submitted for consideration. This report sought the Council's approval to fund, by way of an addition to the capital programme, the scheme as set out in the report, to be delivered early in 2012.

Given that the scheme is presently unfunded the Council's Constitution requires that this item be reported to full Council for approval.

After discussion the Council RESOLVED:

1. To approve an addition to the Capital Programme in respect of the new scheme as set out in the report of up to £180,585
2. To approve that the new scheme is fully funded from the surplus in resources currently showing on the capital programme, as set out in section 4 of the report.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

#### 49. Review of Polling Districts and Polling Places 2011

Phillip Woodward, Chief Executive introduced the report to consider the Returning Officers proposals arising from the review of polling districts and polling stations within the Borough of Fylde.

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The Council RESOLVED: That the Returning Officers recommendations attached in the appendix of the report be confirmed.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

50. Appointment of Returning Officer and Registration Officer

Councillor David Eaves, Leader of the Council presented the report that in view of the change in management arrangements it is necessary to update the Council's existing appointments in respect of elections of Councillors and the registration of electors.

The Council RESOLVED:

That Tracy Scholes (Director of Resources) is appointed as follows:

1. Under the provisions of Section 35(1) of the Representation of the People Act 1983, as the Returning Officer for the elections of Councillors of the Borough and for the elections of Parish Councillors;
2. Under the provisions of Sections 83 and 84 of the Local Government Act 1972, as the Proper officer of the District Council, to receive Declarations of Acceptance of Office of Mayor, Deputy Mayor or Councillor, and any notice of resignation from those offices;
3. Under the provisions of Section 89(1) of the Local Government Act 1972, as the Proper Officer of the Borough Council to receive notice of a casual vacancy in the office of Councillor;
4. That Tracy Scholes (Director of Resources) be appointed under the provisions of Section 8(2)(a) of the Representation of the People Act 1983 to be registration officer for the part of the Fylde Parliamentary Constituency contained in the District of Fylde

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

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