

## Cabinet



Date:	Wednesday, 20 July 2011
Venue:	Town Hall, St Annes
Committee members:	Councillor David Eaves (Leader) Councillor Susan Fazackerley (Deputy Leader) Councillors Dr. Trevor Fiddler, Cheryl Little, Albert Pounder, Thomas Threlfall
Other Councillors:	Councillors Christine Akeroyd, Maxine Chew, Fabian Craig-Wilson, Leonard Davies, Charlie Duffy, Kathleen Harper, Ken Hopwood, Elizabeth Oades, Elaine Silverwood
Officers:	Phillip Woodward, Joanna Scott, Allan Oldfield, Clare Platt, Paul Walker, Mark Evans, Mike Walker, Andy Cain, Carmel McKeogh, Lyndsey Lacey
Members of the public:	5 members of the public were present

### 1. 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 Albert Pounder declared a personal interest in item 5 relating to the proposed Spitfire Memorial. He also declared a personal and prejudicial interest in item 12 relating to the lease of Fairhaven Cottage and withdrew from the meeting.

### 2. Confirmation of minutes

RESOLVED: To approve the minutes of the Cabinet meeting held on 28 June 2011 as a correct record for signature by the Chairman.

### 3. Urgent items

There were no urgent items of business.

### 4. Policy Development Scrutiny Committee - Recommendations

Councillor Fabian Craig-Wilson (Chairman of the Policy Development Scrutiny Committee) presented the recommendations made by the Committee at its meeting held on 14 July 2011 (previously circulated)

The scrutiny committee recommended the following to Cabinet for approval:

**1 Modernisation of the Waste Service - From Boxes to Bins**

1. To recommend support for Option 3 of the report - for a 240L wheeled bin to replace the green box, and for a further 240L wheeled bin to replace the white sack, both bins to be provided free of charge.

**2 Fylde Coast Economic Development Strategy**

1. The committee elected to appoint a time-limited Task and Finish Group to look at the matter in more detail, and to report back to a later committee and to Cabinet.
2. To appoint to the Task and Finish Group comprising the following members:  
Councillors Fabian Craig-Wilson; Elaine Silverwood; Elizabeth Oades;  
Ben Aitken; Edward Nash and David Donaldson.

**3 Policy on the Reimbursement of Fees and Charges**

1. To recommend to Cabinet the creation of a budget head of £3000, specifically to reimburse Town and Parish Community Projects planning application fees.
2. The above to be with the proviso that any successful funding requests to external agencies such as lottery funding will result in the grant being returned to the Council.
3. The budget to be "topped up" to £3000 at the start of each financial year.

**4 The Coastal Strip and Fairhaven Master Plan**

Councillor Fabian Wilson stated that the committee had some concerns about the costs involved in this project, and therefore decided to endorse the recommendations below *in principle*, on the understanding that a further report would be presented to committee, identifying in particular the funding strategy for the project.

1. To endorse progression of the project in line with the timetable identified in the report, including the investigation of funding opportunities for the restoration of Fairhaven Lake and Gardens and the wider coastal strip.
2. To recommend an early review of the activities currently undertaken on the lake, in line with the identified options for change.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to note and approve the recommendations made by the Policy Development Scrutiny Committee held on 14 July 2011 subject to incorporating within the minutes the relevant portfolio holders who were in attendance at the scrutiny committee meeting and incorporating item 3 within future budgets.

## 5. Spitfire Memorial

Prior to consideration of this matter, the Leader of the Council (Councillor David Eaves) made reference to a question that had been submitted by Councillor Oades in relation to the spitfire memorial. Councillor Oades was invited to the table and asked the following question:

*"In light of the recent item that were considered by the Policy Development Scrutiny Committee regarding passing on charges incurred by town and parish councils and local community groups when carrying out works of a community nature, would the Cabinet advise of the likely charges that may be incurred for technical, engineering and planning advice?"*

Susan Fazackerley (Deputy Leader and Portfolio Holder for Leisure and Culture) was then invited to present her report on a proposal for the development and provision of a Fylde Spitfire Memorial. In doing so and in response to Councillor Oades question, she stated that the recent item considered by scrutiny related to planning fees only and that this matter did not fall within the scope of that issue. She added that the estimated "in-kind" costs of the proposal would be in the region of £1,800 and that the spitfire group were fully aware of the anticipated and on-going costs.

Councillor Fazackerley explained that the Fylde Spitfire Memorial Fund is proposing to sponsor a permanent memorial to be located in an appropriate position in Lytham St Annes in recognition of the local efforts made during WW2. Details with respect to this matter (including possible locations, fund raising arrangements and management/maintenance matters) were set out in the report.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To endorse the principle of the proposal received from The Spitfire Memorial Fund to develop a Spitfire Memorial in Lytham St Annes.
2. That officers work in support of the Spitfire Memorial Fund to identify a preferred location for the Memorial and to provide technical, engineering and planning advice to the Memorial Fund organisers.
3. That the final details of the proposal be brought back to Cabinet for approval.

## 6. Community Parks Improvement Programme

An updated report on the progress made in relation to the Community Parks Improvement programme was presented by Councillor Susan Fazackerley (Deputy Leader and Portfolio Holder for Leisure and Culture)

The report made reference to the various parks and open spaces that had benefited from regeneration and increased community utilisation. In addition, it highlighted the 22 'Friends' groups throughout the borough who work with the Council on the community parks improvement programme. In particular, the report sought Cabinet's approval to allocating certain Section 106 contributions against 3 pending community parks improvement projects namely: Hope Street Park, St Annes, Lower Lane, Freckleton and Park View playing field, Lytham.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED that in order to support the relevant groups in the improvement of public open space:

1. To agree that £16,225 from section 106 monies held by the Council for public open space provision be allocated in respect of the Hope Street Park scheme, and that a further individual detailed report about the project be presented to members in due course for approval to ensure that the Council's financial regulations are satisfied;
2. To approve a funded revenue budget increase of £10,000 in 2011/12 from section 106 monies held by the Council for public open space provision, and agree to allocate that amount to New Fylde Housing for the improvement of public open space at Lower Lane; on condition that New Fylde Housing be required to enter into an agreement with Fylde Borough Council prior to release of funds, and to provide details of how the funds have been used within 12 months of their use;
3. To approve a funded budget increase of £9,250 in 2011/12 from section 106 monies to the Council's capital programme for the amphitheatre project at Park View Playing field, to supplement the lottery funding already secured; and
4. To agree that the Council will act as the accountable body for individual schemes and funding streams where necessary.

#### 7. Payroll Efficiencies - Management Review

The Chief Executive (Phillip Woodward) introduced a report on the proposed payroll efficiencies management review. In doing so, he made reference to the origins of the report which centred on the assumption made in the MTFS that recurring budget savings would accrue from a review of management arrangements as set out in table 1 of the report.

Mr Woodward explained that the indicative restructure savings were ambitious and that the current issues and considerations key to this matter were detailed in paragraphs 9 to 16 of the report.

Mr Woodward further highlighted the associated risks of reducing the management capacity and the potential (although unknown) impact on service quality and response.

The report presented a number of options and proposals for changes to the structure of the Council's management arrangements with a view to delivering significant reductions in the cost of senior management whilst maintaining a structure that would be capable of delivering the on-going priorities of the Council.

The three options presented to Cabinet were:

- Option 1 - Partnership with Preston City Council
- Option 2 – 'Internal' Management Review
- Option 3 - Alternative Partnership Options.

Also included within the report as appendices was: the existing management structure, proposed options for a revised corporate management structure and an outline timetable.

At this juncture Councillor Oades was invited to the table to ask the two questions she had previously submitted.

*1. What are the initial costs of redundancy and the continuing costs and is the estimated £50,000 likely to be adequate?*

*2. Is the Table 3 on the fifth page of the report up-to-date? Several councils have recently started re-organisation procedures. It should also be noted that Fylde is a small authority compared to several of the others shown on this list.*

In response to the first question, Councillor Eaves stated that he could not be specific at this point in time as individual circumstances would be different as the proposals were implemented. He added that he been in consultation with HR and that the budgetary provision detailed in the report was felt to be realistic.

In response to the second question, he stated that the table was based on 09/10 figures. He accepted that circumstances were changing in most organisations and that the report acknowledged that Fylde Borough Council could not stand still.

The Council's Section 151 Officer (Joanna Scott) was then invited to the table to comment on the matter. Mrs Scott stated that as the Council's Section 151 Officer she must inform the Council of her statutory opinion on the robustness of the report and whether the projected savings were realistic.

She stated that the figures in Tables 2 and 4 were clearly targets and were ambitious and that it would only be possible to quantify exact savings when full details are know.

She indicated that paragraph 30 of the report referred to the review of the Section 151 Officer role and Strategic Financial Services currently provided by Preston City Council and whatever the outcome of the proposed review, the Section 151 Officer had a statutory responsibility to ensure that any arrangements that were in place provided sufficient resources to ensure the delivery of the Council's financial affairs.

In his summary the Leader commented that it was clear that Government funding was constantly being reduced and that the way in which the Council dealt with this was a delicate balancing act. The Council had been prudent in recent years in planning for difficult decisions ahead. He added that the Council had a responsibility to its community to ensure that services were efficient and effective and it was deemed important to make practical and sensible proposals without impacting frontline services.

Councillor Eaves wished to place on record his thanks to the staff for the recent salary sacrifice they have agreed to make which would go a long way towards avoiding compulsory redundancies – which was a much better position to be in than some of our neighbours.

He acknowledged the high level of staff commitment at Fylde and the impact on morale that these proposals might have and stated that he wanted to remain as fair and open with staff as possible. He noted however that the Council had to start doing the ground work now to prepare for the difficult decisions that lie ahead & by starting the process now, and phasing it in over a number of years we would be more likely to minimise the impact both on staff and on services

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. That the 'in principle' option of developing shared management arrangements with Preston City Council (outlined in Option 1 in the report) be noted but not pursued further.
2. That officer-level discussions continue with Preston CC, Lancashire CC and other interested bodies to evaluate and quantify shared-service opportunities and that further reports be presented in future on the outcome of these discussions.
3. That the Council actively supports the Three Tier Forum proposed by Lancashire CC outlined in paragraph 37 of the report.

4. That Option 2, supported by the principles outlined in Option 3 of the report be confirmed as the Council's preferred approach to the current management review.
5. That variant 2 in Appendix B of the report be confirmed as the Council's preferred corporate management structure from 2011/12.
6. That the Cabinet establishes a selection panel of four (including a member of the opposition) with delegated authority to implement the proposals set out in the report
7. That the Cabinet confirms the timetable outlined in Appendix C of the report.

#### 8. Asset Management Plan and Capital Strategy

Paul Walker (Director of Strategic Development) presented two separate documents for Cabinet's consideration. The first related to the draft Asset Management Plan ( a five year plan showing how the council intended to use its land, property and other assets to deliver services) and secondly, the Capital Strategy (a high level summary of the Council's approach to the delivery of the priorities and objectives set out in the Council's Corporate Plan through capital investment)

Councillor Trevor Fiddler (Portfolio Holder for Planning and Development) commented on the content of the documents and suggested that they would benefit from wider consideration of members in the future. In view of this, he suggested that scrutiny consider including the matter in its future work plans. This was endorsed by the Leader of the Council.

At this juncture, the Councillor Fiddler made reference to a question received from Councillor Oades (previously circulated) and suggested that the way forward as suggested addressed the points raised in the question.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To adopt the Asset Management Plan and Capital Strategy.
2. To request the Scrutiny Management Board to include the matter in its future work plans.

#### 9. Modernisation of the Waste Service from Boxes to Bins

Councillor Albert Pounder (Portfolio Holder for Customer and Operational Services) introduced the report. He made reference to the various options available to the Council to bring about an improvement to the waste collection service and at the same time achieve service delivery efficiencies.

In his report, Councillor Pounder also made reference to the recent consideration of the matter by the Policy Development Scrutiny Committee. He then went on to provide a brief overview of the service background and details of service changes made over a period of time, some service challenges, the results of the recent blue bin pilot scheme in Staining together with information of service delivery options and costs.

Mrs Scott (the Section 151 Officer) confirmed that the detailed finance analysis had now been completed and gave assurance that the figures in the report were as accurate as estimates could be and were based on service roll out date of April 2012.

Mrs Scott further reported that for completeness, paragraph 31 of the report should be amended to state:

"If the containers are to be purchased up front in bulk an estimated initial capital outlay would be required. This is detailed in Table 3".

Councillor Eaves thanked scrutiny and the waste/recycling team for the work done on the matter and suggested that the detailed costs of all options be worked up in preparation for the budget. In addition, he suggested that the results of the pilot scheme be published and that appropriate public consultation across the Borough be undertaken on the proposal at the earliest opportunity.

Councillor Fazackerley expressed her concerns of the challenges that the proposed scheme would present from a Central Ward perspective in that the option of additional bin capacity might not be suitable for her ward.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To support the proposed service delivery improvements to the waste collection service.
2. That details of the experiences and feedback from the Staining pilot exercise be published and circulated as widely as possible.
3. That, having regard to the feedback from the Overview and Scrutiny Committee, appropriate public consultation is undertaken across the Borough regarding the proposals.
4. That, following the public consultation, the preferred option is taken forwards through the budget preparations for 2012/13.

#### 10. Operation of the Mayoralty

By way of introduction, the Chief Executive (Philip Woodward) made reference to a number of recommendations that were made in February 2011 by the Policy Development Scrutiny Committee in relation to the operation of the Mayoralty and a subsequent request by Cabinet to revise certain aspects of the policy.

In summary, the report made reference to matters associated with the interpretation of section 1 (seniority list) of the existing Mayoralty Protocol. An alternative (section 1) to the protocol document together with a copy of the current protocol was circulated for members' consideration. Cabinet was asked to consider confirming the current protocol or consider a replacement of section 1 of the protocol with revised working detail.

At this juncture Councillor Oades was invited to the table to ask a question (previously circulated). She asked:

*On the Seniority List it states that Councillor Ashton self-excluded from the draw with Cllr. Oades in 2010/11; he also refused the Mayoralty this year which is why Councillor Henshaw has taken on the role one year early. I am also advised that he was offered the position in 07/08 when Councillor Prestwich was given the position. As he has refused the position on at least 2 occasions I believe that he should drop to the bottom of the list. Would the Cabinet agree with me that it should not be possible for councillors to manipulate the year in which they wish to become Mayor? If so I would ask them to adopt the current protocol for the Mayoralty which was agreed by the Policy Development Committee as recently as February, 2011.*

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED confirm its satisfaction with the current protocol on the

operation of the mayoralty subject to the words "Leader and Chief Executive" being replaced by the word "Council" in the penultimate paragraph of Section 1 of the protocol.

#### 10a. Member Champions

The Leader of the Council (Councillor David Eaves) introduced the report on proposal to disband the role of Member Champions. In doing so, he made reference to the background on the matter and appointments made in 2008.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to disband the role of Member Champions.

#### 11. Exclusion of the Public

RESOLVED: That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business, on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Act.

#### 12. Lease of Fairhaven Cottage

In presenting his report, Councillor Trevor Fiddler (Portfolio Holder for Planning) made reference to questions submitted by Councillor Oades and Silverwood in relation to the lease of Fairhaven Cottage.

Cabinet considered the report which included details of an offer to lease the property in the manner outlined in the report and the associated Heads of Terms.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to make appropriate arrangements to advertise in the press the vacant property to invite further interest in the property for the next two months and to present a further updated report to Cabinet after this period.

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