



Meeting Agenda

**Council,
United Reformed Church, St Georges Road,
St Annes
Monday 25 July 2011, 7:15pm or at the rising of the
Special Council meeting at 7.00pm**

PROCEDURAL ITEMS	
1. CONFIRMATION OF MINUTES	3
INFORMATION ITEMS	
2. MAYOR'S ANNOUNCEMENTS	3
3. CHIEF EXECUTIVE'S COMMUNICATIONS	3
REPRESENTATIONS	
4. QUESTIONS FROM MEMBERS OF THE COUNCIL	3
5. QUESTIONS FROM MEMBERS OF THE PUBLIC	3
ITEMS FOR DECISION	
6. CONSTITUTION	4 - 7
7. REGULATION OF INVESTIGATORY POWERS ACT 2000: GUIDANCE	8 - 29
8. CORPORATE PLAN	30 - 32
9. APPOINTMENTS TO OUTSIDE BODIES	33 - 43
10. ACCOMMODATION	T0 FOLLOW
11. DEPUTY SECTION 151 OFFICER	44 - 45
12. STANDARDS COMMITTEE	46 - 47

1. CONFIRMATION OF MINUTES

To confirm as a correct record the minutes of the Council meetings held on 28 March 2011 and 23 May 2011. (Appended at the back of the agenda)

2. MAYOR'S ANNOUNCEMENTS

3. CHIEF EXECUTIVE'S COMMUNICATIONS

The Chief Executive to report receipt of any relevant communications that have been received subsequent to sending out this agenda.

4. QUESTIONS FROM MEMBERS OF THE COUNCIL

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

REPORT



REPORT OF	MEETING	DATE	ITEM NO
GOVERNANCE AND PARTNERSHIPS	COUNCIL	JULY 25 2011	6

CONSTITUTION

Public/Exempt item

This item is for consideration in the public part of the meeting.

Summary

The council's constitution needs to be re-adopted by the council each year. This report highlights some proposed changes and invites the council to formally re-adopt the constitution subject to those changes.

Most of the changes have been considered by the Audit Committee and the report and recommendations reflect their conclusions.

Recommendation/s

1. Re-adopt the constitution incorporating the changes highlighted in the report.

Cabinet portfolio

The item falls within the following cabinet portfolio: Corporate resources and finance (Councillor Karen Buckley).

Report

Background

1. Article 14 of the council's constitution requires the Monitoring Officer to submit a fully up-to-date text of the Constitution every year to the meeting following the Annual Meeting of the Council, with a view to its formal approval and re-adoption by the

Continued....

2. The constitution, with proposed changes, has been considered by the Audit Committee, which approved changes to be submitted to the council tonight. Other changes were not considered by the Audit Committee because it had not been possible to compile them in time to be reported to the committee. The changes that were not reported to the Audit Committee are indicated by an asterisk.
3. The proposed revised version of the constitution, showing the changes, can be accessed at www.fylde.gov.uk/meetings/details/929 The changes which have a substantive effect are set out and explained below. Other changes have been made to correct typographical and similar errors.

Proposed changes: Appointment of leader

4. Under article 7.03 of the constitution as it presently stands, the election of a new leader of the council must take place at an ordinary or special meeting of the council. It cannot take place at the annual meeting. While the annual meeting is largely ceremonial, there may be circumstances (for example where there has been a change in political control) where it would be convenient to appoint a new leader at an annual meeting. The proposed change allows a new leader to be appointed at any council meeting.

Proposed changes: Development Control Committee

5. The revision suggests changing the name of the Development Control Committee to the Development Management Committee. The latter name is felt to better reflect the function of the committee, in which facilitating appropriate development is as important as preventing inappropriate development.

Proposed changes: Sunbed enforcement*

6. Under the Sunbeds (Regulation) Act 2010, the council must appoint authorised officers to enforce the new laws relating to use of commercial sunbeds by persons under the age of 18. The proposed new delegation would allow the Director of Community Services to appoint such officers.

Proposed changes: Temporary stop notices

7. The powers delegated to the Director of Strategic Development Services would now expressly include the service of temporary stop notices. There has previously been scope for discussion whether the power to serve stop notices (following consultation with the chairman and vice-chairman of the Development Control Committee) includes the power to serve temporary stop notices.

Proposed changes: Section 106 agreements*

8. The powers delegated to the Director of Strategic Development Services would now include an express power to agree the terms of section 106 agreements (also called planning obligations) on behalf of the council as local planning authority as well as the power to agree to requests to vary or modify agreements.

Proposed changes: Substitute members

9. Under the council procedure rules as presently drawn, only the member who is to be absent from a committee meeting can appoint a substitute to attend the meeting in his place. Under proposed changes to council procedure rules 24 and 25, the leader or other representative of the political group of a member who will be absent will be able to nominate a substitute. A substitution nominated by a political group would only be effective if the member who will be absent has not previously and does not subsequently nominate a substitute himself.
10. The remaining proposed change to council procedure rule 25 would increase the potential number of members who can be nominated to act as substitutes at Development Control Committee (or, as renamed, Development Management Committee) from four to six.

Proposed changes: Financial regulations*

11. The changes have been proposed by the section 151 officer.

Proposed changes: Land transaction procedures

12. The procedures for sale of land by tender presently cross-refer to rules 6 and 11 of the Contract Procedure Rules. However, these rules were changed to require use of the North West Procurement Hub, known as the Chest. It is not appropriate to require use of the Chest for sale of land, so the rules that previously applied have now been set out in rule 6 of the Land Transaction Procedure Rules.

Proposed changes: Petitions

13. The government has withdrawn the statutory guidance about the petitions duty. The statutory guidance included the model petitions scheme which is presently included in the constitution as part E of appendix 5. The withdrawal of the guidance gives the opportunity to trim some of the descriptive text (for example, references to sources of advice and guidance) from the scheme as it appears in the constitution. The petitions duty remains in force for the time being despite the withdrawal of the guidance.

Proposed changes: Planning code

14. There are three suggested changes to the Planning Code, which forms appendix 7 to the constitution. The change to paragraph 2.7 brings the advice for members about gifts and hospitality into full alignment with the Members' Code of Conduct, which forms appendix 6.
15. The suggested change to paragraph 2.8 makes it clear that officers should not accept gifts or hospitality over the value limits set out in the officers' code of conduct. This change (like all of the suggested changes to the planning code) has not been prompted by any problem or issue, but by the need to promote consistency between different sets of guidance.
16. The final suggestion is to amend paragraph 9.6. This paragraph presently sets out that planning applications made by or on behalf of serving officers and councillors will be considered by the Development Control Committee, rather than through the exercise of delegated powers. The change would extend this to expressly include family members of serving officers and councillors and those with whom they have a close association.

IMPLICATIONS	
Finance	None
Legal	Article 14 of the constitution requires the constitution to be submitted for re-adoption to the annual meeting of the council
Community Safety	None.
Human Rights and Equalities	None
Sustainability	None
Health & Safety and Risk Management	None

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis	(01253) 658506	7 July 2010	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Council constitution	July 2010	Town Hall, St Annes, or www.fylde.gov.uk

REPORT



REPORT OF	MEETING	DATE	ITEM NO
GOVERNANCE AND PARTNERSHIPS	COUNCIL	25 JULY 2011	7

REGULATION OF INVESTIGATORY POWERS ACT 2000: GUIDANCE

Public item

This item is for consideration in the public part of the meeting.

Summary

Under the Regulation of Investigatory Powers Act 2000, the council must have in place a system of authorising, recording and reviewing any surveillance that it carries out that it covered by the act. Its system must comply with the act, regulations and codes of practice. It must have its own RIPA policy.

Legislation under RIPA requires annual review and readoption of the RIPA guidance by the full council.

The report asks the council to adopt updated guidance, and provides information in the council's use of RIPA in 2010-11.

Recommendation/s

1. Note the information contained in the report about the council's use of surveillance powers
2. Adopt the updated policy.

Cabinet portfolio

The item falls within the following cabinet portfolio[s]: Finance and resources: (Councillor Karen Buckley).

Continued....

Report

The RIPA framework

1. The Regulation of Investigatory Powers Act 2000 (RIPA) regulates covert investigations by a number of bodies, including local authorities. It was introduced to ensure that individuals' rights are protected while also ensuring that law enforcement and security agencies have the powers they need to do their job effectively.
2. Fylde Borough Council is therefore included within RIPA framework with regard to the authorisation of both directed surveillance and of the use of covert human intelligence sources.
3. Directed surveillance includes the covert surveillance of an individual in circumstances where private information about that individual may be obtained. A covert human intelligence source ("CHIS") is a person who, pretending to be someone that they are not, builds up a relationship of trust with another person for the purpose of obtaining information as part of an investigation.
4. RIPA introduced a mandatory system of authorisation and review for surveillance activities. Only certain people can be designated to authorise surveillance. There must be a centrally-retrievable record of authorisations
5. As well as the act, the RIPA framework includes statutory instruments and codes of practice issued by the Home Office. Each public authority that can use RIPA must have its own RIPA policy. The Office of the Surveillance Commissioners can inspect any public authority's RIPA compliance. The Commissioners' inspections are rigorous and thoroughgoing.

Consideration of RIPA policy

6. Under the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010:
 - The full council should set the RIPA policy and review use of RIPA at least once each year; and
 - Councillors should consider reports on use of RIPA at least quarterly to ensure that it is being used consistently with the council's policy and that the policy remains fit for purpose (a quarterly report goes to the council's Audit Committee for this purpose).
7. An updated policy is attached for members to approve. The only changes from the previous policy are in paragraph 1.5 on page 2. The changes describe the arrangements for complying with the duties set out in paragraph 6 above.

The council's use of RIPA in 2010-11

8. The information in the table below is about authorisations granted by the council during the year 2010-11.

Quarter	Directed surveillance	CHIS	Total	Purpose
Apr- Jun 2010	0	0	0	
Jul – Nov 2010	0	0	0	
Oct-Dec 2010	1	0	1	Preventing or detecting crime: Benefit fraud
Jan-Mar 2011	0	0	0	

IMPLICATIONS	
Finance	No implications
Legal	Authorisation of surveillance activity gives that surveillance “lawful authority” for the purposes of the European Convention on Human Rights.
Community Safety	CCTV cameras have the capability of being used for purposes falling within the ambit of RIPA. If they were so used, a RIPA authorisation would need to be obtained.
Human Rights and Equalities	See the comments under “Legal”
Sustainability	No implications
Health & Safety and Risk Management	Failure to comply with the new requirements would lead to an adverse report by the Surveillance Commissioners.

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis	(01253) 658506	30 June 2011	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Employee's Guide: Regulation of investigatory Powers Act 2000, draft 2011 revision	June 2010	Town Hall, St Annes

Regulation of Investigatory Powers Act 2000: consolidating orders and codes of practice - consultation and response	Accessed 7 May 2010	www.homeoffice.gov.uk/documents/cons-2009-ripa/
---	---------------------	--

Attached documents

Employee's Guide: Regulation of investigatory Powers Act 2000, draft 2011 revision



Employee's Guide

Regulation of Investigatory Powers Act 2000

Directed Surveillance and Use of Covert Human Intelligence Sources

1 Introduction

- 1.1 The Regulation of Investigatory Powers Act 2000 (RIPA) regulates covert investigations by a number of bodies, including local authorities. It was introduced to ensure that individuals' rights are protected while also ensuring that law enforcement and security agencies have the powers they need to do their job effectively.
- 1.2 Fylde Borough Council is therefore included within the RIPA framework with regard to the authorisation of both [Directed Surveillance](#) and of the use of [Covert Human Intelligence Sources](#).
- 1.3 The purpose of this guidance is to:
- explain the scope of RIPA and the circumstances where it applies
 - provide guidance on the authorisation procedures to be followed.
- 1.4 The Council has had regard to the Codes of Practice produced by the Home Office in preparing this guidance. They are available on the Internet at www.homeoffice.gov.uk/counter-terrorism/regulation-investigatory-powers/ripa-codes-of-practice. Please ask your head of service if you want to refer to a paper copy.
- 1.5 This policy is reviewed annually by the council's cabinet. Additionally, reports on the use of authorisations under RIPA are made to the council's Management Team on a quarterly basis.
- 1.6 In summary RIPA requires that when the Council undertakes [directed surveillance](#) or uses a [covert human intelligence source](#), these activities must only be authorised by an officer with delegated powers when the relevant criteria are satisfied.
- 1.7 The table and paragraphs 1.8 and 1.9 below set out the officers of the council who have delegated powers under RIPA and the extent of their powers:

Job title	Extent of power
Chief Executive	All
Directors	In connection with directorate activities
Director of Governance and Partnerships	In connection with council tax and housing benefits

- 1.8 There are special rules that apply where the Council intends to undertake [directed surveillance](#) or use a [covert human intelligence source](#) and the surveillance or use of the source is likely to result in [confidential material](#) being acquired. In those circumstances, the chief executive must authorise the use of the source. Nobody else can authorise the surveillance or use of the source unless the chief executive is absent. Even if the chief executive is

absent, only the officer acting to the time being as Head of Paid Service can authorise: no other officer can do so.

- 1.9 The same special rules apply where the council intends to use a [covert human intelligence source](#) who is under 18 years old, or who is vulnerable. A person is vulnerable if he or she is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of himself, or unable to protect himself against significant harm or exploitation. Again, the chief executive must authorise the use of such a source. Nobody else can authorise the surveillance or use of the source unless the chief executive is absent. Even if the chief executive is absent, only the officer acting to the time being as Head of Paid Service can authorise: no other officer can do so.
- 1.10 The council will only use a person who is vulnerable as a covert human intelligence source in the most exceptional circumstances, and will not use any person who is under 16 years old.
- 1.11 Authorisation under RIPA gives lawful authority to carry out [surveillance](#) and the use of a source. Obtaining authorisation helps to protect the Council and its officers from complaints of interference with the rights protected by Article 8(1) of the European Convention on Human Rights which is now enshrined in English law through the Human Rights Act 1998. This is because any interference with the private life of citizens will be “in accordance with the law”. Provided activities undertaken are also “reasonable and proportionate” they will not be in contravention of Human Rights legislation.
- 1.12 It should be noted that the Council cannot authorise [Intrusive Surveillance](#). Investigators should familiarise themselves with the provisions of chapters 5 and 6 of the [Code of Practice](#) on Covert Surveillance to ensure a good understanding of the limitation of powers within RIPA.
- 1.13 Deciding when authorisation is required involves making a judgment. Paragraph 2.4 explains this process in detail. If you are in any doubt, seek the advice of an Authorising Officer, if they are in doubt they will seek advice from the Head of Governance. While it is always safer to get authorisation, many kinds of investigation may not involve the use of the kinds of surveillance covered by RIPA.
- 1.14 Personnel matters are for RIPA purposes regarded as being within the province of the Human Resources section and not that of individual directorates. [Covert](#) surveillance of any council employee for the purpose of preventing or detecting crime or of preventing disorder arising out of their employment by the council can therefore only be authorised by the Chief Executive or the Director of Customer and Operational Services.
- 1.15 The Head of Governance has responsibility for maintaining a centrally retrievable record of authorisations under RIPA and for overseeing:

- 1.15.1 the integrity of the process in place within the authority to authorise directed surveillance;
 - 1.15.2 compliance with Part II of the 2000 Act, Part III of the 1997 Act and with the codes of practice;
 - 1.15.3 engagement with the Commissioners and inspectors when they conduct their inspections, and
 - 1.15.4 where necessary, overseeing the implementation of any post-inspection action plans recommended or approved by a Commissioner.
- 1.16 Before any officer of the Council undertakes or commissions any [surveillance](#) of any individual or individuals they need to assess whether the activity comes within RIPA. In order to do this the following key questions need to be asked.

2 Directed Surveillance

2.1 What is meant by Surveillance?

"Surveillance" includes:

- a) monitoring, observing or listening to persons, their movements, their conversations or their other activities or communication;
- b) recording anything monitored, observed or listened to in the course of surveillance; and
- c) surveillance by or with the assistance of a surveillance device.

2.2 When is surveillance directed?

Surveillance is 'Directed' for the purposes of RIPA if it is [covert](#) and is undertaken:

- a) for the purposes of a [specific investigation](#) or a [specific operation](#);
- b) in such a manner as is likely to result in the obtaining [of private information](#) about a person (whether or not one is specifically identified for the purposes of the investigation or operation); and
- c) otherwise than by way of an [immediate response](#) to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation to be sought for the carrying out of the [surveillance](#).

2.4.1 Is the surveillance covert?

Covert surveillance is that carried out in a manner **calculated** to ensure that subjects of it are unaware it is or may be taking place.

If activities are open and not hidden from the subjects of an investigation, the RIPA framework will normally not apply.

2.4.2 Is it for the purposes of a specific investigation or a specific operation?

For example, are Town Hall CCTV cameras which are readily visible to anyone walking around the building covered?

The answer is not if their usage is to monitor the general activities of what is happening in the car park. If that usage, however, changes, RIPA may apply.

For example, **if** the CCTV cameras are targeting a particular known individual, and are being used in monitoring his activities, that has turned into a specific operation. However, the operation will only require authorisation if the surveillance is covert.

2.4.3 Is it in such a manner that is **likely** to result in the obtaining of private information about a person?

"Private information" is any information relating to a person's private or family life.

An investigation that merely gathers intelligence about a person's use of public spaces and premises open to the public would not by itself usually be likely to result in the obtaining of private information.

For example, the fact that a person has visited a particular pub and spoke to another particular person on a particular occasion will not be private information about either of them. But recording information about what they talk about may be. Private information may also be obtained if several records about what the person did in a public place are analysed together to produce a pattern of behaviour.

If it is likely that observations will not result in the obtaining of private information about a person, then it is outside RIPA framework. However, the use of 'test purchasers' may involve the use of [covert human intelligence sources](#) (see later). If in doubt, speak to your Authorising Officer.

2.4.4 Otherwise than by way of an immediate response to event or circumstances where it is not reasonably practicable to get authorisation

The Home Office gives the example of an immediate response to something happening during the course of an observer's work, which is unforeseeable.

However, if as a result of an immediate response, a [specific investigation](#) subsequently takes place that brings it within RIPA framework.

3 Is the Surveillance Intrusive?

3.1 [Surveillance](#) becomes intrusive if it:

- a) is carried out in relation to anything taking place on any **residential premises** or in any **private vehicle**; and
- b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device; or
- c) Is carried out by means of a surveillance device in relation to anything taking place on any residential premises or in any private vehicle but is carried out without that device being present on the premises or in the vehicle, where the device is such that it consistently provides information of the same quality and detail as might be expected to be obtained from a device actually present on the premises or in the vehicle.

3.2 Surveillance is also automatically deemed to be intrusive if it relates to certain kinds of premises which are, at the time of the surveillance, being used for legal consultations. The premises are prisons, courts, police stations, legal practitioners' offices and high security hospitals.

The council cannot carry out intrusive surveillance.

4 Covert use of Human Intelligence Source (CHIS)

4.1 A person is a Covert Human Intelligence Source if:

- a) he establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraph b) or c),
- b) he covertly uses such a relationship to obtain information or provide access to any information to another person; or
- c) he covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.

4.2 A purpose is covert, in relation to the establishment or maintenance of a personal or other relationship, if and only if the relationship is conducted in a manner that is calculated to ensure that one of the parties to the relationship is unaware of that purpose.

- 4.3 An example of a CHIS would be an officer or other person who pretends to form a friendship with a suspect, but who is really using that relationship to secretly obtain information from the suspect.
- 4.4 It would be unusual for the council to use a CHIS, but if you do so, you need to obtain authorisation

5 Authorisations, renewals and cancellations

5.1 The Conditions for Authorisation

5.1.1 Directed Surveillance

5.1.1.1 For [directed surveillance](#) no officer shall grant an authorisation for the carrying out of directed surveillance unless he believes:

- a) that an authorisation is **necessary** for the purpose of preventing or detecting crime or of preventing disorder and
- b) the authorised [surveillance](#) is **proportionate** to what is sought to be achieved by carrying it out.

5.1.1.2 In order to ensure that authorising officers have sufficient information to make an informed decision it is important that detailed records are maintained. As such the [forms](#) listed in the Appendix are to be completed where relevant.

5.1.1.3 It is also sensible to make any authorisation sufficiently wide enough to cover all the means required as well as being able to prove effective monitoring of what is done against that is authorised.

5.1.2 Covert Use of Human Intelligence Sources

5.1.2.1 The same principles apply as for [Directed Surveillance](#). (see paragraph [5.1.1](#) above), but there are some additional requirements. The person authorising use of a CHIS must believe that management arrangements for the source satisfy requirements laid down in RIPA and relevant regulations. The requirements are set out in [Appendix 3](#).

5.1.2.2 The conduct so authorised is any conduct that:

- a) is comprised in any such activities involving the use of a [covert human intelligence source](#), as are specified or described in the authorisation;
- b) relates to the person who is specified or described as the person to whose actions as a covert human intelligence source the authorisation relates; and

- c) is carried out for the purposes of, or in connection with, the investigation or operation so specified or described.

5.1.2.3 In order to ensure that authorising officers have sufficient information to make an informed decision it is important that detailed records are maintained. As such the [forms](#) listed in appendix 2 are to be completed where relevant.

5.1.2.4 It is also sensible to make any authorisation sufficiently wide enough to cover all the means required as well as being able to prove effective monitoring of what is done against that is authorised.

5.2 Requirements of RIPA

5.2.1 For **urgent** grants or renewal, oral authorisations are acceptable. In all other cases, authorisations **must** be in **writing**. The Appendix to this guidance refers to standard [forms](#), which must be used. **Officers must direct their mind to the circumstances of the individual case with which they are dealing when completing the form.**

5.2.2 Although it is possible to combine two authorisations in one form the Council's practice is for separate forms to be completed to maintain the distinction between [Directed Surveillance](#) and the use of a [source](#).

5.2.3 Authorisations lapse, if not renewed:

- within 72 hours if either granted or renewed orally, beginning with the time of the last grant or renewal, or
- 12 months - if in writing/non-urgent - from date of last renewal if it is for the conduct or use of a [covert human intelligence source](#) or
- in all other cases (ie directed surveillance) 3 months from the date of their grant or latest renewal.

5.2.4 The person who originally granted the authorisation can renew it in the same terms at any time before it ceases to have effect. If the person who originally granted the authorisation is unavailable, another [person entitled to grant a new authorisation](#) can renew it. Authorisations may be renewed more than once, provided they continue to meet the criteria for authorisation.

But, for the conduct of a [covert human intelligence source](#), an Authorised Officer should not renew unless a review has been carried out and that person has considered the results of the review when deciding whether to renew or not. A review must cover what use has been made of the source, the tasks given to them and information obtained.

5.2.5 The benefits of obtaining an authorisation are described in [paragraph 7](#) below.

5.2.6 Factors to Consider

Any [person giving an authorisation](#) should first satisfy him/herself that the authorisation is **necessary** on particular grounds and that the surveillance is **proportionate** to what it seeks to achieve.

- 5.2.7 Particular consideration should be given to **collateral intrusion** on or interference with the privacy of persons other than the subject(s) of [surveillance](#). Such collateral intrusion or interference would be a matter of especial concern in cases where there are special sensitivities, for example in cases of premises used for any form of medical or professional counselling, advice or therapy.
- 5.2.8 An application for an authorisation should include **an assessment of the risk** of any collateral intrusion or interference. The authorising officer must take this into account when considering the proportionality of the surveillance.
- 5.2.9 Those carrying out the [covert surveillance](#) should inform the Authorising Officer if the operation/investigation unexpectedly interferes with the privacy of individuals who are not the original subjects of the investigation or covered by the authorisation in some other way. In some cases the original authorisation may not be sufficient and consideration should be given to whether a separate authorisation is required.
- 5.2.10 Any person giving an authorisation will also need to be aware of particular **sensitivities in the local community** where the surveillance is taking place or of similar activities being undertaken by other public authorities which could impact on the deployment of surveillance. Where the Authorising Officer considers that conflicts might arise they should consult a senior police officer before granting the authorisation.

Home Surveillance

- 5.2.11 The fullest consideration should be given in cases where the subject of the surveillance might reasonably expect a high degree of privacy, for instance at his/her home, or where there are special sensitivities.

Spiritual Counselling

- 5.2.12 No operations should be undertaken in circumstances where investigators believe that surveillance would lead to them intrude on spiritual counselling between a Minister and a member of his/her faith. In this respect, spiritual counselling is defined as conversations with a Minister of Religion acting in his/her official capacity where the person being counselled is seeking or the Minister is imparting forgiveness, absolution of conscience or counselling concerning appropriate repentance. “Minister of Religion” does not

necessarily imply a paid office.

Confidential Material

5.2.14 RIPA does not provide any special protection for [confidential material](#). Nevertheless, such material is particularly sensitive, and is subject to additional safeguards under this guidance. In cases where the likely consequence of [surveillance](#) would be for any person to acquire knowledge of confidential material, the surveillance must be authorised by the Chief Executive or a director.

5.2.15 In general, any application for an authorisation that is likely to result in the acquisition of confidential material should include an assessment of how likely it is that confidential material will be acquired. Special care should be taken where the target of the investigation is likely to be involved in handling confidential material. Such applications should only be considered in exceptional and compelling circumstances with full regard to the proportionality issues this raises.

5.2.16 The following general principles apply to confidential material acquired under authorisations:

- Those handling material from such operations should be alert to anything that may fall within the definition of confidential material. Where there is doubt as to whether the material is confidential, advice should be sought from the Head of Governance before further dissemination takes place;
- Confidential material should not be retained or copied unless it is necessary for a specified purpose;
- [Confidential material](#) should be disseminated only where an appropriate officer (having sought advice from the Head of Governance) is satisfied that it is necessary for a specific purpose;
- The retention or dissemination of such information should be accompanied by a clear warning of its confidential nature. It should be safeguarded by taking reasonable steps to ensure that there is no possibility of it becoming available, or its content being known, to any person whose possession of it might prejudice any criminal or civil proceedings related to the information.
- [Confidential material](#) should be destroyed as soon as it is no longer necessary to retain it for a specified purpose.

Combined authorisations

- 5.2.17 A single authorisation may combine two or more different authorisations under RIPA. Combined authorisations must not include [intrusive](#) surveillance activity.

Partnership working

- 5.2.18 The council's human resources service and benefit fraud services are outsourced to other councils. As the tasking authority, it is Fylde's responsibility to obtain or provide the authorisation. This means that where the outsourced human resources or benefit fraud service wishes to carry out [directed surveillance](#) or use a [CHIS](#), an officer of Fylde Borough Council must seek authorisation from an appropriate [Authorising Officer](#) of Fylde Borough Council. An authorisation sought or granted by an officer of the council providing the outsourced service would not be valid under RIPA and would not give lawful authority for the activity.

Handling and disclosure of product

- 5.2.19 [Authorising Officers](#) are reminded of the guidance relating to the retention and destruction of confidential material as described in paragraph [5.2.16](#) above.
- 5.2.20 Authorising Officers are responsible for ensuring that authorisations undergo timely reviews and are cancelled promptly after directed surveillance activity is no longer necessary.
- 5.2.21 Authorising Officers must ensure that the relevant details of each authorisation are sent to the [designated officer](#) for registration as described in [paragraph 6](#) below.
- 5.2.22 The authorised officer should retain applications for [directed surveillance](#) for 5 years. Where it is believed that the records could be relevant to pending or future criminal proceedings, they should be retained for a suitable further period, commensurate to any subsequent review.
- 5.2.23 [Authorising officers](#) must ensure compliance with the appropriate [data protection](#) requirements and the relevant codes of practice in the handling and storage of material. Where material is obtained by [surveillance](#), which is wholly unrelated to a criminal or other investigation or to any person who is the subject of the investigation, and there is no reason to believe it will be relevant to future civil or criminal proceedings, it should be destroyed immediately. Consideration of whether or not unrelated material should be destroyed is the responsibility of the Authorising Officer.
- 5.2.24 There is nothing in RIPA that prevents material obtained through the proper use of the authorisation procedures from being used in other investigations. However, you should always bear in mind that the purpose of your surveillance is governed by its authorisation. If the purpose changes, you will need to seek a new authorisation.

5.3 The Use of Covert Human Intelligence Sources

- 5.3.1 The [Authorising Officer](#) must consider the continuing safety and welfare of any employee to be used as a [CHIS](#), and the foreseeable consequences to others of the tasks they are asked to carry out. He should assess any risk to the employee **before** authorisation is given.
- 5.3.2 The Council's practice is **not** to use an employee acting as a source to infiltrate existing criminal activity, or to be a party to the commission of criminal offences, even where this is within the limits recognised by law.
- 5.3.3 The Authorising Officer must believe that the use of an employee as a source is proportionate to what it seeks to achieve. He should satisfy himself that the likely degree of intrusion into the privacy of those potentially affected is proportionate to what the use of the source seeks to achieve. Accurate and proper records should be kept about the source and tasks undertaken.
- 5.3.4 Particular care should be taken in circumstances where people would expect a high degree of privacy or where, as a consequence of the authorisation, [confidential material](#) is likely to be obtained.

Confidential material

- 5.3.5 RIPA does not provide any special protection for confidential material. Nevertheless, such material is particularly sensitive, and is subject to additional safeguards under the relevant Home Office [Code](#). In general, any application for an authorisation that is likely to result in the acquisition of confidential material should include an assessment of how likely it is that confidential material will be acquired.

6. Central Register of Authorisations

- 6.1 RIPA requires a central register of all authorisations to be maintained. The Head of Governance or his nominated representative maintains this register.
- 6.2 Whenever an authorisation is granted the [Authorising Officer](#) must arrange for the following details to be forwarded by e-mail to the Head of Governance or nominated representative. Receipt of the e-mail will be acknowledged.
- Whether it is for [Directed Surveillance](#) or [CHIS](#) ;
 - Applicants name, job title and directorate;
 - Applicant's address and Contact Number;
 - Identity of 'Target';
 - Authorising Officer and Job Title; (in line with delegation scheme)
 - Date of Authorisation;
 - Whether the special provisions for urgent authorisation were used and, if so, why;

- Whether the investigation or operation is likely to result in obtaining [confidential material](#); and
- The first date for review.

A copy of the authorisation should be sent either with the notification or to follow as soon as practicable afterwards.

6.3 The Head of Governance or person nominated to maintain the register of authorisations will:

- a) Review the authorisation and draw the authorising officer's attention to any issues or problems with it;
- b) Remind [authorising officers](#) of the expiry of authorisations;
- c) Check that surveillance does not continue beyond the authorised period;
- d) At the anniversary of each authorisation, remind authorising officers to consider the destruction of the results of [surveillance](#) operations;
- e) At the fifth anniversary of each authorisation, remind authorising officers to consider destruction of the forms of authorisation, renewal or cancellation.

6.4 It is each director's responsibility to securely retain all authorisations, renewals and cancellations within their directorate. These records are confidential and should be retained for a period of five years from the ending of the authorisation. Once the investigation is closed (bearing in mind court proceedings may be lodged some time after the initial work) the records held by the directorate should be disposed of in an appropriate manner (e.g. shredded).

7 Benefits of Obtaining Authorisation under RIPA.

7.1 Authorisation of surveillance and human intelligence sources

RIPA states that

- if authorisation confers entitlement to engage in a certain conduct and
- the conduct is in accordance with the authorisation, **then**
- it shall be "lawful for all purposes".

However, the corollary is not true – i.e. if you do **not** obtain RIPA authorisation it does not make any conduct unlawful (e.g. use [of intrusive](#)

[surveillance](#) by local authorities). It just means you cannot take advantage of any of the special RIPA benefits.

7.2 RIPA states that a person shall not be subject to any civil liability in relation to any conduct of his which -

- a) is incidental to any conduct that is lawful by virtue of authorisation; and
- b) is not itself conduct for which an authorisation is capable of being granted under a relevant enactment and might reasonably be expected to have been sought in the case in question

8 Scrutiny and Tribunal

8.1 To effectively police RIPA, Commissioners regulate conduct carried out under thereunder. The Chief Surveillance Commissioner will keep under review, among others, the exercise and performance by the persons on whom are conferred or imposed, the powers and duties under the Act. This includes authorising [directed surveillance](#) and the use of [covert human intelligence sources](#).

APPENDIX 1.

Definitions from RIPA

- **“Confidential Material”** consists of:
 - a) matters subject to legal privilege;
 - b) confidential personal information; or
 - c) confidential journalistic material.
- **“Matters subject to legal privilege”** includes both oral and written communications between a professional legal adviser and his/her client or any person representing hi/her client, made in connection with the giving of legal advice to the client or in contemplation of legal proceedings and for the purposes of such proceedings, as well as items enclosed with or referred to in such communications. Communications and items held with the intention of furthering a criminal purpose are not matters subject to legal privilege (see Note A below)
- **“Confidential Personal Information”** is information held in confidence concerning an individual (whether living or dead) who can be identified from it, and relating:

- a) to his/her physical or mental health; or
- b) to spiritual counselling or other assistance given or to be given, and

which a person has acquired or created in the course of any trade, business, profession or other occupation, or for the purposes of any paid or unpaid office (see Note B below). It includes both oral and written information and also communications as a result of which personal information is acquired or created. Information is held in confidence if:

- c) it is held subject to an express or implied undertaking to hold it in confidence; or
 - d) it is subject to a restriction on disclosure or an obligation of secrecy contained in existing or future legislation.
- **“Confidential Journalistic Material”** includes material acquired or created for the purposes of journalism and held subject to an undertaking to hold it in confidence, as well as communications resulting in information being acquired for the purposes of journalism and held subject to such an undertaking.

Note A. *Legally privileged communications will lose their protection if there is evidence, for example, that the professional legal adviser is intending to hold or use them for a criminal purpose; privilege is not lost if a professional legal adviser is properly advising a person who is suspected of having committed a criminal offence. The concept of legal privilege shall apply to the provision of professional legal advice by any agency or organisation.*

Note B. *Confidential personal information might, for example, include consultations between a health professional or a professional counsellor and a patient or client, or information from a patient’s medical records.*

APPENDIX 2.

1. RIPA 2000 PART II **APPLICATION** FOR AUTHORITY FOR DIRECTED SURVEILLANCE
2. RIPA 2000 PART II APPLICATION FOR **RENEWAL** OF DIRECTED SURVEILLANCE
3. RIPA 2000 PART II APPLICATION FOR **CANCELLATION** OF DIRECTED SURVEILLANCE
4. RIPA 2000 PART II **REVIEW** OF DIRECTED SURVEILLANCE
5. RIPA 2000 PART II APPLICATION FOR **CHANGE OF CIRCUMSTANCES** OF DIRECTED SURVEILLANCE

APPENDIX 3

Management arrangements for CHIS

[From RIPA, section 29(5)]

- a) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have day-to-day responsibility for dealing with the source on behalf of that authority, and for the source's security and welfare;
- (b) that there will at all times be another person holding an office, rank or position with the relevant investigating authority who will have general oversight of the use made of the source;
- (c) that there will at all times be a person holding an office, rank or position with the relevant investigating authority who will have responsibility for maintaining a record of the use made of the source;
- (d) that the records relating to the source that are maintained by the relevant investigating authority will always contain particulars of all such matters (if any) as may be specified for the purposes of this paragraph in regulations made by the Secretary of State; and
- (e) that records maintained by the relevant investigating authority that disclose the identity of the source will not be available to persons except to the extent that there is a need for access to them to be made available to those persons.

The matters specified in paragraph (d) are the following (see The Regulation of Investigatory Powers (Source Records) Regulations 2000)

:

- (a) the identity of the source;
- (b) the identity, where known, used by the source;
- (c) any relevant investigating authority other than the authority maintaining the records;
- (d) the means by which the source is referred to within each relevant investigating authority;
- (e) any other significant information connected with the security and welfare of the source;
- (f) any confirmation made by a person granting or renewing an authorisation for the conduct or use of a source that the information in paragraph (d) has been considered and that any identified risks to the security and welfare of the source have where appropriate been properly explained to and understood by the source;
- (g) the date when, and the circumstances in which, the source was recruited;
- (h) the identities of the persons who, in relation to the source, are discharging or have discharged the functions mentioned in section 29(5)(a) to (c) of the 2000 Act or in any order made by the Secretary of State under section 29(2)(c);
- (i) the periods during which those persons have discharged those responsibilities;
- (j) the tasks given to the source and the demands made of him in relation to his activities as a source;
- (k) all contacts or communications between the source and a person acting on behalf of any relevant investigating authority;
- (l) the information obtained by each relevant investigating authority by the conduct or

use of the source;(m) any dissemination by that authority of information obtained in that way; and

(n) in the case of a source who is not an undercover operative, every payment, benefit or reward and every offer of a payment, benefit or reward that is made or provided by or on behalf of any relevant investigating authority in respect of the source's activities for the benefit of that or any other relevant investigating authority.

REPORT



REPORT OF	MEETING	DATE	ITEM NO
DIRECTOR OF GOVERNANCE & PARTNERSHIPS	COUNCIL	25 TH JULY 2011	8

CORPORATE PLAN

Public Item

This item is for consideration in the public part of the meeting.

Summary

The Corporate Plan is part of the Council's budget and policy framework which requires the approval of Council. The Cabinet considered the proposed Corporate Plan for 2011-14 at its meeting in March and recommended its adoption by the Council. This report presents the Corporate Plan for adoption by the Council.

Recommendation

1. To adopt the Corporate Plan 2011-14.

Reasons for recommendation

To deal with a recommendation from Cabinet.

Alternative options considered and rejected

None

Report

1. The agenda for the Cabinet meeting on 23rd March contained an item that introduced the proposed Corporate Plan for 2011-14.
2. The Cabinet made a small number of minor changes to the key activities highlighted for action in 2011-12 and the corporate plan is now recommended for Council approval as part of the budget and policy framework.
3. A copy of the proposed Plan is attached at Appendix A.

Report Author	Tel	Date	Doc ID
Governance Team	(01253) 658516	July 2011	

List of Background Papers		
Name of document	Date	Where available for inspection
Cabinet Report	23 rd March 2011	Town Hall or www.fylde.gov.uk

Appendix A - Proposed Corporate Plan – 2011-2014

IMPLICATIONS	
Finance	Implementation of the Corporate Plan is dependent upon the allocation of financial resources.
Legal	No direct implications arising from this report
Community Safety	No direct implications arising from this report
Human Rights and Equalities	No direct implications arising from this report
Sustainability and Environmental Impact	No direct implications arising from this report
Health & Safety and Risk Management	No direct implications arising from this report

FBC Vision

“Fylde will be a welcoming place with energetic, highly skilled, healthy people in flourishing communities.”



REPORT



REPORT OF	MEETING	DATE	ITEM NO
DIRECTOR OF GOVERNANCE AND PARTNERSHIPS	COUNCIL	25 JULY 2011	9

APPOINTMENTS TO OUTSIDE BODIES

Public Item

This item is for consideration in the public part of the meeting.

Summary

The council makes a number of appointments to outside bodies, which are confirmed each year by the council.

A list of existing appointments, together with details of any vacancies, is attached as an appendix.

Recommendations

1. That the council confirms appointments to outside bodies in line with the details shown in the attached appendix and nominations be sought to fill any vacancies as indicated.
2. For those partnerships marked priority, the appointed members complete a summary of activity bi annually and for all other partnerships a summary is produced annually. This information should be placed in the members room with an annual summary made to the Council prior to appointments being confirmed for the next municipal year

Cabinet Portfolio

The item falls within the following Cabinet portfolio:
Customer Services and Partnerships

Report

Appointments to outside bodies

Annual appointments

1. Each year the council appoints a number of elected members to outside bodies. The current list of appointments is attached and the Council is requested to re-affirm the appointments and consider any vacancies.
2. The appointments to outside bodies have been considered at a recent scrutiny meeting. As a consequence, the list has been refined and obsolete appointments removed. It was also felt that some appointments should relate to Cabinet Portfolios as opposed to named individuals.
3. Of significance, members felt that there should be a mechanism in place to ensure that those members appointed fed back information into the Council. It was felt that there should be a mechanism in place whereby as a condition of the acceptance of an appointment it was implicit that there was an understanding that information about the respective partnership should be fed back into the Council.
4. The purpose of the information sharing is to ensure that information is circulated more widely to both other members and officers to aid decision making and knowledge. It also provides assurance that those members appointed to represent the Council are fulfilling this commitment to the respective partnerships.
5. In terms of the appointments, the list is divided into two parts indicating which partnerships would require one report annually and the other bi-annually (the bi-annual reporting indicating those partnerships considered to be of more importance).
6. Once members are appointed they will be e mailed a brief summary document noting points to cover in their reports.

IMPLICATIONS	
Finance	No issues arising
Legal	No issues
Community Safety	No issues arising

Human Rights and Equalities	No issues arising
Sustainability	No issues arising
Health & Safety and Risk Management	No issues arising

Report Author	Tel	Date	Doc ID
Tracy Scholes	(01253) 658521	11 April 2011	

List of Background Papers		
Name of document	Date	Where available for inspection
Appointment list to outside bodies		Attached

Outside bodies/partnerships attended by elected members	Previous representation
<p>Bi-annual reports required</p> <p>Blackpool Airport Consultative Committee (1 seat)</p> <p>Warton Local Consultative Committee (1 seat)</p> <p>Fylde Citizens Advice Bureau (3 seats)</p> <p>Lancashire Waste Partnership (1 seat)</p> <p>Local Liaison Committee Springfield Works (2 seats)</p> <p>Clifton Lytham Housing Association (6 Directors/Shareholders)</p> <p>LSP Executive (1 seat)</p>	<p>Planning and Development Portfolio Holder</p> <p>Councillor Threlfall</p> <p>Cllrs Ackers, Hardy and Nulty</p> <p>Portfolio Holder for Customer and Operational Services</p> <p>Cllrs Eaves and Threlfall</p> <p>Disposal agreed</p> <p>Leader</p>

Lytham Town Trust (1 seat)	Councillor Tim Ashton
Progress Housing (1 seat)	Vacant (formerly Paul Rigby)
North West Employers Organisation (1 seat)	Portfolio Holder for Customer and Operational Services
Face to Face YMCA (1 seat)	Councillor John Singleton
Age Concern – Fylde	Fylde board no longer exists. Member representation at Age UK management meetings to be determined
Local Strategic Partnership (LSP) Communities and Environment Group	Portfolio Holder for Environment and Partnerships and Councillor David Chedd (as opposition member)
LSP Community Safety Partnership	Portfolio Holder for Social Wellbeing and Councillor Tony Ford (opposition member)
Children's Trust	Portfolio Holder for Finance and Resources and Councillor Linda Nulty (opposition member)
LSP Health and Well Being Group	Portfolio Holder for Social Wellbeing and Councillor Elizabeth Oades (opposition member)
LSP Economic Development Group	Planning and Development Portfolio Holder and Councillor Elaine Silverwood (opposition member)
LSP Housing Group	Portfolio Holder for Social Wellbeing, Portfolio Holder for Planning and Development and opposition member

Annual report required	
BFW Volunteering Centre (1 seat)	Councillor Jaques
Council for Voluntary Services, BWF (1 seat)	Vacant
Fylde Arts Association - Executive Committee (3 seats)	Cllrs Jaques / Henshaw / Harper
Fylde Community Projects Fund (1 seat)	The Mayor
Kirkham Baths Management Committee (1 seat)	Portfolio Holder for Leisure and Culture
LCC Adult Social Care & Health Overview and Scrutiny Committee (1 seat)	Vacant
Ormerod Trust (1 seat)	Cllr Jaques

--	--

Summary of Organisation Aims

Blackpool Airport Consultative Committee

A forum in which the management of the Blackpool International Airport interacts with local public agencies, local businesses and residents on a range of environmental and airport issues. Provides a forum to discuss all matters concerning the development of the airport which has an impact on its users and people living and working in the surrounding area.

Warton Local Consultative Group

A forum in which the management of the BAE Systems, Warton interacts with local elected members at County, Borough and Parish levels along with Council officers on a range of environmental and aerodrome issues. It provides a forum to discuss all matters concerning current and future operations at the aerodrome and the Company's activities which have an impact on and people living and working in the surrounding area.

Fylde Citizens Advice Bureau

The local Fylde CAB comes under the umbrella of the National CAB body. Its funding is independent of that body but in order for it to receive accreditation it has to meet standards set nationally by the CAB in terms of the quality of its service delivery. A range of services are delivered including assisting residents to resolve their legal, financial and benefits problems by providing free information and advice.

The Council funds the operation of the Fylde CAB. Elected members are appointed to a Management Committee which oversees its work.

Lancashire Waste Partnership

Oversees the development and implementation of waste services across Lancashire.

Springfield Site Stakeholder Group - Local Liaison Committee for Springfield's Works

The Group is an independent, local community-based body that informing the public of activities on site and of the site operator, involving the stakeholders on the plans for the site and acting as a conduit for two-way information provision and flow. It also provides a forum at which community concerns can be aired and responded to. In addition it receives reports from the various regulators overseeing activities at the site.

Local Strategic Partnership (LSP) Executive

The Borough wide Local Strategic Partnership. Consists of representatives from the private, public, voluntary and community sectors. It is responsible for

overseeing the implementation of the implementation of Fylde Community Strategy and has a role in supporting and funding local initiatives and helping to ensure the effective delivery of services

Other LSP Groups, including the Community Safety Partnership

The Community Safety Partnership comprises statutory partners with a duty to work together to combat crime and disorder within the Borough. The partners are the Council, Police, Probation Service, Fire and Rescue Service and the Primary Care Trust.

Others partners are also engaged within the partnership such as the Police Authority.

The other thematic groups within the LSP: Communities and Environment, Health and Well Being, Economic Development and the Children's Trust again have a membership of a mix of partners, including the Council. These agencies have a specific interest in the topics named in the titles of the respective groups.

Lytham Town Trust

A registered charity with responsibility for the management and operation of Lytham Assembly Rooms and the owner of Lytham Hall. Established in 1990, with the broad aim of preserving and protecting all buildings of architectural or historical importance in Lytham.

Progress Housing

Progress Group is a social housing provider managing over 2000 properties across the North West. New Fylde Housing joined the Progress Group in 2009 and had previously managed the housing stock within the Borough which had transferred from the Council to it under a large scale voluntary transfer. The company manages affordable rental properties, sheltered housing, extra care accommodation and leasehold schemes within the Borough and the Board, to which the Council appoints one member, oversees its work.

North West Employers Organisation

Represents the views of authorities on employment issues to the Employers Organisation and other relevant bodies. Provides briefings for local councils on pay and grading and other management issues affecting local councils. Networks with elected members on a range of issues.

Blackpool, Fylde and Wyre Volunteering Centre

A local charity that promotes volunteering and volunteers and aims to develop services in response to local need. It operates a volunteer centre that offers volunteering opportunities to support voluntary and community groups as well as frontline services which offer assistance to older people, disabled people and carers as examples.

Blackpool, Wyre and Fylde Council for Voluntary Services

CVS is a registered charity working with community, voluntary and faith groups across Blackpool, Fylde and Wyre. CVS co-ordinates projects within the Fylde area including Fylde Together (which brings together all Fylde Groups together) together with administering funds and grants.

Fylde Arts Association - Executive Committee

The Association exists as an umbrella group for arts societies in the Fylde to:

- Promote and sponsor artistic events in the Fylde – poetry, visual arts and music
- Provide a platform for young musicians
- Inform public of artistic events in the Fylde

There is member representation from both Blackpool and Fylde Councils on the committee.

Fylde Community Projects Fund

A fund established for local community groups to deliver their objectives which link directly to support the delivery of the Sustainable Community Strategy. Each year £25,000 is allocated to the Community Projects Fund and local groups and individuals can make bids up to a maximum of £2,000 which must be matched in cash or in kind.

Kirkham Baths Management Committee

A Group established to oversee the management of Kirkham Public Baths which runs independently from the Council.

LCC Adult Social Care and Health Overview and Scrutiny Committee

The purpose of this Committee established by Lancashire County Council is:

To review and scrutinise issues around public health and health inequalities. The Committee will review and scrutinize the work and performance of any relevant part of the County Council and its partners and the functions of the relevant Cabinet Members

To exercise the statutory functions of a health overview and scrutiny committee under the provisions of the National Health Service Act 2006. For this purpose the Committee shall include twelve non-voting Co-opted district council Members one of which is a Fylde Borough Council member.

Ormerod Trust

A Trust established to work with people with a learning disability offering support to assist them in taking control of their own lives. Services operate in the Wyre and Fylde areas of Lancashire.

Age Concern - Fylde

Age Concern Fylde provides a wide range of services to those aged over 55 years and over including the information and advice service which is funded by the Council, employing both paid staff and volunteers. The current service level agreement has been revised, providing for member representation at the management meetings

Face to Face YMCA

Face to Face was formed in 1991 by the Lytham St Annes Council of Churches to assist young people who found themselves homeless, or living in inappropriate conditions. The organisation is now part of the Fylde Coast YMCA providing homelessness related services for all ages over 16 years.

A member is elected to the Face to Face Management Committee. The Council works with the organisation as part of the homelessness partnership, funding the rent bond guarantee scheme.

REPORT



GOVERNANCE & PARTNERSHIPS	COUNCIL	25 JULY 2011	11

DEPUTY SECTION 151 OFFICER

This item is for consideration in the public part of the meeting.

Summary

The report seeks approval to the amendment of the current arrangements with Preston City Council for the provision of a Deputy "Section 151" Officer's role. It is proposed that Paul O'Donoghue replaces Bernard Hayes as Deputy Section 151 Officer. The intention is that Mr. Hayes will continue to provide, on an ad hoc basis, specialist strategic financial advice under the terms of the contract. The appointment of Paul O'Donoghue as Deputy reflects the level of responsibility that he has been assuming. As on site Head of Finance, Mr. O'Donoghue is better able to fulfil the deputising role.

Recommendations

1. That Paul O'Donoghue be formally appointed as Deputy Section 151 Officer
2. That the contract with Preston City Council is amended accordingly to reflect that Mr Hayes will continue to provide specialist financial advice to the Council.

Cabinet Portfolio

The item falls within the following Cabinet Portfolio - Finance & Resources

Report

1. When Mr Hayes was appointed as Deputy Chief Executive of Preston City Council, in light of his new commitments, he relinquished his Section 151 role at Fylde Borough Council to Joanna Scott of Preston City Council. At that time, Mr Hayes was named as Deputy Section 151 Officer.
2. Mr. O'Donoghue, Head of Finance, at Fylde Borough Council is based within the Council offices. As a consequence, he is better able to fulfil the role as Deputy and in practice has been deputising on a number of issues for several months. It has been agreed with Preston City Council to formalise this arrangement and recognise his input.
3. Mr. Hayes will remain available within the contract to provide specialist advice.

Finance	The cost of the contract with Preston City Council will be adjusted to reflect this amendment. Mr Hayes will remain as specialist strategic financial advisor within the agreement. Over time, the contract will be monitored to see what impact the change in Deputy designation has on the contracted hours.
Legal	<p>Under section 151 of the Local Government Act 1972, the council has to secure that one of its officers has responsibility for the administration of its financial affairs. The term “officer” can include an officer seconded from another local authority.</p> <p>The role of section 151 officer is pivotal in ensuring the delivery of key financial statutory and constitutional activities of the authority. The council needs to satisfy itself that the arrangements proposed make adequate provision for the proper administration of the financial affairs of the authority and are acceptable to the council’s external auditors.</p>
Community Safety	None arising from the report.
Human Rights and Equalities	None arising from the report.
Sustainability	None
Health & Safety and Risk Management	The proposed arrangement ensures the continuity of the Section 151 and Deputy roles at the Council and builds on the undoubted improvements in the financial stability; control and reporting that have been seen since 2007. The designation as Deputy also provides succession planning and career development opportunities.

Tracy Scholes	(01253) 658521	7 April 2011	

Name of document	Date	Where available for inspection
None		

REPORT



REPORT OF	MEETING	DATE	ITEM NO
GOVERNANCE AND PARTNERSHIPS	COUNCIL	25 JULY 2011	12

STANDARDS COMMITTEE

Public/Exempt item

This item is for consideration in the public part of the meeting.

Summary

Mr Roy Male has resigned as an independent member of the Standards Committee. In view of the impending abolition of the Standards Committee, it is recommended that he be not replaced.

The constitution says that the Mayor may not be a member of Standards Committee. The council therefore needs to appoint a councillor to replace the Mayor on the committee.

Recommendation/s

1. Write to Mr Male to thank him for his service as a member of the Standards Committee.
2. Appoint a councillor to replace the Mayor as a member of the Standards Committee.

Cabinet portfolio

The item falls within the following cabinet portfolio[s]: Finance and Resources: (Councillor Karen Buckley).

Report

Sub-heading if needed

1. Mr Roy Male, a member of the council's Standards Committee, has recently resigned his position. Mr Male was one of five independent members of the committee. The

Continued....

Localism Bill, presently proceeding through Parliament, will abolish standards committees in their present form. It is therefore suggested that Mr Male be not replaced. The Standards Committee would continue with twelve members, of which four would be independent persons. This satisfies the statutory criterion that at least 25% of the membership of the committee should be independent persons.

2. Under the council's constitution, the Mayor cannot be a member of Standards Committee. The Mayor, Councillor Howard Henshaw, is presently a member of the committee. The Mayor will therefore need to be replaced. The Standards Committee is not required to be politically balanced. However, the council has traditionally appointed one member from each of its four political groups to the committee, so the council may wish to consider replacing the Mayor with another Liberal Democrat councillor.

IMPLICATIONS	
Finance	None
Legal	Covered in the report
Community Safety	None
Human Rights and Equalities	None
Sustainability	None
Health & Safety and Risk Management	None

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis	(01253) 658506	21 June 2011	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
None		

Council Meeting



Date	28 March 2011
Venue	Lowther Pavilion, Lytham
Members	Mayor (Councillor Elizabeth Oades) Deputy Mayor (Councillor Linda Nulty) Brenda Ackers, Ben Aitken, Christine Akeroyd, Frank Andrews, Tim Ashton, Keith Beckett, John Bennett, Karen Buckley, David Chedd, Maxine Chew, Elizabeth Clarkson, Peter Collins, John Coombes, Michael Cornah, Fabian Craig-Wilson, Leonard Davies, John Davies, Kevin Eastham, David Eaves, Susan Fazackerley, Trevor Fiddler, Patricia Fieldhouse, Tony Ford JP, Richard Fulford-Brown, Craig Halewood, Peter Hardy, Kathleen Harper, Paul Hayhurst, Howard Henshaw, Karen Henshaw JP, Ken Hopwood, Keith Hyde, Angela Jacques, Cheryl Little, Kiran Mulholland, Janine Owen, Barbara Pagett, Albert Pounder, Dawn Prestwich, Louis Rigby, Paul Rigby, Elaine Silverwood, Roger Small, Heather Speak, Thomas Threlfall.
Officers	Phillip Woodward, Ian Curtis, Clare Platt, Joanna Scott, Annie Womack, Andy Cain, Alan Blundell,
Others	-
Members of the Public	Members of the public were in attendance

Prayers

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

71. 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.

Councillors Ackers, Fieldhouse, Louis Rigby, Pounder and Small declared a personal interest in item 7 on the agenda, as directors of the Clifton (Lytham) Housing Association. Councillor Ashton declared a personal and prejudicial interest in items 7 and 8 as a Director of Clifton (Lytham) Housing Association and as Director of Lytham Town Trust.

72. Confirmation of Minutes

RESOLVED: To approve the minutes of the council meeting held on 2 March 2011 as a correct record for signature by the Mayor.

73. Mayor's Announcements

- The Mayor thanked all of those who supported the mayoral ball, and everyone who had supported the mayor throughout the year
- The Mayor thanked Cllr Janine Owen and her team for all the hard work they put into Fylde's Got Talent, and also Cllrs Fazackerley and Little for their help at the event.
- As this was the final council meeting of this administration, on behalf of the Borough she thanked all councillors for their hard work, with special thanks for those who were not standing for re-election who had many years of service between them.
- She also thanked the people of the borough who put work into community activities such as the Bloom groups and the Parks groups. Without their input we would not have such wonderful facilities and such attractive towns and villages.
- She wished good luck to Elswick, Freckleton and Lytham for their participation in the "Bloom" competition later in the year.
- The Mayor thanked all of town and parish councillors for their hard work in their areas, who receive no reward except for the satisfaction of improving their areas. She said that it would be wonderful if the government recognised their contribution by passing on government support grant and other grants.

74. Chief Executive's Communications

Mr Woodward reported that he had no communications for the Council.

75. Questions from Members of the Council

(a) The following question had been submitted by Cllr Roger Small:

In order for us to explain the Council Tax for 2011/12 to our electorates, could either 151 Officer or Portfolio Holder give members information with regard to the potential Council Tax increases from our partners at LCC, Police, Fire and town and parish councils through their precepts?

The Portfolio Holder for Finance and Resources, Cllr Karen Buckley responded. She said that she was pleased to confirm that Lancashire County Council, the Police and Fire Services and Fylde Borough Council were all freezing their

Council meeting - 28 March 2011

Council Tax this year. She gave a breakdown of the statutory services that District and County Councils carried out and reminded members that parish and town councils did not have such statutory responsibilities and had complete discretion about what they get involved with and what they precept for. This was the reason that District and County Councils received grant support from central government and parish and town councils do not.

She then read out the percentage increases that each town and parish council had set on their precepts, if any.

Cllr Small then asked a supplementary question.

As a St Anne's councillor and resident I am particularly concerned that St Annes Town Council, which has little statutory responsibility, seeks to raise Council Tax by a substantial percentage. When we at Fylde and Lancashire do our utmost to keep Council Tax down, should we not call upon our town and parish councils to do the same?

Cllr Buckley responded, saying that she shared Cllr Small's concerns.

(b) The following question had been submitted by Cllr Ackers:

Could the Cabinet Member for Finance and Resources please tell the meeting how much the council has spent on supporting swimming in Fylde?

Councillor Buckley responded to the question, giving details about Fylde's capital and revenue investment in Kirkham Pool since outsourcing, plus grant monies and passporing of DCMS government monies. She gave similar financial details regarding the reopening of St Annes pool, including the ongoing revenue cost of St Annes Pool, and also talked about the improvements that had been made.

76. Questions from members of the Public

There were no questions from members of the public.

77. Reports from Committees; 1 - Policy Development Scrutiny Committee

Cllr Fabian Craig Wilson, Chairman of the Policy Development Scrutiny Committee introduced the report, which referred to a decision of the committee to call in and refer to council for debate a Portfolio Holder decision relating to the disposal of shares of Clifton (Lytham) Housing Association. Cllr Craig-Wilson moved the recommendation and it was seconded by Cllr Kiran Mulholland.

Cllr Trevor Fiddler, Portfolio Holder for Planning and Development, who had made the original decision said that he welcomed the debate at full council. He supported the sale in principle, as the council was no longer a social housing landlord. However, he acknowledged that some elements of the process might have been more transparent, but said that this council meeting was now the opportunity to address all of the issues and questions which had arisen.

Council meeting - 28 March 2011

During the course of the debate, the following Motion relating to the topic under consideration (and which had been the subject of a notice of motion under council procedure rule 11), was moved by Cllr Elaine Silverwood and seconded by Cllr David Chedd:

That the transfer of the shares is deferred until the full and proper consultation is carried out with the residents of Melton Grove.

However, Cllr Ben Aitken proposed an amendment to the motion, seconded by Cllr Fiddler which was:

“To propose the sale of Melton Grove and confirm the decision of the Portfolio Holder.”

Following a full debate and a recorded vote, the amendment was carried:

Votes for the amendment (22): Cllrs Ackers, Aitken, Akeroyd, Andrews, Bennett, Buckley, Clarkson, Coombes, L Davies, Eaves, Fazackerley, Fiddler, Fieldhouse, Fulford Brown, Hyde, Jacques, Little, Pounder, Prestwich, P Rigby, Small, Threlfall.

Votes against the amendment (21): Cllrs Oades, Nulty, Beckett, Chedd, Chew, Collins, J Davies, Eastham, Ford, Hardy, Harper, Hayhurst, H Henshaw, K Henshaw, Hopwood, Mulholland, Owen, Pagett, L Rigby, Silverwood, Speak.

Abstentions (2): Councillors Cornah and Halewood.

78. Reports from Committees; 2 - Cabinet

This report was introduced by Cllr David Eaves, Leader of the Council. He reported to members that the Cabinet meeting on 23 March 2011 had considered a request from Heritage Trust for the North West for a donation to their appeal to assist with the restoration of Lytham Hall.

Cabinet had recommended a capital grant of £300,000 being made conditional on the sale of Clifton (Lytham) Housing Association Ltd and the council receiving a capital receipt. They had further recommended that, should recommendation 1 be agreed, that the relevant addition be made to the capital programme to be fully funded from Clifton (Lytham) Housing Association Ltd sale receipt.

Cllr Eaves moved the proposal and it was seconded by Cllr Buckley.

Members raised queries about tax-relief issues, and the Hall's other fund-raising activities and how much had been raised by those means. It was queried whether the money could be ring-fenced and donated at the end of the fund-raising campaign, should it still be needed, although it was Cllr Fiddler's opinion that this would not be possible.

Noting that members felt that they needed more information, Cllr Eaves, with the approval of his seconder and of the meeting, amended his proposal to the following:

- “1. *To agree the recommendation of Cabinet in principle, to a capital grant of £300,000 being made to the Heritage Trust for the North West for the Lytham Hall restoration fund, subject to further detailed information being available to the council on:*
- a) financial arrangements for the appeal fund*
 - b) public access*
 - c) project timetable*
 - d) other funding contributions*
2. *Recommendation 1 to be subject to the receipt of an equivalent additional capital receipt being identified in the council's capital programme.”*

Following a full debate and a recorded vote, the proposal as so amended was carried:

Votes for the proposal (23): Cllrs Aitken, Andrews, Buckley, Clarkson, Coombes, Cornah, J Davies, L Davies, Eastham, Eaves, Fazackerley, Fiddler, Fieldhouse, Halewood, Harper, Hopwood, Hyde, Little, Pounder, Prestwich, P Rigby, Small, Threlfall.

Votes against the proposal (17): Cllrs Ackers, Akeroyd, Beckett, Chedd, Chew, Collins, Hardy, Hayhurst, H Henshaw, K Henshaw, Jacques, Mulholland, Oades, Nulty, Owen, Pagett, Silverwood.

Abstentions (1): Bennett, Ford

NB - During the debate, Cllr Barbara Pagett moved the following amendment, seconded by Cllr John Davies, which was defeated following a recorded vote:

“That the application to the council for funding towards the Lytham Hall appeal be denied as it is in the agenda, and that any monies from the council be donated to the Lytham Hall appeal from elsewhere in the budget.”

Votes for the amendment (2): Cllrs J Davies, Pagett.

Votes against the amendment (35): Cllrs Ackers, Aitken, Akeroyd, Andrews, Bennett, Buckley, Chedd, Clarkson, Collins, Coombes, Cornah, L Davies, Eastham, Eaves, Fazackerley, Fiddler, Fieldhouse, Fulford Brown, Halewood, Hayhurst, K Henshaw, Hyde, Jacques, Little, Mulholland, Nulty, Oades, Owen, Pounder, Prestwich, L Rigby, P Rigby, Silverwood, Small, Threlfall.

Abstentions (7): Cllrs Beckett, Chew, Ford, Hardy, Harper, H Henshaw, Hopwood.

79. Reports from Committees: 3 - Cabinet

The final version of this report had been circulated after the Cabinet meeting on 23rd March and it was apparent that not all councillors had had the time to review

the proposed changes suggested by the Cabinet. Accordingly the Mayor, with the agreement of the Leader, proposed that the matter be deferred until the next appropriate council meeting, and this was agreed by a show of hands.

RESOLVED: To defer the debate on this matter to the next appropriate council meeting.

80. Notices of Motion

1. Following notice given under rule 11 of the Council Procedure Rules, the following Motion was proposed by Cllr David Eaves and seconded by Cllr Brenda Ackers.

“At a time when financial restraint is an imperative as we work to free this Country from the shackles of a record breaking national debt, this Council calls upon a) our Member of Parliament to use his best endeavours to act to limit the increase in the European Union budget contribution from the United Kingdom Government, and b) to urge the Government to show restraint and exercise control while determining future budget contributions to the European Union. A 60% increase over 2 years is unacceptable in the eyes of Fylde Borough Council.”

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

After the debate the motion was carried by a show of hands.

(The Mayor indicated that she 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.)

2. Following notice given under rule 11 of the Council Procedure Rules, the following Motion was proposed by Cllr Tim Ashton and seconded by Cllr Trevor Fiddler.

“At a time when Fylde Borough and all other statutory bodies in Fylde are freezing their council tax, it is a concern that charges by United Utilities continue to rise at a rapid rate. This council calls upon a representative from United Utilities to come before a suitable scrutiny committee to answer questions about the standard and cost of their service to Fylde residents.”

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

After the debate the motion was carried by a show of hands.

(The Mayor indicated that she 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.)

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

“This Council recognises the deep unrest felt in the rural areas at the suggestion that Council Tax payers in the rural parishes of the Borough should pay towards the cost of maintaining some parks and gardens in Lytham St Annes (so called Strategic Assets) in addition to having to pay the full cost of these facilities in their own parishes. The Council accepts that this proposal, which would increase the Council Tax in the rural areas by an average of 25%, is totally unfair and instructs that no further consideration should be given to this initiative which should now be abandoned.”

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

After the debate and a recorded vote the motion was lost.

Votes for the proposal (9): Cllrs Beckett, Chedd, Chew, Collins, Hardy, Hayhurst, Nulty, Oades, Silverwood.

Votes against the proposal (20): Cllrs Ackers, Aitken, Akeroyd, Andrews, Ashton, Buckley, Coombes, L Davies, Eastham, Eaves, Fazackerley, Fiddler, Ford, Hyde, Jacques, Little, Pounder, Prestwich, Small, Threlfall.

Abstentions (8): Cllrs Bennett, J Davies, Harper, H Henshaw, K Henshaw, Hopwood, Owen, Pagett.

4. Following the detailed debate of the relevant subject matter referred to under minute 77 above, the notice given under rule 11 of the Council Procedure by Councillors Silverwood and Chedd was not moved.

81. Invitation to Accept Appointment as Deputy Mayor 2011/2012

It was moved by Cllr Howard Henshaw and seconded by Cllr John Davies and:

RESOLVED UNANIMOUSLY - That Cllr Kevin Eastham be invited to accept election by the council at the 2011 Annual Meeting as Deputy Mayor of the Borough of Fylde for the ensuing municipal year.

(The Mayor indicated that she 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.)

82. Exclusion of the Public

Members were invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed was exempt information as defined respectively in paragraphs 5 and 1 of Schedule 12A of the Act.

It was RESOLVED: To exclude the public for the reasons stated

(The Mayor indicated that she 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.)

83. Urgent Item – Grounds Maintenance Contract

Cllr Susan Fazackerley presented a report on Grounds Maintenance Contract, which had been considered as an urgent item at the Cabinet meeting on 23rd March. The council's ground maintenance team had been invited by Blackpool Coastal Housing to tender for work. The tender had been successful and she was seeking support and endorsement from the council of Cabinet's recommendation in order that the work could commence.

She said that winning the initial 3 year contract with an option to extend for a further 2 years was testament to the high standards of the leisure services team. The potential value of the contract was discussed including the possibility of additional income from ad-hoc works. Cllr Fazackerley proposed and Cllr Buckley seconded the recommendation and it was RESOLVED:

To endorse the contract and to agree a funded budget increase to the value of the contract.

(The Mayor indicated that she 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.)

84. Staffing Matter

It was resolved to defer this decision for three reasons;

1. More information is needed about redundancy costs.
2. The hands of a new Administration in May could be tied if the decision is made at the present time.

Council meeting - 28 March 2011

3. When a decision is taken it should be done by looking at the full range of options for the most appropriate management structure of Fylde Borough Council.

Proposed by Councillor P. Hayhurst

Seconded by Councillor R. Small

(The Mayor indicated that she 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.)

© Fylde Borough Council copyright [2011]

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at www.fylde.gov.uk

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to listening@fylde.gov.uk.

Annual Meeting of the Council



Date	23 May 2011
Venue	Lowther Pavilion, Lytham
Members	Mayor (Councillor Elizabeth Oades) Deputy Mayor (Councillor Linda Nulty) Brenda Ackers, Ben Aitken, Christine Akeroyd, Frank Andrews, Tim Armit, Tim Ashton, Susan Ashton, Keith Beckett, Julie Brickles, Karen Buckley, David Chedd, Maxine Chew, Alan, Clayton, Simon Cox, Fabian Craig-Wilson, Susanne Cunningham, Leonard Davies, John Davies, David Donaldson, Charlie Duffy, Kevin Eastham, David Eaves JP, Susan Fazackerley, Tony Ford JP, Nigel Goodrich, Peter Hardy, Howard Henshaw ADK (MALAYSIA), Karen Henshaw JP, Ken Hopwood, Angela Jacques, Cheryl Little, Kiran Mulholland, Edward Nash, Linda Nulty, Elizabeth Oades, Albert Pounder, Dawn Prestwich, Richard Redcliffe, Louis Rigby, Elaine Silverwood, John Singleton, Heather Speak, Thomas Threlfall, Viv Willder
Officers	Phil Woodward, Tracy Scholes, Clare Platt, Paul Walker, Ian Curtis, Anne McVittie, Lyndsey Lacey, Hazel Wood, Sandra Connell, Gary Pangburn, Andy Cain, Alan Blundell, Alan Williams

At the commencement of the meeting, the retiring Mayor (Councillor Elizabeth Oades) occupied the chair.

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.

2. To Elect a Mayor for the Borough of Fylde for the Ensuing Municipal Year

It was moved by Councillor Tony Ford and seconded by Councillor David Eaves and:

RESOLVED - That Councillor Howard Henshaw be elected Mayor of Borough of Fylde for the ensuing municipal year.

The Past Mayor expressed her grateful thanks and appreciation to her Mayoress for her continued support throughout the year and to the Deputy Mayor and

Council meeting - 23 May 2011

Deputy Mayoress for their support during his Mayoralty. In addition, the Past Mayor conveyed her thanks to her chaplain, Reverend Richard Bunday, the Mayor's Secretary, Mayor's Attendants and all the members and officers who had supported her during her Mayoralty.

After making the Declaration of Acceptance of Office, as required by statute, the Mayor thereupon occupied the chair.

3. To Appoint a Deputy Mayor for the Borough of Fylde for the Ensuing Municipal Year

It was moved by the Mayor, Councillor Howard Henshaw and seconded by Councillor John Davies and,

RESOLVED - That Councillor Kevin Eastham be appointed Deputy Mayor of the Borough of Fylde for the ensuing municipal year.

The Deputy Mayor thereupon made the Declaration of Acceptance of Office as required by statute.

Vote of Thanks

The Mayor on behalf of the Council passed on his general thanks and congratulations to Councillor Elizabeth Oades on her year of office.

Presentation of Illuminated Record and Badge to the Immediate Past Mayor together with the immediate Past Consort's Badge

The Mayor, on behalf of the Council, presented to the immediate Past Mayor (Councillor Elizabeth Oades) an Illuminated Record containing the resolution of the Council electing her to the office of Mayor of the Borough for the year 2010/2011.

The Mayor also presented to Councillor Elizabeth Oades her past Mayor's badge and to Councillor Heather Speak, her past Mayoress' badge.

4. Confirmation of Minutes

RESOLVED: that Council defers the matter to the next Council meeting.

5. Mayor's announcements

- The Mayor informed members that Reverend Antony Hodgson would be his Mayor's Chaplain.
- The Mayor announced that Civic Sunday would take place on Sunday 5 June 2011 at the Parish Church of St Margaret of Antioch. The procession would form at Town Hall at 9.30 and would move off at 9.40 prompt.

6. Chief Executive's Communications

The Chief Executive conveyed his thanks, on behalf of the staff of the Council, to the previous Mayor and Mayoress and Deputy Mayor and Deputy Mayoress for all their work during the last municipal year. He also conveyed his best wishes for the ensuring municipal year to the incoming Mayor, Mayoress and Deputies.

7. Confirmation of Committees and Allocation of Membership

Councillor David Eaves (Leader of the Council) introduced the item on confirmation of committees and allocation of membership. Councillor Eaves explained that the council is required to confirm the committees that it wishes to appoint at its Annual Meeting in a year when there are council elections. It must also allocate the membership of certain of those committees in accordance with the principles of political balance under the Local Government and Housing Act 1989.

Resolved: That the various Committees of the Council, including their terms of reference as contained in the Council's constitution together with membership, Chairmen and Vice Chairmen, be appointed as set out in Appendix A of the report.

NB. During the course of the debate the following amendment's were moved by Councillor Elizabeth Oades and seconded by Councillor Linda Nulty:

- 1. To appoint Councillor Oades as Chairman of Policy Development in replacement of Councillor Craig-Wilson.*
- 2. To appoint Councillor Nulty as Vice Chairman of Community Focus in replacement of Councillor Akeroyd.*
- 3. To appoint Councillor Speak as Chairman of Development Control in replacement of Councillor Aitken.*
- 4. To appoint Councillor K Henshaw as Chairman and Councillor Beckett as Vice Chairman of Public Protection in replacement of Councillors Jacques and Prestwich.*

The amendment's were lost.

8. Appointments to Outside Bodies

Resolved: that Council defers the matter to the next Council meeting.

© Fylde Borough Council copyright [2011]

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at www.fylde.gov.uk

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to listening@fylde.gov.uk.

© Fylde Borough Council copyright [2011]

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at www.fylde.gov.uk

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to listening@fylde.gov.uk.