



## Meeting Agenda

**Cabinet**  
**Lowther Pavilion, Lytham**  
**Wednesday 28 April 2010, 7:00pm**

This meeting will be filmed for publication on the Council web site



## **CABINET**

### **MEMBERSHIP**

**LEADER – COUNCILLOR JOHN COOMBES**

<b>Councillor</b>	<b>Portfolio</b>
KAREN BUCKLEY	PARTNERSHIPS & COMMUNITY ENGAGEMENT
DAVID EAVES	ENVIRONMENTAL WELLBEING
SUSAN FAZACKERLEY	LEISURE AND CULTURE
TREVOR FIDDLER	PLANNING AND DEVELOPMENT
CHERYL LITTLE	SOCIAL WELLBEING
ALBERT POUNDER	ECONOMIC WELLBEING
ROGER SMALL	FINANCE AND RESOURCES

Contact: Lyndsey Lacey - Telephone: (01253) 658504 - Email: [lyndseyl@fylde.gov.uk](mailto:lyndseyl@fylde.gov.uk)



## **Our Vision**

*Fylde Borough Council will work with partners to provide and maintain a welcoming, inclusive place with flourishing communities.*

## **Our Corporate Objectives**

- To Promote the Enhancement of the Natural & Built Environment
  - To Promote Cohesive Communities
  - To Promote a Thriving Economy
- To meet the Expectations of our Customers

## **The Principles we will adopt in delivering our objectives are:**

- To ensure our services provide value for money
- To work in partnership and develop joint working

## A G E N D A

PUBLIC PLATFORM	
<i>To hear representations from members of the public in accordance with Cabinet procedure rules</i>	
PROCEDURAL ITEMS	
<b>1. DECLARATIONS OF INTEREST:</b> <i>If a member requires advice on Declarations of Interest he/she is advised to contact the Monitoring Officer in advance of the meeting. (For the assistance of Members an extract from the Councils Code of Conduct is attached).</i>	4
<b>2. CONFIRMATION OF MINUTES:</b> <i>To confirm as a correct record the Minutes of the Cabinet meeting held on 11 March 2010 attached at the end of the agenda.</i>	4
URGENT ITEMS	
<b>3. URGENT ITEMS</b> (The Chairman will be requested to indicate whether or not he accepts that any additional item should be considered by the Cabinet as a matter of urgency, in accordance with section 100 of the Local Government Act 1972 (as amended).	4
<b>4. COMMUNITY FOCUS SCRUTINY COMMITTEE - RECOMMENDATIONS</b>	7-13
<b>5. POLICY DEVELOPMENT SCRUTINY COMMITTEE - RECOMMENDATIONS</b>	14-26
ITEMS FOR DECISION	
<b>6. COMMUNITY PARKS IMPROVEMENT PROGRAMME</b>	27-34
<b>7. TRANSFER OF ASSETS TO TOWN / PARISH COUNCILS</b>	35-42
<b>8. NORTH BEACH CAR PARK CHARGING</b>	43-49
<b>9. EXCLUSION OF THE PUBLIC</b>	50
<b>10. LOWTHER GARDENS CHARITABLE TRUST – EXEMPT ITEM</b>	
<b>11. ST ANNES POOL – EXEMPT ITEM</b>	

**Personal interests**

**8.—(1)** You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—
  - (aa) exercising functions of a public nature;
  - (bb) directed to charitable purposes; or
  - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (i) any employment or business carried on by you;
  - (ii) any person or body who employs or has appointed you;
  - (iii) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
  - (iv) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
  - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
  - (vi) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
  - (vii) any land in your authority's area in which you have a beneficial interest;
  - (viii) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
  - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

**Disclosure of personal interests**

- 9.—(1)** Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
  - (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
  - (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

#### **Prejudicial interest generally**

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
  - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
  - (c) relates to the functions of your authority in respect of—
    - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
    - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
    - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
    - (iv) an allowance, payment or indemnity given to members;
    - (v) any ceremonial honour given to members; and
    - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

#### **Prejudicial interests arising in relation to overview and scrutiny committees**

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

#### **Effect of prejudicial interests on participation**

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
    - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
    - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
  - (b) you must not exercise executive functions in relation to that business; and
  - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
GOVERNANCE AND PARTNERSHIPS DIRECTORATE - FOR CHAIRMAN OF THE COMMUNITY FOCUS SCRUTINY COMMITTEE	CABINET	28 APRIL 2010	4

## COMMUNITY FOCUS SCRUTINY COMMITTEE - RECOMMENDATIONS

### Public Item

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

### Summary

The Community Focus Scrutiny Committee met on 15 April 2010. Whilst there were no specific recommendations directed to Cabinet for approval, Cabinet may consider it useful to update itself on the work of the committee and the minutes of the meeting are attached.

### Recommendation

To note the recommendations of the Community Focus Scrutiny Committee

### Reasons for recommendation

To allow formal consideration of recommendations arising from the Community Focus Scrutiny Committee

### Alternative options considered and rejected

None applicable as the recommendations are coming forward from the scrutiny committee.

### Cabinet Portfolio

The items fall within the following Cabinet portfolio(s):

Social Wellbeing – Councillor Cheryl Little

Environmental Wellbeing - Councillor David Eaves

Partnerships and Community Engagement – Councillor Karen Buckley

## **Report**

To consider endorsing the recommendations of the Community Focus Scrutiny Committee which met on 15 April 2010 as detailed in the minutes attached.

## **Risk Assessment**

This item makes no specific recommendations. Therefore there are no risks to address.

Report Author	Tel	Date	Doc ID
Lyndsey Lacey	(01253) 658504	04 January 2010	CFSC Recs

List of Background Papers		
Name of document	Date	Where available for inspection
Agenda and Minutes of Community Focus Scrutiny Committee	15 April 2010	<a href="http://www.fylde.gov.uk">www.fylde.gov.uk</a>

IMPLICATIONS	
Finance	None arising directly from this report
Legal	None arising directly from this report
Community Safety	None arising directly from this report
Human Rights and Equalities	None arising directly from this report
Sustainability	None arising directly from this report
Health & Safety and Risk Management	None arising directly from this report

## **Attached documents**

Community Focus Scrutiny Committee minutes



## Community Focus Scrutiny Committee



Date	15 April 2010
Venue	Lowther Pavilion, Lytham
Committee members	Councillor Keith Hyde (Chairman) Councillor Thomas Threlfall (Vice-Chairman)  Brenda Ackers, Christine Akeroyd, Maxine Chew, Tony Ford, Kathleen Harper, Ken Hopwood, Linda Nulty, Janine Owen, Dawn Prestwich
Other Councillors	Leonard Davies, Cheryl Little
Officers	Ian Curtis, Allan Oldfield, Paul Walker, Paul Rossington, Christine Miller, Lyndsey Lacey, Andrew Loynd, Darius Ward
Members of the Public	Angela Norris - Community Engagement Officer- Lancashire Link Team

### 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. Confirmation of minutes

RESOLVED: To approve the minutes of the Community Focus Scrutiny Committee held on 4 March 2010 as a correct record for signature by the Chairman.

### 3. Substitute members

The following substitution was reported under Council procedure rule 22.3:

Councillor Brenda Ackers for Councillor John Singleton

#### 4. Shared Service Arrangements- The Human Resource and Payroll Services

Allan Oldfield (Director of Operational Services) presented a progress and evaluation report on the performance of the shared services arrangement for human resources and payroll with Blackpool Council.

Appended to the report was a scrutiny evaluation of the shared services arrangement in the template format agreed by the former Performance Improvement Overview & Scrutiny Committee.

The appendix highlighted that:

- The services are delivered at less cost than the in house service provision
- The added value in technology, skills and knowledge are elements that Fylde would not have been able to fund
- The performance of the services is very good with targets being met and high levels of customer satisfaction
- Access to reports and management information had led to improved decision making and policy development
- Value for money from the services has improved year on year with better services delivered at less cost
- Savings had been achieved from economies of scale through the procurement of training and other services i.e. recruitment advertising
- The regional profile of the organisation had been enhanced through successful shared working with a unitary authority that was ground breaking
- Improved working relationships with officers at Blackpool had led to quid pro quo working arrangements that benefit both authorities
- Additional services provided for the organisation and individual employees i.e. taxation advice

Mr Oldfield further reported that he currently acts as Link Officer with the responsibility of ensuring that Fylde is securing best value for money. He added that payroll and human resources was now under the same direct line management and that part of his role was to continually challenge the existing service providers and compare them with alternative market providers and service delivery models.

Councillor Owen enquired whether a time/leave management system had been introduced for staff based at the Town Hall/Public Offices. Mr Oldfield confirmed that the Council had in place an analytical time recording management system which had been introduced under separate arrangements.

Following consideration of this matter it was RESOLVED:

1. To support the continued delivery of the human resources and payroll service under the shared service arrangement as detailed in the report.
2. To request that the Link Officer for Fylde ensures that the services continue to deliver value for money.

#### 5. Lancashire Link

Angela Norris, Community Engagement Officer at Lancashire Link Team (North Zone) attended the meeting and gave a presentation on the work of Lancashire Link.

In brief, the presentation provided an overview of the geographical areas of Lancashire Link, its structure and statutory powers. In addition, it also made reference to arrangements for meetings of Link and its various task and finish groups, its workplan, training and development and accountability arrangements.

A number of questions were raised by members of the committee relating to some of the areas detailed above and these were addressed by Ms Norris.

The Committee RESOLVED to thank Ms Norris for the presentation and her attendance at the meeting.

#### 6. LSP Environmental Enhancement Group Update

Christine Miller (LSP Manager) and Andrew Loynd (LSP Environmental Theme Chair) presented a joint report on the work of the LSP Environmental Enhancement Theme Group. The report provided examples of actions and delivery achieved or facilitated by the group over the last twelve months.

Members were advised that following a recent restructure Andrew Loynd now acted as Chair of the group and as a result the group is now more action and delivery led with performance management processes in-place.

It was reported that over the last twelve months, the group had been responsible for organising, running and/or funding the following events:

‘Greening Your Victorian Home’, aerial thermal imaging surveys for individual domestic homes, hotels/guest houses throughout the borough, the development of the Sand Dunes Management Action Plan and the development and enhancement of community growing via allotments and public open space provision, schools and churches.

It was further reported that in addition to the actual delivery of projects, the group facilitated community endeavours by supporting and promoting funding bids to the LSP Executive and various examples of this were given at the meeting.

Councillor Nulty enquired about the work undertaken with schools in the rural areas and in particular, whether any of the schools had been involved or supported the community growing initiative. In addition, Councillor Nulty enquired about action taken by the theme group with respect to biological heritage sites.

In response to the above, Mrs Miller provided details of the rural schools that had been involved with the community growing initiative. In response to the question raised about the biological heritage sites, Mr Loynd stated that the group was awaiting a report from Lancashire Wildlife Trust detailing the proposed works to be carried out and that this would be considered by the group in due course.

Councillor Threlfall asked about the proposed actions with regard to the results of the Arial surveys carried out. Mr Loynd stated that this was still under consideration.

1. To note the report and the report and verbal update.
2. To proffer support for the activities of the LSP Environmental Enhancement Theme Group in its on-going endeavours.

#### 7. Performance Exception Report

Darius Ward (Corporate Performance Officer) presented an updated report on activity around areas of under performance as identified and discussed at the last meeting of the committee on 4th March meeting.

The update included details of the number of affordable homes delivered and completed during 09/10 (NI155), the processing of planning applications as measured against targets for 'minor' applications (N1157b), number of households living in temporary accommodation (NI156), improved street and environmental cleanliness: levels of detritus (NI195b), percentage of Council employees trained in customer care (FYS17) and the percentage overdue Freedom of Information requests (FYS13).

A number of members commented on processing of planning applications in particular, the reasoning behind under performance whilst having full complement of staff and a reduced amount of planning applications. Paul Rossington newly appointed Development Manager addressed the points raised by members on (N1157b). He stated that work was currently being undertaken on process engineering and efficiency which would make considerable improvements to the existing arrangements. He added that the situation was likely to improve in the near future as the majority of under performance related to the original backlog of applications.

Councillor Chew commented on the suggestion remove the local indicator (FYS17) relating to the percentage of Council employees trained in customer care and felt that this should be retained.

Councillor Nulty enquired about the number of affordable housing delivered in accordance with the S106 obligations and the number of household currently in temporary accommodation. This in part was addressed by Mr Rossington.

Councillor Ford sought clarification on the number of Freedom of Information requests (FYS13) and whether the number of requests was disproportionate to other local authorities. In response, Mr Curtis stated that the number of enquiries was typical for local authorities but statistically the sources of requests related to: private 17%, commercial 17%, councillor 1%, public body 2%, voluntary 6%, press 20%, political or pressure group 13%, solicitor 2% and unknown 6%

In addition to the areas identified in the report, a number of members also commented on the response times to telephone calls and issues surrounding the introduction of the white sack (cardboard collection) service.

Following consideration of this matter the committee RESOLVED:

1. To note the contents of the report and the action being taken to address performance.
2. To present an updated report to the next meeting of the committee on the specific areas relating to planning, customer care, the response times of telephone calls and the white sack (cardboard) collection service.

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# REPORT



REPORT OF	MEETING	DATE	ITEM NO
GOVERNANCE AND PARTNERSHIPS DIRECTORATE - FOR THE CHAIRMAN OF THE POLICY DEVELOPMENT SCRUTINY COMMITTEE	CABINET	28 APRIL 2010	5

## POLICY DEVELOPMENT SCRUTINY COMMITTEE - RECOMMENDATIONS

### Public Item

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

### Summary

The Policy Development Scrutiny Committee met on 16 March 2010, and there were a number of recommendations which Cabinet may wish to note.

### Recommendation

1. To consider and note the recommendations of the Policy Development Scrutiny Committee.

### Reasons for recommendation

To allow formal consideration of recommendations arising from Policy Development Scrutiny Committee

### Alternative options considered and rejected

None applicable as the recommendations are coming forward from the scrutiny committee.

### Cabinet Portfolio

The items fall within the following Cabinet portfolio(s):

Finance & Resources – Councillor Roger Small

Economic Wellbeing – Councillor Albert Pounder

## **Report**

To consider endorsing the recommendations of the Policy Development Scrutiny Committee meeting of 16 March 2010 as follows:

### **1 Request for Call-in – Economic Wellbeing Reserve**

*Recommended for Cabinet approval:*

That the decision of the Portfolio Holder should not be called in, on the grounds that the decision was not against the interests of the residents of the Borough.

However, members of the committee had asked for a caveat to be appended to the resolution, which was approved by a show of hands and was:

*That Cabinet should be made aware that the committee believed that it had not been made clear at the Council meeting how this money would be spent, and that in future there should be transparency and full and accurate information made available to all members.*

### **2 Request for Call-in – Disposal of Land at Pier Hole**

*Recommended:*

That the decision of the Portfolio Holder should not be called in, on the grounds that the decision was not against the interests of the residents of the Borough.

### **3 Beach Activity Management Scheme (feedback report)**

*Recommended for Cabinet approval:*

1. To recommend to the Portfolio Holder that a licence (limited in scope and duration) should be considered for Trax Windsports to operate wind and wheel sports on the beach, with the following proviso:

- That any licence should specify that Trax Windsports must obtain third party health and safety accreditation (from an appropriately recognised body) with a particular emphasis on the audit of control measures in place to reduce the risk to members of the public; and
- Any costs incurred by the Council for any reason associated with the granting of the license, including health and safety monitoring of these activities, should be met by Trax Windsports and the company must provide all reasonable assistance to the Council to facilitate monitoring of the control measures in place so that the Council can fulfil its health and safety responsibilities.

## **Conclusion**

There are a number of specific recommendations directed to Cabinet for consideration for approval. No other topics were considered at this meeting. The minutes of the Policy Development Scrutiny Committee are attached as an appendix.

Report Author	Tel	Date	Doc ID
Annie Womack	(01253) 658423	19 April 2010	PDSC Recs

List of Background Papers		
Name of document	Date	Where available for inspection
Agenda and Minutes of Policy Development Scrutiny Committee	16 March 2010	<a href="http://www.fylde.gov.uk">www.fylde.gov.uk</a>

IMPLICATIONS	
Finance	None arising directly from this report
Legal	None arising directly from this report
Community Safety	None arising directly from this report
Human Rights and Equalities	None arising directly from this report
Sustainability	None arising directly from this report
Health & Safety and Risk Management	None arising directly from this report

### Attached documents

1. Policy Development Scrutiny Committee minutes



## Policy Development Scrutiny Committee



Date	16 March 2010
Venue	Town Hall, St Annes
Committee members	Councillor Fabian Craig-Wilson (Chairman) Councillor Kiran Mulholland (Vice-Chairman)  Brenda Ackers, Ben Aitken, George Caldwell, David Chedd, Leonard Davies, John Davies, Patricia Fieldhouse, Richard Fulford-Brown, Craig Halewood, Howard Henshaw, Elizabeth Oades, Dawn Prestwich, Elaine Silverwood, Heather Speak
Other Councillors	Barbara Pagett, Maxine Chew
Officers	Clare Platt, Paul Walker, Ian Curtis, Gary Sams, Annie Womack, Neil Graham
Others	Representatives of the Lytham & District Wildfowlers Association

Before the start of the meeting, the Chairman asked for a minute's silence in remembrance of Councillor Lindsay Greening, who had recently passed away.

### 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.

Cllrs Elizabeth Oades and Elaine Silverwood declared a personal interest in item 7 on the agenda, as members of Kirkham Town Council.

### 2. Substitute members

There were no substitutes reported.

### 3. Request for Call-in – Economic Wellbeing Reserve

Ten members of the council had invoked the recovery and call-in procedure to question an individual cabinet member decision made on 4 March 2010 relating to the virement of up to £40,000 from the Economic Wellbeing Reserve on the basis of assumptions set out in the original report. This decision was made by Cllr Roger Small, the Portfolio Holder for Finance and Resources. Members of the committee were required to consider whether the decision was not in the interests of the inhabitants of the borough and ought to be reconsidered.

The Chairman invited the lead signatory, Councillor Elaine Silverwood, to explain why she felt that the decision was not in the interests of the inhabitants of the borough and ought to be reconsidered.

Cllr Silverwood covered the recent background regarding the discussions which had taken place about the reserve and the purpose for which it was intended, at the NNDR meeting which representatives of the three Chambers of Trade had attended. Cllr Small had attended this meeting, as had Cllr Albert Pounder, Portfolio Holder for Economic Wellbeing.

She reported that at this meeting, Cllr Small raised the subject of the reserve and stated that it was intended that the issue would go to full council to make a decision on how the £50,000 in the reserve should be spent but that the intention was that it should be spent on the three main town centres to help them through the recession. He had also stated that Cllr Pounder would attend meetings of the three Chambers of Trade to discuss ideas about how the money could best be used to assist economic recovery for the three town centres, and Cllr Pounder agreed. Cllr Silverwood stated that no visit had been made to Kirkham Chamber of Trade meetings, and as far as she knew, not to Lytham Chamber either.

She told the committee that at full council a unanimous vote was taken based on the premise that she had just outlined. The first she had heard about money from the economic wellbeing reserve being used to fund the Battle of Britain and Proms events was when the individual Portfolio Holder decision was published.

She expressed her opinion that these events would not benefit the town centres, and went on to enquire whether the funding for the Proms was being made available to underwrite the risk in case tickets were not sold. She also queried whether the £18,000 to be spent on the Battle of Britain was of any benefit to the residents either of the Borough as a whole, or specifically of the three town centres.

Cllr Silverwood also queried whether these large-scale events would be in breach of the terms of the Clifton gift, and if so how that would affect the Council's public liability insurance.

In summing up, she said that deplored the way in which the decision to use the reserve had been made, and felt that the three Chambers of Trade, and full Council, had been misled. She said that this call-in was not about whether these events should take place, but about transparency of decision-making. She hoped that the balance of the money might now be made available for Kirkham Town Centre.

The Chairman asked Councillor Roger Small, Portfolio Holder for Finance and Resources, to respond.

He said that the decision to spend the money in this way was in line with the policy set out to Cabinet and full Council. He pointed out that papers included with the agenda showed that Cabinet had resolved on 18 November 2009 to recommend to Council the amendment of the Medium Term Financial Strategy by the inclusion of an economic wellbeing reserve of £50,000 and that the allocation of any expenditure from this reserve be subject to the agreement of the Portfolio Holder for Finance & Resources. On 23 November 2009 Council resolved to agree to the creation of a reserve of £50,000 in 2009/10 from the General Fund Reserves balances to aid economic promotion and recovery in the borough. Therefore, Cllr Small said that the allocation of this money was entirely consistent with those resolutions.

He agreed with Cllr Silverwood's assertion that he had said at the meeting with the three Chambers of trade that it could be used for some town centre projects, but had also stated that it could be used for other projects, the key being that it should stimulate the economic recovery and activities. The Fylde economy rested on four main areas - the visitor and tourist trade; manufacturing; retail; and the public and service economy and any spend must impact on one or more of those four areas.

Cllr Small said that these events would generate spending in the Borough, were relevant to the whole of the Borough, and that they would gain publicity and raise public awareness of the region. There may be spin-offs in terms of spending on accommodation, car-parking income etc. There was optimism that any successful event would lead on to others.

If any proposal for an event or activity had been made by any town centre, that led to economic recovery through additional visitors and spending, and raising the profile of the Borough, then Cllr Small said they could be considered, but to date no scheme had been put forward. He accepted that perhaps at the outset the criteria were not clear, but believed that they were now and hoped that this meeting would lead to ideas being submitted.

Members had several questions and comments for Cllr Small. They included:

- Whether the insurance aspect for the events had been fully explored
- Whether the financial risks of the events had been evaluated
- A statement that there had not been transparency in the decision on how to spend the reserve, with the result that the Chambers of Trade have

been waiting to hear how money will be spent in their town centres, to their benefit

- Why funds could not be directed towards assisting individual small businesses in the town centres
- How could members be certain that it would benefit town centres, and the residents of the borough, rather than the organisers and traders of the events
- Had Cllr Small considered parking issues
- A comment that the members of the Chambers of Trade had not been consulted on the way that the reserve was to be spent despite the promise that they had received.

Cllr Small responded, and said that there was still £12,000 left and he would encourage the towns to bring schemes forward. However, he reiterated that it was to be used for promoting economic activity and was not for painting empty shops and planting flower beds.

He advised the committee that checks had been made on the insurance but that he would ensure that the areas of concern expressed by members would be subject to further checks to ensure that the council was appropriately covered.

It was difficult to say what tangible advantages there would be for local small businesses and the town centres but Cllr Small said we would be putting on events in our Borough that would have regional and possibly national significance and would attract visitors and stimulate the local economy.

He appreciated the different needs of local residents and visitors in terms of parking and would take that into account, but said that the borough would do its best to maximise parking opportunities both during the day and the evening, as it would bring in revenue for us.

He accepted that these events perhaps initially had limited value for Kirkham and St Annes, but hoped this would be the start of a series of events which would put this Borough on the map, enhance its reputation and stimulate economic activity to the benefit of the whole of the Borough.

He did not believe that he had agreed with the Chambers of Trade to underwrite works exclusively for town centres, but reiterated that there was money for schemes that could be used for town centres, as long as they were schemes which would bring in people who will spend money in the area.

During the subsequent debate it was suggested that a survey should be conducted after the events had taken place to see if in fact trade had increased in the town centres.

After a full debate, and following a recorded vote the committee RESOLVED:

That the decision of the Portfolio Holder should not be called in, on the grounds that the decision was not against the interests of the residents of the Borough.

**Votes for a call-in (7)** Cllrs Caldwell, J Davies, Henshaw, Chedd, Oades, Silverwood, Speak

**Votes against a call-in (8)** Cllrs Ackers, Aitken, Fieldhouse, Fulford-Brown, D Prestwich, L Davies, Mulholland, Craig-Wilson

**Abstentions (0)**

Members of the committee had asked for a caveat to be appended to the resolution, which was approved by a show of hands and was:

*That Cabinet should be made aware that the committee believed that it had not been made clear at the Council meeting how this money would be spent, and that in future there should be transparency and full and accurate information made available to all members.*

4. **Request for Call-in – Disposal of Land at Pier Hole**

Ten members of the council had invoked the recovery and call-in procedure to question an individual cabinet member decision made on 2 March 2010 relating to the sale of land at Pier Hole, Lytham, in the terms outlined in the report, which had been appended to the committee agenda papers. This decision was made by Cllr Albert Pounder, the Portfolio Holder for Finance and Resources. Members of the committee were required to consider whether the decision was not in the interests of the inhabitants of the borough and ought to be reconsidered.

The Chairman invited the lead signatory, Councillor Barbara Pagett, to explain why she felt that the decision was not in the interests of the inhabitants of the borough and ought to be reconsidered.

Cllr Pagett began by saying that she appreciated that Lytham Wildfowlers Association, who wished to purchase the land at Pier Hole, was a responsible body who had actively managed the adjacent land with due regard to nature conservation. However, she still believed that it was a mistake to allow the land at Pier Hole pass out of the ownership Council's hands.

She said that this was land that FBC controls on behalf of the people of Fylde, and felt that wider consultation should take place, and consideration be given to what long-term benefits would be derived from any disposal of council-owned land.

Cllr Pagett expressed the opinion that this disposal was contrary to the interests of the residents of the Fylde, and that the land should not be

disposed of without the consent of the full council. She reminded the committee that the land was sensitive from an environmental point of view as well. She referred to letters, included in the agenda, from the RSPB. The letters made reference to the fact that the land was SSSI and the fact that it supported significant numbers of bird species.

She explained that the Ribble Estuary was the top estuary in the UK and the 2<sup>nd</sup> most important wetland site, and significant numbers of rare bird species use the area. Pier Hole was not normally visited by people because of accessibility restrictions, which was one reason for its importance to feeding and nesting birds. However, she said, it was easily observed from the promenade.

If the council were to retain this land, it would demonstrate a commitment by the council to biodiversity. Cllr Pagett said that we have a reputation for providing environmental leadership through our involvement in the Ribble Discovery Centre, and could further enhance our reputation by seeking to maintain Pier Hole as an important wildlife sanctuary within the Special Protection Area of the Ribble Estuary.

With reference to the wildfowlers seeking permission to shoot on the land at some time in the future, Cllr Pagett said that although shooting could be managed in a satisfactory manner, it would affect wildlife at Pier Hole. Also, the enjoyment for those people who came with cameras and binoculars to view the birds from the promenade would be adversely affected.

Cllr Pagett referred to the amount of £5,000 which was the proposed sum for the sale (with an ultimate maximum of £14,600 should shooting rights be granted in the future) and queried whether this was the best terms obtainable. She also queried who would be responsible for payment of the legal fees. She asked whether leasing had been considered, so as to provide income from rent.

She concluded by saying that she thought that the decision was not in the interests of the resident of the Borough, and that no sale of land should be left to the decision of an individual Portfolio Holder, but should be debated by full council.

Cllr Pagett offered an alternative proposal, which was that the disposal of the land and its attendant environmental issues should be debated more fully in the wider arena of the council chamber, and that full financial details such as the legal fees, and the effects of inflation on the profit expected should be made available before a final decision is made.

The Chairman asked Councillor Albert Pounder, Portfolio Holder for Economic Wellbeing, to respond.

He told the committee that this decision had been under consideration for some time. The council had been approached 4 years ago by the wildfowlers association to sell an area of land on edge of the Ribble Estuary. He said that

at around the same time a member Task and Finish Group was reviewing the council's assets and how they could be better used and managed. One of the assets under review was Pier Hole. The conclusion of the review was that members were minded to dispose of the land to the wildfowlers, but that officers should consult with Natural England and RSPB to discuss the implications for the site, and what their views would be on disposal for wildfowling.

Cllr Pounder reported that consultations and discussions had taken place with both organisations, and had only recently reached the stage at which a decision could be made.

He explained that Pier Hole is an area of tidal mud flats which is of no real value to the council and which represents a potential liability in management terms. Lytham & District Wildfowlers Association propose to manage the site, which abuts land which they already own. Pier Hole is only accessible on foot, through the wildfowlers' land. Initially the land would be maintained as a wildlife sanctuary, though they would eventually like to introduce shooting on the eastern part of the land. But shooting could only take place in the future if the consent of Natural England and the Environment Agency was obtained.

Natural England have no objection in principle to the sale. They have worked with the Wildfowlers Association for a number of years and consider them to be a reputable body. Cllr Pounder said that the RSPB take the view that they would prefer the council to retain ownership of the land and create, manage and maintain a sanctuary at Pier Hole. However, it is considered that Lytham Wildfowlers are better placed to meet their aspirations for conservation.

In conclusion, Councillor Pounder said that members had had enough opportunity over the last three or four years to have input and influence this decision.

Members asked what exactly the Lytham and District Wildfowlers do, and the Chairman invited Andrew Cash, who is the Chairman of the association and who was present, to give some background information and history about the association, which he did.

Other questions centred around the council's liabilities and future cost implications as outlined in the report, and the legal fees associated with the sale.

It was explained that leaving the land minimally managed as it has largely been in the past unless there was a specific problem or isolated incident, was not an option because RSPB now wanted it to be actively managed, which would additionally require an environmental study to be undertaken. The council either actively manages the land, which has a cost in terms of staffing and resources, or sells it. Each party to the sale would pay their own legal costs.

The question was asked as to whether there had been any problems with the wildfowlers management and conservation of their land, and whether any would be expected if they took on this extra land, and the answer was that there had not, and there was no reason to suppose that there would be in future.

In the subsequent debate it was reiterated that Natural England considered them to be responsible partners in conservation, and members were reminded that to commence shooting on this land, which is SSSI, would require the consent of the proper authorities and was not a foregone conclusion.

The opinion was voiced that this land was a buffer zone between the amenity part of the beach and the land on which shooting currently takes place, and a wish was expressed that it could be sold with a covenant that it should not be used for shooting.

Mr Gary Sams, Principal Estates Surveyor, advised the committee that such a covenant would make it a different transaction and said it would have to be established whether under those circumstances the wildfowlers association would wish to proceed with the purchase; members should also consider whether the council was the competent body to make such a decision, or whether it should be left to the proper authorities.

After a full debate, and following a recorded vote the committee RESOLVED:

That the decision of the Portfolio Holder should not be called in, on the grounds that the decision was not against the interests of the residents of the Borough.

**Votes for a call-in (6)** Cllrs J Davies, Henshaw, Chedd, Oades, Silverwood, Speak

**Votes against a call-in (8)** Cllrs Ackers, Aitken, Fieldhouse, Fulford-Brown, D Prestwich, L Davies, Mulholland, Craig-Wilson

**Abstentions (1)** Cllr Caldwell

#### 5. Late item – Beach Activity Management Scheme (feedback report)

The Chairman provided the following rationale for permitting a late item to be heard by the committee:

*“After the working group meeting for Beach Activities, which took place on 26 Feb, the officer preparing the report made a later request for the matter to go to the 25 March meeting. This being the case, the agenda for the Policy Development Scrutiny Committee on 25 March would contain only that one item, other items having been deferred.*



*Therefore, for the following reasons, I have decided that the report relating to the feedback from the task & finish group which was established by the committee to consider the re-introduction of wind-sport and wheeled-sport activities on the beach at St Annes, should be added to the agenda of tonight's scrutiny committee's meeting (16 March):*

- *An earlier consideration of this matter will allow the feedback to be provided to the Portfolio Holder so that other necessary actions can be undertaken, which potentially will permit the re-introduction of beach activities in time for this summer, by the granting of a licence;*
- *There are still H&S assessments to be conducted, as proposed by the working group and as noted in the report, before the Portfolio holder can potentially approve the granting of a licence*
- *Also as noted in the report, there are still some planning issues to address before the portfolio holder can potentially approve the granting of a licence.*
- *Delaying the matter of scrutiny endorsement of the working group's recommendations to the Portfolio Holder until the next scheduled meeting on 20 May is therefore not an option.*
- *And finally, this will make the most efficient use of resources in preparing for and administering meetings and in making the most effective use of councillors' time."*

Clare Platt, Director for Community Services introduced the report

Ms Platt explained that this was a follow-up to the full report which came to the last Policy Development Scrutiny Committee. At that meeting the members had recommended the formation of a working group to undertake a site visit, meeting with representatives from Trax, and to consider what actions they would want to see undertaken by the proprietors prior to any recommendation that a temporary licence be granted by the Portfolio Holder to resume wind and wheel activities on the beach.

The site visit and meeting of the working group and others had taken place soon after.

She explained that the health and safety of the public was of primary importance, and outlined the conclusion of the working group which was that they would wish to see third party health and safety accreditation, and an undertaking by Trax to bear the cost of these measures and subsequent monitoring.

Concerns were expressed by Cllr Silverwood that there may be other costs arising, not solely due to health and safety issues, and she asked the committee to consider whether their recommendation should be that Trax should also bear all costs over and above those that would normally be borne by the council in providing a service to monitor all beach activities.

After the debate the committee RESOLVED:

1. To recommend to the Portfolio Holder that a licence (limited in scope and duration) should be considered for Trax Windsports to operate wind and wheel sports on the beach, with the following proviso:

- That any licence should specify that Trax Windsports must obtain third party health and safety accreditation (from an appropriately recognised body) with a particular emphasis on the audit of control measures in place to reduce the risk to members of the public; and
- Any costs incurred by the Council for any reason associated with the granting of the license, including health and safety monitoring of these activities, should be met by Trax Windsports and the company must provide all reasonable assistance to the Council to facilitate monitoring of the control measures in place so that the Council can fulfil its health and safety responsibilities.

The Chairman indicated that she was satisfied that the matter was not controversial and no useful purpose would be served by taking a recorded vote on it.

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# REPORT



REPORT OF	MEETING	DATE	ITEM NO
DIRECTOR OF COMMUNITY SERVICES	CABINET	28 <sup>TH</sup> APRIL 2010	6

## COMMUNITY PARKS IMPROVEMENT PROGRAMME

### Public Item

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

### Summary

The report identifies progress with the community parks development programme and requests that section 106 contributions for the provision of open space are allocated as detailed.

### Recommendations

1. That Cabinet agrees to the allocation of the section 106 contributions to the identified schemes as outlined in the report, to support the relevant groups in improvement of public open space.
2. That Cabinet agrees that the Council will act as the accountable body for individual schemes and funding streams where necessary.
3. That, in respect of the scheme at Weeton, Cabinet approves a funded revenue budget increase of £20,000 in 2010/11 from section 106 monies held by the Council for public open space provision, and agrees to allocate that amount to Weeton Parish Council for the improvement of public open space; on condition that the Parish Council be required to enter into an agreement with Fylde Borough Council prior to release of funds, and to provide details of how the funds have been used within 12 months of the allocation.
4. That, in respect of the remaining schemes, Cabinet agrees that further individual detailed reports about each project will be presented to Members for approval to ensure that the Council's financial regulations are satisfied.

### **Reasons for recommendation**

To use section106 contributions in a structured manner to support community projects and maximise the opportunities to gain external grant funding.

### **Alternative options considered and rejected**

To use section106 contributions to deliver other projects or initiatives – rejected because conditions of the section 106 agreements state that contributions need to be spent on the provision or improvement of public open space and recreational facilities within the local area of the housing development. The projects stated in this report are the main community parks projects in their respective localities where a section106 contribution is available.

### **Cabinet Portfolio**

The item falls within the following Cabinet portfolio:

Leisure and Culture: Councillor Susan Fazackerley

Planning: Councillor Trevor Fiddler

### **Report**

#### **Background**

1. The Council owns many parks and open spaces, some of which would benefit from regeneration and increased community utilisation. Leisure Services officers have been proactive in encouraging the community to establish 'Friends' groups, to work in partnership to develop their local park or open space.
2. These projects are designed not just to improve facilities but to bring the community together through a range of events and activities. Community groups can access many external funding grants that councils are ineligible to apply to. These schemes are generally carried out in partnership with Lancashire County Council.
3. There are currently 13 active 'Friends' groups throughout the borough that are assisted by officers who take the group through the 'community parks improvement programme'. The main stages of the process are:
  - Establish a constituted 'Friends' group
  - Undertake several public consultation exercises
  - Produce a masterplan for the site based on the consultation
  - Produce specifications and a cost breakdown
  - Produce a funding strategy and apply for funding grants, including utilisation of section 106 monies at some sites
  - Tender and build the new facility
  - Encourage and assist the 'Friends' group in future events and use
  - Ensure that the site is well maintained and managed
4. Park View and King George V playing fields have been recently taken through this process and now benefit from high quality facilities that meet community need.

Both groups are very proactive in hosting community events and the user numbers at both sites have increased significantly.

5. In addition to the smaller sites, the redevelopment scheme for Ashton Gardens is nearing completion and officers are currently working to develop a full restoration management plan for Fairhaven Lake and Gardens.

### **Current Situation**

6. The planning process generally requires housing developers to contribute towards improvements to public open space in the area of the development.
7. The Council has received and is holding funds that have been secured through developer contributions associated with new housing developments in a number of locations throughout the Borough.
8. In order to facilitate the funding of some schemes Members are requested to consider allocating certain section 106 contributions against pending community parks improvement projects. This will increase the opportunity of gaining additional external grant funding to each project and help deliver the groups' ambitions.
9. Relevant section 106 contributions are listed below against the most appropriate project. These amounts are earmarked against each project and will be added to the capital programme when scheme details and funding is finalised and individual reports are brought back to Cabinet for approval.

<b>Application Number</b>	<b>Development</b>	<b>Project Contribution</b>	<b>Amount</b>
08/0765	Land Pilling Avenue/Grassington Avenue, St Anne's	Waddington Road	£55,013
06/0073 06/0074	Lytham Quays (Bakery Preston Road/ Sadlers)	Mornington Road	£25,000
05/1060	Land Weeton Road, Wesham (Crossingates)	Fleetwood Road, Wesham	£85,000
05/0647 & 05/0648	The Rock Factory rear 75 St Albans Road & The Gables, 35/39 Orchard Road, St Anne's.	Hope Street	£2000 £8000
05/1033	Land Mythop Road, Weeton (New Fylde Housing)	Mythop Road Weeton	£20,000

10. There are currently 6 community parks improvement projects which are 'live', but at different stages of the programme, as detailed below:

Waddington Playing Field, St. Anne's

11. The 'Make Waddy Wonderful' group were established as a constituted 'Friends' group in 2008. Local consultation events have been carried out over the last 12 months with residents, elected members and local schools, to gauge what facilities and activities local people want to see on the site.
12. A masterplan and funding strategy has been produced in full consultation with local people. Numerous funding bids have been submitted by the group and the capital funding strategy required to deliver the project is shown below:

<b>Funding</b>	<b>Amount</b>	<b>Status</b>
Section 106 monies	£55,013	Pending Cabinet approval
Community Spaces (Lottery)	£49,999	Through to Stage II
Lancashire Environmental Fund	£30,000	Secured
Lancashire County Council	£30,000	Secured
LSP	£12,000	Secured
Fylde Community Grant	£2,000	Secured
Fylde Borough Council works in kind	£18,739	Secured
<b>Total</b>	<b>£197,751</b>	

Mornington Meadow, Lytham

13. The 'Mornington Meadow' group has been established since 2007. Local consultation events have been carried out over the last 12 months with local residents, elected members and the Police, to gauge what facilities and activities local people want to see on the site.
14. A masterplan and funding strategy has been produced in full consultation with local people. Numerous funding bids have been submitted by the group and the capital funding strategy required to deliver the project is shown below:

<b>Funding</b>	<b>Amount</b>	<b>Status</b>
Section 106 monies	£25,000	Pending Cabinet approval
Community Spaces (Lottery)	£49,999	Through to Stage II
Lancashire Environmental Fund	£30,000	Secured
Lancashire County Council	£22,000	Secured
LSP	£10,000	Pending
Veolia	£72,065	Pending
Fylde Borough Council works in kind	£23,405	Secured
<b>Total</b>	<b>£232,469</b>	

### Fleetwood Road, Wesham

15. Officers are currently working with Wesham Town Councillors to develop a 'Friends of Fleetwood Road' group. Local consultation events will be carried out over the next 6 -12 months with local residents and schools, to gauge what facilities and activities local people want to see on the site. The 'Crossing Gates' development secured £85,000 section106 monies to develop new play facilities on the site that meet community need.
16. Officers will draw up a masterplan for the whole site, assist with community consultation, provide a breakdown of costs, write the specification and project manage the works for a fee of 5% of the section 106 sum. This will guarantee a quality scheme that reflects community need and is delivered within budget to the required specification.

### Hope Street Park, St.Anne's

17. The 'Friends of Hope Street' group were established as a constituted 'Friends' group in 2009. Local consultation events have been carried out over the last 12 months with local residents, elected members, youth centres and schools, to gauge what facilities and activities local people want to see on the site.
18. A masterplan is currently being produced based on the consultation feedback with local people. No external funding bids have been submitted at this point, as the masterplan needs to be finalised. The section106 monies totalling £10,000 would act as pump priming monies to assist in match funding any potential external funding to develop the park.

### Mythop Road, Weeton

19. Weeton Parish Council has requested that the section 106 monies of £20,000 are allocated to the childrens play area adjacent to the village hall. The budget will be used to supply and install new pieces of play equipment.
20. The Parish Council has expressed a wish to procure and manage this project independently, without the benefit of development officers' support. It will therefore be required to enter into an agreement with Fylde Borough Council prior to the release of funds, to provide details of the scheme and subsequently to account for how the funds have been spent, to include an indemnity against Fylde Borough Council being required to pay the money back to the developer should the terms of the s 106 agreement not be met.
21. Members are therefore requested to approve a funded budget increase of £20,000 in 2010/11 from section 106 monies held by the Council for public open space provision, and agree to allocate that amount to Weeton Parish Council for the improvement of public open space; on condition that the Parish Council be required to enter into an agreement with Fylde Borough Council as described above prior to release of funds, and to provide details of how the funds have been used within 12 months of the allocation.

### Kirkham Memorial Gardens

22. It is not anticipated that this project will have the benefit of a section 106 contribution, although it is worthwhile updating on progress, as it is one of the schemes in the current community parks improvement programme.
23. The Friends of Kirkham Parks was established as a constituted 'Friends' group in 2008. Local consultation events have been carried out over the last 12 months with local residents, elected members and Pear Tree School, to gauge what facilities and activities local people want to see on the site.
24. A masterplan and funding strategy has been produced in full consultation with local people. Numerous funding bids have been submitted by the group and the capital funding strategy required to deliver the project is shown below:

<b>Funding</b>	<b>Amount</b>	<b>Status</b>
Playbuilder	£47,000	Secured
Aiming High Disability Fund	£30,000	Pending
Community Spaces (Lottery)	£49,999	Through to Stage II
Youth Bank	£25,000	Pending
Lancashire County Council	£20,000	Secured
Lancashire Environment Fund	£40,000	Pending
Fylde Borough Council works in kind	£25,330	Secured
<b>Total</b>	<b>£237,329</b>	

## **Risk Assessment**

25. There are some minor risks associated with the actions referred to in this report. Appropriate amendments have been made to the directorate operational risk register to accommodate these risks where necessary. It is also necessary for the Council to assume Accountable Body status for some funding streams in order to secure funding. This role includes a commitment to ensure that the monies received from the funding streams are accounted for separately and used solely for the projects detailed in the submissions. It also carries with it a risk of grant clawback from the Council in the event of non-compliance with the funding body's requirements. This risk is considered to be minimal.

## **Conclusion**

26. The Council has an active programme of community parks improvement projects and the allocation of section 106 contributions to projects in the locality of housing developments will greatly assist in taking these projects forward.
27. In order to ensure compliance with the Council's financial regulations detailed schemes will be brought forward for approval by Cabinet as they are finalised.



Clare Platt	(01253) 658602	28.04.103	28.04.103 s106 openspace
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### List of Background Papers

Name of document	Date	Where available for inspection

### Attached documents

None

### IMPLICATIONS

Finance	For each of the projects where the Council is accountable body a more detailed report will be presented to Members for approval, once funding sources and scheme details are finalised. These future individual project reports are ultimately likely to result in fully funded additions to the Council's capital programme, the Council's contribution being met from s106 monies already held by the Council, and staff resources in supporting the bidding process, scheme design, project management and scheme delivery, and financial monitoring to ensure compliance with grant conditions and expedite grant claims. External bids for funds will include contributions to cover these staff resource costs where possible. The Council's role as accountable body for some funding bids carries with it a small element of risk, as detailed in paragraph 25 of the report.
Legal	Section 106 contributions are made by developers under specific agreements relating to particular developments. A payment made under a section 106 agreement must fall within the terms of that agreement, in terms both of geography and scope. A developer is normally able to require repayment of section 106 contributions if they have not been spent within ten years on a project falling within the terms of the agreement. The cabinet will therefore need to be satisfied that each suggested application of section 106 contributions falls within the terms of the agreement it was paid under. With reference to the play area at Weeton, it will be necessary to develop a legal agreement with the parish council to include how they are to use the allocated money, and an indemnity against Fylde Borough Council being required to pay the money back to the developer should the terms of the s 106 agreement not be met.
Community Safety	Improving the quality of open space facilities provides an opportunity to increase public use and reduce nuisance behaviour.
Human Rights and	All the improved facilities will allow access and use by

Equalities	disabled people and comply with disability specifications.
Sustainability and Environmental Impact	None arising from this report.
Health & Safety and Risk Management	Considered in the body of the report.

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
DIRECTOR COMMUNITY SERVICES	CABINET	28 APRIL 2010	7

## TRANSFER OF ASSETS TO TOWN / PARISH COUNCILS

### Public Item

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

### Summary

This report further discusses the issue of open space asset transfer from the Borough Council to town/parish councils in terms of the financial and operational opportunities and implications that arise.

### Recommendations

1. Members are requested to consider the report and agree how they wish to progress the transfer of open space assets to town/parish councils.

### Reasons for recommendations

To provide the Cabinet with details about the process for taking forward the 'in principle' agreement already given to the transfer of assets but to allow this to take place in a strategic and coordinated manner which is acceptable to all parties involved.

### Alternative options considered and rejected

Not to progress the transfer of open space assets to town/parish councils – rejected because Members have expressed a desire to see such assets transferred.

### Cabinet Portfolio

The item falls within the following Cabinet portfolios:

Finance and Resources

Councillor Roger Small

## **Report**

### **Background**

1. At its meeting in November 2008 the Cabinet agreed a list of open space assets for consideration for transfer to town/parish councils and resolved that officers identify the more detailed operational, legal and financial implications of the transfer of such sites and report to a future meeting for consideration.
2. A further report was presented to Cabinet on 6 May 2009 which dealt with the range of implications of transferring open space assets to Kirkham Town Council (KTC). The meeting resolved:
  - That the Cabinet confirmed in principle (and subject to the additional recommendations below) its agreement to proceed with the transfer of the listed parks and open space assets to Kirkham Town Council.
  - That the terms of the transfer include the provision that Fylde Borough Council (FBC) is retained as the maintenance contractor for KTC for a minimum of 3 years.
  - That the proposed disposals to be advertised under section 123(2A) of the Local Government Act 1972 and any representations be reported back to the Portfolio Holder for Corporate Resources and Finance.
  - That officers negotiate with representatives of KTC to agree the specification and rates/costs for the service referred to in recommendation 3 with final decision making responsibility being delegated to the Portfolio Holder for Corporate Resources and Finance, having regard to the impact of the proposal on the medium term financial strategy.
  - That officers undertake the necessary further financial assessment of the impacts on FBC should the transfer take place (based on the costs agreed in 4 above).
  - That a report be brought back to the Cabinet on the outcome of the above matters.
3. Subsequently the report to Cabinet on 20 January 2010 discussed further the implications of transferring open space assets to KTC in terms of operational and financial implications, and resolved:
  - To agree to Option 2 (the transfer of assets to town / parish councils is deferred) as outlined in the report.
  - To request that officers undertake a detailed analysis to identify the service and financial implications of retaining a parks and leisure strategic development function within the Borough Council on the basis that a transfer of parks and outdoor leisure assets will occur no earlier than April 2012.
  - That, subject to appropriate resources being made available, officers undertake a more detailed analysis of a business case and business plan for FBC Solutions Ltd.
4. This decision was subsequently called in, with agreement of the Portfolio Holder that a report outlining the process for future transfers, and identifying key milestones would be provided.

5. The Council has previously indicated its 'in principle' desire to transfer the open space and outdoor leisure assets it currently owns and maintains in Kirkham, St Anne's, Ansdell and Lytham to the town and parish councils in those areas.
6. This approach would be consistent with that taken in other parished areas of the Borough where the open space and outdoor leisure assets owned by those local councils are managed and maintained directly by those individual town and parish councils. Parish precepts are levied in those areas to reflect the costs associated with the maintenance of these locally owned facilities.
7. The full implementation of this arrangement would have the effect of removing the special expenses component from FBC's council tax calculation. However, the arrangement could not be fully implemented unless the whole of the Borough is parished and those town/parish councils are willing to take over the ownership of assets and associated responsibilities. Currently the areas of Lytham and Ansdell are the only non-parished parts of the Borough. The outcome of the Community Governance Review (CGR) which is currently being undertaken will therefore have a significant bearing on the subject of this report.
8. The implementation any transfers will need the co-operation of all organisations that are party to the proposals. Both Kirkham Town Council and St Anne's on the Sea Town Council have indicated their interest and 'in principle' support for pursuing the arrangement.

### **Current Assets**

9. Further consideration of this proposal requires an understanding of the nature of the relevant assets, their current condition and use and an understanding of the work which is involved in managing and maintaining those assets. A detailed list of the open space assets currently owned and maintained by the Borough Council in Kirkham, St Anne's, Ansdell and Lytham is currently being checked. Plans of each of the identified assets are being updated, and will be verified against the title details held by the Council. All the assets will then require individual valuation and a condition survey to be undertaken. Any costs for work required on the assets prior to transfer will also require assessment as part of the financial implications.

### **Special Expenses**

10. Fylde Borough Council recovers an element of its Council Tax via special expenses charges which are applicable in Lytham, Ansdell, Kirkham, and St Annes. The Special Expenses charge is made for provision and maintenance of parks and "open space assets", including playing fields and playgrounds. These charges will vary from year to year, dependant on actual work proposed to maintain and develop these sites in each area.
11. The special expense charge applies in these parts of the Borough because the Borough Council owns and maintains the open space assets in these areas. In other areas of the Borough the open space assets are owned and maintained by parish

councils who will charge residents accordingly through their parish precept for these services.

12. If all areas became parished and the transfer of all assets was implemented across the whole borough then the special expense charging mechanism would no longer be applicable and consequently would not appear as a separate charge on Council Tax bills. However, the costs of maintaining the assets would then be borne by the associated parish or town council and would appear on Council Tax bills as part of the parish precept.
13. At the time of asset transfer FBC would need to determine which, if any, of the assets should be retained as borough-wide facilities and what proportion of the current budget should be retained to maintain those sites and support corporately-led parks/leisure development initiatives. Further consideration would also be needed to determine whether the existing budgetary provision for open space maintenance and development, saved by FBC as a result of the transfer of assets, might be diverted to maintain or increase other service provision by the Council, or whether the opportunity should be taken to make a budget saving.

## **Organisational Considerations**

14. The proposed transfer of the Borough Council's open space assets to town and parish councils has wide-ranging implications for all the partners that might be involved with the process. The key issues are outlined below:

### Fylde Borough Council

#### **Parks / Leisure Development**

15. The operational parks staff provide the routine grounds maintenance activities such as grass cutting, weeding and planting, together with playground and playing field maintenance. The management and development resource within the Department provide expertise in terms of preserving, enhancing and developing the long term provision of open spaces and play areas together with procurement of resources to deliver those plans – such as promoting and supporting Friends of parks groups, heritage lottery funding bids and the future planning of open space and related asset provision generally, which have been particularly successful over recent years. Both operational and development staff are funded currently by special expenses.
16. It is generally understood that the transfer of operational grounds maintenance and leisure functions would include the TUPE transfer of all staff directly involved in the delivery of operational grounds maintenance activities to any successor organisation. However, the role of the parks development team is less widely understood. Historically this team has generally delivered development services which preserve, enhance and improve Fylde Borough Council owned assets e.g. King George V play area, Ashton Gardens redevelopment. Should open space assets be transferred to town/parish councils, Members will need to consider the future role of the parks / leisure development function in the Borough, and how this could be funded in a sustainable manner.

## “Borough-wide” Assets

17. Some of the open space assets of Fylde Borough Council may be regarded as having borough-wide significance, and are maintained for the benefit not only of all the residents of the Borough but also for the benefit of the significant number of tourists who visit Fylde throughout the year. Members will need to consider whether or not to transfer the open space assets falling within this description, such as for example:

- Promenade Gardens, St Anne’s
- Ashton Gardens, St Anne’s
- St Anne’s Square, St Anne’s
- Fairhaven Lake & Gardens, Ansdell
- Lytham Green, Lytham

It will be important to understand how maintenance of these assets is currently funded and the implications should Members decide to treat them as borough wide assets in future.

18. Members will also need to consider the most appropriate way to deal with Lowther Gardens Trust. In the light of financial and legal implications, Members, in discussion with the trustees, will need to consider whether Lowther Gardens Trust should be treated as a borough wide asset or otherwise.

19. The land associated with Lytham Park Cemetery and Crematorium is an open space asset managed and maintained through general council tax receipts. It is assumed that Members would wish to retain this as a borough wide asset, but this is highlighted for confirmation.

20. Additionally, the costs associated with coastal/beach management sit outside the remit of special expenses and are funded by general council tax and hence recognised as a borough wide asset. It is assumed that Members would wish to retain the coast/beach as a borough wide asset, but this is highlighted for consideration.

## Central Support Services & Overheads

21. Within the budgetary provision for leisure and parks services, there are costs associated with the Council’s support services such as IT, HR, finance, legal services and overheads such as accommodation. As assets transfer out of Fylde Borough Council ownership and control, and staff transfer out of FBC employment, the costs associated with overheads and central support services remain unless there is the opportunity to reduce these costs and savings realised. If the support service costs are not reduced, their apportionment across remaining service cost centres is increased. As part of any transfer, officers will need to undertake a detailed analysis and quantify these costs in order to understand the full financial implications of the process.

## Capacity to Prepare For and Manage the Transfer

22. There is a significant workload for officers in preparing for and managing the transfer of assets, particularly for the community services, finance, estates, technical and legal services staff. Apart from finalising the list of assets, and analysing the financial, legal and operational implications, there will be a need to enter into detailed negotiations with those town/parish councils that wish to progress the transfer. Much of the work is detailed in nature and as a consequence very time consuming for the managers involved.
23. A bid for further resources to support the process has been made to the North West Improvement and Efficiency Partnership (NWIEP), the outcome of which is awaited.

#### Community Governance Review (CGR)

24. The community governance review of town and parish councils which is currently underway will establish whether the whole of the borough will be parished and hence may provide an opportunity to undertake a Borough-wide transfer of assets at a single point in time. The review is expected to have been implemented by May 2011, with any new town/parish councils created at that time. In order to allow the new councils to become established, and to allow time for negotiations to take place with those councils, the earliest anticipated date for open space transfer to town / parish councils is likely to be April 2012.
25. The outcome of the CGR will determine whether it is possible to implement the proposed asset transfer across the entire borough. If this process does not lead to the erishing of Lytham and Ansdell then a degree of special expenses would remain to be charged to households in these areas (assuming that asset transfer was able to take place in St Anne's and Kirkham). The potential impact of this scenario would need to be the subject of further detailed analysis.

#### Impact on Town & Parish Councils

26. The town/parish councils will need to ensure they have the capacity and skills available to manage the transfer and subsequent ownership and management of the open space assets. Undoubtedly FBC will be able to assist initially and any resource available via the NWIEP will also add capacity in this respect.
27. The town/parish councils will be in a position to fund the management and maintenance of the open spaces in their ownership through the precept they levy on local residents, in lieu of the special expenses currently levied by FBC.
28. In order to assist the initial post-transfer management of the assets, it is envisaged that a condition of the transfer would be a requirement that FBC would continue to provide the services for a specified period of time under a contractual arrangement or until FBC Solutions is in a position to bid for the work competitively.

#### **Milestones**

29. The Portfolio Holder has undertaken to submit a further report on this subject to the Council meeting in July 2010. It is proposed therefore that the schedule of assets and



an outline current budget position be developed for that report so that the Council has a more complete picture on which to make a decision about the further development of the initiative.

30. Some indicative key milestones are indicated below:

<b>Date</b>	<b>Action</b>
July 2010	Report to Policy Development Scrutiny Committee
July 2010	Report to Council for Decision
May 2011	Implementation of CGR & potential establishment of new town / parish councils
July 2011	Commence negotiations with town / parish councils
April 2012	Transfer of Assets

## **Risk Assessment**

31. This report currently makes no recommendations as to how the transfer of assets should be progressed and therefore at this stage there are no risks to address.

## **Conclusion**

32. The transfer of open space assets can only take place with the agreement of all relevant parties.

33. There are significant issues, both financially and operationally, the implications of which need to be fully understood by all participating organisations and the communities they represent.

34. The earliest date on which the transfer of assets could take place if the scheme were to be implemented in all relevant parts of the Borough (St Anne's, Kirkham, Lytham and Ansdell) would be April 2012, dependent upon the parishing of Lytham and Ansdell and the willingness of those councils to participate in the transfer.

35. Any costs "saved" by the Borough Council through the transfer of open space assets to town councils in Kirkham, St Anne's, Lytham and Ansdell are unlikely to equal the current income from special expenses because there may be retained costs in terms of support services, overheads, leisure/parks development and the costs of any assets retained which have 'Borough-wide' significance.

36. The key issues that arise in terms of transferring open space assets to town/parish councils are identified in the report. Members are requested to consider how they wish to progress the matter.

Report Author	Tel	Date	Doc ID
Clare Platt	(01253) 658602	20.1.10	28.4.103 Transfer of Assets

List of Background Papers		
Name of document	Date	Where available for inspection
Cabinet Agenda & Minutes	November 2008	<a href="http://www.fylde.gov.uk">www.fylde.gov.uk</a>
Cabinet Agenda & Minutes	May 2009	<a href="http://www.fylde.gov.uk">www.fylde.gov.uk</a>

#### Attached documents

None

IMPLICATIONS	
Finance	The detailed financial implications of the options available will be considered in a future report.
Legal	The detailed legal implications of the options available will be considered in a future report.
Community Safety	None relevant to this report
Human Rights and Equalities	None relevant to this report
Sustainability and Environmental Impact	None relevant to this report
Health & Safety and Risk Management	None relevant to this report

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
DIRECTOR OF STRATEGIC DEVELOPMENT SERVICES	CABINET	28 <sup>TH</sup> APRIL 2010	8

## NORTH BEACH CAR PARK CHARGING

### Public Item

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

### Summary

The report presents proposals for introducing car parking charges on North Beach car park further to the budget agreed by Council.

### Recommendation

That Cabinet agrees to charges being levied on North Beach car park in accordance with those set by Council using the pay and display method of charging and that a variation of order be advertised.

That the Portfolio Holder considers any representations received as part of the consultation before agreeing the final outcome.

### Alternative options considered and rejected

To not introduce charges would mean a shortfall in income against the budget agreed by Council

### Cabinet Portfolio

The item falls within the following Cabinet portfolio:

Environmental Wellbeing - Councillor David Eaves

## Report

### 1) Previous decisions

a) Cabinet on the 18<sup>th</sup> November 2009 resolved:

*To investigate:*

- 1. The possibility of implementing a charging scheme for North Beach Car Park or alternative management schemes.*
- 2. The introduction of overnight parking access and an appropriate scale of charges for camper vans and caravans on council owned car parks.*
- 3. A feasibility study for the introduction of pay on departure charging facilities for appropriate car parks.*
- 4. The options for establishing car parking concessions for Fylde Borough Residents.*
- 5. To consider the recommendations of the Scrutiny Committee as part of the ongoing review of the medium term financial strategy and the discussions on preparation for the 2010/11 budget during coming months.*

b) This report deals with 1 and 3 (partly) above. Items 2 and 4 will be subject of a further report to members.

c) Council on 1<sup>st</sup> March 2010 agreed a budget for 2010/11 which included an income requirement for North Beach car park as follows:

	2010/11	2011/12	2012/13	Ongoing
North Beach Car Park	£10,000	£15,000	£15,000	£15,000

d) A revised schedule of fees and charges for car parks was agreed at full Council on 22<sup>nd</sup> March 2010. It proposes the following tariff for North Beach car park:

9.00am to 6.00pm	
Up to 2hrs	£2.00
2 – 3hrs	£2.50
3 – 4hrs	£3.00
Over 4hrs	£4.00

At any other times    Free

### 2) Feasibility of the introduction of pay on departure charging facilities

- a) Pay and Display is the current system of charging on 11 of the council's 21 car parks. With this the individual pays a tariff up front and estimates the time required for their visit. With Pay on Foot on the other hand the individual collects a ticket on entry into the car park which opens a barrier, pays at a pay station for the time used and to get the ticket validated and then presents the ticket at the machine at the exit barrier.
- b) Pay on foot would require significant capital investment in new equipment, barriers and machines. The option requires more complex technology to be able to remotely release barriers or manually in case of failure of the ticket pay station/barrier.

- c) Pay on foot should save money in not requiring the employment of parking attendants to routinely go round the various car parks checking tickets but will require arrangements to respond immediately in case of machine failure. Pay on foot should also in theory increase income in car parks where some drivers may have parked for free for short periods when an attendant was not visible. However it cannot be accurately quantified what this will be.
- d) Pay on foot systems are best suited where there is a reasonable number of spaces served versus investment required and where access/egress is tightly defined to control usage. Although a number of the council's car parks have only one way in and out some would need a significant amount of surround fencing to prevent vehicles avoiding the exit barriers,
  - i) The open aspect of Lytham Green could be detrimentally affected by the appearance of car park fencing at Bath Street and Dicconson Terrace car parks.
  - ii) St Annes Square car park is split into in two parts either side of Orchard Road. This would require two sets of entrance and exit barriers and would add unnecessary clutter to the streetscape.
  - iii) At Pleasant Street car park a fence would reduce the car parks capacity by 30%. There are three rows of parking bays. One whole row exits the car park straight on to the highway. If a fence was erected then a row would be lost.
- e) Officers have undertaken a preliminary assessment to eliminate car parks where for several reasons it would not be feasible to introduce a pay on foot (barrier) system. As a result the remaining car parks (listed below) will be considered for further more detailed survey and assessment to establish whether it is feasible to introduce.
  - Fairhaven Stannah Bank car park
  - Fairhaven St Paul's Ave car park
  - Beach Terrace Fairhaven Road car park
  - North Promenade car park
  - North Beach car park (see 5 below)

This further work will require on-site surveys, a revised layout being designed, consultation with LCC over highway queuing implications, seeking quotations from companies, and costing repair, maintenance and management arrangements. A further report will be brought for Member consideration when this work has been undertaken:

#### 4) Request to purchase/lease North Beach car park

- a) Officers have received an enquiry from Trax to acquire an interest in North Beach car park to manage it in relation to beach activities in return for a consideration. However as in the meantime Council set a budget which agreed charging on the car park in the financial year 2010/11 it is recommended to proceed with proposals for car parking charges rather than open negotiations with Trax.

#### 5) Charging on North Beach car park

- a) Although North Beach car park may be suitable for consideration for a pay on foot (barrier) system it could be some time before the above review is complete, the conclusions agreed, a notice of variation published and considered, the system procured, works undertaken and new arrangements introduced.
- b) It is recommended therefore that in the meantime members proceed with charging on North Beach car park through the current conventional pay and display method

to try to achieve the income expectations set by Council in the budget. In order to proceed with this a 'Variation of Order' would be required to be undertaken. This involves the publication of a legal notice for a period of 28 days and notification on site. Any comments received will then be considered in a report to the Portfolio Holder before a final decision can be taken to introduce the charges.

## Financial Implications

- 6) It is estimated that income generated through pay and display could be somewhere between £9,832 and £19,664 per annum. The purchase of two machines including installation would be £11K with the costs met from the car park maintenance and improvement budget. Should members decide to move towards pay on foot then the two pay and display machines can be utilised to replace machines elsewhere.

## Risk

- 7) There is a risk that the income expectations set in the budget may not be achieved. This will require close monitoring and may require subsequent adjustment to budget forecasts.

IMPLICATIONS	
Finance	The setting of charges for North Beach car park should raise additional income in line with the budget set by Council. The cost of installation of pay and display machines on the car park can be met from existing budgetary provision.
Legal	Seeking a variation of order
Community Safety	There are no legal implications
Human Rights and Equalities	There are no implications
Sustainability	There are no implications
Health & Safety and Risk Management	There are no implications

Report Author	Tel	Date	Doc ID
Paul Walker	(01253) 658431	14 <sup>th</sup> April 2010	

List of Background Papers		
Name of document	Date	Location
OFF STREET PARKING ORDER	VARIOUS	LEGAL SERVICES/TECHNICAL SERVICES OFFICE
TARIFF	VARIOUS	TECHNICAL SERVICES OFFICES

**Attached documents**

Appendix 1 - Anticipated income

Appendix 2 - Plan of North Beach Car Park

## Appendix 1 - Income/Expenditure Breakdown

### North Beach car park

Operational Hrs	Fee Structure	Approx Usage	Max. Income per space per day assuming full occupancy			Max annual income	Estimated annual income potential	Capital Costs	Annual Revenue Costs
			Spaces	Tariff =	Daily Income				
All days 9am - 6pm	Up to 2 hrs £2.00	7%	250	£2.00	£35.00	£12,775	Assuming an average 50% use	2 P & D	
	2-3 hrs £2.50	2%	250	£2.50	£12.50	£4,563			
	3-4 hrs £3.00	0.5%	250	£3.00	£3.75	£1,369			
	Over 4hrs £4.00	0.3%	250	£3.50	£2.63	£958			
					£53.88	£19,664	£9,832	£9,100	£3,956

Continued....





Scale 1:1250

LCC Map Ref: 67348

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(Scale correct when printed on A4 Landscape)

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By Andrew Moss

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# REPORT



REPORT OF	MEETING	DATE	ITEM NO
GOVERNANCE & PARTNERSHIPS	CABINET	28 APR 2010	9

**EXCLUSION OF THE PUBLIC**  
**ITEM 10 - LOWTHER GARDENS CHARITABLE TRUST**  
**ITEM 11 - ST ANNES POOL**

## Public Item

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

## Recommendation

1. Members are 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 is exempt information as defined in paragraph 1 (Item 10) and paragraph 3 (Item 11) of Schedule 12A of the Act.

## Cabinet



Date:	Thursday 11 March 2010
Venue:	Town Hall, St Annes
Committee members:	John Coombes (Leader of the Council) Councillors Karen Buckley, David Eaves, Susan Fazackerley, Dr. Trevor Fiddler, Cheryl Little, Albert Pounder
Other Councillors:	Councillors Fabian Craig-Wilson, Barbara Pagett, Elaine Silverwood
Officers:	Phillip Woodward, Allan Oldfield, Andrew Cain, Annie Womack

Before the meeting commenced, Councillor John Coombes, Leader of the Council, requested a minute's silence in remembrance of Councillor Lyndsay Greening, who passed away earlier this week.

### 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. Confirmation of minutes

RESOLVED: To approve the minutes of the Cabinet meeting held on 17 February 2010 as a correct record for signature by the chairman.

### 3. Urgent items

There were no items of urgent business.

### 4. Private Sector Housing Assistance Policy

Councillor Cheryl Little (Social Wellbeing Portfolio Holder) presented a report about the council's private sector assistance policy highlighting the relevant changes made in September 2009. The report confirmed the removal of the waiting list for assistance due to the availability of additional resources for 2009/10 but advised that external grant funding is likely to be cut significantly in 2010/11 and into the future.

The report recommended raising awareness of the availability of assistance through a campaign targeted at eligible groups, in order to establish levels of need and inform future funding provision. It suggested that Cabinet consider how the programme could be resourced in 2011/12 and beyond, in the face of the external grant reductions.

Councillor Little reported that it was envisaged that assistance should be targeted towards below-standard homes.

Councillor Buckley referred to many home-owners being capital rich and revenue poor and suggested that assistance should not solely be aimed at the private rented sector.

Councillor Fiddler agreed that it was right to target the vulnerable owner-occupiers in our community as well.

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

1. To note the likely reduction in external grant funding to support the housing renewal programme and to consider how the programme may be resourced in 2011.12 and beyond
2. That the level of future budgetary provision should be informed by establishing levels of need through an awareness raising campaign targeted at eligible groups ahead of the next budget setting round.

#### 5. Capital Funded Budget Increase - NWEIP grant for new technologies

Councillor David Eaves, Portfolio Holder for Environmental Wellbeing, presented a report detailing the successful bid, in partnership with Wyre, to NWEIP for external grant funding for a capital project to install in-cab technology across operational service fleet in Fylde and Wyre.

He explained that the format of the bid was a 'Dragons Den' style presentation, and that Fylde and Wyre submission was competing with authorities from across the North West.

Councillor Eaves reported that revenue costs for Fylde Council of £12,250 per annum. will be achieved within existing budgets and funded from the savings that will be realised from the project. No request for revenue growth will be made to support the ongoing costs.

He said that the project would transform operational services and was a real success story. All savings and efficiencies would contribute to the establishment of an efficient service in line with the objectives of the Modernisation Strategy which had been approved by Cabinet in January 2010. He extended his thanks to Mr Oldfield, Director of Customer and Operational Services, for his efforts in obtaining the funding.

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

1. To approve a fully funded new addition to the Capital Programme of £200,350 on the in cab technology project in 2010/11 with the future anticipated revenue savings contributing to service based efficiencies as part of the Modernisation Strategy in Operational Services.
2. To approve the procurement of the system under 3.1.2 of the procedure for exempt contracts.

#### 6. Corporate Plan

This report was presented by Mr Phillip Woodward, the Chief Executive. He briefly reported on the background of the Corporate Plan, including the annual planning cycle and the review of the Council's corporate vision, objectives and priorities as part of its budget setting timetable.

He reported that the review was also subject to consultation via the Policy Development Scrutiny Committee and other internal and external stakeholders.

Mr Woodward drew attention to the final draft Corporate Action Plan (attached as an appendix), advising that progress against actions would be reported on during the year, and invited the Cabinet to consider some proposals.

He particularly asked them to consider the wording and intent of the vision statement and whether the proposed suggestion by the Heads of Service group that the Council's current slogan / strap-line should be revised should be pursued.

Mr Woodward presented for consideration the Culture Chart which had been proposed by the Heads of Service group and which was felt to be a useful graphical representation of the relationships between the vision, the objectives and the culture of the council. He asked the Cabinet to approve further development of the Chart in accordance with and incorporated into the Corporate Action Plan.

It was confirmed that there will be a new performance monitoring system and that reports will be provided for comparison against the performance plan.

Some concerns were expressed around rural economic and housing matters, which it was felt were not fully addressed in the Corporate Plan.

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

1. That the Council adopts the final draft Corporate Plan attached at Appendix A of the report.
2. That the Council agrees to a Member and Staff consultation and competition on proposals to revise the current Fylde Borough Council logo and strap-line.
3. That the Council requests the Policy Development Scrutiny Committee to give detailed consideration to the scope and nature of rural economic and housing matters to be included in future versions of the corporate plan.

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