

Cabinet



Date:	Tuesday, 28 June 2011
Venue:	Town Hall, St Annes
Committee members:	Councillor David Eaves (Leader) Councillor Susan Fazackerley (Deputy Leader) Councillors Karen Buckley, Dr. Trevor Fiddler, Cheryl Little, Albert Pounder, Thomas Threlfall
Other Councillors:	Councillors Christine Akeroyd, Fabian Craig-Wilson, Leonard Davies, Kevin Eastham, Ken Hopwood, Kiran Mulholland
Officers:	Phillip Woodward, Joanna Scott, Clare Platt, Tracy Scholes, Paul Walker, Marcus Judge, Lyndsey Lacey
Members of the public:	1 member of the public was present

1. Declarations of interest

Members were reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.

Councillor Susan Fazackerley declared a personal interest in item 13 relating Lowther Gardens Trust in so far as she is a representative of the Borough Council on the Trust.

Cllr Pounder declared an interest in item 7 relating to the Boundary Commission proposal for a review of boundaries in the Normoss aaaa in so far as he is a Member of Staining Parish Council.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Cabinet meeting held on 23 March 2011 as a correct record for signature by the Chairman.

3. Urgent items

There were no urgent items of business.

4. Policy Development Scrutiny Committee - Recommendations

Councillor Fabian Craig-Wilson (Chairman of the Policy Development Scrutiny Committee) presented the recommendations made by the Committee at its meeting held on 9 June 2011 (previously circulated)

The scrutiny committee recommended the following to Cabinet for approval:

1 Waste Enforcement

1. To support the allocation of resources to enforcement and the change in focus of the dog service away from welfare and education.
2. To agree to a performance report on the impact of the new measures in respect of dog fouling enforcement when they have had the opportunity to be fully implemented (8 to 12 months).
3. To champion the reporting of waste enforcement offences in their local community to support the limited resources available to address a borough wide issue.

Councillor Craig-Wilson further reported that the Committee also considered matters associated with grass cutting on the A585 which appeared to be inadequate and caused problems for the litter pickers. It was agreed that SMB would consider whether to invite a representative from Enterprise (the contractor) or the Highways Agency to scrutiny.

2 Scrutiny Review of Monitored CCTV

1. To recommended that the Council continues with its commitment to the provision of CCTV monitoring.
2. To recommend that CCTV be extended to other appropriate areas subject to appropriate funding being realised.

3 Empty Residential Property Position Statement

The Committee resolved to note the report and information contained in the position statement.

Councillor Craig-Wilson reported that the statement covered domestic properties only and it was further agreed that it would be appropriate for SMB to consider the topic of empty commercial properties as a potential item for scrutiny.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to note and approve the recommendations made by the Policy Development Scrutiny Committee held on 9 June 2011.

5. Community Focus Scrutiny Committee - Recommendations

Councillor Kiran Mulholland (Chairman of the Community Focus Scrutiny Committee presented the recommendations made by the Committee at its meeting held on 16 June 2011 (previously circulated)

The scrutiny committee recommended the following to Cabinet for approval:

1 Exploratory on Shore Shale Gas Drilling

1. To ask the Scrutiny Management Board to look at the feasibility of undertaking an in-depth scrutiny review of the shale gas drilling operations within the borough.

2 Citizens Advice Bureau - Monitoring Report

1. To note the current position outlined in the report.

3 Q4 year-end Performance Exception Report 2010/11

1. To note the report and recommend the removal of the indicators set out in column A of Appendix A of the report.
2. To recommend approval of the Value for Money Assessment for future reports as described in the report.

Councillor Mulholland mentioned that Cuadrilla had written to the Council offering on-going dialogue and consultation on matters associated with shale gas drilling within the borough and in view of this, suggested that members should remain open minded on the matter.

Councillor Buckley enquired about the funding arrangements for Citizens Advice Bureau and in particular, if the Bureau was heavily reliant on grant funding from the borough council. Councillor Mulholland addressed this matter.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to note and approve the recommendations made by the Community Focus Scrutiny Committee held on 16 June 2011.

6. Medium Term Financial Strategy (MTFS) Outturn Position for 2010/11 (including General Fund, Capital Programme and Treasury Management)

Joanna Scott (Section 151 Officer) presented a comprehensive report on the General Fund outturn (including revenue, capital and treasury management) for 2010/11.

The report provided an overview of the major variations between the latest approved budget estimates and the actual expenditure and quantified the impact on the Council's reserves. The report also included details of the Treasury Management operations for the financial year.

Mrs Scott stated that the Council continued to work with the various budget holders on budget profiling and the potential for future recurring budget savings. She added that the Council still faced an uncertain and turbulent financial future and as a result, the council had restricted non-essential spend which had generated in-year savings throughout the majority of 2010/11.

Details of various recommendations in relation to risks and contingency issues (concessionary fares scheme, replacement fleet vehicles, new additional government grants) and the budget variances arising from slippage including the associated adjustments were set out in the report. Mrs Scott indicated that as a result of the additional grants received, a revenue underspend (after proposed slippage was taken into account) of £592k had been identified.

In addition to the above, Mrs Scott pointed out that there were still high risk financial pressures facing the council and essentially these related to the following areas:

- Government Grant support (from 2013/14 onwards)
- Future pensions reviews
- Payroll efficiencies target
- New Homes Bonus
- General inflation uncertainties
- Future Council Tax capping
- Council Tax benefit system changes (new emerging risk)

In terms of the Capital Outturn, members were advised that the position was in line with the forecast and that the Council had fulfilled the requisite requirements for Treasury Management.

Mrs Scott advised that the report represented an improvement in the Council's General Fund (Revenue) forecast position compared with previous budget forecasts. She stated that the revenue under spend should be regarded as a helpful one-off windfall given the financial challenges faced by the Council. She added that the current MTFS assumed that future (as yet un-quantified) revenue savings would need to be identified from 2014/15 onwards. She advised on that basis, the prudent action would be to retain the under spend in the General Fund Reserves in the first instance to mitigate against future uncertainties. Members were advised that over the longer term, it should be feasible to feed those reserves progressively into spending programmes in order to balance future years' budgets.

Included as appendices to the report were: the General Fund Revenue Expenditure & Income Account; General Fund Outturn for 2010/11; Revenue Budget Slippage Items; Capital Outturn Variances and Prudential Indicators.

Councillor Buckley (Portfolio Holder for Finance and Resources) expressed her grateful thanks to the finance team of presenting a robust position during a challenging period. She added that this had been the result of hard work and due diligence across all departments of the Council over the last year in the delivering in-year savings.

The Leader of the Council endorsed the good housekeeping and tight budget control undertaken during 2010/11. He added that his priority as leader was to ensure that the Council moved forward to a strong financial position and that the Council had achieved remarkable results over the last 12 months.

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

1. To approve the General Fund Revenue Outturn expenditure as set out within the report together with the recommended adjustments.
2. To approve the Capital Outturn and its proposed financing as set out in the report.
3. To approve the Treasury Management Annual Report and the actual prudential indicators as set out in the report.

7. Boundary Commission - Consideration of Boundary Review, Normoss

By way of introduction, Tracy Scholes (Director of Governance and Partnerships) reported that the Boundary Commission is currently considering its work programme with respect to

boundary reviews and had invited the Council to comment on a request received from an elector within the borough.

In summary, correspondence had been received from a resident of Heron Way, Normoss, suggesting a review of the local government boundary in that area. Members were advised that the development transcends the three local authority areas of Blackpool, Wyre and Fylde and that 26 properties were located within the Fylde boundary. Mrs Scholes stated that this had given cause to confusion amongst local residents regarding the payment of council tax and the responsibilities for service delivery in the area.

A plan of the relevant area together with details of the review process was circulated with the agenda.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to not raise any objection to the Local Government Boundary Commission for England undertaking a Principal Area Boundary Review of the Normoss area, subject to this being dealt with as a small or medium-scale review focusing on the anomaly identified with respect to Herons Reach only.

8. Lytham Hall

Councillor Susan Fazackeley (Portfolio Holder for Leisure and Culture) provided members of Cabinet with an update on the above. In doing so, she stated that the Council had previously resolved to provide financial support (in the sum of £300,000 capital grant) for the restoration plans for Lytham Hall subject to the receipt of specific additional information. The Heritage Trust for the North West had subsequently provided the requisite information and this was included within the report which had been circulated to all Members.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to confirm the acceptability of the additional information received from Heritage Trust for the North West on the restoration project for Lytham Hall, and that the financial support committed by the Council be released subject to the receipt of the capital receipt referred to in the report.

9. Fylde Coast Economic Development Strategy

Paul Walker (Director of Strategic Development) introduced a report on the Fylde Coast Economic Development Strategy. In doing so, he made reference to the fact that the Council is a shareholder in the Fylde Coast Economic Development Company. He explained that this body provided the recognised route for liaison for the Councils on the Fylde coast with the Lancashire Local Enterprise Partnership.

Members were advised that the EDC had developed an Economic Strategy for the Fylde Coast to guide future dialogue with the LEP and future priorities for targeting inward investment.

An overview of the background and the current position together with relevant considerations were detailed in the report.

A copy of the draft Fylde Coast Economic Strategy was circulated with the agenda for members' consideration.

Councillor Trevor Fiddler (Portfolio Holder for Planning) commented on the content of the strategy and suggested that it needed the wider consideration of Members. In view of this,

he suggested that scrutiny consider the Fylde Coast proposal and its relationship with the Fylde Borough Economic Development Strategy which the Council had adopted in 2008/09. This was endorsed by the Leader of the Council.

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

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED That the Council's policy and strategic approach to economic development be referred for further consideration and comment to the appropriate scrutiny committee and that the comments of that committee be reported back to Cabinet at the earliest opportunity.

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10. Replacement of two CCTV Vans

Cheryl Little (Portfolio Holder for Social Wellbeing) reported on proposals to deal with two procedural issues relating to the purchase of two CCTV vans.

In her report, Councillor Cheryl Little made reference to the fact that Fylde BC currently provided two CCTV-equipped vehicles which were a key element of the work of the Fylde Community Safety Partnership. She stated that due to the age and condition of the two CCTV vans, options regarding the replacement of the vehicles concerned were considered.

In summary, the provision of funding had been approved by the Executive Committee of the Local Strategic Partnership (LSP) to replace one vehicle and refurbish the other. Subsequent to the approval of funding, an opportunity had arisen to purchase two second hand vehicles from Ealing Council which were already furnished with CCTV equipment.

Councillor Little reported that urgent action had to be taken to secure these vehicles and approval was sought and given by both the LSP and the CSP to use the funding allocated to purchase these two vehicles as opposed to the one originally intended. Details with respect to the associated procedural matters/cost implications were set out in the report.

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

1. To approve a fully funded addition to the Capital Programme for 2011/12 in the sum of £43,180 for two replacement CCTV vehicles to be met in full from a grant by the LSP.
2. To approve the purchase of the two vehicles as set out in the body of the report.
3. To approve a dispensation from Standing Orders as to Contracts in regard to the purchase of the vehicles on the basis that the items are of a proprietary or special character.

11. Community Parks Improvement Programme - Park View Amphitheatre

Councillor Susan Fazackerley (Portfolio Holder for Leisure and Culture) introduced a report on proposals to develop an amphitheatre at Park View, Lytham.

The report set out the context of the proposal, details of the funding strategy/cost plan, tender process undertaken and details of the key risks associated with the scheme.

In presenting her report, Councillor Fazackerley paid tribute to the invaluable work of the Park View 4U Community Group and the Council's parks staff.

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

1. To approve a fully funded addition to the capital programme of £46,000 funded through the Community Spaces (Lottery) fund
2. To approve the letting of the contract for the amphitheatre construction to William Pye Ltd. in the sum of £46,000.
3. To acknowledge the significant time and dedication of the Park View 4U Community Group in bringing this project to fruition, together with the assistance and support of Fylde Borough Council.

12. Exclusion of the Public

RESOLVED: That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business, on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A of the Act.

13. Lowther Gardens Trust

Clare Platt (Director of Community Services) provided Cabinet with an updated report on proposals to transfer the management and day-to-day operational responsibility of the Pavilion from the Council to the trustees of Lowther Gardens Trust.

In summary, the report set out the background to the Trust, details of its twelve-month business plan, and the financial management arrangements proposed.

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

1. To approve a virement of £30,000 subsidy (which is included in the 2011/12 service change cost budget) and award it to the trustees towards the management and day-to-day operational costs of Lowther Pavilion.
2. To continue to negotiate with the Trustees regarding the remaining gap of subsidy requested.
3. To request that the Trustees submit a long term (3 - 5 years) business plan, as timetabled in Appendix B of the report.
4. To inform the Trustees that the 30K subsidy is conditional upon:
 - The new Theatre Manager being in post by 1 September 2011
 - The appointment of a new trustee, by 1st September 2011, with an accountancy or similar professional background demonstrating financial skills, knowledge and experience

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- Negotiation of an initial Service Level Agreement to include a specified minimum number of days/weeks when local community/amateur groups can hire the Pavilion for practice/performance.
