



Agenda

Finance and Democracy Committee

Date:	Monday, 18 March 2019 at 6:30 pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Karen Buckley (Chairman) Councillor Neil Harvey (Vice-Chairman)</p> <p>Councillors David Donaldson, Tony Ford JP, Angela Jacques, Kiran Mulholland, Linda Nulty, Liz Oades, Richard Redcliffe, Vince Settle, Elaine Silverwood, Roger Small.</p>

Public Platform

To hear representations from members of the public in accordance with Article 15 of the Constitution.

To register to speak under Public Platform: see [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 18 February 2019 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 23(c).	1
	DECISION ITEMS:	
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	INFORMATION ITEMS:	
5	Weddings at Fylde – Progress Report	9 - 11
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Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

The code of conduct for members can be found in the council's constitution at
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	18 MARCH 2019	4
WRITE-OFF OF UNCOLLECTABLE DEBTS 2018/19			

PUBLIC ITEM

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

SUMMARY

This report details the proposed write-off of debts in relation to Business Rates, Council Tax, and the recovery of Housing Benefit overpayments.

Under this Council's Constitution the two joint heads of the Shared Service (The Head of Revenues and Exchequer Services; and the Head of Benefits and Customer Services) each have delegated authority to write-off uncollectable Business Rate debts up to £10,000 and uncollectable Council Tax debts of up to £5,000.

Additionally, the Council's Constitution provides delegated authority to the Chief Financial Officer (Section 151 Officer) to write-off uncollectable debts in excess of those levels up to £25,000 per individual debt, such write-offs to be subsequently reported to the Finance and Democracy Committee for information purposes.

The Chief Financial Officer has recently exercised this delegated power by writing-off one uncollectable Business Rate debt. To meet the requirement that the written-off sums are reported to the Finance and Democracy Committee details of the debt is provided at Appendix A.

The writing-off of debts in excess of £25,000 requires the prior approval by the Finance and Democracy Committee.

There are two uncollectable Business Rates debt in excess of the £25,000 limit for which write-off is now requested. Details of these are also provided at Appendix A. There are no uncollectable debts in excess of the £25,000 limit in respect of any other category of debt.

All of the uncollectable debts for which write-off is requested (or is being reported) relate to the period to 31st March 2019.

The cost of writing off these debts will be met from the appropriate bad debt provision. In respect of Business Rates and Council Tax the provision is funded by contributions by all the recipients of Business Rate or Council Tax income (those being Lancashire County Council, the Lancashire Combined Fire Authority and the Police and Crime Commissioner for Lancashire, together with Fylde Council).

RECOMMENDATIONS

The Committee is recommended to:

1. Approve the write-off of the two uncollectable Business Rates debts in excess of £25,000 details of which are provided at Appendix A this report; and
2. Note the write-off by the Chief Financial Officer under delegated powers of the one uncollectable Business Rates debt below £25,000, details of which is also set out in Appendix A to this report.

SUMMARY OF PREVIOUS DECISIONS

No previous decisions have been made in respect of these specific debts.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

REPORT

Background

1. The Council is responsible for collecting substantial amounts of income each year in respect of Business Rates (NNDR), Council Tax and Sundry Debtors. In addition the Council seeks to recover any overpayment of Housing Benefit.
2. Historically, the Council's overall collection rate of income for Business Rates and Council Tax is high with approximately 98% of all income due to the Council eventually collected. Similarly, non-collection of sundry debts are at a low level.
3. Good recovery procedures are in place and the recovery teams within the Revenues and Benefits Shared Service and the Fylde Council Finance Administration team pursue all monies due with vigour, and continue to explore new avenues of debt recovery in pursuit of challenging performance targets. Debt write-off is only considered in exceptional circumstances when other recovery options have been exhausted.
4. Where an amount outstanding has not been collected due to the debtor absconding, officers make enquiries of various agencies with a view to obtaining a forwarding address. Unfortunately, there are usually a small number of cases in each year for which it is not possible to trace the debtor and where the action taken has been unsuccessful in recovering the debt.
5. In respect of the debts in relation to Business Rates, Council Tax and the recovery of Housing Benefit overpayments the joint heads of the Shared Service (The Head of Revenues and Exchequer Services and the Head of Benefits and Customer Services) have presented these debts for write-off and is satisfied that every effort has been made to recover the money owed to the Council. However, for absconders, should the Shared Service become aware of the debtor's location, the amount written-off will be re-instated and action taken to recover the amount outstanding.
6. In some cases where a debtor has been made bankrupt, or a company has gone into liquidation, the Council has little control. However, the debt, or part of it, may be re-instated at a later date upon payment of a dividend. Further information in relation to bankruptcy and liquidation terminology is provided at Appendix B.

Implications

7. The collection of revenue is of vital importance to the financial management of the Council. Failure to collect debts, and in a timely manner, has adverse implications to the Council's finances and cash flow.
8. All of the debts for which write-off is requested (or is being reported) within this report relate to the period prior to 31st March 2019.
9. Although this report seeks approval to write-off a number of uncollectable debts, any debt that is written-off can be re-instated at a later date should there be a further opportunity to recover part or all of the debt.

10. The names of individual debtors have not been published because to do so may infringe the Data Protection Act 2018.

IMPLICATIONS	
Finance	The financial implications are detailed within the body of this report.
Legal	The Council's Constitution determines that the writing-off of debts in excess of £25,000 requires the prior approval by the Finance and Democracy Committee. Additionally amounts above a specified level that have been written-off by the Chief Financial Officer under delegated powers are required to subsequently be reported to the Finance and Democracy Committee for information purposes. This report fulfils those requirements.
Community Safety	No direct implications
Human Rights and Equalities	No direct implications
Sustainability and Environmental Impact	No direct implications
Health & Safety and Risk Management	No direct implications

LEAD AUTHOR	CONTACT DETAILS	DATE
Paul O'Donoghue Chief Financial Officer	01253 658566	March 2019

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

Attached documents

Appendix A – Information on debts written-off and for which write-off is requested

Appendix B – Glossary of Terms

Section 1: Debts in excess of £25,000: (Authority sought to write off debt)

National Non Domestic Rates		
Name	Amount (£)	Reason
SUK Retail Ltd	£34,090.46	Insolvency
Address: Unit H Blackpool Retail Park, Amy Johnson Way, Blackpool, FY4 2RP		
Property type – Retail Warehouse. The company trades as ‘Staples UK’ and specialises in the sale of office equipment and supplies. The company employs 1,700 staff across 87 stores but following the demise of large specialist retail stores (examples: Toys ‘R’ Us, and Maplin Electronics) the company sought to reduce its overheads and re-structure its debt. The company instigated a Company Voluntary Arrangement (CVA) in September 2018 which included the rate liability. The lease was surrendered in December 2018 when the company moved to Unit F on the Blackpool Retail Park. The debt relates to a period from July to December 2018. As one of a number of unsecured creditors the Council will not receive all of the outstanding rates debt but may receive a limited proportion (estimated to be in the order of 8% of the total outstanding) as a dividend at the end of the CVA process.		

National Non Domestic Rates		
Name	Amount (£)	Reason
Simms & Taylor Ltd	30,958.85	Insolvency
Address: Showroom & Workshop at Former Motor World, Blackpool Road, Kirkham, PR4 2RE		
Property type – Store and Premises. Following creditor pressure the company was wound up and placed in creditors’ voluntary liquidation in December 2017 with totals debts of £307,000. The Liquidator does not expect to be able to declare a dividend. The liability was for a period from December 2015 to June 2017. Arrangements for payment were made with the Company but these were not maintained. The case was then passed to the Enforcement Agents for collection. It was returned to the Council when the Company went into liquidation.		

Section 2: Debts under £25,000: (For information only)

National Non Domestic Rates		
Name	Amount (£)	Reason
Allman Trading Ltd	11,339.95	No Prospect of Recovery
Address: Eagle & Child, Weeton Village, Weeton, PR4 3NB		
Property type – Public House and Premises. The liability relates to a period from February 2016 to April 2018 and was in the name of the operator of the public house and not the owner of the property, as is common with premises of this type. Prior to this the company had defaulted on payment arrangements and the case had been passed to the Enforcement Agents for collection. The company was dissolved at Companies House on 27 th November 2018, and ceased to exist on that date. The case was returned to the Council when the Company was dissolved.		

TERMINOLOGY

Bankruptcy

Bankruptcy is the legal process involving an individual who is unable to repay outstanding debts when they become due. It is a legal procedure started either by the debtor (voluntary) or by creditors (involuntary) when the debtor is unable to make their payments.

A trustee is appointed by the court to measure, evaluate and dispose of the debtor's assets and distribute any proceeds to the creditors.

Liquidation

Where a limited liability company cannot repay their debts the Director(s) may call a creditors meeting to have the company voluntarily wound up. Also, a creditor who is owed outstanding sums may apply to the court to have the company wound up.

Once a company is wound up a liquidator is appointed to dispose of any assets and distribute any proceeds to the creditors.

Receivership & Administration

Administration is where a business is in danger of becoming insolvent and has an administrator appointed in order to try to improve the financial viability of the business to achieve a better outcome for creditors. This may include the sale of parts of the business or the continuation of trade whilst 'in administration'.

Receivership is where an individual or company cannot meet its debts and creditors, usually a debenture holder or a mortgagee, have applied to the court for the appointment of a receiver or administrator. Unlike liquidation, the business may not necessarily be wound up.

The task of the receiver or administrator is to protect the interest of the appointer, not the creditors as a whole. They will attempt to sell the business as a going concern, whether as a whole or in part, and any remaining proceeds from the sale will be distributed to the creditors after the debenture or mortgage has been paid.

Proposal to strike off - Dissolution

A company may apply to the Registrar of Companies House to be 'struck off' the register and dissolved. The company can do this if it is no longer needed. For example, the directors may wish to retire and there is no one to take over from them; or it is a subsidiary whose name is no longer needed; or it was set up to exploit an idea that turned out not to be feasible. Some companies who are dormant or non-trading choose to apply for strike off.

The registrar publishes a notice in the relevant Gazette stating his intention to strike the company off the register unless he is shown reason not to do so. Companies House records will show "action - proposal to Strike off" and this indicates there is dissolution pending.

If the registrar sees no reason to do otherwise, he will strike off the company not less than three months after the date of the notice. The company will be dissolved on publication of a further notice in the relevant Gazette.

In administering these cases, the outstanding debt is written off on systems but records at Companies House are continually checked to confirm that the dissolution of the company has been completed.

Voluntary Arrangements (IVA or CVA)

A Voluntary Arrangement is a formal proposal to creditors to pay part or all of the debt.

An individual will be subject to an Individual Voluntary Arrangement (IVA) and a company will be subject to a Company Voluntary Arrangement (CVA).

An insolvency practitioner will act as the supervisor and application is through the court for an "Interim Order" which prevents creditors from recovery proceedings against the debtor while the interim order is in force.

The supervisor tells the court the details of the proposal and whether in his opinion a meeting of creditors should be called to consider it. At the meeting, the creditors vote on whether to accept the proposals. If enough creditors (over 75% in value of the creditors present in person or by proxy, and voting on the resolution) vote in favour, the proposals are accepted. They are then binding on all creditors who had notice of, and were entitled to vote at, the meeting.

The supervisor pays the creditors in accordance with the accepted proposal.

The voluntary arrangements avoid the restrictions that apply to bankruptcy or liquidation and give the debtor more say in how his assets are dealt with and how payments are made to creditors.

Debt Relief Order (DRO)

The DRO is a cheaper, quicker and easier alternative to bankruptcy for individuals who have less than £1,000 in assets, aren't homeowners and have less than £50 in disposable income per month.

To qualify for a DRO individuals must have less than £20,000 in qualifying debts and haven't had an existing Bankruptcy Order, Individual Voluntary Arrangement or a Debt Relief Order in the last six years.

A DRO usually lasts for 12 months, and listed Creditors are not able to take action to recover the amounts owed, however normal expenses that fall due during the period, such as utility bills, council tax and rent, must be paid.

Arrangements to repay creditors must be made if the financial circumstances of the individual improve during the 12 month period.

The courts are not involved in the process and individuals contact an approved debt adviser like the Citizen's Advice Bureau who can check if the relevant conditions are met and assist in completing the relevant application.

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	18 MARCH 2019	5
WEDDINGS AT FYLDE – PROGRESS REPORT			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

Members resolved to seek the registration of Fylde Council offices as a place to hold civil wedding ceremonies in the autumn of 2017. The necessary licenses were subsequently obtained from the Registrar's service; both the Reception Room and Council Chamber are licensed for wedding ceremonies.

Three weddings have been held at the Town Hall to date, with the first one taking place in June 2018. A further 11 are booked in for this year thus far. The first booking for 2020 has also been taken at the time of writing this report. Week-days seem to be most popular, although a couple are planned for Saturdays in 2019. The ceremonies are conducted by Lancashire County Council's Registrar Service, with the venue and support services provided by the Council.

The Fylde Council team organised its wedding showcase at the Town Hall which took place on Sunday 18th November which showcased the facilities dressed for weddings. A number of local wedding suppliers also attended the event to add interest to the event. Following this a number of further enquiries were generated leading to new bookings.

We were also invited to attend a wedding showcase at Fylde Rugby Club following this which again gave the opportunity to showcase the Town Hall venue through a slide show and the distribution of brochures. Again, this also led to enquiries and bookings.

A further showcase event is planned here at the Town Hall on Sunday 10th March which is being hosted by the Lytham, St. Annes & Blackpool Events Company, featuring many wedding suppliers together with a fashion show.

The couples married to date at the Town Hall have been complimentary about our service and some comments are shown below:

"A wonderful venue for a wedding, the room looked beautiful. Maria and her team have great attention to detail and helped make our day extra special, thank you"

"Our marriage at the Town Hall Lytham St. Annes was made so special by the kindness and thoughtfulness of the staff, who were more like friends. The setting was fabulous, every stop was pulled out to make our day one we will remember always. Thank you Rachael, Shannon, Bill, you are beautiful people, we were so taken back by the wonderful room and service"

"St. Annes Town Hall was a wonderful venue for our wedding. The room was decorated beautifully, with great detail. We will never forget this day"

We have also been developing a social media presence and our weddings Facebook page has 122 followers to date, with some of our posts reaching over 3000 people. Further commentary from social media posts are set out below:

"The room looked beautiful with lots of really special finishing touches including pretty floral displays, chair coverings and gorgeous cream runner. We had champagne and canapés after the ceremony and were looked after really well on the day"

"Delightful atmosphere and stunning ceremony room. I would certainly recommend weddings at Fylde"

Thanks should be recorded to the Customer Services Team for its running of the service. Maria Marcella, who leads on the initiative, has demonstrated great enthusiasm for the service and is helping to successfully build its profile and reputation. Maria has been well supported by other colleagues, including Bill Fisher the Council's Customer Services Manager, who have given invaluable customer focused support which is borne out by the great customer feedback.

SOURCE OF INFORMATION

Committee reports, [Finance and Democracy Committee, 25 September 2017](#)

Feedback from customers

Feedback from team

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

Update sought by members

FURTHER INFORMATION

Contact Tracy Manning tracy.manning@fylde.gov.uk

WEDDINGS AT FYLDE – PROGRESS REPORT

Finance and Democracy Committee, 25 September 2017, extract from minutes

Alex Scrivens, Performance and Improvement Manager presented a proposal to license the Town as a wedding venue. He outlined the benefits of an income stream with minimal outlay. He also provided information from neighboring authorities who successful used their premises for weddings.

It was RESOLVED that;

1. *The Town Hall be approved as a location to host licensed weddings within the Borough and that officers make an application to Lancashire County Council for a license in 2018 once the Council Chamber refurbishment has been completed;*
2. *Subject to the approval of a license the Town Hall is used as a wedding ceremony venue on Fridays (subject to operational requirements) and Saturdays for a trial period of twelve months with set-up costs to be met from existing budgets and a charge of £350 for a Friday ceremony and £650 for a Saturday ceremony.*

The Fees and Charges for 2019/20, within the remit of the Finance and Democracy committee, were recommended to Council for approval as part of the budget setting process.

The fees and charges proposed, and approved at Council on 11 February 2019, in relation to Civil Ceremonies were :-

Monday - Friday	Per Ceremony	2018/19 £350.00	2019/20 £350.00
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Saturday - Sunday and Bank Holidays	Per Ceremony	2018/19	£650.00	2019/20	£550.00
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Corkage Charge – Celebratory drinks package with customers own drinks Per Bottle – 2019/20 £10.00

Tracy Manning, Director of Resources (01253)658521

Tracy.manning@fylde.gov.uk

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	18 MARCH 2019	6
OUTSIDE BODIES			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

On 16 April 2018, the Council made a number of appointments to outside bodies. These appointments followed from recommendations from the programme committees for appointments from within their respective memberships.

In line with the Protocol for Members on Outside Bodies (Part 5f of the Council's Constitution), every member serving on an outside body is required to complete a reporting form every six months, which is submitted to the relevant programme committee to which the external partnership relates.

Included as an appendix to this report are: returned completed reporting forms and a list of outstanding reports/ details of those bodies which have not met.

SOURCE OF INFORMATION

Elected member representatives to the Outside Bodies

INFORMATION ATTACHED

Outside Bodies Reports and Summary

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The information is provided to maintain an understanding of the work of the outside bodies, and remain abreast of any issues that may have an impact on the residents of the borough or the council.

FURTHER INFORMATION

Contact Tracy Manning, Director of Resources – tracy.manning@fylde.gov.uk

Outside Body		Councillor	Report Status
Finance & Democracy Committee, 18/3/19 meeting			
	Blackpool Airport and Hillhouse Enterprise Zone Project Board	Chair of F&D (Cllr Buckley)	Attached
	Fylde Community Projects Fund	The Mayor – Cllr P Collins)	Attached
	North West Employers Organisation	Chair F&D – Cllr Buckley (sub Cllr Harvey	Nil return – no meetings
	NW of England & Isle of Man Reserve Forces & Cadets Association	Ed Nash	Nil return – no meetings

Outside Bodies - Member Reporting Form

Details

Councillor Name and Role on Outside Body (for example, Observer, Trustee, Director)	Karen Buckley
Email	cllr.kbuckley@fylde.gov.uk
Period this report covers (date):	Up to 6 March 2019
Name of Outside Body:	Blackpool Airport Enterprise Zone
How often does the organisation meet? And how often have you attended?	Every 6 weeks. I am a regular attender.
Key issues arising for Fylde Borough Council	<p>The first phase of development of sports pitches and facilities and some housing is to be the subject of a planning application due to be submitted later this month. This also includes a new eastern access road into the Enterprise Zone from Common Edge Road. Traffic along Queensway/Common Edge Rd will be a key consideration with the level of congestion being high already.</p> <p>Examples of issues could be those that may affect decisions regarding budget setting, challenges for residents, policy changes that affect partnership working etc</p>
Who did you inform of these issues within Fylde Borough Council?	
In the light of these meetings, is it worthwhile for the Council to continue to have a representative/representatives on this body?	Yes
Any further comments?	

Outside Bodies - Member Reporting Form

Details

Councillor Name and Role on Outside Body (for example, Observer, Trustee, Director)

Councillor Peter Collins

Email

cllr.pcollins@fylde.gov.uk

Period this report covers (date):

February

Name of Outside Body:

Councillor Peter Collins

How often does the organisation meet? And how often have you attended?

Four times per year. All meetings to date have been attended

Key issues arising for Fylde Borough Council

Raising awareness of the fund in order to receive applications from different organisations.

Examples of issues could be those that may affect decisions regarding budget setting, challenges for residents, policy changes that affect partnership working etc

Who did you inform of these issues within Fylde Borough Council?

The Director of Resources was in attendance.

In the light of these meetings, is it worthwhile for the Council to continue to have a representative/representatives on this body?

Yes

Any further comments?

The panel are still under budget