

Council Meeting



Date	26 September 2011
Venue	Lowther Pavilion, Lytham
Members	<p>Mayor (Councillor Howard Henshaw ADK (MALAYSIA))</p> <p>Deputy Mayor (Councillor Kevin Eastham)</p> <p>Brenda Ackers, Ben Aitken, Christine Akeroyd, Frank Andrews, Tim Armit, Tim Ashton, Keith Beckett, Julie Brickles, Karen Buckley, David Chedd, Maxine Chew, Alan Clayton, Peter Collins, Simon Cox, Fabian Craig-Wilson, Susanne Cunningham, John Davies, Leonard Davies, David Donaldson, Charlie Duffy, Susan Fazackerley, Trevor Fiddler, Tony Ford JP, Gail Goodman JP, Nigel Goodrich, Kathleen Harper, Paul Hayhurst, Karen Henshaw JP, Ken Hopwood, Paul Hodgson, Angela Jacques, Cheryl Little, Edward Nash, Linda Nulty, Elizabeth Oades, Albert Pounder, Dawn Prestwich, Richard Redcliffe, Louis Rigby, John Singleton JP, Thomas Threlfall, Viv Willder, Peter Wood.</p>
Officers	Phil Woodward, Joanna Scott, Tracy Scholes, Allan Oldfield, Carmel McKeogh, Ian Curtis, Annie Womack, Andy Cain, Alan Blundell, Bernard Judge.
Members of the Public	Members of the public were in attendance

Prayers

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

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. No interests were declared.

25. Confirmation of Minutes

RESOLVED: To approve the minutes of the council meetings held on 18th and 25th July 2011 as a correct record for signature by the Mayor.

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26. Mayor's Announcements

The Mayor advised Council of various events that he had attended, including the very successful Proms weekend and Battle of Britain weekend on Lytham Green.

In the next few weeks he will be attending a Preston Judges service at the Minster and will attend a reception for the Archbishop of York at Blackburn Football Club.

There would be a presentation evening for the new Honorary Aldermen in the Town Hall on the 11th October and he expressed the hope that all councillors would attend.

The Mayor informed councillors that Freckleton and Elswick had received silver gilt in the Britain in Bloom awards and invited them to join him in extending congratulations on this wonderful achievement.

He also said that the Group photograph was available to order should any councillor wish to do so.

The Mayor asked that a minute's silence be observed in respect for the recent death of Honorary Alderman George Bamber.

27. Chief Executive's Communications

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

28. Questions from Members of the Council

The following question had been submitted by Cllr Kevin Eastham:

"Three or four years ago, a decision was made by the relevant portfolio holder to allow free weekend all day car parking for Lytham and St Annes Town Centre car parks during December.

Since then, a similar decision has been made each year at an estimated loss to Council income of £8,000 per annum.

I understand no evaluation has been made as to whether this exercise is worthwhile. Indeed, it could be argued that it results in less turnover of vehicles and actually encourages staff and shop workers to use the spaces for all day parking.

May I please have an explanation as to why we continue in this rather casual manner, without survey or research to justify our actions?

I further suggest that we discontinue the practice until such time as we have evidence of the cost effectiveness of the scheme."

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The Portfolio Holder for Customer and Operational Services, Cllr Pounder, responded. He felt that the cost did provide value for money, and said that the decision to endorse the scheme had not been taken casually, but was a positive decision each year, and that local traders actively requested it and supported it. He advised Cllr Eastham that a Task and Finish Group was to be appointed by the Policy Development Scrutiny Committee, to review the Council's Car Parking Strategy. This Group would consider all aspects of the strategy, including free parking in December. He suggested that Cllr Eastham might seek to have some input through this means.

29. Questions from members of the Public

There were no questions from members of the public.

30. Notice of Motion

Following notice given under rule 11 of the Council Procedure Rules, the following Motion was proposed by Cllr Elizabeth Oades and seconded by Cllr Linda Nulty.

"Would this Council agree that the Government's Draft Planning Policy Framework for Growth is abhorrent in its approach to future housing development and the impact it will have on our open countryside and will the Council agree to write to the Government voicing its strong concern about this Policy?"

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

Cllr Aitken suggested that an amendment to the motion should be made, which was to replace the word "abhorrent" with the words "of major concern", and that if Cllr Oades was willing to make such an amendment he would give the motion his full support.

Cllr Fiddler also supported the motion and suggested that just writing a letter did not go far enough, but that the council should also send a delegation to Westminster.

The mayor invited Cllr Oades to reread her Notice of Motion, to include the amendments proposed by Cllrs Aitken and Fiddler and she did so, the new amended motion now being:

"Would this Council agree that the Government's Draft Planning Policy Framework for Growth is of major concern in its approach to future housing development and the impact it will have on our open countryside and will the Council agree to write to the Government voicing its strong concern about this Policy and also send a delegation to Westminster to put forward the case on behalf of the Fylde."

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After the debate a vote was taken and the amended motion was carried unanimously.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

31. Constitution

Councillor John Singleton (Chairman of Audit Committee) explained that the council's constitution needed to be re-adopted by the council each year. The report to the Council in July this year contained some proposed amendments to the constitution that had not yet been considered by the Audit Committee. The Council referred some of those proposals back to the Audit Committee who had now considered them; and they had also considered some further proposed changes.

This report set out the proposed changes as endorsed by the Audit Committee and invited the Council to make the appropriate changes to the constitution.

Cllr Singleton moved the proposals which were seconded by Cllr Karen Buckley.

Two of the changes proposed were to the powers delegated to the Director of Strategic Development Services. This would now include an express power to agree the terms of section 106 agreements (also called planning obligations) on behalf of the council as local planning authority as well as the power to agree to requests to vary or modify agreements. The change inserts the following as delegations to the Director of Strategic Development Services:

5.28 Approving the terms of planning obligations under section 106 of the Town and Country Planning Act 1990

5.29 Agreeing the modification or discharge of planning obligations under section 106A of the Town and Country Planning Act 1990

Cllr Eastham recommended that this should be changed to be a delegation to the Director of Strategic Development Services in consultation with the Head of Governance and Cllr Singleton had no objection to that change.

After discussion the Council RESOLVED:

To agree to such of the changes to the constitution set out in the report as have been endorsed by the Audit Committee, to include the amended wording as proposed by Cllr Eastham.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

32. Updated Statement of Community Involvement

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Fylde Borough Council's Statement of Community Involvement (SCI) was adopted by the Council in July 2007. The SCI is out of date because there have been changes to planning legislation. These altered the consultation arrangements which had been set out in the Town and Country Planning (Local Development) (England) Regulations 2004. Since the July 2007 SCI sets out how the Council will meet the requirements of the 2004 Regulations, it is therefore out of date.

The SCI is also being amended to meet the Government's emerging localism agenda.

As outlined in the report, a scoping consultation had already been carried out in October 2010 asking the 985 members of the public and bodies on the Register of Consultees what should be included in an updated SCI. The 27 responses were used along with comments from the Development Management section to draft an updated SCI.

A further consultation on the draft updated SCI consultation had also been carried out. In April 2011 the 1,117 members of the public and bodies on the Register of Consultees were asked to comment on the final draft before it was finalised and adopted by the Council. The 16 responses have been considered in finalising the updated SCI.

The document was endorsed by the Local Development Framework Steering Group at its meeting on 1st August 2011. The Portfolio Holder, on the 18th August 2011 endorsed the document for adoption by full council and approved the preparation of a more user friendly summary of the updated SCI to assist people at the individual consultation events.

Cllr Fiddler moved the proposals, which were seconded by Cllr Ben Aitken.

After debate it was RESOLVED:

1. To adopt the Updated Statement of Community Involvement as per the Constitution agreed by the Council on 26th September 2011.
2. To note the intention to prepare in due course, a more user friendly summary of the Updated Statement of Community Involvement 2011, to assist people at the individual consultation events.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

33. Exclusion of the Public

Members were invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined in paragraph 1 and 2 of Schedule 12A of the Act.

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The Mayor also proposed the exclusion of all staff from the meeting for consideration of the next item. This was seconded by the Deputy Mayor.

An amendment was moved by Councillor Fazackerley (seconded by Councillor Buckley) to also exclude staff except for the Council's Strategic Human Resources Advisor, the Monitoring Officer and the Section 151 Officer.

A further amendment was moved by Councillor Oades (seconded by Councillor Nulty) to also exclude the members of staff referred to in Councillor Fazackerley's amendment after the item had been introduced but before the Member debate commenced.

The amendments were voted on in turn by a show of hands. The amendment proposed by Councillor Fazackerley was carried and became the substantive motion.

The Council RESOLVED:

To exclude members of the public.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

34. Appointment of Chief Executive

Members considered the recommendation from the Payroll Efficiencies Panel regarding the termination of the contract of the existing Chief Executive on the grounds of redundancy on the 31st December 2011 and the appointment of a new Head of Paid Service on the 1st January 2012. The officers except the Monitoring Officer, the Chief Finance Officer and the Strategic HR Advisor withdrew from the meeting during consideration of the item.

Councillors sought and received clarification from the remaining officers on a number of matters arising out of the report and subsequently RESOLVED:

1. To endorse the cabinet resolution to move from five to four senior managers of the corporate management team in order to make significant and on-going payroll efficiencies;
2. To endorse the assessment process undertaken on 8 September 2011 by the Payroll Efficiencies Panel which scored all candidates across a range of selection activities and produced conclusive results;
3. To appoint Allan Oldfield as Chief Executive and Head of Paid service from 1 January 2012;
4. To recommend that the current Chief Executive appoint Tracy Scholes as Director of Resources, Clare Platt as Director of Community Services and Paul Walker as Director of Strategic Development Services from 1 January 2012;

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5. That the basic annual salary scale (before employer's National Insurance and pension contributions) for the Chief Executive is amended from the range of £88,818 to £98,739 to a range of £83,394 to £93, 699 to reflect the current economic climate and consequent reduction in market salaries;
6. To accept the recommendation of the Payroll Efficiencies Panel to terminate the contract of the existing Chief Executive on the grounds of voluntary redundancy in order to allow the actions in the remainder of the resolution to take place;
7. To note that the redundancy payment to the outgoing Chief Executive will be calculated in accordance with the council's redundancy policy available to all staff in the authority.

(The Mayor indicated that he was satisfied that the matter was not controversial and dealt with the matter by a show of hands rather than by taking a recorded vote on it.)

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