



Meeting Agenda

**Policy & Service Review Scrutiny
Committee
Town Hall, Lytham St. Annes
14 December 2006, 7:00pm**

POLICY & SERVICE REVIEW SCRUTINY COMMITTEE MEMBERSHIP

CHAIRMAN

Raymond Norsworthy

VICE-CHAIRMAN

Martin Taylor

Councillors

Stephen Carpenter

Elizabeth Oades

Maxine Chew

Dawn Prestwich

Elizabeth Clarkson

Fabian Wilson

John Longstaff

Contact: Lyndsey Lacey, St. Annes (01253) 658504
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CORPORATE OBJECTIVES

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

CORE VALUES

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



A G E N D A

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>In accordance with the Council's Code of Conduct, members are 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.</i>	4
2. CONFIRMATION OF MINUTES: <i>To confirm as a correct record the Minutes of the Policy & Service Review Forum held on 23 October 2006.</i>	4
3. SUBSTITUTE MEMBERS: <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
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REPORT



REPORT OF	MEETING	DATE	ITEM NO
LEGAL SERVICES	POLICY AND SERVICE REVIEW SCRUTINY COMMITTEE	14 DEC 2006	4

DATA PROTECTION POLICY

Public item

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

Summary

Good practice dictates that the council ought to have a policy setting out how it complies with its obligations under the Data Protection Act 1998. The report sets out a draft report for consideration

Recommendation

1. Recommend that the cabinet adopt a data protection policy as set out in the draft attached to the report.

Cabinet brief

The item falls within the following Cabinet brief:

Corporate Performance and Development:

Councillor Sue Fazackerley

Report

1. The Data Protection Act 1998 imposes duties on persons who hold “personal data”, as defined in the act. “Personal data” includes many manual records as well as information held on computer systems. The act requires the council to comply with the eight data protection principles in dealing in any way with personal data.

2. Most organisations adopt and maintain an information or data protection policy setting out how it will comply with its obligations. Such a policy can serve to assist persons working in the organisation to know how they are expected to deal with personal data. It can also help provide assurance to external bodies that the council takes its obligations seriously and is complying with them.
3. A draft data protection policy is attached for members to consider. If the committee is happy with the draft, it should ask the cabinet to adopt it.

IMPLICATIONS	
Finance	None
Legal	Contained in the report
Community Safety	None
Human Rights and Equalities	The Data Protection Act is an important element in the protection of personal privacy.
Sustainability	None
Health & Safety and Risk Management	Having a useable policy will help the council to comply with its obligations and prove that it complies with them.

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis	(01253) 658506	30 November 2006	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Loughborough University data protection policy		www.loughborough.gov.uk
Information Commissioner's website		www.ico.gov.uk

Attached documents

Data protection policy



FYLDE BOROUGH COUNCIL

DATA PROTECTION POLICY

October 2006

Section 1: Policy Statement

Fylde Borough Council is committed to a policy of protecting the rights and privacy of individuals (includes customers, staff and others) in accordance with the Data Protection Act. The Council needs to process certain information about its staff, customers and other individuals it has dealings with for administrative purposes (e.g. to recruit and pay staff, to carry out its functions, and to comply with legal obligations). To comply with the law, information about individuals must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully.

The policy applies to all staff. It sets out what you need to do to help the council comply with its legal obligations. It does not repeat the whole of the law about data protection. You can get more detailed advice from the Head of Legal Services, who is the Council's lead officer for data protection.

As a matter of good practice, agencies and individuals working with the Council, and who have access to personal information, will be expected to have read and to comply with this policy. Units who deal with such external partners should ensure that they agree to abide by this policy.

Section 2: Background to the Data Protection Act 1998

The Data Protection Act 1998 is intended to protect the privacy of each individual. It applies to any person or body who holds certain information about living individuals. It sets out when and how such information can be collected, used and disclosed. Organisations or individuals can be prosecuted if they breach the Data Protection Act.

Section 3: Definitions (Data Protection Act 1998)

Personal Data

Any information relating to a living individual who can be identified from that information or from that data and other information in possession of the data controller. This includes expression of opinion about the individual, and of the intentions of the data controller in respect of that individual.

Sensitive Personal Data

Personal data that relates to racial or ethnic origin, political opinions, religious beliefs, trade union membership, health, sex life, criminal convictions. Sensitive personal data is subject to much stricter conditions of processing.

Data Controller

Any person (or organisation) who makes decisions with regard to particular personal data, including decisions regarding the purposes for which personal data is processed and the way in which it is processed. The Council is the data controller for the purposes of this policy

Data Subject

A person who is the subject of personal data.

Processing

Virtually anything that can be done to data, including accessing, altering and destroying it.

Third Party

Any individual/organisation other than the data subject, the data controller (the Council) or its agents.

Section 4: Responsibilities under the Data Protection Act

- The Council as a body corporate is the data controller under the Act.
- The Head of Legal Services is responsible for day-to-day data protection matters and for developing specific guidance notes on data protection issues for Council staff.
- The Senior Management Team (Chief Executive, Deputy Chief Executive, executive managers), and all those in managerial or supervisory roles are responsible for developing and encouraging good information handling practice within the Council.
- As a member of staff, if you process personal data must comply with the data protection legislation. You must also make sure that any personal data supplied to the Council is accurate and up-to-date.

Section 5: Registration

The Council has to register with the Information Commissioner as a body that holds personal data. The Head of Legal Services keeps the Council's registration up to date. Details of the Council's registration are published on the [Information Commissioner's website](#). The entry lists all of the purposes for which the council processes data. If you intend to process data for purposes not included in the Council's registration, you should seek advice from the Head of Legal Services.

Section 6: Data Protection Principles

You must only process personal data in accordance with the eight data protection principles. These are contained in the Data Protection Act and summarised here:

1. **Personal data shall be processed fairly and lawfully.**
Those responsible for processing personal data must make reasonable efforts to ensure that data subjects are informed of the identity of the data controller, the purpose(s) of the processing, any disclosures to third parties that are envisaged and an indication of the period for which the data will be kept.
2. **Personal data shall be obtained for specific and lawful purposes and not processed in a manner incompatible with those purposes.**
Data obtained for specified purposes must not be used for a purpose that differs from those.
3. **Personal data shall be adequate, relevant and not excessive in relation to the purpose for which it is held.**
Information which is not strictly necessary for the purpose for which it is obtained should not be collected. If data is given or obtained which is excessive for the purpose, it should be immediately deleted or destroyed.
4. **Personal data shall be accurate and, where necessary, kept up to date.**
Data which is kept for a long time must be reviewed and updated as necessary. No data should be kept unless it is reasonable to assume that they are accurate.
5. **Personal data shall be kept only for as long as necessary.** (see Section 12 on [Retention and Disposal of Data](#))
6. **Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act.** (see Section 7 on [Data Subjects Rights](#))
7. **Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of data.** (see Section 9 on [Security of Data](#))
8. **Personal data shall not be transferred to a country or a territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.**
Data must not be transferred outside of the European Economic Area (EEA) - the EU Member States together with Iceland, Liechtenstein and Norway - without the explicit consent of the individual. You should be particularly aware of this when publishing information on the Internet, which can be accessed from anywhere in the globe. This is because transfer includes placing data on a web site that can be accessed from outside the EEA.

Section 7: Data Subject Rights

Data Subjects have the following rights concerning personal data about them:

- To make subject access requests regarding the nature of information held and to whom it has been disclosed.
- To prevent processing likely to cause damage or distress.
- To prevent processing for purposes of direct marketing.
- To be informed about mechanics of automated decision taking process that will significantly affect them.
- Not to have significant decisions that will affect them taken solely by automated process.
- To sue for compensation if they suffer damage by any contravention of the Act.
- To take action to rectify, block, erase or destroy inaccurate data.
- To request the Commissioner to assess whether any provision of the Act has been contravened.

Section 8: Processing Personal Data

The Council can generally only collect use or disclose data if one of the conditions summarised in this section applies:

- It is necessary in connection with a contract with the data subject
- It is necessary so that the Council can comply with a legal obligation (except a contract)

- It is necessary to protect the vital interests of the data subject: that is, a medical emergency
- It is necessary for the administration of justice
- It is necessary to perform a statutory function
- It is necessary to perform a public function on the public interest
- It is necessary for the legitimate interests of the council or a third party to whom the data is disclosed – but this must be balanced against the legitimate interests of the data subject
- The data subject has given their active consent

If you are in any doubt about whether data can be processed in a particular way, get advice from your manager or the Head of Legal Services

Section 9: Security of Data

You must make sure that any personal data (on others) which you deal with is kept securely and is not disclosed to any unauthorised third party (see Section 11 on [Disclosure of Data](#) for more detail).

All personal data should be accessible only to those who need to use it. You should form a judgement based upon the nature of the information in question, but always consider keeping personal data:

- in a lockable room with controlled access, or
- in a locked drawer or filing cabinet, or
- if computerised, password protected, or
- on disks which are themselves kept securely.

Take care that PCs and terminals are not visible except to authorised staff and that computer passwords are kept confidential. Do not leave PC screens unattended without password protected screen-savers. Don't leave manual records where they can be seen by unauthorised personnel.

Put appropriate security measures in place for deleting or disposing of personal data. Shred manual records or dispose of them as "confidential waste". Wipe clean or destroy hard drives of redundant PCs before disposal.

This policy also applies to staff who process personal data "off-site". Off-site processing presents a potentially greater risk of loss, theft or damage to personal data. Take particular care when processing personal data at home or in other locations outside the Council's offices.

Section 10: Rights of Access to Data

Data subjects can request access any personal data about which the Council holds about them. If you receive a request, you should ask for it to be put in writing and either:

- refer the request to the Head of Legal Services, or
- if the request is specific to information that you control, disclose it (but only after making sure that the person requesting it is the data subject)

The Council reserves the right to charge a fee for data subject access requests (currently £10). Any such request must be complied with within 40 days of receipt of the written request and, where appropriate, the fee. There are some exemptions to the right to access personal data. If you feel that an exemption may apply, contact the Head of Legal Services.

The right to request access applies to any personal data held about a person. However, if the data is not kept or ordered by reference to individuals, the data subject would normally have to say what data they wish to see. The Council could refuse the request if complying with it exceeds a cost limit set by government.

Section 11: Disclosure of Data

The Council must ensure that personal data is not disclosed to unauthorised third parties which includes family members, friends, government bodies, and in certain circumstances, the Police. You should exercise caution when asked to disclose personal data held on another individual to a third party. For instance, it would usually be appropriate to disclose a colleague's work contact details in response to an enquiry regarding a particular function for which they are responsible. However, it would not usually be appropriate to disclose a colleague's work details to someone who wished to contact them regarding a non-work related matter. Nor would it be appropriate to give home contact information. The important thing to bear in mind is

whether or not disclosure of the information is relevant to, and necessary for, the conduct of Council business. Best practice, however, would be to take the contact details of the person making the enquiry and pass them onto the member of staff concerned.

As well as the conditions listed in [section 8](#), there are some other specific instances where disclosure to a third party is allowed. These concern national security, crime and taxation and regulatory activity. If any issue arises about these, or if in doubt, ask for advice from your executive manager or the Head of Legal Services.

There are some other exemptions not listed here which would be unlikely ever to arise.

Section 12: Retention and Disposal of Data

The Council discourages the retention of personal data for longer than they are required. It is good practice to have a system of reviewing data at pre-determined intervals to make sure that it is still needed for one of the purposes it was collected for. If it is not, it should be deleted. We cannot keep personal data just in case it may be useful in the future.

Guidelines for data about staff are set out below. Units should develop similar short practice notes about data retention in their own fields of activity.

Staff

Considerable amounts of data are collected on current staff. However, once a member of staff has left the Council, it will not be necessary to retain all the information held on them. Some data will be kept for longer periods than others. In general, electronic staff records containing information about individual members of staff are kept indefinitely and information would typically include name and address, positions held, leaving salary. Other information relating to individual members of staff will be kept by the Personnel Department for 6 years from the end of employment. Information relating to Income Tax, Statutory Maternity Pay etc will be retained for the statutory time period (between 3 and 6 years).

Units should regularly review the personal files of individual staff members.

Information relating to unsuccessful applicants in connection with recruitment to a post must be kept for 12 months from the interview date. Human Resources may keep a record of names of individuals that have applied for, be short-listed, or interviewed, for posts indefinitely. This is to aid management of the recruitment process.

Disposal of Records

You must only dispose of personal data of in a way that protects the rights and privacy of data subjects (e.g., shredding, disposal as confidential waste, secure electronic deletion).

Section 13: Direct Marketing

Any unit that uses personal data for direct marketing purposes must inform data subjects of this at the time of collection of the data. Individuals must be provided with the opportunity to object to the use of their data for direct marketing purposes (e.g. an opt-out box on a form).

REPORT



REPORT OF	MEETING	DATE	ITEM NO
LEGAL SERVICES	POLICY & SERVICE REVIEW SCRUTINY	14 DEC 2006	5

LOWTHER GARDENS CHARITABLE TRUST

Public item

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

Summary

The committee asked for a further report on how any decision whether the council should remain as sole trustee of Lowther Gardens may affect rates relief and potential grant income.

It appears that there would be little or no effect. Councillors will be able consider the trusteeship without concern about financial impacts from these matters.

Recommendations

1. Note the report.
2. Report to cabinet that the eventual decision about whether the council continues as sole trustee of the Gardens will not impact significantly on rate relief or potential grant income.

Cabinet portfolio

The item falls within the following cabinet portfolio:

Culture & Tourism: Councillor Simon Renwick

Report

1. On 30 August I reported to the committee about progress on registering Lowther Gardens as a charitable trust, following advice received from Counsel and discussions with the Charity Commission. The report also explored options for how Lowther Gardens might be administered following registration.
2. One item flagged up for consideration was whether the council should continue as the sole trustee or whether it should seek to appoint other trustees, either instead of or as well as the council. The previous report can be accessed at www.fylde.gov.uk/Documents/2006-08-30%20Policy%20&%20Service%20Review%20agenda.pdf.
3. The committee resolved to recommend to Cabinet that the finalisation of the registration of the trust be undertaken as soon as possible and that a further report be presented to committee in three months detailing how the various options would impact on rate relief and the ability to attract grants
4. By the date of this meeting, the council will have completed the registration formalities. The council is, for the present, the only trustee. Talks will shortly begin with the Charity Commission about how to modernise the terms of the trust.
5. Mandatory rate relief of 80% is available for occupied hereditaments where the occupier is a charity or trustees for a charity and the hereditament is used wholly or mainly for charitable purposes. For the purpose of mandatory rate relief it will not therefore matter whether the council remains a trustee, with or without others. The test for discretionary rate relief is identical. The business rates for Lowther are presently £5,651 per year.
6. A desktop study of potential sources of grant-funding shows similarly neutral results. A number of the smaller grants for projects involving community spaces or conservation projects can only be awarded to community or voluntary groups. On the other hand, most of the larger awards need to have local authority involvement, either as a partner or leading a bid. The following information is illustrative only:

Name of grant-awarding body	Range (£)	Eligible bodies
Action Earth	Up to 50	Local voluntary and community groups
Awards for All	300 to 10,000	Not-for-profit group, parish or town council, school or health body
Breathing Places	300 to 10,000	Voluntary and community organisations, parish and town councils
Heritage Grants	Up to 50,000	Constituted non-for profit groups
Landscape Partnerships	250,000 to 2 million	Formal or informal partnerships led by a not-for-profit group (usually a local authority or an Area of Outstanding Beauty delivery board)
Parks for People	250,000 to 5	Constituted non-for profit groups

	million	
Townscape Heritage Initiative	250,000 to 2 million	Formal or informal partnerships led by a not-for-profit group (usually a local authority)
Children's Play Programme	200,000 for Fylde	Only local authorities can apply

Members should note that this information does not show what funding is or may be available for the development of Lowther Gardens. It is only provided to illustrate how various grant schemes differentiate between kinds of potential recipients.

IMPLICATIONS	
Finance	Covered in the report
Legal	With Lowther registered as a trust, the council will need to administer Lowther separately and for the purposes of the trust, whether or not it remains as a trustee.
Community Safety	No implications
Human Rights and Equalities	No implications
Sustainability	No implications
Health & Safety and Risk Management	No implications

REPORT AUTHOR	TEL	DATE	DOC ID
Ian Curtis	(01253) 658506	8 November 2006	

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

REPORT



REPORT OF	MEETING	DATE	ITEM NO
CONSUMER WELLBEING & PROTECTION	POLICY AND SERVICE REVIEW SCRUTINY COMMITTEE	14 DECEMBER 2006	6

DISCRETIONARY ADDITIONAL LICENSING OF HOUSES IN MULTIPLE OCCUPATION

Public Item

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

Summary

The government has introduced a mandatory scheme for licensing certain types of Houses in Multiple Occupation (HMO). Many other properties which do not fall within that definition may still be classed as HMO. This report is to advise members of the possibilities, impact, and resource requirement of the introduction of a discretionary licensing scheme to cover properties which do not fall to be licensed under the mandatory scheme. This would initially affect Central Ward, with the potential for other wards in the future.

Recommendations

That the committee considers the costs and benefits of introducing a discretionary HMO licensing scheme, initially in the Central Ward, and recommends a course of action to Cabinet.

Cabinet Portfolio

The item falls within the following Cabinet portfolio:

Portfolio Title: Community and Social Wellbeing

Councillor Fieldhouse

Report

1. The Housing Act 2004 introduced a mandatory licensing scheme for certain types of HMO. The mandatory scheme will apply only to a limited number of HMOs that are at least 3 storeys high and in which there are shared facilities. It is estimated that there are no more than 30 such HMOs in the borough.
2. The Housing Act 2004 also gives the power to a Local Authority to designate the whole or a part of its area as subject to additional licensing to a particular description of HMO. The council must be satisfied that a significant proportion of the particular HMOs in the area are being badly managed so as to give rise to particular problems to the occupants or members of the public.
3. The types of problems could include inadequate tenancy management, harassment of tenants, non-compliance with management regulations, anti social behaviour of occupants, neighbourhood nuisance from the occupants etc. The Council should also be satisfied that a licensing scheme would enable it to address the existing problems.
4. Before making a designation the Council must consult people likely to be affected such as landlords, tenants and the wider public in the area. Any representations made must be properly considered.
5. A designation of an area as subject to additional licensing cannot be made without the approval of the secretary of state. Before issuing approval the Secretary of State will no doubt require a robust level of proof of the above.
6. The use of licensing can require that a 'fit and proper person' is managing the HMO and that satisfactory management arrangements are in place for the property. It would therefore be a useful means of dealing with identified problems that may come from the use of HMOs in the area.
7. Whilst additional licensing may be able to provide a useful tool to improve the housing and related conditions in an area there are a number of practical issues to be resolved before attempting to introduce a scheme.
 - (a) It is estimated that there were about 500 HMOs in the Council area, a large proportion of which are situated within Central Ward. The revised definition of a HMO, as provided in the new legislation, has complicated the assessment of actual numbers of HMOs. Reference now needs to be made to the Building Regulations of 1991 to determine whether a property is actually a HMO. Physical inspections of a large number of properties in the area will be required.
 - (b) Information will need to be gathered from a variety of sources to determine the anti-social and other problems in the area and to apportion the source of those problems. Once apportioned a significant proportion of the problems will need to arise from HMOs to enable the scheme to progress.
 - (c) The proposals to introduce a scheme, together with the supporting information above, will need to be presented in a consultation exercise to relevant parties in the area.

(d) Approval must then be sought from the Secretary of State with submission of the evidence obtained.

8. The preparation for the introduction of a discretionary licensing scheme will be extensive and labour intensive. It would not be possible to carry out the required amount of work to prepare for such a scheme with the current staffing resources available within the Housing Services team. If resources were provided, the use of Central Ward as a pilot area would provide useful preparation for a more widespread use of licensing into other areas of the Council.
9. If a scheme is introduced, the Council has the power to make reasonable charges for the processing and issuing of licences. This can include the costs of any inspections required during the licensing process. The charges cannot include any of the preparatory costs associated with the development of the scheme.

IMPLICATIONS	
Finance	None
Legal	If the council decides to introduce a discretionary licensing scheme, it will need to commit the appropriate resources to administering and enforcing it
Community Safety	None
Human Rights and Equalities	None
Sustainability	None
Health & Safety and Risk Management	None

Report Author	Tel	Date	Doc ID
John Cottam	(01253) 658690	4 December 06	Discretionary HMO Report

List of Background Papers		
Name of document	Date	Where available for inspection
Document name		Council office or website address

Attached documents

1. Draft Terms of Reference for a review

Draft Scoping Document – Discretionary Licensing of HMOs

Review Topic (name of Review)	Investigation of discretionary licensing of Houses in Multiple Occupation (HMO) in Central Ward
Lead Member Review Group (Cllrs involved)	To be agreed – however, it is felt that if it is adopted, this should be a cross-cutting review with the involvement of both PSRSC and COSC members
Officer Support (Scrutiny Review Officer lead)	Annie Womack John Cottam
Rationale (key issues and/ or reason for doing the Review)	<p>Central Ward has been identified as the most deprived ward in the borough. There is a relatively large concentration of HMO type properties in the ward. The new mandatory licensing requirements of the Housing Act 2004 will only be applicable to a small number of HMO's.</p> <p>The ward councillors have concerns about the housing conditions in the ward and in particular in relation to the HMO's in the ward and believe that discretionary licensing on HMO's will help to improve those conditions. The use of discretionary licensing should also contribute to the improvement in the levels of anti-social and nuisance behaviour in the area.</p>
Purpose of Review/Objective (specify exactly what the Review should achieve)	The purpose of the report to the scrutiny committee is to investigate the potential for the introduction of a discretionary licensing scheme. The investigation should examine the likely benefits of the scheme and the resources required to implement it.
Indicators of Success (what factors would tell you what a good Review should look like)	If the feasibility study recommends the introduction of a discretionary licensing scheme the measures would include: the numbers of HMO's licensed, the numbers improved because of licensing, the reduction of anti-social behaviour, the prevention of homelessness etc.
Methodology/ Approach (what types of enquiry will be used to gather evidence and why)	Site visits to inspect houses in central ward will be required to determine the number and type of houses in flats and to determine whether they are actually HMO's. Evidence will be gathered on the problems in the area associated with the HMO's including homeless statistics, reports of anti-social behaviour from partner organisations, criminal activity. Consultation will be required with landlords, tenants and the wider community.

Specify Witnesses/ Experts (who to see and when)	To be confirmed
Specify Evidence Sources for Documents (which to look at)	To be confirmed
Specify Site Visits (where and when)	To many individual properties in central ward.
Specify Evidence Sources for Views of Stakeholders (consultation/ workshops/ focus groups/ public meetings)	Detailed consultation needed with landlords, tenants and the public.
Publicity requirements (what is needed – fliers, leaflets, radio broadcast, press-release, etc.)	To be agreed
Resource requirements • Person-days • Expenditure	Significant staff time needed to develop the scheme prior to submission to government offices for approval. The task will not be possible within current resources. Time required following introduction-free income would off set some of this cost.
Barriers/ dangers/ risks (identify any weaknesses and potential pitfalls)	This will not be a cost-neutral exercise. Expenditure must be made before the potential evidence to support a discretionary HMO can be researched.

Projected start date	TBC	Draft Report Deadline	TBC
Meeting Frequency	TBC	Projected completion date	TBC

REPORT



REPORT OF	MEETING	DATE	ITEM NO
DEMOCRATIC SERVICES AND MEMBER SUPPORT	POLICY AND SERVICE REVIEW SCRUTINY COMMITTEE	14 DECEMBER 2006	7

CHAIRMANS REPORT ON PREVIOUS RECOMMENDATIONS

Public Item

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

Summary

Scrutiny Management Board have agreed a process by which the recommendations made by scrutiny committees are recorded and tracked. The tracking document is appended to this report, for information.

Recommendation

1. To note the Policy and Service Review Scrutiny Committee Implementation Tracking Document.

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability	None

Health & Safety and Risk Management	None
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Report Author	Tel	Date	Doc ID
Christopher Kitchen	(01253) 658491	1 December 2006	

List of Background Papers		
Name of document	Date	Where available for inspection
Chairman's Report	1 December, 2006	www.fylde.gov.uk

POLICY & SERVICE REVIEW SCRUTINY COMMITTEE - IMPLEMENTATION TRACKING

Date of meeting	Item	Recommendation Requiring Action	Action to be taken	Responsible Officer/Member/ Committee	Outcome and date signed off
18 May 2006	Housing Services Improvement Plan	None - report was noted	N/A	N/A	18 May 2006
18 May 2006	Final report of the public convenience task & finish group	(1) Recommendation to Cabinet that services are operated at 10 named locations	Monitor cabinet decisions Comments:	Cllr Norsworthy/ Annie Womack	<i>Accepted by Cabinet on 13th July 2006</i>
		(2) To ask Portfolio holder to respond to the letter received from St Annes Town Council on the lines agreed at the meeting	To record that a copy of the letter has been received Comments:	Cllr Norsworthy	<i>Letter sent, including offer re North Promenade Toilets. No response from St Annes T C .</i>
		(3) To enter into dialogue with the relevant town/parish councils and bowling clubs re future use of disused facilities	To require progress report from responsible officer Comments: No target date set	Cllr Norsworthy/ Jamie Dixon	<i>Progress received at PSRSC on 30th August 2006</i>
		(4) Request for further report on financial aspects of the proposal	Portfolio Holder to report back to September 06 scrutiny committee meeting Comments: Target date September	Cllr Tim Ashton/ Cllr Norsworthy/ Jamie Dixon	<i>Progress received at PSRSC on 30th August 2006</i>
18 May 2006	Future management of indoor sports/swimming service	Task & finish group appointed - Cllrs Norsworthy, Oades and D Prestwich to look at the basis of the consult-ation exercise	Task & finish group to report back to a special meeting of the committee in September Comments: Target date September	Cllrs Norsworthy, Oades & Prestwich	<i>TFG completed task and reported back to PSRSC on 30th August 2006</i>
13 July 2006	Gambling Act 2005	Portfolio Holder requested to keep the level of resource required under review	Committee to enquire of Cllr Fieldhouse / Stuart Handley whether such review is ongoing Comments: This is not a formal recommendation – however, committee may wish to	PSRSC	

POLICY & SERVICE REVIEW SCRUTINY COMMITTEE - IMPLEMENTATION TRACKING

Date of meeting	Item	Recommendation Requiring Action	Action to be taken	Responsible Officer/Member/ Committee	Outcome and date signed off
			revisit in perhaps 6 months time.		
13 July 2006	Houses in multiple occupation (HMO) Licensing Policy	To delegate to Exec Manager and Portfolio Holder any amendments that may need to be made to the policy (eg discretionary powers)	Cllr Fieldhouse to keep issue of "properties of concern" under review; also to consider what level of member involvement in the licensing process is appropriate Comments: To be included on PSRSC workplan for July 07	Cllr Fieldhouse / Stuart Handley Annie Womack	
13 July 2006	Electronic service delivery and customer transaction policy	To ensure that any matter laid before the committee incorporates the requirement to provide and promote electronic means of service delivery	Amend relevant documents Comments:	Annie Womack	<i>Sept 06 – requirement is a standing item on the issues sheet for every committee</i>
30 August 2006	Future Management of Indoor Sports/Swimming services at Fylde	(1) Subject to a full building survey being undertaken of the pools to determine refurbishment costs, consideration be given to both Option 2 (retain in house and invest in new/ existing facilities) and Option 4 (externalise via part repairing lease with an option to invest in new/ existing facilities)	To recommend to Cabinet that consideration be given to both option 2 & 4. Comments:	Paul Norris/Cllr Norsworthy	<i>Recommended /accepted to/by Cabinet on 13th September 2006</i>
		(2) To ensure appropriate budget provision to enable the above to be carried out.	To ensure appropriate budget provisions. Comments:	Paul Norris/Cllr Norsworthy	<i>Recommended /accepted to/by Cabinet on 13th September 2006</i>
		(3) That on receipt of the building survey	Organise the Building Survey results	Paul Norris/Cllr	

POLICY & SERVICE REVIEW SCRUTINY COMMITTEE - IMPLEMENTATION TRACKING

Date of meeting	Item	Recommendation Requiring Action	Action to be taken	Responsible Officer/Member/Committee	Outcome and date signed off
		results referred to, a site visit of the facilities is organised for the Policy and Service Review Scrutiny Committee membership.	for the Committee Comments:	Norsworthy	
30 August 2006	Lowther Gardens Charitable Trust	(1) The finalisation of the registration of the trust be undertaken as soon as possible	To present the recommendation to Cabinet. Comments:	Cllr Norsworthy/Ian Curtis	
		(2) A further report be presented to Committee in three months detailing options & impact on rate relief and the ability to attract grants.	To provide a new report in November Comments: Due to go to committee in December	Ian Curtis AW to add to work plan	
30 August 2006	Public Conveniences Provision	To recommend support of the contractual arrangements as outlined in the report	To track progress Comments: <i>Needs checking with Cllr Rigby</i>	Cllr Norsworthy/Dave Jenkinson	.
30 August 2006	Review of Council Assets	(1) To establish a working group comprising the Chairman and Vice-Chairman of Committee together with Councillors Thompson, Oades and Chew..	N/A - Working Group appointed at committee Comments:		August 06
		(2) To recommend that the forward planning and regeneration business manager considers the employment of a temporary surveyor to assist with the breakdown of the four categories.	To commence work according to the published Terms of Reference once resources for valuation are available Comments:	T&F Group	

POLICY & SERVICE REVIEW SCRUTINY COMMITTEE - IMPLEMENTATION TRACKING

Date of meeting	Item	Recommendation Requiring Action	Action to be taken	Responsible Officer/Member/Committee	Outcome and date signed off
23 October 2006	Child Protection Policy	To recommend to Council the adoption and implementation of the Child Protection Policy.	Review minutes from November Cabinet meeting	Cllr Taylor/Annie Womack	
		To recommend that the Portfolio Holder (Corporate Performance and Development) be responsible for all matters concerning child protection issues relating to the Council.	Make recommendations to the Portfolio Holder Comments:	Paul Norris	
23 October 2006	Corporate Equality Policy	To Support the draft Equality Policy incorporating the Council's Race Equality Scheme.	N/A	Lorraine Charlesworth	October 06
		To support the Council's commitment to achieving the Local Government Standard	N/A	Lorraine Charlesworth	October 06
		To support the action plan and the timetable for achieving the Local government Equality Standard as outlined in the report.	N/A	Lorraine Charlesworth	October 06
		To monitor progress through the Performance Improvement Scrutiny Committee.	Monitor the progress of the Equality Policy. Comments: Update to be brought to the committee in the New Year	Lorraine Charlesworth	
23 October 2006	Corporate Objectives Review	To support the conclusion that there was no requirement at this time to make changes to the high level corporate objectives at Fylde.	N/A	Allan Oldfield	October 06

POLICY & SERVICE REVIEW SCRUTINY COMMITTEE - IMPLEMENTATION TRACKING

Date of meeting	Item	Recommendation Requiring Action	Action to be taken	Responsible Officer/Member/Committee	Outcome and date signed off
		To make any appropriate recommendations to officer and/or Portfolio Holders to ensure emerging issues are monitored or addressed including all aspects of communications as outlined at the meeting.	Make appropriate recommendations to officer and/or Portfolio Holders to ensure emerging issues are monitored or addressed including all aspects of communications	Allan Oldfield	

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