

Council Meeting



Date	23 January 2012
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, Susan Ashton, 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, David Eaves JP, Susan Fazackerley, Trevor Fiddler, Tony Ford JP, Gail Goodman JP, Nigel Goodrich, Kathleen Harper, Paul Hayhurst, Paul Hodgson, Ken Hopwood, Angela Jacques, Cheryl Little, Kiran Mulholland, Edward Nash, Linda Nulty, Elizabeth Oades, Albert Pounder, Dawn Prestwich, Richard Redcliffe, Louis Rigby, John Singleton JP, Elaine Silverwood, Heather Speak, Thomas Threlfall, Viv Willder, Peter Wood.</p>
Officers	Allan Oldfield, Paul O'Donoghue, Clare Platt, Tracy Scholes, Paul Walker, Ian Curtis, Paul Swindells, 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.

51. 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.

52. Confirmation of Minutes

RESOLVED: To approve the minutes of the council meeting held on 28 November 2012 as a correct record for signature by the Mayor.

53. Mayor's Announcements

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The Mayor advised that since the last full Council meeting, he and the Mayoress had attended numerous carol services and two excellent pantomimes.

The Mayor was the guest speaker at Lytham Rotary Club and also attended Kirkham Rotary Club's charter night at Blackpool Football club.

The Mayor informed councillors that the Mayoral Charity Ball will be held at The Villa, Wrea Green on Friday 9 March 2012 at 7pm, dress code is formal. Tickets are £35 and are available from the Mayor's Secretary but be aware they are selling fast.

54. Chief Executive's Communications

Mr Oldfield informed members that there will be a special council on the 12th March 2012 for a single item, which will be the Local Development Order for the Enterprise Zone in Warton.

55. Questions from Members of the Council

The following question had been submitted by Cllr Elizabeth Oades:

"Would the Portfolio Holder agree with me that this Council needs to request the Government to urgently review the laws relating to Traveller Sites to enable Councils to determine applications in a timely, thorough and efficient manner to ensure that disputes are settled within a set period of time?"

"Would he further agree that this Council should write to the Local Government Association and any other District Council body requesting them to support this Council's request?"

The Portfolio Holder for Planning and Development, Cllr Trevor Fiddler responded and agreed that it was in the interests of the council to write to various bodies as suggested by Cllr Oades.

56. Questions from members of the Public

There were no questions from members of the public.

57. Invitation to Accept Appointment as Mayor 2012/13

It was moved by Councillor Elizabeth Oades and seconded by Councillor Linda Nulty and RESOLVED: That Councillor Heather Speak be invited to accept election by the Council at the 2012 Annual Meeting as Mayor of the Borough of Fylde for the ensuing municipal year.

(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.)

58. Fylde Borough Council Schedule of Meetings

Councillor Cheryl Little, Portfolio Holder for Social Wellbeing moved that the schedule be approved, with minor amendments as follows:

Policy Development Scrutiny Committee should be changed from September 12th to September 13th; and

Development Management should be changed from September 13th to September 12th.

Councillor Albert Pounder seconded the proposal and it was RESOLVED to approve the proposed schedule of meetings for 2012/13.

(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.)

59. Section 151 Officer and Deputy

Councillor Karen Buckley, Portfolio Holder for Finance and Resources, introduced this report which sought approval to appoint Paul O'Donoghue as Section 151 Officer. It was proposed that Paul O'Donoghue should replace Joanna Scott as the officer responsible for the administration of the council's financial affairs. Paul Swindells, qualified accountant within the Finance Team, would become the Deputy Section 151 Officer.

This change was proposed as part of the payroll efficiency measures to bring about savings required in the current MTFS forecast.

Although Preston City Council will no longer fulfil the statutory Section 151 Officer role, the contractual relationship will continue with Preston through the provision of professional advice, support, and capacity where required to complement the expertise and knowledge of the in-house team.

The responsibility and risks associated with the delivery of the finance function will be provided in house.

Cllr Buckley moved the proposal which was seconded by Cllr David Eaves.

After debate it was RESOLVED:

1. That Mr O'Donoghue should be appointed as the officer responsible for the administration of the Council's financial affairs under Section 151 of the Local Government Act 1972 with immediate effect.
2. That Mr Swindells should be appointed Deputy Section 151 Officer with immediate effect.

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3. That thanks are recorded to both Mrs Scott and Mr Hayes of Preston City Council for their fulfilment of these roles to the highest standard and setting a strong foundation for the Council going forward.

(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.)

60. Nominations to Outside Bodies

The council makes a number of appointments to outside bodies, which are confirmed in July each year by the council.

Since the annual confirmation of appointments this year two additional outside bodies had come into existence and these were considered at the Council meeting held in November 2011. The item had been deferred to allow further consideration.

Councillor Eaves put forward nominations to fill four of the six positions for the 3 Tier Forum; and also made a nomination to represent the council on the Lancashire Health and Wellbeing Board. He stated that this would leave a vacancy on the LCC Health Scrutiny committee and proposed that Cllr Ackers should be appointed to the vacancy. These proposals were seconded by Cllr Pounder.

It was noted by Cllr Mulholland that the appointment of a member to the LCC scrutiny committee was not on the agenda, and he asked whether it should therefore be deferred. After taking advice, the Mayor ruled that the need for the appointment arose directly from the appointment proposed to the Lancashire Health and Wellbeing Board and was therefore appropriate to be dealt with.

After a show of hands it was RESOLVED:

- 1 To include the matter in the debate at this meeting.

Cllr Oades put forward nominations to fill the two remaining positions on the 3 Tier Forum, seconded by Cllr Nulty.

After the debate and by a two separate votes on the nominations it was RESOLVED:

- 1 That the council confirms appointments to outside bodies as set out below.
 - Cllrs Chedd, Duffy, Eaves, Fazackerley, Goodrich and Redcliffe to represent the council on the 3 Tier Forum; and
 - Cllr Little to represent the council on the Lancashire Health and Wellbeing Board.

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

The issue of the appointment of a member to the vacancy on the scrutiny committee was discussed separately.

After the debate and a recorded vote it was RESOLVED:

- 1 That Cllr Ackers should replace Cllr Little on the LCC Health Scrutiny Committee.

Votes for the proposal (28): Cllrs Ackers, Aitken, Akeroyd, Andrews, Armit, S Ashton, T Ashton, Buckley, Cox, Craig-Wilson, Cunningham, L Davies, Donaldson, Eaves, Fazackerley, Fiddler, Goodman, Goodrich, Jacques, Little, Nash, Pounder, Prestwich, Redcliffe, Singleton, Threlfall, Willder, Wood.

Votes against the proposal (19): Cllrs Beckett, Brickles, Chedd, Chew, Clayton, Collins, J Davies, Duffy, Ford, Harper, Hayhurst, Hopwood, Hodgson, Mulholland, Nulty, Oades, Rigby, Silverwood, Speak.

Abstentions (2): Cllrs Eastham, H Henshaw.

61. Transfer of Assets to Kirkham Town Council

This report provided an update on the discussions held by the cross party working group into the transfer of open space assets to Kirkham Town Council, and the recommendations arising from the group, identifying the budgetary implications as required. It gave the council details about the process for taking forward the “in principle” agreement already given to the transfer of assets. The recommendations were proposed by Cllr Susan Fazackerley, Portfolio Holder for Leisure and Culture, and seconded by Cllr Karen Buckley.

After discussion and a recorded vote the Council RESOLVED:

- 1 That no open space assets will be re-classed as strategic assets with maintenance costs charged across the whole Borough;
- 2 The open space assets in Kirkham are transferred into the ownership of Kirkham Town Council from 1 April 2012, as detailed in option 2 of Appendix A; and
- 3 The capital investment previously agreed in principle by Cabinet is approved as a capital grant to Kirkham Town Council following transfer, to a maximum of £110,000, to be financed from the first call of the revenue saving generated in respect of the costs saved in transferring maintenance responsibility of the assets to the Town Council.

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Votes for the proposal (43): Cllrs Ackers, Aitken, Akeroyd, Andrews, Armit, S Ashton, T Ashton, Beckett, Brickles, Buckley, Chedd, Chew, Clayton, Collins, Cox, Craig-Wilson, Cunningham, L Davies, Donaldson, Duffy, Eastham, Eaves, Fazackerley, Fiddler, Goodman, Goodrich, Hodgson, Hopwood, Jacques, Little, Mulholland, Nash, Oades, Pounder, Prestwich, Redcliffe, Rigby, Silverwood, Singleton, Speak, Threlfall, Willder, Wood.

Votes against the proposal (2): Cllrs J Davies, Hayhurst.

Abstentions (4): Cllrs Ford, Harper, H Henshaw, Nulty

During the course of the debate on the substantive motion Cllr Linda Nulty had proposed an amendment, seconded by Cllr Alan Clayton:

“That discussions are opened with a view to at least part of this windfall, and ongoing annual savings, generated from this proposal being ringfenced to fund open space and/or play area development work (yet to be determined) in the rural area of Fylde. Also to consider reducing the amounts paid for playground maintenance by each parish from this same funding.”

After the debate and a recorded vote the amendment was lost.

Votes for the amendment (7): Cllrs Beckett, Chew, Clayton, Collins, Hayhurst, Nulty, Speak.

Votes against the amendment (37): Cllrs Ackers, Aitken, Akeroyd, Andrews, Armit, S Ashton, T Ashton, Brickles, Buckley, Cox, Craig-Wilson, Cunningham, J Davies, L Davies, Donaldson, Duffy, Eastham, Eaves, Fazackerley, Fiddler, Goodman, Goodrich, Hopwood, Jacques, Little, Mulholland, Nash, Oades, Pounder, Prestwich, Redcliffe, Rigby, Silverwood, Singleton, Threlfall, Willder, Wood.

Abstentions (5): Cllrs Chedd, Ford, Harper, H Henshaw, Hodgson

A second amendment had also been proposed by Cllr Paul Hayhurst, seconded by Cllr Linda Nulty:

“In view of the 4.99% increase in Council Tax in the rural areas that playground maintenance charges are waived.”

After the debate and a recorded vote the amendment was lost.

Votes for the amendment (13): Cllrs Beckett, Brickles, Chedd, Chew, Clayton, Collins, J Davies, Harper, Hayhurst, Hopwood, Hodgson, Nulty, Speak.

Votes against the amendment (34): Cllrs Ackers, Aitken, Akeroyd, Andrews, Armit, S Ashton, T Ashton, Buckley, Cox, Craig-Wilson, Cunningham, L Davies, Donaldson, Duffy, Eastham, Eaves, Fazackerley, Fiddler, Goodman, Goodrich, Jacques, Little, Mulholland, Nash, Oades, Pounder, Prestwich, Redcliffe, Rigby, Silverwood, Singleton, Threlfall, Willder, Wood.

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Abstentions (2): Cllrs Ford, H Henshaw

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