

## Policy Development Scrutiny Committee



Date	6 January 2011
Venue	Town Hall, St Annes
Committee members	Councillor Fabian Craig-Wilson (Chairman) Councillor Kiran Mulholland (Vice-Chairman)  Brenda Ackers, Ben Aitken, Frank Andrews, Christine Akeroyd, John Davies, Leonard Davies, Kevin Eastham, Tony Ford, Craig Halewood, Paul Hayhurst, Karen Henshaw JP, Dawn Prestwich, Elaine Silverwood
Other Councillors	Sue Fazackerley; Cheryl Little
Officers	Joanna Scott, Clare Platt, Christine Miller, Annie Womack
Others	Jennifer Cross of X Associates; members of the public

### Public Platform

A member of the public had expressed a wish to speak to the committee on item 5 – Transfer of Assets to Town and Parish Councils. He explained that he had made a formal objection to the Asset Transfer Notice, and spoke against the transfer, stating his opinion that it was not good value for taxpayers.

#### 1. Declarations of interest

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

Councillors Christine Akeroyd and Tony Ford declared a personal interest in item 5, as St Annes Town Councillors; Councillor Elaine Silverwood declared an interest in item 5, as a Kirkham Town Councillor; Councillor Karen Henshaw JP declared an interest in item 5 as a Friend of the Park.

#### 2. Confirmation of minutes

RESOLVED: To approve the minutes of the Policy Development Scrutiny Committee meeting held on 9 December 2010 as a correct record for signature by the chairman.

3. Substitute members

The following substitutions were reported under council procedure rule 22.3:

Councillor Tony Ford for Councillor David Chedd

Councillor Christine Akeroyd for Councillor George Caldwell

Councillor Dawn Prestwich for Councillor Patricia Fieldhouse

Councillor Paul Hayhurst for Councillor Elizabeth Oades

Councillor Kevin Eastham for Councillor Heather Speak

4. Substance Misuse in Fylde – an Overview

This report was introduced by Councillor Cheryl Little, Portfolio Holder for Social Wellbeing.

She explained that the topic had arisen at a previous meeting of the Scrutiny Management Board during a discussion about a potential PACT (Police and Community Together) Review. At that meeting, Cllr Little had volunteered to bring a report on Substance Misuse to the committee, for information and background.

The report gave detail about the levels of drug and alcohol abuse, and profiles of alcohol related harm and alcohol related indicators for Fylde.

Cllr Little outlined the incidence of alcohol-related violent crime, and the potential health consequences for abusers. She also gave an overview of how the National Drug Strategy is delivered, through the work of LDAAT and of Young Addaction. Continuation of the work of a Fylde Specialist Alcohol Worker for Young People was secured for this financial year by funding from LDAAT.

The Chairman advised that the PACT Review T&F group would consider the matters raised at their next meeting.

The committee resolved:

1. To note the report.

*There was no recorded vote as the Chairman decided that the matter was not controversial, and the resolution was carried by show of hands.*

5. Transfer of Assets to Town / Parish Councils

The Chairman explained that this report was to be reviewed as an opportunity to comment upon a draft report, and clarified that Kirkham Town Council had

raised further queries which were yet to be resolved, and that St Annes Town Council had requested a deferral until after the May elections.

Ms Clare Platt, Director of Community Services then introduced the report. She explained that Jennifer Cross, Managing Director of X Associates, had been commissioned by the Council to assist in moving forward the transfer of assets. She asked that the committee take the opportunity to comment on the draft report and make recommendations for the future consideration of Cabinet.

Ms Cross gave members a resume of her background and explained that her brief was to ensure that there was a stable, cost-effective model to take forward. The report itself examined the key legal, operational and financial implications of transferring community assets.

The work was started in July with a valuation of assets and an analysis of the cost of maintaining them. The review had lead to the identification of strategically important assets as well as community assets which could be managed at local level.

Page 9 of the report showed the full extent of the work undertaken.

Ms Cross explained that part of her brief was to demonstrate the effects of different decisions about how maintenance of assets could be financed, and the effect of such decisions on special expenses and Council Tax. The effects on Council Tax would depend on the decisions of this Council, and the way that Council Tax is affected is both directly related to the transfer of community assets, and to the way that the costs of maintaining strategically important assets are charged across the borough.

Her view was that strategic assets are valuable borough-wide resources and that the cost should be borne across the borough. FBC had always charged special expenses based on full cost recovery within the current policy framework, and had never offset any of the Revenue Support Grant or National Non-Domestic Rates against maintenance of these assets. Those sources of income benefit all taxpayers across the Borough as they are netted off Borough expenditure. Special expenses related to the costs of maintaining community assets would be taken out of the Council's budgets and the parish councils would precept for those. FBC would then need to consider how the costs of maintaining strategic assets should be recharged.

Ms Cross referred to Kirkham Town Council and it's concerns about having a 3 year transitional contract with the Borough Council to manage the transferred open spaces. She stressed that she was not making a criticism of the competence of the Town Council, but the proposed transfers would mean a large increase in the budget to be managed and she was concerned about available capacity. It was part of her brief to look at this. She suggested that a transitional arrangement would give the Town Councils the opportunity to develop their management capacity and to ensure that the open spaces continued to be managed effectively and efficiently until new arrangements

could be bedded in. It also gave FBC the opportunity to manage any residual costs of the service.

She agreed that Kirkham Town Council had submitted an extensive list of queries that week and that a response would be provided to those.

In terms of negotiation with St Annes Town Council, she advised the committee that it had deferred the decision until after the next election and had decided to take independent financial advice.

However, she felt that sufficient detailed information had been, or soon would be, made available to both Town Councils in order for this work to move forward, and that the Council would need to consider how the costs of maintaining strategic assets should be charged for in the future.

As part of her brief she had been asked to make sure that the council had a sustainable position moving forward, and to examine ways of managing risks to ensure that there was not a failure of the service because of the change. Whilst she appreciated that there were some concerns about her evaluation of the risks and proposed management of them, particularly the proposed transitional period, she hoped that Members would appreciate that such proposals were necessary as a part of good governance.

The debate that followed was wide ranging. Members had a number of comments and queries for Ms Cross and Ms Platt. They included:

- Why it had not been felt necessary to consult with parish councils who were already managing their open space assets, so as to get a clear picture of the issues; this was viewed as an oversight which should be rectified.
- Why it was necessary to roll up the strategic asset issue with the transfer of community assets. It was felt that these were entirely separate issues and should be dealt with separately.
- This was also cited as a reason for the delay in the transfer of community assets to Kirkham Town Council.
- It was not equitable to transfer costs to Town and Parish Councils without transferring money to manage them, and this should be a consideration.
- FBC should consider paying some of the Revenue Support Grant to Town and Parish Councils to manage community assets.
- Members wanted to know who had selected the assets to be classified as "strategic", which were proposed to be charged to all of Fylde's residents, and on what basis, particularly when residents were paying for local sites as well.
- Members suggested that assets should not be transferred, but that a management agreement should be implemented.

After the debate the committee resolved:

1. That officers explore Asset Transfers further in relation to Kirkham Town Council, allowing the Town Council to go out to competitive tender for the parks and open space maintenance with outcomes showing localism, and delivering efficiencies and value for money services.
2. That officers be requested to bring forward further reports on:
  - a) Identification of which assets constitute strategic assets
  - b) The budgetary and governance implications of open space transfer to Town Councils, separate to the budgetary options in relation to the strategic assets.

*There was no recorded vote as the Chairman decided that the matter was not controversial, and the resolution was carried by show of hands.*

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