

# Agenda

## Community Focus Scrutiny Committee



Date	Thursday, 25 July 2013 at 6:15 pm
Venue	Town Hall, St Annes
Committee members	<p>Councillor Kiran Mulholland (Chairman) Councillor Christine Akeroyd (Vice-Chairman)</p> <p>Councillors Tim Armit, Julie Brickles, Susanne Cunningham, Tony Ford JP, Gail Goodman JP, Nigel Goodrich, Peter Hardy, Kathleen Harper, Paul Hodgson, Barbara Nash, Linda Nulty, Dawn Prestwich, John Singleton JP, Vivienne M Willder</p>

**Public Platform** To hear representations from members of the public

Item		Page
<b>1</b>	<b>Declarations of Interest:</b> Any member needing advice on Declarations of Interest should contact the Monitoring Officer before the meeting.	<b>1</b>
<b>2</b>	<b>Confirmation of Minutes:</b> To confirm the minutes of the previous meeting held on 13 June 2013 as a correct record. As attached at the end of the agenda.	<b>1</b>
<b>3</b>	<b>Substitute Members:</b> Details of any substitute members notified in accordance with council procedure rule 24.3.	<b>1</b>
<b>4</b>	<b>Fylde Citizens Advice Bureau – Monitoring Report</b>	<b>3 - 15</b>
<b>5</b>	<b>Annual Report – Lowther Gardens Trust</b>	<b>16 - 35</b>
<b>6</b>	<b>Art Collection Review</b>	<b>36 - 40</b>
<b>7</b>	<b>Planning Improvement Plan</b>	<b>41 - 62</b>

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# REPORT

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	COMMUNITY FOCUS SCRUTINY COMMITTEE	25 JULY 2013	4

## FYLDE CITIZENS ADVICE BUREAU – MONITORING REPORT

### Public Item

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

### Summary

The Council has a Service Level Agreement (SLA) with the Citizens Advice Bureau to provide an advisory service. As part of this agreement, the CAB must undertake to report annually to one of the Council's scrutiny committees at the conclusion (or as near to as possible) on the operation of the SLA summarising its performance and service across the year.

Kim Cook (Manager of the Fylde CAB) will be in attendance at committee to present the key points arising from her report which is attached as an appendix.

### Recommendation

1. To review the performance of the Fylde Citizens Advice Bureau.
2. To thank Kim Cook, Manager of the CAB for her report and attending committee.

### Cabinet Portfolio

The item falls within the following Cabinet portfolios:

Environment and Partnerships:  
Leisure and Culture:

Councillor Thomas Threlfall  
Councillor Susan Fazackerley

## **Summary of previous decisions**

The report is submitted to the Community Focus Scrutiny Committee annually.

## **Report**

### **Formal Partnership**

1. The Fylde CAB is one of the Council's key formal partnerships identified under the Council's Partnership Protocol. It is the role of this Committee to keep an overview of the performance of these formal partnerships. As an acknowledgment of this, it has been included within the Service Level Agreement between the Council and CAB that an annual update be provided by the CAB on its performance across the year.

### **Key aspects of the Service Level Agreement**

2. Information and advice provided includes, but is not restricted to:
  - Housing
  - Welfare benefits
  - Health
  - Education
  - Consumer affairs
  - Debt advice
  - Employment
  - Family and personal matters
  - Taxes
  - Immigration and nationality
3. The CAB must also ensure that there are appropriate internal procedures in place to manage risks. The CAB must provide to the council, evidence that risk management measures are being undertaken to mitigate threats to the future operation of the CAB advisory service.

### **The performance measures**

4. The Service Level Agreement with the Fylde CAB details a number of performance measures and these are summarised below for members' information. This information is provided to council officers at six monthly intervals.

#### **Quantitative**

- Confirmation of the coverage of the opening hours/days of operation across the reporting period.
- A breakdown of the number of cases dealt with relating to a council service such as housing or benefits (broken down by detailing the precise nature of the issue) for example, a housing case: was the contact regarding homelessness, property disrepair, availability of grants)
- An overview of the number and type of cases dealt with for services not directly associated with the Council

- Any social trend issues which can be identified as patterns emerging from the cases dealt with which may be useful in shaping future Council Objectives/Action Plans.
- When CAB markets itself through any publication or advert, the Fylde Borough Council logo should be used. This should include wording to indicate funding support where the independence of the CAB would not be impinged and adverts/publications supporting this requirement should be part of the annual report to the Community Focus Scrutiny Committee or other relevant Committee.
- Evidence of applications of additional funding and the purpose of that funding together with the outcomes of applications
- A breakdown of the level of complaints received within the six months reporting period and how they have been resolved
- Information on risk management measures in place as detailed under ancillary measures.

### **Qualitative**

- Satisfaction surveys regarding the provision and quality of the service should be made available to all that utilise the service. Reporting on satisfaction levels should be a part of the six monthly reporting arrangements. Satisfaction surveys should be based on a 10 % return of all customers to the service.
- The CAB will maintain the Advice Quality Standard (AQS) at the General Help Level.

<b>IMPLICATIONS</b>	
Finance	<p>The level of financial support that is provided by Fylde Council to the CAB was approved at Council on 4<sup>th</sup> March 2013 following a detailed report to Cabinet on 21<sup>st</sup> November 2012.</p> <p>This report does not propose any changes to those funding arrangements.</p>
Legal	No issues arising from this report.
Community Safety	No issues arising from this report.
Human Rights and Equalities	No issues arising from this report.
Sustainability and Environmental Impact	No issues arising from this report.
Health & Safety and Risk Management	No issues arising from this report.

Report Author	Tel	Date	Doc ID
Lyndsey Lacey	01253 658504	June 2013	

List of Background Papers		
Name of document	Date	Where available for inspection
Previous reports/minutes		
Council Minutes	3 <sup>rd</sup> March 2013	Council Website
Cabinet Report	21 <sup>st</sup> Nov 2012	Council Website
CFSC Minutes		Council Website
CAB report		CAB office

#### **Attached documents**

Fylde Citizens Advice Bureau – Annual Report 2013

# **Fylde Citizens Advice Bureau**

## **Report to Community Focus Scrutiny Committee - FBC**

### **2013**

#### **Introduction**

Fylde Citizens Advice Bureau (CAB) is now in the first year of a new three year Service level Agreement (SLA) with Fylde Borough Council (FBC). The SLA is a three year framework beginning on the 1<sup>st</sup> April 2013, the first years funding has been agreed.

#### **The Advice Service**

We are open to clients five days a week, at our Kirkham offices, on a drop-in, telephone or email basis from 9am to 4pm. We offer 20 appointment slots each week to clients who have a time constraint or who have a particularly complex problem.

Our St Annes weekly Outreach runs in conjunction with Age UK who kindly provide premises free of charge at their base in St Georges Rd. There are four appointments made each outreach session and the appointments are made through our main Kirkham Office. From the 1<sup>st</sup> April 2013 the Outreach will be funded by Fylde Borough Council.

Gateway interviews continue to be used by the Bureau at Kirkham, enabling more clients to be assisted when they first make contact with the Bureau either face to face or by telephone. They will be assisted either with information such as factsheets or signposting or will be assessed as needing a full interview and the appropriate arrangement made with the client.

Once a fortnight, on a Wednesday morning, a specialist debt advice service continues to be provided at the Kirkham office under the Money Active project (previously FIF). This project is solely for those clients who fit the Money Active criteria.

Disability First continue to run a project at the Bureau to assist Fylde clients with Disability Benefit issues and come approximately once a month.

Over last winter Fylde CAB, in conjunction with a number of other agencies, ran both an Affordable Warmth Project (funded by North Lancs PCT) and a Warmer Homes Healthier People Project (funded by the NHS). These ran between November and March and were very successful, combining advice and practical assistance.

In April 2013 the Bureau began running a Tenancy Support project in conjunction with the Fylde Housing Benefit team and funded by money from National Government. This project will continue for two years.

We have recently upgraded our website to give improved access to advice through the internet and also easier access to email advice. Our website is: [www.fyldecab.org.uk](http://www.fyldecab.org.uk).

## **Staffing**

Our Bureau, at present, has four paid members of staff: Kim(Manager) working 27 hours per week, Louise (Deputy Manager) working 37 hours, one outreach worker working 7 hours a week and one project worker working 21 hours a week. Fylde Bureau also has 19 fully trained volunteer Advisors and three in training, along with two Gateway Advisors. In addition to this we have one volunteer who comes in weekly to perform computer/IT maintenance and one who comes weekly to update our local information and to do administration.

## **Partnership Working**

We are part of a strong community network throughout Fylde which benefits our clients through increased service awareness, referral procedures, and training. We remain a member of Advicelink and Fylde Together. Fylde Together is a CVS initiative and allows all third sector organisations to meet together and share knowledge and best practice. Fylde Together is currently merging with the former Fylde LSP Peoples and Communities Group.

Last winter we again recently worked with the many other agencies in Fylde to deliver the Affordable Warmth and Warmer Homes Healthier People projects.

We continue to work closely with Fylde Borough Council's Housing department and to be the nominated money advice provider for FBC's potential Mortgage Rescue scheme clients. We are currently working closely with them on the Tenancy Support Project which assists those in rented accommodation with issues arising from the recent Welfare Benefit Reforms affecting housing.

We remain a partner in the Fylde Coast Advicelink project which was a successful bid to the Big Lottery Fund and began July 2008. The project continues to produce publicity materials for use by all member agencies. We have the use of an Advicelink employed benefit specialist who can do an occasional home visit for clients in need and the organisation arranges a great deal of useful training. We are hopeful that the infrastructure organisation currently called Advicelink will continue and benefit from the National Government Transition funding.

We have a referral procedure in place with Fylde Coast Domestic Violence unit, DISC Floating Support in Fylde and the Department of work and Pensions. We continue attend HMP Kirkham family days to provide an information and signposting service.

I have recently assisted a group of local young people with learning difficulties (and their carers) by giving a talk and a question and answer session on their rights and responsibilities within society. I was also invited to speak to the Lifelong Learning

Group that meets regularly in Kirkham. Louise has done a lunchtime talk at the Land Registry to explain to those caring for others what the CAB can do for them.

The profile of Social Policy work within the Bureau remains high and the Bureau works regularly with our MP, Mark Menzies, on behalf of our clients, and takes part in local as well as national initiatives.

We produce a regular newsletter that goes to all members of our Management Committee, all Fylde Borough Councillors and many other interested parties

We continue to explore ways of increasing our levels of service to the wider community. We have recently upgraded our own website [www.fyldecab.org.uk](http://www.fyldecab.org.uk) enabling the public to find us more easily and to access general Citizens Advice information through a link to [www.adviceguide.org.uk](http://www.adviceguide.org.uk). Links are also provided to other useful websites.

### **Future of the Advice Service**

Our restraints in all funding bids are, and are likely to continue to be, staffing and premises. We have limited space to train new volunteers and to house project workers who will all need to spend some time in the main Bureau. The lease on our premises runs out in 2014 and this issue will need to be addressed if we are to continue to offer a service.

For all project bids secure core funding is essential for them to even be considered and we are therefore pleased to have a new three year Service Level Agreement with Fylde Borough Council and for the first years funding to have been agreed. This funding will now also cover the outreach in St Annes which was previously being funded from Bureau reserves.

### **Funding update since last report**

We will continue to try and increase the level of service we provide to clients by exploring funding and expansion opportunities as they arise. We need to be mindful that sufficient Bureau reserves should be maintained in order to allow a sensible rundown period to be initiated should core funding be withdrawn. Existing clients would need to be managed and some provision for redundancy made.

**Debt Management Project** – This is a joint project being run by StepChange debt charity (formerly Consumer Credit Counselling Service) and Citizens Advice nationally. We remain a pilot Bureau for the project which provides a trustworthy debt management plan that is free to our clients should they need/want to be able to make one payment to a debt management company and for the company to then ‘handle’ the repayments. Some set-up money was provided to the Bureau (£400) and there may be some further funding available. The Plan is offered to clients that meet the criteria and is one of a number of debt options they may wish to consider.

**WHHP (Warmer Homes Healthier People)** – In winter 2011/12 a number of local agencies including Fylde and Wyre councils ran a project designed to assist the most vulnerable in society to stay safe during the colder period. The project was funded from NHS funds via Lancashire County Council. It was put together very quickly and ran very well. Fylde CAB received £3,000 and ran a home visiting service providing benefit checks, fuel costs budgeting and referred into the Bureau for help with a variety of other issues. As the project was so successful the NHS provided the same funds to the Bureau, and other partners, to run a similar project this last winter. It ran from January to March 2013. All partners have agreed to work together next year if the funding is forthcoming. There are, of course many changes occurring in the NHS.

**AFFORDABLE WARMTH** – This project ran for the first time from November 2012 to March 2013. The criteria were very similar to those for the WHHP project except those qualifying had to have some form of health issue. This project was funded from North Lancashire PCT. We received £5,000 and we ran the two projects side by side which worked very well.

**TRANSFORMATION FUND** - This fund was from National Government and was designed to encourage the not for profit sector to work together within the community. We developed and submitted a bid in conjunction with Blackpool CAB for both Bureaux to employ their own specialist Debt and Welfare Benefit advisors. We were hoping to employ someone to continue the home visiting service we had run during the winter as well as working in the Bureau. The fund was vastly oversubscribed and our bid was not successful.

**TRANSITION FUND** - This is a Big Lottery Fund designed to assist the development of infrastructure organisations. As part of the Advicelink project board we decided to put in a bid to develop Advicelink beyond its current finish date of June 2013. The new organisation will not necessarily be called Advicelink and the funding will be used to develop those parts of the infrastructure organisation that work well and will also provide some money to each of the partner organisations for direct advice delivery. We will use the money we receive, approximately £8,000pa for the next two years to expand our level of service in Fylde. We are still considering how best to do this and will need to be mindful of the Transition fund Guidelines.

We continue to participate in discussions with other Bureaux throughout Lancashire with a view to collaborating in order to access additional funds. It is anticipated that in the future many project funding opportunities may be from organisations that wish to negotiate with one legal CAB entity for the whole of Lancashire. Obviously there will be a lot to work out in respect of how the collaboration will function and how project work and funds would be divided.

## **Statistics and Information Required by Service Level Agreement**

The Bureau has had **zero** closures since the last Community Outlook Scrutiny Committee report.

Our Customer Satisfaction will take place between the 2<sup>nd</sup> of September and the 11<sup>th</sup> October this year and the findings will be reported back to FBC in the monitoring report for January 2014. We are hoping for a response similar to last years of over 20% and that the feedback will again be very positive.

### **Additional Information**

A snap-shot exercise has been completed to indicate the value of Debts and Financial Gains to Clients as a consequence of advice provided by the Bureau. This has been done for the month of **March 2013**. The results are:

<b>Total debts seen</b>	<b>£166.194.57</b>
<b>Total benefit gains</b>	<b>£61,437.48</b>
Total grants received	£771.68
Total Lump sum payments	£20,368.33
Total value of other services	£1,175.00

### **Client/Enquiry Numbers in 2012/13**

In the financial year **12/13** a total of **2,386** clients were seen and **2,904** enquiries dealt with. Within these enquiries there were 5,474 separate issues (each with a social policy code) dealt with.

A total of 17 enquiries, which constituted an area of social policy concern, were raised to region for use in regional and/or national campaigns

### **Classification of clients issues by social policy area in the financial year 12/13**

Each enquiry raised may also cover more than one subject, or social policy issue.

Over a half of all issues dealt with are relating to the areas of debt and/or benefits.

Category	Q1	Q2	Q3	Q4	Total New Issues	Col %
Ben	343	462	369	507	1,681	30.7
Con	56	71	68	72	267	4.9
Deb	290	255	266	326	1,137	20.8
Edu	8	6	3	4	21	0.4
Emp	146	136	156	113	551	10.1
Fin	38	52	41	35	166	3.0
Hea	13	33	18	30	94	1.7
Hou	87	147	128	119	481	8.8
Imm	9	11	3	15	38	0.7
Leg	79	61	49	67	256	4.7
Oth	15	10	17	16	58	1.1
Rel	102	117	116	100	435	7.9
Sig	3	1	0	0	4	0.1
Tax	18	20	5	16	59	1.1
Tra	19	16	32	26	93	1.7
Uti	28	31	41	33	133	2.4
<b>Total</b>	<b>1254</b>	<b>1429</b>	<b>1312</b>	<b>1479</b>	<b>5,474</b>	<b>100.0</b>

## Fylde residents using Fylde CAB

### FYLDE WARDS

2012/13

LA Ward	%	L/StA
Clifton	3.2	*
Park	4.3	*
Ansdell	3.5	*
Ashton	3.8	*
Central	5.5	*
Elswick and Little Eccleston	1.3	
Fairhaven	3.7	*
Freckleton East	6.6	
Freckleton West	4.0	
Heyhouses	4.4	*
Kilnhouse	4.3	*

Kirkham North	8.8	
Kirkham South	9.2	
Medlar-with-Wesham	10.0	
Newton and Treales	4.4	
Ribby-with-Wrea	1.7	
Singleton and Greenhalgh	1.1	
Staining and Weeton	2.1	
St Johns	5.1	*
St Leonards	4.6	*
Warton and Westby	8.2	
<b>Total</b>	<b>100</b>	

The percentage of Fylde clients coming to us from the various Local Authority wards is shown below.

\* = 42% from Lytham St Annes wards

### STATISTICS identified as of particular interest to FBC

#### Housing

	2012/13				
	Q1	Q2	Q3	Q4	%
<b>1 Discrimination</b>	1	0	0	0	0.2
<b>2 Actual homelessness</b>	4	5	1	2	2.5
<b>3 Threatened homelessness</b>	10	12	9	10	8.5
<b>4 LA homelessness service</b>	4	6	3	3	3.3
<b>5 Access to+provision of accomm.</b>	4	13	5	5	5.6
<b>6 Local Authority housing</b>	2	6	5	9	4.6
<b>7 Housing assoc. property</b>	6	12	11	10	8.1
<b>8 Private sector rented propty</b>	27	49	47	44	34.7
<b>9 Owner occupier property</b>	9	17	16	14	11.6
<b>10 Environml+neighbour issues</b>	6	20	17	13	11.6
<b>99 Other housing issues</b>	14	7	14	9	9.1

Statistics are regularly submitted to the FBC Housing team for use by the Housing team and for development of the housing strategy. Debt and benefit information and statistics are also provided on a regular basis.

Benefits	2012/13				
	Q1	Q2	Q3	Q4	%
<b>1 Discrimination</b>	0	0	0	0	0.0
<b>2 Income Support</b>	22	16	5	8	3.0
<b>3 Pension Credit</b>	14	22	21	19	4.5
<b>4 Social Fund Loans-Crisis</b>	2	4	2	6	0.8
<b>5 Social Fund Loans- Budgeting</b>	0	0	3	0	0.2
<b>6 SF Community Care Grants</b>	1	1	3	3	0.5
<b>7 Housing Benefit</b>	34	52	31	58	10.4
<b>8 Child Benefit</b>	5	5	6	11	1.6
<b>9 Council Tax Benefit</b>	32	40	24	60	9.3
<b>10 Working+Child Tax Credits</b>	20	50	39	40	8.9
<b>11 Jobseekers Allowance</b>	34	33	38	34	8.3
<b>12 National Insurance</b>	1	4	1	0	0.4
<b>13 State Retirement Pension</b>	13	5	2	4	1.4
<b>14 Incapacity Benefit</b>	11	3	14	9	2.2
<b>15 DLA-Care Component</b>	27	32	27	30	6.9
<b>16 DLA-Mobility Component</b>	16	22	19	24	3.7
<b>17 Attendance Allowance</b>	13	7	7	10	2.2
<b>18 Carers Allowance</b>	6	17	13	16	3.1
<b>19 Employment Support Allowance</b>	41	92	60	80	16.2
<b>99 Other benefits issues</b>	54	48	48	82	13.8

### The Future of Fylde CAB

Fylde Citizens Advice Bureau intends to, providing funding is maintained, continue the development of its services to meet the demands of a Fylde wide Citizens Advice service. We will continue to seek out possible funding streams that may be available for projects that will help Fylde residents.

We will continue to run appropriate training programmes for our workers in order to ensure we meet the future needs of Fylde residents effectively.

Also we will explore new ways of working that will benefit our residents. This may include areas where partnership working with other Bureaux and/or other agencies could lead to an improvement in the quality of advice we can offer. Our commitment to be an independent, impartial and completely confidential service will continue to be of utmost importance.

Kim Cook  
Bureau Manager – 2013

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
DIRECTOR COMMUNITY SERVICES	COMMUNITY FOCUS SCRUTINY COMMITTEE	25 JULY 2013	5

## ANNUAL REPORT – LOWTHER GARDENS TRUST

### Public Item

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

### Summary

The Council currently has a five year service level agreement with the operating company of Lowther Gardens Trust, Lowther Gardens (Lytham) Management Ltd., to provide services at Lowther Pavilion. As part of this agreement, the Trust will provide a report to one of the Council's overview & scrutiny committees at the conclusion of the financial year, summarising performance over the previous year. This report is attached at Appendix 2. Representatives from Lowther Gardens Trust will be attending the committee to present the key points arising from the report.

### Recommendations

Members are requested:

1. To review the performance of Lowther Gardens Trust in terms of the service level agreement for management of Lowther Pavilion.
2. To thank the representative(s) of the Trust for the report and for attending the Committee.

### Cabinet Portfolio

The item falls within the following Cabinet portfolio:

Leisure & Culture

Councillor Susan Fazackerley

## **Summary of previous decisions**

### **Community Focus Scrutiny Committee 13<sup>th</sup> June 2013**

#### **Lowther Gardens Trust - Governance Arrangements**

Following detailed consideration of this matter the Committee RESOLVED:

1. To recognise the commitment of the Trust in developing governance processes further.
2. To invite a representative of the Trust to a subsequent meeting to discuss progress and present the annual report.
3. To endorse the transfer of title to Lowther Gardens (including the Pavilion) to the Official Custodian for Charities.
4. To endorse execution of any other documents which are necessary or expeditious to facilitate the transfer to the Official Custodian.
5. To endorse the arrangements by which the council maintains the grounds and manages the associated leisure activities through the development of a further Service Level Agreement between and the Council and the Lowther Gardens Trust.
6. To ask the Trust to consider accepting the recommendations contained in the Governance Review Report.

## **Report**

### **Background**

1. Lowther Gardens was registered as a charitable trust in 2006, with the Council as sole trustee. A number of independent trustees have subsequently been appointed, with a total of nine presently in post. The Council remains as a trustee, and is represented at trust meetings by the Portfolio Holder for Leisure and Culture.
2. Lowther Gardens (Lytham) Management Ltd was set up in February 2011 as the operating company of Lowther Gardens Trust, to deliver the day to day operation of Lowther Pavilion.
3. The service level agreement with Lowther Gardens (Lytham) Management Ltd. for the management of the Pavilion, was developed for a 5 year period commencing 1 April 2012 (Appendix 1). In the agreement, the Council has agreed to pay a reducing subsidy over the five year period as follows:

<b>Year</b>	<b>Amount of Subsidy</b>
2012/13	£71,417
2013/14	£59,167
2014/15	£50,667
2015/16	£38,667
2016/17	£31,667

4. In addition to the above, the Council's approved 2013/14 revenue budget also contains a provision of £112,316 for the costs of grounds maintenance, leisure provision, service management and support services incurred in managing the Council's interests in the Trust.
5. The extract from the service level agreement below requires that the Provider will deliver the services at the times and in the manner set out in the agreement, and in accordance with the performance measures identified:

#### **The Services**

- The maintenance and development of Lowther Pavilion as a cultural community facility, for the benefit of residents of and visitors to the Borough.
- The provision of a balanced and diverse programme of performing arts and entertainment, including dance, drama, music, musical theatre, variety and comedy; encouraging innovation through the use of new technology and the support of new writing and performing talent.
- The development of new audiences and encouragement of existing audiences to visit more frequently, building participation in the arts locally; accessible to all sectors of the community through programming, marketing and community engagement work.
- The promotion of the performing arts in Fylde, supporting and developing local amateur groups, volunteers and the wider community. The pavilion shall be available for hire by local community/amateur groups for a minimum of 120 sessions per year.
- The free use by the Council of Lowther Pavilion and its facilities for up to 10 Council meetings per year and the annual Mayor making ceremony on dates to be provided to the Provider in advance by the Council as soon as reasonably practicable.
- The Provider shall make best endeavours to make available the Pavilion for use in the event of a civil emergency as a rest centre or similar facility.
- The development of service provision may change over time to reflect the current nature of standard business practice in the entertainment industry. All development will encompass the core values as presented in the Trust's artistic policy.

#### **The Performance Measures**

- Quarterly meetings will be held between representatives of the Provider and the Council, where the information required by this agreement will be reviewed.
- If requested to do so, the Provider will make an annual presentation to the Council's Community Focus Scrutiny Committee (or other such appropriate elected member group) at the conclusion (or as near to as possible) of each year of the operation of the Service Level Agreement summarising its performance and service during the year, including financial performance – annual outturn against the budget.

#### **Quantitative**

- The Services to be provided within the operating budget, provided in accordance with clause 18.

- A breakdown of the number of complaints received from service users and how they have been resolved.
- Number of sessions utilised by local amateur groups, volunteers and the wider community.
- Number and percentage of self-promoted shows which breakeven and/or make a profit

#### **Qualitative**

- The Trust will provide evidence that it is meeting art council and theatre management association industry standards in relation to customer satisfaction, audience profiling and quality of opportunity both for the visitor, local population and visiting companies. Income generation to develop the service offered and development work to encourage greater community use of the facilities. The Trust and the Council will work together to develop a greater understanding of all creative activities across the Borough.
6. The first annual report of Lowther Gardens (Lytham) Management Ltd. is attached at Appendix 2 for consideration.

<b>IMPLICATIONS</b>	
Finance	The level of grant support provided by the Council to Lowther Trust was agreed by Cabinet at the meeting of 23rd May 2012 and is summarised at section 3 of this report.
Legal	No issues arising from this report.
Community Safety	No issues arising from this report.
Human Rights and Equalities	No issues arising from this report.
Sustainability and Environmental Impact	No issues arising from this report.
Health & Safety and Risk Management	The SLA requires the Trust to ensure that risk management is incorporated into the internal governance of the operations of the pavilion.

Report Author	Tel	Date	Doc ID
Darren Bell	(01253) 658465	25 July 2013	25.07.13 Lowther Performance

<b>List of Background Papers</b>		
Name of document	Date	Where available for inspection

## **Attached documents**

1. Appendix 1 Service Level Agreement
2. Appendix 2 Annual Report

## Service Level Agreement for Grant-Funded Services

**Date:**

### Parties

- (1) Fylde Borough Council ("the Council")
- (2) Lowther Gardens (Lytham) Management Ltd. ("the Provider") as the operating company of Lowther Gardens Trust

### Interpretation

In this agreement the following words have the following meanings:

Default Notice	A notice fulfilling the requirements of clause 29 and a Default Notice is "unresolved" at any time that the concerns raised in it have not been addressed to the reasonable satisfaction of the Council
Grant	The Initial Grant and any Subsequent Grant
Grant Period	The Initial Grant Period and any Subsequent Grant Period
Initial Grant	£71,417
Initial Grant Period	1 April 2012 to 31 March 2013
Performance Measures	The performance measures set out in the Second Schedule
Poster Sites	The advertising poster sites listed in the third schedule including, where the context permits, part of such a site.
Scheme	The scheme governing the charity known as Lowther Gardens, Lytham dated 3 June 2009, as amended 17 January 2011 (or any subsequent amendment)
Services	The services provided at Lowther Pavilion set out in the First Schedule
Subsequent Grant	Any grant paid by the Council to the Provider in respect of the Subsequent Grant Periods, the amount of which is to be decided by the Council in its discretion but subject to the matters set out in this Agreement, but which is not to exceed: 2013/14 - £59,167 2014/15 - £50,667

	2015/16 - £38,667 2016/17 - £31,667
Subsequent Grant Periods	Any of the following periods in respect of which a Subsequent Grant is to be paid: 1 April 2013 to 31 March 2014; 1 April 2014 to 31 March 2015; 1 April 2015 to 31 March 2016; 1 April 2016 to 31 March 2017.
TUPE	The Transfer of Undertakings (Protection of Employment) Regulations 2006

### **Status of Agreement**

1. The Council has agreed to pay a grant to the Provider to enable it to provide the Services at Lowther Pavilion. The Council is satisfied that paying a grant for these purposes is likely to achieve the promotion or improvement of the economic, social or environmental well being of the Council's area. The Services provided by the Provider contribute towards delivery of the Council's strategic themes.
2. This Agreement sets out what the Provider is to do, how its performance will be measured and what happens if the Services are not provided as required by this Agreement.
3. This Agreement is not intended to constitute a contract between the Council and the Provider and the Council shall not be legally bound to pay the Grant.

### **The Grant and the Grant Period**

4. The Council will (subject to as hereinafter provided) pay the Initial Grant to the Provider to enable the Provider to deliver the Services during the Initial Grant Period.
5. The Initial Grant will be paid in the following instalments:

Date	Amount
1 June 2012	£35,709
1 October 2012	£17,854
1 January 2013	£17,854

6. The Council may pay the Subsequent Grant to the Provider to enable the Provider to deliver the Services during the Subsequent Grant Periods. Any

Subsequent Grant will be paid in quarterly instalments on 1 April, 1 July, 1 October and 1 January each year.

7. In deciding whether to pay a Subsequent Grant and the amount of any Subsequent Grant, the Council shall have regard to the financial position of the Provider, as evidenced by the accounting information required to be provided, and to the principle of limiting the amount of Subsequent Grant to that required to fulfil its obligations under this agreement, taking into account the need for the Trust to build a reserve of Working Capital and future development funding.
8. In each Subsequent Grant Period, and at least three months prior to 1 April of the relevant period, the parties to this Agreement shall make best endeavours to negotiate a level of Service provision that reflects the Subsequent Grant which the Council (acting reasonably) will pay. In the unlikely event the parties to this Agreement are unable to reach mutually acceptable terms on the provision of the Services this Agreement shall terminate on 31 March in that current Grant Period.
9. The Provider must comply with the Performance Measures and any specific guidance issued by the Council in deciding how it will spend the Grant.
10. In addition to a Grant, the Council may (at its discretion) pay a termination payment of up to the equivalent of one instalment of that Grant for any Grant Period to the Provider on the last day of the Grant Period, if and to the extent that:
  - The Council does not propose to pay a Grant in respect of the year immediately following the end of the Grant Period;
  - The Provider does not intend to provide the Services or services similar to the Services during that year; and
  - The Provider demonstrates to the Council's satisfaction that the termination payment is needed to facilitate a reasonably justifiable winding-down of its service

## **The Services**

11. The Provider will deliver the Services at the times and in the manner set out in this Agreement and in accordance with the Performance Measures.
12. The Provider will supply such information as the Council may reasonably demand from time to time about its provision of the Services to enable the Council to assess the Provider's compliance with the Performance Measures.

## **Lead Officers**

13. Each party has nominated an officer to be the primary point of contact and an address for service on all matters concerning the Grant, this agreement or the Services. The nominated officers are:

Council: Director Community Services, Town Hall, Lytham St Annes, Lancashire FY8 1LW

Provider: Chairman, Lowther Gardens Trust, Lowther Pavilion, West Beach, Lytham St Annes, Lancashire FY8 5QQ

## **Ancillary Provisions**

14. The Provider will be wholly responsible for the day-to-day financial and accounting functions in relation to the delivery of the Services from within its own resources. It must ensure that there are proper financial management arrangements in place in accordance with the UK Generally Accepted Accounting Practice (GAAP). These will include the following:
- A financial audit trail from allocation of spend to activity or service delivery
  - Records of spending decisions
  - Evidence of spend and payments made
  - Evidence of activity undertaken
  - Records of income generated
  - Records of all other funding secured
  - Professionally audited annual accounts
  - Quarterly management accounts
  - Evidence of contracting and procurement procedures carried out for significant items of expenditure, to ascertain value for money
15. The Provider will keep accurate financial records in accordance with GAAP and will make them available to the Council on request, including access to all relevant receipts and invoices. The records must in particular provide a clear audit trail of how any Grant has been used.
16. The Provider will supply to the Council a copy of its pre-audited accounts 3 months after the end of the Initial Grant Period and each Subsequent Grant Period and a copy of the professionally audited accounts within 6 months of the end of those periods.
17. The Provider will supply a copy of its annual budget to the Council one month in advance of the commencement of each Grant Period, which must reflect the Initial Grant or any Subsequent Grant payable by the Council for the provision of the Services.
18. The Provider will supply quarterly management accounts to the Council showing details of expenditure and income in the period and accumulated figures against budget for the year to date. Where the financial statements are inconsistent with the reasonable expectations of the Council the

Provider will clarify and give reasons for the situation, explaining how the agreed budget will be achieved.

19. All spending decisions of the Provider must be within the known resources available to the Provider at the time of making the decision.
20. Any costs, allowances or expenses incurred by the Provider as a result of providing financial information, documents or records to the Council or for attendance at any meetings with Council representatives will be the responsibility of the Provider.
21. The Provider will supply the Council with a schedule of dates when any external audit or accreditation inspection of the Services will be undertaken and provide the Council with a copy of any resulting report.
22. The Provider will, both in providing the Services and generally, comply with all relevant statutory requirements, including those related to health and safety and equalities. The Provider acknowledges that such compliance is the sole responsibility of the Provider and agrees to indemnify the Council against all costs, claims, demands, proceedings and liabilities whatsoever arising out of the performance of the Services. The Council does not, either by the payment of any Grant, by entering into this agreement or otherwise take, accept or assume any responsibility for any non-compliance by the Provider.
23. The Provider will ensure that there are appropriate internal procedures in place to manage risks and ensure good governance practice. The Provider will provide to the Council such evidence as the Council reasonably requires that risk management measures are being undertaken to mitigate threats to the future operation of the Services and that good governance practice is operational. Performance on risk management and governance measures will form a part of the quarterly monitoring meetings, including details of any changes to the register of interests maintained by the Trust.
24. The Provider provides the Services in its own right and not as agent or partner of the Council. The Council will not indemnify the Provider for negligence or any other breach of duty other than for death or personal injury caused by the negligence of the Council or its servants or agents.
25. The Provider will maintain adequate insurance to cover any liabilities arising from the performance of the Services. It will allow the Council to inspect its policies on request and submit copies of such policies to the Council's Lead Officer on an annual basis.
26. Throughout the Grant Period, the Provider will prominently acknowledge the funding the Council provides on official stationery, all main promotional material and publications of the Provider, incorporating the logo of the Council where space allows. Where relevant, all publicity and PR undertaken by the Provider must also clearly acknowledge and make reference to the Council as a funder.

27. Any approaches to the press with respect to any matter relating specifically to the terms of this Agreement should be jointly agreed through consultation between the Provider and the Council.
28. The Council agrees to reserve the Poster Sites for the use of the Provider, subject to the Provider complying with the following conditions:
- At any given time, at least 50% of the Poster Sites (not including those in the Lowther Grounds) are to be available for use by community groups or other non-commercial organisations (within a reasonable period of advertising).
  - Not to charge any community group or other non-commercial organisation a rate for using any Poster Site which could be deemed unreasonable in relation to the costs involved in displaying the poster, administration and its eventual removal.
  - Any bookings made with the Council for use of a Poster Site before the date of this agreement will be honoured.
  - The Provider will maintain the Poster Sites at its own expense in a safe and fit condition, including removing fly posting and graffiti.
  - The Provider will remove out-of date advertising.
  - The Provider acknowledges that the Council may, in its discretion, remove a Poster Site after consulting the Provider.
  - The Provider acknowledges that upgrading of the Poster Sites will be subject to the usual planning process and require the approval of the Council.
  - The Provider co-operates with Lancashire County Council concerning the use of the Poster Site at St Anne's library.

### **Default in Performance**

29. In the event that the Provider ceases to provide the Services the Council:
- will cease to be under any obligation to pay any further instalment of any Grant :and;
  - may, at its absolute discretion (but subject to clause 33), require the Provider to repay any or all of the most recent instalment of any Grant that has been paid to the Provider
30. If, having regard to the Performance Measures, and having previously provided written adequate notification of its concerns to the Provider, the Council considers that the performance of the Services unacceptably below the standard the Council reasonably requires pursuant to this Agreement, the Council may, notwithstanding anything else in this agreement, withhold the payment of any instalment of a Grant until it considers that the performance of the Services have returned to an acceptable standard.
31. If, having, withheld three or more instalments of a Grant pursuant to clause 31 of this agreement, the Council considers that there is no reasonable likelihood that the performance of the Services will return to an acceptable

standard within eight weeks, it may give notice to that effect to the Provider and the Provider will then, for the purposes of clause 29, be deemed to have ceased to provide the Services.

32. For the purposes of clause 30 the Council will only be deemed to have provided adequate notification of its concerns if the notification:

- was made in writing to the Provider's representative named in clause 14; and
- contained (in the opinion of the Council) sufficient detail about the Council's concerns to have given a reasonable organisation in the place of the Provider an adequate opportunity to address them to the reasonable satisfaction of the Council

33. In deciding what proportionate part of the Grant it considers appropriate to require the Provider to repay under clause 29, the Council will have regard to the following principles:

- If the Provider informs the Council, that it will cease to operate (but not if the Provider has already ceased to provide the Services), the need for the Provider to be able to bring about an orderly closure of the Services including but not limited to the termination of employment contracts and any statutory redundancy payments
- The Council will only require the Provider to repay sums in respect of Grant that was paid in respect of the current financial year of a Grant Period.

34. The Provider may bid to the Council for capital funding to support any major redevelopment of Lowther Pavilion. This will be considered alongside other demands on the Council's capital resources.

35. The Provider acknowledges that the Grant is not consideration for any taxable supply for VAT purposes to the Council by the Provider.

36. The Provider accepts that the Council may share information about the Grant with any parties of the Council's choice as well as those making requests for information under the Freedom of Information Act 2000.

37. The Provider may not assign any of their rights under this Agreement to any successor or other body.

38. The Provider may not transfer any part of the Grant or this Agreement to another organisation or individual.

39. It is agreed between the parties that the purpose of Grant is to fund any potential operating deficit in the Provider's resources in respect of the reasonable performance of the Services by the Provider during the Grant Period, taking into account the need for the Trust to build a reserve of Working Capital and future development funding. If during the course of

this Agreement it becomes reasonably apparent to the Council that the Grant is no longer required and the Provider is no longer operating at a loss, the Council (at its entire discretion) shall be at liberty (in consultation with the Provider) to withhold payment (in whole or part) of the Subsequent Grant for such time or periods as it shall deem appropriate. This clause shall not be invoked if the provider is successful in securing revenue and/or capital grants which require specific performance measures beyond those specified in this agreement.

## **Dispute Resolution**

40. For the purposes of this clause:

- 'Dispute' means a dispute issue difference question or claim as between Fylde Borough Council and Lowther Gardens (Lytham) Management Ltd relating to or arising at any time out of this agreement;
- 'Party' means a party to the Dispute;
- 'Specialist' means a person qualified to act as an independent expert in relation to the Dispute having experience in the profession in which he practises for the period of at least 10 years immediately preceding the date of referral.

41. Either party may give to the other notice (a 'Dispute Notice') requiring a dispute to be referred to a Specialist and proposing an appropriate Specialist.

42. The Party served will be deemed to accept the proposals made in the Dispute Notice unless that Party within 10 Working Days of service of the Dispute Notice gives notice rejecting one or more of the proposals or unless each Party serves a Dispute Notice on the other contemporaneously.

43. Unless the Parties agree or are deemed to agree the appropriate Specialist:

- if the Parties do not agree which type of Specialist is appropriate to resolve the Dispute either Party may refer that question to the President or next most senior available officer of the Institute of Chartered Accountants England and Wales ('the Institute') who will (with the right to take such further advice as he may require) determine that question and nominate or arrange to have nominated the appropriate Specialist;
- 4.2 if the Parties do agree the appropriate type of Specialist but do not agree the identity of the Specialist he will be nominated on the application of either party by the President or other most senior available officer of the organisation generally recognised as being responsible for the relevant type of Specialist but if no such

organisation exists then by the President or next most senior available officer of the Institute.

44. The fees and expenses of the Specialist, including the cost of his appointment, shall be borne as he shall direct and in default of direction are to be borne equally between the parties.
45. The Specialist must afford the Parties an opportunity to make written representations to him and an opportunity to make written counter-representations on any representations made to him by the other Party but is not in any way limited or fettered by such representations and counter-representations and is to be entitled to rely on his own judgment and opinion.
46. If a Specialist dies or refuses to act or becomes incapable of acting either Party may apply to the President or next available most senior officer to discharge him and appoint another in his place.
47. The Parties agree that the decision of the Specialist shall be final and binding upon them.

#### **Transfer of Staff**

48. The Council agrees that:

(i) in so far as this agreement effects the transfer of an undertaking operated by the Council, and that the TUPE applies to such a transfer, it has and will comply with its obligations under the TUPE

(ii) it will support an application by the Provider or the Lowther Gardens Trust to join the Lancashire County Pension Fund as an admissible body, and will, if requested by the Provider or the Lowther Gardens Trust, act as guarantor for that body's admission to the scheme in relation only to such persons who transfer to the employment of that body as a result of TUPE and who were, before such transfer, members of that fund.

(iii) it shall retain any pension liabilities it may have for the transferred employees and those pensioners previously employed at Lowther Gardens up to 1 June 2012, under the Lancashire Local Government Pensions Scheme.

(iv) it shall retain any redundancy liabilities it may have accrued for the transferred employees up to 1 June 2012.

(v) In the event of any claim being made against the Council, it shall immediately notify the Provider and no agreement or settlement shall be reached or entered into by the Council, without the prior consent of the Provider, (which shall not be unreasonably withheld or delayed).

49. The Provider agrees that:

(i) in so far as this agreement effects the transfer of an undertaking operated by the Council, and that the TUPE applies to such a transfer, it has and will comply with its obligations under the TUPE

(ii) it accepts that the following four persons presently employed by the Council for the purposes of the undertaking to be transferred will, by virtue of TUPE, be transferred to the employment of the Provider on the 1 June 2012:

- Peter Bradley
- David Dugdale
- Christine Painter
- Calum Robinson

## **The First Schedule**

### **The Services**

- (i) The maintenance and development of Lowther Pavilion as a cultural community facility, for the benefit of residents of and visitors to the Borough.
- (ii) The provision of a balanced and diverse programme of performing arts and entertainment, including dance, drama, music, musical theatre, variety and comedy; encouraging innovation through the use of new technology and the support of new writing and performing talent.
- (iii) The development of new audiences and encouragement of existing audiences to visit more frequently, building participation in the arts locally; accessible to all sectors of the community through programming, marketing and community engagement work.
- (iv) The promotion of the performing arts in Fylde, supporting and developing local amateur groups, volunteers and the wider community. The pavilion shall be available for hire by local community/amateur groups for a minimum of 120 sessions per year.
- (v) The free use by the Council of Lowther Pavilion and its facilities for up to 10 Council meetings per year and the annual Mayor

making ceremony on dates to be provided to the Provider in advance by the Council as soon as reasonably practicable. Dates of meetings for 2012/13 as follows –

- 30<sup>th</sup> July 2012 , from 19:00
- 24<sup>th</sup> September 2012 from 19:00
- 3<sup>rd</sup> December 2012 from 19:00
- 28<sup>th</sup> January 2013 from 19:00
- 4<sup>th</sup> March 2013 from 19:00
- 25<sup>th</sup> March 2013 from 19:00
- 15<sup>th</sup> May 2013 from 2pm

- (vi) The Provider shall make best endeavours to make available the Pavilion for use in the event of a civil emergency as a rest centre or similar facility.
- (vii) The development of service provision may change over time to reflect the current nature of standard business practice in the entertainment industry. All development will encompass the core values as presented in the Trust's artistic policy.

## **The Second Schedule**

### **The Performance Measures**

Quarterly meetings will be held between representatives of the Provider and the Council, where the information required by this agreement will be reviewed.

If requested to do so, the Provider will make an annual presentation to the Council's Community Focus Scrutiny Committee (or other such appropriate elected member group) at the conclusion (or as near to as possible) of each year of the operation of the Service Level Agreement summarising its performance and service during the year, including financial performance – annual outturn against the budget.

### **Quantitative**

- The Services to be provided within the operating budget, provided in accordance with clause 18.
- A breakdown of the number of complaints received from service users and how they have been resolved.
- Number of sessions utilised by local amateur groups, volunteers and the wider community.

- Number and percentage of self-promoted shows which breakeven and/or make a profit

### **Qualitative**

- The Trust will provide evidence that it is meeting art council and theatre management association industry standards in relation to customer satisfaction, audience profiling and quality of opportunity both for the visitor, local population and visiting companies. Income generation to develop the service offered and development work to encourage greater community use of the facilities. The Trust and the Council will work together to develop a greater understanding of all creative activities across the Borough.

## **The Third Schedule**

### **The Poster Sites**

Twelve double-crown boards at the Crescent, St Annes

Two double-crown boards at St Annes Library

Four double-crown boards at St Pauls Avenue, St Annes

Four double-crown boards at the entrance to Fairhaven Lake

### **Signatures**

\_\_\_\_\_  
Fylde Borough Council

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lowther Gardens (Lytham) Management Ltd  
(as operating company of Lowther Gardens Trust)

\_\_\_\_\_  
Date

### End of Year Report for FBC. Lowther Gardens (Lytham) Trust April 2012- April 2013.

#### **Background Information**

Lowther Pavilion passed from Council control to being run financially by the Trust on the 1<sup>st</sup> April 2012. It is financially supported by FBC on a sliding five year grant that is monitored under a SLA.

The Lowther gardens have continued to be run and financed by FBC. Negotiations are under way to formalise this arrangement with a SLA to run concurrently with the buildings SLA.

The title in the property is to be passed to the Charity Commission and held on behalf of the Lowther Gardens Trust.

#### **The Trust**

The Trust meets monthly and has expanded its number of Trustees during the year. (31<sup>st</sup> Jan 2013)

New additions to the Trust are.

1. Rosie Withers ( Friends Trustee)
2. Gill Winward ( HR and Governance)
3. Teresa Mallabone ( User Groups)

It is seen that the strengthening of the Trustee base will enhance the community use of the facility and provide local representation for the Trust.

#### **The Lowther Pavilion**

Total Number of performance days	April – Dec 2012 (223)	Jan – April 2013 (56)
	<b>Total 279</b>	

Amateur/ User Group usage **169 Session Days**

Schools 6

#### **Wider Community**

Fairs 18

Dog Shows 4

Talent Nights 3

Other. 17

Professional shows	April – Dec 2012 (73)	Jan – April 2013 (16)	<b>Total 89</b>
<b>Performance days</b>			

The Lowther Pavilion is open seven days a week from 10 am – 5 pm on non performance days and from 10 am – 11 pm on performance days.

### Useful information.

**Names added to Database from people who have bought tickets for the first time for the Lowther.**

2010 1642

2011 1914

2012 3218

2013 (Up to April) 1807

### Financial Summary 2012/2013

#### **LOWTHER GARDENS (LYTHAM) MANAGEMENT LTD**

#### **FINANCIAL SUMMARY 2012-13**

	£
<b>INCOME</b>	<b>599,672</b>
<b>DIRECT COSTS</b>	<b>(416,916)</b>
<b>EXPENDITURE</b>	<b>(256,934)</b>
<b>FBC GRANT</b>	<b>80,559</b>
<b>SURPLUS/(LOSS)</b>	<b>6,381 profit</b>

There was a 4% increase in audience numbers despite unfavourable trading conditions.

Lowther Pavilion provided an increased range of shows as well as operating more days each week than it has previously.

### Points of Note (Professional Programme)

Presentation of No 1 Touring Theatrical Production of A Christmas Carol

Continuation and development of Big Band Concerts (Tony Benedict/ Andy Prior/ Joe Loss for Next Year/ Nick Ross.

Successful presentation of the professional West End and Broadway Hit (Puppetry of the P.)

Top name comic talent booked at no risk including Jason Manford and Jenny Eclair

Educational Drama booked for Key Stage 2.

Small intimate shows launched in the Studio as a low cost of providing entertainment with a different slant at an affordable cost.

Well known bands and musicians booked at no risk to the venue. Barbara Dickson, Elkie Brooks, Dr Feelgood, Hats off to Led Zeppelin, Paul Jones.

Diversity booked with Ready Steady Cook, World Matchplay Darts, Heritage Opera, Russian State Ballet of Minsk .

Negotiations complete to work with AKM School to bring all school productions to the Theatre.

NHS conferences

5 Days of Community Workshops for Children

At least one event aimed at Children and families each month.

Continued development with BBC broadcasting including Christmas Star Concert and broadcast Radio Play.

Use of Space for Public awareness campaigns (Alcohol Awareness, Heart foundation.)

NHS conferences (Nov and Dec)

Light Switch on for St Annes and Ansdell

Participation of over 200 Children in the professional/community pantomime.

Developing relationships with Ormerod Trust (Three people with learning difficulties performed in panto)

## **In Conclusion**

The Lowther is now attracting more local groups to perform at the venue and this will continue to increase as we are now being seen as a serious alternative to the venues at the Pleasure Beach and others in Blackpool and on the Fylde coast. In the last three months we have attracted Dance schools who have never performed previously at the Lowther and several schools/ sports clubs to use our facilities as well as being the venue of choice for one undertaker to stage non religious funerals.

Improvements have been made to the Front of house experience and we have invested in refurbishment of the disabled toilets, repainting of the outer foyer area, new colour scheme for the external woodwork and new lighting for the entrance. We are in the process of re-staffing the box office and all staff now have and wear Lowther Uniforms whilst at work within public areas.

The profiling of audiences is continuing with the development and enhancing of box office systems, marketing lists and customer satisfaction questionnaires.

## **New opportunities developed.**

1. "Everyone has a story" Lottery application in partnership with FBC.
2. Assets bought include Digital Projector for Cinema Screening, New Stage Lighting, LED batons, Overhead stage microphones and new internal main lighting to the Hall.
3. Mobile Box office (Caravan Purchased and being developed)
4. Mobile 'A' Board advertising boards for exterior promotion.
5. Redevelopment of Poster Sites (Back of Park). Also the provision for upgrading all the other poster sites within the borough.

In conclusion, The Trust has delivered the Services at the Lowther with a small but significant profit. Has improved the buildings and started renewal of assets that are beyond repair.

It has increased footfall through the building and has provided more access for Community and local user groups.

# REPORT

REPORT OF	MEETING	DATE	ITEM NO
DIRECTOR COMMUNITY SERVICES	COMMUNITY FOCUS SCRUTINY COMMITTEE	25 JULY 2013	6

## ART COLLECTION REVIEW

### Public Item

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

### Summary

The report provides details of the review of the Council's art service and the requirement for member input into the review process, with a view to developing a clear strategy for the future management of the service and the art collection, including a policy framework that will deliver best value from the art collection.

### Recommendations

1. To establish a task and finish group as part of the art service review to provide member input into the development of a strategy for the future management of art service and the collection, including a policy framework to achieve best value from the art collection.

### Cabinet Portfolio

The item falls within the following Cabinet portfolio:

Leisure & Culture - Councillor Susan Fazackerley

### Summary of previous decisions

#### Executive Committee 20<sup>th</sup> April 2005

Following a full debate the Executive committee RESOLVED:

- 1) To retain works of art and continues to allocate appropriate funds for their preservation and maintenance.

- 2) To agree to the long term loan of the majority of the Ansdell paintings and other identified works to E H Booths & Co to form the basis of an art gallery display at their new Haven Road supermarket subject to a detailed service level agreement.
- 3) To consider at an appropriate stage in its development as a visitor attraction the display of selected works at Lytham Hall.
- 4) To investigate the loan of the painting entitled Queen Katherine's Dream, by Henri Fuseli, to a major, national/regional gallery.
- 5) To agree to the delegation of above actions (including, consideration of the disposal of the remainder of the works to finance the purchase of other selected works) to the Cultural Services Business Manager in consultation with the Leader of the Council, the Urban and Rural Heritage Champions, the Asset Management Champion and Councillor Fabian Wilson; the negotiated proposals to be brought back, in due course, to the Executive Committee for ratification.

#### **Cabinet 16<sup>th</sup> January 2013**

- 1) In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to acknowledge the opportunities created by the Localism Act to review all assets and requests that officers investigate all options possible in order to ensure that value for money for the public purse is achieved from all Council assets.

#### **Background**

1. The Council has a duty under the Local Government Act 1999 to deliver best value from all the services it delivers, with Members identifying the need to maximise the use of all assets for the benefit of residents and visitors in the current draft Corporate Plan 2013 – 2016.
2. Since 1925 Lytham St Anne's Borough Council, and subsequently Fylde Borough Council, have been donated a significant number of works of art. The collection had its beginnings when John Booth of the local grocery family donated a painting by Richard Ansdell RA called "The Herd Lassie", for the benefit and enjoyment of the people of Lytham St Anne's; this represented the start of the arts service.
3. There are approximately 260 works of art in the art service collection comprising mainly of pictures, drawings and watercolours, together with Asian works of art, furniture, sculpture and silver. Together these make up the assets of the arts service, the Council does not have a dedicated museum or public gallery in which to display the works of art within its portfolio.
4. The paintings include a collection of oils by Richard Ansdell RA (1815 – 1885), a nationally famous artist after whom the area of Ansdell was named. Richard Ansdell was a prolific artist specialising in rural and hunting views. A number of his works in the collection are local scenes. Other works include similarly well-known artists including Charles Burton Barber, Cuthbert Grundy and Henri Fuseli, a Swiss born artist of international significance.
5. A significant proportion of the paintings was donated by Alderman James Dawson, a former mayor of Lytham St Anne's, who was an avid collector of artworks. It is understood

that Alderman Dawson's wish was that the paintings should be displayed in a gallery for the benefit and enjoyment of local residents.

6. Apart from exhibition at the Fylde Gallery in the Booths store, Lytham, pieces from the collection are also displayed on the walls of the corridors at the Town Hall, in the Mayor's Parlour and in the Reception Room. Items from the collection have also been displayed at various Lancashire County Council museums. Historically Lytham Hall has been loaned and has displayed a number of paintings from the collection. Once the restoration work at the Hall has been completed there may be the opportunity to display more items from the collection in the restored sections of the building. This option will be investigated as part of the service review.
7. In recent years the Council has loaned selected works to a number of prestigious exhibitions abroad, requesting and receiving a revenue contribution towards the costs of conservation as a consequence. Donations have also been received towards conservation work from supportive community friends groups and individuals on an ad hoc basis.
8. Since 1990 the Council has worked closely with officers from Lancashire County Council who provide technical expertise and support. The conservators have assessed the paintings and drawn up a priority list for conservation, taking into account the artistic merits, value and degree of work required to restore the paintings. This programme has been in place for more than 15 years and restored works are subsequently displayed wherever possible.
9. The Arts Working Group was established by Fylde Borough Council, comprising representatives from the Council, Booths, Lancashire County Council Museum Service, Fylde Decorative and Fine Arts Society, the Civic Society and the Friends of the Lytham St Anne's Art Collection (Appendix 1).
10. The Fylde Gallery hosts exhibitions throughout the year, including at least two exhibitions from the collection, together with high quality exhibitions from local art and photographic societies. A number of volunteers now assist with the invigilation and interpretation of the works and displays.
11. Fylde Decorative and Fine Arts Society, a local arts education, heritage and conservation society, has recently been awarded a grant of £24,000 from the Heritage Lottery Fund to support a two year project to raise awareness of the collection. Their 'Tagging the Treasures' project will recruit volunteers to research artists, art works and donors producing a complete online and printed catalogue that will make information about the collection fully accessible. These valuable volunteer and community group initiatives form a large part of the arts service.
12. The service is essentially the storage, security and, where possible, the maintenance and restoration of the art collection with public displays whenever possible. The Council does not have a post dedicated to the art service the responsibilities for storage, display and working with partners is covered by a number of officers as part of other duties.
13. The Council does not currently have a defined strategy for the management and development of the collection which the review will need to address. Member involvement would provide valuable direction for the strategy and therefore it is

recommended that a task and finish group is established to consider development of a strategy for the future management of the art collection, including a policy framework to achieve best value, and a criteria for potentially working in partnership with other groups with regard to future funding applications.

14. It is anticipated that the task and finish group would interview a range of stakeholders, including representatives from the Arts Working Group, Christies (as the valuer of the collection), and officers from Lancashire County and Fylde Borough Councils as part of the review process.

IMPLICATIONS	
Finance	The review process has no financial implications
Legal	The review process has no legal implications
Community Safety	The review process has no community safety implications
Human Rights and Equalities	Appropriate consultation is carried out as part of the review process to ensure equality
Sustainability and Environmental Impact	The review process has no sustainability or environmental implications
Health & Safety and Risk Management	The review process has no health and safety or risk management implications

Report Author	Tel	Date	Doc ID
Darren Bell	(01253) 658465	25.07.13	25.07.13 Art Collection

List of Background Papers		
Name of document	Date	Where available for inspection

### Attached documents

Appendix 1 – Arts Working Group Aims and Objectives

## **ARTS WORKING GROUP**

### **AIMS & OBJECTIVES**

#### **BACKGROUND:**

The Arts Working Group (AWG) is led by Fylde Borough Council in partnership with Lancashire County Council, Booths stores and the Friends of the Lytham St Anne's Art Collection; together with the Lytham St Anne's Civic Society and the Fylde Decorative Fine Arts Society.

#### **AIMS:**

To further the development of arts education through the appreciation and enjoyment of the Lytham St Anne's Art Collection

To maintain and conserve the artistic heritage of the Collection for the benefit of the community

To assist community development through support to local arts societies/groups

#### **OBJECTIVES:**

- to promote the Lytham St Anne's Art Collection;
- to increase public awareness of and access to the Collection;
- to ensure the Collection is frequently and conveniently displayed in the Fylde Gallery, located at the Booths store in Lytham;
- to develop the concept of cultural tourism by displaying the Collection in other suitable venues within and outside the Borough;
- to raise the profile of the Collection through the loans of constituent items for exhibitions in international, national and regional galleries and museums;
- to oversee the acquisition of further high quality locally important works into the Collection, continuing the tradition begun in 1925;
- to contribute to the development of arts education and heritage conservation by providing scheduled exhibition space for local societies/groups;
- to generate income which can be invested into the conservation and on-going care of the Collection;

# REPORT

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES	COMMUNITY FOCUS SCRUTINY COMMITTEE	25 JULY 2013	7

## PLANNING IMPROVEMENT PLAN

### Public Item

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

### Summary

The report addresses the recommendations made as a result of the recent planning peer review and seeks agreement to the action planning work which followed. The action plans build on those previously considered by this Scrutiny Committee and Cabinet on 4th April 2013. There is now a proposed action plan for each of the 12 recommendations that it was resolved to progress.

Members are also asked to agree arrangements for scrutinising the progress of the agreed improvement plans.

### Recommendations

- 1) Consider and comment upon the 12 action plans that have been prepared
- 2) Agree the future role of scrutiny in monitoring progression of the action plans.

### Cabinet Portfolio

The item falls within the following Cabinet portfolio:

Portfolio Holder for Planning and Development

Dr Trevor Fiddler

## Summary of previous decisions

1. On 4<sup>th</sup> April 2013, Community Focus Scrutiny Committee considered the Peer Review Report that had been prepared which included 4 initial improvement plans. It was resolved to:  
  
To support the 13 recommendations which had resulted from the Planning Peer Review.  
  
To support the four recommendations already action planned (1, 4, 7 and 13)  
  
To request that key stages of progression be reported to future meetings of the Community Focus Scrutiny Committee.  
  
To support the Portfolio Holder in seeking to discourage repetitious debate at meetings of the Development Management Committee.  
  
To support the retention of the existing numbers on the Development Management Committee.
2. The Minutes of the Community Focus Scrutiny Committee were considered by Cabinet on 10<sup>th</sup> April 2013 who resolved to support the recommendations as reported.

## Report

1. Between the 15<sup>th</sup> and 17<sup>th</sup> August 2012 an LGA facilitated Planning Peer Review took place involving a team of 6 members. The team included both Officer and Member peers. The team was led by Cllr Neil Clarke, Leader of Rushcliffe Borough Council. Interviews and workshops were held with a variety of stakeholders during the visit. Some of the team also attended a meeting of the council's Development Management Committee on the 15<sup>th</sup> August.
2. On the 11<sup>th</sup> October some of the Peer Review Team returned to facilitate an action planning workshop. Four of the thirteen recommendations contained in the report were action planned (7, 13, 1 and 4) and an analysis of recommendation no. 3 was also undertaken in the form of a quadrant analysis.
3. Following receipt of the output report from the action planning day on the 11<sup>th</sup> October the report was updated and refined to remove repetition and present the actions in a logical chronological format with ownership identified.
4. The findings of the Peer Review, were previously considered by this Committee on 4<sup>th</sup> April 2013 and were agreed by Cabinet on 10<sup>th</sup> April 2013. A series of action plans for the remaining recommendations have now been prepared by the "owners" of each of the recommendations. The 13 recommendations and outcomes from the review, are set out in each of the action plans.
5. A key feature which runs through the review is the need to secure corporate ownership and acceptance of the planning function as a vital component to ensure achievement of many of the council's objectives. Regular consideration of relevant planning issues by Management Board, Management Team and Middle Manager's Meetings is considered central to this.
6. Members are asked to comment upon the action plans that have been prepared and provide any further comments on them. It will be the role of the 'owner' of each action plan to then

lead and to deliver their allotted plan.

7. The action plans include a series of key milestones for the delivery of each of the plans. It is proposed that progress on the achievement of each of the action plans be reported to this committee every 4 months.
8. Members should also note that several of the actions arising from the proposed plans have already been completed.

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

Report Author	Tel	Date	Doc ID
Mark Evans	(01253) 658460	8 July 2013	

### List of Background Papers

<p>Council, Cabinet &amp; Portfolio Holder reports and minutes</p>	<p>Agenda and Minutes of 4 April 2013 Community Focus Scrutiny Committee (Item 7) – Including:  Planning Peer Challenge 15-17 August 2012 Report  Planning Peer Challenge 11 October 2012 Action Planning Day notes  Planning peer review recommendations and outcomes (summary &amp; ‘owners’)  Initial Action Plan</p>	<p><a href="http://www.fylde.gov.uk/meetings/details/998">http://www.fylde.gov.uk/meetings/details/998</a></p>
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#### **Attached documents**

Planning Improvement Pan

1	Review and update the project plan to complete the local plan. Ensure sufficient resources are allocated to deliver this. There is support available from PAS for this. Raise awareness of the Local Plan.				JG
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
<p>Timely completion of a sound Fylde Local Plan.</p> <p>Fylde will have an up to date Local Plan and a five year supply of housing land. The Plan will be used to determine where strategic development takes place.</p> <p>The Vision for Fylde to 2030 will be achieved.</p>	1. Raise awareness of the importance of the Local Plan to Fylde Council by better communication with Senior Officers, Members and council staff (see 2 below).	Paul Walker Mark Evans Julie Glaister	On Going	None	
	2. Regular reporting of progress on the Local Plan to Management Team/Management Board and LPSG – continuously monitor, review and support	Paul Walker Mark Evans Julie Glaister	Scheduled slot at MT/MB and update at DM if no LPSG	None	
	3. Allocate the necessary resources to complete and adopt the Local Plan as soon as possible	Alan Oldfield and Paul Walker	August 2013 (funding for extension to temporary contracts)	Unknown level of resource. Compulsory timeframes.	
	4. Establish a clear priority to focus on the Local Plan and acknowledge that additional work steams, the changing government agenda and achieving member acceptance may delay its adoption	Risk Management Group Management Team Management Board LPSG Members	Now and throughout the Local Plan programme	Resources/capacity, Instructions to carry out other work, Neighbourhood Planning, changing government agenda	
	5. Work with all Neighbouring Authorities, Lancashire County Council and statutory consultees on meeting the Duty to Cooperate at officer,	Planning Policy Officers Corporate management Members Neighbouring Authorities	Now and on going	Potential confusion around the responsibility for organising higher	

	corporate and member level	Lancashire County Council Statutory Consultees		level meetings  Other authorities and agencies working to different timescales.
	6. Work with the PAS on reviewing the various stages of the plan and progressing it to examination	Julie Glaister	On going	None known at present if PAS support continues to be available
	7. Develop good working relationships with statutory consultees eg United Utilities	Planning Policy Team	Now and on going	Time consuming but crucial to deliverability of plan
	8. Review evidence base continuously to ensure it is up to date at examination. A local housing requirement figure is needed to replace RSS. Out of date evidence can delay examination.	Julie Glaister and PAS	On going	Very time and resource demanding
	9. Stay up to date with emerging government agenda and current best practice in order to produce sound local plan	Julie Glaister Mark Evans	On going	Time consuming

2	Develop a set of councillor briefing sessions to explain the 5 year land supply issue, NPPF and other pertinent planning issues.				LL
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
<p>'Members of Fylde are better equipped to work with officers in leading the delivery of a robust planning vision for the borough. They are also better equipped to understand and react to external pressures which may arise in a national context</p>	1. Provide clarity on Community Infrastructure Levy'	Paul Walker Mark Evans Paul Rossington	Immediately – 15 April Learning Hour and on-going through continued reinforcement	None	
	2. To provide an understanding of the SHLAA methodology to assist in the review of SHLAA	Paul Walker Mark Evans Paul Rossington Andrew Dodgson(PAS)	24 April 2013	None	
	3. To create a greater understanding on the roles and responsibilities of elected members in effective planning.	Chief Executive Paul Walker Mark Evans Cllr Val Slater ( NWE Associate)	29 May 2013	None	
	4. The concept and appreciation of Neighbourhood Planning	Mark Evans with senior planning managers	September 2013 date TBC	None	
	5. More joint training/information workshop events with planning team and DM Councillors	Officers and Members	on-going	Time Resources Availability	
	6. Involvement of the Member Development Steering group in the design and delivery for future years	Lyndsey Lacey MDSG	Immediately and on-going	None	

	Agree the way forward on strategic issues and the Induction events.			
	7. Development of a regular structured training programme for members of the Development management committee and its substitutes	Key members and planning staff Lyndsey Lacey	Immediately and on-going	Time availability (especially for members) Other priorities getting in the way
	8. Lessons Learnt – Review of Appeal decisions	Key members and planning staff	Immediately and on-going	Time availability
	9. Annual coach of borough- looking at areas of perceived good/ poor development	Key members and planning staff	Annually	None
	10. An overview of the Council's Enforcement responsibilities	Mark Evans Paul Rossington Enforcement Officers	2013	Day to day priorities getting in the way
	11. Support and champion the training	Paul Walker Alan Oldfield Mark Evans Councillor Fiddler Councillor Nash Councillor Pounder	Every opportunity	Resources/capacity
	12. Environment Agency role	The Environment Agency 01772 714219	TBC	None
	13. Economic Development Strategy ( Steve Smith)	Steve Smith	TBC	None
	14. Town and Parish Council training	External	TBC	Cost

3	Review the arrangements for Development Management committee and the Local Plan Steering Group. Whilst not exhaustive, this includes (i) numbers of councillors on the DM Committee and (ii) the overall membership on the Local Plan Steering group and its governance arrangements. Consideration should be given to creating a policy of mandatory training for members of both structures.				DE
Desired outcome for Fylde (What would success look like?)		Action(s)	By whom?	Timescale	Barriers
'Both bodies are clearer on (1) what they have been set up to do, (2) how best they achieve their strategic objectives and (3) link these into the achievement of borough-wide priorities. Overall both are better fit for their purposes'		1. Review size of Development Management Committee	David Eaves Trevor Fiddler	May 2013	Reluctance to change
		2. Review the role and governance arrangements of the Local Plan Steering Group	David Eaves Trevor Fiddler	September 2013	None
		3. Review the policy of mandatory training for members of Development Management Committee and Local Plan Steering Group	Member Development Group	July 2013	None

4	Work with the chair and vice chair to encourage the Development Management Committee to think about how it streamlines debate (e.g not repeating each other and focusing only on relevant planning issues).				TF
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
'Better quality, borough-wide planning objectives are achieved'	1. Champion and support strong chairmanship and Committee management (mentor/coach)	Trevor Fiddler	Immediate start	Political Appetite, Support from Committee members	
	2. Develop a clearer understanding amongst members to focus discussions on strategic issues rather than detail, to avoid repetition, including establishing necessary protocols	Portfolio Holder Chair and Vice Chair and Committee Member Development Group	ASAP	Members will need support to represent the borough over their ward and focus on relevant planning issues only	
	3. Review the report formats and the presentation style	Mark Evans Paul Rossington Ian Curtis Lyndsey Lacey	Oct 2013	Acceptance by committee.	

5	Arrange facilitated approach to review processes with staff using an external facilitator to carry out systematic review of processes and implement new streamlined approach. Staff need to be involved and own this and managers need to make time for it (both for themselves and for the staff).				PR
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
A shared understanding of the 'so-what' of all activities undertaken by the council in planning terms. A planning service where form follows function. A corporately owned programme of improvement for the service	1. Determine our understanding of the scope, range and impacts of <b>all planning activities</b> undertaken across the Council.	Paul Rossington Mark Evans Julie Glaister Paul Drinnan Portfolio holder/Chairman Legal Member services	Immediately	None	
	2. Establish the functional linkages and relationships that exist <b>within and beyond</b> the Borough Council throughout the planning process.	Mark Evans Paul Rossington Paul Drinnan Andrew Stell Andy Cain	By end August 2013	None	
	3. Agree the <b>priorities</b> that will <b>influence and prescribe the form and format of an excellent, customer focussed and proactive planning service</b> .	Paul Walker Mark Evans Paul Rossington Portfolio holder Ian Curtis Andy Cain	By end September 2013	None	
	4. Assess the <b>options</b> for the form of our chosen planning service model.	Mark Evans Paul Rossington Staff representatives LPA 's and other external contacts nationwide	By end November 2013	None	

	5. <b>Design and deliver the optimal process</b> for the delivery of our chosen service model.	Managers DM staff representatives Andy Cain Member services Portfolio holder / Chairman	By end March 2014	None
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6	Review line management and supervision arrangements (including coverage of appraisals) and implement a structured approach to one-to-one supervision to provide appropriate monitoring, support and development.				PR
Desired outcome for Fylde (What would success look like?)		Action(s)	By whom?	Timescale	Barriers
There is improved support for, and capacity in, Fylde's Planning Service. The service has a clearer understanding of how its various functions join up to deliver more effectively and efficiently. Performance is more robustly and clearly managed.	1.	Assess the opportunities that exist to deliver a common approach to line management and supervision across the three service functions that make up the planning service.	Mark Evans Paul Rossington Julie Glaister Paul Drinnan	By end December 2013	None
	2.	Define roles, team working practices, skills and capacity to ensure that these linked issues genuinely connect with and contribute to the delivery of an effective and efficient planning service.	Planning managers Team members Partners	By end December 2013	None
	3.	Map the developmental needs of staff within the planning service and define the personal and professional improvement opportunities available through supervision, coaching, mentoring and any other relevant opportunities.	As 2 above	By end December 2013	None
	4.	Implement actions 1 and 2 above. Embed, within the service structure, specific and relevant efficiency standards, together with all aspects of performance management, reporting mechanisms and continuous improvement targets which will define an excellent service unit.	As 2 above Corporate skills Private sector techniques Critical friends	By end March 2014 and ongoing	None

	5. Implement action 3.	As 2 above	By end March 2014 and on-going	Time Resources Skills
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7	Develop mechanisms for starting to build two-way trust between the Council corporately and the Planning Service. Develop ways in which both can work together to jointly own and drive Planning Service improvements. Jointly agree service-specific performance management mechanisms.				PW
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
'Any suggestion or perception of an 'us and them' culture' is removed. The planning vision for Fylde is jointly owned and delivered in a supportive environment by the council as a whole. There is a corporately owned programme of improvement for the service' <i>The Planning function is recognised as key to the future strategic direction and success of the Borough and Authority.</i>	1. Address the 'perception' and state the reality clearly	Alan Oldfield Paul Walker Mark Evans Paul Rossington Julie Glaister	Immediately and on-going through continued reinforcement	None	
	2. Draft Planning Improvement Plan considered and adopted by Management Team	Paul Walker Mark Evans	January 2013	None	
	3. State and champion the 'planning vision' and reinforce (must be consistent with the current corporate vision)	Paul Walker Mark Evans Cabinet, Scrutiny and DM Committee members should be fully involved in writing and agreeing the planning vision	By end Oct 2013	None	
	4. Incorporate the 'planning vision' into the corporate vision for Fylde	Management Team in conjunction with senior planning managers	Next review of corporate vision	None	
	5. More joint training/information events with planning team and DM Councillors	Officers and Members	Immediately and on-going	Time Resources Availability	
	6. Set up regular meetings between senior planning officers and Management Team in order to agree the way forward on strategic issues.	Senior Management Team	Immediately and on-going	The 'day job' and other issues get in the way	

	<p>7. More regular interaction/briefings between key members (including Leader/Portfolio Holders) and senior planning staff.</p> <ul style="list-style-type: none"> <li>• Senior Planning Officers attending Management Board.</li> <li>• Leader/Portfolio Holders attending Local Plan Steering Group</li> </ul>	Key members and planning staff	Immediately and on-going	Time availability (especially for members) Other priorities getting in the way
	8. Develop the Planning Service and identify key policy issues other than the Local Plan	Mark Evans Paul Rossington Julie Glaister	By end December 2013	Day to day priorities getting in the way
	9. Support and champion the success of the team and monitor the improvement Plan	Paul Walker Alan Oldfield Mark Evans	Every opportunity and throughout the plan	Resources/capacity

9	Develop clear protocols, expectations and guidance for elected members working in sub-regional/regional contexts and arenas				TM
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
Fylde councillors are at the heart of sub-regional and regional working. The interests of Fylde are well-balanced in:  1) Achieving benefits for the whole of the Borough and 2) Fylde is benefitting from the positive outcomes of healthy partnership working. Fylde's reputation as a partner is greatly enhanced.	1. Need to engage effectively with sub-regional partnerships such as the Lancashire Economic Partnership	Member Development Steering Group to develop response and programme of actions drawing in external assistance as necessary i.e. the Joseph Rowntree Foundation for example	By end October 2013	Member buy in	
	2. Pro-active engagements of members in partnerships with an outward looking focus	Member Development Steering Group to develop response and programme of actions drawing in external assistance as necessary i.e. the Joseph Rowntree Foundation for example	By end of October 2013	Member buy in	
	3. More productive working with neighbouring authorities	Member Development Steering Group to develop response and programme of actions drawing in external assistance as necessary i.e. the Joseph Rowntree Foundation for example	By end of October 2013	Member buy in	

10	Develop outcomes-based approach to budgeting which is not driven solely by finance				Man. Team
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
The allocation of resources for delivering planning in Fylde is shaped by a clearer strategic understanding of the outcomes these will achieve. The appraisal of resource options not driven only by consideration of 'how much'- there is a clearer understanding of 'why' resources are allocated and what they will achieve	1. Consider the output from 'agreement of priorities Rec. 5' and 'agreement of the Planning Vision Rec. 7'	Management Team	By end of October 2013	None	
	2. Feed 1, above into future budget setting considerations.	Management Team	By end of January 2014	None	
	3. Feed 1, above into future performance management decisions.	Management Team	By end of January 2014	None	

11	Put in place a more systematic approach to assess the customer experience through asking users of the service for their views on service delivery by conducting bi- annual (or at least annual customer surveys).				AC
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
‘Fylde Council’s Planning Service is better informed of what its customers ‘wants’ and ‘needs’ are. Their views are systematically received and qualitatively assessed. Wherever possible the Planning Service can demonstrate that a positive customer experience is at the centre of all the Service delivers. The service is better able to manage its customers’ expectations and communicates with them effectively ’	1. Set frequency and audience for planning survey taking into account applicants, agents and consultees.	Mark Evans	By end May 2013	Time/ resources	
	2. Design questionnaire(s)	Mark Evans / Paul Rossington / Ross McKelvie	By end June 2013	Time/ resources	
	3. Report from crystal report to obtain email addresses for agents and applicants	Andy Cain	By end June 2013	Technology	
	4. Email link to address list obtained from crystal reports	Ross McKelvie	By end July 2013	Time/resources	
	5. Customer support team to telephone set number of consultees for feedback (set number determined in action 1)	Andy Cain / Maria Marcella	By end October 2013	Time Resources availability	
	6. Results collated, report produced and action list drawn up.	Mark Evans	By end November 2013	Time/resources	
	7. Exercise repeated at least annually (once for agents / applicants and one for consultees)	Mark Evans / Andy Cain	Annually	Time Resources availability	

12	Develop a Neighbourhood Planning Strategy for Fylde ahead of completion of the Local Plan				ME
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
<p>'Fylde Council's Planning Service is able to engage effectively with the borough's communities. It supports communities through effective consultation and supports local people in shaping and being a part of delivering the vision for Fylde. The Service is on the front foot as opposed to being reactive. The input of communities is valued and welcomed and these communities feel supported in delivering their aspirations at a local level'</p>	1. Raise the awareness and understanding of neighbourhood planning with local communities through briefing of Town & Parish Councils.	JG/FR	By end Dec 13	None	
	2. Consider how to address the un-parished areas of the Borough at Ansdell and Kirkham.	MDE/JG/FR	By end Dec 13	None	
	3. Provide a Neighbourhood planning resource page, including links to external assistance on the Council's website.	FR/MP	By end Oct 13	Resource limitations	
	4. Utilise grant funding provided by Central Government to provide additional resource to facilitate delivery of Neighbourhood Plans.	ME/JG/Management Team	By end Sept 13	Need to allow for costs of referenda etc.	
	5. Provide assistance to Neighbourhood Planning Forums, including securing assistance from external bodies, in progressing their proposals.	Policy Team	Ongoing	Resource limitations	

13	Commence preparation work on CIL. There is already sufficient data in Fylde's evidence base which can be incorporated into the project plan for the Local Plan so they are developed in tandem				ME
Desired outcome for Fylde (What would success look like?)	Action(s)	By whom?	Timescale	Barriers	
"Fylde Council's is better able to realise all the benefits of the CIL. It is clearer about the resource opportunities for Fylde through an effective, future-proofed and proactive approach to this area. Arrangements are developed in timely and strategic fashion to ensure Fylde is not 'caught out' or found to not be ready as the new regime proceeds"	1. Establish CIL requirements as a corporate priority, report to Management Team/Management Board and secure resources	Paul Walker/Mark Evans/Management Team		None	
	2. Carry out initial member awareness raising exercise	Mark Evans	15 April 2013	None	
	3. Appoint external facilitators/consultants to support progression of CIL in tandem with Local Plan	Mark Evans/Mark Sims/Julie Glaister	10 May 2013	None	
	• Review of Existing Evidence	JG/MS	May 2013	None	
	• Information Gathering & Modelling	JG/MS	June 2013	None	
	• 1 <sup>st</sup> Consultation Event	JG/MS	June 2013	None	
	• Viability Appraisal and testing	JG/MS	June/July 2013	None	
	• 2 <sup>nd</sup> Consultation Event	JG/MS	August 2013	None	
	• Review Outputs and refine modelling	JG/MS	September 2013	None	
	4. Presentation to Members – including establishing viability of CIL	Mark Evans/Mark Sims/Julie Glaister	September 2013	None	
	5. Preliminary Draft Charging Schedule Consultation	JG/MS	Summer 2013	Lack of earlier agreement	
	6. Review of Consultation responses on preliminary	JG/MS	Sept/Oct/Nov 2013	Lack of earlier	

	draft Charging Schedule and advise on updates as necessary			agreement
	7. List priorities for infrastructure need and determine partners with whom Fylde should work	Matthew Park through IDP work	Dec 2013	Lack of earlier agreement
	8. Joint Local Plan/CIL Examination	Mark Evans/Mark Sims/Julie Glaister	Mid 2014	Lack of earlier agreement

## Community Focus Scrutiny Committee



<b>Date:</b>	Thursday, 13 June 2013
<b>Venue:</b>	Town Hall, St Annes
<b>Committee members:</b>	Councillor Kiran Mulholland (Chairman) Councillor Christine Akeroyd (Vice-Chairman) Councillors Tim Armit, Julie Brickles, Fabian Craig-Wilson, Tony Ford JP, Gail Goodman JP, Kathleen Harper, Paul Hodgson, Angela Jacques, Linda Nulty, Barbara Nash, Edward Nash, Elizabeth Oades, Dawn Prestwich
<b>Other Councillors:</b>	Councillor Susan Fazackerley (Portfolio Holder for Leisure and Culture) Councillor Charlie Duffy
<b>Officers:</b>	Clare Platt, Ian Curtis, Andrew Dickson, Savile Sykes, Lyndsey Lacey
<b>Other Attendees:</b>	One member of the public was present at the meeting

### 1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and that any other interests should be declared as required by the Council's Code of Conduct. There were no declarations of interest.

### 2. Confirmation of minutes

RESOLVED: To approve the minutes of the Community Focus Scrutiny Committee meeting held on 4 April 2013 as a correct record for signature by the Chairman.

### 3. Substitute members

The following substitutions were reported under Council procedure rule 25:

Councillor Angela Jacques for Councillor Vivienne M Willder

Councillor Fabian Craig-Wilson for Councillor John Singleton

Councillor Edward Nash for Councillor Susanne Cunningham

Councillor Elizabeth Oades for Councillor Peter Hardy

### 4. Fylde Coast Bathing Waters

Further to the request at the last meeting, the Chairman reported on progress made in pursuing a joint scrutiny approach with neighboring authorities on the topic of Fylde Coast Bathing Waters. In doing so, he made reference to previous reports on the matter.

Councillor Mulholland made reference to a response he had received from Blackpool Council which confirmed that their Bathing Water Water Scrutiny Panel had essentially completed its review and was in the process of producing its final report. Blackpool Council felt that there would be little value added in conducting further scrutiny on the issue at this stage.

It was further reported that the Panel had recommended continued monitoring of the progress of key partner organisations in their endeavours to improve bathing water quality in the North West. As such, the Panel had identified that it would like to meet again in November, following the publication of the 2013 bathing water season water quality results, in order to review the progress being made in improving standards. As such, there was potential for this meeting to involve members from both authorities and become a structured body with the responsibility for monitoring bathing waters.

Mr Andrew Dixon (Head of Technical Services) further reported that subsequent to the publication of the agenda, the Council had been approached by Blackpool Council inviting member representation on the Fylde Peninsula Water Management Group. He added that this would be the subject of a further report in due course.

Following consideration of this matter the committee RESOLVED:

1. To note the position of Blackpool Council on its scrutiny activity and to make arrangements for representation at the November meeting following the publication of the 2013 bathing season water quality results.
2. To ask the Director of Development Services to progress the multi agency approach with a view to presenting periodic reports to the scrutiny committee on the monitoring of key organisations in their endeavours to improve bathing water quality in the North West.

#### 5. Interim Report - Club Day Support Task and Finish Group

The Chairman reported that at the previous meeting of the Committee, a Task and Finish Group was appointed to undertake an urgent scrutiny review on Club Day Support.

Members were reminded that the purpose of the review was to consider two issues: the policing aspects in liaison with the Lancashire Constabulary and a review of the Council's own Club Day provision and support. The first meeting of the Group was held on 17 April 2013 whereby representatives of the Police and Lancashire County Council were invited to attend. At that meeting, the Scoping Document was approved and an overview of the position was given.

In summary, the Task and Finish group were advised that due to recent changes in the legislation and resources, the Police had indicated to local Club Day organisers that they were unable to support/marshal future Club Day events. In view of this, there was perceived to be a sustainability issue. However, the Police had confirmed that they would continue to resource Freckleton Club Day because this is the only event where the procession goes across a dual carriageway. In addition, as a goodwill gesture the Police had agreed to support this year's other events across the borough.

In conclusion, the Group felt that the urgency had somewhat been removed but acknowledged that further work was needed for future events. Committee was advised that the Group would continue with its work which would also include a review of the Council's own Club Day provision and support, with a view to presenting a full and final report to Committee and Cabinet in due course.

Following consideration of this the committee RESOLVED to note the interim findings of the Task and Finish Group and await the full and final report in due course.

#### 6. Lowther Gardens Trust - Governance Arrangements

Further to members request to undertake a review of the governance arrangements of Lowther Gardens Trust, Clare Platt (Director of Community Services) and Savile Sykes (Chief Internal Auditor) presented a joint report on the matter.

Members were reminded that Lowther Gardens Trust is supported by the Council in accordance with the Service Level Agreement for the sustainable management of the Pavilion.

It was reported that during discussions, the trustees had asked the Council to transfer title to the gardens to the Official Custodian for Charities. In this regard, the report also identified the current arrangements for grounds maintenance, and sought members support for the formalisation of these arrangements through the development of a further Service Level Agreement.

A copy of the Governance Review report together with a copy of the Scheme to Govern Lowther Gardens and the Service Level Agreement were attached as appendices to the report.

During the course of the presentation, members sought further information on various areas in particular: the proposed transfer of title, existing and proposed shared arrangements including staffing and specific costings/accounting arrangements. In addition, further information was sought on the role of the borough council as trustee. These were addressed in turn by Mr Sykes and Ms Platt.

Following detailed consideration of this matter the Committee RESOLVED:

1. To recognise the commitment of the Trust in developing governance processes further.
2. To invite a representative of the Trust to a subsequent meeting to discuss progress and present the annual report.
3. To endorse the transfer of title to Lowther Gardens (including the Pavilion) to the Official Custodian for Charities.
4. To endorse execution of any other documents which are necessary or expeditious to facilitate the transfer to the Official Custodian.
5. To endorse the arrangements by which the council maintains the grounds and manages the associated leisure activities through the development of a further Service Level Agreement between and the Council and the Lowther Gardens Trust.
6. To ask the Trust to consider accepting the recommendations contained in the Governance Review Report.

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