

**Policy and Service
Review Scrutiny
Committee**



Date	Thursday 11 June 2009
Venue	Town Hall, Lytham St Annes
Committee members	Karen Buckley (Chairman) John Prestwich (Vice-Chairman) Elizabeth Oades; Tony Ford; Dawn Prestwich; Christine Akeroyd; Ben Aitken; Ken Hopwood.
Other Councillors	Cheryl Little, Sue Fazackerley
Officers	Clare Platt, David Gillett, Chris Holland, Ian Curtis, Gary Sams, Andrew Foot, Annie Womack
Others	Representatives of Friends of Lowther Pavilion

1. Declarations of interest

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

Cllr Akeroyd declared an interest in Item 4, as a member of the Board of New Fylde Housing.

Cllrs Ford and Akeroyd declared an interest in Item 7, as members of St Annes Town Council.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Policy and Service Review Scrutiny Committee meeting held on 16 April 2009, and the minutes of the Policy and Service Review Scrutiny Committee meeting held on 28 April 2009, as a correct record for signature by the chairman.

3. Substitute members

Cllr Dawn Prestwich acted as substitute for the Deputy Mayor, Cllr Patricia Fieldhouse.

Cllr Christine Akeroyd acted as substitute for Cllr Elizabeth Clarkson.

Cllr Ken Hopwood acted as substitute for Cllr Elaine Silverwood.

Cllr Ben Aitken acted as substitute for Cllr Thomas Threlfall.

4. Homelessness Partnership Agreement 2009/10

This report was presented by Mr David Gillett, Housing Manger, to advise the committee about the Homelessness Partnership agreement for 2009/10. He explained that the agreement is between Fylde Borough Council, Face to Face YMCA, and New Fylde Housing. The current partnership agreement is proposed just for one year to enable a review of the existing arrangements for the provision of temporary accommodation to be undertaken, an assessment of the impact of the housing recession and homelessness and the availability of alternative temporary accommodation for homeless households.

Mr Gillett told the committee about the background to the partnership, and outlined the elements of it. The agreement covers the provision by New Fylde Housing of 14 units of accommodation to help deliver temporary accommodation for the homeless. It funds a support worker to help people who are homeless to access accommodation. It also covers the provision of a Rent Bond Scheme. And it provides for financial support from FBC to meet those elements.

He went on to explain that the previous agreement had ended on 31 March 2009, and advised the committee that this partnership was a vital component in addressing the needs of homeless persons in the Borough, and in ensuring that the Council is able to fulfil its statutory duty. He was advocating that this partnership should run only for one year to enable a full review of homelessness provision to take place during the year 2009/10, and a consideration of the arrangements and agreement which might be required for a subsequent 5 year term, 2010/15.

The committee then heard from Mr Stephen Heath, director of Face to Face YMCA who operate the Rent Bond scheme. He explained how the scheme worked, how it had improved and the number of Bonds increased, and said that this demonstrated the number of landlords who are now prepared to work with Face to Face in order to bring stability to people who are going through a difficult period in their lives. He said that at any one time the guaranteed bonds (of £300 each) underwritten by the YMCA stood at £10,000.

Members asked about the usual duration of stay in temporary accommodation and were advised that on some occasions it could be many months, which could cause problems with availability of temporary accommodation. They also asked about the proposal within the report to provide a further 11 units of homeless accommodation and it was confirmed by Mr Gillett that this was a priority for the Council.

On being asked Mr Heath confirmed that the YMCA Board was happy with the 1 year agreement attached.

After a full debate the committee RESOLVED:

1. To recommend approval of the updated homelessness partnership agreement.
2. That officers should review the partnership agreement in 2010 with a view to establishing a revised agreement; the decision delegated to the Director of Community Services in consultation with the Portfolio Holder for Social Wellbeing.
3. That an update report should be provided to this committee at the appropriate time.

5. Lowther Pavilion

This report was introduced by Chris Holland, Leisure Manager. He explained that the Policy and Service Review Scrutiny Committee of 21 January 2009 received a report about fees and charges levied at Lowther Pavilion. The Committee had recommended that a task and finish group be formed as a result of a debate about fees and charges which had resulted in Members raising other more general issues about the theatre.

He talked about the interviews and the site visit that had been undertaken by the task and finish group, and the conclusions that they had reached from their investigations, which covered several issues including:

- the need to recruit external trustees to Lowther Gardens Trust;
- the need to address management and staffing issues, and booking controls;
- and overall improvements to the operation of the venue.

He said that the group wanted to acknowledge all the work of the recently formed 'Friends of Lowther' in support of the venue, and expressed the view that the 'Friends' group would also be a valuable source of assistance to the Trust. It was proposed that in recognition of this the Friends Group, who organised fund-raising events at the Lowther Pavilion, for the benefit of Lowther Pavilion, should not be charged for 3 of those events.

Cllr Little, who had chaired the Task and Finish Group told the committee about their interesting and productive site visit to a venue at Lancaster.

Within the report it had been proposed that the What's On leaflet which was currently sent out free could be charged for in the future. The Chairman invited a representative of the Friends of Lowther Pavilion to speak at this point and she indicated that it was possible to reduce the cost of distributing the What's On leaflet, and felt that it was counter-productive to make a charge for the leaflet. She also urged the committee to reconsider the decision only to provide 3 events per year free of charge, and to increase that number.

The committee asked several questions relating to the Trust, and were advised that the Council's monitoring officer, Mr Ian Curtis, would be providing a separate report on the way forward for the Trust with external trustees. Mr Curtis was present and also advised that in his view the current Trust arrangements, with FBC as sole trustee, were legal but that it was desirable in the view of the Charities Commission to expand the membership of the Trust to include external trustees.

Issues were also raised about the staffing of the bar and stock control.

Mr Holland advised the committee that he envisaged that the planned restructure could be finalised by late December 2009 and in place by 31 March 2010, but he emphasised that the timescales were tight and that he could not guarantee those dates.

The subject of the number of free events for the Friends of Lowther Pavilion was raised and the Portfolio Holder, Cllr Sue Fazackerley, expressed the view that it was not reasonable to charge the Friends to stage events when the profits from those events were being ploughed back into the Pavilion anyway.

After a full debate, the committee RESOLVED:

1. That external trustees should be recruited to Lowther Gardens Trust, to supplement the current single trustee (Fylde Borough Council). This should be done as soon as possible, so that a new board of trustees is in place by 31 March 2010. Also that a report on the matter should go to Cabinet of 15 July 2009.
2. That a restructure of staffing should occur to facilitate the future management and operation of Lowther Gardens Trust by 31 December 2009.
3. That the work of the 'Friends of Lowther Pavilion' in support of the venue be acknowledged and that fundraising activities by the Friends group be permitted without charge
4. That the Director of Community Services considers implementing the findings in terms of operational management of Lowther Pavilion, with the exception that the What's On Guide should remain free of charge:
 - The purchase of a till for the bar that has stock control capability
 - All future bookings are to be dealt with and approved by both the Leisure Manager and the Venues Manager.
 - All professional shows pay a non-returnable deposit on confirmation of booking.
 - No new leases agreed with any parties until the new Board of Trustees is formed.
 - Rooms available for booking should be identified on the Council's intranet facility.

6. Fylde Coast Housing Strategy

Before this topic was introduced by Mr Andy Foot, Fylde Coast Housing Strategy Manager, the Chairman advised the committee that this document had been through a number of drafts, that the strategy had been looked at in great detail by the members of a Task and Finish Group, and that as a result a considerable number of amendments had been made.

Mr Foot explained the background to the strategy, its development and the Council's responsibilities. This document, a new Fylde Coast Housing Strategy, had been produced and set out the housing priorities for the Fylde, Blackpool and Wyre areas. This was a key element of the joint work under the Fylde Coast Multi-Area Agreement. However, he emphasised that there would also be a Fylde-specific Action Plan.

Mr Foot covered the main issues, explaining that it was necessary to ensure that Fylde provides the right housing offer in terms of the quantity, types and quality of housing, attractive neighbourhoods, and effective housing services including working with Housing Associations and the private rented sector and tackling homelessness.

He told the committee that a joint strategy had been formulated, rather than 3 individual ones, because of government's expectations that neighbouring Councils should have a joint understanding of housing issues and the housing market and that they should work together to achieve common standards, for example in liaison with landlords. Additionally, in terms of accessing funding sources, the Homes and Communities Agency (HCA) is requiring that we have a clear view of housing investment requirements at the sub-regional level – the Strategy will enable us to present a compelling case for investment to the HCA.

The Chairman asked whether Mr Foot would confirm that there was nothing in the strategy which committed Fylde Borough Council to taking housing from Blackpool or Wyre. He agreed that there was not and also confirmed for the Chairman that the strategy was a means of ensuring local housing provision for local housing needs. She asked him

whether the Fylde-specific Action Plan would be coming before this committee and Mr Foot gave an undertaking that it would.

Members asked a number of questions relating several issues. In response to one of those questions Mr Foot clarified that the strategy did not cover where homes might be built. He was also asked about the issue of park homes and holiday homes being used as residential homes and he acknowledged that that the strategy set out the issues but didn't itself set out new actions to resolve those issues; it would be addressed in the Action Plan.

Following the debate the committee RESOLVED:

1. To recommend approval of the Fylde Coast Housing Strategy.
2. That a Fylde Action Plan is developed through the Fylde Strategic Partnership Housing sub-group and is brought back to the September meeting of this committee for consideration, or as soon as is reasonably practicable.

7. Asset Disposal and Acquisition Policy and Procedure

This topic had arisen from a previous meeting of the Policy and Service Review Scrutiny Committee, in July 2008, and was brought to committee at the request of the Chairman.

Mr Gary Sams, Principal Estates Surveyor, spoke to the committee about the need for procedures to govern the sale and acquisition of assets. He said that the Constitution as it stands says very little about the matter. He outlined to members the differences between the procedures for sale and acquisition. However, he advised them that this document was only the "how" of it and that it would in time need to become part of a larger strategy. Mr Ian Curtis confirmed that changes to the Constitution would be required in order to facilitate the procedures.

The Chairman asked Mr Sams what research had been done in the production of this protocol. Mr Sams told members that he had asked LCC, Liverpool Council and others for examples.

He was asked whether the procedure for compulsory purchase was different from the asset acquisition protocol attached to his report at Appendix 2. Mr Sams confirmed that was the case, and would be subject to a different protocol.

A suggestion was made that full Council should be the body which made decisions regarding disposal of major assets, but Mr Curtis explained that this was not possible due to the requirement for separation of powers contained in the Local Government Act 2000. However, the Cabinet could ask the opinion of Council.

After the debate, the committee RESOLVED:

1. To recommend that Cabinet should adopt the procedure outlined subject to the inclusion of a paragraph confirming compliance with British and European legislation; that all valuations and all professional matters will be dealt with in accordance with the Royal Institute of Chartered Surveyors Red Book.
2. That formal amendments be made to the Constitution to reflect the procedure for asset disposal/acquisition.

3. Cabinet should seek the opinion of full Council prior to taking a decision on the sale or acquisition of a major asset.
4. In view of the consideration being made to return wind sports to St Annes beach, North Beach car park should be removed from the list of assets currently earmarked for disposal.