

Community Focus Scrutiny Committee

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| Date: | Thursday, 6 September 2012 |
| Venue: | Town Hall, St Annes |
| Committee members: | Councillor Kiran Mulholland (Chairman) Councillor Christine Akeroyd (Vice-Chairman) Councillors Susan Ashton, Julie Brickles, Tony Ford JP, Gail Goodman JP, Kathleen Harper, Peter Hardy, Angela Jacques, Paul Hodgson, Barbara Nash, Linda Nulty, John Singleton JP , Viv Willder |
| Officers: | Paul Walker, Clare Platt, David Gillett, Christine Miller, Ian Curtis, Paul Rogers |
| Other members: | Councillor Cheryl Little (Portfolio Holder for Social Wellbeing), Susan Fazackerley (Portfolio Holder for Leisure and Culture) |
| Members of the public: | Several Members of the public were present. |

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 personal/prejudicial 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 held on 9 August 2012 as a correct record for signature by the Chairman.

3. Substitute members

The following substitutions were reported under council procedure rule 22.3:

Councillor Susan Ashton for Councillor Susanne Cunningham

Councillor Fabian Craig-Wilson for Councillor Tim Armit

Councillor Angela Jacques for Councillor Dawn Prestwich

4. The Future Role of the LSP

Christine Miller, Partnerships Manager, presented a report which explained the Council's current position regarding the Local Strategic Partnership (LSP) and that there would be no further funding available to LSPs after March 2013.

Mrs Miller emphasised that although the LSP would cease to exist in its current format in March 2013, there would still be elements of the LSP that would continue but would be administered in other areas. Those elements were the Community Safety Partnership and the Children's Trust which were statutory responsibilities and had their own funding streams. The Health and Wellbeing group of the LSP was considering linking with the new Health Board and the People. The Communities group of the LSP would continue to function independently through the offices of the CVS Fylde together group. She further advised that the partners and community groups of the LSP were endeavouring to provide a forum to meet on a regular basis. The hope was that the good work that had been previously achieved would continue for the benefit of the community and that the forum meetings would be facilitated on a regular basis by the CVS Fylde together group.

In response to a question from the Councillor Kiran Mulholland, Chairman, Mrs Miller advised that the County Council's second homes money which was given as funding to the LSP would be used by the County Council for County based issues. Alan Oldfield, Chief Executive and Councillor Eaves, Leader, were currently in discussions with the County Council with a view to retrieving that funding to be used for the benefit of Fylde residents.

Following detailed discussion it was unanimously RESOLVED:

1. The committee supports the proposed changes to the LSP at Fylde.
2. The committee supports the proposals contained within the report to support community partnership working as a result of the proposed changes. .

5. Supporting the Home Buyer Market - Local Authority Mortgage Scheme (LAMS)

David Gillett, Head of Environmental Health and Housing Services, presented a report which asked the committee to consider its support to the Council's participation in the LAMS scheme to assist first time buyers.

He emphasised that the scheme would require substantial financial investment from the Council and, therefore, he drew the committee's attention to the various sections in the report to highlight the issues. He reminded members that the recommendations of the committee would be submitted the next Cabinet meeting.

He advised members that LAMS was a national scheme whereby local authorities become involved in the mortgage process for first time buyers by

offering an indemnity against part of the deposit. This was detailed in paragraph 6 of the report. The scheme would be made available in the local area through a national provider, those providers being banks or building societies, to anyone wanting to buy property in that area. It was a national scheme and was not targeted at local people only. He referred to paragraphs four and five of the report where the officers had concluded that there were no issues arising of concern preventing the Council's participation in the scheme. He further emphasised to the committee that the Council would be ring fencing a sum of money which would be kept by the provider and would only be used should a buyer default. The ring fenced sum of money would also be accruing a higher than average rate of interest due to the nature of the scheme and the additional return in the form of a risk premium. Details showing how the scheme would be operated were set out in paragraphs 9, 10, 11 and 12 of the report. He informed members that no further monies would be available once the indemnity values to buyers had reached the maximum limit of the indemnity fund.

Mr Gillett advised that the scheme essentially allowed first time buyers to provide a deposit of 5 per cent instead of 25 per cent at a lower interest rate giving them easier access to the property market. The scheme would help the mortgage providers to free up funding for mortgages and the housing market.

He informed members that the scheme would be in place for five years after which time and, subject to any defaults being honoured, the indemnity fund would revert back to the Borough with interest made. He referred to the likely mortgage providers as set out in paragraph 14 but advised that the Council was still in discussions with providers and that other providers may become available.

Mr Gillett informed the committee that some authorities had financed the scheme by utilising Balances but as this Council's Balances were not very high, it was decided to propose the use of the S106 fund which provides for affordable housing. He emphasised that the scheme would be administered by the provider and not the Council which would mean that they would be responsible for vetting and administrative costs. The financial issues set out in paragraphs 28 to 30 gave guidance on the scope for assistance from the proposed scheme based on £1 million indemnity limit.

He referred members to the risk element which was covered in paragraphs 30 to 38 with particular reference to risk relating to mortgage payment default which would be the worst case scenario. In emphasising that the national average default rate was 0.3 per cent, he was of the opinion that the interest earnings from the indemnity fund over the five year period of the scheme should more than compensate any such default sums. The default rate for the Fylde area was not available. He further advised that should it be necessary for the provider to sell a property as a result of default, the provider would be bound to achieve the best market price.

Councillor Linda Nulty referred to new regulations which the government would be imposing which were likely to curtail S106 funds for three years. She also asked if the proposed fund of S106 monies for the scheme was reliant on future development S106 monies becoming available. Mr Gillett assured

members that the fund was based on monies currently in the S106 account and that following the five year period the monies would be put back into the S106 fund for use as was originally intended.

Councillor Mulholland took the view that S106 monies are being currently utilised for affordable housing amongst other things and that the proposed LAMs scheme would achieve that goal.

Councillor John Singleton suggested that people who were not necessarily a good risk would benefit from the scheme. Mr Gillett informed members that the providers vetting procedures for the LAMS scheme would be equally as stringent as regular mortgage schemes and, therefore, would need to be good risks to be eligible.

After debate and a recorded vote the Committee RESOLVED to recommend to Cabinet :

1. To approve formal participation in the LAMS scheme.
2. To approve an addition to the Capital Programme in 2012/13 to a maximum sum of £1,000,000 fully funded from S106 affordable housing monies held by the Council.
3. To approve that the three key criteria under which applications will be considered are as set out in paragraph 24 of the report: to approve the maximum indemnity value of £1,000,000, the maximum mortgage of £147,000, and Fylde Borough as a whole as the target area.
4. To approve the establishment of a new ear-marked reserve, into which the interest that the Council would receive on the deposit would be held during the duration of the scheme, in order to meet any potential liability related to mortgage defaults that may arise as a consequence of participation in the scheme.

Votes for the recommendation (14): Cllrs Mulholland, Akeroyd, Craig-Wilson, Brickles, S Ashton, Ford, Goodman, Harper, Hardy, Hodgson, B Nash, Nulty, Jacques, Willder

Votes against the recommendation (1): Cllr Singleton

Abstentions (0)

6. Witch Wood and Linnet Lane Wood

Ian Curtis, Head of Governance, presented a report regarding the control of certain activities mostly relating to the control of dogs, which were said to have led to damage and spoiling of the condition of the Woods. The Committee had previously discussed requests on behalf of the owners of Witch Wood and Linnet Lane Wood and following the committee meeting on 14 June decided

to establish a Task and Finish group to look at the various issues relating to the control of those activities.

He emphasised that the Task and Finish group had met on two occasions and that one of those meetings had involved a site meeting at the Woods where the members met with the owners.

Councillor Kiran Mulholland, Chairman, informed members that the recommendations in the report were designed to progress and improve the issues sensitively. However, If the problems did not improve then further discussions with the owners of the Woods would be necessary.

Ian Curtis advised that if a dog control order is made in due course, further formal consultation would take place.

Councillor Gail Goodman asked how often an authorised officer would be required to visit the Woods. Ian Curtis informed members the authorised officer would be one of the two dog control wardens and the dog control order would allow the wardens to be specifically requested to visit the Woods to target particular problems.

After debate and a recorded vote the Committee RESOLVED to recommend to Cabinet:

1. Dog Control orders be introduced to prescribe the following offences in both Witch Wood and Linnet Lane Wood: not putting, and keeping a dog on a lead when required to do so by an authorised officer; and taking more than three dogs onto the land
2. The orders be brought to the attention of the Dog Control wardens for policing purposes.
3. If the Dog Control order referred to in 1 above is ineffective to deal with the issues identified by the owners of the woods, consideration be given to the introduction of further dog control orders.
4. The council recognises the value of both woods as assets to the community and expresses willingness to work in partnership with the owners of both woods (as needed) to
 - (a) assist with the wording and design of signage in the woods regarding dogs and cycling
 - (b) educate the public on the amenity value of the woods;
 - (c) provide dog litter bins at appropriate points in the woods with accurate signage on the bins explaining their purpose; and
 - (d) formulate proactive publicity to inform the public about the importance of both woods and that the owners and the council are monitoring them closely to detect and eradicate misuse and abuse

5. The officers look into best practice by other Councils regarding dogs in public areas.
6. Cabinet be requested to consider the use of Section 106 and Community Infrastructure Levy monies to provide financial support for the owners of both woods in their efforts to ensure the amenity value of the Woods.

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