

MINUTES

Council

Date:	Monday, 18 December 2023
Venue:	Town Hall, St Annes.
Committee Members Present:	<p>Mayor Councillor Cheryl Little Deputy Mayor Councillor Peter Anthony</p> <p>Councillors Frank Andrews, Tim Armit, Liz Bickerstaffe, Julie Brickles, Damian Buckley, Karen Buckley, Edward Collins, Peter Collins, Chris Dixon, Martin Evans, Sue Fazackerley MBE, Joanne Gardner, Ellie Gaunt, Gail Goodman JP, Noreen Griffiths, Gavin Harrison, Paul Hayhurst, Karen Henshaw JP, Paul Hodgson, John Kirkham, Jordan Ledger, Matthew Lee, Michelle Morris, Ed Nash, Jayne Nixon, Sandra Pitman, Richard Redcliffe, Andrew Redfearn, Vince Settle, William Taylor, Tommy Threlfall, Viv Willder, Michael Withers.</p>
Officers Present:	Allan Oldfield, Ian Curtis, Gemma Broadley, Colin Dockery, Katharine McDonnell, Kassie Navarasi and Sharon Wadsworth.
Other Attendees:	Councillor Mark Bamforth (via remote access) ¹ Three members of the public

Prayers were led by Lay Preacher, Ms Elizabeth O'Connor.

1. Declarations of Interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members. Councillor Griffiths declared a personal interest in agenda item 10 as she was a member of the Lancashire Wildlife Trust.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Council meetings held on 2 October 2023, as correct records for signature by the Mayor.

3. Mayor's Announcements

The Mayor advised that she had so many engagements and met so many wonderful people since the last council meeting. Of particular note were the two thank you events held for volunteers in the borough, and the Chanukah celebration.

4. Chief Executive's Communications

The Chief Executive wished everyone a fantastic Christmas and New Year.

¹ Council procedure rule 2 allows a councillor to participate in a meeting remotely in certain circumstances. A remotely participating councillor is not deemed to be present at the meeting and may not move, second or vote on any matter.

5. Questions from Members of the Public

There were no questions on this occasion.

6. Questions from Members of the Council

Three questions had been received from members of the Council.

The first was from Councillor Gardner:

“Water companies pumped raw sewage into UK waterways over 800 times per day last year.

The Office for Environmental Protection has recently suggested that the Government may have breached its own laws, by failing to punish the perpetrators of these spills.

As an example, our own Liggard Brook in Lytham has suffered from such dumping, which has caused and continues to cause significant environmental damage to the area.

I will be writing to Steve Barclay, the new Secretary of State for Food and Environmental Affairs, who should know this area very well, to express our concern, and ask him to urgently crack down on the perpetrators of this illegal dumping.

Will the Leader of our Council and any other Cllrs support this plan and co-sign this letter?”

Responding, Councillor Karen Buckley stated that the recent downgrading of the bathing waters at St Annes North beach had been particularly disappointing. The Leader had written to the Environment Agency and United Utilities to request sight of their action plan to address the deterioration in bathing water quality. She had also written to the Secretary of State asking him to consider strengthening the powers of the Environment Agency.

Councillor Buckley advised that she had subsequently been supplied with the Environment Agency action plan, which undertook to review United Utilities asset performance, and would fund studies to locate the sources of pollution. The Environment Agency had also confirmed their analysis of the bathing water samples showed that 30% of pollutants were from agricultural sources, 60% was sewage and the rest were unclassified.

She further advised that United Utilities had awarded Rivers Ribble Trust with £1m of funding to improve how the catchment area operated to improve water quality, reduce flooding and improve biodiversity. Some of the funding would be used for a study at Liggard Brook, with the aim to create wetland site, address low flows and improve biodiversity. The Environment Agency were also considering a de-silting programme at Liggard Brook, and United Utilities would be further investing in the Lytham Road pumping station.

Councillor Buckley concluded by drawing members attention to a technical group established by Cllr Threlfall, bringing together key partners with a view to hold to account those responsible for bathing water quality.

She also thanked all the volunteers who kept the beaches clear of litter with their regular litter picks throughout the year.

In asking a supplementary question, Councillor Gardner asked when the neighbouring authorities of Preston, Blackpool and Wyre had all declared a climate emergency and subsequently appointed a dedicated officer to tackle the issue, why hadn't Fylde?

Councillor Buckley responded that it wasn't right to conclude that Fylde wasn't taking climate change seriously as demonstrated by the Scrutiny committee most recently considering the Carbon Neutral Action plan.

The second question was from Councillor Withers:

“Three years ago Redcar and Cleveland Council suffered a catastrophic attack on its ITC systems, following which a ransom demand of several million pounds was received from the hackers. The Council's leader, speaking at a national security strategy joint committee, said 'no' to the demand, with the Council not being able to afford the payment and fearing the potential impact on other councils.

Redcar and Cleveland's IT systems were forced offline, the leader said 'we lost everything, it was catastrophic, we could not take payments for rates or bills, we had no records or documents, we had no telephone service or emails and no functioning computers. It took us 8.5 months to put things back together”.

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It was subsequently discovered that a virus had been hidden in an email on a council laptop. The authority had received a clean bill of health two months prior to the incident.

The cost to the council was £11.3 million, it was not insured.

This is not an isolated case, there are constant and relentless attacks by hackers, often based overseas, on local authorities the length and breadth of the country.

I am aware of the dangers of revealing in public sensitive information about the measures taken to protect our systems from these criminal activities and would not wish to jeopardise our security in any way.

I would like to ask the following question;

Has FBC suffered any breaches of its IT defences which have led to costs being incurred and insurance claims made in respect of ransom payments to hackers?"

Councillor Morris responded advising that Fylde Council had not suffered any serious breaches to its systems. Officers were dedicated to ensuring that the Fylde network was up to date and secure, that data was protected and officers undertook continuous training to ensure they were fully abreast of the most up-to-date threats and technologies to combat such threats.

In asking a supplementary question, Councillor Withers asked does the current trend of allowing staff to work from home utilising their own wi-fi posed a threat to the council's security.

Councillor Morris responded advising that staff and councillors connected to the council's systems securely via an encrypted tunnel which ensured a secure connection regardless of the wi-fi connection.

The final question was from Councillor Fazackerley:

"I understand that, at the recent Executive Committee meeting, there were comments made regarding lengthy waiting times for the arrangement of funerals at our Crematorium and, additionally, queries regarding future investment at this facility.

Therefore, could we please have some information on the current length of waiting times for the arrangement of cremations and an overview of any planned investment to improve facilities for service users and staff at the Crematorium?"

Councillor Dixon responded advising that on average the usual waiting time was up to 20 days, and could be as little as 8 days. He said the crematorium worked at around 70% capacity, which was around 54% Monday to Thursday and between 80-100% on Fridays.

Councillor Dixon further advised that the care time between death and the funeral was subject to many variable factors such as registration; coroners; the availability of doctors, funeral directors, minister, reception venues and family members. He stated that capacity was tested after bank holidays and seasonally.

There had never been a 3 month wait, and only three funerals in 2023 out of more than 1400 had been delayed for up to 5 months but these were due to the coroner's involvement or matters within the families concerned.

In terms of future investment in the crematorium, over £760k had been invested since 2013 including on the infant memorial garden, the windbreak and internal works. Consideration had been given to potentially extending the footprint of the crematorium for mourners. However, costings showed that the cost would be around £1600 per extra seat and would result in loss of much loved areas of the estate.

Councillor Dixon concluded by providing detail of the capacity of the crematorium for mourners compared with the crematoria in Blackpool and Wyre, which demonstrated that Fylde had the largest capacity on the Fylde Coast by some margin.

7. Medium Term Financial Strategy – Financial Forecast Update (including revenue, capital and treasury management) 2023/24 to 2027/28

Councillor Gaunt, Lead Member for Finance and Resources, introduced an update of the Council's Medium Term Financial Strategy and financial forecast for the five years 2023/24 to 27/28. She explained that the report contained details of any changes arising since the Budget set by Council in March 2023.

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In regards to the revenue budget, the original budget in March 2023 had forecast a surplus of £186k for 2023/24, and a deficit of £85k 2024/25 and then larger deficits thereafter, however the position as at November 2023 showed a surplus of £273k for 2023/24 and a small surplus of £38k for 2024/25.

The interest rate income to the council was offsetting adverse movements in the revenue budget which were arising from wages and agency costs, housing and homelessness costs, and fleet maintenance and repair costs. Additionally inclement weather over the summer had led to lower than expected incomes from car parking, the Splash Park and the Adventure Golf.

Turning to the capital monitoring report, Councillor Gaunt advised that the forecast was for £16.5m to be spent in 2023/24, and £4.2m to be spent in 2024/25. The anticipated closing position of the capital investment reserve was £2.658m in March 2024, and the funding volatility reserve forecast balance for the end of March 2024 was £4.145m.

The main changes to the capital monitoring report since budget council in March 2023 was the suspension of the St Annes Seawall project and the inclusion of the St Annes Event Space development.

The treasury management monitoring showed that the council had earned, on average, 4.78% on its investments which in cash terms was £1.12m. The council continued to prioritise security and liquidity over yield.

Councillor Withers seconded.

It was therefore RESOLVED to note and approve the implications of the updated financial forecast.

8. Mid Year Prudential Indicators and Treasury Management Monitoring Report 2023/24

Councillor Gaunt, Lead Member for Finance and Resources, presented the Mid-Year Prudential Indicators and Treasury Management monitoring report. She advised it had been prepared in line with the recommendations of CIPFA's (Chartered Institute of Public Finance and Accountancy) Code of Practice on Treasury Management 2021.

She further advised that the council's treasury management arrangements were complex as the authority held cash on behalf other public bodies such as the county council and the police and fire authorities in addition to Fylde's own reserves and balances.

The cash and investments at the half-year point totalled £25.4 million. The risks of holding large cash balances and investments meant the main priority of treasure management was risk mitigation. The yield was very good within the year but it was important to note the council only invested in high quality organisations, and only ever for one year to ensure liquidity.

Councillor Gaunt concluded by highlighting that all prudential indicators and limits had been complied with, the council was debt free, and that each year a borrowing limit was established to provide for contingency in unforeseen circumstances.

Councillor Withers seconded.

It was RESOLVED that the Prudential Indicators and Investment Limits as shown at Appendix B of the report be approved.

9. LAHF Phase 2 and S106 Funding to increase supply of Temporary Homeless Accommodation and support Afghan Resettlement Schemes

Councillor Dixon, Lead Member for Social Wellbeing, introduced the report, regarding the awarding of Local Authority Housing Funding (LAHF) in the sum of £1,257,600, together with S106 developer contributions totaling £1,526,400, for the provision of units for temporary homeless accommodation and units for settled accommodation under the Afghan Resettlement Scheme. This was funding earmarked for the provision of social housing and could not be spent on any other schemes.

He further advised that some of the properties would be used to house those on the Afghan resettlement scheme, that was individuals and their families who had assisted British forces in Afghanistan. Other properties would be used for local residents who were in housing need.

Councillor Threlfall seconded.

In the resulting debate, Councillor Nash spoke in support of the proposal.

It was RESOLVED:

1. To approve an addition to the Capital Programme in 2023/24 for the sum of £2,784,000 in respect of LAHF2 Programme Funding, to be met fully from DLUHC LAHF2 funding and S106 developer contributions held by the Council for this purpose as detailed in Appendix 1 of this report;
2. To authorised drawdown of the expenditure in 2023/24 in the sum of £2,784,000 in respect of LAHF2 Programme Funding, to be met fully from DLUHC LAHF2 funding and S106 developer contributions held by the Council for this purpose as detailed in Appendix 1 of this report; and,
3. To note the risk assessment as detailed at Section 7 of the report, particularly in respect of the circumstances in which the council could be liable for un-funded costs.

10. Funded Budget Increase to Deliver the Fylde Sand Dunes Project

Councillor Nixon, Lead Member for Tourism, Culture and Leisure, introduced a report regarding a funded budget increase to deliver the Fylde Sand Dunes project. She advised that Fylde Council had been working in partnership with Blackpool Council and Lancashire Wildlife Trust to protect and improve the dune habitat since 2012. The dunes were important both as a soft sea defence and were of national ecological importance.

Councillor Nixon reported that the partnership had secured £999,000 Environment Agency funding which would allow the project to continue and would be split between the partners. Fylde Council would receive an operational grant of £232,338 to be paid in annual increments until 2026/27.

Councillor Threlfall seconded.

It was RESOLVED to approve a fully funded revenue budget increase in the sum of £232,338 (paid in annual increments until 2026/27) to be met from the Environment Agency grant relating to the Fylde Sand Dunes Project.

11. Health Weight Services Funding

Councillor Dixon, Lead Member for Social Wellbeing, introduced a report regarding a funded budget increase to deliver a tier 2 weight management programme and Play and Skills at Tea-time Activities (PASTA). He explained that it would be a collaborative agreement with Lancashire County Council for a minimum of five years and was funded by the government for the future delivery of Healthy Weight Services.

Councillor Settle seconded.

It was RESOLVED to approve a fully-funded revenue budget increase in the sum of £383,848 (split between the years 2024/25 to 2031/32 at £47,981 per annum) to be met in full from the Lancashire County Council funding relating to the Healthy Weight Services Grant.

12. Members Allowances

Councillor Buckley, Council Leader, presented the recommendations of the Independent Remuneration Panel, which were to increase members' allowances from 1 April 2024 by a sum equivalent to the increase in the Consumer Prices Index since 1st April 2023 and subsequently up to 31 March 2028. The current CPI figure, published in October 2023, was 4.6%.

Councillor Redcliffe seconded the proposal.

Two amendments were tabled to the motion.

The first amendment was proposed by Councillor Lee, having previously submitted it in writing to the Mayor, the effect of which would be to amend the motion as follows;

Replace "from 1st April 2024" with "from 1st April 2025"; replace "since 1 April 2023" with "since 1 April 2024" and remove "2025" so the motion would conclude "...subsequent years, 2026 and 2027"

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The amendment was seconded by Councillor Armit.

The amendment was then debated. Councillor Nash spoke in favour of the amendment, and Councillors Withers, Dixon and Redcliffe spoke against it.

Councillor Karen Buckley summed up as the mover of the original motion.

Following a request from five members of the council, a recorded vote was taken on the amendment.

For the amendment (12): Armit, Bickerstaffe, Brickles, D Buckley, Gardner, Goodman, Griffiths, Hayhurst, Henshaw, Ledger, Lee, Nash.

Against the amendment (21): Andrews, Anthony, K Buckley, E Collins, Dixon, Evans, Fazackerley, Gaunt, Harrison, Hodgson, Kirkham, Little, Morris, Nixon, Pitman, Redcliffe, Redfearn, Settle, Threlfall, Willder, Withers.

Abstained (2): P Collins, Taylor.

The amendment was therefore lost.

A second amendment proposed by Councillor Peter Collins, and submitted in writing to the Mayor, to the following effect;

To add a second recommendation, “That the Independent Remuneration Panel be asked to review the roles of Leader and Deputy Leader of the Principal Opposition Group and Leader of the second Opposition Group at Fylde Council to consider their eligibility for Special Responsibility Allowance and to prepare a report for a future meeting of full Council.”

The amendment was seconded by Councillor Gardner.

A debate followed. Councillor Karen Buckley spoke against the amendment. On conclusion of the debate, a vote was taken by show of hands with the second amendment being lost.

With no further discussion, a vote was taken on the substantive motion and it was RESOLVED that the current basic and special responsibility allowances be increased from 1 April 2024 by a sum equivalent to the increase in the Consumer Prices Index since 1 April 2023 and that the allowances be increased by reference to the same index on 1 April in each of the subsequent years 2025, 2026 and 2027.

13. Review of UK Parliamentary Polling Districts and Polling Places 2023

Councillor Gaunt, Lead Member for Finance and Resources, presented the Returning Officer’s proposals arising from the review of UK Parliamentary polling districts and polling places within the borough of Fylde. She advised the local authority was required to carry out the review every five years.

Since the last review the Boundary Commission for England had introduced new UK Parliamentary constituencies, the change for Fylde constituency being that it no longer encompassed wards from City of Preston, but three wards from Borough of Wyre. The review covered just Fylde Borough, with the review for Wyre to be undertaken by Wyre’s Returning Officer.

During the consultation many comments and suggestions were received from members of the public, Parish and Town Councillors, and local ward councillors. Officers have investigated all options and made changes where necessary.

Councillor Redfearn seconded the proposal.

It was RESOLVED

1. To authorise the Returning Officer recommendations included in the schedule attached to the report;
2. To authorise the Returning Officer to make amendments to polling districts and polling places, where required, prior to the next statutory review.

14. Invitation to Accept Appointment of Deputy Mayor 2024-25

Councillor Henshaw proposed that Councillor Joanne Garnder be invited to accept the office of Deputy Mayor of the Borough of Fylde for the municipal year 2024/25.

Councillor Griffiths seconded the proposal, and it was RESOLVED unanimously to invite Councillor Joanne Gardner to accept appointment as Deputy Mayor of the Borough of Fylde for the municipal year 2024/25, at the next Annual Meeting.

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