



## Meeting Agenda

**Community Outlook Scrutiny Committee  
Town Hall, Lytham St. Annes  
Wednesday 21 January 2009, 6:00pm**

**The main doors to the Town Hall will be open to the public at 5:40pm**

**The maximum capacity for this meeting room is 60 persons –  
once this limit is reached no other person can be admitted.**

# COMMUNITY OUTLOOK SCRUTINY COMMITTEE

## MEMBERSHIP

CHAIRMAN - Councillor Kiran Mulholland  
VICE-CHAIRMAN – Councillor Fabian Craig Wilson

### Councillors

Brenda Ackers	Richard Fulford-Brown
Craig Halewood	John Singleton
Howard Henshaw	Louis Rigby
Peter Collins	

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## **Our Vision**

*To establish Fylde Borough Council as a high performing local authority*

## **Our Corporate Objectives**

To improve the economic, social and environmental well-being of our communities through:

- The promotion and enhancement of the natural built environment
- Increasing the availability and access to good quality housing for all
- Maintaining healthy and safe communities to reduce the fear of crime
- Supporting and sustaining a strong and diverse Fylde coast economy to further enhance employment prospects

## **We will achieve this by:**

Focusing on customer requirements  
Clear community and organisational leadership  
Delivering high quality, cost-effective services  
Partnership working



## A G E N D A

<b>PUBLIC PLATFORM</b>	
<i>To hear representations from members of the public in accordance with Committee procedure rules</i>	
<b><u>PART I - MATTERS DELEGATED TO COMMITTEE</u></b>	
<b>ITEM</b>	<b>PAGE</b>
<b>1. DECLARATIONS OF INTEREST:</b> <i>if a member requires advice on declarations of interest he/she is advised to contact the Monitoring Officer in advance of the meeting. (for the assistance of members an extract from the councils code of conduct is attached).</i>	4
<b>2. CONFIRMATION OF MINUTES:</b> <i>To confirm as a correct record the minutes of the community outlook scrutiny committee held on 13 November 2008 as attached at the end of the agenda.</i>	4
<b>3. SUBSTITUTE MEMBERS:</b> <i>details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
<b>4. LOWER LANE, FRECKLETON</b>	7 – 14

**Personal interests**

8.—(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
- (ii) any body—
  - (aa) exercising functions of a public nature;
  - (bb) directed to charitable purposes; or
  - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (i) any employment or business carried on by you;
  - (ii) any person or body who employs or has appointed you;
  - (iii) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
  - (iv) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
  - (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
  - (vi) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
  - (vii) any land in your authority's area in which you have a beneficial interest;
  - (viii) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
  - (ix) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision;

(2) In sub-paragraph (1)(b), a relevant person is—

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

**Disclosure of personal interests**

9.—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(d).

**Prejudicial interest generally**

- 10.—**(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the authority where that business—
- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
  - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
  - (c) relates to the functions of your authority in respect of—
    - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
    - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
    - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
    - (iv) an allowance, payment or indemnity given to members;
    - (v) any ceremonial honour given to members; and
    - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

**Prejudicial interests arising in relation to overview and scrutiny committees**

- 11.—** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

**Effect of prejudicial interests on participation**

- 12.—**(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
    - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
    - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
 unless you have obtained a dispensation from your authority's standards committee;
  - (b) you must not exercise executive functions in relation to that business; and
  - (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
ASSISTANT CHIEF EXECUTIVE	COMMUNITY OUTLOOK SCRUTINY COMMITTEE	21 JANUARY 2009	4

## LOWER LANE, FRECKLETON

### Public Item

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

### Summary

In 2008, the Scrutiny Management Board agreed to include a review within the Work Plan of the Community Outlook Scrutiny Committee.

The review was requested by County Councillor Bernard Whittle, Chairman of the Community Safety Partnership and this report has been written with his input. County Councillor Whittle will be present at the meeting to answer any particular queries.

It is understood that this report is sought to appraise the Committee of the main points for its consideration in order that it can then scope out its review.

### Recommendation

That the Committee determines how it wishes to take forward this review.

### Cabinet Portfolio

The item falls within the following Cabinet portfolio:  
Councillor Patricia Fieldhouse

## Report

1. In 2006, the Community Safety Partnership instigated community clean up and other initiatives to raise the vitality of the Lower Lane Estate in Freckleton. This area is managed by New Fylde Housing and is a deprived area when viewed against other areas in the Borough. The estate had litter and vandalism problems in particular.
2. The community clean up had a positive impact on the locality reducing the littering issue. In addition, in order to address vandalism through providing diversionary activity the Community Safety Partnership invested in the region of £12,000 into providing IT equipment into the Community Centre. This provided a learning focus for young people to divert their attention to something positive. It was also in response to the need identified by the Head of Carr Hill High School to provide a facility to raise attainment levels by children on the estate. The High School contribution was to provide a support worker with the necessary IT skills to provide advice and guidance in meeting homework and coursework commitments. A youth shelter and refurbishment of the play area was also undertaken funded by the Community Safety Partnership together with on-going repairs. Lower Lane was also nominated for a Taking a Stand Award by the Community Safety Partnership which brought in £1,000 to invest in the area which was managed by New Fylde Housing.
4. There was support at the time from partner agencies including New Fylde Housing, the police, the Youth and Community Service and the Fire and Rescue Service.
5. Since the original clean up there has been an increase in provision for young people in Lower Lane Community Centre by Lancashire Young Peoples service now featuring on Monday and Wednesday evening with plans to introduce a Friday evening session. This targets young people aged 13-19 years. Fylde Borough Council also host play sessions every Tuesday evening for 7-11 yr olds.
6. However, there is no play equipment on the Lower Lance Estate (it is believed that the play area is managed by New Fylde Housing) and the lack of waste bins in the area has contributed to litter levels now being a problem once more.
7. Scrutiny is requested to evaluate the impact of the improvements made to the estate as a result of the community clean up. If the impact is endorsed as positive the scrutiny committee are requested to recommend what further action needs to be taken by partner agencies to keep the area free from litter, for young people to be engaged through diversionary activities through better access to the community centre and other initiatives and to consider if any action could be undertaken by New Fylde Housing to assist.
8. The ideal solution would be the development of an Action Plan, agreed by partner agencies, giving commitment to short, and medium and long term actions. The first step could be an audit of the estate, undertaken with partners, identifying the issues. Photographs could be taken where appropriate. Members of the Committee could also speak to local people to ascertain their views about the estate.



Report Author	Tel	Date	Doc ID
Tracy Scholes	(01253) 658521	5 January 2009	Lower Lane Report for scrutiny

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

IMPLICATIONS	
Finance	No direct implications from this report
Legal	None applicable
Community Safety	Diversionary facilities provided within the area contribute to community safety targets
Human Rights and Equalities	No direct implications from this report
Sustainability and Environmental Impact	No direct implications from this report
Health & Safety and Risk Management	No direct implications from this report

Date	Thursday 13 November 2008
Venue	The Town Hall, Lytham St Annes
Committee members	Kiran Mulholland (Chairman) Fabian Craig-Wilson (Vice Chairman) Brenda Ackers, Craig Halewood, Louis Rigby, Peter Collins, Howard Henshaw, John Prestwich, Richard Fulford-Brown.
Other Councillors	Councillor Kevin Eastham, Patricia Fieldhouse, Albert Pounder, John Coombes
Officers	David Gillett, Clare Platt, Dave Joy, Ian Curtis, Phil Woodward, Annie Womack
Others	Michelle Lee (Care and Repair)

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.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Community Outlook Scrutiny Committee meeting held on 24<sup>th</sup> September 2008 as a correct record for signature by the chairman.

3. Substitute members

Cllr John Prestwich for Councillor John Singleton

4. Annual report - Care and Repair (Fylde and Wyre)

David Gillett (Interim Housing Manager) and Michelle Lee (Care and Repair) presented the annual report from the Care and Repair Partnership.

Mr Gillett reported that The Care & Repair Service (Wyre & Fylde) was administered from Wyre BC on behalf of both Districts. The service was a "not for profit" home improvement agency which was available to older people and people with disabilities in Wyre and Fylde.

The service was delivered in two distinct parts. The first was the "core" service which was designed to facilitate repairs and adaptations to enable someone to stay in their home. Case workers visited people in their homes, and as part of their remit, explore whether any grant or charitable funding may be available to help pay for any works which may need to

be undertaken. The second element was the “handyperson” scheme. The aim of this scheme was to keep people safe in their homes, to prevent the risk of trips and falls, and provide help with small jobs around the house. The cost to the householder was confined to the cost of materials - labour was provided free. Neither Fylde nor Wyre contributed to this scheme, but qualifying residents from Fylde and Wyre are eligible to use it. It was funded by Lancashire Social Services and North Lancs PC but was also administered by Wyre BC.

Ms Lee reported that a number of performance targets were set by the Care and Repair Steering group, details of which were included in the annual report. Ms Lee confirmed that these targets were met in 2007/08. In addition, initial discussions have taken place in developing a formal Service Level agreement and it was anticipated this would be completed during 2008 for implementation from 1<sup>st</sup> April 09.

Ms Lee reported that there was evidence that there has been increased interest in the scheme from residents of Fylde during 2007/08, and in fact this year 47% of caseworker visits had been to Fylde residents; it was likely that the increased interest had arisen through the awareness sessions which had been undertaken in the Borough, the greater knowledge of Fylde BC staff and members of the scheme, and information available through the new Care and Repair link introduced in 2007 to the Council’s website.

Through working with the LCC Supporting People Team, £12k has been secured towards further development of the handyperson scheme for Fylde, to be delivered through Care & Repair.

The committee expressed their appreciation for the work which had gone into increasing awareness amongst residents of the Fylde, and acknowledged that the scheme appeared to represent value for money for Fylde.

Following the presentation it was RESOLVED:

1. To note the report
2. That Michelle Lee, Care and Repair Project Manager, be thanked for attending and reporting to the committee.

#### 5. Local Strategic Partnership Thematic Group - Shaping the Place

Dave Joy (Project Manager, Shaping the Place) presented a report detailing the achievements of the “Shaping the Place - Neighbourhood Renewal in Fylde” project.

Mr Joy reported that Fylde’s Local Strategic Partnership (LSP), Fylde Vision, had designed the project based on feedback from its Forum meetings in 2006/07. The project was intended to focus energies on the specific geographical location within the borough that was the area of greatest need (as identified by the government’s Indices of Multiple Deprivation) as well as developing an approach for neighbourhood renewal to be rolled out across Fylde. Finally, as LSP funding would only be available for a time-limited period, the brief required the interventions generated by the project to be sustainable beyond the life of any LSP funding.

Mr Joy further reported that the project had made a number of achievements in its first year based around key areas of community safety, young people, environmental enhancement,

housing and employment and enterprise. Detailed breakdowns of individual achievements were provided in the appended report to the LSP Executive.

The committee was advised that the first year report also identified the approach to neighbourhood renewal. The LSP Executive will at some stage in the future consider its position with regard to rolling out this approach elsewhere in the borough.

Members questioned Mr Joy over several aspects of the project, including how success would be identified, and whether lessons learned both good and bad had been captured to inform future projects. He confirmed that lessons learned were a vital component of the project, and that success would be measured in the same way in which issues had been identified, which was to ask the residents for their impressions of how well those issues had been resolved, and what difference it had made to them.

The committee queried how involved the Town Council had been, and was assured that they had been fully involved since the outset of the project. A request was made that councillors should be kept informed of the progress of the scheme, and Mr Joy advised that on Fylde's website is a link to LSP which includes full information about Shaping the Place, including newsletters and meeting dates.

Following the debate, it was RESOLVED

1. To note the report and to thank Dave Joy for his presentation.

#### 6. Skateboarding in St Annes Town Centre

Ian Curtis (Head of Legal Services) presented a report detailing a resolution to the ongoing problem of the use of skateboards in St Annes Square.

Mr Curtis reported that this has been a persistent problem over a number of years and almost exclusively involves young people. An initial response to the issue was for the provision of a purpose built skateboarding park in Ashton Gardens near to the youth shelter. This area consists of a concrete structure that appears to be designed to mimic the challenges of the town centre environment. It is understood to have cost in the region of £30,000 to complete and opened for use in early 2006. In addition there were even more sophisticated skate parks at Park View Road, Lytham and near to Fairhaven Lake.

The committee was advised that during the six months to the middle of October last year the police received 33 complaints for Ashton Ward alone regarding the use of skateboards. The situation has not eased this year and complaints have continued. In general officers respond by issuing warnings and moving on those involved although it was apparent that those involved returned. Complaints received from the public have involved the following caused by skateboarding.

- . Damage to Street Furniture
- . Nuisance and Danger to motorists
- . Nuisance and Danger to elderly pedestrians
- . Reports of scaffolding being dismantled to create ramps
- . Graffiti associated with the presence of Skateboarders
- . Verbal abuse to members of the public by those engaged in Skateboarding

The main areas where the activity has been reported as a problem were:

- The NCP car park on St Georges Road;
- The private parking area between the NCP car park and the Burlington Centre;
- The pedestrian areas in the Square; and
- Roads and footways adjoining these areas.

The police believed that the safety of the public and the need to deal with anti-social behaviour suggest that a byelaw banning skate boarding in the town centre area should be introduced. The byelaw would make it a criminal offence to ride on rollers, skateboards or other self-propelled vehicles in the areas covered. The byelaw criminalised conduct that would otherwise be lawful. To introduce the byelaw, the council would have to undertake an indepth consultation which would be brought back to the committee at a later date before being passed to the secretary of state for approval.

It was explained that new powers in respect of byelaws were expected, probably by Summer 2009, and following debate of the issue the committee formed the opinion that it would be more sensible to delay their decision regarding the formulation of a byelaw until that time. They agreed that the consultation would necessarily involve the skate-boarders themselves, particularly in view of the fact that dedicated skateboard facilities had already been provided by the Council, and those in Ashton Gardens were a very short distance from the area where the nuisance was being caused. They felt that it was essential to understand why this facility was not being used.

RESOLVED:

1. That officers should arrange a consultation and bring the results back to the committee in late spring

#### 8. Concessionary Travel Arrangements - Update on Discretionary Elements

At a meeting of the Scrutiny Management Board on 20 February 2008 the Board requested that overview and scrutiny be given the opportunity to review the discretionary elements of the 'Implementation arrangements for concessionary travel'. Mr. Phillip Woodward, Chief Executive Officer, advised that it would be appropriate for scrutiny to evaluate how the scheme is being implemented and how it is working later in the year.

On that basis, Mr Woodward presented a report detailing the current position of financing the concessionary bus travel for people over 60 years of age and people with disabilities. The scheme has been in place for a number of years although the eligibility criteria for the scheme were changed from 1 April 2008 to include the following basic statutory features:

- Any person over 60 years of age is entitled to free bus travel after 09.30 every weekday and at any time during the weekends;
- Any person with defined disabilities is also entitled to free bus travel after 09.30 every weekday and at any time during the weekends;
- The cost of the journeys undertaken within the scheme criteria is borne by the district (or unitary) council where the journey was started

Prior to April 2008, the scheme only required local authorities to fund the residents of the borough to travel locally. Since the changes have been introduced, there has been a significant burden on district finances. Mr Woodward reported that Fylde Borough Council's

budget for concessionary fares in the current financial year was £1.127 million (10% of the Council's total net budget). Approximately 15881 residents of the Borough have been issued with the NowCard (the qualifying 'bus pass'), 2415 of these since 1 April 2008.

Prior to the start of the financial year an agreement was made across Lancashire for all councils to pool their concessionary fare "allocation" provided by the government. Lancashire County Council agreed to act as the administrative body for the pool and undertake the necessary discussions and negotiations with the bus operators with whom they already had a working relationship. The pooling arrangement was intended to provide a mechanism which would offer a degree of financial protection for those councils who might be adversely affected by the uncertainty of the new scheme.

Mr Woodward further reported that the arrangement had drawn attention to two key issues. Firstly, that the scheme in Lancashire is underfunded to the tune of £2.7 million and, secondly, that there are significant winners and losers from the pooling arrangement and from the allocations provided by the government. It also indicated that the cost of the scheme in Fylde, without the additional burden of discretionary allowances, is likely to cost anything between £243,000 and £361,000 more than has been budgeted for in the current financial year.

Mr Woodward reported that Fylde had made a case to the Transport Minister to request a guarantee against all costs associated with the scheme but it is likely that the concessionary fares would require a significant portion of the council's reserves if the scheme is not fully funded by the government.

The discretionary elements of the scheme are:

- Bus travel before 09.30 or after 23.00
- Travel on other public transport (e.g. Blackpool Tramway)
- Carers accompanying people with disabilities

All of these discretions, if implemented, would have an additional cost to Fylde Borough Council. Mr Woodward reported that LCC had already agreed to stand the cost of re-introducing a subsidy for disabled travellers and their carers at a flat rate fee of 50p before 9.30 across the whole of Lancashire.

The committee discussed whether, given the current circumstances, any element of the discretionary scheme should be implemented at Fylde.

Following the debate it was RESOLVED:

1. To note the report
2. To recommend that no discretionary scheme concessions be implemented in Fylde at this time.

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