



MINUTES

Internal Affairs Scrutiny Committee

Date:	Tuesday, 5 September 2023
Venue:	Reception Room, Town Hall, St Annes
Committee Members Present:	Councillor Susan Fazackerley MBE (Chairman) Councillor John Kirkham (Vice-Chairman) Councillors Damian Buckley, Kelly Farrington, Joanne Gardner, Cheryl Little, Ed Nash, Sandra Pitman, Richard Redcliffe, Andrew Redfearn, Bill Taylor, Viv Willder
Other Councillors Present:	Councillors Karen Buckley, Peter Collins, Ellie Gaunt, Michelle Morris
Officers Present:	Paul Walker, Gemma Broadley, Andrew Stell, Ian Williamson, Lyndsey Lacey-Simone

Procedural Items

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.

There were no Declarations of Interest on this occasion.

2. Substitute Members

There were no substitute members on this occasion.

3. Confirmation of Minutes

It was RESOLVED: That subject to the correction of Councillor Gardner being appointed to the Planning Peer Review Working Group and not Councillor Griffiths as referred to in item 5 of the minutes, to confirm as a correct record the minutes of the previous meeting held on 20 June 2023 (previously circulated).

At this juncture, the Chairman referred to item 4 in the minutes relating to the appointment of a Task & Finish Group regarding the use of residential premises as children's care homes and suggested that as Chairman of the Committee it would be helpful if she was added to the list of members appointed to the Task and Finish Group. This was agreed.

Scrutiny Items

4. Draft Environmental Health and Housing Enforcement Policy

The Chairman invited Ian Williamson, Head of Environmental and Housing Services to introduce the report.

Mr Williamson advised the Committee that due to changes in the structure and management structure within Fylde Council, the Environmental Health and Housing Services are now under a single Head of Service. Members were advised that both of these services have enforcement and regulatory functions, and are of a common theme, public

health. Mr Williamson went on to say that in his opinion, the service would benefit from one single 'Enforcement Policy'.

Mr Williamson then went on to highlight the requirements of the Legislative and Regulatory Reform Act 2006 and the associated Regulators' Code which he explained gives guidance and provides a set of principles on exercising regulatory functions. He added that as Fylde Council is a regulatory body, it has a duty to have regard to the Code in exercising regulatory powers, setting standards or giving general advice. Further details were set out in the report.

A copy of the draft Environmental Health and Housing Policy (which will be published on the Fylde Council website) was attached to the report for the Committee's consideration.

Following presentation of the report, the Chairman invited questions from members of the Committee. Clarification was sought on the mechanisms put in place to tackle the enforcement of anti-social behaviour in Fylde with particular reference to staff availability during office hours/out of hours. Recent challenges relating to noise related nuisance matters/classification of Airbnb's in the area was also raised. In response, Mr Williamson referred to the relevant legalisation in place to tackle anti-social behaviour /noise nuisance and the work undertaken by office staff and Community Enforcement Team to tackle such matters. In addition, he referred to a recent letter from the Prime Minister addressed to Leaders and Chief Executives of local authorities which detailed his priorities to tackle anti-social behaviour with the aim of introducing new legislation in the very near future. The issue of the use of vapes by underage children was also highlighted. Mr Williamson stated that whilst this is the responsibility of Trading Standards, there is some joint working with Fylde and the Community Safety Partnership relating to advice and education.

Further to the above, details were also sought on any proactive work undertaken by Fylde to address fly tipping. Mr Williamson addressed this point with particular reference to the joint working arrangements in place with the Police.

Details regarding collectable data relating to enforcement options was also sought. Mr Williamson suggested that he would look to bring a report with statistics and breakdowns of type of enforcement action at the end of each financial year.

Members also asked about contact arrangements to report anti-social behaviour related matters. Mr Williamson indicated that he would circulate the relevant contact details to all members.

Following discussion, it was **RESOLVED:**

1. To recommend approval of the draft Environmental Health and Housing Enforcement Policy to the Executive Committee.
2. That a simple report with statistics and breakdowns of type of enforcement action undertaken be brought to committee at the end of each financial year, for members to peruse.
5. Update on Section 106 Monies currently held by Fylde Council

Further to the request of the Executive Committee on the 25th May 2023, Andrew Stell, Development Manager provided the Committee with the background and an update of the current position for Section 106 monies currently held with Fylde Council.

The report included three appendices which detailed the following information:

- a. S106 Summary of balances to the 31st July 2023, including detailing the balance brought forward 1st April 2023, contributions received, expenditure to date, approved commitments.
- b. Approved Planned Schemes, details planned schemes to the 31st July including the scheme name, budget holder, application reference the contribution was paid on, payment export and budget detail, with a scheme/budget holder comment.

- c. S106 Agreement Expiry, further informs of the application and site location, current balance on that payment, commitments, the agreement expiry date and the status of the work. The expiry dates have also been colour coded to reference how close the spend is to the expiry date.

Mr Stell went on to say that the report was intended to make members aware of the funds currently held by Fylde Council and provide an overview of suitable schemes identified to ensure that the funds are spent ahead of any repayment deadline. He added that each year, the Council also publishes an [Infrastructure Funding Statement](#) which sets out how Section 106 funds have been spent to date.

Following presentation of the report, the Chairman invited questions from the Committee. These related to the role of the Sec 106 Monitoring Officer, the obligations of the legal agreement, the impact of inflation on S106 agreements and mechanisms in place to ensure delivery. Mr Stell addressed these points.

Following discussion, it was **RESOLVED** to note the contents of the report and request that further updates are provided every 6 months.

6. Annual Review Letter 2022/23 - Local Government and Social Care Ombudsman

The Chairman invited the Committee to consider the Annual Review Letter from the Local Government and Social Care Ombudsman (LGO) for 2022/23.

Paul Walker (Interim Scrutiny Manager) provided an overview of the background to the report and Gemma Broadley (Head of Corporate Services) further expanded on the detail.

An overview of the role of the Ombudsman was set out in the report. Members were advised that the Ombudsman Annual Review Letter provided an annual summary of the complaints made to the Ombudsman about Fylde Borough Council over the last year 2022/23. The letter also provided a link to the Council's Performance for the past several years.

Included as appendices to the report were: (i) Local Government & Social Care Ombudsman Annual Review Letter 2022/23; (ii) Local Government & Social Care Ombudsman – Complaint statistics 2022/23; (iii) Fylde Council - Complaints and enquiries received (by category) and decided (by outcome) by LG&SCO over past 5 years and (iv) comparisons of Lancashire district authorities - Complaints and enquiries received (by category) and decided (by outcome) by LG&SCO - 2022-23.

Following discussion, it was **RESOLVED** to note the contents of Annual Review Letter.

7. Internal Affairs Scrutiny Committee Workplan 2023/24

Further to a workshop of the Internal Affairs Scrutiny Committee held on 22 August, members were invited to agree the in-depth scrutiny reviews for Internal Affairs Scrutiny Committee for the remainder of the 2023/24 municipal year.

Clarification was sought on how individual members could make a formal request for an item to be considered for a scrutiny review. Mr Walker stated that there was currently no mechanism (constitutionally) in place for dealing with such requests. He went on to say that this would be looked at in due course but as an interim measure, it is intended to include at each meeting a copy of both scrutiny committees work plan which details items to be considered at future meetings.

Following discussion, it was **RESOLVED** To agree the following in-depth scrutiny reviews be established and commenced in the remainder of the 2023/24 municipal year in the following order: Regeneration followed by Affordable Housing.

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