

# Cabinet

<b>Date:</b>	Wednesday, 25 March 2015
<b>Venue:</b>	Town Hall, St Annes
<b>Cabinet members:</b>	Councillor Susan Fazackerley (Leader) Councillor Karen Buckley (Deputy Leader)  Councillors Dr Trevor Fiddler, Cheryl Little, Albert Pounder, Thomas Threlfall
<b>Other councillors:</b>	Councillors Christine Akeroyd, Fabian Craig-Wilson, Len Davies
<b>Officers:</b>	Allan Oldfield, Tracy Morrison, Paul Walker, Paul O'Donoghue, Sharon Wadsworth
<b>Other attendees:</b>	Graeme Ruse (Income and Recovery Manager – Blackpool Revenues and Benefits Shared Service)
<b>Members of the public:</b>	There were no members of the public present.

## Public Platform

There were no representations from the public.

### 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 from members.

### 2. Confirmation of minutes

RESOLVED: To approve the minutes of the Cabinet meeting held on 11 February 2015 as a correct record for signature by the Chairman.

### 3. Urgent Items

There were no urgent items.

### 4. Policy Development Scrutiny Recommendations

Councillor Fabian Craig-Wilson (Chairman of the Policy Development Scrutiny Committee) presented the recommendations made by the Committee at the meetings held on 19 February 2015 and 12 March 2015.

The scrutiny committee recommended the following to Cabinet for approval:

Recommendations from the 19 February 2015 meeting:

1. Medium Term Financial Strategy Update, Including General Fund, Capital Programme And Treasury Management For 2014/15 To 2018/19

To note the contents of the Medium Term Financial Strategy including Cabinet's budget proposals, and note that Budget Council on 3<sup>rd</sup> March 2015 be recommended to approve and adopt:

- (a) The revised estimates for 2014/15 and the revenue budget for 2015/16 as set out in Appendix E of the report, which includes the transfers to the Capital Investment Reserve in the total sum of £911k and the increase in the balance of the General Fund Reserve in the sum of £255k;
- (b) The budget proposals and changes to Reserves and Balances as set out in Appendix F of the report;
- (c) The updated Five Year Capital Programme including the changes proposed by Cabinet, as set out in Appendix G of the report;
- (d) The updated Useable Reserves & Balances Policy as detailed in Appendix H of the report;
- (e) An average Band D Council Tax of £185.79 for 2015/16 (excluding Town and Parish precepts), which is a 0.06% reduction from the 2014/15 average Band D charge;
- (f) The Special Expenses policy as set out in Appendix I; which includes that:
  - for the purposes of charging special expenses, both the special expense costs and the tax bases relating to the areas of Lytham and St Annes will each be aggregated and the Council Tax charge per property at each band level will be the same across the whole area; and
  - the annual special expense charge per property will be set for 2015/16 at the same level as for 2014/15, that being £67.94 per band D property; and
  - the annual borough wide charge per property will be set for 2015/16 at the same level as for 2014/15, that being £144.82 per band D property; and
  - the budget resource to be allocated to delivering concurrent services and chargeable as special expenses for 2015/16 will be set at a sum equivalent to the annual special expense charge per property (band D equivalent) multiplied by the tax base for the special expense area;
- (g) The schedule of fees and charges for 2015/16 as detailed in Appendix J of the report

2. Economic Development Strategy – Review Of Action Plan

1. To note the report and recommend to Cabinet that following two years of detailed review of the Economic Development Strategy and Service, subsequent Action Plans be reviewed annually by the appropriate programme committee.

2. To recommend to Cabinet that section 11.1 of the Economic Development Activity report be amended to read:

“To assess the potential economic benefits (and possible disadvantages) of exploration and or development of the energy and renewable sectors to local communities” and that reference to the bodies/organisations listed under “by whom” be amended to read “Fylde Borough Council, Lancashire County Council and energy sector companies”

3. Mid- End Performance Exception Report 2014/15

1. To note the report and recommend to Cabinet that with the exception of PM49, the proposed measure change requests of PM 23, 76, 36 and 152 be approved.

4. Overview And Scrutiny Work Plans - Update

1. To note the Overview and Scrutiny Committee work plans

Recommendations from the 12 March 2015 meeting:

2. Home Energy Conservation Act – Further Report March 2015

1. That the Home Energy Conservation Act 1995 report of March 2015 be adopted, published, and notification of its publication be sent to the Secretary of State; and
2. That a costing exercise be undertaken to inform the Cabinet of the cost implications for focussing resources on those households suffering fuel poverty.

3. Lancashire Single Homeless Initiative

1. To note the report and the progression of the projects;
2. To note the additional project funding in the sum of £33,067;
3. To note that a funded budget increase request would be prepared for the sum of £33,067 for authorisation by the Chief Financial Officer in consultation with the Portfolio Holder for Finance and Resources, to increase the overall project funding;
4. To note that an additional report would be provided to a future meeting of the Environment, Health and Housing Committee on the conclusion of the project to consider the final outcomes and any future opportunities arising from the project; and
5. That Development Management (Policy) Committee consider the issue of the lack of 1 bedroom accommodation available in the borough at a future meeting.

4. Fylde Coast MyHomeChoice Area Lettings Plan 2015

1. To note the results of the consultation for the Area Lettings Plan with MyHomeChoice partners;
2. To approve the final draft of the Area Lettings Plan for adoption; and
3. To request an update to the appropriate committees regarding planning agreements and sheltered housing, at the appropriate time.

5. The 2014 Employee Survey

1. To note the outcomes of the 2014 Employee Survey and recognise the progressive and positive culture that was evidenced by the findings and achieved by the hard work and dedication of the employees; and
2. To direct the Chief Executive to note the comments of the committee and to action them appropriately.

6. The Residents Survey 2014

It was RESOLVED to note the outcomes from the 2014 Residents Survey and progress made on the satisfaction with services, the Council and the local community.

In reaching its decision, Cabinet considered the details set out in the report before it and RESOLVED to approve the recommendations made by the Policy development Scrutiny Committee at its meetings held on 19 February 2015 and 12 March 2015 subject to:

- Replace “Cabinet” on the Home Energy Conservation Act – Further Report March 2015, recommendation 2(2), to the “Environmental, Health and Housing Committee”.

#### 5. Write-Off of Uncollectable Debts

Paul O'Donoghue (Chief Financial Officer) and Graeme Ruse (Income and Recovery Manager – Blackpool Revenues and Benefits Shared Service) jointly presented the report that detailed debts in relation to local taxation (Business Rates and Council Tax), Sundry Debtors and the recovery of Housing Benefit overpayments.

Under this Council's Constitution the Head of the Shared Service (Revenues and Benefits) has delegated authority to write-off uncollectable business rate debts up to £10,000 and uncollectable Council Tax and Housing Benefit debts up to £5,000.

Additionally, the Council's Constitution provided delegated authority to the Chief Financial Officer (Section 151 Officer) to write-off uncollectable debts in excess of those levels, and additionally in respect of sundry debts, for up to £25,000 per individual debt subject to the subsequent reporting of the details to Cabinet for information purposes.

The Chief Financial Officer had recently exercised this delegated power by writing-off three uncollectable Business Rate debts and one Housing Benefit debt following recommendations from the Head of the Shared Service (Revenues and Benefits). Details of the three write-offs were included as part of the report to meet the notification requirements.

The Cabinet's approval for the write-off of four uncollectable Business Rates debts in excess of the £25,000 limit was also sought.

All of the uncollectable debts for which write-off was requested (or was being reported) related to the period to 31st March 2015.

Mr O'Donoghue informed members that in the event that proceedings under the Insolvency Act 1986 had commenced in respect of a debtor all existing recovery proceedings must cease. The making of a Court Order or the passing of a resolution also prevented any creditors from bringing proceedings against the insolvent party. As the Council is ranked as an unsecured creditor we may receive a dividend payment from any proceeds of the insolvency once secured creditors debts had been cleared.

Mr O'Donoghue and Mr Ruse responded to questions from members in relation to recovery procedures in place, and the Council's collection rates compared to other local authorities.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting RESOLVED:

1. To approve the write-off of the four uncollectable Business Rates debts in excess of £25,000 as detailed within the report.
2. To note the write-off by the Chief Financial Officer under delegated powers of the three uncollectable Business Rates debts and the one Housing Benefit overpayment below £25,000 as detailed within the report.

#### 6. Park View Playing Field – Full Financial & Management Details for a Sand & Water Play Facility

Paul Walker (Director of Development Services) presented the report that summarised the context and details from the receipt of tenders and tender assessment following the procurement process for a new sand and water play facility at Park View Playing Fields.

Full details of the future financial and management arrangements in reference to all the play facilities at Park View Playing Fields and daily duties were provided through a new Service Level Agreement between Fylde Council and PV4U Charitable Trust.

ParkView4U were congratulated on their success at being awarded the grant from the Coastal Communities Fund for the provision of the new facility.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. The expenditure on the creation/installation of a sand and water play facility as detailed in the report, with the works being funded from the approved 2015/16 capital programme scheme fully-funded from a grant from the Coastal Communities Fund to the sum of £272,084.
2. The letting of the contract for the design and build of a sand and water play area to William Pye in the sum of £268,000.
3. The officer support from the Parks & Greenspace and Technical Service teams in the project management of the project at a fee of £4,000.
4. The new Service Level Agreement between Fylde Council and PV4U Charitable Trust as set out in the appended Heads of Service.

7. Community Parks Improvement Programme - Frobisher Drive Play Area

Paul Walker presented the report that demonstrated the need for improved play facilities, following a consultation exercise with local residents, at the existing play area at Frobisher Drive, St. Anne's. The refurbishment would consist of new children's play equipment, safety surfacing, fencing, furniture and landscaping.

The report set out the context and details from the receipt of quotations, the quotation assessment criteria and the recommendations to proceed with the project through the letting of the contract to complete the work.

Details of the financial breakdown of the proposed spend and the benefits of the project were identified within the report.

Councillor Buckley welcomed the proposal as a much needed facility for the community.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To approve an addition to the Council's approved Capital Programme for 2015/16 in the sum of £33,750 to be met from the section 106 monies held by the Council of the same sum to refurbish the play area at Frobisher Drive, St Annes.
2. To approve the letting of the play area refurbishment to Wicksteed Leisure Ltd to the sum of £33,000, with a contingency of £750 being held by Fylde Council.

8. Kirkham Public Offices Building/Extension to Service Level Agreement with Citizen's Advice Bureau

The report, introduced by Paul Walker, provided members with a brief history of the use the Kirkham Public Offices since the One Stop Shop closed in 2008. Attempts had been made to obtain vacant possession in order to sell the building to generate revenue savings as well as a capital receipt. This had been unsuccessful and there was little prospect of a positive outcome in the foreseeable future.

The Citizen's Advice Bureau (CAB) proposed to lease the whole building and take responsibility for most of the overheads. This would reduce overhead costs to the Council and allow the CAB to provide improved services to the community. The proposal would also allow Fylde Food Bank, which had been using the ground floor on a short term basis, to expand and make long term plans. The CAB would also come to an agreement with the Town Council which would allow the Town Council to continue to use the meeting room on the first floor.

It would be necessary to end the current Service Level Agreement (SLA) and lease with the CAB early and grant a new two year SLA and lease under which the CAB would pay a market rent and take on the additional responsibilities. The grant payable to the CAB would be increased in the first two years to meet the increased costs to the CAB and projected increase in staffing and pension costs in 2016/17.

Members welcomed the transparent and positive step forward for the CAB and the building in rural Fylde.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To approve the grant to Fylde Citizen's Advice Bureau of a 2 year lease of 3-5 Moor Street, Kirkham for 2015/16 and 2016/17, on the terms set out in the Heads of Terms, included in the report, under which it would pay a market rent and take on additional responsibilities.
2. To approve the surrender by Fylde Citizens Advice Bureau of its existing Service Level Agreement and the grant of a new 2 year Service Level Agreement on similar terms to the existing agreement except that the grant will be increased from £72,882 to £82,681 for 2015/16 and increased again to £86,782 for 2016/17. The cost would be met from savings in the cost of running the premises under the proposed new arrangements with CAB whereby responsibility for the payments for certain services transfer from Fylde Council to the CAB.
3. To note that the new arrangements will generate budget reductions for Fylde Council of £11,612 for 2015/16 and £7,519 for 2016/17.

#### 9. Fylde Coastal Strategy

Paul Walker presented the final version of Fylde Councils Coastal Strategy following the extensive consultation process that had been undertaken. Mr Walker advised that a project board would be established to deliver major infrastructure projects on Fylde's coastline.

Concerns were raised with linking the projects, to the replacement of the sea defences, and the potential for delays. Mr Walker confirmed that the replacement of the sea defences would not be hindered by the strategy.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To formally adopt the Fylde Council Coastal Strategy and associated action plan to deliver the long term Vision for the Regeneration of Fylde's Coastline from 2015 -2032.
2. To establish a project board to oversee the delivery of major infrastructure projects relating to the Coast, commencing with the Restoration of Fairhaven Lake and Gardens linking with the replacement sea defence project.
3. The production of an annual monitoring report to report the progress of the Coastal Strategy /Action Plan through the appropriate service committee.

#### 10. CCTV Balance of Capital Resource

Tracy Morrison (Director of Resources) presented the report that updated members on the remaining capital budget provision in relation to the provision of CCTV within Fylde Borough and the longer-term plans for the use of the remaining budget, following consideration by the Community Focus Scrutiny Committee on 22nd January 2015 and by Cabinet on the 11th February 2015.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To note the balance of approved funding relating to the provision of CCTV within Fylde in the sum of £41,742 that will remain until spent within the approved Capital Programme, any monies unspent at each subsequent year-end being transferred to the following financial year;
2. To confirm that if any of the current camera locations fail, they will, having regard to the Surveillance Camera Code of Practice, be considered for repair/replacement on a case-by-case basis based on a proven need being demonstrated through an impact assessment, that being funded from the approved capital scheme for CCTV provision;
3. To note that should monies for this purpose remain unspent by 2017 (at which point the police will be able to give the council a commitment to monitoring the cameras post 2017) further consideration is given to any future expenditure on CCTV provision in Fylde.

#### 11. Corporate Fraud Shared Service

Tracy Morrison introduced the report that provided an update on discussions with Preston and Lancaster City Councils regarding the delivery of a shared corporate fraud service. As a result of the discussions a proposed Service Level Agreement, which will run for three years from 1 June 2015, was presented to members for consideration and approval.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To approve the draft three-year Service Level Agreement (SLA) which would result in the establishment of a Shared Corporate Fraud Service with Preston and Lancaster Councils and authorised the Director of Resources, in consultation with the portfolio holder, to conclude the final negotiations regarding the SLA.
2. To note that the provision of this service would be treated as an exempt contract under the Council's contract procedure rules for the reasons stated within the covering report.

#### 12. Universal Credit Update

Tracy Morrison presented the report that outlined the details of the current implementation programme for Universal Credit provided by the Department for Work and Pensions (DWP) and was seeking authority to extend the existing delivery partnership agreement from the 1st April 2015 for a further 12 months.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED:

1. To note the current progress of the roll out of Universal Credit;
2. To approve the negotiation with the Department of Work and Pensions of a Delivery Partnership Agreement to run from 1st April 2015 to 31st March 2016 in respect of a number of ancillary services related to the roll-out of Universal Credit, as detailed within the report;
3. To note that a further report would be presented to Members prior to the finalisation of any further agreement beyond 31st March 2016 in relation to services provided in support of the Universal Credit programme.

#### 13. Elected Member Role Descriptions

Tracy Morrison presented the proposed role descriptions for elected members that the Member Development Steering Group had recently considered and recommended for approval. The role description for the Leader of the Council had been approved by Full Council in December 2014.

A full version of the elected member role descriptions framework had been considered for approval to complement the role description of the Leader and as good practice to meet the on-going requirements of the North West Charter for Elected Member Development and 2015 Induction preparations. The descriptions would also provide a useful benchmark to identify future specialist training requirements for members.

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and RESOLVED to approve the proposed role descriptions for elected members as set out within the report.

Councillor Fazackerley concluded the meeting by thanking the current and past members of the Cabinet for their dedication and knowledge as well as the support of the officers over the life of the Cabinet system at Fylde.

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