



MINUTES

Executive Committee

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| Date: | Tuesday, 5 December 2023 |
| Venue: | Town Hall, St Annes. |
| Committee Members Present: | Councillor Karen Buckley (Chairman) Councillor Richard Redcliffe (Vice-Chairman) Councillors Tim Armit, Damian Buckley, Peter Collins, Chris Dixon, Ellie Gaunt, Kelly Farrington, Michelle Morris, Ed Nash, Jayne Nixon, Vince Settle |
| Officers Present: | Allan Oldfield, Gemma Broadley, Ian Curtis, Andrew Loynd, Paul O'Donoghue, Charlie Richards, Kirstine Riding, Rebecca Riley, Sharon Wadsworth, Paul Walker, Ian Williamson and Katharine McDonnell. |

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.

2. Substitute Members

The following substitute was reported under Council procedure rule 23 (c):

Councillor Damian Buckley for Councillor Karen Henshaw JP

Councillor Kelly Farrington for Councillor Matthew Lee

Councillor Vince Settle for Councillor Tommy Threlfall

3. Confirmation of Minutes

RESOLVED: To approve the minutes of the Executive Committee meeting held on 19 September 2023 as a correct record for signature by the Chairman.

Decision Items

4. YMCA Disposal Plan & Notice of Motion – Kirkham Pool

Councillor Karen Buckley, Council Leader, introduced a report regarding the Kirkham Pool Disposal Plan which had been produced by the YMCA, in accordance with Schedule 6 of the agreement made when the asset was transferred in July 2009.

The report also included the proposed approach to be taken by the council, following the Notice of Motion agreed at full Council on 2 October 2023. Councillor Buckley advised that Active Lancashire had been commissioned to explore, and consult, with local stakeholders and existing local facilities to identify ways of making existing swimming provision more accessible to residents of Fylde.

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Turning to the Disposal Plan, it was considered that the proposed trigger points would not allow for necessary work to be undertaken such as consultations, costings and surveys, before the asset disposal was triggered. With agreeing the Notice of Motion, the council had undertaken to explore all avenues, and it was therefore considered that the Disposal Plan was not acceptable with its current trigger points, particularly in regards to those for expressions of interest.

In the discussion that followed, it was acknowledged that members were aware the baths had been shut for two years already but that it was a complex issue and due time was needed to explore all avenues to find the best outcome for all parties, especially residents.

It was unanimously RESOLVED

1. The council does not approve the Disposal Plan submitted by YMCA as they are dissatisfied with:
 - The length of time allowed to express and work up expressions of interest
 - The provision made for the involvement of the council in deciding whether an expression of interest is acceptable
 2. To approve the expenditure of £25,900 fully funded from the UKSPF (£16,601) and unallocated Covid Support Grant (£9,299) held by the council, for Active Lancashire to deliver the works listed under recommendation 3 of their report (Appendix 3), that is to consult with key local stakeholders and existing swimming providers in Fylde to understand the existing position, potential challenges and opportunities for the short, medium and long term.
 3. To delegate authority to the Chief Executive, following consultation with the Leader and Lead Member for Tourism, Leisure and Culture to:
 - (i) commission any further work that may be required to address the Notice of Motion regarding swimming provision. Such further work is to be funded from the unallocated Covid Support Grant funding to a maximum of £30,000 including the expenditure to date from the budget of £9,299, any expenditure to be reported to this committee.
 - (ii) draft and submit to the YMCA suggested changes to the Disposal Plan that would satisfy the Council.
5. Medium Term Financial Strategy – Financial Forecast Update (including Revenue, Capital & Treasury Management) 2023/24 to 2027/28

Councillor Gaunt, as Lead Member for Finance and Resources, provided 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.

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 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.

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Councillor Gaunt asked that her thanks to the Finance team for their work be recorded.

The Executive Committee RESOLVED to note the implications of the updated financial forecast, and noted that the report would be presented to the Council meeting on 18 December 2023.

6. Section 106 Funding to support the Empty Homes Strategy and Empty Homes Position Statement

Councillor Dixon, as Lead Member for Social Wellbeing, presented an update on the current position of the number of empty homes in the borough and set out the rationale to utilise S106 funding to establish an Empty Homes Fund.

Councillor Dixon advised that in the simplest terms the report outlined how the council would work to maximise the number of empty homes returned to the market as affordable homes. He advised the Homes England funding would be utilised by Registered Providers to acquire long term empty homes, whereas the S106 monies would be used to create a fund to be used by Registered Providers to refurbish the acquired empty homes.

The Executive Committee RESOLVED:

1. To approve a fully funded addition to the Capital Programme – ‘Empty Homes Fund’ in the financial years 2023/24 £75,000 and 2024/25 for £100,000 to be met from a portion of S106 developer contributions for affordable housing held by the Council for this purpose to be met from:
 - I. 14/0856 Harbour Lane Warton - £50,000
 - II. 20/0266 Lane Opposite 15-23 Ribchester Road, Lytham St Annes - £75,000
 - III. 12/0717 Moss farm, Cropper Road, Westby - £50,000; and to
 2. To authorise the required expenditure for the capital programme in 23/24 and 24/25 to the successful Registered Provider (s) appointed as part of formal Procurement of the Empty Homes Strategy, as units are purchased and refurbished (in the financial years 2023/24 £75,000 and 2024/25 for £100,000).
7. LAHF Phase 2 and S106 Funding to Increase Supply of Temporary Homeless Accommodation and Support Afghan Refugee Schemes

Councillor Dixon, as 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 9 units for temporary homeless accommodation and units for settled accommodation under the Afghan Resettlement Scheme.

Councillor Dixon advised that of the four recommendations printed in the agenda papers, recommendation 3 was no longer required and could be deleted.

The Executive Committee RESOLVED that:

1. To recommend to Full Council approval of 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 recommend to Full Council 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.
8. Cremator Engineering Repairs

Councillor Dixon, Lead Member for Social Wellbeing, introduced a report outlining the need for essential repair and maintenance to the cremator equipment which had been identified during the course of a scheduled inspection.

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The works were required to ensure the health and safety of Bereavement Services staff and service users. He explained that the repairs were like-for-like replacements of key components of the cremator plant and maintenance and would ensure the continued high standard of service delivery at the crematorium.

It was noted that the crematorium was subject to an Environmental Permit, regulated by Fylde Borough Council's Environmental Health Department, the repair and maintenance was required for continued compliance.

The Executive Committee RESOLVED to

1. To approve a fully funded addition to the Capital programme (2023/24) of £54,500 funded from the Capital Investment Reserve.
2. Subject to the approval of 1 (above), to draw down and authorise expenditure in the sum of £54,500 as detailed within the body of the report (in year 2023/24) and carry out the essential maintenance and repair of the crematorium as required.

9. Promenade Motorhome Parking

Councillor Morris, Lead Member for Customer and Operational Services, introduced a report detailing the progress of work with Lancashire County Council to introduce an overnight motorhome ban on various roads, including along Inner, South and North Promenades, and request the allocation of funding to part-fund its implementation.

It was explained that Lancashire County Council had conducted a public consultation exercise on the proposed changes, which concluded on 9 November 2023.

The changes included an overnight motorhome ban on the highway, amendments to the legal order were proposed to create a coach stand near St Annes Pier and a bus bay by AKS. The proposal was for Fylde Council to part fund the work, with Fylde's contribution capped at a maximum of £30,000.

During the discussion questions were raised regarding the enforcement regime and how the impact on side roads would be mitigated.

Andrew Loynd, Technical Support Manager, advised that the enforcement would be Lancashire County Council's responsibility. Councillor Morris advised that there would also be restrictions on some side roads and a review of the scheme following a season of operation.

The Executive Committee RESOLVED to approve a fully-funded revenue budget contribution of up to £30,000 to be met from the remaining Covid Support Grant funding held by Fylde Council as a contribution towards the costs of various on-street parking restrictions, as set out in Lancashire County Council's public consultation and as detailed within the report, including the introduction of a ban on on-street overnight motorhome parking on various roads in Lytham St Annes.

10. Establishment of Programme and Project Boards

Councillor Karen Buckley, Lead Member for Economic Development, introduced proposals for the establishment of several Project and Programme boards designed to oversee significant capital projects and programmes that were being delivered by the Council. The project and programme boards would involve members, officers and some external stakeholders.

Councillor Buckley advised that it was important to include a Kirkham Councillor on the Kirkham Futures Project Board, and was proposing that Councillor Paul Hodgson be added to the list of attendees list in the report.

The Executive Committee RESOLVED to agree to the creation of several project and programme boards as detailed within the report which included the appointment of members from the Executive Committee, and the inclusion of Councillor Paul Hodgson on the Kirkham Futures Project Board.

11. Community Governance Review of Lytham St Annes

Councillor Gaunt, Lead Member for Finance and Resources, introduced the report into a proposed governance review for the unparished areas of Lytham St Annes. She advised that Community Focus Scrutiny Committee had established a task and finish group to consider the public consultation arrangements for the Community Governance review.

Councillor Settle, Chairman of Community Focus Scrutiny Committee, advised that following detailed consideration of the various options about how further, and more extensive consultation, should be undertaken in relation to community governance proposals to establish new parish councils for Lytham & Ansdell, the Executive Committee was requested to consider recommendations from the scrutiny spotlight review.

Following a brief discussion, it was RESOLVED

1. That Fylde Council runs the proposed consultation via a mix of online and paper-based surveys along with some local events and sessions to promote the consultation exercise.
2. That the Council engage external consultation support to undertake all relevant analysis and reports on the survey data including, preparing and delivering stakeholder engagement sessions, qualitative analysis and reporting, survey project management and feedback session(s). (Identified as level 4 of the options presented to the task and finish group).
3. That if practicable, the Council commission the distribution of promotion of the survey via the Council Tax 2024/25 bills (to affected households only) issued in March 2024 and if that is deemed to be impractical, this be undertaken by a stand-alone mailing exercise to all households in Lytham and Ansdell.
4. That the consultation material should include information on the powers of the new parish councils along with the likely precept which will be set for the first year.
5. That the Executive Committee agree to an indicative timetable for the proposed consultation based on a projected date of Spring 2025 for the creation of any new parish councils.
6. That the consultation exercise (estimated at an appropriate cost of £10,000) be funded from other revenue budget savings.

12. Lytham Institute – Charity Reporting

Councillor Gaunt, Lead Member for Finance and Resources, presented a report that outlined the information that the Council as trustee was required to submit to the Charity Commission regarding Lytham Institute as part of an annual return that all charities are required to make.

She advised that the council had promoted the use of the Institute by community groups, with various groups using the facilities on a regular basis.

Councillor Gaunt stated the council was still waiting to hear from the Charity Commission the outcome of the consultation on the charitable objectives for the Institute. She highlighted the ongoing maintenance costs of the Institute whilst awaiting a response from the Charity Commission.

The Executive Committee RESOVLED to approve the Trustees Annual Report and Annual Accounts for the period to 31 March 2023 as shown at the appendices to the report for submission to the Charity Commission by the statutory deadline of 31 January 2024

13. Exclusion of the Public – Lytham Festival – Revised Terms

The Executive Committee RESOLVED to exclude the public from the meeting in accordance with the provisions of Section 100A (4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined under paragraph 3, information relating to the financial or business affairs of any person (including the authority holding that information).

(The Chief Executive left the meeting at this point)

14. Lytham Festival – Revised Terms

Councillor Nixon, Lead Member for Tourism, Leisure and Culture, introduced a report to consider a request from Lytham Festival organisers to increase the footprint of its operational and car parking areas. The request also included a new agreement to grant additional car parking at land adjacent to Fairhaven Road for a one year trial, to determine if park and ride facilities would further help tackle congestion in Lytham town centre and ease people's exit from the site after the performances.

Following discussion, it was RESOLVED;

1. To approve the festival organiser's request to increase the designated area of the arena and car parking from 2024 onwards.
2. To agree to the revised terms as set out within the report in consideration of the same with an annual uplift as outlined.
3. To allow additional car parking on land adjacent to Fairhaven Road car park as a one-off in 2024 in accordance with the Heads of Terms for License as outlined within the report.
4. To request the Head of Governance to make changes to the agreement reflecting these changes.

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