



MINUTES

Council

Date:	Monday, 25 April 2022
Venue:	Town Hall, Lytham St Annes, FY8 1LW
Committee Members Present:	Mayor (Elaine Silverwood) Deputy Mayor (Cheryl Little) Councillors Ben Aitken, Frank Andrews, Peter Anthony, Brenda Blackshaw, Julie Brickles, Karen Buckley, Alan Clayton, Delma Collins, Peter Collins, Chris Dixon, Sue Fazackerley MBE, Trevor Fiddler, Ellie Gaunt, Brian Gill, Shirley Green, Peter Hardy, Will Harris, Gavin Harrison, Karen Henshaw JP, Paul Hodgson, Angela Jacques, John Kirkham, Matthew Lee, Michelle Morris, Ed Nash, Sally Nash-Walker, Liz Oades, David O'Rourke, Richard Redcliffe, Bobby Rigby, Michael Sayward, Vince Settle, John Singleton JP, Roger Small, Ray Thomas, Tommy Threlfall, Stan Trudgill, Viv Willder.
Officers Present:	Allan Oldfield, Tracy Manning, Ian Curtis, Gemma Broadley, Sharon Wadsworth, Hannah Kirk, Stephen Reed, Alastair Woodhouse, Howie Dawson, Kassie Navarasi.
Other Attendees:	Councillor Mark Bamforth (via remote access) 3 members of the public were in attendance.

Prayers

Prayers were offered by Ian Curtis, Head of Governance.

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 Sue Fazackerley declared a personal and prejudicial interest in item 12, Lowther Gardens Trust - Renewal of Service Level Agreements Including New Subsidy Request insofar as she was the Council's representative on the Lowther Trust.

The Mayor, Councillor Elaine Silverwood, declared a personal and prejudicial interest in agenda item 12, Lowther Gardens Trust - Renewal of Service Level Agreements Including New Subsidy Request. The Mayor therefore left the room for the duration of the item, and the Deputy Mayor assumed the Chair.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Council meeting held on 3 March 2022 as a correct record for signature by the Mayor.

3. Mayor's Announcements

Minutes – Council – 25 April 2022

The Mayor reflected on her year as Mayor as being thoroughly enjoyable and was proud and privileged to have served Fylde. She expressed her appreciation to everyone who had supported her charitable events, paying tribute, for all their hard work and dedication, to her deputies, the mayors secretary, attendants, officers and for the Head of Governance for stepping in and offering prayers. The Mayor had hosted a successful WI event at the Town Hall, that had included a tour of the artwork, and thanks Councillor Hayhurst for the suggestion of the event.

The remaining fundraising events to be held included a Pizza and Prosecco evening on Thursday, 28th April and on Friday, 29th April the Mayor would be taking part in a microlight flight.

Finally, the Mayor wished the incoming mayoral team the best of luck for a successful forthcoming year.

4. Chief Executive's Communications

The Chief Executive had no announcements.

5. Questions from Members of the Council

There were no questions from Members of the Council on this occasion.

6. Questions from Members of the Public

A question had been received from Captain Beckley:

"What are the council doing regarding the health, safety and environmental impact on residents and visitors alike, that wild camping is having on the green between Inner Promenade, South Promenade and North Promenade I represent a huge number of residents through our campaign 'Save our Seafront', which has been fighting for over 6 years with support from our MP and some councillors.

During a door to door survey we have collected a huge amount of information, and photographic evidence relating to the decimation of our seafront from wild camping."

Councillor Roger Small responded that any wild camping in tents on the promenade in tents would not be tolerated and was enforceable by the Council. He encouraged any of these incidents to be reports to the Council to ensure action could be taken. Fylde was unable to enforce against overnight parking on the roadside as this was classed as the highway and was under the jurisdiction for Lancashire County Council.

Councillor Small confirmed that Fylde Council would like to see the restrictions on the highway changed to no overnight parking and would continue to lobby LCC for change.

Decision Items

7. Confirmation of Leader and Deputy Leader 2022/23

Councillor Trevor Fiddler proposed Councillor Karen Buckley as Leader of the Council and Councillor Roger Small as Deputy Leader, and to act in that capacity for the municipal year 2022/23.

Councillor Tommy Threlfall seconded the proposal.

It was RESOLVED that Councillor Karen Buckley be elected Leader of the Council and Councillor Roger Small be elected Deputy Leader of the Council, for the municipal year 2022/23.

8. Confirmation of Committees and Allocation of Membership

Councillor Karen Buckley introduced a report regarding the proposed committees and allocation of membership for 2022/23. Councillor Buckley explained that the council was required annually to confirm the committees that it wished to appoint and allocate the membership of those committees in accordance with the principles of political balance under the Local Government and Housing Act 1989.

Councillor Roger Small seconded the proposal.

It was unanimously RESOLVED, in accordance with the report to:

1. Appoint the committees and joint committees set out in the appendix for the municipal year 2022/23, with the same terms of reference as presently agreed.

Minutes – Council – 25 April 2022

2. Allocate committee seats in accordance with the principles of political balance as set out in the table in paragraph 7 of the report.
3. Re-appoint Mr. Peter Clements, Mr. Brian Horrocks and Mrs. Helen Broughton as co-opted members of the Chief Officer Employment Committee and re-appoint the Leader of the Council as Fylde's representative to the Blackpool, Fylde and Wyre Economic Prosperity Board.
4. Re-appoint the existing members to seats on committees required to be politically balanced.
5. Re-appoint the existing members to the Licensing Committee, which is not required to be politically balanced.
6. Re-appoint the existing eight members to the Member Development Steering Group.

9. Appointments to Outside Bodies 2022/23

Councillor Buckley introduced the report. She advised that the council made a number of appointments to outside bodies each year, confirmed at the last ordinary meeting prior to the annual meeting. Councillor Buckley advised of a few amendments and additions to the current list of outside bodies and the representatives on those bodies.

Councillor Small seconded the proposal.

It was RESOLVED:

1. To confirm the nominated appointments to outside bodies for the 2022/23 municipal year, as shown in appendix 1.
2. To approve the addition of Growth Lancashire Ltd to the list of outside bodies and to appoint the Leader of the Council, and the Deputy Leader as a named substitute, as the council's representative.
3. To approve the addition of BAE Co-ordination to the list of outside bodies and to appoint Councillor Tommy Threlfall, as the council's representative.

10. Changing Places

Councillor Small outlined the council's successful application for funding to install Changing Places facilities at three locations across the Fylde Borough. These facilities have larger accessible toilets for people who cannot use standard accessible toilets, with equipment such as hoists, curtains, adult-sized changing benches, and space for carers. The fund is supported by Muscular Dystrophy UK who would supply specialist support to Local Authorities to ensure facilities meet user requirements.

Councillor John Kirkham seconded the proposal.

It was unanimously RESOLVED to:

1. Approve a new fully funded capital scheme 'Changing Places' within the Council's Capital Programme for the sum of £120,000 (2022/23 - £40,000 and 2023/24 - £80,000) to be fully funded by Changing Places Grant funding of £108,000 and £12,000 to be funded from the Capital Investment Reserve.
2. Authorise the drawdown of expenditure of £40,000 in 2022/23 to install one Changing Places facility within the North Beach Windsports building as part of a proposed refurbishment works as detailed within the body of the report and note that a further drawdown report would be presented to the Operational Management Committee for the remaining £80,000.
3. Note the potential future costs for the Council for ultimately delivering the scheme which would be contained within the current budget provision.

11. Revised Code of Conduct for Elected Members

Councillor Ellie Gaunt introduced the report, outlining a revised code of conduct for elected members, which had been approved by the Audit and Standards Committee in March 2022 following workshops involving the Monitoring Officers from Blackpool Council and Fylde Council, senior governance officers, the three shared Independent Persons, the Chairmen and Vice Chairmen of Blackpool and Fylde's Audit and Standards Committees

Minutes – Council – 25 April 2022

together with an opposition member from each council. The revised code now also contained explanatory information to give a more thorough context to the members obligations.

Councillor Ed Nash seconded the proposal.

It was unanimously RESOLVED to adopt the revised Code of Conduct for Elected Members.

(The Mayor and Councillor Fazackerley, having already declared an interest, left the meeting for the duration of the following item)

12. Lowther Gardens Trust – Renewal of Service Level Agreements Including New Subsidy Request

Councillor Michael Sayward introduced the report, regarding the renewal of the Service Level Agreement (SLA) with Lowther Gardens Trust. Councillor Sayward explained that the current SLA expired 31 March 2022, and the renewal was a continuation for a three-year term with an increase of £12,000 pa to provide a total annual subsidy of £43,668 commencing 1 April 2022.

In addition to the above, there was a supplementary SLA between Fylde Council and Lowther Gardens Trust, to cover several ancillary services to be delivered by Fylde Council within Lowther Gardens, including parks management, grounds maintenance, public conveniences, building maintenance, engineering service and leisure services.

Councillor Gavin Harrison seconded the proposal.

There followed a debate on the proposed scheme, including discussion on the reason for the additional subsidy and which groups would benefit from discounts.

Councillor P Collins moved the following amendment, “that this item be deferred to a future full Council meeting to allow further consideration at Tourism and Leisure Committee.”

Councillor Lee seconded the amendment.

Following a vote, the amendment was LOST.

Councilor P Collins requested that his vote be recorded as voting for the amendment.

Councillor Oades then moved the following amendment, “If £12,000 approved can we put in place certain stipulations a) that the Trust provide council with a list of exactly who the grants are given to and how much is given. If £12,000 is not fully expended the surplus should be returned to the Council. Alternatively, the grant should be given to all who comply and £12,000 shared between them. All monies should be accounted for to Council.”

Councillor Hardy seconded the amendment.

Following a brief debate, a vote was taken on the amendment and was LOST.

Councillor P Collins moved a further amendment, “to propose that all amateur performance group sessions receive a discount of £50 per session. This is half the increase due to VAT and would be covered under the £12,000 recommended by the T&L committee but would ensure that all groups are treated equally.”

Councillor Oades seconded the amendment.

Under procedure rule 14.5 a recorded vote was requested and following support from five members, a recorded vote was taken:

Votes for the proposal (7) – Councillors Clayton, P Collins, Hardy, Henshaw, Hodgson, Lee, and Oades.

Votes against the proposal (28) Councillors Aitken, Andrews, Anthony, Brickles, Buckley, D Collins, Dixon, Fiddler, Gaunt, Green, Harris, Harrison, Jacques, Kirkham, Little, Morris, Nash, Nash-Walker, Redcliffe, Rigby, Sayward, Settle, Singleton, Small, Thomas, Threlfall, Trudgill and Willder.

Abstentions (3) Councillors Blackshaw, Gill, O’Rourke.

The amendment was LOST.

Following a brief debate on the substantive motion it was RESOLVED to approve:

Minutes – Council – 25 April 2022

1. An annual unfunded revenue budget increase of £12,000 to Lowther Gardens Trust in the years 2022/23, 2023/24 and 2024/25. This would create a total annual subsidy of £43,668 per annum for the next 3 years.
2. The continuation of the Service Level Agreement (Appendix 1) regarding the provision of theatre services at Lowther Pavilion by the operating company of Lowther Gardens Trust, Lowther Gardens (Lytham) Management Ltd.
3. To approve the terms and continuation of the Supplementary Service Level Agreement between Fylde Council and the Lowther Gardens Trust (Appendix 2) as summarized in the report.

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