



MINUTES

Council

Date:	Monday, 20 July 2020
Venue:	Via Zoom
Members Present:	Mayor (Councillor Angela Jacques) Deputy Mayor (Councillor Richard Redcliffe) Councillors Ben Aitken, Frank Andrews, Peter Anthony, Tim Armit, Mark Bamforth, Brenda Blackshaw, Paula Brearley, Karen Buckley, Alan Clayton, Delma Collins, Peter Collins, Chris Dixon, Sue Fazackerley MBE, Trevor Fiddler, Ellie Gaunt, Brian Gill, Shirley Green, Noreen Griffiths, Peter Hardy, Will Harris, Gavin Harrison, Karen Henshaw, JP, Paul Hodgson, John Kirkham, Matthew Lee, Cheryl Little, Roger Lloyd, Michelle Morris, Kiran Mulholland, Ed Nash, Sally Nash-Walker, Jayne Nixon, Linda Nulty, Liz Oades, David O'Rourke, Bobby Rigby, Michael Sayward, Vince Settle, Elaine Silverwood, John Singleton JP, Roger Small, Ray Thomas, Tommy Threlfall, Stan Trudgill, Viv Willder and Michael Withers.
Officers Present:	Allan Oldfield, Tracy Manning, Ian Curtis, Katharine McDonnell, Sharon Wadsworth, Ross McKelvie, Kassie Naravassi and the Reverend Christopher Scargill.

A minute's silence was held in memory of Mr Tony Mozley, one of the Council's Independent Persons, who sadly died in May.

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 Elaine Silverwood declared a personal interest in agenda item 16, Outside Bodies Updates. Her interest was in regards to the Lowther Trust.

2. Confirmation of Minutes

The minutes of the previous meetings held on 4 March 2020, 9 March 2020 and 18 March 2020 were agreed as a correct records.

3. Mayor's Announcements

The Mayor thanked all those people who had nominated their COVID-19 hero. All those nominated have made a tremendous difference to the lives of many whether it is through making scrubs, shopping for others or making meals. It was a reflection of what a tremendous place Fylde was to live.

4. Chief Executive's Communications

The Chief Executive had none on this occasion.

5. Questions for Members

A question had been received from a Member of the Council.

Councillor Brian Gill asked

“As most members know, I am not a fan of the new crazy golf scheme currently in build at Fairhaven lake as a cost of some five hundred thousand pounds of ratepayers money. The business case is fundamentally flawed due to the fact that it is spread over a ten year period and does not include the cost of money. Money is needed now to provide better support to the community. For example covering for shoppers in the high streets of Kirkham, Lytham and St Annes to increase footfall.

That being said, I understand it is committed monies and I therefore need it to succeed as a ratepayer. With this in mind can the council inform the residents what measures are being taken to stop the proposed pay and display scheme for the length of the promenade which will have a detrimental effect on visitors to the proposed attraction as well as the impact on local residents.”

Councillor Roger Small responded advising that Lancashire County Council were the Highways Authority and the decision whether to implement parking charges on the Promenade lay with them. The County Council advised that plans for a formal consultation had been well advanced, but delayed due to COVID-19.

He reassured Councillor Gill, that as Operational Management Chairman, Councillor Small had been in contact with officers from Lancashire County Council and Fylde, and with councillors of the wards affected. Key areas of concern where the level of possible charges, the impact on side street parking and length of stay.

Councillor Gill did not ask a supplementary question.

6. Questions from Members of the Public

No questions had been received from members of the public on this occasion.

7. Notice of Motion – Response to Coronavirus Pandemic

Following notice given under rule 11 of the Council Procedure Rules, the following Motion was proposed by Councillor Karen Buckley;

“IN RESPONSE TO THE CORONAVIRUS PANDEMIC THIS COUNCIL:

1. Recognises and offers thanks to all council staff for their continued hard work and dedication during uniquely difficult times in handling additional workloads and adapting to rapidly changing legislation whilst maintaining essential services near to normal levels - a remarkable achievement under the circumstances.
2. Recognises and offers thanks for the ongoing hard work to all key workers who live, work, operate or volunteer in Fylde, especially those in the NHS, medical or care industries who have been on the frontline providing direct treatment and care, those working in education and essential retail, and also the funeral services for continuing to do their best to handle matters in a respectful manner in very difficult conditions.
3. Thanks all our residents who are playing their part in complying with government guidelines, our businesses who are adapting to new guidance as they gradually re-open safely and all those who are informally providing vital help to vulnerable family, friends and neighbours or volunteering in the community.
4. Remembers those who are or have been ill, or who have family and friends affected by coronavirus, or have lost loved ones during this very difficult time when restrictions are in place which limits family and friends from coming together to support each other.”

The motion was seconded by Councillor Roger Small.

The motion was AGREED unanimously.

8. Standing Orders for Remote Council and Committee meetings

Councillor John Singleton presented the Standing Orders for meetings of the council and committees held by remote access. He explained that initially the emergency regulations aimed at combatting the spread of the coronavirus made it unlawful to hold face to face council and committee meetings in the normal way. Whilst those regulations had since been repealed, current government guidance was to continue to hold meetings remotely where possible.

An amendment to the standing orders was necessary to formalise arrangements for conducting meetings remotely. These revised standing orders would not apply to any face to face meetings when the Council was able to return to the Town Hall.

Councillor Ed Nash seconded.

It was RESOLVED to confirm the attached Rules of Procedure for Remote Meetings be included at Part 4a of the Council's Constitution.

9. Appointment of Leader and Deputy Leader

Councillor Sue Fazackerley 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 2020/21.

Councillor Tommy Threlfall seconded the proposal.

In accepting the nomination, Councillor Buckley paid tribute to Councillor Fazackerley in her leadership over the last six years and presented a picture to Councillor Fazackerley as a token of appreciation.

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 2020/21.

10. Confirmation of Mayor, Committee Appointments and Working Groups

Councillor Karen Buckley introduced a report confirming that the term of office for the present Mayor, and the current committee and working group appointments were extended by the emergency legislation introduced to deal with the pandemic.

However due to the change of leadership a small number of changes to the committees were necessary and Councillor Buckley thanked those members who were stepping down for all their hard work. These changes were put forward to the Council for consideration.

Councillor Roger Small seconded the proposal.

It was therefore RESOLVED to:

1. To note the extension of the term of office of the Mayor (Councillor Angela Jacques) and Deputy Mayor (Councillor Richard Redcliffe) until the AGM in May 2021;
2. Make the changes to the committee memberships, chairmanships and vice-chairmanships as set out in the table below; and
3. Note and endorse the list of current working groups as set out in the report to Council.

Audit & Standards	Chief Officer Employment	Environmental, Health & Housing	Finance & Democracy	Licensing*	Operational Management	Planning	Public Protection	Tourism & Leisure	Blackpool, Fylde & Wyre Economic Prosperity Board *	Member Development Steering Group *
Singleton, J	Buckley, K	Threlfall, T	Buckley, K	Green, S	Small, R	Fiddler, T	Green, S	Little, C	Buckley, K	Andrews, F
Gaunt, E	Small, R	Nixon, J	Settle, V	Harrison, G	Kirkham, J	Redcliffe, R	Harrison, G	Sayward, M		Nash-Walker, S
Brearely, P	Collins, P	Andrews, F	Anthony, P	Blackshaw, B	Bamforth, M	Armit, T	Blackshaw, B	Anthony, P		Collins, D
Collins, D	Oades, L	Brearely, P	Collins, P	Clayton, A	Brickles, J	Dixon, C	Clayton, A	Armit, T		Hardy, P
Collins, P	Redcliffe, R	Griffiths, N	Gaunt, E	Collins, D	Clayton, A	Mulholland, K	Jacques, A	Blackshaw, B		Morris, M
Nash, E	Fazackerley, S	Hardy, P	Nulty, L	Fazackerley, S	Dixon, C	Nixon, J	Andrews, F	Green, S		O'Rourke, D
Gill, B		Harris, W	O'Rourke, D	Jacques, A	Harris, W	Nulty, L	Henshaw, K	Harrison, G		Willder, V
Mulholland, K		Aitken, B	Oades, L	Andrews, F	Hodgson, P	Oades, L	Hodgson, P	Lee, M		
Nash-Walker, S		Henshaw, K	Redcliffe, R	Henshaw, K	Rigby, B	O'Rourke, D	Sayward, M	Mulholland, K		
		Lloyd, R	Silverwood, E	Hodgson, P	Mulholland, K	Speak, H	Thomas, R	Settle, V		
Broughton, H*	Broughton, H*	Morris, M	Singleton, J	Lee, M	Willder, V	Thomas, R	Trudgill, S	Silverwood, E		
Horrocks, B*	Horrocks, B*	Rigby, B	Withers, M	Sayward, M	Trudgill, S	Trudgill, S		Fazackerley, S		
				Thomas, R						
				Trudgill, S						
				Willder, V						
						Substitutes x 10				
						Brickles, J				
						Clayton, A				
						Gill, B				
						Griffiths, N				
						Hardy, P				
						Hodgson, P				
						Andrews, F				
						Jacques, A				
						Kirkham, J				
						Willder, V				
Conservative: 5	Conservative: 4	Conservative: 7	Conservative: 8	Conservative: 0	Conservative: 7	Conservative: 7	Conservative: 7	Conservative: 7		Conservative: 0
Independent: 3	Independent: 2	Independent: 4	Independent: 4	Independent: 0	Independent: 4	Independent: 4	Independent: 4	Independent: 4		Independent: 0
Non Aligned: 1	Non Aligned: 0	Non Aligned: 1	Non Aligned: 0	Non Aligned: 0	Non Aligned: 1	Non Aligned: 1	Non Aligned: 0	Non Aligned: 1		Non Aligned: 0
* Statutory Independent Persons	* Statutory Independent Persons			* not required to be politically balanced					* not required to be politically balanced	* not required to be politically balanced

11. Standards Framework: Independent Persons

Councillor John Singleton proposed the reappointment of the Council's Independent Persons for an additional one-year term to 30 September 2021.

Councillor Singleton advised that following proposals from the Committee on the Standards in Public Life, the Government had consulted on a number of changes to the standards framework. The Standards Committees of Blackpool and Fylde Councils had worked together on a consultation response.

The need to extend the term of office was required to keep the expertise of the Independent Persons during the process of the changes to the standards framework.

Councillor Singleton also paid tribute to Mr. Tony Mozley, who up until his death in May 2020, had served as one of the Independent Persons to the Council. His insight and consideration in standards matters had been very much appreciated by his colleagues, members of the Audit and Standards Committee and officers of the Council.

Councillor Ellie Gaunt seconded, and also extended her condolences to Mr. Mozley's family.

It was RESOLVED that;

1. The Council expresses its condolences in respect of Mr. Tony Mozley, former Independent Person and pays tribute to his dedication to the role over the previous years; and
2. Mrs. Helen Broughton and Mr. Brian Horrocks, the Council's statutory Independent Persons pursuant to Section 28 (7) of the Localism Act 2011, be appointed for a further 12 months from 30 September 2020 to 30 September 2021.

12. Pavement Licences

Councillor Shirley Green introduced a report regarding pavement licences, explaining that the Business and Planning Act 2020 had introduced a temporary fast-track process to allow pubs, cafes and other food businesses to place furniture on the pavement outside their premises. To obtain a licence, a business would need to apply to the Council. The council would be in a position to start to receive applications as soon as the legislation was enacted.

Councillor Gavin Harrison seconded.

In response to questions, Councillor Green advised that the Highways Authority were aware of the fast-track requirement. Additionally, those applying for a license were aware of their responsibilities under the licence to ensure rubbish generated by customers was removed.

It was RESOLVED;

1. Adopt the draft Pavement Café Licensing policy appended to this report;
2. Set a fee of £100 to be charged for applications for pavement licences under the Planning and Business Act 2020;
3. Require applicants for pavement licences to include the information set out in section 3.1 of the draft policy as part of, or accompanying, their application;
4. Publish the conditions set out in appendix 2 of the draft policy as the conditions subject to which the council proposes to grant pavement licences;
5. Direct that licenses be granted to for a duration of six months unless specific considerations related to the site or application indicate a different duration to be appropriate;
6. Add "*all matters in relation to pavement licences under the Planning and Business Act 2020*" as item 39 in the functions of the Public Protection Committee in part 2 of the council's constitution;
7. Delegate to the Director of Resources the power to make determinations in relation to applications for pavement licences under the Business and Planning Act 2020; and
8. Allow disappointed applicants to make representations to the Public Protection Committee as set out in paragraph 16 of the report.

13. A Lancashire Combined Authority

Councillor Karen Buckley introduced a report on a Lancashire Combined Authority. In doing so she provided background to previous Lancashire-wide discussions on devolution. She advised that local government devolution was at the forefront of the Government's agenda and a white paper on the matter was anticipated in the autumn.

She advised that all the local authorities across the county were seeking to agree in principle a collective commitment to explore the concept of a Lancashire Combined Authority with a directly elected Mayor.

Councillor Roger Small seconded.

Councillor Oades proposed an amendment to recommendation 4, so it would read "Appoint the Leadership Board and Budget Working Group *and at least one member of the Independent Group*, to explore both devolution and re-organisation and make recommendations to full council."

Councillor Nulty seconded the amendment.

Following a brief debate, the amendment was LOST.

Following further brief debate, it was RESOLVED to;

1. Note the agreement of Lancashire Leaders on 10 June 2020 as set out at paragraph 36 of the report;
2. Agree to explore a Combined Authority for Lancashire with an Elected Mayor, with limited powers;
3. Acknowledge that local Government re-organisation will need to take place to enable simplified governance arrangements in the Combined Authority area; and
4. Appoint the Leadership Board and Budget Working Group to explore both devolution and re-organisation and make recommendations to full council.

14. Regulation of Investigatory Powers Act (RIPA) Policy

Councillor John Singleton introduced the updated Regulation of Investigatory Powers Act (RIPA) Policy. He advised that the policy was required to be reviewed, updated and readopted annually and as such had been considered by the Audit and Standards committee. Councillor Singleton provided a brief overview of the application of the RIPA provisions. He proposed the considered policy be endorsed by Council.

Councillor Ellie Gaunt seconded the proposal.

It was RESOLVED to endorse the RIPA policy as updated.

15. Planning Appeals Protocol

Councillor Trevor Fiddler advised that following a recommendation from Planning Committee, the Audit and Standards committee recommend to Council that the Planning Appeals Protocol be incorporated into the Council's Constitution.

Councillor Richard Redcliffe seconded.

It was RESOLVED that the Planning Appeals Protocol be incorporated into the Council's Constitution and that the adopted procedures be used in presenting the Council's case to appeals with respect to those decisions made contrary to the recommendation of planning officers.

16. Outside Bodies – Updates

Councillor Cheryl Little introduced the report. She advised that the Tourism and Leisure Committee recommended the inclusion of the Park View 4 U Group on the list of the Council's Outside Bodies. It also recommended Councillor Michael Sayward as the Council's representative.

It was also proposed to appoint Councillor Sue Fazackerley as the representative to Lowther Trust in place of Councillor Roger Small, as his commitments as Deputy Leader and Committee Chairman meant he was unable to commit as fully to the Lowther Trust.

The proposal was seconded by Councillor Peter Anthony and it was RESOLVED to

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1. To agree to the Tourism and Leisure Committee’s recommendation of Park View 4U Group being added to the approved list of Outside Bodies for Fylde Council;
2. To agree to the nomination of Councillor Michael Sayward as the Council’s representative on Park View 4 U Outside Body; and
3. To agree that Councillor Susan Fazackerley replace Councillor Roger Small as the appointed representative for the Lowther Trust.

17. Urgent Item – Power of Direction

In introducing the item, the Mayor advised that pursuant to Part 5A, Section 100b, paragraph 4(b) of the Local Government Act 1972, she was of the opinion that, due to new government regulations regarding new control measures pertaining to the coronavirus pandemic that the following item should be considered as a matter of urgency.

Councillor Karen Buckley advised that as lockdown restrictions were eased, new regulations had been made giving upper tier authorities power to take targeted actions to combat local outbreaks of coronavirus. Those regulations contained a power for a county council to direct a district council to exercise its powers in a specified way in order to combat the coronavirus. The Council were asked to approve delegated powers to the Chief Executive to comply with such a direction, should one ever be issued.

Councillor Roger Small seconded.

It was RESOLVED to delegate the following power to the Chief Executive, *“Power to exercise any of the district council’s functions in a way specified in a direction issued by Lancashire County Council under regulation 17 of the Health Protection (Coronavirus, Restrictions) (England) (No.3) Regulations 2020”*.

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