



MINUTES

Finance and Democracy Committee

Date:	Thursday, 7 October 2021
Venue:	Town Hall, St Annes.
Committee Members Present:	Councillor Karen Buckley (Chairman) Councillor Vince Settle (Vice Chairman) Councillors Alan Clayton, Peter Collins, Ellie Gaunt, Linda Nulty, David O'Rourke, Richard Redcliffe, Elaine Silverwood, John Singleton JP, Roger Small, Michael Withers.
Other Councillors Present:	Councillors Brian Gill and Roger Lloyd
Officers Present:	Allan Oldfield, Paul O'Donoghue, Ian Curtis, Kirstine Riding, Lyndsey Lacey-Simone, Sharon Wadsworth
Other Attendees:	13 members of the public were in attendance

Public Platform

Two members of the public, Gareth Nash and Marian Coupe, addressed the committee under public platform in relation to Item 5 – Lytham Institute – Consultation on the Objects.

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 interests on this occasion.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Finance and Democracy Committee meeting held on 13 September 2021 as a correct record for signature by the Chairman.

3. Substitute Members

The following substitutions were reported under Council procedure rule 23 (c):

Councillor Alan Clayton substituted for Councillor Liz Oades
Councillor Roger Small substituted for Councillor Peter Anthony

Decision Items

4. Timetable for Developing Budget Proposals 2022/23

Paul O'Donoghue, Chief Financial Officer, took members through the budget timetable which complied with the budget and policy framework rules, statutory deadlines, and billing for Council Tax. Mr. O'Donoghue also confirmed that a reminder would be sent to Town and Parish Councils for their items.

It was RESOLVED to adopt the timetable as shown at Appendix A of the report for the budget setting process for 2022/23.

5. Lytham Institute – Consultation on the Objects

Ian Curtis, Head of Governance, introduced a report on the responses to the consultation on possible new objects for the charity. The proposed objects were based on a model objects clause published by the Charity Commission for community centres, which was considered to be the closest modern equivalent to the present objects, which dated from 1917. Mr. Curtis emphasized that the Charity Commission, not the charity, would settle any new objects and would take into account any submissions by members of the public, as well as the proposal by the trust. The consultation responses would be submitted to the Commission to enable the Commission to take them into account. The Commission would be likely to undertake further formal consultation before confirming any changes

Mr. Curtis highlighted that several responses focused on the preservation or use of the Institute building rather than the proposed Objects. He advised that making the building preservation the primary focus of the objects would not be consistent with the original 1917 objects under which the preservation of the building did not appear to be the primary consideration. However, the building forms part of the permanent endowment of the charity, so Charity Commission consent would be needed to dispose of the building.

Councillor Buckley requested that an additional recommendation be added for a member briefing session to be arranged for members to understand the legal obligations as well as the relationship between the council as sole corporate Trustee and the council's local authority role.

Following a detailed discussion on the consultation and the Objects, Councillor Peter Collins moved an amendment to remove the wording "*or other appropriate premises*" from the proposed recommendation.

Following a request for a recorded vote, the vote on the amendment was taken:

Votes for the proposal (4) - Councillors Clayton, P Collins, Nulty and Silverwood.

Votes against the proposal (8) – Councillors Buckley, Settle, Gaunt, O'Rourke, Redcliffe, Singleton, Small and Withers.

The amendment was LOST.

Before the vote was taken on the substantive motion Mr. Curtis clarified that the Council is the trustee of the Lytham Institute, not individual Councillors, and under part 3 of the constitution the Finance and Democracy Committee is the appropriate forum to take future decisions.

Without further discussion it was RESOLVED that: -

1. The council, as the sole corporate trustee of the Lytham Institute Trust, applies to the Charity Commission to make a cy-pres scheme to change the Objects of the charity from its existing objects to the following:

"To further or benefit the residents of Lytham and the neighborhood, without distinction of gender, sexual orientation, race or of political, religious, or other opinions by providing facilities in the interests of social welfare for learning, recreation, and leisure time occupation, including cultural and art exhibitions, with the objective of improving the conditions of life for the residents.

In furtherance of these objects but not otherwise, the trustees shall have power to maintain or manage or co-operate with any statutory authority in the maintenance and management of the Lytham Institute building or other appropriate premises for activities promoted by the charity in furtherance of the above objects."

2. The Trust consider feedback provided through the consultation exercise that commented on other aspects of the Trust and assets when delivering the Objects of the Trust.
3. A member briefing session be arranged on legal obligations in relation to Lytham Institute.

6. Fully Funded Revenue Budget Increase -PRS HMO Inspection Programme

Kirstine Riding, Housing Services Manager, provided members with an overview of a proactive inspection programme of private rental sector (PRS) HMOs within the Fylde. The project would be funded using Homelessness Prevention Grant (HPG) funding for 2021/22, totaling £107,457. The direct project costs totaled £96,623 and the remaining £10,824 would be used to support the work of the Housing Service to provide continued support for clients identified as facing homelessness during the project.

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Ms. Riding explained that the proactive approach to inspecting properties within the private rental sector (PRS) maintains standards and overall property condition which then assists in reducing transiency and homelessness.

Following questions from members on the computer systems used, programme of inspections and the types of properties involved it was RESOLVED to:

1. Note the contents of the report and the proposed HMO inspection programme, in accordance with Part 1, Chapter 3 of Housing Act 2004, in which local authorities have a statutory duty to maintain housing standards within their district.
2. Approve a fully funded revenue budget increase to undertake the proactive inspection programme of HMOs in Fylde for the total of £96,623 to be met by the HPG (£25,742 21/22 AND £70,881 22/23)
3. Approve a fully funded budget increase for 2021/22 for the Housing Services Team for the remainder of the funding in the sum of £10,834 to be used to support the work of the Housing Service to provide continued support for clients facing homelessness in 2021/22 and 2022/23 (£2,000 21/22 and £8,074 22/23)

7. Fully Funded Revenue Budget Increase – Domestic Abuse Act 2021

Kirstine Riding presented the report that provided an update on the Domestic Abuse Act 2021 and the new statutory duties placed on Local Authorities. Fylde Council had been awarded funding for 2021/2022 totaling £33,196, to undertake new Part 4 duties and provide support within the local authority area. Funding would be paid on an annual basis in the form of un-ringfenced grants under Section 31 of the Local Government Act 2003 by MHCLG for a period of 3 years. Fylde Council would work in partnership with Wyre Council and Fylde Coast Women's Aid (FCWA) to support victims and their children and commission a Housing Outreach Worker, employed by FCWA, to engage and support female and male victims and their children.

The role would provide advocacy services for victims with agencies who can help to address the support needs of victims of domestic abuse and initiate measures to support clients in their existing and new homes. The cost of the Housing Outreach Worker is £18,500, based on FCWAs salary structure, for 12 months leaving £14,696 available to enhance other support services in place, for example assistance with legal costs above that budgeted in the project and financial support for victims to move into new accommodation.

Members expressed concern that the budgeted amount for legal costs would not cover anything above and beyond court fees and included a recommendation for the housing service to investigate.

It was unanimously RESOLVED to: -

1. Note the contents of the report and the proposed project work in partnership with Wyre Council and Fylde Coast Women's Aid to commission a Housing Outreach Worker to engage and support female and male victims and their children under the Domestic Abuse Act 2021.
2. Approval of a fully funded revenue budget increase for the total of £33,196 to be met by MHCLG New Duties funding (£16,500 21/22 and £16,696 22/23) to undertake new Part IV duties under the Domestic Abuse Act 2021.
3. Ask the Housing Service for recommendations for a separate budget for legal representation to be brought back to a future meeting.

8. Elected Member Development Strategy

The Member Development Steering Group (MDSG) presented a revised Elected Member Development Strategy 2021-2025 to the committee for approval. The strategy reflected current thinking and complemented the Council's Corporate Plan.

It was RESOLVED to approve the revised Elected Member Development Strategy 2021 -2025.

Information Items

9. Corporate Plan Action Update

The information provided informed the committee about progress against the key strategic objectives the council had set out in the corporate plan.

The Chairman proposed the setting up of a Commercial Strategy working group to oversee the revision of the commercial strategy.

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It was RESOLVED to set up Commercial Strategy Working group consisting of Councillors Buckley, Settle, P Collins and Withers. The Chairmen from the other programme committees would also be invited to join the group.

10. Capital Programme Monitoring Report 2021/22 – Position as at 31st July 2021

The information provided enabled the committee to consider and scrutinize the Capital Programme monitoring reports for those schemes under the remit of the Committee.

11. Report of the Various Outside Bodies

The information was provided to maintain an understanding of the work of the outside bodies, and to remain abreast of any issues that may have an impact on the residents of the borough or the council. The Chairman thanked those members on Outside Bodies for their completed reports.

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