



MINUTES

Council

Date:	Monday, 5 th December 2022
Venue:	Town Hall, St Annes Road West, St Annes, FY8 1LW
Committee Members Present:	Mayor Councillor Ben Aitken Deputy Mayor Councillor Alan Clayton Councillors Frank Andrews, Peter Anthony, Barbara Blackshaw, Karen Buckley, Delma Collins, Peter Collins, Chris Dixon, Sue Fazackerley MBE, Ellie Gaunt, Brian Gill, Shirley Green, Will Harris, Gavin Harrison, Karen Henshaw JP, Angela Jacques, John Kirkham, Matthew Lee, Cheryl Little, Ed Nash, Sally Nash-Walker, Jayne Nixon, Linda Nulty, David O'Rourke, Richard Redcliffe, Michael Sayward, Elaine Silverwood, Roger Small, Raymond Thomas, Tommy Threlfall, Stan Trudgill, Viv Willder, Michael Withers.
Officers Present:	Allan Oldfield, Ian Curtis, Christine Wood, Lyndsey Lacey-Simone, Hannah Kirk, Howie Dawson, Kassie Navarasi, Lucie Warburton.
Other Attendees:	Councillor Mark Bamforth (via remote access) No members of the public were in attendance

Prayers

Prayers were offered by the Mayor's Chaplain, Father Philip Newbold

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.

The following declarations were made:

Councillor Brian Gill declared a personal interest in agenda item 6 (Questions from Members of the Council) advising that he is a Governor at Clifton School.

Councillor Shirley Green declared a personal interest in agenda item 6 advising that she was a Governor at Clifton School.

Councillor Cheryl Little declared a personal interest in agenda item 6 advising that she was the Chair of the Governors at Weeton Primary School.

Councillor Will Harris declared a personal interest in agenda item 6 advising that he was a newly appointed Governor at Heyhouses Primary School.

Councillor Sally Nash-Walker declared a personal interest in agenda item 6 advising that she was a member of staff at Heyhouses Primary School.

Councillor Viv Willder declared a personal interest in agenda item 6 advising that she was a Governor at St Thomas' School.

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Councillor Chris Dixon declared a personal interest in agenda item 6 advising that his wife worked at Clifton Primary School.

Cllr Thomas Threlfall declared a prejudicial interest in item 10 advising that he was a local landlord.

Councillor Mark Bamforth declared a prejudicial interest in items 10 (local landlord) and 14 (attends remote meetings).

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Council meetings, held on Wednesday, 12th October 2022, as correct record for signature by the Mayor.

3. Mayor's Announcements

The Mayor informed Members of the following upcoming Mayoral events: the Christmas raffle which was available to Council Members, Officers and staff only, Freckleton Messiah on Sunday, 10th December at 2.30pm and 6.30pm at the Methodist Church. The event was free of charge. Refreshment would be available in the community centre prior to the event. Race night, 26th January 2023, 6.30pm at Lytham Cricket and Tennis Club. The event was to be organised by Councillor Will Harris.

The Mayor also invited all present to drinks on 13th and 14th December at 7pm in the Reception Room.

The Mayor also advised that Elswick Village in Bloom had been awarded the Champion of Champions Award.

The Mayor advised that Councillor Matthew Lee was the new Leader of the Independent group and congratulated Councillor Lee that his company, Red Box VR had received an award in Malta for best use of Metaverse in Medicine for which Councillor Lee received applause.

4. Chief Executive's Communications

The Chief Executive had no announcements.

5. Questions from Members of the Public

No questions had been received from Members of the Public.

6. Questions from Members of the Council

One question had been received by Councillor Brian Gill as follows:

"As we understand from the previous Council meeting, and explained so eloquently by Cllr Redcliffe, Section 106 Monies are secured from developers to provide contributions to social infrastructure which are required due to their large-scale developments.

Therefore, can the Leader please explain why Fylde Borough Council (FBC) is to give back 147 thousand pounds to the developer Morris Homes? This money has been identified as required to provide school places, something FBC have queried even though it is not their statutory responsibility i.e., it is the responsibility of Lancashire County Council (LCC). The large development surrounding the Water's Edge pub has been promoted by Morris Homes as a family estate and contains many young and growing families. The closest school is Clifton Primary School, the recipient of these agreed monies.

I have been informed that FBC are handing the monies back as LCC did not provide the requirement in time for the paperwork to be completed (quoting 10 days). LCC did inform FBC on the 21st of October 2021, with the deadline to allocate the 106 Monies being May 2022. Apparently, Officers were diverted away from this task due to other priorities.

Over 6 months was available for a task that had been given 10 days to complete and this was, apparently, an insufficient amount of time. How much time was needed? Surely, with the amount of money involved (147 thousand pounds) and the imperative need for this money at one of our local schools, a priority should have been given to the completion of this paperwork? If the school cannot now provide support for the extra children moving into the immediate area, those children will have to travel further to school, increasing the costs to their families.

We look forward to your explanation"

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Councillor Redcliffe responded that there was no doubt that the question raised understandable concerns regarding the outcome of a section 106 agreement and associated process and protocol. Councillor Redcliffe stated that it was disappointing that a significant amount of 106 monies, £147,000 had to be returned to the developer and that the sum of money was not used for the intended purpose.

Councillor Redcliffe summarised the key points as follows:

- Clifton Primary School received £393,89.00 in section 106 payments over phase 1 and 2 of the process in line with the agreement to increase school places.
- As there had been no identifying need from LCC to provide additional primary school spaces, the remaining £147,000 had to be returned to the developer.
- Fundamentally, this had occurred because LCC had not been able to identify in time, a legitimate scheme within the terms of the original agreement consistent with the purpose of increasing primary school places.
- The backdrop to this position was LCC's assessment that there was not a requirement for additional school places locally because of falling rolls.
- Furthermore, a late scheme proposed for nursery provision probably fell outside the original legal agreement and expenditure of section 106 monies and could not be justified.

Councillor Redcliffe further stated that it maybe that one of the things that could be learned from this experience was the existing mechanisms could be reviewed that are implemented to get to this point. Councillor Redcliffe stated that he hoped that some of the explanations had led to further understanding of the situation.

In asking a supplementary question Councillor Gill asked why Fylde Council, after admitting failings in terms of pursuing 106 monies, had not requested that the developer waive their right to payment as the money had already been handed over and support the community as the Council had failed to do in this instance.

Councillor Redcliffe advised that a request had been made to the developer who had not wished to be involved and would not extend the deadline.

Councillor Redcliffe advised that at the next meeting of the Education Liaison Group, a review of this issue and the way in which it had been dealt with would be addressed in the broader context. He further advised that the Education Liaison Group had sought for many years to improve communications with LCC and that the next meeting would be an opportunity to look at a number of aspects of this case.

Decision Items

7. Proposed Schedule of Meetings 2023/24

Councillor Buckley introduced the report requesting that Council approve the schedule of meetings 2023/24 as attached to the report at Appendix 1. Councillor Buckley advised of a proposed amendment to the schedule following a discussion at the recent meeting of the Constitutional Working Group that the Policy Committee as detailed in the schedule be renamed the "Executive Committee."

Councillor Small seconded the proposal.

It was unanimously RESOLVED to approve the schedule of meetings 2023/24 as attached to the report at Appendix 1 with the proposed amendment that the Policy Committee be renamed the Executive Committee.

8. Medium Term Financial Strategy – Financial Forecast Update (including Revenue, Capital and Treasury Management) 2022/23 to 2026/27

Councillor Karen Buckley presented a report that provided Members with an update on the Council's Medium Term Financial Strategy and Financial Forecast for the five years 2022/23 to 2026/27, which had previously been debated by the Finance and Democracy Committee at a meeting held on 21st November 2022. The report included any changes arising since the Budget was set by Council on 3rd March 2022. Councillor Buckley referred to Appendix E as attached to the report which set out the forecast for the present and forthcoming years.

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It was reported that the financial position of the Council as detailed in the report remained robust. Members were advised of the requirement to continue to be cognisant of the risks as detailed within the report to maintain a sustainable financial position for the Council.

Councillor Buckley advised that when the update is presented to the next meeting of the Council in February 2023, there may be significant changes to the forecast due to Government funding announcements which would be very close to Christmas.

Councillor Sayward seconded the proposal

It was unanimously RESOLVED to note and approve the implications of the updated financial forecast.

9. Mid-Year Prudential Indicators and Treasury Management Monitoring Report 2022/23

Councillor Gaunt introduced the mid-year Prudential Indicators and Treasury Management monitoring report, which had been prepared in line with the recommendations of CIPFA's (Chartered Institute of Public Finance and Accountancy) Code of Practice on Treasury Management. The report had previously been considered by the Audit and Standards Committee on 10th November 2022.

Councillor Gaunt advised that the Code of Practice on Treasury Management required that the Council received a mid-year treasury review report and that the report provided the position as at 30th September 2022. Councillor Gaunt further advised that the Council's Investment Strategy was such that it only invested in high quality credit organisations and did not invest for over 365 days at length. This meant that a prudent approach was taken to ensure that priority was given to security and liquidity over yield.

Councillor Gaunt confirmed that no treasury limits had been breached during the 6 months period and that at all times during the year the Council had invested in line with the treasury strategy and the CIPFA Code of Practice.

Councillor Ed Nash seconded the proposal

It was unanimously RESOLVED that the Prudential Indicators and the Investment Limits (as detailed in Appendix B of the report) be approved.

10. Council Tax Reduction Scheme 2023/24

Councillor Buckley introduced a report that set out the proposals for the Council Tax Reduction Scheme (CTRS) for 2023/24 to provide assistance to low-income families towards the cost of their Council Tax. Members were advised that the scheme that operated within Fylde Borough for 2022/23 was approved by Fylde Council in December 2021 for 2022/23 only.

Councillor Buckley advised that the CTRS was renewed each year following consultation with the main preceptors LCC, Police and Fire Authorities. Councillor Buckley referred to Appendix A as attached to the report which showed that the main preceptors were in agreement with the recommendations as detailed in the report.

Councillor Buckley advised that the scheme was nearly 10 years of age and had operated well in Fylde with a twin track approach to use the discretionary hardship money to further support those struggling to pay their Council Tax.

Members were advised that the report had been considered by the Finance and Democracy Committee at its meeting of 21st November 2022 and contained the recommendations of the Committee for agreeing the details of a CTRS for 2023/24.

Councillor O'Rourke seconded the proposal. Councillor O'Rourke also requested that the Council Tax Reduction scheme be advertised on Council Tax Bills.

Having due regard to the Equality Analysis as detailed in section 5 of the report, it was unanimously RESOLVED:

- 1. To approve the continuation of the existing CTRs scheme for 2023/24 as set out in section 3 of the report; and**
- 2. To approve the continuation of Discretionary Hardship Relief for 2023/24; and**

3. To approve, as necessary, that the financial implications are reflected in the Council's Revenue Budget and Financial forecast for 2023/24 onwards.

(Having previously declared a prejudicial interest in item 10, Councillor Threlfall left the meeting for the duration of the item).

(Having previously declared a prejudicial interest in item 10, Councillor Bamforth remotely left the meeting for the duration of the item).

11. Fully Funded Revenue Budget Increase – Household Support Fund

Councillor Threlfall introduced the report which detailed the imminent receipt from the Government of Grant Funding for Household Support.

The report advised that this was now the third amount of Household Support Funding provided by the Government which was intended to support vulnerable households across the country to help them with essentials. It was reported that the latest funding round had seen a further £421 million pounds allocated to upper tier authorities to cover the period up to 31st March 2023. It was further reported that as a result, Fylde Council had been notified by Lancashire County Council (LCC) that it would receive a further £270,000 to support low-income families.

Councillor Threlfall advised that the increase was supported by the Environment, Health and Housing Committee and that the Council needed to work with partners to provide support where it was most needed in the community.

Councillor Threlfall further advised that the Council was working with Fylde CAB and a range of other partners to deliver a range of support via the Housing team which included a top up for the affordable warmth scheme. This would provide grants to vulnerable residents to assist with energy efficiency measures.

Councillor Dixon seconded the proposal and commented on the excellent work of the Housing Support Officers.

Councillor Nulty requested that the scheme be more widely publicised, particularly with regard to the energy relief scheme, referring to the number of residents who were struggling with energy support and may not be aware of the scheme. Councillor Nulty felt that there was low take up of energy support although there were many residents in need.

Councillor Small thanked Councillor Nulty for the suggestion and gave assurance that the Communications team would be addressing the issue. Councillor Silverwood suggested that the Tourist Information Fylde bus may be used to direct and highlight residents to the scheme. Councillor Buckley referred to the Parish and Town Councils and requested that dual hatted Members of the Council advise of the scheme. Councillor Buckley also suggested that information relating to the scheme be included on the leaflet accompanying the Council Tax bill.

Councillor Threlfall thanked Councillor Nulty for the suggestion and advised that officer capacity had increased at the CAB and that the Communications team would be promoting the scheme.

It was unanimously RESOLVED that the Council approve a further fully funded revenue budget increase of up to £270,000 in 2022/23, fully funded from the Government Grant Funding Stream for Household Support Fund running to the period 31st March 2023.

12. Fully Funded Revenue Budget Increase - Homes for Ukraine Scheme

Councillor Threlfall introduced the report which detailed a request from the Environment, Health and Housing Committee held on 15th November 2022, for approval of a fully funded revenue budget increase of £320,000 to be met in full from Homes for Ukraine funding as detailed in the report.

Members were advised that the Homes for Ukraine scheme had been launched on 14th March 2022 by the Secretary of State for Levelling Up, Housing and Communities.

It was reported that in two-tier areas, both districts and counties had access to funds for their relevant duties under the scheme, and LCC had granted £155,000 to Fylde Council for support to Ukrainian guests who had arrived in the Borough during the period March to July 2022 with and are passporting a further £356,300 (this amount being higher than that reported to the Environment, Health and Housing Committee at £320,000) for the continued delivery support of the scheme in the next round of funding for additional the further guests who have arrived in Fylde.

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Councillor Threlfall advised that that this was a continuation of the three-year plan of funding to help Ukrainian guests in Fylde. Councillor Threlfall further advised that Fylde had welcomed the second largest number of Ukrainian guests in Lancashire and that an additional further 30 Ukrainian guests would be received by the Borough in the near future.

Councillor Chris Dixon seconded the proposal advising that whilst Fylde had welcomed the second highest number of Ukrainian guests in Lancashire, this was more than double the number of residents than the third highest Borough.

It was unanimously RESOLVED that the Council approves a fully funded revenue budget increase of £356,300 over the three financial years 2022/23 to 2023/5, delivering the Homes for Ukraine Scheme as detailed within the report, with the funding provided via Lancashire County Council for this purpose.

13. The Annual Pay Policy Statement 2023

Councillor Buckley introduced the report which detailed a request from the Finance and Democracy Committee held on 21st November 2022 for Council to consider approving the Pay Policy statement for 2023. Councillor Buckley highlighted that the Policy Statement was for the period 2023-24 and not 2022-23 as detailed at Appendix 1 as attached to the report on page 71 and requested that the statement be amended to reflect this.

The report included details of the Pay Policy Statement for Fylde Council and advised that it had been a requirement for all Local Authorities to have a Pay Policy Statement since 1st April 2012 as part of the Localism Act. The report further advised that the objective of the Statement was to ensure and confirm openness, transparency, and fairness in the pay policy arrangements at Fylde and that the report included any implications of the annual review of the Pay Policy Statement.

Councillor Small seconded the proposal.

It was unanimously RESOLVED that the Council approves the Policy Pay Statement as attached at Appendix 1 of the report, amended as set out above.

14. Remote Participation in Meetings

Councillor Gaunt introduced the report advising that the Constitution Review Working Group had met on several occasions to consider how remote participation arrangements at meetings should be revised. Councillor Gaunt further advised that as part of the process, feedback from Members of the Council had been considered, detailed discussion with Officers had taken place and advice sought from the Local Government Association and Blackpool Council's Disability Advisor as part of the shared service arrangements.

Councillor Gaunt reported that the proposed changes to the Constitution had been considered by the Audit and Standards Committee at a meeting held on 10th November 2022. A copy of the report which had been presented to the Audit and Standards Committee on 10th November detailing the proposed revisions was attached to the report at Appendix 1. Councillor Gaunt advised of the proposed revisions and implications as detailed in the report.

Councillor Ed Nash seconded the proposal.

It was unanimously RESOLVED that the Council adopt the revised Council procedure rule set out in the report at Appendix 1 in place of the existing Council procedure rule 2 in part 4 of the Constitution.

(Having previously declared a prejudicial interest in item 14, Councillor Bamforth remotely left the meeting for the duration of the item).

15. Corporate Plan 2020-2024 – Review September 2022

Councillor Buckley introduced the report which provided an update on progress against the actions in the Corporate Plan up to September 30th, 2022, with commentary on progress and performance status. The report advised that the Corporate Plan forms part of the strategic planning framework which influenced resource allocation across the Council.

Councillor Buckley advised that regular updates on the Corporate Plan 2020-24 were provided at Committee meetings. Councillor Buckley further advised that as detailed in the report good progress was being made toward the plan with 81% of actions achieved by the target date.

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Members were requested to note that the COVID pandemic had led to significant changes in resource allocation, responsibilities, and priorities for at least two years of the Corporate Plan period 2020 to 2024.

Councillor Small seconded the proposal.

It was unanimously RESOLVED that the Council approves the progress made against the Corporate Plan actions outlined in Appendix 2 of the report for the period up to the end of September 2022.

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