

Minutes COUNCIL

Date:

Monday, 6 February 2017

Venue:

Lowther Pavilion, Lytham St Annes.

Members:

Mayor (Councillor Christine Akeroyd)

Deputy Mayor (Councillor Angela Jacques)

Councillors Ben Aiken, Frank Andrews, Peter Anthony, Tim Ashton, Jan Barker, Keith Beckett, Brenda Blackshaw, Karen Buckley, Maxine Chew, Alan Clayton, Delma Collins, Peter Collins, Michael Cornah, David Donaldson, Susan Fazackerley, Gail Goodman, Shirley Green, Peter Hardy, Neil Harvey, Paul Hayhurst, Karen Henshaw JP, Paul Hodgson, Cheryl Little, Roger Lloyd, Barbara Nash, Edward Nash, Linda Nulty, Elizabeth Oades, Sandra Pitman, Richard Redcliffe, Louis Rigby, Vince Settle, Elaine Silverwood, John Singleton JP, Roger Small, Raymond Thomas, Thomas Threlfall, Vivienne Willder

Officers Present:

Allan Oldfield, Ian Curtis, David Oxley, Katharine McDonnell, Ross McKelvie and Sharon Wadsworth.

Other Attendees:

Three members of the public were in attendance.

Prayers

Prayers were offered by Reverend Wells.

A minute's silence was held to honour the memory of Honorary Alderman Ron Wilson, who had recently passed away.

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 none on this occasion.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Council meeting held on 5 December 2016 as a correct record for signature by the Mayor.

3. Mayor's Announcements

The Mayor commented that she had attended many varied and interesting events, which had been very memorable, particularly the Holocaust Memorial Day Service at St Annes Synagogue on 27 January 2017.

The Mayor reminded members of the Mayoral Ball on 17 March 2017 at Ribby Hall, all were invited and any contributions to the raffle and silent auction were also welcomed.

She advised members that the funeral of Honorary Alderman Ron Wilson would be held on Tuesday 14 February 2017 at 10am, held at Our Lady Star of the Sea followed by a private burial.

4. Chief Executive's Communications

There were no communications from the Chief Executive.

5. Questions from Members of the Council

There were no questions from members of the Council.

6. Questions from Members of the Public

There were no questions from members of the public.

Decisions Items:

7. Invitation to Accept Appointment as Mayor 2017/18

Councillor Ed Nash proposed that Councillor John Singleton be invited to accept the appointment of Mayor of the Borough of Fylde for the municipal year 2017/18.

Councillor Barbara Nash seconded the proposal, and it was RESOLVED unanimously to appoint Councillor John Singleton as Mayor of the Borough of Fylde for the municipal year 2017/18, at the next Annual Meeting.

8. Invitation to Accept Appointment as Deputy Mayor 2017/18

Councillor John Singleton proposed that Councillor Raymond Thomas be invited to accept the appointment of Deputy Mayor of the Borough for the ensuing municipal year.

Councillor Richard Redcliffe seconded the proposal and it was RESOLVED unanimously to appoint Councillor Raymond Thomas as Deputy Mayor of the Borough of Fylde for the municipal year 2017/18, at the next Annual Meeting.

9. Schedule of Meetings 2017/18

Councillor Susan Fazackerley presented the proposed schedule of meetings for the forthcoming municipal year 2017/18.

Councillor Karen Buckley seconded the proposal.

Following a show of hands in favour of the proposal, it was RESOLVED to approve the schedule of meetings for 2017/18, subject to any necessary amendments.

10. Pay Policy Statement 2017

Councillor Buckley presented the report that provided details of the Pay Policy Statement for Fylde Council which was required to be adopted annually.

Councillor Roger Small seconded the proposal, and it was RESOLVED to approve the Pay Policy Statement 2017 for Fylde Council, included as an appendix 1 to the report, which has no proposed changes from the statement approved in 2016.

11. Regulation of Investigatory Powers Act (RIPA) Policy

Councillor Singleton introduced the report detailing the requirements the council must have in place for a system of authorising, recording and reviewing any surveillance that it wish to carry out under the Regulation of Investigatory Powers Act 2000. The Council system must comply with the act, regulations and codes of practice and must have its own RIPA policy. Legislation under RIPA requires annual review and re-adoption of the RIPA guidance by the full council.

Councillor Singleton proposed to adopt the policy, as detailed within the agenda papers. It was noted that the council had not used RIPA during 2015/16 or during 2016/17 to date.

Councillor David Donaldson seconded the proposal, and it was RESOLVED to

1. Note the information provided regarding the council's use of surveillance powers; and
 2. To endorse the RIPA Policy.
12. Bryning with Warton Neighbourhood Development Plan – Examiner's Report and Progression to Referendum

Councillor Richard Redcliffe advised that following the Independent Examination of the Bryning with Warton Neighbourhood Development Plan, the Examiners report had been issued, and subject to recommended modifications, the Neighbourhood Plan should proceed to referendum.

He advised that the modifications had been considered by the Development Management Committee and the Committee recommended that the modifications were in line with the National Planning Policy Framework and the emerging Fylde Local Plan to 2032 and as such the Neighbourhood Development Plan should proceed to referendum.

Councillor Neil Harvey seconded the recommendation.

It was RESOLVED to accept the Independent Examiner's modifications and proceed the Bryning with Warton Neighbourhood Development Plan to Referendum.

13. Request for S106 Funds – Keenan's Mill, Lord Street, St Annes

Councillor Ben Aitken presented the Environment, Health and Housing Committee's recommendation of a fully funded addition to the Capital Programme for a S106 contribution to an affordable housing scheme at the former Keenan's Mill, Lord Street, St Annes.

Councillor Vivienne Willder seconded the proposal.

It was RESOLVED to approve the recommendation of the Environment, Health and Housing Committee at the meeting of 10 January 2017 for a fully-funded addition to the Capital Programme for 2017/18 in the sum of £840,000 – "Affordable Housing Scheme at Keenan's Mill" to be fully-funded from part of the balance of S106 developer contributions for affordable housing currently held by the Council for this purpose (from Agreement Ref: 03/0157 – Queen Mary School Development: a total capital contribution of £444,3000 with the remaining funds tabled and detailed at the Environment, Health and Housing Committee on 10 January 2017); to deliver 26 units for affordable rent at Keenan's Mill, Lord Street, St Annes to New Progress Housing Association.

14. Financial Forecast Update (Position as at January 2017)

Councillor Buckley introduced the financial forecast update (position as at January 2017) which had been updated to reflect the impact of changes to the New Homes Bonus as part of the provisional Local Government Finance Settlement announcement, made in December 2016.

Councillor Buckley proposed and Councillor Small seconded the proposal.

Following a show of hands in favour of the proposal, it was RESOLVED that Council approve the updated financial forecast.

15. Constitutional Amendments

Councillor John Singleton introduced a report regarding amendments to the remit of the Audit and Standards Committee; proposed amendments to the constitution following a review of the

governance arrangements and a review of the public speaking arrangements at meetings of the council and its committees.

Councillor Singleton explained that the proposed changes to the Audit and Standards Committee remit were as a result of best practice guidance from the Chartered Institute of Public Finance and Accountability (CIPFA).

In regards to the constitutional changes arising from the governance review, he explained that members and officers were asked to comment and provide feedback on the governance system in January 2016. In addition, the Local Government Association Peer Review made a number of suggestions, including that a more in-depth external review be undertaken. The council engaged Mr Cade of the Institute of Local Government Studies at Birmingham University to undertake that review. The findings of the governance review were considered by the Audit and Standards Committee and its recommendations were laid out in the report to Council.

Councillor Singleton concluded by advising that the Audit and Standards committee would be undertaking a review of the public speaking arrangements at council and committee meetings. The recommendations following the review would be reported to Council.

Councillor Donaldson seconded the proposals.

Councillor Oades spoke of her support for the governance review and discussions with the Peer Review members and Mr Cade around increased transparency for decision making and inclusivity of all councillors in the decision making process. She expressed her disappointment therefore that the review report did not include many of the points raised during these discussion.

Councillor Oades stated that she believed these points had been ignored, councillors' time wasted and that the review was flawed. She therefore moved the following amendment;

"that this item be deferred to the next meeting of the Council in order that all the information made available to the Audit Committee is given to Council to ensure that all the recommendations brought to this council by this debate are fully considered"

The amendment was seconded by Councillor Linda Nulty.

Councillor Nulty and Councillor Oades spoke in support of the amendment.

A vote on the amendment was taken, by way of a show of hands. The amendment was LOST.

A vote was then taken on the substantive motion. It was therefore RESOLVED to

1. Accept the recommendation of the Audit and Standards Committee to adopt the revised terms of reference for Audit and Standards Committee as described within the report;
2. Accept recommendations of the Audit and Standards Committee and amend the constitution as follows;
 - a. To add the following wording to the constitution under the remit of the Operational Management Committee; "Considering reports, reviewing and formulating where necessary policies relating to building control and land charges;
 - b. Remove the requirement for a drawdown report to be taken to committee prior to spending, within the limits detailed in the report;
 - c. To change the name of the Development Management Committee to Planning Committee; and
 - d. To give the Chief Executive, or the Directors in his absence, the power to make emergency decisions in consultation with the relevant committee Chairman or Vice Chairman in his/her absence together with the Leader of the Council with the

emergency power procedure to be reviewed by Audit and Standards Committee in 12 months' time; and

4. Note that the Audit and Standards Committee has recommended a review of the Council's public speaking arrangements and a subsequent report will be considered at a future meeting of the Audit and Standards Committee, with any recommendations arising as a result being reported back to Council.

16. Appointment of External Auditors from 2018/19 Financial Year - Update

Councillor John Singleton introduced the recommendations of the Audit and Standards Committee regarding the appointment of external auditor. In doing so he explained the recent changes in legislation and the abolition of the Audit Commission. He explained that it was now incumbent on each local authority to appoint their own external auditor for the audit of the 2018/19 accounts.

Councillor Singleton advised that the Secretary of State for Communities and Local Government had designated the Public Sector Auditor Appointments Limited (PSAA) as an appointing person under the regulations. As such the Audit and Standards Committee recommended that Fylde Council opt into the PSAA national auditor appointment process. This would mean that Fylde Council would not need to develop its own procurement strategy to appoint an auditor, and would benefit from the efficiencies and economies of scale offered by the scheme.

Councillor Donaldson seconded the proposal.

It was RESOLVED to

1. Note the update on the issues arising from the introduction of new powers for local authorities to appoint their external auditor from the 2018/19 financial year onwards as contained within the accompanying report; and
2. To approve the recommendation of the Audit and Standards Committee at the meeting of 19 January 2017 that Fylde Council agree to opt into the national scheme for auditor appointments that is managed by Public Sector Auditor Appointments Limited (PSAA).

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