



MINUTES

Council

Date:	Monday, 6 December 2021
Venue:	Town Hall, Lytham St Annes, FY8 1LW
Members Present:	Mayor (Elaine Silverwood) Deputy Mayor (Cheryl Little) Councillors Ben Aitken, Frank Andrews, Peter Anthony, Julie Brickles, Karen Buckley, Alan Clayton, Delma Collins, Peter Collins, Chris Dixon, Sue Fazackerley MBE, Trevor Fiddler, Brian Gill, Noreen Griffiths, Will Harris, Gavin Harrison, Paul Hayhurst, Karen Henshaw JP, Paul Hodgson, Angela Jacques, John Kirkham, Matthew Lee, Michelle Morris, Ed Nash, Sally Nash-Walker, Jayne Nixon, Linda Nulty, David O'Rourke, Richard Redcliffe, Bobby Rigby, Michael Sayward, Vince Settle, John Singleton JP, Roger Small, Ray Thomas, Tommy Threlfall, Stan Trudgill, Viv Willder, Michael Withers.
Officers Present:	Allan Oldfield, Tracy Manning, Ian Curtis, Mark Evans, Marie Percival, Ross McKelvie, Sharon Wadsworth, Hannah Kirk, Howie Dawson, Lucie Warburton.
Other Attendees:	Councillors Liz Oades and Mark Bamforth (via remote access)

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.

Councillors Bamforth, P Collins, Fiddler, Nixon and Threlfall all declared a personal and prejudicial interest in item 12, Council Tax Reduction Scheme 2022/23. The members left the meeting for the duration of the item.

The Mayor declared a personal and prejudicial interest in item 17, Acquisition of Property for Kirkham Regeneration Programme, and left the meeting for the duration of the item.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Council meeting held on 18 October 2021 as a correct record for signature by the Mayor.

3. Mayor's Announcements

The Mayor was pleased to have seen a tremendous increase in the mayoral invitations to the team. The Mayor had attended the Remembrance Sunday services and was proud of the large turnout of residents and visitors that wished to show their deepest gratitude and respect.

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Fundraising for the Mayoral charities was going well with more events lined up for 2022. The Mayoral Ball would be held on 26 March 2022. Mayoral Christmas Drinks event would be held on Wednesday and Thursday, 15th and 16th December, at the Town Hall.

Finally, the Mayor wished Katharine McDonnell the very best of wishes as she leaves the council to start a new role at Wyre.

4. Chief Executive's Communications

The Chief Executive had no announcements.

5. Questions from Members of the Council

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

6. Questions from Members of the Public

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

Decision Items

7. Invitation to Accept Appointment as Deputy Mayor 2022/23

Councillor Ben Aitken proposed that Councillor Alan Clayton be invited to accept the office of Deputy Mayor of the Borough of Fylde for the municipal year 2022/23.

Councillor Linda Nulty seconded the proposal, and it was RESOLVED unanimously to invite Councillor Alan Clayton to accept the office of Deputy Mayor of the Borough of Fylde for the municipal year 2022/23 at the next Annual Meeting.

8. Members' Allowances

Councillor Buckley introduced a report with the findings from the Independent Remuneration Panel. There were no changes proposed to the existing allowances for 2022/23.

Councillor Roger Small seconded the proposal.

It was unanimously RESOLVED to adopt the following recommendations of the Independent Remuneration Panel with effect from 1 April 2022:

1. No increase to the level of basic allowance and special responsibility allowances but to maintain them as follows: Basic allowance – £4,000 Leader of the Council – £10,625 Deputy Leader – £3,190 Chairmen of Programme Committees – £4,250 Vice-Chairman of above – £2,125 Chairman of Audit and Standards – £3,450 Vice-Chairman of Audit and Standards – £1,725 Chairmen of Public Protection and Licensing – £1,725 Vice-Chairmen of above – £865 Chairman of Member Development Steering Group – £2,125 Leader of each political group – £34 a member
2. Maintain the present level of travel and subsistence allowances and dependent carers' allowance for 2022 – 23.

9. Unfunded Revenue Budget Increase - Bulky Waste Collection Service

Councillor Roger Small introduced a report, which detailed the proposed bulky waste collection arrangements following the closure of Refurb (BWC) and subsequent loss of the service, which was subject of a full report to the Operational Management Committee at its meeting on 9th November 2021.

It was proposed that there would be an initial graduated launch of the service that would minimize the council's exposure to financial uncertainty until demand was re-established. The service would be launched initially on a three-day a week service pattern, including an alternative week Saturday, to re-establish demand with a view to the service being broadened to a full five-day a week coverage should it prove to be successful.

Councillor John Kirkham seconded the proposal.

It was unanimously RESOLVED:

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1. To approve an unfunded revenue budget increase in the sum of £27,122 per annum to meet the estimated financial shortfall in fulfilling the council's statutory obligation to provide residents with a bulky waste collection service.
2. To approve the fees and charges for the bulky waste collection service for 2021/22 as set out within the body of the report.
3. That a report be presented back to the Operational Management Committee following a period of three months of operation of the new contract to report on demand for the service, income generated and the potential to maximise income by a differential pricing option to take account of demand patterns.

10. Appointment of External Auditors

Councillor Ed Nash introduced the item advising that the council presently appoints its external auditors through Public Sector Audit Appointments ('PSAA'), which is a not-for-profit organisation appointed by the secretary of state to make auditor appointments for local government. To continue this arrangement for the period 2023-28, the council would need to opt-in to the PSAA scheme.

The report discussed the advantages of opting-in and recommended that Fylde Borough Council formally opted in.

Councillor John Singleton seconded the proposal.

It was unanimously RESOLVED to approve the recommendation of the Audit and Standards Committee at the meeting of 11 November 2021 that Fylde Borough Council formally opts into the Public Sector Audit Appointments national scheme for the appointment of its external auditors during the period 2023-28.

11. Constitution Change - Terms of Reference Chief Officer Employment Committee

Councillor Karen Buckley presented a report detailing the recommended change to the terms of reference of the Chief Officers Employment Committee (COEC), the Officer Employment Procedure Rules, and the delegated powers of the Chief Executive. The changes would ensure that all the relevant management team posts, whether they report to the Chief Executive or the Assistant Chief Executive, would be subject to the same arrangements and terms and conditions.

Councillor Roger Small seconded the proposal.

It was RESOLVED that the council make the following changes to the council's constitution:

- a. Amend paragraphs 2 and 3 of the terms of reference of COEC as follows:

1. *The appointment of:*

The Officer designated as the Head of the Authority's Paid Service;

A statutory Chief Officer within the meaning of Section 2(6) of the Local Government and Housing Act 1989; and

Any officer designated as a director.

A non-statutory Chief Officer

2. *The dismissal of, or disciplinary action against, any Officer referred to in paragraph (i) to (iii) above or the consideration of any appeals, grievances or other matters in relation to any such officer where it should be expedient for the committee to deal with them.*

- b. Amend rule 4 of the Officers Employment Procedure Rules as follows:

*The Chief Officers Employment Committee may appoint **any officer designated as a director** or any ~~other~~ **statutory** Chief Officers on the Council's behalf.*

- c. Delegate the following function to the Chief Executive:

The appointment, dismissal or disciplinary action against any chief officer or deputy chief officer (as defined in section 2 of the Local Government and Housing Act 1989) who is normally expected to attend meetings of the council's management team. (Appointments to be made following consultation with the Leader of the

12. Council Tax Reduction Scheme

Councillor Vince Settle introduced a report that set out the proposals for the Council Tax Reduction Scheme (CTRS) for 2022/23 to provide assistance to low-income families towards the cost of their Council Tax. There were no proposed changes to the scheme from the previous year.

Councillor Michael Withers seconded the proposal.

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 2022/23 as set out in section 3 of this report;
2. To approve the continuation of Discretionary Hardship Relief for 2022/23 to provide additional support for claimants in exceptional circumstances; and
3. To approve that, as necessary, that the financial implications are reflected in the Council's Revenue Budget and Financial forecast for 2022/23 onwards.

(Councillor Bamforth, P Collins, Fiddler, Nixon and Threlfall left the meeting for the duration of the item.)

13. Medium Term Financial Strategy - Financial Forecast Update (including Revenue, Capital and Treasury Management) 2021/22 to 2025/26

Councillor Karen Buckley presented a report that provided Members with an update of the Council's Medium Term Financial Strategy and Financial Forecast for the five years 2021/22 to 2025/26, which had been previously considered by Finance and Democracy Committee. It included any changes arising since the Budget was set by Council in March 2021. Taking into consideration the uncertainty of the future of the Business Rate Pooling and the impact on costs on projects, the Section 151 Officer was nevertheless of the opinion that the Council's financial position remained robust.

Councillor Buckley thanked the Finance team and staff across the council for all their work in producing the report and their work throughout a challenging year.

Councillor Vince Settle seconded the proposal.

It was unanimously RESOLVED to approve the updated financial forecast.

14. Mid Year Prudential Indicators and Treasury Management Monitoring Report 2021/22

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

Councillor John Singleton 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.

15. Fylde Local Plan to 2032 (Incorporating Partial Review): Adoption

Councillor Trevor Fiddler introduced a report regarding the adoption of the Fylde Local Plan to 2032 (Incorporating Partial Review).

The Council had undertaken a Partial Review to address the change in policy following the changes to the National Planning Policy Framework and the duty to co-operate to meet the unmet needs of Wyre Council following the adoption of their Local Plan.

The application of the main modifications to the revisions made to the Local Plan by the Partial Review resulted in a reduction to the housing requirement from 2019 onwards to 305 net dwellings per annum, instead of the 415 net dwellings per annum in the existing adopted Local Plan. This new requirement of 305 also addressed the issue of the shortfall in Wyre.

Councillor Richard Redcliffe seconded the proposal.

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Without further discussion it was unanimously RESOLVED that the Fylde Local Plan to 2032 (incorporating Partial Review) be Adopted as a statutory Development Plan Document by the Council in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004.

16. Exclusion of the Public and Press

The Mayor, Councillor Elaine Silverwood, proposed a resolution to exclude members of the public from the meeting in accordance with the provisions of Section 100A (4) of the Local Government Act 1972. This was on the grounds that the business to be discussed was exempt information as defined under paragraph 3 of schedule 12A to the Local Government Act 1972 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Councillor Cheryl Little seconded the proposal.

It was RESOLVED to exclude the public and press.

(The room was cleared of members of the public and the livestream broadcast of the meeting was ended. In accordance with Part 4, paragraph 2.3 of the Council's Procedure Rules, Councillors Bamforth and Oades, in remote attendance, were also removed from the meeting. The mayor, having already declared an interest, left the meeting for the duration of the item).

17. EXEMPT ITEM – Acquisition of Property for Kirkham Regeneration Programme

Councillor Richard Redcliffe introduced a report to seek approval to the acquisition of properties which were a key element of the Kirkham Regeneration Project which was intended to provide an opportunity to reinvent Kirkham.

Fylde Council had been successful in securing funding from the Government's Future High Street Fund (FHSF) programme to regenerate Kirkham town centre as well as the successful High Street Heritage Action Zone (HS HAZ) bid awarded by Historic England in 2019.

A central theme of the FHSF grant was the acquisition, re-development and repurposing of vacant town centre properties.

Councillor Trevor Fiddler seconded the proposal and following a brief discussion it was unanimously RESOLVED:

1. that the Council approve the acquisition of the property known as Hillside, 48, Preston Street, Kirkham, subject to the resolution of further negotiations with the owner, to agree a purchase price as set out in the report, to be funded from the Future High Street Fund grant award, and to commence repair and conversion works to secure a sustainable future use as outlined in this report using High Street Heritage Action Zone Funding.
2. that the Council approve the acquisition of the freehold interest of the parcel of land to the rear of 46, Preston Street (The Stables), Kirkham, for a purchase price as set out in the report to be funded from the Future High Street Fund grant award to allow the delivery of a comprehensive development of the building and grounds of Hillside.
3. that the Council approve the acquisition of the freehold interest of the property known as the former girls school/TSB bank 52 – 64, Poulton Street, Kirkham for a purchase price as set out in the report and authorised officers to seek a potential restaurant / community tenant to take on a 7 year lease (insurance, utilities, internal repairs etc. including fit out would be met by the tenant), all costs being met from the Future High Street Fund grant award.
4. to authorise the capital expenditure draw down as detailed within Tables 2 and 5 in the body of the report. The grant to fund this is broken down from the Future High Street Fund and the High Street Heritage Action Zone as detailed in the report.
5. that the Council underwrite any additional costs to the project arising from the repair or rebuild of the retaining wall bounding Hillside (as estimated in the report) that cannot be met from the approved funding for this scheme, to be funded from the Funding Volatility Reserve, if required.
6. That the Head of Planning and Housing be requested to present a further report to members with all future options for the future use of Hillside, 48 Preston Street, Kirkham in order that the revenue cost implications of each associated proposal can be fully considered together with an outline of revenue costs which could fall to the council with respect to the former girls school/TSB bank 52-64 Poulton Street if no commercial end-user is

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immediately found following its acquisition and refurbishment and in any event to update the committee on developments with Kirkham Futures at each Planning Policy Committee.

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