



Minutes

COUNCIL

Date:	Monday, 14 December 2015
Venue:	AKS Independent School, Lytham St Annes.
Members:	Mayor (Councillor Peter Hardy) Deputy Mayor (Councillor Heather Speak) Councillors Ben Aiken, Christine Akeroyd, Frank Andrews, Timothy Ashton, Jan Barker, Brenda Blackshaw, Julie Brickles, Karen Buckley, Maxine Chew, Alan Clayton, Peter Collins, Michael Cornah, David Donaldson, Susan Fazackerley, Tony Ford JP, Richard Fradley, Shirley Green, Neil Harvey, Karen Henshaw JP, Angela Jacques, Cheryl Little, Roger Lloyd, Kiran Mulholland, Barbara Nash, Edward Nash, Linda Nulty, Elizabeth Oades, Sandra Pitman, Richard Redcliffe, Louis Rigby, Vince Settle, Elaine Silverwood, John Singleton JP, Roger Small, Richard Taylor, Raymond Thomas, Thomas Threlfall, Vivienne Willder.
Officers Present:	Allan Oldfield, Tracy Morrison, Ross McKelvie, Sharon Wadsworth, Tara Walsh, Robert McCormick and Katharine McDonnell
Other Attendees:	Three members of the public

Prayers

Prayers were offered by Councillor Sue Fazackerley, Leader of the Council.

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 Heather Speak declared a personal and prejudicial interest, in agenda item 7, Notice of Motion – Water Contamination. She left the room for the duration of the item.

Councillor Thomas Threlfall declared a personal interest in agenda item 7, Notice of Motion – Water Contamination.

Councillors Andrews, Ashton, Buckley, Harvey, Taylor and Threlfall declared an interest in agenda item 12, Council Tax Discounts and Premiums and agenda item 13, Council Tax Reduction Scheme. They withdrew from the meeting during the consideration and voting on these items.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Council meeting held on 12 October 2015 as a correct record for signature by the Mayor.

3. Mayor's Announcements

The Mayor invited Councillors to attend the forthcoming coffee morning organised by the Guides and Scouts, on 19 November at the Scout Headquarters, Heyhouses Lane, St Annes; the cocktail and

canape evenings on 15 and 16 December 2015; and the Mayoral Ball on 11 March 2016 at Ribby Hall. All the events were in aid of the Mayor's charities. He also drew members' attention to a Charity Evening to be held on 31 January 2016 at the Dalmeny Hotel, St Annes.

The Mayor, on behalf of the Council, extended his best wishes for a speedy recovery to Councillor David Eaves.

4. Chief Executive's Communications

Allan Oldfield, Chief Executive had no announcements, however he wished all present a Happy Christmas and a prosperous New Year.

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 on this occasion.

Decision Items

7. Notice of Motion – Water Contamination

Following notice given under rule 12 of the Council Procedure Rules, the following Motion was proposed by Councillor Elizabeth Oades.

"That this Council is concerned by the recent Cryptosporidium contamination to our water supply and the measures taken to deal with it. We would therefore request that Fylde Borough Council instructs the Chief Executive write to the Prime Minister, the Secretary of State for the Environment, Food and Rural Affairs and the Minister for Energy and Climate Change, drawing their attention to the inadequacy of regulation in major industries, particularly in the light of the fourteenth round of onshore oil and gas licence awards covering much of England. We also request that central government puts in place rigorous, independent, regulatory and inspection regimes for all industries which affect public health above all improved purification of domestic water supplies and the treatment and disposal of contaminated waste water."

In accordance with Section 13.11 (c) of the Constitution Councillor Oades moved that the question now be put, on the basis that the motion had been sufficiently discussed at the previous meeting, the motion was seconded by Councillor Elaine Silverwood.

The Mayor ruled that it was a valid motion and moved directly to the vote.

Following a vote by a show of hands the motion was LOST.

8. Notice of Motion – Development Management Substitutions

Following notice given under rule 12 of the Council Procedure Rules, the following Motion was proposed by Councillor Richard Redcliffe and seconded by Councillor Barbara Nash.

"The council agrees to amend the substitution rules, with immediate effect, for Development Management Committee as set out in the constitution in Part 4, paragraph 25 b), which shall now read:

"No member may act as substitute for a meeting of the committee if he has previously acted as a substitute at five meetings of the committee during the municipal year."

Councillor Elizabeth Oades proposed the following amendment;

"The council agrees to amend the substitution rules, with immediate effect, for Development Management Committee as set out in the constitution in Part 4, paragraph 25 b), which shall now read:

“Trained Development Management Committee substitutes may substitute at any meeting of Development Management Committee if asked by a Development Management member or a group leader.””

It was seconded by Councillor Linda Nulty.

Following a discussion a vote was taken by a show of hands. The amendment was LOST.

Councillor Oades proposed a further amendment to the motion;

“The council agrees to amend the substitution rules, with immediate effect, for Development Management Committee as set out in the constitution in Part 4, paragraph 25 b), which shall now read:

“No member may act as substitute for a meeting of the committee if they have previously acted as a substitute at nine meetings of the committee during the municipal year.””

It was seconded by Councillor Linda Nulty.

Following a further discussion a vote was taken by a show of hands. The amendment was LOST.

Returning to the original motion, a vote was taken by a show of hands, and the motion was CARRIED.

9. A Combined Authority for Lancashire

Councillor Sue Fazackerley introduced a report regarding a proposed combined authority for Lancashire. She explained that the same report was being taken to the two unitary, 12 district councils of Lancashire and the county council. Of the 10 councils who had debated the proposals so far, nine had agreed to continue with the negotiations and consultation including the two unitary councils. There had been cross-party support for the proposals across Lancashire.

Councillor Fazackerley stressed that any decision taken would merely keep Fylde Council at the negotiating table and ensure that the views and interests of the borough were heard.

Councillor Karen Buckley seconded the proposal.

Following a discussion, it was RESOLVED;

1. The contents of this report be noted
2. The contents of the Lancashire Governance Review and recommendation therein be noted
3. The contents of the draft Scheme for a Combined Authority be noted
4. Fylde Council agree to take part in the public consultation in January/February which will seek views on the formation of a Combined Authority for Lancashire
5. Fylde Council agree to consider the feedback from the public consultation and note that following this, those authorities who wish to form a Lancashire Combined Authority will submit a proposal to the Secretary of State for consideration.
6. Fylde Council agree in principle to becoming a constituent member of the combined authority for Lancashire
7. The council's meeting on April 11th 2016 give final consideration to becoming a constituent member of a Lancashire Combined Authority.

10. Financial Forecast Update (Including Revenue, Capital & Treasury Management) 2015/16 to 2019/20

Councillor Karen Buckley introduced the mid-year financial forecast update report. She drew members' attention to the high risks detailed in the report, namely the spending review, the reduction of the Revenue Support grant, the localisation of business rates, New Homes Bonus and the Lancashire Waste Recycling Cost Sharing arrangements.

Councillor Buckley also drew councillors' attention to the Chief Financial Officer's opinion that the Council's finances were currently robust, however the gap between income and expenditure in future years would need to be addressed.

In conclusion Councillor Buckley advised that the Council was asked to accept the recommendations of the Finance and Democracy Committee to establish an Accommodation Project Reserve to ensure the continued delivery of the accommodation project.

Councillor Roger Small seconded the proposal.

After a brief discussion it was RESOLVED

1. To note the implications of this updated financial forecast; and
2. With regards to the Accommodation Project, to note that the Finance and Democracy Committee considered the financing of the project at its meeting of 30th November 2015 and recommended to Council:
 - a) To approve the establishment of an Accommodation Project Reserve to ensure continued delivery of the accommodation project;
 - b) To approve a transfer into the Accommodation Project Reserve in the sum of £504k to be funded from favourable in-year revenue budget variances in 2015/16;
 - c) To approve of capital virements in the total sum of £310,000 from Phase 7 of the Accommodation Project capital scheme to fund Phases 4 and 5 of the works (£280k to be vired into Phase 4 and £30k into Phase 5); and
 - d) To note that a further report will be presented to a later meeting of the Finance and Democracy Committee which will provide full details of the proposed works in relation to the next phases of the scheme, and which will request approval to enter into contractual agreements to deliver those works.

11. Mid Year Prudential Indicators and Treasury Management Monitoring Report

Councillor John Singleton introduced the report. He advised that the report provided a snapshot position as at 30 September 2015. He further explained that it was a mid-year review, providing detail of the international and national position and a forecast from the Council's Treasury Advisers regarding interest rates.

Councillor Singleton drew members attention to an update provided on the Council's debt management and its Capital Financing Requirement. He advised on the Council's current investment strategy and the compliance with prudential indicators.

In conclusion Councillor Singleton provided a brief overview of the Prudential Indicators, explaining the variations and revisions from the start of the financial year, to the current mid-year position.

Councillor David Donaldson seconded the proposal.

It was RESOLVED

1. That the revised Investment Strategy be approved; and
2. That the Prudential Indicators and the Limits in Appendix B of this report be approved.

12. Review of Council Tax Discounts and Premiums 2016/17

Councillor Roger Small introduced the report. He advised that the scheme had been in place for a number of years, was working well and he recommended it continued in its present form to the Council.

Councillor Vince Settle seconded the proposal.

It was RESOLVED to continue the current Council Tax discounts and premiums regime for 2016/17, with effect from 1 April 2016.

13. Council Tax Reduction Scheme 2016/17 Including Grants to Town and Parish Councils.

Councillor Roger Small introduced the report. He referred members to the report and the recommendations including the proposed removal of the family premium from the Council Tax Reduction Scheme assessment and the payments of grants to Town and Parish Councils.

Councillor Vince Settle seconded the proposal.

So having due regard to the deliberations of the Finance and Democracy Committee on 30 November and the Equality Analysis as detailed in section 3.7 of this report, and the consultation responses, it was RESOLVED:

1. that the Council retains the currently implemented key features of the Council Tax Reduction Scheme for 2016/17 except for the removal of the family premium from the CTRS assessment as described in section 3.4 of the report, with a projected nil cost to the Council and the major preceptors and a 22.7% maximum reduction in the level of support to working age claimants;
2. that the Council adopts option 2 as set out in Section 5.4 of the report for payments of grants to Town and Parish Councils. That is, in 2016/17 for Fylde Borough Council to agree to fund Town and Parish Councils to compensate them for losses in income as a consequence of the Council Tax Reduction Scheme impact in a total sum which reflects the estimated funding reductions that will apply to Fylde Borough Council for 2016/17. This reduction equates to 3.8%, with £66,200 to be distributed as set out in Appendix E of the report;
3. that the Council determine that the distribution methodology for payment of grants to Town and Parish Councils relating to the introduction of the Council Tax Reduction Scheme as described in section 5.10 of the report will be such that the grant allocation would be calculated by reference to the taxbase of each Town and Parish Council excluding the impact of Council Tax Reduction Scheme and the revised tax-base under the 2016/17 Council Tax Reduction Scheme regime, this being consistent with the methodology applied in respect of 2014/15 and 2015/16 grant allocations;
4. that Council approves that the Council Tax Reduction Scheme continues to provide funding for Discretionary Hardship Relief in accordance with S13A (1) (a) or S13A (1) (c) of the Local Government Finance Act 2012 as detailed in section 4 of the report; and
5. that the Council authorise the Section 151 Officer to make payments to Town and Parish Councils within Fylde borough in 2016/17 in relation to the Council Tax Reduction Scheme.

14. Review of Statement of Licensing Policy

Councillor Angela Jacques introduced the report advising that the policy was adopted in 2010 and statutorily had to be reviewed every five years. It had been considered by the Licensing Committee in November 2015 and was recommended to council for adoption, with effect from January 2016.

Councillor Barbara Nash seconded the proposal.

It was RESOLVED to adopt the revised Policy with effect from 1 January 2016.

15. Review of Statement of Gambling Policy

Councillor Angela Jacques introduced report advising that the policy had been adopted a number of years ago and needed to be periodically reviewed. It had been considered by the Public Protection Committee in November 2015 and recommended to council for adoption, with effect from January 2016.

Councillor Barbara Nash seconded the proposal.

It was RESOLVED to adopt the revised Policy.

16. Local Development Scheme

Councillor Richard Redcliffe introduced the report. He explained that the Local Development Scheme was a legally required document for each Local Authority. The document also set out the timetable for the production of the new single Local Plan.

Councillor Michael Cornah seconded the proposal.

It was RESOLVED to adopt the updated Local Development Scheme.

17. Appointment of Independent Persons

Councillor John Singleton introduced the report. He explained the role and purpose of the Independent Persons and their role in the standards regime. He further advised that the Independent Persons were shared, including the annual stipend, with Blackpool Council.

Additionally two of the Independent Persons had been co-opted to the Chief Officers Employment Committee following a change in legislation.

He advised that the Independent Persons had been appointed for three years to January 2016 and the Council were asked to approve the continuation of the Independent Persons in their roles, whilst a recruitment exercise was undertaken with a view to refresh the Panel.

Councillor David Donaldson seconded the proposal.

It was RESOLVED

1. To approve the placement of an advertisement to recruit Independent Persons; and
2. To approve the continuation of the current Independent Persons in their role until 1 June 2016, or until the successful conclusion of the recruitment process and appointment of new Independent Persons.

18. Members' Allowances

Councillor Karen Buckley introduced the report. She advised the Independent Remuneration had recommended that the allowance scheme remained unchanged with the addition of the wording "and event" to the list of approved duties.

Councillor Roger Small seconded the proposal.

After a brief discussion, it was RESOLVED;

To adopt the following recommendations of the independent remuneration panel with effect from 1 April 2016:

1. Maintain the present level of basic allowance, special responsibility allowances, travel and subsistence allowances and dependent carer's' allowance for 2016 – 17.
2. Make the following changes to the table of approved duties: Add the words "or event" after "meeting", where it occurred in the preamble wording to the table and the table header and change the final row of the table to the following; "Any other meeting or event at which the attendance of a member is invited or sanctioned by an officer"

19. Committee Appointments and Political Balance

Councillor Sue Fazackerley introduced the report. She advised that following the result of Clifton by-election there was no change to the political balance and she proposed that Councillor Peter Anthony be appointed to the committees that Councillor Len Davies had previously been a member.

Councillor Karen Buckley seconded the proposal.

Councillor Peter Collins proposed an amendment;

“That the members of the Development Management committee also be nominated to be members of the Development Management Policy committee’

Councillor Linda Nulty seconded the motion.

The amendment was LOST

A vote was taken on the substantive motion and it was RESOLVED to

1. Note that, following the recent by-election, the political balance had not changed; and
2. Appoint Councillor Peter Anthony to the Operational Management Committee.

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