



## Council Minutes

The minutes of the Council meeting held on Thursday, 14 June 2018 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

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### **Councillors present:**

The Mayor, Councillor Marge Anderton and the Deputy Mayor, Councillor Michael Barrowclough

Councillors Ian Amos, Rita Amos, Emma Anderton, Lady Dulcie M Atkins, Howard Ballard, Lorraine Beavers, Roger Berry, Barry Birch, Colette Birch, Lynne Bowen, Simon Bridge, Peter Cartridge, Sue Catterall, Alice Collinson, Val Wilson, Emma Ellison, Rob Fail, Peter Gibson, Ron Greenhough, David Henderson, John Hodgkinson, John Ibison, Tom Ingham, Kerry Jones, Andrea Kay, Terry Lees, Paul Moon, Pete Murphy, Phil Orme, Patsy Ormrod, Sue Pimbley, Cheryl Raynor, Ron Shewan, Christine Smith, Brian Stephenson, Evelyn Stephenson, Ann Turner, Shaun Turner, Alan Vincent, Matthew Vincent, Michael Vincent and Lynn Walmsley

**Apologies:** Councillors Balmain, I Duffy, R Duffy, Holden, McKay and Robinson

### **Officers present:**

Garry Payne, Chief Executive  
Mark Billington, Service Director People and Places  
Mark Broadhurst, Service Director Health and Wellbeing  
Marianne Hesketh, Service Director Performance and Innovation  
Emma Lyons, Communications and Marketing Lead  
Roy Saunders, Democratic Services and Scrutiny Manager  
Duncan Jowitt, Democratic Services and Councillor Development Officer

**Also present:** Aldermen Bannister and Brooks and six members of the public.

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## **11 Confirmation of minutes**

### **Agreed:**

1. That the minutes of the extra-ordinary meeting of the Council held on 12 April 2018 be confirmed as a correct record (unanimously).

2. That the minutes of the ordinary meeting of the Council held on 12 April 2018 be confirmed as a correct record (by 27 votes to 9).
3. That the minutes of the Annual Meeting of the Council held on 10 May 2018 be confirmed as a correct record (unanimously).

## **12       Declarations of Interest**

None.

## **13       Announcements**

There were no Mayoral announcements.

The Chief Executive announced that on Friday 8 June he had received formal notification from Cllr I Duffy and Cllr R Duffy that they had resigned from the Labour Group and would sit until the next election as non-aligned independent members. He said that a report on any proposed consequential changes to appointments to committees or representatives on outside bodies would be submitted to the next Council meeting in July.

## **14       Public questions or statements**

Alderman Roger Brooks asked a question (previously circulated and published) to the Resources Portfolio Holder (Cllr A Vincent) about the sale of the former Garstang Business Centre.

Cllr A Vincent said in his response that he had not stated or inferred at the April meeting that the contract with Key Worker Homes was unconditional. He said that completion of the sale was dependent on approval of planning permission, which was conditional on the signing of a Section 106 agreement.

He stated, in response to a supplementary question from Alderman Brooks, that it would be inappropriate to re-market the site.

## **15       Questions "On Notice" from councillors**

1. Cllr B Stephenson asked a question (previously published and circulated) to the Street Scene, Parks and Open Spaces Portfolio Holder (Cllr Bridge) about clearance of fly-tipping from back alleyways.

Cllr Bridge in his response, explained the process which was followed when fly tipping incidents were reported, including the need to obtain permission from the land owner if the material to be cleared was on private land. He also referred to the enforcement measures taken by the Council.

In response to a supplementary question from Cllr Stephenson, he stressed the need to persuade people not to drop litter or dump rubbish in the first place.

2. Cllr Raynor asked a question (previously published and circulated) to the Neighbourhood Services and Community Safety Portfolio Holder (Cllr Berry) about the opening of the Rossall flood defences.

Cllr Berry said in response that it had not been possible to make arrangements to invite local residents to the official opening of the scheme because work had been taking place until the last minute.

He confirmed, in response to a supplementary question from Cllr Raynor, that local residents would have an opportunity to attend other celebratory events taking place on the sea front throughout the summer.

3. Cllr Fail asked a question (previously published and circulated) to the Street Scene, Parks and Open Spaces Portfolio Holder (Cllr Bridge) about dog fouling fines.

Cllr Berry said in his reply that four £75 fixed penalty notices for dog fouling offences had been issued in 2017/18 and one fixed penalty notice of £100 had so far been issued in 2018/19. Two had been in Jubilee Ward, two in Stannah Ward and one had been in Great Ecclestone.

Cllr Bridge said in response to a supplementary question from Cllr Fail that dog fouling was a difficult problem to deal with, but stressed that the Council did take enforcement action when appropriate. He also stressed the need for all Councillors, whenever possible, to encourage dog owners to be more responsible.

4. Cllr Fail asked a question (previously published and circulated) to the Neighbourhood Services and Community Safety Portfolio Holder (Cllr Berry) about the potential, following the opening of the flood defence scheme, for further works along Rossall Beach.

Cllr Berry referred in his reply to the possible further beach management works described in paragraph 6.1 of his Executive Report to be considered later in the meeting. He said that further enhancements to the area referred to by Cllr Fail would be made in the future, but the criteria for funding could not currently be met.

5. Cllr Lees asked a question (previously published and circulated) to the Planning and Economic Development Portfolio Holder (Cllr Michael Vincent) about the proposed A585 Mains Lane Bypass.

Cllr Vincent confirmed in his reply that the Council's response to the pre-submission public consultation on the scheme was available and that he would provide a copy for Cllr Lees.

He said, in response to a supplementary question from Cllr Lees, that the A585 Windy Harbour to Skippool improvements were part of a wider strategy to improve traffic conditions between Fleetwood and the

M55, which should be welcomed.

6. Cllr Barrowclough asked a question (previously published and circulated) to the Street Scene, Parks and Public Spaces Portfolio Holder (Cllr Bridge) about maintenance of the water fountains at Marine Hall Gardens.

Cllr Bridge said in his response that the fountains were serviced twice a year and were inspected weekly. Action had been taken to avoid a recurrence of the current problems, which he acknowledged had been caused partly by grass cuttings. Prices were being obtained for the repairs required. He said he would let Cllr Barrowclough know the timescale for the repairs when known.

## 16 Executive reports

- (a) Leader of the Council

The Leader of the Council (Cllr Henderson) submitted a report.

Cllr Henderson acknowledged, in response to a comment from Cllr E Anderton about paragraph 2.2 of the report, that it had been Fleetwood Civic Society, not Fleetwood Historical Society, which had been the driving force behind the installation of the Sir Fleetwood Hesketh statue in Euston Gardens.

**Agreed** that the report be noted.

- (b) Resources Portfolio Holder

The Resources Portfolio Holder (Cllr A Vincent) submitted a report.

There were no questions or comments

**Agreed** that the report be noted.

- (c) Street Scene, Parks and Open Spaces Portfolio Holder

The Street Scene, Parks and Open Spaces Portfolio Holder (Cllr Bridge) submitted a report.

Cllr Bridge said he would pass on to the relevant officers, thanks expressed by Cllr S Turner for the clearing up work undertaken following the Garstang Gala.

Cllr Bridge said that he would arrange for a written response to be sent to Cllr Kay on any limits that could be imposed on the number of dogs on leads controlled by a single individual.

**Agreed** that the report be noted.

(d) Planning and Economic Development Portfolio Holder

The Planning and Economic Development Portfolio Holder (Cllr Michael Vincent) submitted a report. When introducing his report, Cllr Vincent paid tribute to the work undertaken by Cllr Murphy when he had been the Planning and Economic Development Portfolio Holder.

There were no questions or comments.

**Agreed** that the report be noted.

(e) Neighbourhood Services and Community Safety Portfolio Holder

The Neighbourhood Services and Community Safety Portfolio Holder (Cllr Berry) submitted a report.

Cllr Berry responded to a question from Cllr Lady Atkins.

**Agreed** that the report be noted.

(f) Leisure, Health and Community Engagement Portfolio Holder

The Leisure, Health and Community Engagement Portfolio Holder (Cllr Bowen) submitted a report.

Cllr Bowen, said she would pass on to the relevant officers thanks expressed by Cllr Ellison for the support provided for the Thornton Gala and by Cllr Kay for help provided for the Mental Health Awareness Day.

**Agreed** that the report be noted.

**17 Overview and Scrutiny Committee Periodic Report**

The Chairman of the Overview and Scrutiny Committee (Cllr Ibison) submitted a report about the work undertaken by the Committee since the last periodic report had been considered.

**Agreed** that the report be noted.

**18 Treasury Management Activity 2017/18**

The Leader of the Council (Cllr Henderson) and the Chief Executive submitted a report.

**Agreed** that the Annual Report on Treasury Management Activity for the 2017/18 financial year be approved.

## Constitution Amendments

The Leader of the Council (Cllr Henderson) and the Service Director Performance and Innovation submitted a report on a number of proposed changes to the Constitution.

Cllr Henderson when introducing the report said that, in Appendix 4, the final paragraph on page 66 of the agenda had been erroneously included in the list of functions of the Planning Committee and should instead have been included as the final paragraph of the list of functions of the Standards Committee on page 72 of the agenda. He proposed the recommendations in the report, with that amendment.

An amendment proposed by Cllr Fail that the proposed changes to the definition of key decisions (paragraph 3.1) to consultation requirements (paragraph 3.3) and to the publication of background papers (paragraph 3.6) be deferred for further consideration by a committee prior to resubmission to the Council, was LOST (by 10 votes to 33).

**Agreed** (by 33 votes to 10):

1. That the definition of Key Decisions in Article 16 in Part 2 of the Constitution be amended to increase the financial threshold from £50,000 to £100,000.
2. That the changes to the Scheme of Delegation to Officers, in Part 7 of the Constitution, set out in Appendix 1, be approved.
3. That the changes to consultation requirements in the Cabinet Procedure Rules in Part 4.04 of the Constitution, set out in Appendix 2, be approved.
4. That the following paragraph be added to the Terms of Reference of the Audit Committee in Article 7:  
  
"To receive updates and reports from the Head of Governance (Data Protection Officer) and to approve policies in relation to compliance with the Data Protection Act and Regulations made under the Act."
5. That the following additional paragraph be included in the list of executive functions delegated to the Head of Governance in Part 7.02 of the Constitution:  
  
"To submit reports, as the Council's designated Data Protection Officer, to the Information Commissioner's Office on breaches of the General Data Protection Regulations."
6. That the change to the requirements for the publication of background papers referred to in reports, referred to in paragraph 6.2 of the Access to Information Procedure Rules in Part 4.02 of the Constitution, as set out in Appendix 3, be approved.

7. That the simplified wording of the Summary and the Articles in Parts 1 and 2 of the Constitution, set out in Appendix 4, be approved, subject to the final paragraph in the list of functions of the Planning Committee (on page 66 of the agenda) being deleted and included instead as the final paragraph in the list of functions of the Standards Committee (on page 72 of the agenda).
8. That the proposals for the further reviews of the Constitution set out in paragraph 5.8 of the report be noted and supported.

**20 Notices of Motion**

None.

The meeting started at 7.00 pm and finished at 8.00 pm.

*Note: An audio recording of this meeting is available here:*  
<https://www.youtube.com/watch?v=NIwo2HHmZB8>

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