



Council Minutes

Minutes of the Council meeting of the Wyre Borough Council meeting held at the Civic Centre, Poulton-le-Fylde on Thursday 26 July 2012.

Councillors present:

The Mayor, (Councillor Lawrenson) and the Deputy Mayor (Councillor Perkin).

Councillor Amos	Councillor Gibson	Councillor Ormrod
Councillor E Anderton	Councillor C Grunshaw	Councillor Pimbley
Councillor M Anderton	Councillor J Grunshaw	Councillor Rogers
Councillor Lady Atkins	Councillor Hargreaves	Councillor Shewan
Councillor Balmain	Councillor Henderson	Councillor Smith
Councillor Bannister	Councillor Hewitt	Councillor V Taylor
Councillor Beavers	Councillor Hodgkinson	Councillor Treece-Birch
Councillor Berry	Councillor Kay	Councillor Turner
Councillor Birch	Councillor Lees	Councillor A Vincent
Councillor Bowen	Councillor Martin	Councillor M Vincent
Councillor Brooks	Councillor MacNaughton	Councillor Walmsley
Councillor Cocker	Councillor McCann	Councillor Wilson
Councillor Collinson	Councillor McKay	
Councillor I Duffy	Councillor Moon	
Councillor R Duffy	Councillor Murphy	

Apologies: Councillors Anderson, Bridge, Catterall, M. Gandhi, R. Gandhi, Greenhough, Newsham, Robinson, Swift, T. Taylor and Williams.

Officers present:

Garry Payne (Chief Executive)
Philippa Davies (Corporate Director, Resources)
Roy Saunders (Democratic Services and Scrutiny Manager)
Nikki Wilcock (Communications Manager)
Duncan Jowitt (Democratic Services Officer)

Also present: One representative of the press and eleven members of the public.

COU.23 Confirmation of Minutes

RESOLVED that the minutes of the Council meeting held on 14 June 2012 be confirmed as a correct record subject to:

- The deletion of Councillor Bannister from the list of those present the inclusion of his name in the list of apologies for absence.
- The substitution of the word “involved” in place of the word “present” in the final paragraph of Minute 18 on page 4 and the inclusion after the word “Gala” of the following additional words: “had judged an event and had awarded certificates to the winners” in order to clarify the point of personal explanation made by Councillor Lees.

COU.24 Declarations of Interest

None

COU.25 Announcements

The Mayor (Councillor Lawrenson) announced that there would be a canal cruise on Wednesday 22 August with proceeds going to the Mayor’s charities. He also referred to a raffle currently being held, also in aid of the Mayor’s charities, with a prize of an Apple IPad.

COU.26 Young Mayor 2012/13

The Mayor said that he was pleased to announce that the Young Mayor for 2012/13 was Kayley White, who was 14 and lived in Knott End. He presented her with her badge of office.

The Mayor said that, unfortunately, the outgoing Young Mayor, Rory Mower, was unable to attend the meeting this evening so he would be presented with a permanent memento of his year of office on another occasion.

COU.27 Presentation Under Procedure Rule 10

None

COU.28 Public Questions, Statements ands Petitions

1. Question from Norah Stuchfield, (Chair of Fleetwood Paddling Pool Action Group) to Councillor Lynne Bowen, Leisure and Culture Portfolio Holder

“Why was there no consultation with the community as required by WBC Constitution?”

Councillor Bowen said in response that whilst the Council viewed consultation as very important, the Constitution was clear that not all Executive decisions were subject to consultation and, in this instance, the new water feature was regarded as an improved and more sustainable facility.

All Councillors had been informed of the decision and as it had not been called in, it was felt there was general agreement and that local

Councillors would have been aware of any objections from residents.

Mr Stuchfield asked, as a supplementary question, whether this well used and much loved family facility would continue to be provided and would it continue to be free to users.

Councillor Bowen said that, as temporary repairs had now been made and as YMCA had agreed to provide a lifeguard the pool would be open from the coming Saturday during the 2012 school holiday, whenever the weather was suitable. Various longer term options would be identified and consulted upon before a decision was made on the longer term future.

2. Question from Paul Wright, 'A Concerned Chalet User'

"Please could you explain and show evidence of how the £12,000 a year running cost figure was arrived at and then in the article in the Gazette on Wednesday 4th July with regards to the area being turned in to a disabled play area it was stated by Alan Vincent that the pool wasn't really used outside the 6 weeks holiday and it costs £1,000 a week. Is this not closer to £6,000?"

Councillor A Vincent said in response that the cost referred to in the Portfolio Holder report amounted to approximately £16,000 and, considering that the facility was open over a period of 16 weeks during the period from May through to the end of August (approximately 16 weeks), then this worked out at about £1,000 per week. The cost referred to in the Portfolio Holder report was based upon consumption and disposal of water, as evidenced from the on-site water metres (£12,000). Having agreed to open the facility during the school holidays, weather permitting, the Council had additional expenditure in terms of repairing and repainting the base area of the pool (£2,000) and providing a lifeguard (£2,000).

The Council had recently engaged a consultant to develop a proposal for an accessible play facility, which included the site of the paddling pool.

3. Question from Tom Norton, Vice Chairman Fleetwood Development Partnership to Councillor Lynne Bowen, Leisure and Culture Portfolio Holder

"Why have Wyre Borough Council ignored the guidelines contained in the Government Green Paper 'Every Child Matters' regarding the closure of Fleetwood Paddling Pool?"

Councillor Bowen said in response the five outcomes of 'Every Child Matters' were as follows:

- Be Healthy
- Stay Safe
- Enjoy and Achieve
- Make a Positive Contribution
- Achieve Economic Well Being

She did not believe that there was a direct relationship between achieving these 5 outcomes and the paddling pool in Fleetwood. For example, there were many other things in Fleetwood which would contribute towards outcomes such as Be Healthy and Enjoy and Achieve.

She also reiterated that there was an alternative provision at the Marine Hall Gardens which was more in keeping with modern design for the provision of water play.

4. Question from Margaret Daniels, Chairman, Fleetwood Civic Society to Councillor Lynne Bowen, Leisure and Culture Portfolio Holder

"Please can you tell us if any research was done into the usage of the pool during the school holidays, before the decision was made to close it, and if so what form did it take?"

Councillor Bowen said in response there was anecdotal evidence regarding usage of the pool and a comparison was detailed in the original Portfolio Holder report between the paddling pool and the new water feature in the Marine Hall Gardens.

This showed that the paddling pool required further repairs to the pool base, required filling and emptying, did not contain any filtration or chemical cleaning and required the services of a lifeguard.

In contrast, the new water feature at the Marine Hall Gardens did not have standing water and so did not require a life guard. In addition, the facility included treatment and circulation to ensure the quality was maintained and water loss was minimal.

The new facility was located within a short distance of the paddling pool.

Councillor Bowen said, in response to a supplementary question from Ms Daniels, that although there had been anecdotal evidence of relatively low levels of use no figures had been collected on the exact number of people using the pool. She also re-iterated that the decision to close the pool had not been called-in by local Ward

Councillors.

5. Question from David C Shaw, to Councillor Lynne Bowen, Leisure and Culture Portfolio Holder

"I refer to the decision taken by yourself as the Leisure & Culture Portfolio holder on the 29 March 2012 to close the Fleetwood Paddling Pool forthwith, without even seeking the opinions of the Ward Councillors or Fleetwood Town Council.

Following an outcry from the people of Fleetwood and representations made to Wyre Council by Fleetwood Town Council, it has been agreed to re-open the paddling pool for the School summer holidays this year.

What are your plans for the future of the paddling pool and are you going to consult with the Ward Councillors and the people of Fleetwood this time?"

Councillor Bowen said in response that the Portfolio Holder report had been published on 29 March, 2012. At this point Ward Councillors had had the opportunity to "Call In" the matter for consideration by Scrutiny. This they failed to do and therefore, by implication, had no objection to raise to the proposal.

The longer term future of the pool would be considered later in the year and she was happy to involve Fleetwood Town Council and, indeed, had already started that process. Wyre Borough Ward Councillors would be given the opportunity to be involved just as they had been in March and just as they always would be.

Councillor Bowen stressed, in response to a supplementary question from Mr Shaw, that no conclusions had yet been reached on the longer term provision of facilities in the area. Decisions would be taken following consideration of the consultation currently being carried out.

6. Question from Councillors Alan Marsh (chair) and Stephen Clarke (vice-chair) of Fleetwood Town Council for Cllr Bowen Leisure and Culture Portfolio Holder

"Can the Leisure and Culture Portfolio Holder please confirm our understanding that at our meeting of 9 July 2012 with the Council's Head of Operations and herself, the following was agreed?"

1 *That following repairs and the availability of a lifeguard presence, the paddling pool - weather permitting - will be filled during the school holidays.*

2 *That a consultant's report will be produced for the paddling*

pool area, and following completion, the report will be issued for public viewing and consultation. This report will embrace the feasibility, cost and usage of the paddling pool area, together with a recommendation on design.

Our many thanks for a very constructive meeting. Fleetwood Town Council looks forward to working with Wyre Council on this project.”

Councillor Bowen said in response that she could confirm Councillor Marsh's understanding in respect of point 1 but, advised him in respect of point 2, that the consultant was looking at the possible provision of an accessible play facility, subject to funding to cover an area from the new sand surfaced play area to the paddling pool inclusive. The report from the consultant was expected later in the year.

The petition organiser, Ms Joanne French, then addressed the Council. She said that a petition requesting the Council to reconsider the future of the paddling pool containing a total of 3,397 signatures had been submitted. She said that generations of local Fleetwood families had been using the paddling pool since the 1930s. This was one of the few facilities in the area that was freely available to everyone. She was very excited that the pool was to be re-opened for the current summer and was grateful to the Council for arranging for the pool to be re-opened in the short term. However, the petitioners remained very concerned about its long term future.

Councillor Bowen thanked Ms French for her comments. She said that she understood that the paddling pool had been half-filled today, a process that had taken approximately 3 hours. Short term maintenance had been carried out but, the costs of keeping the paddling pool open would be in the region of £12,000. As referred to in the responses to her questions a report on future options would be produced and consulted upon.

Councillor Bowen agreed, in response to a supplementary question from Councillor Marsh, that there was currently a wonderful opportunity to develop play facilities for young children in the area extending from the Marine Hall Gardens. she also confirmed again that there would be consultation with all interested parties, including members of the public, on future options.

The Mayor said that paragraph 14.1 of the Council Procedure Rules stated that he would decide the total period of time which would now be allocated for a debate on the petition and the action proposed. However, given the positive developments since the petition had been submitted and the nature of the response given by Councillor Bowen, he suggested that there was no need for a lengthy debate at this meeting. He therefore proposed to limit any debate to 10 minutes.

Following comments made by Councillors Beavers, Hewitt, Treece-Birch, C Grunshaw, Shewan and Gibson, Councillor Bowen gave an assurance that representatives of the Paddling Pool Action Group, Councillor Beavers and Councillor Smith and representatives of other concerned groups would have an opportunity to be involved in discussions about the long-term future of the paddling pool area before any decisions were made.

RESOLVED that the position be noted.

COU.29 Questions “On Notice” from Councillors

None

COU.30 Executive Reports

a) Leader of the Council

The Leader of the Council (Councillor Gibson) submitted a report.

Councillor Gibson said, in response to a question from Councillor Beavers that a report on the possible disposal of land at the former Council depot sites at Thornton and Ashdell, which had been agreed in principle on 28 November 2011, would be submitted to the Cabinet when a business case report had been prepared.

Councillor Gibson agreed, in response to an invitation from Councillor Brooks, to attend the next meeting of the Trough of Bowland Area of Outstanding Natural Beauty Management Committee on 2 October 2012, which was being hosted by Wyre Council.

RESOLVED that the report be noted.

b) The Resources Portfolio Holder

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

Councillor Vincent said, in response to a question from Councillor Moon, that he agreed that the possibility of obtaining a new public address system for the Council Chamber should be investigated.

RESOLVED that the report be noted.

c) Street Scene Portfolio Holder

The Street Scene Portfolio Holder (Councillor Murphy) submitted a report.

Councillor Murphy stated, in response to a question from Councillor

Hewitt, that a small fee had to be paid for the collection of some items of bulky waste, but smaller items were collected free of charge. He said that the contract for the bulky waste collection service would be awarded by the Cabinet at its meeting on 1 August.

Councillor Murphy said, in response to comments by Councillor MacNaughton, that the Council was currently targeting street cleaning operations to the sites and at the times when cleaning was most needed. He said that he would pass on the favourable comments from residents made to Councillor MacNaughton.

Councillor Murphy said, in response to questions from Councillor Martin, that leaflets on 'Keeping Dogs on Leads' would be made available in the Cleveleys and Fleetwood areas within the next week or two. He said that he was not able to give specific dates for the implementation of Dog Control Orders in the rest of the borough but, the new provisions would be rolled out to each area as quickly as possible.

RESOLVED that the report be noted.

d) Economy Portfolio Holder

The Economy Portfolio Holder (Councillor McCann) submitted a report.

There were no comments or questions.

RESOLVED that the report be noted.

e) Neighbourhood Services Portfolio Holder

The Neighbourhood Services Portfolio Holder (Councillor Berry) submitted a report.

Councillor Berry stated in response to questions and comments from Councillor Martin with regard to paragraph 2.8 of his report, that there had initially been some confusion about Department of Environment officials seeking to gain access to properties but, it had subsequently been confirmed to residents that they were legitimate government officials.

Councillor Berry welcomed comments from Councillor Brooks about the significant reduction in the number of recorded crimes, referred to in his report. He said that he believed that the borough was now obtaining the benefits from the neighbourhood policing scheme which had taken some time to bed in.

Councillor Berry acknowledged, in response to comments made by Councillor Shewan, that there had been some deterioration in the

condition of the sea wall at Fleetwood. He said that a report had been submitted to the Cabinet and arrangements had been made to undertake short-term repair works where necessary. A longer term improvement scheme had also been drawn up and was currently awaiting approval of Government funding.

Councillor Berry confirmed, in response to a question from Councillor Hewitt, that the partnership scheme with the North Lancashire PCT to provide funding for emergency heating and energy efficiency measures referred to in his report was targeted specifically at the private rented sector. It was intended to meet the needs of the most vulnerable residents in the community in order to reduce ill health and hospital admissions. No financial contribution was required from landlords for that particular scheme.

RESOLVED that the report be noted.

f) **Leisure and Cultural Portfolio Holder**

The Leisure and Cultural Portfolio Holder (Councillor Bowen) submitted a report.

Councillor Bowen confirmed, in response to questions from Councillor Beavers that, further to the discussion on the closure of Fleetwood paddling pool earlier in the meeting, she would ensure that representatives of concerned local residents would have an opportunity to comment on the long term future of the pool, before any decisions were taken.

Councillor Bowen welcomed comments from Councillor Hodgkinson about the number and variety of sports activities being provided during the school summer holidays. She said that she would provide information to him separately about dodge ball.

Councillor Bowen stated, in response to comments from Councillor Shewan, that she could not understand why there was concern about the Marine Hall toilets not being available for visitors to the Bowling Festival because there were numerous public toilets available nearby.

Councillor Bowen said, in response to a question from Councillor Turner, that lots of activities had been provided during the summer period which would hopefully be attractive to girls. All activities were open to girls as well as boys. The take up of Try Sports events by girls had been particularly pleasing.

Councillor Bowen thanked Councillor M Anderton for comments endorsing Councillor Hodgkinson's support for the success of the summer activities.

RESOLVED that the report be noted.

COU.31 Licensing Committee Periodic Report

The Chairman of the Licensing Committee (Councillor M Vincent) submitted a report.

Councillor Berry welcomed the decision of the local taxi industry not to increase fees which, he said, was good news for passengers.

Councillor Vincent also pointed out that the Council had frozen its charges to taxi and private hire operators and was doing what it could to alleviate their difficulties in the current economic climate.

RESOLVED that the report be noted.

COU.32 Implementation of New Ethical Standards Arrangements

The Leader of the Council (Councillor Gibson) and the Monitoring Officer submitted a report seeking approval of arrangements for the full implementation of the requirements of Chapter VII of the Localism Act 2011 following the initial arrangements agreed at the Council meeting on the 14 June 2012.

Councillor Beavers proposed an amendment (seconded by Councillor M Anderton) that all words after “councillor training group” in the third line of recommendation 3.3 be deleted so that responsibility for considering proposed amendments to the constitution prior to submission to Full Council would be delegated to the new Standards Committee, but the amendment was lost by 26 votes to 12.

RESOLVED:-

1. That the current Standards Committee be disbanded with immediate effect.
2. That a new Standards Committee, comprising of Councillors M. Anderton, Bridge, Collinson, M Gandhi, Lees and V Taylor with the Terms of Reference set out in Appendix 1 of the report, be appointed with effect from 27 July 2012.
3. That responsibility for “Monitoring the take-up and effectiveness of Member training” previously included in the Terms of Reference of the Standards Committee be transferred to the Councillor Training Group and that, in future, reports on proposed amendments to the Constitution be submitted directly to the full Council for approval, except for changes to Financial Regulations, which was an Audit Committee responsibility.

- 4 That, no Special Responsibility Allowance be paid to the Chairman of the new Standards Committee pending the next review by the Independent Remuneration Panel in December 2012 but, that any payment subsequently agreed by the Council following a recommendation from the Panel be back dated to 27 July 2012, if so desired.
- 5 That Mr John Shaw, Mr Anthony Egerton and Mr Robert Jones be appointed to the role of Independent Member, as described in Appendix 2 of the report until a longer term appointment was made or, until 30 June 2013 at the latest, and that the Monitoring Officer be authorised to consult with one of them when considering any complaint alleging a potential breach of the Council's Code of Conduct.
- 6 That Part 1 and 2 of the Code of Conduct for Wyre approved by the Council on 14 June be retained in its current form and that the Monitoring Officer be instructed to draft proposed amendments to the Council's Procedure Rules relating to the disclosure of interests at meetings and submit them to the next Council meeting for approval.
- 7 That in addition to the statutory financial interests prescribed in Regulations, Wyre Councillors also be required to Register all of the following "other" interests:
 - (a) Details of any body they are a member of or in a position of general control or management and to which they are appointed or nominated by the Council;
 - (b) Details of any gift or hospitality with an estimated value of at least £50 that they had received in connection with their role as a Member of the Council, and details of the donor.
 - (c) Details of any body exercising function of a public nature, any body directed to charitable purposes or any body whose purposes includes the influence of public opinion or policy (including any political party or trade union) of which they are a member or in a position of general control or management.
- 8 That the local process for consideration of misconduct complaints, as set out in Appendix 5 of the report, be approved and implemented with immediate effect and that the Monitoring Officer be authorised to prepare the necessary documentation and to make the required practical arrangements for its implementation.
- 9 That authority be delegated to the Monitoring Officer and the Deputy Monitoring Officer to administer the process concerning misconduct complaints and to take the actions listed in paragraph 5.23 and included in Appendix 4 of the report.

- 10 That the arrangements for parishes referred to in paragraph 5.27 and 5.28 of this report be noted.
- 11 That the Monitoring Officer be requested to arrange training on the new arrangements for Wyre Councillors and Parish and Town Clerks.
- 12 That the Corporate Director of Resources be authorised to update the Constitution to reflect the changes agreed by the Council.

COU.33 Treasury Management Activity for 2011/12

The Resources Portfolio Holder (Councillor A Vincent) and the Corporate Director of Resources submitted a report on the overall position and activities in respect of Treasury Management for the financial year 2011/12.

RESOLVED that the report on Treasury Management Activity for 2011/12 Financial Year be approved.

COU.34 Older People:Lead Member Report

The Lead Member for Older People (Councillor Ormerod) submitted a report informing Council of progress on the development of a new strategy for older people.

She reported further to paragraph 6.2 of the report that 14 primary schools and 6 secondary schools had so far agreed to participate in this year's Wyre Senior Forum Challenge.

RESOLVED that the report be noted.

COU.35 Health and Wellbeing:Lead Member Report

The Lead Member for Health and Wellbeing (Councillor Walmsley) submitted a report on the progress of issues relating to Health and Wellbeing. Councillor Walmsley said that he was far more reassured than he had been 12 months previously on the emerging structures at local level within the National Health Service.

RESOLVED that the report be noted.

COU.36 Overview & Scrutiny Annual Report 2011/12

The Chairman of the Overview and Scrutiny Committee (Councillor M Gandhi) and the Corporate Director of Resources submitted a report on the work of the Overview and Scrutiny Committee during 2011/12. In the absence of the Chairman, the Vice Chairman (Councillor V Taylor) introduced the report. She thanked the Scrutiny Officer (Peter Foulsham) and the Corporate Director of Resources and other officers who had attended meetings for their support during the year.

COU.37 **RESOLVED** that the report be noted.
Notices of Motion

None.

The meeting started at 7.00 pm and finished at 8.32 pm.

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