



DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	COUNCIL	12 OCTOBER 2022	12

FULLY FUNDED REVENUE BUDGET INCREASE - EDUCATION CONTRIBUTION RELATING TO SECTION 106 AGREEMENT FOR DEVELOPMENT AT LAND FORMER PONTINS, LYTHAM ST ANNES

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

This report requests the transfer of Section 106 funds originally paid to Fylde Borough Council as a contribution towards the provision of additional primary school places in relation to planning application 10/0877, (Land Former Pontins) approved 1st May 2013. Lancashire County Council, in their role as local education authority, have requested that the money that has been paid to Fylde Council by the developer of the site now be paid to fund the provision of additional primary school places to serve the needs of the development in accordance with the terms of the agreement.

During the period of national mourning following the death of Her Majesty the Queen, the decision had been taken to cancel all formal meetings of committees of the council involving the participation of members and officers. This report was scheduled to go before the Planning Committee that was subsequently cancelled.

RECOMMENDATIONS

1. The report recommends to Council approval of a fully funded revenue budget increase of £303,069 in 2022/23 to be met by Sn106 monies held by the council towards the improvement of local primary school places (application reference 10/0877).
2. To authorise the sum of £303,068.40 be paid to Lancashire County Council for the provision of additional school places at Heyhouses Endowed Church of England Primary school in accordance with the terms of the agreement, subject to the approval of the fully funded budget increase.

SUMMARY OF PREVIOUS DECISIONS

None

CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	

REPORT

1. Planning permission was granted for a development of up to 73 dwellings at the former Pontins Holiday Site, Clifton Drive, St Annes in May 2013. The planning permission was subject to a section 106 agreement that secured a range of contributions including a contribution towards the provision of additional primary school places in the vicinity of the Development.
2. The agreement defines the education contribution as a contribution "... towards the provision of primary school places at schools in the vicinity of the Development...". The agreement also makes provision for contributions made under the terms of the deed to be used: *"for the purposes specified in this deed for which they are paid or, where a sum can more appropriately be applied by another local authority to the purpose for which it is to be paid, to pass the sum received to that local authority for that purpose."*
3. The developer has paid Fylde Council the agreed contributions of £303,068.40 in line with triggers set out in the agreement. Following the original assessment of the impacts of the development, Lancashire County Council initially advised that there had been changes in demand for primary school places resulting in a general surplus of primary school places in the area. However, they have subsequently advised that there have been further changes in school rolls and there is now an increase in demand for places at Heyhouses Endowed Church of England Primary School. Lancashire County Council have, therefore, requested this money be used towards the provision of an additional 20 places to each reception year at this school.
4. Heyhouses Endowed Church of England Primary School is located on Clarendon Road North which is 2.1 miles from the centre of the development at the former Pontins Holiday Site (Christal Avenue) and so is a local primary school that the children living at the development are likely to attend. Accordingly, transfer of funds to the local education authority to allow them to increase the number of places at this school would be in line with the provisions of the legal agreement.
5. This money cannot be used other than to ensure education provision in accordance with the terms of the Sn106 Agreement. Consequently, Fylde Council will continue to ensure that the terms of any S106 reflect the requirements for appropriate education provision in the borough.

IMPLICATIONS	
Finance	The report recommends to Council approval of a fully funded revenue budget increase of £303,069 to be met in full by Section 106 monies held by the Council for this purpose and subject to this approval to authorise the sum of £303,068.40 be paid to Lancashire County Council for the provision of additional school places at Heyhouses Endowed County Primary School in accordance with the terms of the agreement.
Legal	The use of the funds for the purposes set out in the report are considered to be in line with the purposes set out in the Section 106 agreement.
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	The monies would be used to increase the number of places available at a local school, thereby reducing the need to travel further afield.
Health & Safety and Risk Management	None

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Planning permission 10/0877	1 May 2013	www.fylde.gov.uk