



MINUTES

Council

Date:	Wednesday, 12 October 2022
Venue:	Town Hall, St Annes.
Committee Members Present:	Mayor Councillor Ben Aitken Deputy Mayor Councillor Alan Clayton Councillors Peter Anthony, Julie Brickles, Karen Buckley, Delma Collins, Sue Fazackerley MBE, Trevor Fiddler, Ellie Gaunt, Brian Gill, Shirley Green, Noreen Griffiths, Peter Hardy, Will Harris, Gavin Harrison, Paul Hayhurst, Karen Henshaw JP, Paul Hodgson, Angela Jacques, John Kirkham, Matthew Lee, Cheryl Little, Roger Lloyd, Michelle Morris, Ed Nash, Jayne Nixon, Liz Oades, David O'Rourke, Richard Redcliffe, Bobby Rigby, Michael Sayward, Vince Settle, Elaine Silverwood, John Singleton JP, Roger Small, Heather Speak, Tommy Threlfall, Stan Trudgill, Viv Willder, Michael Withers.
Officers Present:	Allan Oldfield, Ian Curtis, Sharon Wadsworth, Ross McKelvie, Hannah Kirk, Howie Dawson, Lucie Warburton, Jordan Robbins.
Other Attendees:	Councillor Mark Bamforth (via remote access) Approx 20 members of the public were in attendance

Prayers

Prayers were offered by the Mayor's Chaplain, Father Philip Newbold

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. No declarations of interest were made on this occasion.

2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Council meetings, held on 4 July 2022 and 25 July 2022, as correct records for signature by the Mayor.

3. Mayor's Announcements

The Mayor informed members of the following upcoming Mayoral events; a Coffee Morning at Wesham Community Centre on Thursday, 20th October between 10.30-12.30; a Ceilidh at Our Lady Star of the Sea Community Hall, St Annes on Friday 18th November from 19.00 to 22.30 and the Mayors Ball at Ribby Hall, Wrea Green on Saturday 15th April 2023.

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.

6. Questions from Members of the Public

Two questions had been received from members of the public.

The first question had been received from Mr Child as follows:-

“Would Councillor Fiddler agree with me that the meeting he chaired on September 7th with representatives of Warton highlighted how much the village deserves to see its centre regenerated as stated in the Bryning with Warton Neighbourhood Development Plan and Fylde Borough Council's Local Plan?”

Councillor Fiddler responded that he agreed that the centre required regeneration as detailed in the neighbourhood plan and work was in progress. A second meeting would be held in the near future to revisit the priorities and issues.

In asking a supplementary Mr Child asked if the development would have the support of all councillors and planning officers. Councillor Fiddler confirmed that everyone had contributed to the design concept.

The second question had been received from Mr Wright as follows:

“Wrea Brook Park housing development, Blackfield End Farm, Warton Background/context As ever, I am speaking on behalf of my neighbours about the increased risk of flooding to their properties as a result of Fylde's failure to enforce planning conditions relating to this site. To briefly recap Since April 2019, we have repeatedly asked why the developer has breached planning conditions but still been allowed to continue construction without an approved drainage scheme. The Development Officer has told us repeatedly that this is a priority, indeed one of his highest priorities, and yet nothing has progressed except the development. Cllr Threlfall tried to advance matters in April but that made no difference. At the July Full Council meeting Cllr Fiddler repeated his many promises that it was being dealt with as a priority and without further delay. Residents complained to the Ombudsman but his decision in Feb 2020 was that there had “not been unreasonable delay by FBC in discharging planning conditions”. Residents have now written again to ask the Ombudsman if, with the site mostly built & occupied, he is of the same view. To compound matters, the unauthorised drainage that has been installed along the boundary is compromised and the Development Officer and his water engineer saw that for themselves on their site visit in April this year but no action has been taken. In his last update on 11 August, the Development Officer confirmed that he'd had information back from the developer (in July) and that “Reviewing this is on my ‘to do’ list and will be done as soon as my other work priorities permit”. Nothing since. Question At the recent (constructive) meeting between FBC and Warton councillors and officers, Cllr Fiddler freely admitted that the Warton community had been badly let down by Fylde Council for far too long and that it was a moral imperative that Fylde started to deliver on the various commitments and improvements promised to Warton in the Local Plan. I'm sure Cllr Fiddler agrees that there is also a moral imperative that planning commitments made by developers and Fylde officers are fully executed and, if not, appropriate enforcement action taken. Given that three of the four major housing developments in Warton started construction without pre-commencement planning conditions relating to drainage being discharged, can Cllr Fiddler explain why officers consistently ignore their own mandated planning conditions which are designed to limit and control the way in which a planning permission is implemented?”

Councillor Fiddler responded that only the Wrea Brook development had started with the drainage conditions outstanding and that I could now confirm that the drainage scheme for the site are now acceptable and the planning conditions discharged.

In asking a supplementary question Mr Wright asked how many major development sites had been completed with undischarged planning conditions. Councillor Fiddler responded that he would arrange for the information to be provided to Mr Wright.

Decision Items

7. Notice of Motion – Fracking

Following notice given under rule 11 of the Council Procedure Rules, the following Motion was proposed by Councillor Liz Oades;

“I call on this Council to advise the Government and the County Council, as the Mineral Authority for Lancashire, that this Council strongly oppose the return of fracking to this Borough.

As one of the Boroughs most likely to be affected by lifting the moratorium on shale gas production we must make a strong case to stop any further drilling in our area.

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I firmly believe that our community are opposed to fracking and will support us in our endeavours, judging by the very many residents and groups who have contacted me, I therefore ask you to support this Notice of Motion and take care of the community we are here to serve."

In moving the motion, it was reiterated that the position had always been that Fylde strongly objected to fracking in the area and that there was clear evidence that the Fylde's geology was not suited to support fracking. An explanation of the government's term "local communities" and the context in which it was referred to was urgently required.

The motion was seconded by Councillor Matthew Lee.

Councillor Buckley proposed an amendment, previously submitted in writing to the Mayor;

"In light of the Government's recent announcement to lift the moratorium on fracking to strengthen energy security in the UK, this council notes:

- a) Fylde Borough Council has a track record of listening to the views of its residents as demonstrated by the consideration in public meeting as a consultee on the planning applications 14/0432 and 14/0440 in relation to potential fracking sites at Preston New Road and Roseacre respectively which resulted in objections raised to Lancashire County Council on grounds of proximity of the site to residential properties and significant environmental harm.*
- b) Lancashire County Council's Development Control Committee, on consideration of the same applications for sites at Preston New Road and Roseacre, refused planning permission on grounds of an adverse effect on the countryside and concerns over highway safety respectively.*
- c) On appeal, the Planning Inspectorate granted permission for the site at Preston New Road but repeated seismic tremors above the regulated limit led to a moratorium on fracking in November 2019.*
- d) The moratorium was lifted in September 2022 and the Prime Minister has stated that fracking will only go ahead in areas where there is local consent.*

and calls upon the Government to:

- i) Set out how local consent will be ascertained in Fylde.*
- ii) Confirm the role of the mineral planning authority (Lancashire County Council) to determine any such future applications in relation to extraction of shale gas in order to ensure local decision-making is retained.*
- iii) Demonstrate the manifesto commitment of 2019 which states "We will not support fracking unless the science shows categorically that it can be done safely".*

The amendment was seconded by Councillor Roger Small.

There was a subsequent debate with contributors stressing the importance of receiving clarification of what local consent would look like and that Fylde does not support the reinstatement of fracking.

Following a request from five members of the council, a recorded vote was taken on the amendment.

For the amendment (40): Aitken, Anthony, Brickles, Buckley, Clayton, D Collins, Fazackerley, Fiddler, Gaunt, Gill, Green, Griffiths, Hardy, Harris, Harrison, Hayhurst, Henshaw, Hodgson, Jacques, Kirkham, Lee, Little, Lloyd, Morris, Nash, Nixon, Oades, O'Rourke, Redcliffe, Rigby, Sayward, Settle, Silverwood, Singleton, Small, Speak, Threlfall, Trudgill, Willder and Withers.

The amendment was carried and a further vote, by show of hands, was taken and the motion was AGREED.

8. Community Governance Review

Councillor Buckley introduced the report that detailed the finding of a received community government review with terms of reference comprising the whole of the council's district with a focus on the unparished areas of Lytham and Ansdell. Councillor Buckley proposed an amendment to the recommendation stated with the report to defer the decision to establish new parishes of Ansdell and Lytham until further public consultation had been carried out. Although the public had already been consulted, in relation to the new parishes, the number of responses returned were so low that it could not be deemed as being an effective mandate from the residents of the areas affected. A wider and more extensive public consultation was therefore proposed.

Councillor Settle seconded the revised recommendations.

Following a brief discussion, it was RESOLVED to:

1. Accept proposals BW3, E1, RW1 and WS4/1 (which is referred to as WP1 in the covering report) as set out in the community governance review report.
2. Defer a decision on proposals A1 and L1 owing to low numbers of respondents from Lytham and Ansdell.
3. Commit to a further and more extensive public consultation in relation to proposals A1 and L1, the details of such consultation to be determined by the Finance & Democracy Committee.

9. Release of Section 106 Monies – Newton Community Park

Councillor Sayward proposed the allocation of Section 106 contributions, of £37,000, to Newton with Clifton Parish Council for public open space improvements at the Newton Community Park, School Lane, Newton.

Councillor Harrison seconded the proposal, and it was unanimously RESOLVED to:

1. Approve a fully funded addition to the Capital Programme in 2022/23 in the sum of £37,000 fully funded from the Section 106 developer contributions relating to the development adjacent to Oak Lane, for the same amount.
2. Allocate the sum of £37,000 to Newton with Clifton Parish Council to carry out recreational improvements at the Community Park, School Lane, Newton as detailed in the report on condition that the Parish Council be required to enter into an agreement with Fylde Council, prior to release of funds, and to provide details of how the funds have been used before the Section 106 agreement expiry date of 26 June 2031.

10. Homeless Prevention Grant

Councillor Threlfall advised members on the proposed changes to the Homeless Prevention Grant (HPG) Funding and to request a change in approach to allocate the funding within the base budgets of the Housing Services Team.

Councillor Threlfall provided an overview of the existing funding streams and that the new proposals would include ensuring funding is allocated to reflect temporary accommodation pressures; timing of funding and two year allocations; declarations of spend provided by local authorities across prevention and relief support, temporary accommodation prevention and main housing duty support; and, funding to become split annual payments based on the timely returns of HCLIC (Homelessness Case Level Information Collection).

With the proposed changes to reporting and the requirement for spend to be allocated within the financial year, there would need to be a change to how this funding was committed in Fylde. HPG funding was committed up to 2021/22 and the change of approach was required for 2022/23 allocation of £107,457 and moving forward.

Councillor Harris seconded the proposal and thanked all the staff and officers involved in the preparation of the detailed report.

It was unanimously RESOLVED to:

1. Note the contents of the report.
2. Approve that future funding awarded from 2022/23 under the annual allocation of Homeless Prevention Grant funding from DLUHC was placed within the Housing Services base budget (The grant allocation for 2022/23 is £107,457 and would form the basis of future years income and corresponding expenditure budgets. Any updates to annual grant allocations would be reflected within future updates of the financial forecast and is identifiable as spend for services provided under the Homeless Reduction Act: prevention and relief duties; provision of temporary accommodation; and main housing duty)

11. Public Transport Improvements Relating to Section 106 Agreement for Application 12/0550 The Former GEC Marconi Factory, Warton

Councillor Fiddler proposed the release of Section 106 monies to Lancashire County Council, from the Land adjacent to Former GEC Marconi Factory, Warton site, to fund bus service improvements.

Councillor Redcliffe seconded the proposal, and it was RESOLVED:

1. To approve a fully funded revenue budget increase in the sum of £48,000 in 2022/23 to be met by Section 106 monies held by the Council, towards the service improvement of bus service 78, to provide improved links to a greater area for the residents of the development.
2. That the sum of £48,000 be paid to Lancashire County Council, for the continued enhancement of local bus service 78 in order to provide improved access to sustainable means of transport for the future occupants of this development.

12. Fully Funded Revenue Budget Increase - Education Contribution Relating to Section 106 Agreement for Development at Land Former Pontins, Lytham St Annes

Councillor Redcliffe proposed 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). He advised that Lancashire County Council, in their role as local education authority, had identified the need for additional primary school places to serve the needs of the development in accordance with the terms of the agreement.

Councillor Redcliffe confirmed that at the next meeting of the Education Liaison group he would raise the issue that Section 106 funds needed to be dealt with in a timely manner to ensure that the monies were allocated within the deadlines of the Section 106 agreements. Failure to ensure this would amount to the funds being returned to the developers.

Councillor Fiddler seconded the proposal, and it was RESOLVED to:

1. Approve a fully funded revenue budget increase of £303,069 in 2022/23 to be met by Section 106 monies held by the council towards the improvement of local primary school places (application reference 10/0877).
2. 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.

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