

Councillor David Eaves
Sent via email
Cllr.deaves@fylde.gov.uk

Phone: (01772) 535842
Email: keith.iddon@lancashire.gov.uk

Your ref:
Our ref: KI/JJ/23464
Date: 17 April 2018

Dear Councillor Eaves

Bus Shelter disputed ownership in Fylde and associated S106 / S278 Agreements

Thank you for your correspondence dated 18 February 2016 and follow up correspondence received from Andrew Loynd, Fylde Technical Support Manager, dated 18 September 2017. I am pleased to now be in a position to provide you with a response to the issues you have raised in full council concerning disputed ownership of Bus Shelters in Fylde.

Firstly, please accept my apologies for the delay in replying to you but as I am sure you will appreciate it has been a lengthy and complicated process reviewing the numerous planning applications associated with each of the disputed shelters has involved a number of different county council officers and required us to seek advice and clarification from our Legal Services Team.

I am pleased to be able to now report back to you with the following information:

I can confirm that of the original twenty five shelters on the disputed list, it has been established that seven of these are on the Line 17 St Anne's – Blackpool Quality Bus Route and as such, upkeep and maintenance does, as such, fall to the county council.

Of the remaining eighteen shelters it has been verified that sixteen of them were put in as part of S278 Highway Works agreements and again, as such, are our responsibility.

From our research, it appears that only the remaining two shelters on the list located at Wood Street and Albany Road respectively, were installed as part of S106 Agreements. (PA 11/0026 – 'improved public realm works' and PA 04/0499 £20k contribution for two bus stop upgrades.)

Continued...

I would therefore concur with you that the majority of these shelters do in fact come under the county council's responsibility and have for the most part been installed as part of the planning condition under S278 Highway Works. From your list, it appears only two were installed under S106 Agreements, with only the shelter as part of the Albany Road Medical Centre development making specific reference to a bus stop upgrade which involved the installation of a new bus shelter.

For clarification purposes, I would ask in future that as the local planning authority, Fylde Borough Council specify in any future S106 Developer Agreements involving a contribution towards improved public transport that they are specifically worded and do not use generic terminology. If it established, that as part of the development, there is a requirement for the installation of a bus shelter(s) then a commuted sum for upkeep and maintenance of £800 per unlit shelter and £1000 per lit shelter for a minimum period of five years is written into the agreement.

I hope you find the above information both acceptable and useful. Hopefully, this finally establishes clear ownership and maintenance responsibilities of the shelters listed and provides us with a clear way forward in the future.

Please don't hesitate to get in touch if you require any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Keith Iddon', with a large, stylized loop at the end.

County Councillor Keith Iddon
Cabinet Member for Highways and Transport