

Agenda COUNCIL



Date:	Monday, 4 July 2016 at 7:00pm
Venue:	AKS Lytham Independent School, Clifton Drive South, FY8 1DT
	<p>Mayor : Councillor Christine Akeroyd Deputy Mayor : Councillor Angela Jacques</p> <p>Leader : Councillor Susan Fazackerley Deputy Leader : Councillor Karen Buckley</p> <p>Councillors Ben Aiken, Frank Andrews, Peter Anthony, Tim Ashton, Mark Bamforth, Jan Barker, Keith Beckett ISO, Brenda Blackshaw, Julie Brickles, Maxine Chew, Alan Clayton, Delma Collins, Peter Collins, Michael Cornah, David Donaldson, David Eaves, Trevor Fiddler, Tony Ford JP, Richard Fradley, Gail Goodman JP, Shirley Green, Peter Hardy, Neil Harvey, Paul Hayhurst, Karen Henshaw JP, Paul Hodgson, Cheryl Little, Roger Lloyd, Kiran Mulholland, Barbara Nash, Edward Nash, Graeme Neale, Linda Nulty, Liz Oades, Sandra Pitman, Albert Pounder, Richard Redcliffe, Louis Rigby, Vince Settle, Elaine Silverwood, John Singleton JP, Heather Speak, Roger Small, Richard Taylor, Raymond Thomas, Thomas Threlfall, Viv Willder.</p>

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1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the AGM meeting held on 11 May 2016 as a correct record.	1
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REPRESENTATIONS



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	COUNCIL	4 JULY 2016	5
QUESTIONS FROM MEMBERS OF THE COUNCIL			

PUBLIC ITEM

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

SUMMARY

No questions have been received from Members of the Council before the requisite deadline, as outlined in Procedural Standing Orders for Council and Committees of Part 4 of the Council's Constitution, and before the statutory deadline for publication of the agenda.

If any questions are received before the deadline, as outlined above, they will be circulated prior to the meeting for members' information, under separate cover.

Any question(s) will be heard during the Council meeting on 4 July 2016 and a response will be given by the Leader of the Council.

REPRESENTATIONS



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	COUNCIL	4 JULY 2016	6
QUESTIONS FROM MEMBERS OF THE PUBLIC			

PUBLIC ITEM

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

SUMMARY

No questions have been received from the public before the deadline, as outlined in the Procedural Standing Orders for Council and Committees in Part 4 of the Council's Constitution, and before the statutory deadline for publication of the agenda.

If any questions are received before the deadline, as outlined above, they will be circulated prior to the meeting for members' information, under separate cover.

Any question(s) will be heard during the Council meeting on 4 July 2016 and a response will be given by the Leader of the Council.

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
LEADER OF THE COUNCIL	COUNCIL	4 JULY 2016	7
M55 LINK ROAD			

PUBLIC ITEM

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

SUMMARY

The construction of a new purpose built link road from Lytham St Anne's to the M55 (junction 4) has been a transport priority for Fylde Council and the County Council since the 1990's and has been included in a number of corporate plans and strategic transport plans. It is a key infrastructure project in the draft Local Plan and is seen as essential to the delivery of planned sustainable growth for the borough. The report proposes pledging a financial contribution to assist with funding of the scheme to accelerate construction of the link road in advance of delivery through that which is required under the existing planning obligation.

RECOMMENDATIONS

Council is recommended to:

1. approve the establishment of a specific 'M55 Link-road Reserve' to meet the cost of any financial contribution from the Council towards the cost of construction;
2. approve the transfer of £196k from the Capital Investment Reserve into the M55 Link-road Reserve;
3. request that officers investigate further funding opportunities, including the achievement of additional income/savings from budget right-sizing exercises which could be considered for potential transfer into the M55 Link-road Reserve;
4. approve an 'in principle' contribution of up to £1m towards the cost of construction of the M55 link road up to 2019, with a further report detailing how the remainder of the required contribution may be identified;
5. agree the Heads of Terms to establish the conditions that should be attached to the approval of the above financial contribution and that these conditions form the basis of a detailed agreement between all parties;
6. that the Councils programme committees be instructed to consider new capital schemes only where they are urgently required for health and safety reasons or where there is strong business case to protect/enhance existing revenue or create a revenue income stream in order that priority is given to accumulating a sufficient contribution towards delivery of the M55 link road scheme;
7. approve the attendance and involvement of the Leader and Deputy Leader of the Council, along with relevant officers as appropriate, to continue discussions and meetings with the different parties with the aim to reach a solution to funding the accelerated construction of the M55 link road;

8. agree that a further report be prepared for Council when the outcome of the discussions above are finalised in order that Members may consider the final details of the agreement, together with any associated specialist legal or other advice implications and how the contribution from the Council would be funded; and
9. approve an addition to the capital programme for 2016/17 in the sum of £424,765.02, which has been met in full from the balance of S106 developer contributions for construction of the link road currently held by the Council for this purpose in the same sum. The developer contribution is intended to provide funding for the design and the contractual management of the link-road scheme by Lancashire County Council, and Members are requested to note that this payment has been made in accordance with the terms of the planning obligation.

SUMMARY OF PREVIOUS DECISIONS

The council has previously on many occasions agreed the priority to achieve the construction of the M55 link-road. These are contained in a series of strategic plans and policies which are highlighted in sections 1 to 4 of the report.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

BACKGROUND

STRATEGIC CONTEXT

1. The principle of developing an improved link to the M55 motorway was established in the former adopted Fylde Local Plan 1996 - 2006 (Policy TR6) (adopted 1994) and the Lancashire County Structure Plan 1991 –2006 ‘Greening the Red Rose County’ (Policy 34) (adopted February 1997).
2. Subsequent to that, various documents have referred to the road scheme to varying degrees as follows:
 - Lancashire Local Transport Plan 2001/02 - 2005/06 (Lancashire County Council)
 - Joint Lancashire Structure Plan (JLSP) 2001 - 2016, Adopted March 2005 (Lancashire County Council, Blackburn with Darwen & Blackpool Councils)
 - Central Lancashire City Region, Sub-Regional Strategy, First Detailed Proposals, March 2005 (Lancashire County Council, Blackburn with Darwen & Blackpool Councils)
 - Ambition Lancashire 2005 –2025, Strategic vision for the future of Lancashire (Lancashire Partnership)
 - Fylde Local Plan 1996 – 2006 – Alterations Review, Adopted October 2005 (Fylde Borough Council)

- Lancashire Local Transport Plan 2006 - 2010 (Lancashire County Council)
 - Fylde Council Economic Development Strategy and Action Plan - 2012 to 2030, Adopted January 2013 (Fylde Borough Council)
 - Fylde Coast Highways and Transport Masterplan 2015 – 2032 (Lancashire County Council)
 - The Fylde Coast Framework for Inclusive Growth & Prosperity – 2015 to 2020, Adopted June 2016 (Blackpool, Fylde and Wyre Economic Development Company)
 - The Fylde Local Plan to 2032 – Draft Publication Version – June 2016 (Fylde Borough Council)
3. In February 2016, Council agreed the Corporate Plan which runs from 2016 to 2020. The plan contains five themes. One of the priorities over the next four years under the theme ‘A vibrant economy’ is ‘Improve the transport infrastructure and traffic flow’. An agreed action to deliver this is; ‘Progress the re-opening of the M55/ Moss Road link’.
 4. For a number of years it has been this Council’s aim of delivering an improved road link between Lytham St Anne’s and the M55 motorway.

PLANNING HISTORY

5. It has previously been the intention that the cost of the new link road would be met from developer contributions. The Northern section from the A583 to School Road has already been completed by the developer on the back of the B&Q Store. Whilst the Southern section from Heyhouses Lane to North Houses Lane was funded and constructed from the development of Cypress Point.
6. The middle section from School Road to North Houses Lane (Cypress Point) is planned to be built on the back of the development of Queensway for housing.
7. The Council received a planning application for housing on this site in 2008. Due to the extensive issues which required assessment determination was delayed and subsequently the developer lodged an appeal for non-determination. The appeal was called in by the Secretary of State who refused it in June 2010, contrary to the Inspector’s recommendation. This decision was challenged and then quashed by order of the High Court in December 2010.
8. A new inquiry took place in January 2012. In order to enable the Secretary of State to consider the relationship between the housing site and the M55 link road he directed that the M55 link road application be referred to him instead of by the relevant local planning authority, Lancashire County Council, who were minded to approve.
9. The inspector recommended approval of both the housing appeal and link road application and the Secretary of State in June 2012 agreed with the inspector’s conclusions and recommendations and granted planning permission. The permission requires that development shall commence not later than five years from the date permission was granted.

CURRENT SITUATION

10. In the absence of a new purpose built link road many drivers have used the old single carriageway moss road between School Lane and North Houses Lane near Cypress Point as a preferred route between Lytham St Anne’s and junction 4 of the M55. Although this link had a weight and width restriction the length between School Road and Annas Road became damaged in late 2014 and was closed by LCC.
11. During this time the closure of the moss road has caused severe congestion and inconvenience to residents and visitors to the borough. This has also resulted in an economic restriction for the borough until either the moss road is repaired and reopened or the new link road is built.

PROVISION OF THE LINK ROAD THROUGH DEVELOPMENT OF QUEENSWAY

12. The developer (Kensington Developments Ltd) is required, through a planning obligation under s.106 of The Town and Country Planning Act 1990, to fund the construction of the new link road in three phases linked to construction, sales and occupancy of dwellings at 150, 300, 425 dwelling trigger points. The trigger points set allow the developer to raise funds for the construction of each phase from housing sales achieved.

13. The three phases are:

1. Cropper Road/School Road roundabout to Annas road;
2. Annas Road up to where it meets the east-west road at a new roundabout (Moss Sluice);
3. East west roundabout (Moss Sluice) to previously upgraded road (Lytham St. Anne's Way)

Current estimates indicate the total cost of the whole link road to be £16.8m and that these three phases would be complete around 2024 (based on predicted build out rates).

14. The first phase would be the construction of a new section of road to replace the section of the damaged moss road which would then link back to the remaining moss road. This means the link to the M55 could in theory be reopened by 2020 although still requiring use of a substantial section of single track moss road which would have a weight and width restriction.

15. Whilst Lancashire County Council is willing to budget the estimated £1.7m required to replace the section of damaged moss road sooner, many consider this to be poor value for money if a solution can be sought to achieve an acceleration of the new link road.

OPTION TO ACCELERATE CONSTRUCTION OF LINK ROAD

16. The Council has been involved in talks with the developer Kensington Developments Ltd, Lancashire County Council (Highways) and the Local Enterprise Partnership (LEP) to investigate options for securing early construction of the new link road.

17. During 2015 an expression of interest was submitted through the LEP for central government Growth Deal ¹funding towards the construction of the new link road. The sum of £1.98m of Growth Deal grant was allocated by the LEP subject to full business case evaluation. The bid assumed that a further £2m 'local contribution' would be sourced locally as match funding.

18. Since then talks have explored a number of options using a combination of £1.98m Growth Deal funding, £1.7m contribution from LCC in lieu of repairing the damaged moss road, £0.425m from previous s.106 agreements, a yet to be defined £2m 'local contribution' and the remainder from the developer in the form of loans secured ahead of achieving house sales.

19. The developer in this scenario would take out a loan to enable delivery of the first phase of the road allowing for the damaged section of moss road to be bypassed and the link reopened. Construction of the second phase would however be linked to the sale/occupation of 150 dwellings which could take at least three years to deliver and possibly longer. Although this scenario accelerates a start on the project it doesn't guarantee completion with any certainty.

20. Recently another potential source of funding for the road has been identified through Highways England under their Growth and Housing fund. An expression of interest was submitted by LCC for a grant of up to £4m. Initial feedback from Highways England has been positive as it has been modelled that acceleration of the new link road to connect with junction 4 of the M55 would help

¹ Growth Deals provide funds to local enterprise partnerships or LEPs (partnerships between local authorities and businesses) for projects that benefit the local area and economy

reduce congestion on and around junction 3 of the M55 with a reduction in traffic along the A585 through Wesham and Kirkham and also through Ballam/Wrea Green to reach Lytham.

21. Whilst an announcement is expected shortly on the outcome of the application to Highways England discussions have taken place to examine different scenarios to accelerate construction of the new link road.
22. The objective is to secure grant funding, local contributions and up front loans taken by the developer to construct a replacement road as a single project completed as soon as possible. To wait for build out rates and market sales of houses will take in excess of 10 years during which time economic opportunities would be lost and considerable barriers to residents, visitors and workers to the borough.

BENEFITS OF DELIVERING AN ACCELERATED NEW LINK ROAD TO THE M55

23. The advantage of a new road delivered in one contract, achieving certainty of delivery and maximising efficiencies in the letting of the contract include:
 - Reducing congestion on all major roads in St Anne's/Queensway as drivers would travel a more direct route to reach the M55.
 - Reducing congestion on roads in Wesham, Kirkham, Ballam and Wrea Green as more traffic would use junction 4 instead of junction 3 to access Lytham.
 - Generating economic activity and growth by unlocking development potential for over 1,150 new homes, and also enhancing the ability of the council to resist pressure to build homes elsewhere?
 - Unlocking previously dormant employment sites to encourage inward investment and create jobs.
 - Providing a strategic link between the main housing (Lytham St Anne's) and employment (Whitehills/Whyndyke/Blackpool Periphery) areas in the borough which has been a stated aim of Fylde Council in a series of key policy documents for many years.
 - Provide the infrastructure to facilitate the provision of public transport and cycle links between these strategic areas to promote sustainable transport.
 - Support growth that will promote accelerated prosperity for the borough and secure more sustainable long term ongoing revenue for the council through business rate growth retention.

LOCAL CONTRIBUTION

24. A local contribution towards the project was part of the original Growth Deal submission and the LEP has asked if Fylde Council would provide a local contribution. The benefit of this for Fylde is considerable including; the reduction of congestion; improving the quality of life through traffic easement; promoting economic activity and growth; and opening up development of over 1,150 properties which would help achieve a number of the council's agreed corporate aims and objectives. The council has responsibility for promoting economic development, regeneration, housing, quality of life, wellbeing and job growth and a local contribution would be consistent with these priorities.
25. A local contribution of up to £2m was identified within the Growth Deal submission, although it was not stated where this contribution should come from, it is the responsibility of the partners to identify this in order to secure the Growth Deal funding. It has been stated throughout the discussions over the Growth Deal that Fylde cannot guarantee any contribution. However consideration of the responsibilities the council has for economic development and growth, the financial value of unlocking developments alongside the M55 Link Road as well as the ongoing

traffic problems for residents and visitors, indicate a strong case to support the council making a local contribution that will help secure the Growth Deal funding (LEP), the Highways England grant and a contribution from LCC.

26. Lancashire County Council, not Fylde Council, is the highways authority and has the lead responsibility for maintenance and development of the local highway network. It therefore not considered appropriate or realistic for Fylde to contribute the whole of the required £2 million. However in order to leverage the other funding and secure an early solution that will deliver a new road in a single project as soon as possible, bringing the benefits set out earlier in the report, it is recommended that Fylde contributes up to £1 million. This figure is a considerable amount from Fylde Council but is appropriate and manageable to achieve the benefits early construction would achieve and in line with the responsibilities of the district council.

FINANCIAL CONSIDERATIONS

27. The Council held for some time a number of contributions made over several years from previous developments at Whitehills made by Kensington Developments Ltd towards the cost of the link road. These total £424,765.02 and were payable on request by the landowner of the link road (which is also Kensington Developments Ltd.). A request was received in April and the payment made to LCC (with the agreement of Kensington Developments Ltd.) which will fund the design and letting of the contract to construct the link road.

28. It is recommended that if Members agree to the principle of Fylde Council making a contribution of up to £1m towards the cost of the construction of the new link road that this sum be accumulated within a specific 'M55 Link-road Reserve'.

29. The Finance and Democracy Committee at its meeting on 20th June approved the 2015/16 financial outturn report which included the transfer of £196k to the Capital Investment Reserve. In recent years the Council has made good progress in funding a number of projects and currently has an active capital programme across all the programme committees. In order to give focus to delivery of the new M55 link road Members are now requested to approve the transfer of the sum of £196k from the Capital Investment Reserve into the M55 Link-road Reserve.

30. The Council is requested to note that that officers will investigate further funding opportunities to add to the level of monies held within the M55 Link-road Reserve, including the achievement of additional income/savings from budget right-sizing exercises, which could be considered for potential transfer into the reserve. In order to assist in the accumulation of the required level of funding it is recommended that, for the next few years, the Councils programme committees be instructed to consider new capital schemes only where they are urgently required for health and safety reasons or where there is strong business case to protect/enhance existing revenue or create a revenue income stream.

31. Discussions to secure an agreement have benefitted from the input of the Leader and Deputy Leader along with the MP. It is proposed that the discussions continue with Council approval to commit a contribution of up to £1m from Fylde to secure accelerated construction of the new link road.

32. In committing any financial support it is recommended that certain terms are agreed. These could include:

- The grant made by Fylde Council is to achieve an accelerated construction and delivery of the M55 Link Road significantly in advance of that linked to the delivery of the Queensway housing development. (*A specific detailed project timetable should be agreed and referred to that sets out this objective*).
- The grant made by Fylde Council requires all parties to the project to use their best endeavours to ensure delivery of the M55 Link Road and reserves the right to reduce or

withdraw its contribution if it believes that any party has not done so. *(This may be difficult to objectively measure and judge).*

- The grant is payable on the basis of appropriate contributions from other partners *(which would specified).*
- The offer of a grant from Fylde Council may be reduced or removed if the contributions from other partners are reduced either through a reduction in the cost of the overall project or if any application for additional grant funding towards the project is successful
- The contribution from Fylde Council must be acknowledged where appropriate in all publicity that refers to how the funding of the M55 Link Road is made up

33. It is proposed that the above terms form the basis of an agreement with the different parties to protect the council's investment. Specialist legal and other advice may be required to ensure that any agreement protects the council's interests to the maximum possible extent.

IMPLICATIONS	
Finance	<p>This report details the option for Fylde Council to make a financial contribution towards the construction of a new purpose built link road from Lytham St Anne's to the M55 (junction 4).</p> <p>The report requests that the Council:</p> <ol style="list-style-type: none"> 1. approve the establishment of a specific 'M55 Link-road Reserve' to meet the cost of any financial contribution from the Council towards the cost of construction; 2. approve the transfer of £196k from the Capital Investment Reserve into the M55 Link-road Reserve; 3. request that officers investigate further funding opportunities, including the achievement of additional income/savings from budget right-sizing exercises which could be considered for potential transfer into the M55 Link-road Reserve; 4. approve an 'in principle' contribution of up to £1m towards the cost of construction of the M55 link road up to 2019, with a further report detailing how the remainder of the required contribution may be identified; 5. approve an addition to the capital programme for 2016/17 in the sum of £424,765.02, which has been met in full from the balance of S106 developer contributions for construction of the link road held by the Council for this purpose in the same sum.
Legal	<p>The contribution would be made under the council's power of general competence under section 1 of the Localism Act 2011, and in pursuance of the council's powers to promote the economic development of its area. Nevertheless, it is necessary to consider whether the proposed public sector contributions (including the council's proposed contribution) might amount to state aid, which is subject to strict control under EU law.</p>

	<p>The existing position is that Kensington is obliged to build the road as and when certain trigger points are met. Those trigger points are within the control of Kensington, as they depend on the build-out of houses on its Queensway development. If the development does not reach the final trigger point, the road would not be completed.</p> <p>The financial effect on Kensington of the proposed public sector contributions to the building of the road is that certain costs which (if the relevant trigger points are met) would be borne by Kensington, would instead be paid by the public sector. These would need to be set against the costs to Kensington of early financing of the initial construction costs, which would otherwise be met by receipts from the sale of houses on the Queensway development.</p> <p>If Kensington would obtain a material financial benefit, it would be wise, should members accept the recommendations in the report, to obtain specialist advice on whether state aid rules would be engaged by the proposed public sector contributions</p>
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	TEL	DATE	DOC ID
Councillor Sue Fazackerley		June 2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Fylde Coast Highways and Transport Masterplan	July 2015	http://www.lancashire.gov.uk/council/strategies-policies-plans/roads-parking-and-travel/highways-and-transport-masterplans/fylde-coast-highways-and-transport-masterplan.aspx

Attached Documents - none

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	COUNCIL	4 JULY 2016	8
REQUEST FOR A FULLY FUNDED CAPITAL BUDGET INCREASE IN 2016/17 TO THE HEADLANDS PRELIMINARY WORKS SCHEME			

PUBLIC ITEM

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

SUMMARY

The report seeks approval for a fully funded capital budget increase to the existing capital scheme for Headlands Preliminary Works (relating to the Fairhaven and Church Scar Coast Protection Scheme) in 2016/17 to be met by an additional grant from the Environment Agency for this purpose.

RECOMMENDATIONS

To approve:

1. a fully funded capital budget increase to the existing capital scheme for Headlands Preliminary Works (relating to the Fairhaven and Church Scar Coast Protection Scheme) in the sum of £95,000 in 2016/17 to be met by an additional grant from the Environment Agency for this purpose;
2. the engagement of the Coastal defence team at a cost of £20,000 to undertake preliminary design and project management of the additional studies and approvals process, to be funded from the Environment Agency grant for the development of a Strategic Headland Study;
3. the engagement of VBA in relation to the Headlands Preliminary Works scheme at a cost of £47,000 to carry out the Environmental Impact Assessment and Appropriate Assessment; and
4. the approach to commission/engage other surveys/consultants on a price to quality basis to deliver the remaining elements as detailed in the report using the council's small and medium contract rules and procedures, to be funded from the Environment Agency grant for the development of a Strategic Headland Study.

SUMMARY OF PREVIOUS DECISIONS

Operational Management Committee 24th November 2015

1. To note the progress with respect to the Fairhaven and Church Scar coast protection scheme,
2. To approve that an application be made to the Environment Agency for an advance payment of part of the grant in the sum of £95,000, this to provide funding for a range of preliminary works relating to the scheme in 2015/16, and that phasing of the funding and expenditure for this scheme within the Council's approved capital programme would be amended accordingly,
3. To approve the use of Lot 4 of the Water and Environment Management (WEM) Framework for the procurement of the design and construction of the Fairhaven and Church Scar coast protection

scheme,

4. To note that due to the localised needs and benefits arising from the project:

a. the main project coordination and delivery role should, subject to agreement on the recovery of costs, be undertaken using the experienced coastal defence team at Blackpool Council, and

b. that a Memoranda of Understanding be prepared and entered into with Blackpool Council to cover the provision of coordination and delivery of the project.

Cabinet 15th January 2014

1. To approve additions to the Councils approved Capital Programme for 2013/14 of £35,000 and for 2014/15 of £140,000 (a total addition in the sum of £175,000) for a Strategic Headland Study to be fully-funded by a grant from the Environment Agency of an equivalent amount;

2. To approve the engagement of the Coastal defence team at a cost of £10,000 to project manage the preparation of the strategic headland studies and production of a project appraisal report, to be funded from the Environment Agency grant for the development of a Strategic Headland Study;

3. To note the use of the Environment Agency WEM framework for the selection of a consultant to prepare the Strategic Headlands Study and project appraisal report, and waives or varies the Council's contract procedure rules to allow the project to proceed on that basis;

4. To approve the engagement of Halcro at a cost of £54,759 to carry out the Headlands studies, to be funded from the Environment Agency grant for the development of a Strategic Headland Study

5. To approve the approach to engage consultants on a price to quality basis to deliver the site investigation, construction design and management, topographical surveys and undertake consultations at a total project cost of £110,000 using the council's small and medium contract rules and procedures, to be funded from the Environment Agency grant for the development of a Strategic Headland Study;

6. To approve the entering into of Memoranda of Understanding for the Strategic Headlands Study and the Starr Hills Environmental Improvement Project.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

BACKGROUND

1. Fylde Borough Council is undertaking the Fairhaven and Church Scar Coast Defence Scheme to reconstruct these seawalls to prevent any breach, at an estimated cost of circa £19.8m. The Environment Agency has approved the Project Appraisal Report (PAR) which subject to final assessments/approvals will grant £19.4m towards the project with £400k being met from Fylde Council as part of the agreed capital programme.

2. The Operational Management Committee on the 24th November 2015 considered a report which approved an application to be made to the Environment Agency for an advance payment of part of the Fairhaven and Church Scar Coast Protection Scheme capital grant in the sum of £95,000. This was to provide funding for a range of pre-construction studies relating to the scheme including obtaining planning permission and the Marine Management Organisation (MMO) licence.
3. The application was prepared and submitted and was proposed to be an advance payment of the overall grant which is in the capital programme and if granted would have required a re-phasing of the capital spend profile. However the EA grant of £95,000 which has just been announced is additional money and not part of the previous total scheme estimate.
4. In accordance with financial regulations members must approve this additional expenditure in order to allow expenditure to be made. This would normally be considered by the Operational Management Committee to approve this additional expenditure and request that the Finance and Democracy Committee approve a funded budget increase to the capital programme.
5. The next planned meeting of both committees is not until 13/26 September and there is some urgency to make progress with the project in the meantime. As a result this report to council seeks both these approvals.

SCHEME DETAILS

6. The PAR for the Fairhaven to Church Scar Coast Defence Scheme has been presented to the Large Projects Review Group at the Environment Agency and all outstanding issues have been satisfied. However a formal request for grant cannot be submitted until an Environmental Impact Assessment (EIA) and Appropriate Assessments (AA) have been undertaken and the findings agreed by the MMO and Natural England respectively.
7. The required extended works include overwintering bird surveys, a contract to the selected WEM Lot 4 supplier for the EIA, AA, and other items such as Ecological Impact Assessments.

VALUE FOR MONEY AND PROCUREMENT

8. Project Management/ Preliminary Design will be overseen by the established Fylde Peninsula Coastal Programme Board and delivered by the Coastal Programme Team with this estimated at £20k.
9. In addition to this it is recognised that there will be additional staff and consultation costs to undertake liaison with Natural England and ensure that the findings of the Environmental Impact Assessment and Appropriate Assessment are agreed. In addition there will need to be additional consultation and liaison with the MMO. A figure of £10k has been included for these.
10. In order to complete the Environmental Impact Assessment and Appropriate Assessment more detailed monitoring of overwintering bird populations is required. The frontage is internationally designated for its overwintering birds. There is currently broad bird counts and data relating to bird populations on the frontage. However these are not currently recorded on a spatial scale that allows the exact geographic position of populations to be determined and detailed surveys are required in order to implement appropriate mitigation measures during construction to prevent disturbance to the bird populations. It is estimated that the survey work will be circa £10k.
11. The previous report to Operational Management Committee approved the use of use of Lot 4 of the Water and Environment Management (WEM) Framework for the procurement of the design and construction of the Fairhaven and Church Scar coast protection scheme. This framework has been used for the procurement of a consultant to undertake the EIA and AA and the lowest quote has been received from VBA (Volker Stevin, Boskalis Westminster and Atkins joint venture) in the sum of £47k.

12.Planning costs are estimated at £3k, with a suggested contingency of £5k to allow for additional survey/design work.

13.A breakdown of costs is shown below:

Project Management by Coastal Team	£20k
Liaison with Natural England and MMO approval.	£10k
Overwintering Bird Surveys	£10k
Preliminary Design, Environmental Impact Assessment and Appropriate Assessment by VBA	£47k
Outline planning approval	£3K
Contingency (survey/design)	£5k
Total	£95k

FINANCING THE SCHEME

14.These additional elements of the scheme will be fully funded by a grant in the sum of £95,000 from the Environment Agency and will be delivered in 2016/17.

RISKS ASSOCIATED WITH THE SCHEME

15.The coastal defence project is regularly monitored as part of the established Fylde Peninsula Coastal Programme which includes monitoring of the risks. Risks relating specifically to this stage will be added to the risk register and discussed and mitigated accordingly.

16.There is a risk that the findings of the Environmental Impact Assessment and Appropriate Assessment are not agreed by the MMO and Natural England respectively. This will be mitigated through early engagement with the MMO and Natural England, ensuring that the scope of the assessments is fit for purpose. In addition they will be regularly updated to ensure agreement early on.

FUTURE REPORTING

17.A progress report is to be prepared for the September meeting of the Operational Management Committee to give members an update on the wider project and likely timescales for the main construction project.

IMPLICATIONS	
Finance	This report seeks approval for an addition to the Councils approved Capital Programme for 2016/17 of £95,000 for the Fairhaven and Church Scar Coast Protection Scheme to be fully-funded by a grant from the Environment Agency of an equivalent amount. The report also seeks approval for the expenditure of that total sum to fund the progression of the remaining pre-construction studies and approvals for the Fairhaven and Church Scar Coast Protection Scheme, as detailed within the report.
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	TEL	DATE	DOC ID
Paul Walker	01253 658431	21 June 2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Report and minutes – Operational Management Committee - Fairhaven and Church Scar Coast Protection Scheme procurement	24 ^h Nov 2015	https://fylde.cmis.uk.com/fylde/MeetingsCalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/96/Committee/16/Default.aspx

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	COUNCIL	4 JULY 2016	9
REQUEST FOR A FULLY FUNDED CAPITAL BUDGET INCREASE IN 2016/17 TO DELIVER DISABLED FACILITIES GRANTS			

PUBLIC ITEM

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

SUMMARY

Environmental, Health and Housing Committee on the 5th January 2016 agreed a review of the delivery of the Disabled Facilities Grant to improve effectiveness and members were appointed to the DFG Working Group. The purpose of the DFG Working Group was to review the practices and procedures of the administration of the Disabled Facilities Grant.

The Environmental, Health and Housing Committee on 7th June 2016 agreed the conclusions and recommendations of the review. Two of those recommendations were to request that Council approve a fully funded capital budget increase to deliver additional disabled facilities grants in 2016/17 and a fully funded revenue budget increase for additional staffing resources.

RECOMMENDATIONS

To approve:

1. a fully funded capital budget increase of £380,621 for the DFG Capital Scheme in 2016/17 due to an increased DFG allocation via the Better Care Fund.
2. a fully funded revenue budget increase of £15,000 in 2016/17 for additional staffing resources to be met from the additional DFG revenue fee income that will result from the additional capital funding estimated to be the same amount.

SUMMARY OF PREVIOUS DECISIONS

Minutes of Environmental, Health and Housing Committee 5th January 2016

It was therefore RESOLVED

1. To note the report and to endorse a review of the delivery of the Disabled Facilities Grant to improve effectiveness;
2. To appoint the following members to the Disabled Facilities Grant Working Group – Councillors Ben Aitken, Viv Willder, Richard Taylor, Maxine Chew, and Heather Speak, with a recommendation to the Finance and Democracy committee that Councillor Karen Buckley be appointed to the Working Group; and
3. That the report and recommendations of that Working Group be reported back to the both the Environment, Health and Housing committee and the Finance and Democracy Committee upon its

conclusion for due consideration.

Minutes of Environmental, Health and Housing Committee 7th June 2016

Following detailed consideration of this matter it was RESOLVED:

1. To note the contents of the report and conclusions and recommendations from the DFG Working Group as set out in section 15 of the report.
2. That annual monitoring of the outcomes of the review is undertaken by the committee to ensure the service is operating effectively
3. To recommend to full Council a fully funded Capital Budget Increase of £380,621 for the DFG Capital Scheme in 2016/17 due to an increased DFG allocation via the Better Care Fund.
4. To recommend to full Council a fully funded revenue budget increase of £15,000 in 2016/17 for additional staffing resources to be met from the additional DFG revenue fee income that will result from the additional capital funding estimated to be the same amount.
5. That in light of the comments of the working group, the targets relating to PM97a and PM97b be removed and presented as a situation/monitoring report in the future.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

BACKGROUND

1. A Disabled Facilities Grant (DFG) is made available to help meet the costs of necessary adaptations to the homes of disabled people. The provision of a DFG is a statutory requirement and a disabled person has a right to make an application for assistance. The council has a statutory duty to approve, subject to a means test of the applicant, all valid applications.
2. The Environment, Health and Housing Committee undertook a complete review of how the council discharges its duty in the provision of DFGs and considered a report at its meeting on 7th June 2016.
3. The committee made a number of recommendations which are available within the report/minutes which is available on the [council's website](#).
4. Funding for DFG's is via the 'The Better Care Fund'. The fund was announced in June 2013 to drive the transformation of local services to ensure that people receive better and more integrated care and support. The fund will consist of at least £3.8 billion to be deployed locally on health and social care through pooled budget arrangements between local authorities and Clinical Commissioning Groups.
5. Lancashire's Better Care Fund (BCF) plan includes improvements that will reduce unnecessary hospital admissions, provide better care for people in their community when they are discharged from hospital, improve end of life care and cut down the amount of paperwork people need to fill in when accessing health and social services.

6. For 2016/17 the BCF will provide £848,621 for the delivery of DFG's in Fylde. Previous funding for 2015/16 was £468,000.
7. The key recommendations made by the Environmental, Health and Housing Committee on the 7th June were:
 - I. to formally express concerns to Lancashire County Council as to the unacceptable delays in the assessment of applicants by the occupational therapist service and that plans to reinvest in additional staffing resources are introduced as soon as possible. Councillor representatives on the Fylde and Wyre Health and Wellbeing Board and the Lancashire Health and Wellbeing Board to also raise these concerns at the earliest opportunity
 - II. that Lancashire County Council consider the urgent introduction of a self-assessment tool to enable anyone enquiring of a disabled facilities grant to be able to self assess themselves financially so they decide at the earliest stage whether they may qualify for assistance for a DFG
 - III. that early consideration is given to the DFG function being audited again soon so as to provide assurance that the service is operating as efficiently as possible to maximise the resources allocated
 - IV. that all key processes within the DFG function are examined and assessed by the council's Time Lean team so as to ensure the service is operating as efficiently as possible to maximise the resources allocated
 - V. that further work is undertaken to establish how Fylde compares with average prices for adaptations across Lancashire and in doing so understand where any commissioning efficiencies can be achieved
 - VI. an annual monitoring report is produced and considered by the Environment, Health and Housing Committee.
8. The working group and committee were pleased that the council's DFG allocation via the Better Care Fund had increased significantly from £468,000 to £848,621. The council's budget for 2016/17 contains provision for the original figure of £468,000 as the final grant settlement was not known at the time the budget was set. Accordingly the committee recommended to Council a fully funded capital budget increase of £380,621 for the DFG Capital Scheme in 2016/17 due to an increased DFG allocation via the Better Care Fund. To cover the Council's costs in the management of the DFG works the Council retains a 10% management fee in respect of each scheme. The approved income budget for these services in 2016/17 is £35,000.
9. As additional applications are processed by the Occupational Therapist Service it will increase the workload for the housing team to process and manage additional adaptations, beyond the current resource allocated. As a result it will be necessary to employ an additional resource on a flexible basis from within the agreed 10% management fee charged. For this a fully funded revenue budget increase of £15,000 in 2016/17 for additional staffing resources is proposed to be met from the additional DFG revenue fee income that will result from the additional capital funding estimated. If approved this would result in a revised income budget for 2016/17 for the administration of DFGs of £50,000.
10. Given the size of the grant increase the working group looked forward to the length of time applicants waiting for a grant to reduce significantly, although noted this will be influenced by the capacity of the Occupational Therapist Service in swiftly processing and assessing cases. Until the Occupational Therapist Service can increase the throughput of applicants and the housing service can process and award these additional grants there is a possibility that some of the additional capital budget of £380,621 for 2016/17 may remain unspent by the end of the financial year. Regular monitoring of budgets will monitor this and report through reviews of the MTFS.

IMPLICATIONS	
Finance	<p>This report sets out the key recommendations of the DFG Working Group and presents two financial recommendations made by Environment, Health and Housing Committee to Council:</p> <p>3. To recommend to full Council a fully funded Capital Budget Increase of £380,621 for the DFG Capital Scheme in 2016/17 due to an increased DFG allocation via the Better Care Fund.</p> <p>4. To recommend to full Council a fully funded revenue budget increase of £15,000 in 2016/17 for additional staffing resources to be met from the additional DFG revenue fee income that will result from the additional capital funding estimated to be the same amount.</p>
Legal	The legal implications are set out at the start of the report
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	TEL	DATE	DOC ID
Kirstine Riding	01253 658569	18/05/2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Report and minutes – Environment, Health and Housing Committee - Disabled Facilities Grant Task and Finish Group	7 th June 2016	https://fylde.cmis.uk.com/fylde/MeetingsCalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/901/Committee/19/Default.aspx

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	COUNCIL	4 JULY 2016	10
APPROVAL FOR S106 FUNDED SCHEME FROM THE AFFORDABLE HOUSING PROJECT - SUNNYBANK MILL, KIRKHAM			

PUBLIC ITEM

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

SUMMARY

This report provides details of an affordable housing scheme at Sunnybank Mill, Kirkham and recommends inclusion to the Capital Programme in 2016/17 and 2017/18 to be fully funded from a portion of the balance of S106 developer contributions for affordable housing currently held by the Council for this purpose. The Environmental, Health and Housing Committee on 7th June 2016 agreed the scheme and request to Council the inclusion of a fully funded addition to the Capital Programme to deliver the scheme.

RECOMMENDATIONS

To approve:

- 1) A fully funded addition to the Capital Programme - "Affordable Housing Scheme Sunnybank Mill, Kirkham" phased over two financial years (2016/17 and 2017/18) to be met from a portion of the balance of S106 developer contributions for affordable housing currently held by the Council for this purpose totalling £865,155.44, and a further £54,844.56 when funds become available. Totalling £920,000 and detailed as follows:
 - i) A total capital grant contribution of £865,155.44, and a further £54,844.56 when funds become available to deliver 23 units for affordable rent at Sunnybank Mill, Kirkham payable to ForViva Housing Association (£460,000 payable in 2016/17 and £460,000 payable in 2017/18).
- 2) And, to authorise the required expenditure for the two capital grant payments (£920,000 in total - £460,000 payable in 2016/17 and £460,000 payable in 2017/18) to ForViva Housing Association after regard and consideration of the compliance with the financial regulations covered within the body of the report.

SUMMARY OF PREVIOUS DECISIONS

Minutes of Cabinet, 26th November 2014

1. To approve the use of S106 monies to facilitate the appointment of the temporary project officer/consultant on the terms outlined in the report;
2. To approve the appointment of a temporary project officer/consultant for a maximum period of 6 months to produce a deliverable S106 funded Affordable Housing Programme for the Borough; and
3. To approve a fully- funded revenue budget increase for the total sum of £25,000 (£16,000 in

2014/15 and £9,000 in 2015/16) to fund the costs of the temporary project officer/consultant for a maximum period of 6 months to be met from the S106 Affordable Housing receipts in respect of the agreements as identified at Appendix 2 of the report.

Minutes of Environmental, Health and Housing Committee 7th June 2016

After full consideration it was RESOLVED to recommend to full Council:

1. A fully funded addition to the Capital Programme - “Affordable Housing Scheme Sunnybank Mill, Kirkham” phased over two financial years (2016/17 and 2017/18) to be met from a portion of the balance of S106 developer contributions for affordable housing currently held by the Council for this purpose totalling £865,155.44, and a further £54,844.56 when funds become available. Totalling £920,000 and detailed as follows:
 - i) A total capital grant contribution of £865,155.44, and a further £54,844.56 when funds become available to deliver 23 units for affordable rent at Sunnybank Mill, Kirkham payable to ForViva Housing Association (£460,000 payable in 2016/17 and £460,000 payable in 2017/18) and;
2. To authorise the required expenditure for the two capital grant payments (£920,000 in total - £460,000 payable in 2016/17 and £460,000 payable in 2017/18) to ForViva Housing Association after regard and consideration of the compliance with the financial regulations covered within the body of the report.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	√
Working with all partners (Vibrant Economy)	√
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

REPORT

BACKGROUND

1. Members had previously approved the temporary appointment of an external housing consultant, specifically to identify affordable housing development opportunities within Fylde. These opportunities were to be worked up to an advanced stage and specific RSL partners engaged to deliver the projects. These would be available to meet Housing Need within the Borough with a priority being given to schemes within Lytham St Annes.
2. This project sought to enable affordable homes to be delivered which would be grant funded using existing S106 fund reserves of circa £2.4m.
3. In addition to the S106 funds currently held, a further £963,991 in Affordable Housing S106 funds is currently ‘in the pipeline’ awaiting invoice to developers. These relate to private housing schemes across the Borough currently under construction where payments have been agreed as a condition of Planning in lieu of Affordable Housing being provided ‘on-site’. These are subject to completed legally binding S106 Agreements and await invoice by the Council, once development triggers have been reached.

4. S106 funds arise where developers may be required to make 'off-site' affordable housing provision in lieu of provision 'on-site'. This is normally achieved by S106 fund contributions towards the provision of affordable homes in areas of higher need. S106 funds may be used to meet all the Affordable housing required or part of the total required with some being delivered on site. Additionally, in the early stages of a large scale development, S106 funds may be taken in lieu, until infrastructure is put in place as the development progresses i.e. schools, roads, shops and transport links.
5. The proposed development opportunity at Sunnybank Mill, Kirkham has been identified and detailed scheme worked up. The scheme is considered to be achievable with land available; a Housing Association has been identified willing to commit to developing the site and a scheme design worked up ready to be submitted to Planning subject to funding being confirmed.
6. The project has specifically sought to identify 'Brownfield' development opportunities in order to make best use of available land resources and achieve localised regeneration as well as providing low cost homes for local people.
7. Off-site grant rates per unit are £50,000 provided by the developer, and this amount is then recycled into affordable housing projects at a grant rate of up to £50,000 per unit. This request is for £40,000 per unit, therefore is below the normal grant rate.

SUNNYBANK MILL, KIRKHAM - SCHEME DETAILS

GRANT REQUIREMENT £920,000

8. This new build housing scheme would provide a mix of 13 two and three bed family houses (7 two bed and 6 three bed) and 10 two bedroom apartments for affordable rent. Sunnybank Mill is a relatively poor quality former textile mill, which has been for sale for a number of years. The premises previously failed to sell at auction. It is situated between a small light industrial estate and smaller low cost Victorian terraced housing.
9. ForViva HA working with local contractor RP Tyson to acquire the site and deliver the scheme. The scheme would require £920,000 in S106 grant subsidy of £40,000 per unit which compares very favourably with other recent and pipeline S106 grant funded schemes. Average grant rate is £10k per unit less than typical S106 payments made by developers per unit in lieu of providing affordable housing on private sector developments.
10. The Fylde Coast Strategic Housing Market Assessment 2014¹ places Kirkham/Wesham & Freckleton/Warton as having a current total housing need of 34, the second highest level within the borough, with Lytham and St Annes being 82.
11. Current S106 funding for Affordable Housing schemes outside of Lytham St Annes totals £865,155.44,
12. The proposal, in addition to providing much needed affordable homes, would locally regenerate this part of Kirkham. The scheme is ideally located close to all local facilities and served by excellent public transport links.
13. Local contractors RP Tyson Construction have secured an option to purchase the site from its current owners, with ForViva Housing, a recent addition to the Fylde RSL Partnership, to deliver the scheme and manage the accommodation. As with the previous schemes, all homes would be available only to applicants with a strictly controlled local connection.

¹ Fylde Coast Strategic Housing Market Assessment 201, page 143, <http://www.fylde.gov.uk/council/planning-policy--local-plan-/local-development-framework/evidence-base/fylde-coast-strategic-housing-market-assessment/>

14. It is intended that the scheme would use local labour, local contractors and consultants to contribute to the local economy of Fylde.
15. A proposed scheme lay-out plan and elevations is attached at Appendix 1.
16. A consultation event was held on the 15th June 2016 with the local community and local Councillor's. Croft Goode Architects, ForViva Housing Association, Tyson Construction and Fylde BC were in attendance to talk residents through the scheme and gather their views and concerns regarding the scheme.

A COST BREAKDOWN OF THE SCHEME

Cost Heading	Description	Net Figure (£)
Fylde BC S106 contributions	Scheme funded from Fylde BC S106 funds at a grant rate of £40,000 per unit.	£920,000
ForViva income streams	Borrowing capacity and rental income.	£1,905,640
Total Project Costs		£2,825,640

THE METHOD AND COST OF FINANCING THE SCHEME

17. The request is for Fylde BC S106 funds to fund the 23 unit scheme which equates to a grant rate of £40,000 per unit.
18. ForViva Housing Association have provided the following information on the method and cost of financing the scheme;

Our 30 year Business Plan including our full Development Programme (inclusive of this scheme) is funded through a number of income streams, the main ones being rental income from our 14,500 property portfolio and £130m loan facility. Our current £130m loan facility is on a syndicated basis with Barclays and RBS with the Business Plan being reviewed and approved on an annual basis.

The 30 year Business Plan is also submitted to the our regulator, the HCA, on an annual basis in order to asses our Financial Viability with our latest rating being the highest score of V1.

Sunnybank is a development of 7no 2 bed houses, 6no 3 bed homes and 10no 2 bed mews style apartments. The total cost of the scheme is £2,825,640.00, of which £40,000 per unit is being requested to be funded by the Local Authority and the remainder from the various income streams indicated above.

19. The scheme will be funded from the following development projects which provided S106 funds as 'off-site' provision of affordable housing contained in Appendix 2 of this report.

THE FUTURE REVENUE BUDGET IMPACT

20. There are no additional revenue implications to this proposal as the scheme on completion will be owned and managed by ForViva Housing Association. A S106 planning obligation will be in place, as a requirement of planning, to ensure the affordable housing will be available in perpetuity.

RELEVANT VALUE FOR MONEY ISSUES

21. Fylde BC receive off site grant rates of £50,000 per unit of affordable housing required on a site. Therefore the grant rate for affordable units delivered using S106 funds is up to £50,000 per

unit. This scheme requires a grant rate of £40,000 per unit which totals £920,000 for 23 units of affordable housing.

22. ForViva Housing Association will be investing £1,905,640 into the scheme.

RISK ASSESSMENT

23. Grant funding will be paid in two stages; 50% when the scheme is on site and 50% on completion. The risks associated with letting and managing the properties will be ForViva Housing Association responsibility.

24. An agreement for the payment of grant will be entered into to protect Fylde BC investment and ensure the properties remain as Affordable Housing in perpetuity.

25. The proposal is on a brownfield site and would locally regenerate this part of Kirkham. The scheme is ideally located close to all local facilities and served by excellent public transport links.

VIABLE ALTERNATIVES

26. Historically two other housing associations have shown interest in the site, but could not get the scheme to progress.

PROCUREMENT PATH (AND ANY DELEGATIONS AS REQUIRED)

Not applicable.

OBJECTIVES, OUTPUTS AND OUTCOMES

27. The S106 project specifically sought to:

- a. Identify 'Brownfield' development opportunities in order to make best use of available land resources and achieve localised regeneration as well as providing low cost homes for local people,
- b. develop an Affordable Housing Programme funded from existing and anticipated S106 monies held by the Council

28. This new build housing scheme would provide a mix of 13 two and three bed family houses and 10 two bedroom apartments for affordable rent.

29. The scheme is on a brownfield site, Sunnybank Mill in Kirkham. The site is a relatively poor quality former textile mill, which has been for sale for a number of years.

30. 'A great place to live'

- a. deliver housing that meet the need in all communities
- b. Ensure high standards of housing across all markets
- c. Approve development that enhances the community

DRAWINGS AND PLANS

See Appendix 1.

CONCLUSION

31. The scheme has been identified as a result of the S106 project and will provide 23 units of affordable housing on a brownfield site, formally a textile mill.

IMPLICATIONS	
Finance	<p>Council is requested to approve:</p> <p>1) A fully funded addition to the Capital Programme - “Affordable Housing Scheme Sunnybank Mill, Kirkham” phased over two financial years (2016/17 and 2017/18) to be met from a portion of the balance of S106 developer contributions for affordable housing currently held by the Council for this purpose totalling £865,155.44, and a further £54,844.56 when funds become available. Totalling £920,000 and detailed as follows:</p> <p>i) A total capital grant contribution of £865,155.44, and a further £54,844.56 when funds become available to deliver 23 units for affordable rent at Sunnybank Mill, Kirkham payable to ForViva Housing Association (£460,000 payable in 2016/17 and £460,000 payable in 2017/18).</p> <p>2) And, to authorise the required expenditure for the two capital grant payments (£920,000 in total - £460,000 payable in 2016/17 and £460,000 payable in 2017/18) of £920,000 to ForViva Housing Association after regard and consideration of the compliance with the financial regulations covered within the body of the report.</p>
Legal	S106 planning obligation when planning is sought that ensures properties remain as affordable housing in perpetuity. Agreement for the payment of grant.
Community Safety	None arising directly from this report
Human Rights and Equalities	None arising directly from this report
Sustainability and Environmental Impact	None arising directly from this report
Health & Safety and Risk Management	None arising directly from this report

LEAD AUTHOR	TEL	DATE	DOC ID
Kirstine Riding	01253 658569	18/05/16	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

Attached Documents

Appendix 1 - SunnyBank Mill Layout drawing

Appendix 2 - Development projects which provided S106 funds as ‘off-site’ provision of affordable housing

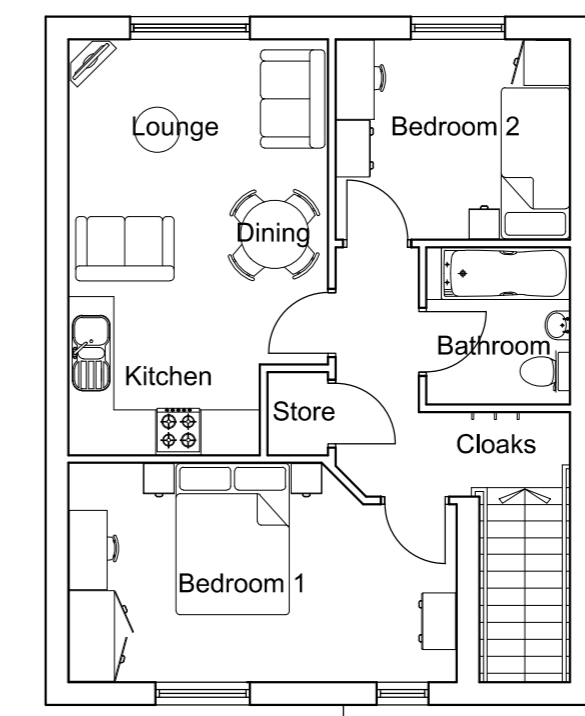


Position of the Site Boundary to the West needs clarification when access is available. To be checked on site.

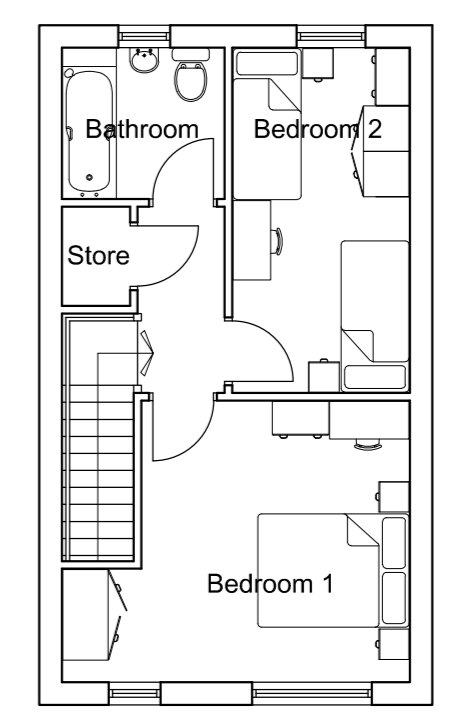
Area of Rear alley to be resurfaced = 305sq.m

Accommodation Schedule
 07No. 2b4p Houses (79sq.m)
 06No. 3b5p Houses (85sq.m)
 10No. 2b3p Apartments (56-60sq.m)
 Site Area 3550sq.m (0.355 hectares)

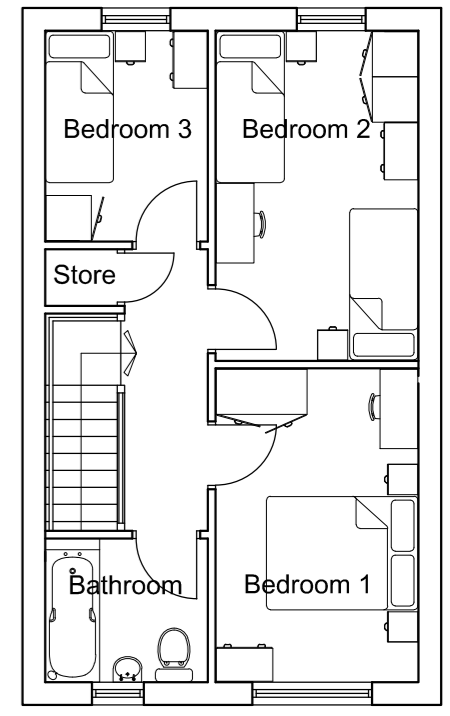
2b3p Apartment = 01No. Car Parking Space
 2b4p House Type = 01No. Car Parking Space
 3b5p House Type = 02No. Car Parking Spaces



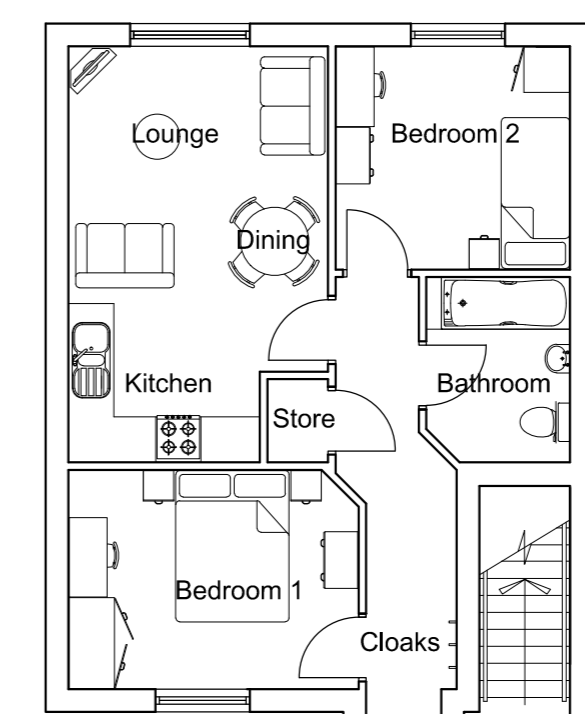
First Floor Plan
2b3p Flat (58sq.m)



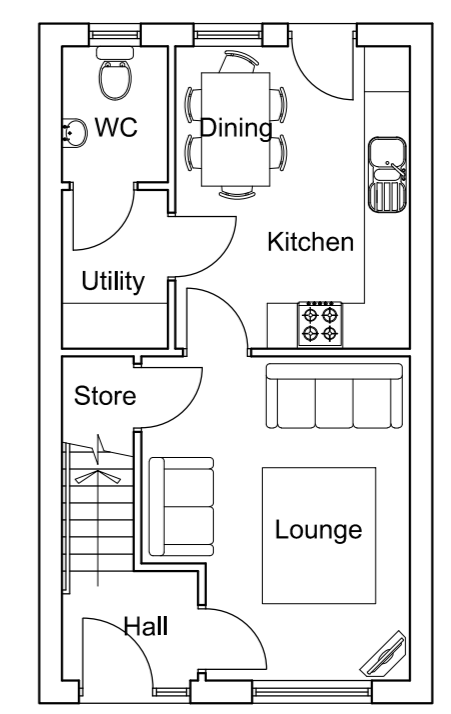
First Floor Plan
2b4p House



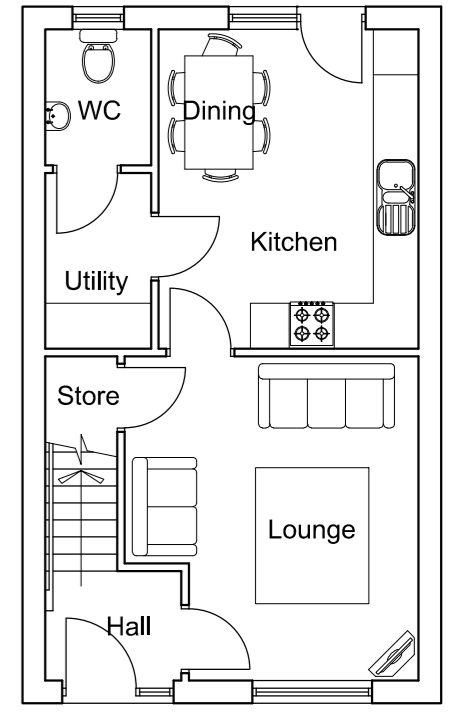
First Floor Plan
3b5p House



Ground Floor Plan
2b3p Flat (54sq.m)



Ground Floor Plan
2b4p House (77sq.m)



Ground Floor Plan
3b5p House (85sq.m)

D	Updated following Clients comments	06.01.16	SHW	-
C	Updated following Clients comments	15.12.15	SHW	-
B	Updated following Clients comments	01.06.15	SHW	-
A	Footprint sizes updated, layout endorsed onto Topographical Survey	23.01.15	SHW	-
rev	description	date	drawn	check



client
R P Tyson Construction Ltd

project
Sunny Bank Mill
Kirkham / Wesham
Lancs

drawing
Proposed Site Layout

file name
14-1980-SK01-Rev 0

drawing reference
14-1980-SK01

issue status
Feasibility

scale
1:250 @ A2

original by
SHW

checked by
-



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Appendix 2

Ward/Parish	Application Number/Location	Suggested for Kirkham AH project
Clifton	03/0288 Clifton House, South Park, Lytham	£9,986.00
Clifton	03/1128 Land Rugby Club, Blackpool Road, Lytham	£67,750.00
Ansdell	05/0658 Edenfield, 2a Clifton Drive, Lytham	£297,000.00
Clifton	09/0525 24 Station Road, Lytham	£8,400.00
Weeton	09/0661 Meadow View, Singleton Road, Weeton	£8,040.00
Weeton	09/0661 Meadow View, Singleton Road, Weeton	£2,750.00
Park	07/1225 17 Tuxford Road, St Annes	£600.00
Warton	09/0732 Eden Farm, Bryning Lane, Warton	£12,000.00
Freckleton	09/0034 Raikers Farm, 115 Kirkham Road, Freckleton	£3,200.00
Clifton	08/0635 45 East Beach, Lytham	£6,000.00
Ashton	07/0187 76 North Promenade, St Annes	£20,000.00
Lytham	09/0525 24 Station Road, Lytham	£3,700.00
Ashton	07/0187 76 North Promenade, St Annes	£10,000.00
Warton	10/0340 Land Tennyson Avenue, Warton	£27,400.00
Freckleton	09/0034 Raikers Farm, 115 Kirkham Road, Freckleton	£800.00
Freckleton	08/0124 11 Lytham Road, Freckleton	£1,700.00
Freckleton	07/935 Lamaleach Caravan Park, Freckleton	£6,408.44
Ashton	11/0312 Aldi Store, St.Annes	£97,940.00
St Leonards	08/0455 - Land Richards Way, Lytham st Annes	£7,500.00
Warton	10/0340 Land Tennyson Avenue, Warton	£5,600.00
Staining	13/0470 Jubilee Gardens, Staining	£50,000.00
Westby	12/0135 - Keepers Cottage/Meadow View, Bridge Farm, Ballam Road, Westby	£25,000.00
Elswick	08/0829 - Land at Elswick Trading Park	£140,000.00
Westby	13/0391 - land formerly Hollywood Nurseries, Westby	£50,000.00
Clifton	08/0242 – Land rear Woodville Terrace, Clifton	£3,381.00
Total collected		£865,155.44

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	COUNCIL	4 JULY 2016	11
COMMITTEE MEMBERSHIP NOMINATION			

PUBLIC ITEM

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

SUMMARY

The Liberal Democrat group has asked that Councillor Barker replace Councillor Ford on the Development Management Committee. The council is obliged to agree to the request.

RECOMMENDATION

To appoint Councillor Jan Barker as a member of the Development Management Committee in place of Councillor Tony Ford.

SUMMARY OF PREVIOUS DECISIONS

The annual meeting of the council in May 2016 allocated one seat on the Development Management Committee to the Liberal Democrat group and, at the request of the group, appointed Councillor Ford to that seat.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	√
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	
Promoting Fylde as a great destination to visit (A Great Place to Visit)	

REPORT

- Under the rules of political balance, one seat on the council's Development Management Committee is allocated to the Liberal Democrat group. The present nominee of the group is Councillor Tony Ford. The group has asked that Councillor Ford be replaced by Councillor Jan Barker.

2. The council is obliged to accept the nomination of the Liberal Democrat group¹ and accordingly is asked to appoint Councillor Barker to the Development Management Committee instead of Councillor Ford.

IMPLICATIONS	
Finance	None
Legal	The Local Government and Housing Act 1989 requires the council to give effect to the requests of political groups in making appointments to committee seats allocated to them.
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	TEL	DATE	DOC ID
Ian Curtis	01253 658506	15 June 2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

¹ Councillor Barker is not a member of the Liberal Democrat group, but the legislation does not require her to be a member of the nominating group.