

# Agenda

## Executive Committee

Date:	Tuesday, 5 March 2024 at 6:30 pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Karen Buckley (Chairman)          Councillor Richard Redcliffe (Vice-Chairman)</p> <p>Councillors Tim Armit, Peter Collins, Chris Dixon, Ellie Gaunt, Karen Henshaw JP, Matthew Lee, Michelle Morris, Ed Nash, Jayne Nixon, Tommy Threlfall.</p>

### Public Platform

To hear representations from members of the public in accordance with Article 15 of the Constitution.  
 To register to speak under Public Platform: see [Public Speaking at Council Meetings](#).

	PROCEDURAL ITEMS:	PAGE
1	<b>Declarations of Interest:</b> 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	<b>Substitute Members:</b> Details of any substitute members notified in accordance with council procedure rule 23(c).	1
3	<b>Confirmation of Minutes:</b> To confirm the minutes, as previously circulated, of the meeting held on 19 February 2024 as a correct record.	1
	<b>DECISION ITEMS:</b>	
4	<b>Council Tax and Business Rates Discretionary Discount Policy – 2024/25</b>	3 - 33
5	<b>Write-Off of Uncollectable Debts 2023/24</b>	To Follow
6	<b>Swimming Pool Support Fund – St Annes Pool</b>	35 - 40
7	<b>Fully Funded Revenue Budget Increase – Planning Skills Delivery Fund</b>	41 - 43
8	<b>Establishment of a Local Plan Member Steering Group</b>	44 - 47
9	<b>Local Lists of Heritage Assets - Warton &amp; Other Rural Areas</b>	48 - 57

<b>10</b>	<b>Proposal to Develop a Wyre and Fylde Building Control Shared Service</b>	<b>58 - 61</b>
<b>11</b>	<b>Improvements to Children’s Play Areas 2023/ 2024</b>	<b>62 - 76</b>

Contact: Katharine McDonnell - Telephone: (01253) 658550 – Email: [democracy@fylde.gov.uk](mailto:democracy@fylde.gov.uk)

The code of conduct for members can be found in the council’s constitution at  
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

**© Fylde Council copyright 2024**

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context.

The material must be acknowledged as Fylde Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at [www.fylde.gov.uk](http://www.fylde.gov.uk)  
Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to [listening@fylde.gov.uk](mailto:listening@fylde.gov.uk).

# DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF REVENUES AND BENEFITS SHARED SERVICE	EXECUTIVE COMMITTEE	5 MARCH 2024	4
<b>COUNCIL TAX AND BUSINESS RATES DISCRETIONARY DISCOUNT POLICY – 2024/25</b>			

## PUBLIC ITEM

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

### RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Finance and Resources, Councillor Gaunt.

### PURPOSE OF THE REPORT

Since the reform of Business Rates and Council Tax in 2013 (including the introduction of a degree of localisation of decision-making in respect of both Council Tax and Business Rates) national schemes of discounts and exemptions have been replaced by a range of national mandatory and local discretionary schemes.

In recent years central government has introduced further Business Rate reliefs to address particular circumstances or categories of business premises which are deemed to operate locally and must therefore be included within the approved policy for the award of such reliefs.

It is necessary, from time-to-time, to update the Council’s policy of Discretionary Discounts to incorporate new reliefs, or amendments to schemes of existing reliefs, or to provide clarification where such would be helpful.

### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

### RECOMMENDATION

The Committee is recommended to:

1. Approve and adopt the Council Tax and Business Rates Discretionary Discount Policy (2024/25).

## REPORT

### BACKGROUND

1. In respect of both Council Tax and Business Rates national schemes of discounts and exemptions have been in place since the introduction of those arrangements for local taxation. Fylde BC, in line with all local authorities, implemented the schemes of discounts and exemptions as directed by central government. Information of the available discounts and exemptions has always been made available to potential claimants and beneficiaries of such and for a number of years this information has also been promoted through the Council’s website.

2. With the introduction of the local Council Tax Reduction Scheme (CTRS) in April 2013 it became necessary for the Council to consider the provision of discretionary hardship relief to provide support for claimants in exceptional circumstances, and who are unable to increase their income from other means. Such provision is a key element of the operation of the scheme.
3. Section 76 of the Local Government Act 2003 (as amended by section 13A of the Local Government Finance Act 2012) empowers a billing authority to reduce the amount of tax payable as it thinks fit. Funding for such reductions must be provided by the Council and major preceptors as necessary.
4. In order to mitigate part of the impact of the CTRS on the most vulnerable households, the Council at that time approved the award of discretionary Hardship Relief under the above powers. Strict criteria are used to determine if any additional relief is appropriate and the level of any such award. Awards are made to those unable to increase their income and then only in exceptional circumstances.
5. With regard to Non-domestic (i.e. business) rates the Council is required to apply the national (mandatory) schemes of relief, as determined by central government. The Council may also award additional (discretionary) business rate relief. This may be in relation to charitable organisations (following the application of 80% mandatory relief) or in respect of other organisations in exceptional circumstances. In recent years central government has introduced further reliefs to address particular circumstances or categories of business premises which are deemed to operate locally and must therefore be included within the approved policy for the award of such reliefs.
6. From time-to-time it is necessary to revise the Council Tax and Business Rates Discretionary Discount Policy in order to reflect changes in reliefs that are introduced by central government, and any changes in the application of the policy due to changes in local circumstances or to provide clarification.

#### CHANGES REFLECTED IN THE PROPOSED UPDATE OF THE POLICY

7. This update includes measures to support businesses announced in the autumn statement on 22 November 2023 and changes included in subsequent statutory instruments. These relate to the continuation of the retail, hospitality and leisure discount at 75% for the period 1<sup>st</sup> April 2024 to 31 March 2025, including a cap on how much relief businesses can receive over 3 financial years. This also includes the removal of discretionary rural rate relief to support small businesses within rural settlements – this has been removed as a discretionary discount as central government has now committed to meeting the full cost of this scheme as a mandatory relief. The final change relates to the removal of statutory backdating limits.
8. The proposed Discretionary Discount Policy for 2024/25 is attached at Appendix A.

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	✓

IMPLICATIONS	
Finance	The additional reliefs reflected in the updated policy are fully funded by central government, and as such there are no financial implications arising directly from this report.
Legal	Section 76 of the Local Government Act 2003 (as amended by section 13A of the Local Government Finance Act 2012) empowers a billing authority to reduce the amount of tax payable as it thinks fit.
Community Safety	No implications arising from this report
Human Rights and Equalities	No implications arising from this report

Sustainability and Environmental Impact	No implications arising from this report
Health & Safety and Risk Management	No implications arising from this report

**SUMMARY OF PREVIOUS DECISIONS**

Finance and Democracy Committee 29th March 2021 - Resolved to approve and adopt the Council Tax and Business Rates Discretionary Discount Policy (2021/22 update).

Finance and Democracy Committee 22nd November 2021 - Resolved to approve and adopt the Council Tax and Business Rates Discretionary Discount Policy (2021/22 and 2022/23 update).

Finance and Democracy Committee 30 January 2023 - Resolved to approve and adopt the Council Tax and Business Rates Discretionary Discount Policy (2023/24 update).

**BACKGROUND PAPERS REVELANT TO THIS ITEM**

Name of document	Date	Where available for inspection
N/a	N/a	N/a

LEAD AUTHOR	CONTACT DETAILS	DATE
Paul O'Donoghue Chief Financial Officer	www.fylde.gov.uk	February 2024

**Attached documents**

Appendix A - Council Tax and Business Rates Discretionary Discount Policy 2024/25



**Council Tax and Business Rates**  
**Discretionary Discount Policy**  
**2024/25**

## Contents

Document Control: .....	4
Record of Amendments: .....	4
Approved By:.....	5
1. Introduction .....	6
Aims of the Discretionary Discount Policy .....	6
2. Policy Objectives and Action Plan .....	7
Objective 1: To ensure that assistance is available and accessible to members of the community most in need .....	7
Objective 2: To ensure discretionary discounts are only considered when no other means of assistance is available. ....	7
Objective 3: To monitor and evaluate the administration of the policy to ensure that the service reflects the needs of the community.....	8
3. Discretionary Discount - Customers in receipt of local Council Tax Reduction (Hardship Fund) .....	9
Responsible officer.....	9
Decision making process.....	9
Notification of decision .....	9
Review of decision/re-determination requests .....	9
Notification of review/re-determination decision.....	10
4. Discretionary Discounts – Customers not in receipt of local Council Tax Reduction .....	11
Responsible officer.....	11
Decision making process.....	11
Notification of decision .....	11
Review of decision/re-determination requests .....	11
Notification of review/re-determination decision.....	12
5. Discretionary Discounts – Rate Relief Policy relating to organisations established for Charitable, Sporting and Community Purposes. ....	13
We would expect all applications to have been made within the financial year they relate to, and would limit eligibility to 1 April of that financial year.....	14
Where the Council is satisfied there is good reason, we may consider backdating an award into a previous financial year. ....	14
Responsible officer.....	14
Decision making process.....	14
Notification of decision .....	14
Review of decision/re-determination requests .....	14
Notification of review/re-determination decision.....	15
6. Other Discretionary Discounts .....	16
We would expect all applications to have been made within the financial year they relate to, and would limit eligibility to 1 April of that financial year.....	16

Where the Council is satisfied there is good reason, we may consider backdating an award into a previous financial year.....	16
Responsible officer.....	16
Decision making process.....	16
Notification of decision.....	16
Review of decision/re-determination requests.....	16
Notification of review/re-determination decision.....	17
7. Hardship Relief.....	18
Responsible officer.....	18
Decision making process.....	18
Notification of decision.....	19
Review of decision/re-determination requests.....	19
Notification of review/re-determination decision.....	19
8. Temporary Part Occupation Relief.....	20
Responsible officer.....	20
Decision making process.....	20
Notification of decision.....	20
Review of decision/re-determination requests.....	20
Notification of review/re-determination decision.....	21
9. Retail, Hospitality and Leisure Discount.....	22
Which properties will benefit from relief?.....	22
Decision making process.....	25
Responsible officer.....	25
Notification of decision.....	25
Review of decision/re-determination requests.....	25
Notification of review/re-determination decision.....	25
10. Local Newspaper Relief.....	26
Responsible officer.....	26
Decision making process.....	26
Notification of decision.....	26
Review of decision/re-determination requests.....	26
Notification of review/re-determination decision.....	26
11. Fraud.....	27



## Document Control:

Document owner:	Louise Jones
Document number:	1.16
Document category:	Original copy held within the Revenues and Benefits Service
Document location:	Council Website
Issued by:	Louise Jones
Last edited:	8 <sup>th</sup> February 2024

## Record of Amendments:

Date	Version	Amended by	Description of changes
10/03/2014	1.1	Graeme Ruse	Business Rates Reliefs – added Retail Relief pages 19 – 22. New Build Relief page 23-24, Temporary Re-Occupation Relief page 25-26
01/10/2014	1.2	Andrew Turpin	Rural Rate Relief pages 27-28
19/12/2014	1.3	Andrew Turpin	Retail Relief page 19
02/11/2015	1.4	Graeme Ruse	Temporary Part Occupation Relief
21/10/2016	1.5	Graeme Ruse	Removal of New Build and Re-Occupation Relief
10/10/2017	1.6	Louise Jones	No changes – review only
05/03/2018	1.7	Andrew Turpin	Inclusion of Revaluation Relief and Public House Relief
03/09/2018	1.8	Andrew Turpin / Louise Jones	Review of policy
14/12/2018	1.9	David Holmes	Inserted Retail Discount, Local Newspaper Relief, Hardship Relief and noted EZ Relief. Removed the Public House relief.
03/03/2020	1.10	Graeme Ruse	Amended Retail Discount and reinstated Public House relief.
08/09/2020	1.11	David Holmes	Changes to policy following a re-structure and an update to introduce COVID-19 measures, including the Expanded Retail Discount and the OFSTED Registered Nursery Discount scheme.
18/03/2021	1.12	David Holmes	Updated content for the Expanded Retail Discount and Nursery Discount following changes from the 2021 Spring Budget.

09/11/2021	1.13	David Holmes	The removal of the OFSTED Registered Nursery Discount scheme and the removal of the Enterprise Zone Relief, as these have now ceased. Further updates to the Expanded Retail Discount scheme.
01/11/2022	1.14	Louise Jones	Annual review for 2023/24
12/01/2023	1.15	Graeme Ruse	RHL Relief percentage update.
08/02/2024	1.16	David Holmes	Removal of Discretionary Rural Rate Relief, as this is now a fully funded mandatory relief, plus changes to backdating limits.

## Approved By:

Name	Title	Signature	Date
Louise Jones	Head of Revenues, Benefits and Customer Services		8 <sup>th</sup> February 2024

## **1. Introduction**

Section 13A of the Local Government Finance Act 1992 (as amended) and sections 47, 48 and 49 of the Local Government Finance Act 1988 (as amended) empowers a billing authority to reduce the amount of tax payable.

Fylde has adopted a local Council Tax Reduction Scheme since 1st April 2013, which replaced Council Tax Benefit. However it is likely that other circumstances will arise where the Council could consider a further discretionary reduction in exceptional circumstances. In addition local Businesses who are experiencing severe financial difficulties may request assistance in meeting the burden of local taxation.

Funding for such reductions must be provided by the Council. This policy sets out how the Council will use these powers and the criteria that must be satisfied.

The Council is committed to publishing the policy to ensure that the local taxpayers are aware of the policy and are able to quickly and easily apply for assistance.

### **Aims of the Discretionary Discount Policy**

- Provide a mechanism for the Council to assist members of the community who are unable to meet the financial burden of local taxation
- Helping residents in receipt of Council Tax Reduction who are unable to increase their income
- Alleviating poverty
- Helping those who are trying to help themselves
- Supporting people who are starting work
- Supporting the most vulnerable in the local community
- Helping customers through difficult personal events
- Assisting customers in accordance with the Council's Child Poverty Strategy
- To ensure that no claimant or charge payer suffers any undue short-term disadvantage resulting from circumstances beyond their control

## **2. Policy Objectives and Action Plan**

### **Objective 1: To ensure that assistance is available and accessible to members of the community most in need**

- Ensure staff are aware of the policy and qualifying criteria
- Regular refresher training for assessment staff to promote proactive identification of potential cases
- Provide effective overview training on the policy and qualifying criteria on request to promote take-up and awareness in appropriate circumstances.
- Promote access to the scheme through continued development of the Fylde Council website to ensure that up to date information is provided and that relevant forms and information can be downloaded.
- Ensure advice providers are aware of the policy and qualifying criteria.
- Promoting awareness to Members
- Promote the scheme to target groups, which may include:
  - Social and Private Sector Housing Tenants with significant arrears who may apply for a Discretionary Housing Payment (DHP).
  - Council Tax payers who have been issued with a summons.
  - People requiring assistance from the Emergency Planning response team.
  - Customers who are seeking Council assistance with debts
- Providing a facility to visit customers to assist them in making an application and provide supporting documents.
- Working closely with existing and new service partners and stakeholders to promote awareness of the policy.

### **Objective 2: To ensure discretionary discounts are only considered when no other means of assistance is available.**

- Ensure assessments of applications for local Council Tax Reduction incorporate a benefits maximization check.
- Ensure the applicant does not have income or capital which should be used to meet the liability.
- Signpost customers who do not meet the criteria to appropriate alternative advice services
- Conduct a regular review of the policy to ensure it is fit for purpose.
- Ensure a robust review procedure is in place to ensure decisions are independent, fair and consistent.
- Ensure publicity is available to encourage customers to claim other benefits they are entitled to and where to access debt advice and money management tools.
- Ensure other sums owed to the Council (e.g. sundry debts, Housing Benefit overpayments) are reviewed and reduced repayments agreed where appropriate
- Ensure a Discretionary Housing Payment for Housing Benefit is awarded if appropriate
- Ensure recovery action is delayed where appropriate
- Awards will be tailored to match need. The period and amount of an award will be determined based upon the circumstances in each case.
- Awards will only be made for a period relating to the financial year in which the application is made.
- Awards may be reviewed at any time and may be revised, reduced or withdrawn if it is found that the circumstances of the applicant have changed and the award is no longer appropriate.

**Objective 3: To monitor and evaluate the administration of the policy to ensure that the service reflects the needs of the community**

- Monitor of fund spending by monthly recording and reporting of expenditure provided to Senior Management.
- Conduct a regular review of income and expenditure forms used.
- Conduct a regular review of the policy.
- Review the outcome of requests for reconsideration to improve guidance and methodology.
- Respond to feedback on processes and procedures from partners and stakeholders.

### **3. Discretionary Discount - Customers in receipt of local Council Tax Reduction (Hardship Fund)**

Fylde Borough Council adopted a local Council Tax Reduction Scheme which is effective from 1st April 2013. During the development of the scheme the Councils' Equality Analysis identified that certain groups affected by the reduction in support would be unlikely to be able to increase their income.

For an award of this type of discretionary discount to be considered, the applicant must be:

- In receipt of Council Tax Reduction; and
- Have a shortfall between the level of Council Tax Reduction and their council tax liability; and
- In the opinion of the Council, be in need of further assistance with Council Tax in accordance with the qualifying criteria.

Requests for further reductions in Council Tax liability will be required in writing from the customer, their advocate / appointee or a recognised third party acting on their behalf.

Each case will be considered on 'its merits' however all of the following criteria should be met:

- There must be evidence of hardship or personal circumstance that justifies a further reduction in Council Tax liability.
- The Council must be satisfied that the customer has taken reasonable steps to resolve their situation prior to application.
- The customer does not have access to other assets that could be realised and used to pay the Council Tax.
- All other eligible discounts/reliefs have been awarded to the customer.

#### **Responsible officer**

The responsibility for making discretionary discount decisions will rest with the Chief Financial Officer, who will discharge this responsibility by the following process:

#### **Decision making process**

**Stage 1:** The initial request will be dealt with by a Benefits Officer who will consider the application against the criteria set out in this policy, based upon the information provided by the applicant and known to the Council.

**Stage 2:** A different Benefits Officer will authorise the decision.

#### **Notification of decision**

The Council will notify the applicant of its decision within 28 days of receiving sufficient information to make a decision.

#### **Review of decision/re-determination requests**

The Council will accept an applicant's written request for a redetermination of its decision. The process will be as follows:

**Stage 1:** The original decision and any additional information provided will be reviewed by a different

decision maker who will recommend either confirming or amending the original decision.

**Stage 2:** The Head of Revenues and Benefits (Shared Service) will consider the application for review and the recommendation and determine whether to award a discretionary discount.

### **Notification of review/re-determination decision**

The Council will notify an applicant of its decision within 28 days of receiving a request for a re-determination.

A discretionary reduction made under section 13A (1)(a) or (c) of the Local Government Finance Act (LGFA) 1992 can be the subject of an appeal to the Valuation Tribunal under section 16 of the LGFA 1992.

## **4. Discretionary Discounts – Customers not in receipt of local Council Tax Reduction**

Requests for reductions in Council tax liability will be required in writing from the customer, their advocate / appointee or a recognised third party acting on their behalf

Each case will be considered on 'its merits' however all of the following criteria should be met:

- There must be evidence of hardship or personal circumstance that justifies a reduction in Council Tax Liability.
- The Council must be satisfied that the customer has taken reasonable steps to resolve their situation prior to application.
- The customer does not have access to other assets that could be realised and used to pay the Council Tax.
- The customer is not entitled to an award under the local Council Tax Reduction Scheme.
- All other eligible discounts/reliefs have been awarded to the customer.

### **Responsible officer**

The responsibility for making discretionary decisions will rest with the Chief Financial Officer, who will discharge this responsibility by the following process:

A Revenues Manager will liaise with the applicant in each case to request sufficient information in order that a decision can be made

### **Decision making process**

**Stage 1:** The initial request will be dealt with by a Revenues Manager who will consider the application against the criteria set out in this policy, based upon the information provided by the applicant and known to the Council.

**Stage 2:** A different Revenues Manager will authorise the decision.

### **Notification of decision**

The Council will notify the applicant of its decision within 28 days of receiving sufficient information to make a decision.

### **Review of decision/re-determination requests**

Council will accept an applicant's written request for a redetermination of its decision.

**Stage 1:** The original decision and any additional information provided will be reviewed by a different decision maker who will recommend either confirming or amending the original decision.

**Stage 2:** Head of Revenues, Benefits and Customer Services, will consider the application for review and the recommendation and determine whether to award a discretionary discount.



### **Notification of review/re-determination decision**

The Council will notify an applicant of its decision within 28 days of receiving a request for a re-determination.

A discretionary reduction made under section 13A (1) (a) or (c) of the Local Government Finance Act (LGFA) 1992 can be the subject of an appeal to the Valuation Tribunal under section 16 of the LGFA 1992.

## 5. Discretionary Discounts – Rate Relief Policy relating to organisations established for Charitable, Sporting and Community Purposes.

Each case will be considered on its merits however all of the following criteria should be met:

- Requests for reductions in Business Rates will be required in writing from the ratepayer or a recognised third party acting on their behalf.
- It must be in the interest of Council Tax payers for the local authority to grant a reduction.
- All other eligible discounts/reliefs have been awarded to the ratepayer.

In addition to the above, the Council has determined the following guidelines for the granting of discretionary rate relief.

- a) The organisation is small in stature in that it occupies a hereditament with a Rateable Value of less than £13,000 in the National Non-Domestic Rating List effective from 1 April 2023. *(the premise is that larger organizations are generally well established and can, to a certain extent, exist without any external aid at all)*, **and**
- b) The organisation is not part of a charging or precepting authority, **and**
- c) The organisation has been specifically set up for the benefit of the young, the aged, the disabled or for ethnic minorities. *(sports organisations that allow or promote junior or senior citizen membership would not necessarily fall under the jurisdiction of this rule. The organisation must have been created or is in being for the sole or main purpose of aiding any one of these sections of the community)*, **or**
- d) The property is for the general use of the local community without any membership and/or subscription requirements and has no specific use except for the general benefit of the community, **or**
- e) The property is used for the housing of vehicles used only for offshore emergency purpose, **or**
- f) The aims of the organisation are to educate volunteers in emergency training for the benefit of the local community.

Discretionary Relief of the remaining balance (taking into account 80% mandatory relief granted to all charitable bodies) may be granted to any non-profit making organisations that meet the above criteria.

The above is intended only as a guide when considering applications for discretionary rate relief. All applications will be considered on their merits and it might be found that it is only right and proper to approve applications which do not conform exactly to the above.

- g) The Council will continue with its current policy regarding granting discretionary rate relief, each application be considered on its merits and favourable consideration be given to applications from qualifying organisations in instances when the non-granting of relief could seriously jeopardize the financial viability of the organisation.
- h) One factor to be taken into account in determining discretionary rate relief shall be the training or coaching provided by sports clubs for the youth of the Borough.

In addition, organisations with charitable status and not being Limited Companies, and set up for recreational purposes:

- Whose membership is open to all sections of the community.
- Do not restrict membership on the grounds of ability or the availability of their facilities,
- Whose membership levels are not set at such a rate to preclude membership by all sections of the community,

- Who provide outside sporting activities,
- Who actively encourage participation by young people,
- Make their facilities available to people other than members e.g. to schools or casual public sessions,
- Whose main aim is sporting rather than social,
- Whose members are mainly from the Fylde Borough.

**May** be given discretionary relief of 100% based on the Rateable Value of the outside playing area and changing areas only.

- i) Retail premises operated by a registered charity which have been granted mandatory rate relief may, in exceptional circumstances, receive a further discretionary award. The Council will consider the merits of each case but such an award is likely to be the exception rather than the rule.

We would expect new applications to have been made within the financial year they relate to, and would limit eligibility to 1 April of that financial year.

Where the Council is satisfied there is good reason, we may consider backdating an award into a previous financial year.

### **Responsible officer**

The responsibility for making discretionary decisions will rest with the Chief Financial Officer, who will discharge this responsibility by the following process:

### **Decision making process**

**Stage 1:** The decision making process will involve the Principal Revenues Manager making a recommendation to the Head of Revenues, Benefits and Customer Services, considering the application against the criteria set out in this policy, based upon the information provided by the applicant and known to the Council.

**Stage 2:** The Chief Financial Officer will consider the application and the recommendation of the Head of Revenues, Benefits and Customer Services and determine whether to award a discretionary discount.

### **Notification of decision**

The Council will notify the applicant of its decision within 28 days of receiving sufficient information to make a decision.

### **Review of decision/re-determination requests**

The Council will accept an applicants written request for a redetermination of its decision. The process will be as follows:

**Stage 1:** The original decision and any additional information provided will be reviewed and a recommendation made to either confirm or amend the original decision.

**Stage 2:** The Chief Financial Officer will consider the application for review and the recommendation

and determine whether to award a discretionary discount.

### **Notification of review/re-determination decision**

The Council will notify an applicant of its decision within 28 days of receiving a request for a re-determination.

Following the redetermination of a request for discretionary discount, there is no further right of appeal.

## **6. Other Discretionary Discounts**

The Council may award Business Rates relief on any cases where it has been asked to do so, and where the award would be clearly in the interest of the local Council Tax payer.

The relief is available pursuant to s.47 of the Local Government Finance Act 1988, as amended by s.69 of the Localism Act 2011, and decisions are to be made on a case by case basis and dependent on the individual facts. This is often referred to as 'Localism Relief'.

Under the arrangements by which Business Rates income is shared by a number of public sector bodies, any award of a discount or relief will be funded in part by: Fylde Council, Central Government, Lancashire County Council and the Lancashire Fire Authority.

Each case will be considered on its merits however all of the following criteria should be met:

- it must be in the interest of the Council and community for the local authority to grant a reduction, **and**
- all other eligible discounts/reliefs have been awarded to the ratepayer.

We would expect new applications to have been made within the financial year they relate to, and would limit eligibility to 1 April of that financial year.

Where the Council is satisfied there is good reason, we may consider backdating an award into a previous financial year.

### **Responsible officer**

The responsibility for making discretionary decisions will rest with the Chief Financial Officer, who will discharge this responsibility by the following process:

### **Decision making process**

**Stage 1:** The decision making process will involve the Principal Revenues Manager making a recommendation to the Head of Revenues, Benefits and Customer Services, considering the application against the criteria set out in this policy, based upon the information provided by the applicant and known to the Council.

**Stage 2:** The Chief Financial Officer will consider the application and the recommendation of the Head of Revenues, Benefits and Customer Services and determine whether to award a discretionary discount.

### **Notification of decision**

The Council will notify the applicant of its decision within 28 days of receiving sufficient information to make a decision.

### **Review of decision/re-determination requests**

The Council will accept an applicant's written request for a redetermination of its decision. The process will be as follows:

**Stage 1:** The original decision and any additional information provided will be reviewed and a recommendation made to confirm or amend the original decision.

**Stage 2:** The Chief Financial Officer will consider the application for review and the recommendation and determine whether to award a discretionary discount.

**Notification of review/re-determination decision**

The Council will notify an applicant of its decision within 28 days of receiving a request for a re-determination.

Following the redetermination of a request for discretionary discount, there is no further right of appeal.

## **7. Hardship Relief**

In exceptional circumstances the Council may award relief where it is satisfied payment of the bill will cause a business severe financial hardship.

This will only be considered where it is evident that doing so would be in the interests of the wider community. This can be because failure to grant the relief would result in the loss of a unique and regularly required service, and/or because the failure to grant relief would directly result in a significant loss of jobs in the local community.

Hardship Relief is available pursuant to s.49 of the Local Government Finance Act 1988. The relief is designed for a local authority to provide discretionary assistance in exceptional and/or unexpected circumstance, but not to prop up a fundamentally failing business. Decisions are to be made on a case by case basis and dependent on the individual facts.

The Council may award hardship relief as a percentage of the total amount due, or as a single monetary value.

There are no time limits to the award of hardship relief, but the relief is considered to be a 'one-time' award. There is no requirement for the Council to award this relief periodically.

In order to consider an award the applicants shall provide the following:

- Details of the unique and regularly required service provided.
- Details of how much is outstanding.
- Details of their current financial circumstance, including details of any assets or security held, and including details of debts owed to other creditors.
- Copies of their latest audited accounts, or if the business has not yet submitted accounts then an up to date income statement and/or balance sheet will be required.
- Details of the company, such as the product sold, the customer base, numbers in the workforce.
- The reason why they cannot pay their bill.
- How much relief they require.
- An assumption of what would happen if no assistance was provided by the Council.

### **Responsible officer**

The responsibility for making discretionary decisions will rest with the Chief Financial Officer, who will discharge this responsibility by the following process:

### **Decision making process**

**Stage 1:** The decision making process will involve the Principal Revenues Manager making a recommendation to the Head of Revenues, Benefits and Customer Services, considering the application against the criteria set out in this policy, based upon the information provided by the applicant and known to the Council.

**Stage 2:** The Chief Financial Officer will consider the application and the recommendation of the Head of Revenues, Benefits and Customer Services and determine whether to award a discretionary discount.

### **Notification of decision**

The Council will notify the applicant of its decision within 28 days of receiving sufficient information to make a decision.

### **Review of decision/re-determination requests**

The Council will accept an applicant's written request for a redetermination of its decision. The process will be as follows:

**Stage 1:** The original decision and any additional information provided will be reviewed and a recommendation made to either confirm or amend the original decision.

**Stage 2:** The Chief Financial Officer will consider the application for review and the recommendation and determine whether to award a discretionary discount.

### **Notification of review/re-determination decision**

The Council will notify an applicant of its decision within 28 days of receiving a request for a re-determination.

Following the redetermination of a request for discretionary discount, there is no further right of appeal.



## **8. Temporary Part Occupation Relief**

The Ratepayer is liable for the full non-domestic rate whether a property is wholly occupied or only partly occupied. Under s44A of the Local Government Finance Act 1988, where a property is partly occupied for a short time the Council has discretion to request that the Valuation Office apportion the rateable value of a property between the occupied and unoccupied parts and apply an unoccupied property exemption on the unoccupied part; thereby reducing the amount payable.

Applications must be made in writing and supported by:

- a completed application form, **and**
- detailed scaled plans which outline the whole property and indicate the partly occupied/unoccupied parts, **and**
- details of the planned period of time for the part occupation, **and**
- details of future intentions, **and**
- details of the cause for the part occupation.

A site visit will be required. Where necessary the ratepayer may be required to provide additional information to support their application.

### **Responsible officer**

The responsibility for making discretionary relief decisions will rest with the Chief Financial Officer, who will discharge this responsibility by the following process:

### **Decision making process**

**Stage 1:** The decision making process will involve the Principal Revenues Manager making a recommendation to the Head of Revenues, Benefits and Customer Services, considering the application against the criteria set out in this policy, based upon the information provided by the applicant and known to the Council.

**Stage 2:** The Chief Financial Officer will consider the application and the recommendation of the Head of Revenues, Benefits and Customer Services and determine whether to award a discretionary discount.

### **Notification of decision**

The Council will notify the applicant of its decision within 28 days of receiving sufficient information to make a decision.

### **Review of decision/re-determination requests**

The Council will accept an applicant's written request for a redetermination of its decision. The process will be as follows:

**Stage 1:** The original decision and any additional information provided will be reviewed and a recommendation made to either confirm or amend the original decision.

**Stage 2:** The Chief Financial Officer will consider the application for review and the recommendation and determine whether to award a discretionary discount.

### **Notification of review/re-determination decision**

The Council will notify an applicant of its decision within 28 days of receiving a request for a re-determination.

Following the redetermination of a request for discretionary discount, there is no further right of appeal.

## **9. Retail, Hospitality and Leisure Discount**

The Government first announced in the 2018 Budget that it will provide a Business Rates Retail Discount scheme for occupied retail properties in 2019/20 and this remains today, albeit the discount was re-branded as the 'expanded retail discount' during the COVID19 pandemic and extended to additionally include businesses in the leisure and hospitality sectors.

Since this discount was created the rules and amounts have varied, from an initial 33% discount in 2019/20 to a full discount during the COVID19 pandemic, irrespective of rateable value and with no award cap. During 2021/22 a "cash cap" was introduced to limit the level of relief paid to £105,000 across all of the applicants businesses. During 2021/22 there was a split award of 100% for 3 months (April to June) and then a 66% rate for the remainder of the financial year.

From 1 April 2022 until 31 March 2023 the expanded retail discount will be 50% for all occupied premises within the retail, hospitality and leisure sectors, subject to a "cash cap" of £110,000 per business.

From 1 April 2023 until 31 March 2025 the Retail, Hospitality and Leisure discount will be 75% for all occupied premises within the retail, hospitality and leisure sectors, subject to a "cash cap" of £110,000 per business for each individual year but with a total award of £315,000 over a 3 year fiscal period.

The discount is to be applied once mandatory reliefs and other discretionary reliefs have been applied.

### **Which properties will benefit from relief?**

**Properties that will benefit from the relief will be occupied hereditaments that are wholly or mainly being used:**

- as shops, restaurants, cafes, drinking establishments, cinemas and live music venues,
- for assembly and leisure; or
- as hotels, guest & boarding premises and self-catering accommodation.

**We consider shops, restaurants, cafes, drinking establishments, cinemas and live music venues to mean:**

**Hereditaments that are being used for the sale of goods to visiting members of the public:**

- Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licenses, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/caravan show rooms
- Second-hand car lots
- Markets
- Petrol stations
- Garden centre's
- Art galleries (where art is for sale/hire)

**Hereditaments that are being used for the provision of the following services to visiting members of the public:**

- Hair and beauty services (such as: hairdressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/TV/domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire
- Employment agencies
- Estate agents and letting agents
- Betting shops

**Hereditaments that are being used for the sale of food and/or drink to visiting members of the public:**

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

**Hereditaments which are being used as cinemas**

**Hereditaments that are being used as live music venues:**

- Live music venues are hereditaments wholly or mainly used for the performance of live music for the purpose of entertaining an audience. Hereditaments cannot be considered a live music venue for the purpose of business rates relief where a venue is wholly or mainly used as a nightclub or a theatre, for the purposes of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- Hereditaments can be a live music venue even if used for other activities, but only if those other activities (i) are merely ancillary or incidental to the performance of live music (e.g. the sale/supply of alcohol to audience members) or (ii) do not affect the fact that the primary activity for the premises is the performance of live music (e.g. because those other activities are insufficiently regular or frequent, such as a polling station or a fortnightly community event).
- There may be circumstances in which it is difficult to tell whether an activity is a performance of live music or, instead, the playing of recorded music. Although we would expect this would be clear in most circumstances, guidance on this may be found in Chapter 16 of the statutory guidance issued in April 2018 under section 182 of the Licensing Act 2003.

**We consider assembly and leisure to mean:**

**Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities).**

- Sports grounds and clubs
- Museums and art galleries
- Nightclubs
- Sport and leisure facilities
- Stately homes and historic houses
- Theatres
- Tourist attractions
- Gyms
- Wellness centres, spas, massage parlours
- Casinos, gambling clubs and bingo halls

**Hereditaments that are being used for the assembly of visiting members of the public.**

- Public halls
- Clubhouses, clubs and institutions

**We consider hotels, guest and boarding premises and self-catering accommodation to mean:**

**Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business:**

- Hotels, Guest and Boarding Houses
- Holiday homes
- Caravan parks and sites

This is a test on use rather than occupation, therefore hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

**What does not constitute retail, leisure or hospitality usage**

The list below sets out the types of uses which we **do not** consider as being eligible for the purpose of this discount, and will therefore not qualify under this scheme.

**Hereditaments that are being used for the provision of the following services to visiting members of the public**

- Financial services (e.g. banks, building societies, cash points, bureaux de change, short-term loan providers)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/financial advisers)
- Post office sorting offices

**Hereditaments which are not reasonably accessible to visiting members of the public**

- Premises where membership is required to gain entry (e.g. affiliated social clubs)
- Premises where payment is required to gain entry

The total amount of government-funded relief available for each property under this scheme for 2019-20 was one third of the bill, and for 2020-21 was the full bill. For 2021-22 the amount was a 100% discount for 3 months from 1<sup>st</sup> April 2021 until 30<sup>th</sup> June 2021, and a 66% discount thereafter until 31<sup>st</sup> March 2022. For the 2022/23 financial year the applicable discount is 50%. This is however subject to a “cash cap”. This relief is applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants had been applied. There is no relief available under this scheme for unoccupied

properties.

A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the relief on that day.

### Decision making process

The expanded retail discount was introduced as a financial package to assist those ratepayers who were expected to be adversely affected by the COVID19 pandemic, meaning awards were to be swift and without the normal requirement to complete forms and submit supplementary information in support of their application. With this in mind it was decided that:

- Where the property is occupied and the ratepayer clearly meets at least one of the above criteria for retail, hospitality and leisure sectors then the relief will be paid automatically.
- Where the ratepayer does not clearly meet at least one of the above criteria for retail, hospitality and leisure, or where the property is believed to be unoccupied, then the details will be passed to a Revenues Manager to determine whether the ratepayer is eligible for this relief.

### Responsible officer

The responsibility for making discretionary relief decisions will rest with the Chief Financial Officer, who will discharge this responsibility to Revenues officers administering the business rates account.

### Notification of decision

The Council will notify the applicant of its decision within 28 days of receiving sufficient information to make a decision.

### Review of decision/re-determination requests

The Council will accept an applicant's written request for a redetermination of its decision. The process will be as follows:

**Stage 1:** The original decision and any additional information provided will be reviewed and a recommendation made to either confirm or amend the original decision.

**Stage 2:** The Chief Financial Officer will consider the application for review and the recommendation and determine whether to award a discretionary discount.

### Notification of review/re-determination decision

The Council will notify an applicant of its decision within 28 days of receiving a request for a re-determination.

Following the redetermination of a request for discretionary discount, there is no further right of appeal.

## **10. Local Newspaper Relief**

The Government introduced a £1,500 Business Rate discount for office space occupied by local newspapers in England, up to a maximum of one discount per local newspaper title and per hereditament, and up to state aid limits, for 2 years from 1 April 2017. This was extended in 2018 and 2020 and will now apply until 31<sup>st</sup> March 2025.

The relief is to be specifically for local newspapers and by that we mean what would be considered to be a “traditional local newspaper.” The relief will not be available to magazines.

### **Responsible officer**

The responsibility for making discretionary relief decisions will rest with the Chief Financial Officer, who will discharge this responsibility by the following process:

### **Decision making process**

In accordance with Government Guidance for the administration of the scheme, and to assist local businesses, the s151 Officer has agreed that the Council may make a number of assumptions with regard to eligibility to ensure relief is awarded to qualifying businesses as soon as possible.

Businesses awarded relief will be advised to inform the Council if they do not qualify for relief as a result of exceeding State Aid limits. Should a ratepayer believe they are entitled to the relief and it has not been awarded, an application form will be provided and relevant enquiries undertaken to determine eligibility.

Where an application form is sent and a response is received, a Revenues Manager will confirm eligibility and seek a decision from the Chief Financial Officer.

### **Notification of decision**

The Council will notify the applicant of its decision within 28 days of receiving sufficient information to make a decision.

### **Review of decision/re-determination requests**

The Council will accept an applicant’s written request for a redetermination of its decision. The process will be as follows:

**Stage 1:** The original decision and any additional information provided will be reviewed and a recommendation made to either confirm or amend the original decision.

**Stage 2:** The Chief Financial Officer will consider the application for review and the recommendation and determine whether to award a discretionary discount.

### **Notification of review/re-determination decision**

The Council will notify an applicant of its decision within 28 days of receiving a request for a re-determination.

Following the redetermination of a request for discretionary discount, there is no further right of appeal.

## **11. Fraud**

Where a ratepayer falsely applies for any relief or where the ratepayer provides false information, makes false representation, or deliberately withholds information in order to gain relief, prosecutions will be considered under the Fraud Act 2006.





© Fylde Borough Council copyright 2016

You may re-use this document/publication (not including logos) free of charge in any format or medium. You must re-use it accurately and not in a misleading context. The material must be acknowledged as Fylde Borough Council copyright and you must give the title of the source document/publication.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

This document/publication is also available on our website at [www.fylde.gov.uk](http://www.fylde.gov.uk).

Any enquiries regarding this document/publication should be sent to us at the Town Hall, St Annes Road West, St Annes FY8 1LW, or to [listening@fylde.gov.uk](mailto:listening@fylde.gov.uk).

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEPUTY CHIEF EXCEUTIVE	EXECUTIVE COMMITTEE	5 MARCH 2024	5
<b>WRITE-OFF OF UNCOLLECTABLE DEBTS 2023/24</b>			

### PUBLIC ITEM

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

Please note that the "WRITE-OFF OF UNCOLLECTABLE DEBTS 2023/24" report is TO FOLLOW and will be circulated to members as soon as available.

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF CORPORATE SERVICES	EXECUTIVE COMMITTEE	5 MARCH 2024	6
<b>SWIMMING POOL SUPPORT FUND – ST ANNES POOL</b>			

### PUBLIC ITEM

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

#### RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Tourism, Leisure, and Culture, Councillor Jayne Nixon.

#### PURPOSE OF THE REPORT

To obtain approval to accept a £220,000 grant from Phase II of the Swimming Pool Support Fund operated through Sport England.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATIONS

1. That the Executive Committee approve the receipt of £220,000 from the Swimming Pool Support Fund for the installation of solar panels and a replacement boiler system with the commitment that the asset will have at least a 10-year life in accordance with the grant offer.
2. That a new scheme to the value of £220,000 is included in the capital programme for 2024/25 entitled "Swimming Pool Support Fund – St Anne's Pool", fully funded from the grant.

### REPORT

#### THE SWIMMING POOL SUPPORT FUND (SPSF)

1. On 30th June 2023 the Government announced a Swimming Pool Support Fund (SPSF) of £60 million to support public leisure facilities with swimming pools, it was split into two phases.
  - Phase I – Revenue £20m was made available to support facilities with swimming pools with increased cost pressures.
  - Phase II – Capital £40m was made available for capital investment to improve energy efficiency of public facilities with pools in the medium to long term.
2. Fylde Council applied for both Phase I and II and have been successfully awarded funds from both schemes. The funding has been awarded to St Annes Pool because it was the only council owned facility that was operational at the time grant was available. An additional one-off subsidy request from the YMCA was

considered and granted by the committee on 19 September 2023. This cost was subsequently offset by an award from the SPSF Phase 1 Revenue Support Fund as detailed in the report to committee at the time.

3. Fylde's SPSF grants are:
  - Phase I – Revenue – an application for £59,189 was submitted and awarded in full in September 2023.
  - Phase II – Capital – an application for £ 665,500 was submitted and £220,000 awarded in February 2024.
4. The Phase II application was assessed against the criteria and objectives of the fund. The application included energy efficient interventions totalling £665,500 as detailed in Appendix 1.
5. A grant of £220,000 has been awarded for two interventions: the photo voltaic (PV) panels (solar panels) for £110,000, and the replacement of the boiler system for £110,000.
6. The Chief Executive is required to sign the Award Agreement by March 13<sup>th</sup>, 2024, to accept the grant. The agreement includes obligations within the terms for the capital grant that apply for a 10-year period. The council should not accept the award if the facility does not have at least a 10-year operational life, a summary of the terms and obligations is included in Appendix 2 to the report.
7. There is a requirement to invest in the asset which was a primary driver to bid for the grant, officers are currently carrying out a building condition survey to assess the extent of any works required and to support the development of a plan for the longer-term maintenance and management of the asset.
8. A report will be put before the Executive Committee at the earliest opportunity once the building condition survey has been completed. This will include details of any works required in relation to plant and equipment and the infrastructure of the building. The plans will include any works associated with the installation of the solar panels and the replacement of the boiler system that the SPSF grant will fund.
9. Evidence from the condition or operation of the pool facility at St Annes indicates that it will have at least a 10-year operational life and the council is committed to investment in the asset, the development of a new maintenance and works plan as well as the award of a new 10-year operating agreement from August 2025.
10. Members are asked to consider approval of the £220,000 grant after considering the obligations included in Appendix 2 and to include the award in the capital programme for 2024/25.

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	✓

IMPLICATIONS	
Finance	This report seeks approval for acceptance of the Swimming Pool Support Fund grant in the sum of £220,000, and the approval of a fully funded addition to the capital programme in the same sum funded from the grant.
Legal	The council is required to comply with the terms and conditions of the grant funding for a 10-year period.
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

### SUMMARY OF PREVIOUS DECISIONS

YMCA Operations Report – Additional Subsidy Request – Executive Committee 19 September 2023.

### BACKGROUND PAPERS REVELANT TO THIS ITEM

Name of document	Date	Where available for inspection
Swimming Pool Support Funding from Sports England.	June 2023	<a href="https://www.sportengland.org/guidance-and-support/facilities-and-planning/swimming-pool-support-fund">https://www.sportengland.org/guidance-and-support/facilities-and-planning/swimming-pool-support-fund</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Gemma Broadley	<a href="mailto:Gemma.broadley@fylde.gov.uk">Gemma.broadley@fylde.gov.uk</a> & Tel 01253 658513	14.02.2024

[Appendix 1](#) – Energy Efficiency Interventions Swimming Pool Support Fund Phase II application to Sport England. [Appendix 2](#) – Summary of the obligations in the terms of the agreement.

Appendix 1

Swimming Pool Support Fund Phase II - Energy Efficient Interventions Submission

<b><u>Estimated cost of capital intervention</u></b>	Material costs and labour costs <i>Please enter as the nearest positive whole number with no text or symbols</i>	Directly Associated professional and technical costs <i>Please enter as the nearest positive whole number with no text or symbols</i>
Photo Voltaic (PV) panels	100,000	10,000
Pool Covers	3,000	300
Replace Fluorescent Lighting with LED Lighting	22,000	2,200
Install Combined heat and power (CHP) system;		
Replace gas boilers > 20 years old with new	100,000	10,000
Install additional metering and monitoring software		
Upgrade pool hall windows to triple glazing	20,000	2,000
Heat recovery to air handling units		
Variable speed pumps	5,000	500
Variable speed fans	10,000	1,000
Variable speed filtration	30,000	3,000
Plant room insulation	10,000	1,000
Shower flow restrictors		
Thermostatic radiator valves		
Power factor correction	20,000	2,000
Micro-filtration	220,000	22,000
Other 1 (not on menu of options)	30,000	3,000
Other 2 (not on menu of options)	30,000	3,000
Other 3 (not on menu of options)	5,000	500
<b>Total</b>	<b>605,000</b>	<b>60,500</b>
<b>Total estimated cost of capital intervention</b>	<b>665,500</b>	

## **Appendix 2 – Summary of the obligations in the terms of the agreement.**

### **Parties**

The parties to the agreement are The English Sports Council (Sport England), and Fylde Council as the local authority applicant.

### **Purpose**

The purpose is for Sport England to provide £220,000 in capital grant funding to Fylde Council to undertake energy efficiency improvements at St Annes YMCA Pool & Gym. This comes from the wider £100m government Swimming Pool Support Fund aimed at improving the sustainability and reducing energy use of public leisure facilities.

### **Facilities Covered**

The grant funding is only for works at St Annes YMCA Pool & Gym. The facility is owned by Fylde Council and operated by Fylde YMCA.

### **Funded Works**

The capital works covered are:

- Installation of photovoltaic panels
- Replacement of gas boilers over 20 years old

Associated design, technical and professional fees are also eligible expenditures.

### **Payment of Grant**

- Sport England pays grant retrospectively based on actual eligible costs incurred
- Fylde Council can request either a single payment or multiple drawdowns
- Payment conditional on meeting requirements such as approved specifications and planning consents

### **Grant Term**

- The "Facility Term" during which Fylde Council must operate the facility is 10 years from the date of the agreement
- Some obligations apply for the full "Grant Term" from date of agreement to expiry of Facility

### **Terms**

#### **Obligations of Fylde Council**

Fylde Council is responsible for ensuring adherence to all terms of the agreement. Key obligations include:

#### **Operation of Facility**

- Must operate or procure operation of facility for 10-year Facility Term
- Cannot close facility or limit availability without Sport England's approval

#### **Ownership and Disposal**

- Cannot sell or dispose of interest in facility without Sport England approval

### **Use of Funding**

- Can only use grant for approved energy efficiency works
- Cannot reallocate money between different facilities without consent

### **Governance**

- Must have policies for equality, safeguarding, conflicts of interest and counter fraud

### **Reporting**

- Provide quarterly data on finance, participation, energy use
- Comply with additional ad hoc monitoring requests from Sport England
- Allow access for site visits and audits

### **Other Key Terms**

VAT - Fylde Council responsible for handling any VAT liabilities:

- Intellectual Property - Each party retains ownership of existing and newly created IP.
- Recognition of funding - Fylde Council must publicly acknowledge source of funding.
- Clawback of grant - Sport England can reclaim grant paid in certain circumstances such as misuse of funds or insolvency.
- Termination - Sport England can terminate agreement due to unviability or irremediable breach.

### **Onerous Terms**

The key obligations for Fylde Council are:

- Requirement to operate the St Annes facility for full 10-year Facility Term regardless of financial viability.
- Extensive restrictions on ability to close, limit availability, dispose or change ownership of facility.
- Burdensome quarterly reporting requirements.
- Grant clawback provisions and termination rights favouring Sport England.



## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	EXECUTIVE COMMITTEE	5 MARCH 2024	7
<b>FULLY FUNDED REVENUE BUDGET INCREASE – PLANNING SKILLS DELIVERY FUND</b>			

### PUBLIC ITEM

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

#### RELEVANT LEAD MEMBER

This item is within the remit of the Lead Member for Corporate and Economic Development, Councillor Karen Buckley.

#### PURPOSE OF THE REPORT

Fylde Council have made a successful bid to the Planning Skills Delivery Fund, being awarded the maximum grant of £100,000. In February, The Department for Levelling-up, Homes and Communities requested that the council enter into a memorandum of understanding in order to secure the release of the funding and this has been completed by the Sn 151 Officer.

In line with the submitted bid, it is proposed that the funding be added to the council's revenue budget (split across the 2023/24 and 2024/25 financial years) in order to fund the appointment of an experienced planning consultant, who's primary focus will be to determine major planning applications who's progress to determination has stalled.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATION

1. The Executive Committee is requested to approve a revenue budget increase of £100,000, fully funded from specific Planning Skills Delivery Fund, to be used to increase the capacity of the planning team in order to progress planning applications to determination. The funding is to be split with £48,600 being spent in 2023/24 and the remaining £51,400 being spent in 2024/25.

### REPORT

1. The [Planning Skills Delivery Fund](#) (PSDF) provides £24 million over two years to local authorities to help with clearing backlogs of planning applications and prepare for the implementation of proposed planning reforms. It is part of a wider programme of work designed to address the capability and capacity of planning services. Local planning authorities were invited to apply for funding for up to £100,000, which can be used to hire additional planning officers and other specialist resources.

2. Fylde Council submitted a bid for the maximum award of £100,000 in September 2023 to help address a backlog of major, primarily residential, planning applications. In December 2023, it was confirmed that the bid had been successful.
3. In February 2024, The Department of Levelling-up, Homes and Communities (DLUHC) issued a Memorandum of Understanding for completion by the council's Sn 151 Officer which sets out how the funding is to be used and monitored.
4. The PSDF Team at DLUHC have confirmed that, as the funding award has been made close to the end of the financial year, the grant funding may be spent in the approaching financial year, provided a commitment to spend the funding is in place.
5. Fylde Council has secured the services of an experienced planning consultant who will be tasked with progressing a number of major planning applications to determination with the main focus being on applications that have been with the council for consideration for some time and who's progress has stalled for one reason or another.
6. This additional resource will allow the council to progress a number of major planning applications to determination. In turn, this will assist in delivering the objectives set out in the development plan and free up capacity of senior planning officers to concentrate on their own case load and allow time to mentor junior members of staff and so develop their capacity to consider more complex applications in future. It is expected that this commission will last until September 2024 and so the funding will be split across two financial years with £48,600 being spent in 2023/24 and the remaining £51,400 being spent in 2024/25.
7. As part of the MoU, Fylde Council will be required to complete an end of grant evaluation form which will include overall expenditure and overall progress with the project and to participate in a wider learning programme to help DLUHC better understand whether the Fund was able to achieve its stated aims.

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	

IMPLICATIONS	
Finance	The report sets out details of grant funding received by the council to address a backlog of planning applications and requests that Executive Committee approve a fully funded revenue budget increase of £100,000, (£48,600 in 2023/24 and £51,400 in 2024/25) from the specific Planning Skills Delivery Fund grant, as detailed in the report.
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

SUMMARY OF PREVIOUS DECISIONS
None

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
Planning Skills Delivery Fund: Guidance for applicants	24 July 2023	<a href="https://www.gov.uk/guidance/planning-skills-delivery-fund-year-1-guidance-for-applicants">https://www.gov.uk/guidance/planning-skills-delivery-fund-year-1-guidance-for-applicants</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Mark Evans	e: <a href="mailto:mark.evans@fylde.gov.uk">mark.evans@fylde.gov.uk</a> & t: 01253 658460	February 2024

Attached documents

None

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	EXECUTIVE COMMITTEE	5 MARCH 2024	8

### ESTABLISHMENT OF A LOCAL PLAN MEMBER STEERING GROUP

#### PUBLIC ITEM

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

#### RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Corporate and Economic Development, Councillor Karen Buckley.

#### PURPOSE OF THE REPORT

The Planning Peer Review Action Plan includes provision for the establishment of a cross party board of councillors to oversee and input into the production of the next Local Plan period beyond 2032. This report seeks to establish a cross party Local Plan Member Steering Group and sets out the prime objectives of that group to provide councillor oversight during the evidence gathering, analysis and policy development stage of the review of the existing local plan and the future production of an updated local plan that will guide officers and members in reaching any decisions regarding the development of planning policy.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATIONS

1. That the committee agree to establish a Local Plan Member Steering Group, to be chaired by the Lead Member for Corporate and Economic Development, to act as an informal cross-party panel to ensure councillor oversight during the evidence gathering, analysis and policy development stage of the review of the existing local plan and the future production of an updated local plan that will guide officers and members in reaching any decisions regarding the development of planning policy.
2. That the Executive Committee nominate 3-4 members to attend the Local Plan Steering Group, of which at least one should be an opposition member.
3. That the Executive Committee requests the Planning Committee to nominate 3-4 members to attend the Local Plan Steering Group, of which at least one should be an opposition member.

#### REPORT

1. In 2022, the council invited the Planning Advisory Service (PAS) to carry out a 'Peer Review' of its planning service which culminated in the publication of a [Feedback Report](#) in January 2023. In October 2023, following scrutiny by the council's Internal Affairs Scrutiny Committee, a [Planning Peer Review Action Plan](#), which seeks

to address the 18 recommendations contained in the Feedback Report, was adopted by the Executive Committee.

2. The PAS Team recognised that the council has an up to date local plan in place and that there is often a tension between growth and protecting the environment and heritage and it is therefore important to establish a process to co-ordinate, capture and agree the focus for the Local Plan beyond 2032. In particular the PAS Team considered that a formal governance structure would help to:
  - set the vision and longer-term aspirations for the local plan,
  - obtain clarity on key strategic issues as early as possible in the plan production process, to ensure the process is resilient to changes to the planning system and election cycles,
  - co-ordinate, capture and agree the focus for the Local Plan beyond 2032,
  - be clear about the alignment of growth and environmental ambitions, providing clarity and managing tensions between economic growth, the environment and preservation,
  - assist in addressing strategic housing and homelessness challenges.
3. The Levelling-up and Regeneration Act 2023 introduced the primary legislation required to implement the Government's programme of reforms to plan making. There have also been recent changes to the National Planning Policy Framework, with further revisions expected during the coming year, which will need to be considered in a review of the adopted local plan.
4. It is important, therefore, that the council establishes a formal process to co-ordinate, capture and communicate the early thinking that will shape the next local plan, starting with consideration of the evidence base that will help inform the review and the direction of the next iteration of the local plan. Early and structured involvement of councillors in the plan-making process, especially from senior members, will help to set the vision and longer-term aspirations of the council.
5. The PAS Team considered that a cross party board of councillors should be established to work alongside a similar officer group of representatives from across the council which, it is envisaged, would take ownership of, oversee and input into the production of the next local plan.
6. It was considered that a governance process of this nature would also allow the prioritisation of activities and ensure that resources are directed to the right corporate priorities, giving individual members of the planning team a clearer sense of the priorities for their own time in the event of competing demands. It would also support good risk management at a corporate level which needs to be owned at all levels of the organisation.
7. The PAS Team report included a recommendation to:

*"Set up a politically representative board of councillors and one for senior officers to oversee and input into the production of the next Local Plan period beyond 2032. There is a tension between growth and protecting the environment and heritage. It is therefore important to establish a process to co-ordinate, capture and agree the focus for the Local Plan beyond 2032. A formal governance structure will help to set the vision and longer-term aspirations. It will provide clarity and manage the tensions between economic growth, the environment and preservation. It will also strategically address the housing and homelessness challenges. Obtaining clarity on key strategic issues as early as possible in the plan production process is a critical factor in making the process resilient to changes to the planning system and election cycles".<sup>1</sup>*
8. This recommendation of the PAS Team is reflected in Action 1.1 of the approved Planning Peer Review Action Plan which proposes the establishment of a Local Plan Delivery Board. On reflection, it is considered that this terminology should be reviewed to ensure that it is clear that the objective of this group will be to oversee the formulation of the next local plan, rather than the delivery of the current plan. It is proposed, therefore, that the group be referred to as the "Local Plan Steering Group".
9. To maintain synergy between the Executive Committee which has responsibility for developing and agreeing corporate and development plan policy and the Planning Committee, which has responsibility for delivering the objectives of the development plan through the determination of planning applications, your officers consider

---

<sup>1</sup> Recommendation 1: Planning Service Peer Challenge Feedback Report January 2023

that the board should include representatives of both the Executive and the Planning Committee. Other lead members could be co-opted to the board in future, for example if specific issues relating to their areas of responsibility would benefit from their knowledge.

10. As the responsibility for the development of planning policy rests with the Executive Committee, it is proposed that the Steering Group be chaired by the Lead Member for Corporate and Economic Development as this brief includes overseeing matters relating to planning policy.
11. It is intended that the Steering Group would not be a formal Committee or Sub-Committee of the Council and so would not have any decision-making powers, but it would provide guidance on the content of planning policies for consideration by the Executive Committee and/or Full Council as appropriate.
12. The role and purpose of the Steering Group would be to:
  - Oversee the process for reviewing the local plan and the progress made on individual work streams;
  - Discuss the scope of potential studies to be commissioned by the Council as part of the local plan evidence base;
  - Review the conclusions and potential implications of the evidence base for the local plan;
  - Provide the Planning Policy Team and Corporate Local Plan Officer Team with a Member perspective on issues raised;
  - Ensure integration/complementarity of the vision, objectives and policies of the Local Plan with those of the Corporate Strategy and wider council policies and their discharge by the Planning Committee;
  - Advise on other key decisions on matters relating to Local Plan production including: resources, scope of documents, evidence base, identification of alternative development options, content of the local development scheme, sustainability appraisal/appropriate assessment, and consultation methods;
  - Provide a critical friend role to advise on the production and content of Supplementary Planning Documents in support of the Local Plan.
13. The Committee is therefore requested to nominate members of the council to form the Local Plan Steering Group. It is proposed that the Planning Committee would also be asked to nominate members to attend the Local Plan Steering Group, which would then consist of:
  - Representatives of the Executive Committee
  - Representatives of the Planning Committee
  - At least two opposition members.

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	✓

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

### SUMMARY OF PREVIOUS DECISIONS

On **17 October 2023** the Executive Committee RESOLVED to adopt the Planning Peer Review Action Plan having accepted the amendments of the review of the draft Action Plan by the Internal Affairs Scrutiny Committee.

### BACKGROUND PAPERS REVELANT TO THIS ITEM

Name of document	Date	Where available for inspection
Planning Peer Review Action Plan	October 2023	<a href="#">Planning Peer Review Action Plan</a>
PAS Planning Service Peer Challenge, Final Report	January 2023	<a href="#">Peer Review Final Report</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Mark Evans	<a href="mailto:mark.evans@fylde.gov.uk">mark.evans@fylde.gov.uk</a> & Tel 01253 65846	February 2024

Attached documents

None

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	EXECUTIVE COMMITTEE	5 MARCH 2024	9
<b>LOCAL LIST OF HERITAGE ASSETS - WARTON &amp; OTHER RURAL AREAS</b>			

### PUBLIC ITEM

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

### RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Corporate and Economic Development, Councillor Karen Buckley.

### PURPOSE OF THE REPORT

The Council's Built Heritage Strategy was formally approved in November 2015. It contains a complete review of the nature and scope of the built heritage assets of the Borough, the appropriate legislative framework and an action plan that lists a series of projects that are to be undertaken during the life of the Strategy. An important priority was considered to be the compilation of a local list of buildings.

The compilation of a local list was authorised by the former Development Management Committee and since then a series of reports have been received to consider adding properties to the list on an area-by-area basis.

This report present the final geographical areas for consideration, with the properties proposed to be added to the local list set out in appendix 1.

### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

### RECOMMENDATION

1. That the buildings and structures set out within the attached schedule (appendix 1) be added to the local list of heritage assets.

### REPORT

#### Introduction and Background

1. The issue of local heritage protection has been considered at length by previous Planning Committee meetings. However, for the Councillors with no previous involvement, the following background is offered, which sets the context for locally listed buildings and the broader issue of Heritage Protection.
2. The Councils Built Heritage Strategy (2015 – 2032) was adopted in November 2015 following an extensive programme of research and consultation. It involved the setting up of a task and finish group of members, which helped guide its progress. The Strategy has had the full endorsement of Historic England (HE). Local Listing is viewed by HE as an important aspect of heritage protection and the National Planning Policy



Framework encourages planning authorities to recognise and designate locally important heritage assets to help facilitate their conservation and protection.

3. The Strategy is based around four themes, which seek to promote, protect and conserve the rich built heritage of the Borough. Attached and integral to the Strategy is the extensive Action Plan that seeks to deliver specific projects that will be undertaken during the lifetime of the Strategy. Theme 1: Conserving the Built Heritage, specifies a number of projects which includes the compilation of a 'Local List of Buildings', and a review of Conservation Areas including the scope for boundary reviews, new designations and the preparation of appraisals and management plans. The latter are required by statute and are an important part of the development management process.
4. Following the adoption of the Strategy, Committee authorised officers to commence a programme of local listing. To assist the process it was further agreed that three councillors would be appointed to form a small Project Board (Committee resolution dating from 20<sup>th</sup> January 2016). This was aimed at overseeing the process and act as a sounding body for the relevant officers, as the project proceeded. This was seen as particularly important as there is no prescribed process for the undertaking of local listing, apart from some advisory material from Historic England. The specific methodology emerged as the project proceeded.
5. The Local Plan, as now adopted, has full weight in the planning decision making process – and contains a range of policies in respect of heritage protection and enhancement (Policy ENV 5). Local listing of heritage assets is a key part of this policy.

#### **Methodology - Selection Process**

6. As outlined in the foregoing section, there is no prescribed method of compiling local lists of buildings. However, Historic England (HE) have produced some guidance and in-house research revealed that a number of local authorities have produced their own lists. Having regard to the material available, the methodology being used takes into account the advice and practice available elsewhere. However, the approach being applied in Fylde is somewhat bespoke, influenced by local circumstances, as the project has emerged. The approach being undertaken, has been discussed with advisors from Historic England who are fully in support the method being used. Indeed, HE are recommending to other Council's that they look closely at the Fylde approach when contemplating local listing as a model and the Heritage Strategy was shortlisted in the RTPI's Awards for Planning Excellence.
  - In compiling a methodology four significant questions arose, which can be summarised as follows:
  - How buildings can be identified?
  - What is the threshold for their inclusion i.e. what measure of quality is appropriate?
  - What is the method for final selection?
  - What are the implications of local listing?
7. To answer these questions a 'Protocol' was prepared and this document was approved in March 2017 and has been made available on the [councils website](#).

#### **Methodology - Expert Panel**

8. The ultimate decision as to whether a building becomes locally listed formerly rested with the Planning Committee but now rests with the Council's Executive Committee. To ensure that the buildings recommended for local listing are suitable, the buildings are placed before a Panel comprised of individuals who are considered to have the appropriate knowledge and skills. Each panel is drawn from a pool consisting of local architects with conservation interests, local historians and officers from the planning team and so the individual make up of each panel will vary. However, the same protocol is followed to ensure a consistent approach.
9. The buildings recommended for 'local listing' have been supported by the Panel. It should not be assumed that all buildings that are placed before the panel are automatically approved. The panel is provided with a 'data sheet' containing background information about the building or structure in question and a decision as to whether the property should be recommended for local listing is reached having regard to an assessment against the criteria set out in the approved protocol. Considerable debate often ensues at the Panel meetings with some rejected or deferred for further information.

## **Notification to building owners and other interested parties**

10. Following consideration by the Panel, the owners of the buildings affected are notified. This is undertaken by letter (see template at appendix 2) and includes an explanation of the local listing process, a question-and-answer sheet which identifies commonly asked questions, a data sheet explaining the significance of the building and links to the Council's web site, where further information about the process is available. It is further explained that the process has an in-built appeals process, that can be used in cases where Council officers cannot resolve any initial concerns of owners. A copy of the Frequently Asked Questions sent to the owners is attached as appendix 3.
11. Experience to date, shows that the vast majority of owners either favour local listing or do not object to it, when the circumstances are explained (with the outgoing informative letter). Many owners value the recognition of the historic recognition of a building. In cases where there is objection, this can be in view of the often-misunderstood circumstances relating to additional planning controls or, very rarely, that the local listing will encourage interest and as a result may impinge on privacy.

## **Implications of Local Listing and Article 4 Directions**

12. At the meetings of March and September 2017, Committee authorised officers to consider the necessity of introducing Article 4 Directions to particular buildings, to bring under control potentially harmful 'permitted development'. It should be noted however, that many of the commercial buildings that have been locally listed, or those with a mixed use, do not benefit from the same extent of permitted development as, for example, dwelling houses. As a consequence, it will be appropriate to consider the potential effects of permitted development on a case-by-case basis. In line with previous decisions, it is suggested that this issue be considered as a follow up matter, whereby the implications of permitted development can be fully considered.

## **Progress to Date**

13. The resolution of Committee was one of initially completing a review of the Lytham and St Annes area given the funding support offered by the Civic Society in the first instance. This enabled the system to be 'trially' such that it could be rolled out across the remaining parts of the Borough, with the parish councils being asked to nominate potential candidate buildings. The project subsequently extended into the remaining areas of the Borough and this report addresses properties in the final geographical areas of the borough. Unfortunately, it was necessary to pause the local listing process during the Covid Pandemic but work on surveying potential properties recommenced in 2022 utilising the methodology and processes that has been applied to the other towns and parishes. This report concludes the initial survey phase, but individual properties may still be considered for addition to the local list in future if further information about their local significance is identified.

## **Consultation with owners**

14. Following notification of the owners of the latest batch of buildings proposed to be added to the local list, enquiries were received from four owners. Questions/issues raised included:
  - Why do councils create local lists.
  - Why weren't building owners notified before consideration by the panel.
  - The addition of a property to a local list would restrict future alterations and improvements.
  - Confusion that the intention was to nominate buildings for inclusion on the national list.
  - Can I appeal if my property is added to the local list?
  - Local listing would potentially draw unwanted attention to a property.

A response was provided to all questions raised by the property owners who contacted the council. No formal appeals were received at this stage.

## **Conclusion**

15. The lists of assets is contained in the attached Schedule and totals 73 in number. The assets are varied, including commercial buildings, dwellings, communal buildings and street furniture.

16. Once approved by Committee, the status is confirmed and owners and interested parties notified of the final decision. It can be assumed that where buildings are contained within the list, they are placed on it either on the basis that the particular owner supports (or does not object) to the proposed listing or in a few cases, where initial representations and potential objections have been resolved. Inclusion on the Local List ensures that, as an identified Non-Designated Heritage Asset, relevant policies in the Local Plan and in the National Planning Policy Framework can be applied for their protection. The compilation of a local list is also a useful mechanism to inform property owners of the heritage value of their building and to allow them to make an informed decision when planning any alterations that may affect its character.

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	✓

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	The identification of local heritage assets will allow the impact on the historic environment to be considered when considering proposals through the development management process.
Health & Safety and Risk Management	None

SUMMARY OF PREVIOUS DECISIONS
<p>On <b>26 March 2014</b>, in line with the recommendation of the Policy Development Scrutiny Committee of <b>6 March 2014</b>, <b>Cabinet</b> resolved to:</p> <ol style="list-style-type: none"> <li>Approve the consultation exercise as undertaken in respect of the [Heritage] Strategy and responses thereto be noted and the incorporation of these into the final Strategy.</li> <li>Recommend to Cabinet that the Strategy as presented be approved and thereafter be adopted as official Council Policy.</li> <li>Recommend to the Cabinet that the Task and Finish group to remain in operation, for a period of no more than 12 months, to oversee the initial implementation of the Strategy, Action Plan and Work Plan and the setting up of the Heritage Forum.</li> </ol> <p>A series of task and finish groups were held culminating in the adoption of the Built Heritage Strategy for Fylde 2015 – 2032 in November 2015.</p> <p>On <b>20 January 2016</b>, the <b>Development Management Committee</b> was invited to appoint members to a working group, to be known as the Project Board in the delivery of the local listing of heritage assets.</p> <p>Following consideration of this matter the Committee resolved: to appoint Cllr Richard Redcliffe, Cllr Maxine Chew and Cllr Peter Collins to the Local Listings Project Board.</p>

In **March 2017, Planning Committee** resolved to approve the methodology and Protocol relating to the implementation of the project, the concept of protecting and recognising Groups of High Townscape Value, the scope for conservation area review and further potential designations and the locally listing of the first 'batch' of 10 buildings.

In **September 2017 Planning Committee** resolved to approve the Groups of High Townscape Value in Ansdell, the scope for conservation area review and further potential designations and the locally listing of the second batch of locally listed buildings.

In **January 2018 Planning Committee** approved the addition of properties across Lytham St Annes.

On **3 July 2019, Planning Committee** approved the addition of properties in Kirkham, Wesham, Singleton and Freckleton.

On **8 March 2023, Planning Committee** resolved to disband the Local Listings Project Board and acknowledged that the members of the Board appointed by the committee had contributed to achieving a key objective of the council's Built Heritage Strategy set out within the original Terms of Reference.

**BACKGROUND PAPERS REVELANT TO THIS ITEM**

Name of document	Date	Where available for inspection
Built Heritage Strategy for Fylde 2015-2032	2015	<a href="#">Council Website</a>

LEAD AUTHOR	CONTACT DETAILS	DATE
Catherine Kitching	e: catherine.kitching@fylde.gov.uk & t. 01253 658429	February 2024

Attached documents

Appendix 1 - Schedule of buildings proposed for local listing.

Appendix 2 - FAQ sent to owners of candidate properties.

Appendix 3 – Owner notification letter template

## Schedule of assets for local listing

Warton, Elswick, Little Eccleston, Greenhalgh, Thistleton, Weeton, Clifton, Newton, Staining, Ribby with Wrea, Westby, Treales, Roseacre, Wharles

### Warton (15)

St. Paul's Cottage, 9 Church Road  
206-208 Lytham Road  
barn, Bryning Hall Farm, Bryning Hall Lane  
Blackfield End Farm, Church Road  
Bryning with Warton Primary School,  
Clifton Arms pub  
cobble Wall, 45 Church Road  
Fern Hill, 30 Church Road  
Holy Family RC Church and Presbytery, Lytham Road  
Lime Tree House, 43 Church Road  
Lodge Farmhouse, wall and barn, Lytham Road  
Madeline Cottage, 22 Church Road  
New House Farmhouse, Bryning Hall Lane  
St Paul's Church  
Warton Hall, Lodge Lane

### Elswick, Little Eccleston (12)

Allen Bank, High Street  
Hurdle Farmhouse, High Street  
Lingard House, Lingard Cottage, Rosetree Cottage, High Street  
Ship Inn  
finger post  
Elswick United Reformed Church  
Boot & Shoe pub  
Higher House Farm, Lodge Lane  
Yewtrees, Roseacre Road  
Cartford Inn  
Bow Farm, Cartford Lane  
Maltkiln House, Blackpool Road

### Clifton, Newton and Staining (12)

Lund church  
Lund church hall, Station Road  
Lund (former vicarage), Vicarage Lane  
fingerpost, Deepdale Lane  
memorial cross, Station Road  
School House Cottage, Station Road  
Oakfield, Station Road  
Salwick Hall, Station Road  
Moss Farmhouse, Salwick Road  
Moss Side Farm, Station Road  
Hand & Dagger pub  
St Luke's church Staining

### Greenhalgh Thistleton (6)

Lane End Cottage, Thistleton Road  
Old Chapel House, Fleetwood Old Road

Fishers Slack Cottages, Fleetwood Road  
fingerpost, Kirkham Road  
The Eagle, Singleton Road  
St Michael's Primary School, Church Road

Ribby with Wrea (9)

1-4 Church Row  
7-11 Ribby Road  
79 Ribby Road  
The Grapes Hotel  
Ribby with Wrea school  
Down Dilly, Dubside  
Old Mill House, Mill Lane  
Wrea Green Windmill, Mill Lane  
The Villa, Moss Side Lane

Treales Roseacre Wharles (17)

Ash Tree Farm, Moorside Lane  
Cardwell Farm, Treales Road  
Carrsfield Barn, Church Road, Treales  
Christ Church, Church Road, Treales  
Kirkwood, Church Road  
fingerpost, Church Road, Roseacre Road  
fingerpost, Church Road, Kirkham Road, Treales  
Derby House Farm, Treales Road  
Melbourne House and Hill Cottage, Treales Road, Treales  
Moorfield Farm, Treales Road, Treales  
Primrose Farmhouse, Kirkham Road, Treales  
Treales Garage, Treales Road, Treales  
Roseacre Hall Farm, Roseacre Road  
Saswick House, Saswick House Farm, Roseacre Road, Roseacre  
Stanley Lodge Farmhouse, Salwick Road  
New Hall Farm Roseacre Road, Wharles  
Eagle and Child, Church Road, Wharles

Westby (6)

Westby Hall, Ballam Road  
fingerpost, Fox Lane Ends  
fingerpost Ballam Road  
Ballam church, West Moss Lane  
Fox Lane Farmhouse, Station Road  
pillbox, Preston New Road

## **Fylde Council Local List of Heritage Assets – Frequently Asked Questions**

### **What is the purpose of a Local List?**

- To raise awareness of an area's local heritage assets and their importance to local distinctiveness.
- To inform developers, owners, council officers and members about buildings within the local authority boundary that are desirable to retain and protect.
- To provide guidance and specialist advice to owners to help protect the character and setting of those buildings, structures, sites and landscapes.
- To help the council in its decision making when discussing proposals and determining planning applications.
- To record the nature of the local historic environment more accurately.

### **What can be included on the local list?**

A heritage asset can include buildings, structures e.g., monuments, sites, places, areas or landscapes: these can all be 'locally listed'. What makes a building locally list-able? Locally list-able buildings, structures, sites and landscapes are those that do not quite meet the criteria for being nationally listed (i.e. listed buildings, scheduled monuments, registered landscapes, battlefields, and protected wrecks listed on the National Heritage List for England - <https://historicengland.org.uk/advice/hpg/heritage-assets/nhle/> but which are still of architectural or historical importance in their local area.

### **What does locally listed status mean for a property owner?**

The property being on the local list will not mean that alterations will now need planning permission. The Local Authority may seek to introduce additional planning controls where the property has high level of permitted development rights and would respond by using its powers to impose an Article 4 Direction to remove the permitted development rights and thereby bringing control, in order to ensure that the alterations do not harm the architectural and historic interest of the locally listed building. It is likely that the only occasion when an Article 4 Direction is considered is in the case of a dwellinghouse.

The main aim is one of protecting the character of the building and not automatically preventing any changes. The locally listed status will be only one of the material considerations in determination of a planning application.

### **What if something is not on the local list?**

This does not necessarily mean that it has no heritage value; simply that it does not currently meet the selection criteria or that it has yet to be identified. The Local Heritage List is intended to be a 'live' document subject to future revision.

**Can a property owner object? How will any appeal be dealt with?**

Yes. There is an appeal system in the local listing scheme. This will be based on a challenge being made that the building does not meet the criteria claimed, as set out in the Protocol. An objection would not be valid simply based on the premise that the owner, or other party, simply would prefer that the property is not on the Local List.

When first notified of a potential listing, it is hoped that the building owner or other interested party would discuss any issue they may have with officers of the local authority. If after doing so their objection remains there is a right of appeal. A valid appeal would be dealt with by a separate appeal panel taking account of the views of the objector. Following that panel recommendation, the matter would be considered by a Council's committee to make the final decision.

**How will local listing be recorded?**

When an official search is submitted the status will appear on the return. In addition, a locally listed building will be retained on the Council record and the location be published on the web site.

**If someone wishes to make changes to a locally listed building can they get advice?**

Yes. The idea is one of ensuring that any potential changes are carried out sympathetically and appropriately. Therefore, officers would be pleased to offer advice in respect of the potential aspiration of building owners to make changes to locally listed buildings.

**If I require planning permission for works to a locally listed building, how will this be judged?**

Account would be taken as to how the proposals would impact on the special character of the building in question. This would include looking at the overall scale and design of the development, the materials of construction, and ensuring that they are appropriate to the building in question.

**Would I need planning permission for changes to the inside of a locally listed building?**

Whilst, from a heritage point of view the careful retention and restoration of period fittings within the building would always be recommended, the building owner would not require permission from the planning authority for changes to the inside of the building.





Our Ref: Fylde local list

The Owner/Occupier

Telephone:

Email:

Date:

Dear Sir/Madam

**LOCAL LIST OF HERITAGE ASSETS  
ADDRESS**

I am writing to you in respect of a building which you own or may otherwise have a legal interest.

In line with government guidance, the council is compiling a list of heritage assets that are considered to be locally important and your property has been identified as one which offers a positive contribution to the borough's heritage. Please find enclosed a copy of the assessment of your property for your own records.

Being on the local heritage list is not a national designation, that is, your property is not considered to be a 'listed building' and so there would be no additional planning controls apportioned by way of this local designation. However, the addition of your property to the local list confirms that it is considered a Non-Designated Heritage Asset.

At a date not less than 28 days from the date of this letter the asset will be considered at a relevant meeting of the council. You are invited to view the information and if you are aware of any error or misinterpretation of the significance, you should advise me of the nature of the error within that time period.

Enclosed for your information is a 'question and answer' sheet, which will hopefully answer any queries you may have. The website link, below, provides further information about the issue of local listing and the Council's processes.

[www.fylde.gov.uk/business/regeneration-urban-design/local-list-heritage-assets/](http://www.fylde.gov.uk/business/regeneration-urban-design/local-list-heritage-assets/).

Yours faithfully

Conservation Officer

# DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF TECHNICAL SERVICES	EXECUTIVE COMMITTEE	5 MARCH 2024	10
<b>PROPOSAL TO DEVELOP A WYRE AND FYLDE BUILDING CONTROL SHARED SERVICE</b>			

**PUBLIC ITEM**

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

**RELEVANT LEAD MEMBER**

This item is within the remit of Lead Member for the Environment, Councillor Tommy Threlfall.

**PURPOSE OF THE REPORT**

This report seeks approval to commence work on developing a shared building control service between Wyre Borough Council and Fylde Borough Council.

This report does not seek approval to implement a shared building control service, that will be a subsequent decision of the Cabinet or Executive Committee of each authority.

Wyre Borough Council have received similar approval from its Cabinet in February 2024, the two decisions, taken contemporaneously, setting a clear statement of intent thus allowing detailed and involved exploratory work to commence.

**RECOVERABILITY**

This decision is recoverable under section 7 of part 3 of the constitution.

**RECOMMENDATION**

That the committee approve commencement of work on developing the shared service proposals as outlined in this report and delegate the Head of Technical Services to undertake the work with Wyre Borough Council to achieve this.

**REPORT**

**BACKGROUND**

1. Fylde Council and Wyre Council building control services are mandated by the duty set out in the Building Act 1984.
2. Building control is the process by which the Building Regulations are enforced and are set down by Government. They are a set of standards for the design and construction of buildings primarily established to ensure the health and safety of people in and around buildings through regulations for fire, structural safety, energy conservation and cover access for all, internet provision and other areas.

3. The Building (Local Authority Charges) Regulations 2010 (Charging Regulations) and associated Chartered Institute of Public Finance and Accountancy (CIPFA) guidance require local authority building control to set charges to recover the costs of carrying out the building regulation service.
4. Only a local authority can undertake enforcement of the Building Regulations

#### THE CASE FOR CHANGE

5. The Government are improving the professional standards and introducing regulatory oversight of all building control inspectors and organisations via a new framework for registration of the technical officers and a new monitoring system by the HSE as a regulatory oversight of the profession. These changes are part of the Government's response to the Grenfell tragedy of 2017 with the new primary legislation being the Building Safety Act 2022. The Building Safety Act will run alongside the Building Act 1984 with both pieces of legislation aimed at bringing about fundamental change to the building safety regime in England. There are new legal responsibilities of duty holders such as Client/Designer/Contractor which mirror those under the Construction (Design and Management) Regulations of 2015.
6. There is a new Building Safety Regulator (BSR) that works under the HSE and will oversee the safety and performance of all buildings rather than just higher risk premises. BSR have set out new requirements and standards that apply to the building control service.
7. Officer Registration with the BSR is compulsory from April 2024 and the ability of building control professionals to practice will be dependent upon the validation of levels of competency leading to a considerable increase in training requirements and validation of experience. From April 2024 only 'Registered Building Inspectors' may undertake many of the functions currently completed by Building Control Officers.
8. Councils can only discharge the statutory functions by using correctly registered Inspectors and it is the responsibility of the local authority to resource this.
9. A consequence of this is that many building control officers are leaving the profession meaning recruitment and retention of staff is increasingly difficult. It puts at risk both authorities' ability to maintain high standards of service delivery and income.
10. Smaller teams in both Fylde and Wyre councils tend to present lower efficiency and effectiveness. For example, they do not have the staff numbers or registration capability to cover leave or to deal with more complex projects or to dedicate to marketing and sales to increase market share and income, or train staff; an essential element in terms of maintaining competence in line with Building Safety Regulator requirement.
11. Nationally private sector competition has increased over recent years. Whilst market share at Wyre and Fylde remains at or above the national average, Als are looking at developing existing income streams as the scope of work available to them diminishes following implementation of the Building Safety Act 2022.
12. Fylde and Wyre Building Control services are experiencing similar issues. Working together, officers have been reviewing options for future service provision. Uncertainty around the changing regulatory framework has been a key consideration in the decision to recommend pursuing a shared service approach. Longer term there may be an opportunity to consider establishing a Local Authority Trading Company.

#### VISION FOR A SHARED SERVICE

13. Fylde and Wyre Building Control services are experiencing similar issues of lack of staff. Working together, officers have been reviewing options for future service provision.
14. The proposal is to explore merging the Building Control services of Fylde Council and Wyre Council. The intention at this stage would be for Wyre Borough Council to become the host or employing authority for the shared service however Wyre would then need to have sufficient delegated powers and insurance to cover the Fylde area.
15. The vision for the shared building control service is for a resilient and efficient service that ensures the building regulations are complied with and enforced across Wyre and Fylde ensuring safe, healthy, and fit for purpose buildings in our communities.
16. A shared service would have the legal capacity, skills, and expertise to meet the emerging competence requirements from the Building Safety Act and provide an environment of constant learning and development

helping our staff to improve their skills, gain sector-specific qualifications, adapt quickly to emerging requirements, and give confidence to our communities.

17. The shared service will deliver an enforcement regime demanded by the BSR and the Building Safety Act 2022.

#### A PROPOSED SHARED SERVICE

18. The proposal is to explore merging the Building Control services of Fylde Council and Wyre Council. The intention at this stage would be for Wyre Borough Council to become the host or employing authority for the shared service.

19. In addition to carrying out the Building Regulation function, the service would also undertake other associated statutory functions such as dealing with dangerous structures, demolitions etc.

20. It is anticipated that there would be a transition period, where each authority continues to operate in their current way, such as ICT, email addresses, office location etc. The ambition would be to work towards implementation of a shared service by 1 April 2025 at the latest.

#### STAFFING RESOURCES AND STRUCTURE

21. Bringing together the two building control teams should bring about an improvement in resilience, which is a key driver for the two authorities, however simply combining the existing teams without considering capacity, competency and succession planning is likely to result in the creation of a larger team with the same problems as at present.

22. Both teams need experienced technical officers, able to deal with the full range of work likely to be submitted to their authority and support staff who are capable and experienced in dealing with all aspects of technical support for the building control service.

23. A new structure needs to provide sufficient resilience and legal capacity to enable all core functions to be effectively and safely undertaken and enable focus to be given to promoting the service, maintaining existing and developing new customers as well as ensuring the 'new team' is best placed to support a growth agenda. Creating a hierarchical structure with career graded posts will enable the service to offer career development and progression and more flexibility with recruitment.

#### FINANCIAL & LEGAL MATTERS

24. Local Authority Building Control services operate on a cost recovery basis, essentially running at a breakeven position over a three-year period. The service consists of fee and non-fee earning services, for example there is a fee for discharging compliance with the Building Regulations. However, dealing with dangerous buildings or enforcement are non-fee earning. The regulatory changes outlined in this report place a greater emphasis on enforcement activity for the Local Authority and the implications of this can only be fully understood from April 2024.

25. The ambition for the shared service is that it should be able to operate on a cost recovery basis, essentially breaking even over a rolling three-year period. However, there is a considerable amount of work for finance teams at both Fylde and Wyre to be undertaken as part of this project to establish the position.

26. There is also an element of non-fee earning duties such as demolition, dangerous structures, safety at sports grounds and enforcement.

27. Much of the operation of the shared service will be set out in a Shared Service Legal Agreement, this will involve considerable work for both legal services teams which can commence following this decision.

28. The Corporate Director of Communities at Wyre Council will begin working with officers at Fylde Borough Council. This will include the establishment of a project team consisting of officers from both councils, the production of a detailed project plan and programme of activity as well as the drafting of a legal agreement which will set out the proposed governance structure.

#### NEXT STEPS

29. All alternative service delivery options, including a shared service arrangement, will be set out in detail in a subsequent report to the Executive Committee which will also include any future financial implications.

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	✓

IMPLICATIONS	
Finance	The only financial implications at this stage are officers time working up the proposal and this will be contained within the existing budget provision. All alternative service delivery options, including a shared service arrangement, will be set out in detail in a subsequent report to the Executive Committee which will also include any future financial implications.
Legal	There are legal implications at this stage to research viability and ensure legal functions are appropriately serviced.
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

SUMMARY OF PREVIOUS DECISIONS
None

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
None		

LEAD AUTHOR	CONTACT DETAILS	DATE
Darren Bell	Email & Tel 01253 658565	February 12 <sup>th</sup> , 2024

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLACE AND CULTURE	EXECUTIVE COMMITTEE	5 MARCH 2024	11
<b>IMPROVEMENTS TO CHILDREN'S PLAY AREAS 2023/ 2024</b>			

### PUBLIC ITEM

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

#### RELEVANT LEAD MEMBER

This item is within the remit of the Lead Member for Tourism, Leisure and Culture - Councillor Jayne Nixon

#### PURPOSE OF THE REPORT

This report describes a scheme included in the Council's 2023/ 2024 Capital Programme for improvements to Fylde's children's play areas. Works include the refurbishment of playground surfacing and equipment. The 2023/ 2024 Capital Programme already includes the sum of £120,000 to deliver the works approved at Budget Council 2<sup>nd</sup> March 2023. Planned works are based on a prioritised play area audit prepared by officers. The scheme has now been tendered and the report details the tender process and makes a recommendation to proceed.

#### RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

#### RECOMMENDATIONS

1. To authorise the drawdown of the capital expenditure of £120,000 in respect of the approved capital scheme Play Area Improvements in 2023/ 2024, as detailed within this report.
2. To approve the letting of the contract to ESP Scotland Ltd for the sum of £120,000 and to carry out the capital scheme as outlined within this report.

### REPORT

1. Fylde Council holds an operating budget to carry out minor repairs to play equipment and surfacing, however it does not hold a budget for the replacement of failing or decommissioned equipment or safety surfacing.
2. A play area audit was carried out by Parks and Coastal Services in 2019. The audit showed that remedial and replacement works were required across several children's play areas. A schedule of prioritised works was compiled with associated costings. A Capital Bid to the sum of £120,000 to be funded from the Capital Investment Reserve, was submitted and approved by the Tourism & Leisure Committee on 12<sup>th</sup> January 2023.
3. A residential consultation was carried out on proposals to refurbish Raleigh Close Play Area, due to its proximity to Frobisher Drive Play Area. A residential questionnaire was formulated and posted to each resident in the immediate vicinity. The questionnaire asked residents whether they supported investment into new play equipment or preferred the site to be decommissioned and landscaped. The results of the consultation were collated, and the majority of respondents were in favour of the play area refurbishment. Officers have noted

that several residents raised concerns about potential antisocial behaviour and will ensure a proactive inspection and maintenance regime of the new play area as well as continued liaison with Lancashire Constabulary.

4. A specification for each play area was prepared and finalised in readiness for the contract tendering. The following sites were proposed for investment and improvement:
  - Lowther Gardens
  - Waddington Road
  - Hove Road
  - Raleigh Close

#### PROCUREMENT PROCESS & EVALUATION

5. Officers led the procurement process on a design and build basis, whereby the appointed contractor is required to design, supply the goods and carry out the installation works.
6. The tender process was undertaken via an open tendering procedure. The opportunity was advertised on 27<sup>th</sup> October 2023, via the Chest Procurement Portal with a submission deadline of the 8th of December 2023.
7. Suppliers were given a set of tender documents on which to base their submission. The evaluation included a set of suitability assessment questions followed by quality/ price questions. The tender was open to any interested company relating to play equipment and surfacing who were registered on the Chest Procurement system. Six companies were interested and submitted final tender documents.
8. The evaluation of the suitability assessment questions, including company sustainability, experience, quality management etc, was scored as PASS/ FAIL. All tenderers fulfilled the suitability assessment and proceeded through to the next stage of the evaluation process.
9. The quality evaluation questions were broken down under 5 headings and allocated weighted scorings as shown on the following table.

Table 1 - Quality Evaluation Weightings

Range of equipment and play value	30%
Design and creativity	30%
Method statement and programme	20%
Site team and sub-contracting	10%
Health and Safety	10%

Table 2 – Quality Evaluation Results

Eibe Play	ESP Scotland	Kompan	Playdale Playgrounds	Sutcliffe Play	Timotay Landscapes
64.00	70.40	62.40	64.00	56.00	54.40

10. Price evaluation was conducted using the CIPFA % difference model. The model allocates the lowest price full marks, and other scores are calculated on the percentage difference of their price and the lowest.

Table 3 - Price evaluation Results

Eibe Play	ESP Scotland	Kompan	Playdale Playgrounds	Sutcliffe Play	Timotay Landscapes
17.74	17.71	18.17	17.90	18.27	20.00

11. The combined totals from the quality and price evaluation were added together for a final score. The results are shown below.

Table 4 - Quality and Price Evaluation Results

Evaluation	Eibe Play	ESP Scotland	Kompan	Playdale Playgrounds	Sutcliffe Play	Timotay Landscapes
Price	17.74	17.71	18.17	17.90	18.27	20.00
Quality	64.00	70.40	62.40	64.00	56.00	54.40
Total Score	81.74	88.11	80.57	81.90	74.27	74.40

The highest scoring tenderer from the evaluation was ESP Scotland.

#### METHOD AND COST OF FINANCING THE SCHEME

12. The total cost for each play area to be included within scheme is shown in the below table.

Site Name	Price
Lowther Gardens, Lytham	£ 62,174.00
Raleigh Close, St Anne's	£ 24,927.00
Waddington Road, St Anne's	£ 9,130.00
Removals All Sites	£ 9,961.00
Site Set Up All Sites	£ 500.00
Delivery	£ 900.00
Safety surfacing	£26, 062.00
ESP Play Parks Contribution	£13,654.00
TOTAL	£120,000

13. Funding for the scheme is included within the approved Capital Programme for 2023/ 2024 for the sum of £120,000.
14. The equipment and surfacing will require ongoing maintenance, with future costs being contained within existing and approved revenue budgets.

#### VALUE FOR MONEY AND DETAILS OF PROCUREMENT PATH

15. To ensure that value for money is achieved, a procurement exercise has been undertaken in accordance with the council's contract procedure rules. Selection of the successful tenderer is on the basis that value for money is a key consideration, as well as the suitability of the proposed improvements.

#### SUMMARY

16. The proposal is to award the contract to ESP Scotland Ltd to the value of £120,000. This project will be completed by September 2024, subject to manufacturing timescales.

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	✓



IMPLICATIONS	
Finance	To authorise the drawdown of the capital expenditure of £120,000 in respect of the approved capital scheme Play Area Improvements 2023/ 2024 as detailed within the report; and To approve the letting of the contract to ESP Scotland for the sum of £120,000 to carry out the scheme as outlined in this report. Equipment/ surfacing will require ongoing maintenance, with future costs being contained within existing and approved revenue budgets.
Legal	The new play equipment and surfacing will comply with all applicable regulations. Procurement has followed the council's procedures.
Community Safety	The play area improvements will improve community safety on Fylde's public open spaces.
Human Rights and Equalities	The play area design specifications stipulate that play equipment is accessible and DDA compliant.
Sustainability and Environmental Impact	The proposals seek to incorporate low maintenance materials and to complement existing play provision. Lifecycle costs have been considered during the tender process.
Health & Safety and Risk Management	The new play equipment and surfacing installations will be subject to detailed risk assessments and subsequent weekly inspections by qualified play engineers.

SUMMARY OF PREVIOUS DECISIONS
<p><u>Tourism and Leisure Committee 12<sup>th</sup> January 2023</u></p> <p>Supported the progression of the proposed capital bid.</p> <p><u>Budget Council 2<sup>nd</sup> March 2023</u></p> <p>Approved an addition to the 2023/ 2024 Capital Programme fully funded from the Capital Investment Reserve to the sum of £120,000 in respect of the Children's Play Area Improvements project as detailed within this report.</p>

BACKGROUND PAPERS RELEVANT TO THIS ITEM
None

LEAD AUTHOR	CONTACT DETAILS	DATE
Lisa Foden	<a href="mailto:Lisa.foden@fylde.gov.uk">Lisa.foden@fylde.gov.uk</a>	March 2023

#### Attached Documents

Appendix 1 – Play Area Design Proposals.

# Fylde Borough Council Alice in Lowther Wonderland Gardens

ESP PLAYPARKS



Creating Inspirational Play Parks Since 2003



- ✓ 2 - 16 Age Range
- ✓ 45 New Play Features
- ✓ 50 + Users

Fylde Borough Council  
Lowther Wonderland Gardens

Ref: SO51132 Pages: 2/11 Date 07/12/2023 Drawing: 1 Designer: Gabrielle



Fylde Borough Council  
Lowther Wonderland Gardens

Ref: SO51132 Pages: 3/11 Date 07/12/2023 Drawing: 1 Designer: Gabrielle

# Lowther Wonderland Gardens Bespoke Triple Wonderland Towers



**Fylde Borough Council  
Wade's Giant Garden**

Ref: SO51132 Pages: 3/11 Date 07/12/2023 Drawing: 1 Designer: Gabrielle



Fylde Borough Council  
Lowther Wonderland Gardens

Ref: SO51132 Pages: 4/11 Date 07/12/2023 Drawing: 1 Designer: Gabrielle



Our equipment aims to help young children explore creativity, unleash imagination, carry out investigations, work in groups, express themselves and learn those all-important social skills.

They'll also get the opportunity to explore their physical abilities and develop physical skills.

Fylde Borough Council  
Lowther Wonderland Gardens

Ref: SO51132 Pages: 5/11 Date: 07/12/2023 Drawing: 1 Designer: Gabrielle



- 1. 3 x New Picnic Benches
- 2. New Pergola Shaded Shelter
- 3. Wonderland Thermo Activity Trail
- 4. Bespoke Triple Wonderland Towers
- 5. Inclusive Spring See Saw
- 6. Wonderland Mushroom Patch
- 7. Accessible Inground Carousel
- 8. Fairytale Trim Trail
- 9. New Accessible Wetpour Surfacing

**Fylde Borough Council  
Lowther Wonderland Gardens**

Ref: SO51132 Pages: 7/11 Date 07/12/2023 Drawing: 1 Designer: Gabrielle





- ✓ Role Play
- ✓ Imagination
- ✓ Creative Development
- ✓ Fine Motor Skills
- ✓ Sensory Development
- ✓ Early Years

- ✓ 0 - 16 Age Range
- ✓ 50 New Play Features
- ✓ 40 + Users

**Fylde Borough Council  
 Raleigh Close Refurbishment**

Ref: SO51132 Pages: 8/11 Date 07/12/2023 Drawing: 1 Designer: Gabrielle



- 1. Inclusive Thermo Activity Trail
- 2. Inclusive Toddler Multi Play Unit
- 3. Inclusive Steel Cobra Swing
- 4. New Accessible Wetpour Surfacing

**Fylde Borough Council  
Raleigh Close Refurbishment**

Ref: SO51132 Pages: 9/11 Date 07/12/2023 Drawing: 1 Designer: Gabrielle



Materials Selected For  
**Safety & Sustainability**

Antislip Panels  
Steel Core Ropes  
Trusted Supply Chain  
Responsible Sourcing

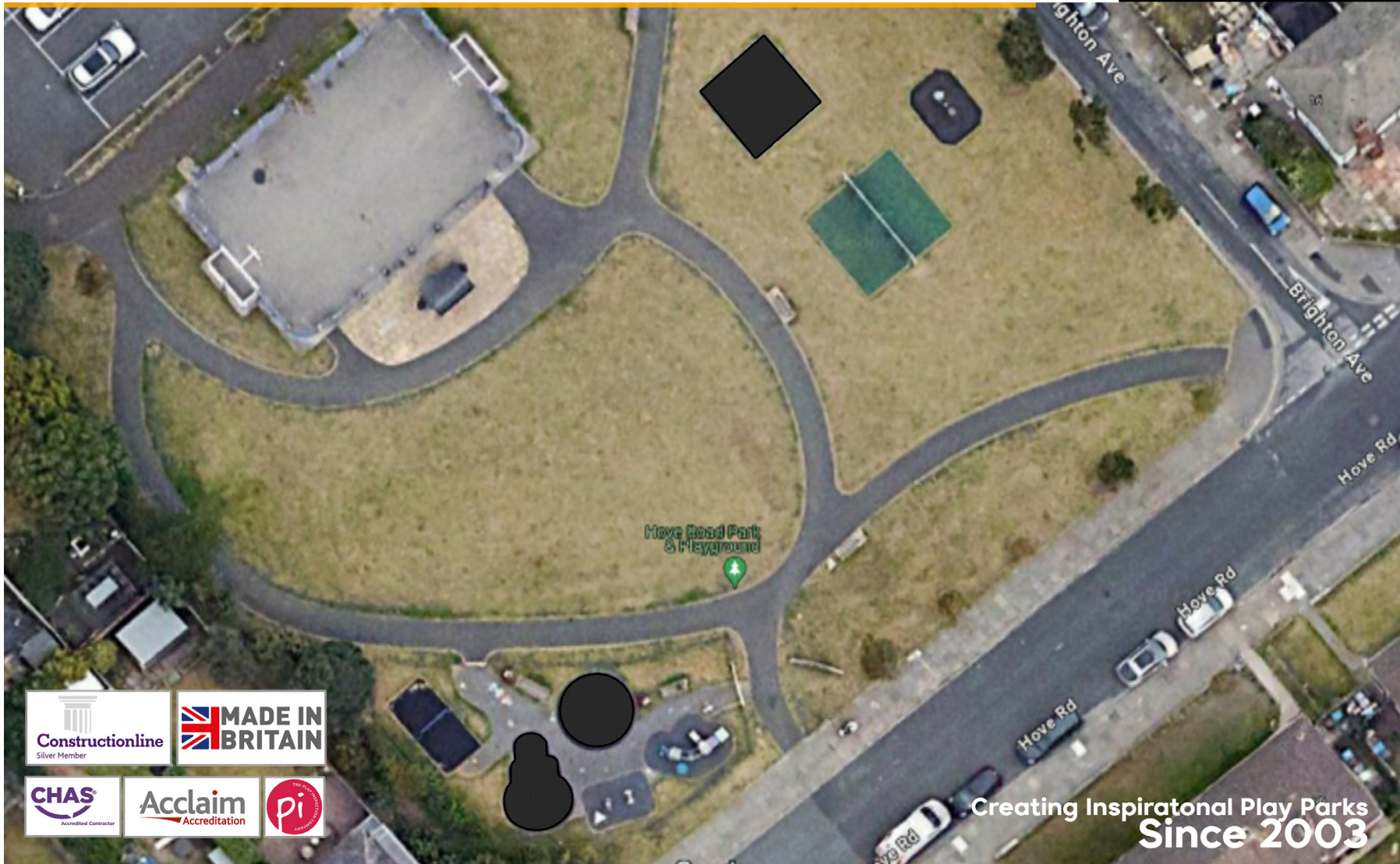


- ✓ 4 - 16 Age Range
- ✓ 5 New Play Features
- ✓ 40 + Users

**New High Space Net**

Fylde Borough Council  
Waddington Road

Ref: SO51132 Pages: 10/11 Date: 07/12/2023 Drawing: 1 Designer: Gabrielle



**Fylde Borough Council**  
**Hove Road Surfacing Refurbishment**

Ref: SO51132 Pages: 11/11 Date 07/12/2023 Drawing: 1 Designer: Gabrielle