

Agenda

Tourism and Leisure Committee

| | |
|--------------------|---|
| Date: | Thursday, 27 April 2023 at 6:30 pm |
| Venue: | Town Hall, St Annes, FY8 1LW |
| Committee members: | Councillor Michael Sayward (Chairman) Councillor Gavin Harrison (Vice-Chairman) Councillors Peter Anthony, Tim Armit, Brenda Blackshaw, Sue Fazackerley MBE, Shirley Green, Matthew Lee, Vince Settle, Elaine Silverwood. |

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 | Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council’s Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided. | 1 |
| 2 | Substitute Members: Details of any substitute members notified in accordance with council procedure rule 23(c). | 1 |
| | PRESENTATION: | |
| 3 | Presentation by Cuffe and Taylor | 3 |
| | DECISION ITEMS: | |
| 4 | Exclusion of the Public - Item 5: Lytham Festival – Request to Vary Agreement | 5 - 6 |
| 5 | Lytham Festival – Request to Vary Agreement EXEMPT ITEM NOT FOR PUBLICATION | EXEMPT |
| 6 | Exclusion of the Public - Item 7: Lytham Festival – Use of Land Adjacent to Fairhaven Car Park | 7 - 8 |
| 7 | Lytham Festival – Use of Land Adjacent to Fairhaven Car Park EXEMPT ITEM NOT FOR PUBLICATION | EXEMPT |

Contact: Democracy – Email: 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>

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PRESENTATION

| REPORT OF | MEETING | DATE | ITEM NO |
|------------------------|-------------------------------|---------------|---------|
| DEPUTY CHIEF EXECUTIVE | TOURISM AND LEISURE COMMITTEE | 27 APRIL 2023 | 3 |
| PRESENTATION | | | |

PUBLIC ITEM

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

The organisers of Lytham Festival have an agreement with the council to stage a series of Concerts on Lytham Green each year until 2029. The agreement commenced in June 2014 but has been varied from time to time since then.

The agreement allows the organisers to hold concerts each year on three to five consecutive days. The concerts are to be held in an area (called 'the Arena Site' in the agreement) which comprises the whole width of the Green up to (but not including) the coastal path from a line equivalent to a seaward continuation of Bath Street to a diagonal line turning just west of the path across the Green leading from Station Road to the windmill.

Additionally, the agreement entitles the organisers to use the parts of the Green to the east and west of the Arena Site for car parking. The car parking area to the west of the Arena Site extends to Dicconson Terrace, and the area to the east extends to Jubilee House. (The area used for car parking for the most recent concerts has informally varied from this footprint following discussion with the police and the council).

The Festival organisers will be present at the commencement of the meeting to outline their request for an extended use of Lytham Green to allow both a larger stadium, and increased car parking, both at Lytham Green and on land adjacent to the Fairhaven car park.

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|--|-------------------------------|---------------|---------|
| HEAD OF GOVERNANCE | TOURISM AND LEISURE COMMITTEE | 27 APRIL 2023 | 4 |
| EXCLUSION OF THE PUBLIC ITEM 5: LYTHAM FESTIVAL - REQUEST TO VARY AGREEMENT | | | |

PUBLIC ITEM

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

RECOMMENDATION

Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100A (4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined under paragraph 3, information relating to the financial or business affairs of any person (including the authority holding that information).

STATUTORY BACKGROUND

1. Section 100A of the Local Government Act 1972 requires all council and committee meetings to be open to the public except¹ to the extent that they are excluded by a resolution.
2. Councillors can only pass a resolution to exclude the public from a meeting during an item of business if it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information.
3. The categories of information that are "exempt information" are described in schedule 12A to the act.

FINANCIAL OR BUSINESS INFORMATION

4. Information relating to the financial or business affairs of any particular person (including the authority holding that information) can be exempt information. But it is only exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

CONSIDERATION OF WHETHER TO EXCLUDE THE PUBLIC

5. Like any resolution, a resolution to exclude the public needs to be proposed and seconded. It can be debated under the normal rules for debates. If there is a debate, councillors should be careful not to disclose any of the information in the potentially exempt report during the debate.
6. In deciding whether to exclude the public, councillors will want to consider the following questions:
 - a. What is the public interest in maintaining the exemption? In other words, what damage would be done by the information in the report entering the public domain?
 - b. What is the public interest in disclosing the information? There is always a public interest in the openness, accountability, and transparency of public bodies, and in demonstrating proper stewardship of public funds.

¹ Section 100A also requires the public to be excluded during discussion of information furnished to the council by a Government department upon terms which forbid the disclosure of the information to the public and information which is forbidden to be disclosed to the public by law or a court order.

- c. Does the public interest in maintaining the exemption outweigh the public interest in disclosing the information? The public can only be excluded if the answer to that question is "yes".

DECISION ITEM

| REPORT OF | MEETING | DATE | ITEM NO |
|---|-------------------------------|---------------|---------|
| HEAD OF GOVERNANCE | TOURISM AND LEISURE COMMITTEE | 27 APRIL 2023 | 6 |
| EXCLUSION OF THE PUBLIC ITEM 7: LYTHAM FESTIVAL – USE OF LAND ADJACENT TO FAIRHAVEN CAR PARK | | | |

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