

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	FINANCE AND DEMOCRACY COMMITTEE	21 MARCH 2023	8

FULLY FUNDED NEW CAPITAL SCHEME ADDITION – IMPROVEMENT TO SUSTAINABLE TRANSPORT FACILITIES/INITIATIVES AND PUBLIC TRANSPORT FACILITIES, CLIFTON DRIVE, ST ANNES

PUBLIC ITEM

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

SUMMARY

At the Planning Committee meeting held on 8 March 2023 a report was received requesting the release of Section 106 developer funds originally paid to Fylde Borough Council as a contribution towards 'improvements of bus services/facilities in the vicinity of the site' (development site at Crossacres) and 'improvement of public transport facilities and sustainable transport initiatives' (development site at Orchid Court). Lancashire County Council in their role as highways authority have requested the money that has been paid the Fylde Council by the developers of the 2 sites, be paid to fund the provision of additional refuge islands on Clifton Drive North to aid pedestrians in crossing the highway.

The improvements to the public transport facilities would make crossing Clifton Drive North easier for residents accessing the bus stop in either direction and provide improved, safer pedestrian routes to local community facilities.

RECOMMENDATION

1. That Finance and Democracy Committee are recommended to approve a fully funded new capital scheme addition in the sum of £35,732 in 2022/23 to be met by Section 106 monies held by the Council, towards the provision of refuge islands on Clifton Drive North, to provide improved links to a greater area for the residents.
2. That conditional upon receiving approval as above, that the sum of £35,732 be paid to Lancashire County Council, for the provision of 2 refuge islands (this could increase to 3 refuge islands if it can be delivered as part of a larger scheme).

SUMMARY OF PREVIOUS DECISIONS

Operational Management Committee 15 September to install 2 additional bus shelters to Leach Lane from the Crossacres section 106 contributions – application 05/0535 & 06/1189.

[Planning Committee – 8 March 2023](#) resolved

1. to recommend to Finance and Democracy Committee to approve a fully funded new capital scheme addition in the sum of £35,732 in 2022/23 to be met by Section 106 monies held by the Council, towards the provision of refuge islands on Clifton Drive North, to provide improved links to a greater area for the residents. and

2. That conditional upon receiving approval as above, that the sum of £35,732 be paid to Lancashire County Council, for the provision of 2 refuge islands (this could increase to 3 refuge islands if it can be delivered as part of a larger scheme).

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	✓

REPORT

1. Planning permission was granted for a residential development on the former Crossacres site, Highbury Road, St Annes under references 05/0535 & 06/1189, subject to a section 106 agreement which included a contribution of £20,000 to secure improvements to the bus services/facilities in the vicinity of the site, part of this contribution has been spent on additional bus shelters to Leach Lane, this leaves a balance of £13,411.77. There is no deadline by which this money must be spent contained within the agreement.
2. Planning permission was granted for a separate residential development at Orchid Court, 35-37 South Promenade, St Annes, subject to a section 106 contribution of £22,320, to be used for the improvement of public transport facilities and sustainable transport initiatives, this money must be spent by 3rd October 2026 or returned to the developer.
3. The financial contributions have been received by Fylde Council in accordance with the triggers set out in the agreements and Lancashire County Council (LCC) have requested that the funds held by Fylde Council be transferred to them in order to deliver two additional pedestrian refuge islands on Clifton Drive South to allow safer crossing of the highway. Lancashire County Council are currently seeking additional funding approval that would allow a further refuge to be provided as part of a wider project. If this is successful, the projects would be delivered together, with the economies of scale enabling a 3rd island to be delivered.
4. The Sn 106 agreement for the applications at Crossacres, Highbury Road (05/0535 and 06/1189) required a transport and travel contribution to be paid before the occupation of the 100th dwelling on site. The agreement wording is

The sum of £20,000 payable the money to be used for the improvement of bus services/facilities in the vicinity of the site.
5. The Sn 106 agreement for the application at Orchid Court, South Promenade (14/0327) required a transport and travel contribution to be paid before the occupation of the 100th dwelling on site. The agreement wording is

The sum of...£22,320...to be applied towards the improvement of public transport facilities and sustainable transport initiatives within the vicinity of the Land.
6. Both agreements indicate the allocation towards the improvement of bus/public transport facilities in the vicinity of the site. The proposed refuge islands are to be located at Bentinck Road, Devonshire Road and the 3rd, if this can be delivered, would be at Beach Road. It is considered that the proposed locations for the pedestrian refuges would allow safer crossing of the highway to access bus services travelling on the opposite side of the road to the developments and help improve the general viability of bus routes and access to rail and trams therefore helping with the ongoing provision of sustainable public transport.
7. The contribution relating to 05/0535 and 06/1189 has been with Fylde for a number of years and although there is no payback requirement this is not delivering the intended improvement, planning permission 14/0327 requires monies to be spent by 3 October 2026. To date LCC have not suggested any alternative schemes to deliver the expected improvements with all bus stops in the area having been upgraded to the current quality bus stop standard. Accordingly, the delivery of the proposed improvements appears an appropriate use of the contributions.

IMPLICATIONS	
Finance	Finance and Democracy Committee are recommended to approve a fully funded new capital scheme addition in the sum of £35,732 in 2022/23 to be met by Section 106 monies held by the Council. Subject to this approval the £35,732 Sn 106 funds held by this council would be transferred to LCC to deliver the pedestrian refuge islands on Clifton Drive South.
Legal	The council is obliged to use the contributions for the purposes set out in the agreement, failing which they would (if the agreement requires it) fall to be repaid to the developer.
Community Safety	There are no implications
Human Rights and Equalities	There are no implications
Sustainability and Environmental Impact	The scheme of improvements assists in making the site more sustainable through promoting walking and improving connections to public transport
Health & Safety and Risk Management	There are no implications

LEAD AUTHOR	CONTACT DETAILS	DATE
Karen Hodgkiss	karenh@fylde.gov.uk & Tel 01253 658515	8/3/2023

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Planning application 05/0535, 06/1189 and 14/0327	14/12/2005, 21/02/2007 and 01/10/2014	www.fylde.gov.uk