

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	23 MAY 2017	5
PUBLIC TRANSPORT IMPROVEMENTS RELATING TO SECTION 106 AGREEMENT FOR LAND AT NINE ACRES NURSERY WARTON (10/0766)			

PUBLIC ITEM

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

SUMMARY

The report addresses the matter of payment of a developer contribution (generated from the development at Nine Acres Nursery, Warton in relation to application 10/0766) in the total sum of £90,000 to Lancashire County Council to provide for the enhancement of local bus services and dial-a-ride provision in relation to the development. Funding will only be transferred to Lancashire County Council for this purpose following its receipt from the developer by Fylde Council. Approval for this will be required from the Finance and Democracy Committee following consideration by this Committee.

RECOMMENDATIONS

The Committee is recommended:

1. To request that the Finance and Democracy Committee approve a fully-funded addition to the Capital Programme in 2017/18 in the sum of £90,000, to be met in full by a receipt of Section 106 monies (generated from the development at Nine Acres Nursery, Warton in relation to application 10/0766) in the same amount; and
2. That conditional upon receiving the approval as outlined above, that the sum of £90,000 be paid to Lancashire County Council to provide for the enhancement of local bus services and dial-a-ride provision in relation to the development. Funding will only be transferred to Lancashire County Council for this purpose following its receipt from the developer by Fylde Council.

SUMMARY OF PREVIOUS DECISIONS

None

CORPORATE PRIORITIES

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

REPORT

1. Permission has been granted for the development of 66 dwellings at Nine Acres Nursery, Harbour Lane, Warton. This was subject to a Section 106 agreement which has been entered into to enhance local bus services and dial a ride provision in relation to the development.
2. The agreement required payment of 5 annual contributions of £18,000 from the developer, to be used
'by the Council (as to £10,000 from each [annual contribution]) to subsidise the provision of bus services that provide access from Warton to Kirkham and Lytham and (as to the remainder of each [annual contribution]) to subsidise the provision of a dial-a-bus service to serve the Site and its surrounding area'
3. Four of the five contributions have been paid, with the fifth not having yet fallen due.
4. Lancashire County Council, have now confirmed they intend to spend the money in 2 parts, as detailed in the agreement, the majority of the money they propose, to utilise as the funding to enhance local bus Service 78, which operates between St Annes, Warton and Kirkham/Wesham, to provide additional morning and early evening weekday journeys to provide improved access to potential employment opportunities. The proposed additional journeys are 0709 from Lytham to Wesham, 0705 from Warton to St Annes, 1805 from Wesham to Lytham & 1805 from St Annes to Wesham.
5. The second part of the spend, detailed in the agreement is to provide a dial a ride bus service to serve the site and its surrounding area, LCC have confirmed an element of the funding will allow LCC travel care service, to enhance the existing Dial a Ride provision in the Fylde area to link to the new development where required.
6. This proposal has taken LCC sometime to put together, therefore approval is requested to pay the contributions received to date, upon request, to LCC to provide the above enhancements. The final contribution will be collected when it falls due, which will then be paid to the LCC on request.
7. Funding will only be transferred to Lancashire County Council for this purpose following its receipt from the developer by Fylde Council. Approval for this will be required from the Finance and Democracy Committee following consideration by this Committee.

IMPLICATIONS	
Finance	The report requests approval for the transfer of s106 monies to LCC to deliver the required transport provision for the development at Nine Acres Nursery, Warton. This will necessitate an addition to the Capital Programme for which approval will be requested from the Finance and Democracy Committee following consideration of the issue by this Committee.
Legal	The council is obliged to use the contributions for the purposes set out in the agreement, failing which they would 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 enhanced public transport improvements assists in making the site more sustainable in the short term
Health & Safety and Risk Management	There are no implications

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Section 106 agreement		http://www.fylde.gov.uk/business/planning/planning-legal-agreements/