

Agenda



OPERATIONAL MANAGEMENT COMMITTEE

Date:	Tuesday, 14 March 2017 at 6:30 pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor David Eaves (Chairman) Councillor Albert Pounder (Vice-Chairman)</p> <p>Councillors Frank Andrews, Julie Brickles, Alan Clayton, Richard Fradley, Karen Henshaw JP, Paul Hodgson, Edward Nash, Sandra Pitman, Thomas Threlfall.</p>

Public Platform

To hear representations from members of the public in accordance with council procedure rule 11.
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	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 17 January 2017 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24(c).	1
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Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 MARCH 2017	4
THE MICROCHIPPING OF DOGS (ENGLAND) REGULATIONS 2015			

PUBLIC ITEM

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

SUMMARY

The Microchipping of Dogs (England) Regulations 2015, introduced the requirement for all dogs over the age of eight weeks in England to be fitted with a microchip. This report details the requirements of the regulations and requests that the Committee delegate authority to the Director of Resources to enforce the regulations.

RECOMMENDATIONS

1. That the Operational Management Committee delegate authority under regulation 11(2) of the Microchipping of Dogs (England) Regulations 2015 to the Director of Resources to appoint persons to act for the purpose of enforcing the regulations in the council's area .

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions under this subject matter

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. The [Microchipping of Dogs \(England\) Regulations 2015](#), made under [section 12](#) of The Animal Welfare Act 2006, came into effect on 24th February 2015. Although some of the provisions of the act came into effect in February 2015, the requirement for all dogs over the age of eight weeks in England to be fitted with a microchip came into effect on 6th April 2016.
2. The microchipping regulations include provision that all dogs are microchipped and their details recorded on a database. Puppies are required to be microchipped by the age of eight weeks and before transfer to a new keeper, unless one of two exemptions apply: Where a veterinary

surgeon has certified the dog as a working dog and docked its tail as allowed under [section 6](#) of The Animal Welfare Act 2006 (in such cases the time limit for the dog to be microchipped and details recorded with a database is 12 weeks); or where a veterinary surgeon certifies that a dog should not be microchipped because it would adversely affect its health. The dog must subsequently be microchipped on expiry of a time limited certificate unless a veterinary surgeon issues a further exemption certificate.

3. The keeper is solely responsible for ensuring that a dog is implanted with a microchip and that details are correctly recorded or updated on a relevant database. The definition of 'microchipped' in regulation 3(5) (b) requires that the keeper must record their full name, primary address, contact telephone number and the dog's name. From 6th April 2016, no keeper may transfer a dog to a new keeper until it has been microchipped unless an exemption certificate has been issued. The new keeper must record their correct details and any change in the dog's name with the database on which the dog's details are recorded. The veterinary surgeon does not have any specific responsibility to enforce this even if they become aware that a dog is not correctly chipped.
4. S11 (2) of the Microchipping of Dogs (England) Regulations 2015 gives the local authority the power to appoint authorised persons to enforce the regulations under Regulation 12(a) an authorised person may serve on the keeper of a dog which is not microchipped a notice requiring the keeper to have the dog microchipped (correctly) within 21 days. It is a summary offence under S13 (2) (e) for the keeper to fail to comply with the notice served under Regulation 12(a).
5. The following offences are punishable on conviction by a fine of up to level 2 on the standard scale (currently £500) under the regulations:
 - i. Failure to microchip and record relevant details before transferring a dog to a new keeper;
 - ii. Failure to comply with a notice to properly microchip a dog (which includes updating database records);
 - iii. Obstructing an authorised person arranging for the dog to be properly microchipped;
 - iv. Obstructing an authorised person taking possession of a dog to check if the dog is microchipped or to arrange for it to be microchipped.
6. When a notice is served under Regulation 12(a) i.e. on a keeper requiring the keeper to have the dog microchipped, the keeper is permitted 21 days for compliance with the notice. Under Part 3, [rule 22](#) of The Tribunal Procedure (First-Tier Tribunal) (General Regulatory Chamber) Rules 2009, the keeper is allowed 28 days to lodge an appeal from the date of the notice. In accordance with the Regulations the local authority may take enforcement action for non-compliance from day 22 despite the fact that the keeper still has seven days within which they may appeal the issue of the notice. However, it is unlikely that the local authority will be in a position to take action immediately after the period for compliance and it may be more appropriate to wait for the expiry of the appeal period before taking further enforcement action.
7. The Operational Services Committee has within its terms of reference 'Considering reports, reviewing, and formulating where necessary policies relating to dog Control'. This covers the requirements of the Microchipping of Dogs (England) Regulations 2015.
8. The Operational Management Committee is therefore requested to delegate authority the Director of Resources under regulation 11(2) to appoint persons to act for the purpose of enforcing the regulations in the council's area in order that enforcement action can be taken under the regulations.

IMPLICATIONS	
Finance	It is not possible to accurately assess the level of income that may be generated from the enforcement of this regulation. Any additional income that does result will be reflected in future updates to the financial forecast. There is no direct cost implication in the adoption of the new charge.
Legal	The legal implications are set out in the body of the report
Community Safety	There are no direct community safety implications arising from the report
Human Rights and Equalities	There are no direct human rights and equalities implications arising from the report
Sustainability and Environmental Impact	There are no direct sustainability and environmental impact implications arising from the report
Health & Safety and Risk Management	There are no direct health and safety and risk management implications arising from the report

LEAD AUTHOR	TEL	DATE	DOC ID
Kathy Winstanley	01253 658634	17 th February 2017	

LIST OF BACKGROUND PAPERS
None

DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 MARCH 2017	5
APPOINTMENT TO OUTSIDE BODIES/WORKING GROUPS			

PUBLIC ITEM

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

SUMMARY

In May 2015 Council asked that the programme committees make recommendations to appointments from within their respective memberships for those outside bodies relating to the brief for the committee. This report covers those appointments that relate to the Operational Management Committee.

Council will make appointments to outside bodies for the forthcoming municipal year at its meeting on 3 April 2017.

RECOMMENDATION

The committee is invited to

1. recommend nominations to the outside bodies listed for consideration by council
2. confirm the establishment of the working groups(s) listed which will meet as and when required
3. to note the reports from members currently serving on outside bodies
4. to agree to the establishment of a Coastal Project Board to oversee the delivery of the replacement hard sea defences at Fairhaven and Church Scar and to invite the Vice Chairman of the Operational Management Committee to sit on this board.

SUMMARY OF PREVIOUS DECISIONS

20th May 2015 - Council sought recommendations from individual programme committees as to nominations for representation.

6 July 2015 – Council confirmed the nominations from the programme committees.

11 April 2016 – Council confirmed the nominations from the programme committees.

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. The Council makes a number of appointments to outside bodies in each municipal year. In an election year these appointments are made at the AGM. In non-election years, these appointments are made at the last Council meeting of the municipal year. In May 2015, the Council deferred the decision to appoint to *'.... allow the various programme committees the opportunity to recommend appointments from within their respective memberships for those outside bodies relating to the brief of their committee'*.
2. The Council needs to make appointments to outside bodies at its meeting on 3 April 2017 for the forthcoming municipal year 2017/18. Nominations are sought from the programme committees for representatives to the outside bodies.
3. This report deals with the outside bodies that relate to the terms of reference for the Operational Management Committee. The first table below includes the name of the body/group, the role/purpose and which elected member currently represents the Council. The committee is invited to recommend nominations for consideration by Full Council.
4. Under the previous governance arrangements there existed the facility through scrutiny for members to establish specific task and finish groups to look in some depth at particular issues and make recommendations to Cabinet. With the adoption of the new governance arrangements that is no longer possible. However programme committees may wish to establish their own subject specific working groups to be set up when required in order to advise the parent programme committee on a particular topic/issue.
5. The second table below lists those working groups that relate to the terms of reference of the Operational Management Committee that are currently established. The establishment of working groups is within the responsibility of the individual programme committees and does not need the approval of Council.
6. It is important that the members nominated to represent the Council on outside bodies/working groups have an appropriate interest in the body/partnership/subject, can commit to positively represent the Council and be available to commit the time to attend the majority of the meetings involved.
7. The members nominated should ideally be a member of the programme committee to which the matter relates to.
8. The current protocol is that members are required to produce regular reports about the outside bodies on which they serve, currently every six months. It is the intention that this information will be made available to the programme committee members to which the external partnership relates.
9. The conclusion of any working group would be brought to committee in a formal report as previously occurred in scrutiny.
10. The establishment of a project board is required to receive monthly reports from the project manager and make key decisions as required on the delivery of the Fairhaven and Church Scar Coastal Defence Project.

Operational Management Committee- Outside bodies/partnerships			
Outside body / partnerships	Role/Purpose	Frequency of meetings	Current representation
Lancashire Waste Partnership	The LWP incorporates 15 Lancashire waste authorities, at both officer and member level, in an active approach to integrated waste management across the whole county area	Every four months (3xp/a)	Councillor David Eaves
Fylde Peninsular Coastal Programme Board	To oversee the development of new coastal defences along the Fylde Coast (Blackpool/Fylde/Wyre) – previous resolution of Cabinet 18/09/13	Quarterly (4xp/a)	Councillor Albert Pounder
PATROL	The joint Committee forms an over-sight of the work of the adjudicators of the independent adjudication service and reviews compliance by all Local Authorities		Councillor Albert Pounder
Sintropher Working Group	Partnership between Blackpool/Fylde and LCC to develop integrated transport solutions for the Fylde Coast		Councillor Albert Pounder

Operational Management Committee– Working groups			
Working group	Role/purpose	Notes	Current representation
Cross Party Public Space Protection Orders – Dog Control Working Group	To consider the introduction of Public Space Protection Orders for Dog Control under the Anti-Social Behaviour, Crime and Policing Act 2014 and to make appropriate recommendations to the Operational Management Committee for consideration.	When required	Councillors David Eaves, Albert Pounder, Alan Clayton, Cheryl Little, Vince Settle, Ben Aitken and Heather Speak
Car Parking	The group forms approx. every two years to review the council's strategy and approach to car parking	Last Met 2016	Councillors Julie Brickles, Alan Clayton, Richard Fradley, Edward Nash, Sandra Pitman, Albert Pounder

IMPLICATIONS	
Finance	No implications arising from this report
Legal	No implications arising from this report
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

LEAD AUTHOR	TEL	DATE	DOC ID
Tracy Morrison	01253 658521	Date of report	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

Appendices attached to this report

Appendix 1 – Status of reports from Outside Bodies representatives

Appendix 2 – Reports from Outside Bodies representatives.

Outside Bodies Returned Forms – Feb/March 2017

Outside Body		Councillor	Info First Requested	First Reminder	Second Reminder	Date Returned	Notes
Operational Management, 14/3/17 meeting.							
	Fylde Peninsular Coastal Programme Board	Albert Pounder	9/01/2017	31/1/17	20/2/17	2/3/17	Form Returned
	Lancashire Waste Partnership	David Eaves	9/01/2017	31/1/17	-	13/2/17	Form Returned
	PATROL	Albert Pounder	9/01/2017	31/1/17	20/2/17	2/3/17	Nil return – no meeting
	Sintropher Working Group	Albert Pounder	9/01/2017	31/1/17	20/2/17	2/3/17	Nil return – no meeting

Details

Councillor Name and Role on Outside Body (for example, Observer, Trustee, Director)	Albert Pounder (Observer)
Email	cllr.apounder@fylde.gov.uk
Period this report covers (date):	Aug 2016 - Jan 2017
Name of Outside Body:	Fylde Penninsular Coastal Programme Board
How often does the organisation meet? And how often have you attended?	Usually monthly but not met since Dec 2016. Attended all meetings.
Key issues arising for Fylde Borough Council	Sea Defences
	Examples of issues could be those that may affect decisions regarding budget setting, challenges for residents, policy changes that affect partnership working etc
Who did you inform of these issues within Fylde Borough Council?	Paul Walker, Darren Bell
In the light of these meetings, is it worthwhile for the Council to continue to have a representative/representatives on this body?	Yes
Any further comments?	

Details

Councillor Name and Role on Outside Body (for example, Observer, Trustee, Director)	Councillor David Eaves
Email	cllrdeaves@fylde.gov.uk
Period this report covers (date):	October 2016 - February 2017
Name of Outside Body:	Lancashire Waste Partnership
How often does the organisation meet? And how often have you attended?	3 times per year (every 4 months) Cllr Eaves has attended once in the past year and Cllr Pounder has substituted once.
Key issues arising for Fylde Borough Council	Current review of the delivery of LCC waste disposal services may impact on collection systems in Fylde (i.e. removal of food from green waste) in addition to the challenges facing the Authority from the loss of the cost sharing income (£777,000) from April 2018.
	Examples of issues could be those that may affect decisions regarding budget setting, challenges for residents, policy changes that affect partnership working etc
Who did you inform of these issues within Fylde Borough Council?	Management Team
In the light of these meetings, is it worthwhile for the Council to continue to have a representative/representatives on this body?	Yes
Any further comments?	The LWP incorporates 15 Lancashire waste authorities, at both officer and member level, in an active approach to integrated waste management across the whole county area including collection and disposal considerations

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 MARCH 2017	6
FAIRHAVEN AND CHURCH SCAR COASTAL DEFENCE PROJECT			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The report provides an update on the project to replace sea defences at Fairhaven and Church Scar.

SOURCE OF INFORMATION

Director of Development Services

LINK TO INFORMATION

Previous reports to Operational Management Committee

[Operational Management Committee 15 November 2016](#)

[Operational Management Committee 24 November 2015](#)

[Information Note](#)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The information is being given to committee to inform members on progress with the replacement hard sea defences at Fairhaven and Church Scar.

FURTHER INFORMATION

Contact Paul Walker, tel: 01253 658431

INFORMATION NOTE

FAIRHAVEN AND CHURCH SCAR COASTAL DEFENCE PROJECT

Background

Fylde Council is undertaking the Fairhaven to Church Scar Coast Protection Scheme to reconstruct the sea walls to prevent any coastal erosion and flooding, at an estimated cost of circa £19.825M. The Environment Agency has approved the funding business case which subject to the necessary approvals and consents will grant £19.425m towards the project with £400k being met from Fylde Council as part of the agreed capital programme. The necessary approvals include Planning Consent and a Marine Management Organisation (MMO) Licence. An MMO Licence being the equivalent of Planning Consent below high tide.

The previous report to Operational Management Committee in November 2016 outlined the proposed scheme, the approvals and consents process, the procurement process for a contractor to deliver the works and the programme. This report is to provide an update on these areas.

Proposed Scheme

The Scheme has been developed and a presentation on the night will highlight this progress.

Project Board

The delivery of the project is now at a stage which requires the establishment of a project board to receive monthly reports from the project manager and make key decisions as required.

Project Team

A report was considered by the Operational Management Committee on 24 November 2015 which covered the procurement of the project team and main works. The recommendation was to use the experienced coastal defence team at Blackpool Council and that a MoU be put in place to manage this.

Since then there have been lengthy discussions with Blackpool Council who have decided that they can no longer offer the coastal defence team. Therefore the best option for Fylde is to establish an in house coastal project team using staff currently involved in Fylde coast sea defence projects.

Approval & Consents

The MMO Licence and Planning Application were submitted in November 2016 and January 2017 respectively. Both these processes can typically take around 13 weeks to reach a conclusion. However, as of up to the end of February 2017 there has been no significant representations.

Engagement of a Contractor

The draft tender documents are substantially complete and have undergone different internal and external reviews. The procurement approach is to be that of 'design and build', where the selected contractor takes all design and construction responsibility.

The Environment Agency's WEM Framework is to be used as previously reported. The 5 contractors on this Framework have been notified of the project and all 5 contractors have submitted positive expressions of interest.

The tender process though is to be set back a little, but this is to ensure that the design brief in the contract is fixed to give stronger price certainty / lower risk to Fylde Council when contracting.

Programme

The high level programme stands as follows:

Finalise Design Details – April 2017

Issue Tender Documents – April 2017

Secure Licences & Consents – Draw Grant Down – May 2017

Contract Date – Spring 2017

Start on Site - Autumn 2017

Completion on Site - Winter 2019/20

FURTHER INFORMATION AVAILABLE FROM

Contact Tel 01253 658675

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 MARCH 2017	7
UPDATE ON PSPO CONSULTATION			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

At the November 2016 Operational Management Committee it was resolved to approve the recommendations with regards to the proposal on the introduction of public space protection orders for dog control in Fylde and to instruct officers to carry out the necessary public consultation as required by the legislation. It was further agreed that the results of the consultation would be reported back to a future meeting of the Committee

The Elected Member PSPO Working Group held an initial meeting on the 24th January to consider the consultation results and all supporting feedback. Their recommendations have not been finalised as yet as there is a need for further consultation with the Kennel Club, Natural England, Town and Parish

SOURCE OF INFORMATION

Head of Health and Environment

LINK TO INFORMATION

[Feedback on PSPO Consultation on Proposed Dog Control Measures in Fylde](http://www.fylde.gov.uk/pspo)
<http://www.fylde.gov.uk/pspo>

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

A number of FOI requests have subsequently been received requesting information on the consultation results and the raw data and commentary has been released in response to these requests. This report is the update members on the data received from the consultation.

FURTHER INFORMATION

Contact Kathy Winstanley, Head of Health and Environment, kathyw@fylde.gov.uk, 01253 658634.

INFORMATION NOTE

Feedback on PSPO Consultation on Proposed Dog Control Measures in Fylde

At the November 2016 Operational Management Committee it was RESOLVED to approve the recommendations detailed below with regards to the proposal on the introduction of public space protection orders for dog control in Fylde and to instruct officers to carry out the necessary public consultation as required by the legislation. It was further agreed that the results of the consultation would be reported back to a future meeting of the Committee, and if PSPO's are subsequently approved, a recommended implementation date of 1st June 2017 would be suggested:

- a borough wide PSPO requiring dogs to be kept on leads on all public highways at all times
- a borough wide PSPO requiring the removal of dog faeces at all times
- a borough wide PSPO excluding dogs from all children's play areas
- a borough wide PSPO limiting the number of dogs under the control of one person to a maximum of 4
- a PSPO requiring dogs to be kept on leads at various locations across the borough
- a PSPO excluding dogs at various locations across the borough
- the introduction of a fixed penalty notice (FPN) for breaching a PSPO to the value of £100, reduced to £50 if paid within 7 days
- after an introductory, educational period, a zero tolerance approach to be followed in relation to any PSPO made following the consultation
- to recommend to full council that existing dog related byelaws are repealed, to avoid conflicting restrictions
- to recommend to full council to include a 2017/18 one off budget item of £12,000 to fund a communication campaign and appropriate signage to support of the introduction of any dog related PSPO's made following the consultation
- to approve the purchase and use of body worn CCTV cameras (subject to procedural requirements) by the Dog Enforcement Wardens as a Health and Safety measure to be funded from existing service budgets
- to recommend appropriate officers investigate the use of PSPO to control other ASB issues such as BBQs and public drinking and to make recommendations to the relevant committees

Following the Committee, a six week consultation was carried out via Survey Monkey from 2 December 2016 – 15 January 2017 to gauge public opinion on the proposals. The survey included questions on each specific area/order proposed as well as the opportunity to add free text commentary. It was circulated to key interest groups and organisations including but not limited to the Kennel Club, the Dogs Trust, the RSPCA, local licensed boarding facilities, Vets, Parish Councils, Lancashire County Council and Duchy of Lancaster, all Fylde Councillors and Staff, all interested parties who had previously contacted the Council regarding the PSPO proposals and relevant service requests (106) and a bank of residents' email addresses retained on file by the Council. The consultation link was also promoted via the Council Website, Social Media, Regional TV and Radio, Local Newspapers and via the Dog Enforcement Wardens who handed out 187 consultation link cards to interested individuals; paper versions of the survey were available on request (7 returned and inputted electronically).

The email included the following text:

Dog Control - Public Space Protection Orders Consultation

The dog enforcement service are seeking your views on dog control within the borough.

New legislation under the Anti-Social Behaviour Crime and Policing Act 2014 allows for the

introduction of Public Space Protection Orders (PSPO) which offer a more effective way of enforcing dog control in Fylde, than the existing byelaws. We are aware that not only do we all work in Fylde, but many people also live in or visit the borough socially, and we hope you will complete the consultation to share your views on this issue.

*There are 4 types of orders being proposed at various locations across the borough, the consultation is open to everyone and we estimate it should take 15 minutes to complete. The consultation is open for six weeks, and closes on **Sunday 15 January 2017**. To complete the consultation please visit:- <https://www.surveymonkey.co.uk/r/fyldedogcontrol>*

If you are aware of anybody else who may be interested in this matter, please highlight the consultation to them.

Thank you in advance

1996 consultation responses were received in total: 1319 from residents, 390 from non-residents (362 regular visitors), 241 from Fylde business owners, 22 from professional dog walkers and 1,105 from dog owners. 948 respondents added commentary under the free text section. In total 114,547 words were reviewed and the commentary was categorised into the following themes: Enforcement (217), Dog Welfare (124), Economy (110), Confusion over proposals (75), Number of dogs (72), Professional dog walkers (66), Elderly or disabled concerns (48) and Health and Environment (30). 533 responses objected to the proposals, 301 supported the proposals and 181 included general statements and comments both in support and against the proposals. Detailed responses were also received from the Kennel Club and the Dogs Trust.

A random selection of the free text commentary is detailed below:

247: I am a regular walker and runner in many of the areas listed and often encounter problems with dogs who not on a lead. The most recent being last week , near Fairhaven lake when 5 dogs were let out of a vehicle and allowed to run off on their own!

300: Professional dog walkers are insured to walk 6 dogs. I see no reason to set a limit below this level. I do however see the benefit of having a limit to preclude the example given of one person walking 12 dogs.

593: I agree that dog fouling is disgusting if owners do not pick up, both on the green and main pathway along Lytham Green, a fine is in order if it's not removed. People who walk dogs for their business is ok but think one dog off the lead at any one time would be acceptable. Most of these questions are common sense to all responsible dog owners, no-one should let their dog foul on children's play areas and parks.

902: I feel that the council is penalising residents of the area as people who visit are only affected for the time they are here not all the time. I feel the areas for off lead exercise are too limited cramming a large number of dogs into a smaller area will cause problems, as it does if you cram humans together in a small area.

The consultation results are included below, expressed as a total percentage of responses received in support of the individual PSPO proposed:

- Borough wide for fouling - 88%
- Dogs on lead in cemetery - 78%
- Dogs on lead on the highway - 73%
- Dogs excluded from children's play areas - 69%
- Dogs on lead in Council car parks - 62%
- Dogs excluded from Amenity Beach (seasonal) - 61%

- Dogs excluded from water features - 56%
- Dogs excluded from Cenotaph Gardens, Freckleton – 54%
- Dogs excluded from Rose Garden, Memorial Gardens, Freckleton - 52%
- Dogs on lead in Lytham St Annes Nature Reserve - 49%
- Dogs on lead in Ashton Gardens - 48%
- Dogs on lead in Memorial Gardens, Freckleton - 48%
- Dogs on lead Meadow Park, Staining - 47%
- Dogs on lead in Lowther Gardens - 47%
- Dogs on lead Larbreck Play Area, Elswick - 46%
- Dogs on lead on Promenade and in Promenade Gardens - 45%
- Dogs excluded from Staining Rise - 44%
- Dogs on lead on Fairhaven Lake - 42%
- Dogs on leads by direction for all year and a section on lead during peak season on Lytham Green - 42%
- Dogs on leads on Hope Street Park - 42%
- Dogs on leads on Derby Road, Wesham - 42%*
- Dogs on leads on Fleetwood Road Playing Fields, Wesham - 42%
- Dogs excluded from the Orchard and Nature Reserve, Elswick - 40%
- Dogs on leads on Bush Lane Playing Fields, Freckleton - 40%
- Dogs on Lead on Granny's Bay - 34%
- Dogs on lead on beach in the coastal defence work area - 34%
- Dogs on leads on Blackpool Road Playing Fields - 33%
- Number of dogs: No limit - 36%; 4 dogs - 36%; 5 dogs - 5%; 6 dogs - 10%; 7 dogs - 5%; 4 or more by direction - 8%

This information has been published on the Fylde Council website, with a link to the supporting commentary and a paragraph to explain the next steps in the process: <http://www.fylde.gov.uk/pspo>.

From 1 November 2016 to 18 January 2017, the service received and responded to 23 Freedom of Information requests specifically relating to the consultation, historical complaints and enforcement actions. A number of FOI requests have subsequently been received requesting information on the consultation results and the raw data and commentary has been released in response to these requests.

The Elected Member PSPO Working Group held an initial meeting on the 24th January to consider the consultation results and all supporting feedback. Their recommendations have not been finalised as yet as there is a need for further consultation with the Kennel Club, Natural England, Town and Parish Councils and representatives from the local professional dog walker community. The final recommendations will then be presented to a future meeting of the Operational Management Committee for debate and decision on the implementation of any potential PSPOs for dog control.

The Operational Management Committee originally approved a recommended implementation date of 1st June 2017 for any potential PSPOs that may be agreed. Given the level of interest shown in the consultation and the length of time required to consider all feedback and suggestions received, it will be recommended that the implementation of any agreed PSPOs be delayed until a later date, to be decided by the committee, in order to give officers sufficient time to effectively communicate proposed changes to all dog walkers, residents, visitors, businesses and organisations that may be affected by the changes.

Appendix:

Consultation Feedback from the Kennel Club

Consultation Feedback from the Dogs Trust

FURTHER INFORMATION:

Kathy Winstanley, Head of Health and Environment, kathyw@fylde.gov.uk, 01253 658634.



THE KENNEL CLUB

Making a difference for dogs

Kennel Club Response to Fylde Council Public Spaces Protection Order Consultation

Submitted on 13th January 2017 by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, tel: 020 7518 1020, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with responsible owners. As part of its External Affairs activities the Kennel Club runs a dog owners group KC Dog with approximately 5,000 members, which was established to monitor and keep dog owners up to date about dog related issues, including Public Spaces Protection Orders (PSPOs) being introduced across the country.

As a general principle we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.

Dog fouling

The Kennel Club strongly promotes responsible dog ownership, and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events; or using poster campaigns to encourage dog owners to pick up after their dog.

Dog access

The Kennel Club does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities such as tennis courts or skate parks, as long as alternative provisions are made for dog walkers in the vicinity. We would also point out that children and dogs should be able to socialise together quite safely under adult supervision, and that having a child in the home is the biggest predictor for a family owning a dog.

The Kennel Club can support reasonable “dogs on lead” orders, which can - when used in a proportionate and evidenced-based way – include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic.

The Kennel Club will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are legally required to provide their dogs with appropriate daily exercise, including “regular opportunities to walk and run”, which in most cases will be off-lead while still under control. This is a provision of the Code of Practice for the Welfare of Dogs, which accompanies the Animal Welfare Act 2006.

Their ability to meet this requirement is greatly affected by the amount of publicly accessible parks and other public places in their area where dogs can exercise without restrictions. Reference to this section of the Animal Welfare Act was included in the statutory guidance produced for local authorities by the Home Office on the use of PSPOs. It is also contained within the Defra / Welsh Government guidance on dog control measures.

Accordingly, the underlying principle we seek to see applied is that dog controls should be the least restrictive to achieve a given defined and measurable outcome; this is the approach used by Natural England. In many cases a seasonal or time of day restriction will be effective and the least restrictive approach, rather than a blanket year-round restriction. For instance a “dogs on lead” order for a picnic area is unlikely to be necessary in mid-winter.

We welcome the proposal to relax or remove some existing dog access restrictions. While taking this into account, and accepting our local knowledge is limited, it appears to us in certain areas a dog owner’s ability to exercise their dog(s) will be severely inhibited if all the proposed restrictions are introduced. From analysing the proposals we are particularly concerned about provision in the Lytham St Annes and Lytham. We acknowledge stretches of the beach are available for dog walkers, but due to exposure to the elements and accessibility reasons, beaches may not be a suitable option for all local dog walkers, year round.

Aside from the legal obligations on dog walkers to provide off-lead exercise for their pets, dog walking can provide considerable physical and mental health benefits.¹ We request the council carefully considers whether there is appropriate provision for off-lead dog walking in the area.

We strongly question the appropriateness of the proposal to require ‘dogs to be kept on leads on all public highways at all times’. This definition would include a large number of paths and tracks where dog walkers are not going to encounter motor vehicles, or indeed potentially other pedestrians. We do not believe that requiring dogs to be kept on a leads on ‘*all public highways at all times*’ within the Fylde local authority area meets the legal test for the introduction of a PSPO. Namely the activity carried on has had, or is likely to have a detrimental effect on the quality of life of those in the locality, and the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature. We would submit the council should take a more targeted approach identifying highways for which dogs being off-lead would meet the legal test for the introduction of a PSPO.

We welcome the inclusion of the “dog on lead by direction” provision, which should allow a more targeted approach to tackle the individuals who allow their dogs to run out of control. We would also recommend local authorities make use of the other more flexible and targeted measures at their disposal such as Acceptable Behavioural Contracts and Community Protection Notices. Kennel Club Good Citizen Training Clubs and our accredited trainers can also help those people whose dogs run out of control due to them not having the ability to train a good recall.

¹ Dogs, access and nature conservation, English Nature Research Reports C

Nature reserves and water features

There are a number of proposals within this PSPO consultation which cite protecting wildlife and nature features as the reason for the restriction. We recently contacted both the council and Natural England for additional information regarding the underlying need for restrictions on dog walkers at these sites. We are still assessing the information provided, as such at this stage we are unable to fully comment on the necessity to manage dog access at these sites in the manner proposed.

However, we would submit that the legal test for the introduction of a PSPO can't be met purely on the basis of protecting wildlife. The Anti-social Behaviour, Crime and Policing Act 2014 is clear that a PSPO can only be introduced 'where activities have had or are likely to have a detrimental effect on the quality of life of those in the locality...'. It is clear from the Act, its accompanying explanatory notes and Government guidance documents that this is referring to the effects on people, and not other non-human species.

From the information available to us, there is no apparent evidence to show detrimental effects on people in the locality. Thus, we submit that a PSPO introduced on the stated disturbance to birds or wildlife is fatally flawed.

We would be happy to work with the council and Natural England to develop more appropriate measures to mitigate against potential negative impacts of dogs to sensitive wildlife sites.

For similar reasons we do not believe a PSPO is appropriate measure to restrict dog access to all water features. If the council believes there to be an algal problem then it would be more appropriate to erect a sign warning dog owners of the potential risks, especially as algal problems are usually seasonal.

Maximum number of dogs a person can walk

The Kennel Club feel that an arbitrary maximum number of dogs a person can walk is an inappropriate approach to dog control that will often simply displace and intensify problems in other areas. The maximum number of dogs a person can walk in a controlled manner depends on a number of factors relating to the dog walker, the dogs being walked, whether leads are used and the location where the walking is taking place.

An arbitrary maximum number can also legitimise and encourage people to walk dogs up to the specified limit, even if at a given time or circumstance, they cannot control that number of dogs.

We thus suggest that defined outcomes are used instead to influence people walking more than one dog, be that domestically or commercially, such as dogs always being under control, or not running up to people uninvited, on lead in certain areas etc.

For example, an experienced dog walker may be able to keep a large number of dogs under control during a walk, whereas an inexperienced private dog owner may struggle to keep a single dog under control. Equally the size and training of the dogs are key factors; this is why an arbitrary maximum number is inappropriate. The Kennel Club would recommend the local authority instead uses "dogs on lead by direction" orders and targeted measures such as Acceptable Behaviour Contracts and Community Protection Orders to address people who don't have control of the dogs they are walking.

A further limitation of a maximum number of dogs per person is that that it does not stop people with multiple dogs walking together at a given time, while not exceeding the

maximum number of dogs per person. Limits can also encourage some commercial dog walkers to leave excess dogs in their vehicles, which can give rise to welfare concerns.

If a maximum number of dogs is being considered due to issues arising from commercial dog walkers, we instead suggest councils look at accreditation schemes that have worked very successfully in places like the East Lothian council area. These can be far more effective than numerical limits, as they can promote wanted good practice, rather than just curb the excesses of just one aspect of dog walking. Accreditation can also ensure dog walkers are properly insured and act as advocates for good behaviour by other dog owners. The Kennel Club is currently developing a national Code of Practice for Commercial Dog Walking for launch in 2017, alongside a national accreditation and training scheme that councils can work with us to apply and promote in their areas.

Assistance dogs

We would also request appropriate exemptions are put in places for users of registered assistance dogs. There are in total seven charities training registered assistance dogs in the UK that we submit should be included. We would suggest that to find out more information about the range of assistance dogs now legally recognised under disability legislation in the UK that need to be accommodated, go to www.assistancedogs.org.uk.

Appropriate signage

It is important to note that in relation to PSPOs the “The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014” require local authorities to –

“cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to –

- (i) the fact that the order has been made, extended or varied (as the case may be); and
- (ii) the effect of that order being made, extended or varied (as the case may be).”

With relation to dog access restrictions such as a “Dogs Exclusion Order” or “Dog on Lead Order”, on-site signage should make clear where such restrictions start and finish. This can often be achieved by signs that on one side say, for example, “You are entering [type of area]” and “You are leaving [type of area]” on the reverse of the sign.

Dear Sarah,

Dogs Trust has been made aware that Fylde Borough Council is planning to introduce a series of PSPOs. As the UK's largest dog welfare charity, we would like to make some comments for consideration.

1. Re; Fouling of Land by Dogs Order:

- Dogs Trust consider 'scooping the poop' to be an integral element of responsible dog ownership and would fully support a well-implemented order on fouling. We urge the Council to enforce any such order rigorously. In order to maximise compliance we urge the council to consider whether an adequate number of disposal points have been provided for responsible owners to use, to consider providing free disposal bags and to ensure that there is sufficient signage in place.

2. Re; Dog Exclusion Order:

- Dogs Trust accepts that there are some areas where it is desirable that dogs should be excluded, such as children's play areas, however we would recommend that exclusion areas are kept to a minimum and that, for enforcement reasons, they are restricted to enclosed areas. We would consider it more difficult to enforce an exclusion order in areas that lack clear boundaries.
- Dogs Trust would highlight the need to provide plenty of signage to direct owners to alternative areas nearby in which to exercise dogs.

3. Re; Dogs on Leads Order:

- Dogs Trust accept that there are some areas where it is desirable that dogs should be kept on a lead.
- Dogs Trust would urge the Council to consider the Animal Welfare Act 2006 section 9 requirements (the 'duty of care') that include the dog's need to exhibit normal behaviour patterns – this includes the need for sufficient exercise including the need to run off lead in appropriate areas. Dog Control Orders should not restrict the ability of dog keepers to comply with the requirements of this Act.
- The Council should ensure that there is an adequate number, and a variety of, well sign-posted areas locally for owners to exercise their dog off-lead.

4. Re; Dogs on Lead by Direction Order:

- Dogs Trust enthusiastically support Dogs on Leads by Direction orders (for dogs that are considered to be out of control or causing alarm or distress to members of the public to be put on and kept on a lead when directed to do so by an authorised official).
- We consider that this order is by far the most useful, other than the fouling order, because it allows enforcement officers to target the owners of dogs that are allowing them to cause a nuisance without restricting the responsible owner and their dog. As none of the other orders, less fouling, are likely to be effective without proper enforcement we would be content if the others were dropped in favour of this order.

5. Re; Taking more than a specified number of dogs onto a land:

- Dogs Trust does not agree that there should be a limit on the number of dogs walked as so much depends on the ability of the person to control the dogs. A good owner may be able to control several dogs while a less responsible person may be incapable of controlling a single one. While we accept the motivation for introducing

this order, we consider that proper use of a “Dogs on Leads by Direction” order, by authorised officers, would be a better solution that is less restrictive on responsible owners.

Whilst we believe that the vast majority of dog owners are responsible, Dogs Trust would be happy to talk to the Council about ways we could work together to encourage responsible behaviour amongst the small minority of owners who may cause problems.

We work with Councils across the UK in a variety of ways to help them to promote Responsible Dog Ownership. Please do not hesitate to contact me should you wish to discuss this matter.

We would also be very grateful if you could inform us of the outcome of the consultation process and of subsequent decisions made in relation to the PSPOs.

Yours faithfully,

Denise Kelly
Campaign Manager – North of England

13th January 2017

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 MARCH 2017	8
UPDATE ON GREEN WASTE SUBSCRIPTION SERVICE			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

At the January 2017 Operational Management Committee it was RESOLVED to approve recommendations for the operation of the green waste subscription scheme.

SOURCE OF INFORMATION

Head of Health and Environment

LINK TO INFORMATION

[Update on the Introduction of a Subscription Based Service for Green Waste in Fylde](#)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To update the committee on the operational considerations to support the operation of the green waste subscription service.

FURTHER INFORMATION

Contact Kathy Winstanley, Head of Health and Environment, kathyw@fylde.gov.uk, 01253 658634.

INFORMATION NOTE

Update on the Introduction of a Subscription Based Service for Green Waste in Fylde

The Council has an approved corporate priority to 'Mitigate the impact of the loss of the LCC waste subsidy', as set out in the Corporate Plan. The reduction in funding to Fylde Council from LCC amounts to £763,000 per annum from 2018/19 onwards. Consequently, at the meeting of 5th December 2016, Council agreed to introduce an 'opt-in' chargeable green waste service to address this reduction in funding.

At the January 2017 Operational Management Committee it was RESOLVED to approve the following recommendations for the operation of the green waste subscription scheme:

- Implementation date of subscription service 1st June 2017
- Annual subscription of £25 per bin in year 1 (reduced year service to March 31st 2018)
- Collection of additional wheeled bins at annual subscription of £25 per bin in year 1
- Subscription increase to £30 from year 2 (full year service April 1st to March 31st)
- Collection of additional wheeled bins at annual subscription of £30 per bin from year 2
- Fortnightly collections with a Christmas period suspension
- No reduction for part year subscription
- No refunds or transfer of subscription
- No reductions or concessions applied until the scheme has been proven
- Online direct debit payment system
- Expenditure of £38,500 on communications, finance and back office support in Year 1
- To delay making a decision on the collection of non-scheme green bins until after the scheme matures

The green waste project team subsequently met on the 25th January to agree the operational considerations in support of these recommendations.

Finance / ICT

The Civica upgrade to the payment system has been completed and work is underway developing the online payment system. This should be completed by the end of February and test data will be run through the system for a few weeks before going live. It is anticipated that customers will be able to sign up to the scheme and make online payments via direct debit or credit/debit cards by mid-March. Only electronic payments methods will be available for this service and cash/cheques will not be accepted. This is consistent with progressing the digital transformation agenda in line with the corporate plan.

A demonstration of the online subscription and payment process will be provided to Elected Members at the Operational Management Committee.

Communication

A coloured 6 page communication and information leaflet will be delivered to all suitable properties during the weeks of the 20th and 27th March. The leaflet advertises the subscription service with details on how to subscribe and make payment, together with a comprehensive list of FAQs that provide a response to many of the queries that residents may have. The Council website will also be kept up to date with details on the scheme: www.fylde.gov.uk/greenwaste.

A copy of the final leaflet has been provided as an attachment to this report.

Customer Services

Two temporary Customer Services staff have been recruited for a 6 month period to support the team with the anticipated increased number of enquiries associated with the subscription service. They will be trained to deal with the full range of enquiries and processes handled by Customer Services. The whole team will undergo training to respond to green waste queries and assist residents in subscribing to and making electronic payment for the service over the phone and face to face in the contact centre. The waste team will be working with Customer Services staff to finalise appropriate scrips and frequently asked question responses to ensure the correct information is provided to Customers.

Operational Issues

ICT staff are working closely with waste colleagues to ensure that the correct information is recorded at sign up and payment so that address details for subscribed properties can be uploaded into the Bartec system. An appropriate attribute will be assigned to all subscribed properties and this will appear as an icon next to the address on the in-cab screen, identifying scheme properties to the collection crews so that the correct bins are emptied. Subscribed bins will also be identified by a large green, 'G' sticker, which will be applied to the bins by staff shortly after the property has subscribed.

A subscription deadline of the 17th May has been given to provide sufficient time to finalise collection rounds and ensure service continuity from the 1st June. Customers will be able to subscribe at any time after the 17th May however, they may miss the next scheduled collection due to the time required to process their application and assign the property to a round.

Officers are meeting once again on the 13th March prior to the delivery of the communication leaflets and an update on subscriptions and enquiries will be provided to Elected Members at the May Operational Management Committee.

Attached Documents: Green Waste leaflet

FURTHER INFORMATION:

Kathy Winstanley, Head of Health and Environment, kathyw@fylde.gov.uk, 01253 658634.

If the council fails to empty the bin can I have a refund?

No, if the bin has not been emptied this may be because it contains the wrong items, was presented after 7:30am or was too heavy to be safely handled by the collection crew. In the unlikely event that the bin has been missed please notify us within one working day and where possible we will aim to return within 48 hours

I do not have a green bin but want to subscribe to the service. What do I need to do?

At the moment only households that currently receive an alternate weekly collection of grey and green bins are able to subscribe to the service. If the green bin is missing from your property and you wish to subscribe to the service please contact us to order a replacement container and make payment

What if I don't want to pay for this service?

The green waste service is optional. If you choose not to subscribe to the service the council will not collect your green waste

I do not wish to subscribe to the service, how do I dispose of my garden waste?

You may wish to consider home composting. Home composters are available to purchase via Lancashire County Council, please visit www.getcomposting.com for further details. Alternatively garden waste can be taken to the Household Waste Recycling Centre (Saltcotes Road, Lytham)

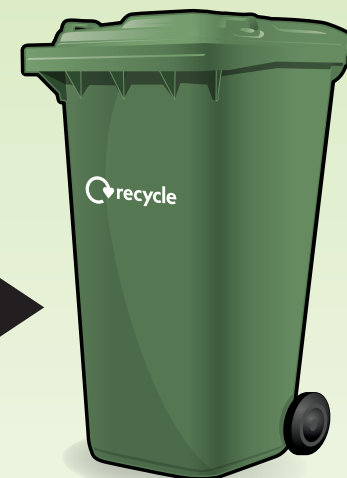
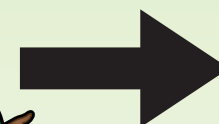
I have chosen not to subscribe and want the green bin removing from my property. What should I do?

Experience from other Councils suggests that residents may wish to subscribe to the service at a later date. If you choose to join the scheme after the bin has been removed this would incur a further charge to replace the green bin as well as the subscription cost. You may wish to consider an alternative use for the green bin

If I choose to place my green waste in the grey bin will additional bags be collected?

No. The Council operates a strict no side waste policy and the bin must be presented for collection with the lid closed. Applications for an additional grey bin will not be considered for the disposal of garden waste

What can I put in the green bin?



YES Please

- ✓ Grass cuttings, hedge trimmings and garden waste
- ✓ Leaves, flowers, plants and weeds
- ✓ Real Christmas trees (chopped up)

NO Thanks

- ✗ Plastic carrier bags
- ✗ Other plastic including plant pots and compost bags
- ✗ Liquids/oils
- ✗ Rubble or soil
- ✗ General waste including food waste

Did you know?

- Garden waste collected in the green bins is taken to a facility where it is transformed into compost
- The garden waste collected from households in Fylde is used to produce a high quality compost which is certified for use as a commercial and domestic product
- By recycling garden waste a natural resource is being diverted from landfill
- Real Christmas trees are collected at key locations and utilised as part of the sand dune restoration programme

For further information, to request this leaflet in larger font or to subscribe to the green waste service please visit www.fylde.gov.uk/greenwaste

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Printed on recycled material.

IMPORTANT CHANGES TO YOUR GREEN WASTE COLLECTION SERVICE FROM 1 JUNE 2017



To subscribe
to the collection
service please visit
[www.fylde.gov.uk/
greenwaste](http://www.fylde.gov.uk/greenwaste)
and follow the
simple steps to
pay online

 **recycle for Fylde**



www.fylde.gov.uk/greenwaste

Green Waste Collection Service

Since 2004, Fylde Council has provided a green waste collection service that has been funded through an agreement with Lancashire County Council.

Lancashire County Council has made the decision to no longer fund recycling services in district councils, Fylde Council has taken the difficult decision to introduce a charge for this service as permitted by the Controlled Waste Regulations 2012. With effect from 1 June 2017 the cost to subscribe to the green waste collection service in the first year (1 June 2017 to 31 March 2018) will be £25 per bin, emptied every fortnight.

In order to avoid any disruption to your green waste collections from 1 June 2017, you must subscribe by 12 May 2017. Subscribing after this date may result in disruption to the green bin collections.

Important information

- The green waste subscription service is effective from 1 June 2017
- In the first year the cost to subscribe to the green waste collection service is £25 per bin
- Based on 21 collections during the first year this charge equates to £1.19 per collection (no collections during Christmas and New Year)
- In order to avoid any disruption to the collection service you must subscribe by 12 May 2017
- If you choose to subscribe to the service at any other time throughout the year the charge will remain the same
- Collections will continue on a fortnightly basis
- If you choose to opt out of the service garden waste can be composted at home or taken to the Household Waste Recycling Centre (Saltcotes Road, Lytham)
- If you only produce small amounts of garden waste you may wish to consider sharing a green bin with a neighbour as this would halve the cost
- Once you have subscribed, you will receive an email containing a unique reference and link to your account for future use

Frequently asked questions

When will the service change?

The green waste subscription service will commence from 1 June 2017

When is the deadline to subscribe?

To avoid any disruption to your green waste collections you must subscribe by 12 May 2017. Registering after this date may result in missed collections

How much does the new service cost?

The cost to subscribe to the service is £25 per bin in the first year and is payable in advance

How do I pay?

To pay for the service please set up a direct debit or make payment online using a debit/credit card at www.fylde.gov.uk/greenwaste
No cash or cheque payments will be accepted

Why are you charging for this service?

Lancashire County Council has made the decision to no longer fund recycling services in district councils, Fylde Council has taken the difficult decision to introduce a charge for this service as permitted by the Controlled Waste Regulations 2012

I only have a small garden, can I share my bin with a neighbour?

Yes, but one of you must take responsibility to subscribe and pay for this service

I use a gardening company, what should I do?

As the gardening company is classified as a business they must make provision to take the garden waste away and dispose of it commercially (please remember to confirm they are registered as a waste carrier to ensure correct disposal)

Can I put food waste in the green bin?

No. We can no longer accept food waste in the green bins. Food waste should be home composted or placed in the grey bins

How often will the green bin be emptied?

Green waste collections will continue on a fortnightly basis except over the Christmas period

If I subscribe to the service half way through the year will I be eligible for discount?

No, the charge is £25 per bin in the first year, regardless of when you choose to subscribe

How much will the service cost in future?

The cost to subscribe to the service in the second year will be £30 per bin, for the period 1 April 2018 to 31 March 2019

I do not use my bin during winter, can I pay a reduced subscription fee?

The charge is for an annual subscription, we do not offer any concessions

How will the collection crew know that I have subscribed to the service?

Once you have subscribed to the service your property will be registered on software used in the collection vehicle

What happens if I move house?

Please leave your green bin at the property for which you have subscribed, you must not take the bin with you. If you move to another property within the borough where a subscription has already been made you do not need to do anything. If you want to join the service at your new address you will need to subscribe

I wish to cancel my subscription, can I have a refund?

In line with Consumer Contracts (information, cancellation & additional charges) Regulations 2013 you have 14 days from the acknowledgement of the terms and conditions to request a cancellation. We are unable to offer partial or full refunds at any other time throughout the year

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 MARCH 2017	9
CAR PARKING ANNUAL REPORT 2015/16			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

Each year Local Authorities are expected to produce and publish an annual report to present financial and statistical information relating to Local Authority parking operations to the public. This information item is presented to the committee to advise them of the report for 2015/16 and highlight key points from this.

SOURCE OF INFORMATION

Fylde Parking Annual Report 2015/16

<http://www.fylde.gov.uk/assets/files/7902/Fylde-Parking-Annual-Report-1516.pdf>

INFORMATION

1. Statutory Guidance is provided by Central Government as to how Local Authority parking services may be operated. Part of this stipulates that certain statistical and financial information must be made public via an annual report. In addition the Transparency Code requires further information to be made public. The Fylde Parking Annual Report 2015/16 includes information required for both of these.
2. Key financial points to emerge from this report is that in 2015/16 parking enforcement income and costs incurred a £27,155 deficit while car park operation income and costs resulted in a £327,690 surplus; a total Parking Services surplus of £300,535. This income to the Council has been used to help support other services via the Council's general fund.
3. From the Council's enforcement activities the total number of Penalty Charge Notices (PCNs) issued during the year fell slightly from previous years; possibly as a result of improved compliance by customers as a result of improved signage and greater awareness of enforcement activity. Of 1,865 PCNs issued almost 80% resulted in payment. 20% of PCNs were cancelled, mainly as a result of successful challenges where reasonable grounds were provided why a PCN should not be paid. This demonstrates that Parking Services, while enforcing the car parks' conditions of use, will take into account extenuating or mitigating circumstances when considering challenges and exercise fair and proportionate discretion where appropriate.
4. If a person has formally challenged a PCN and it has been rejected they are able to appeal their case to the Traffic Penalty Tribunal where an independent adjudicator will review all case evidence. In 2015/16, of the 1,865 PCNs issued during the year, 5 cases (only 0.27% of all PCNs) went to the tribunal, all of which were found in favour of Fylde Council.

5. The Fylde Parking Annual Report 2015/16 can be viewed by the public in the 'Transparency' section of the Council's website.

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To advise the committee that the Fylde Parking Annual Report 2015/16 has been produced and made public.

FURTHER INFORMATION

Contact - Andrew Loynd, Principal Parking and Energy Officer, 01253 658 527

INFORMATION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 MARCH 2017	10
LOWTHER GARDENS CAR PARK			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

Since the establishment of the Lowther Gardens Trust, Lowther Gardens Car Park, along with the rest of the Lowther Gardens site, has been owned by the Trust. Since then Fylde Council has retained operational responsibility of the car park with a service level agreement being established to support this arrangement. Income from parking charges and operational costs have been shared equally between Fylde Council and the Lowther Gardens Trust. The Trust has now advised Fylde Council of its intention to formally take over the operational management of Lowther Gardens Car Park from 1st April 2017.

SOURCE OF INFORMATION

Report to Cabinet on Lowther Gardens Trust, 23rd May

2012: <https://fylde.cmis.uk.com/fylde/MeetingsCalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/193/Committee/32/Default.aspx>

Report to Cabinet on Lowther Gardens Trust supplementary Service Level Agreement, 25th June

2014: <https://fylde.cmis.uk.com/fylde/MeetingsCalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/349/Committee/32/Default.aspx>

INFORMATION

Background

1. Currently Fylde Council operate 20 car parks across St Annes, Lytham and Kirkham. Of these 20 5 are free to use and 15 are pay and display car parks.
2. At the Operational Management Committee of 15th November 2016 it was reported that Kirkham Town Council had requested that the 3 free public car parks in Kirkham (Mill St, Orders Lane and Eagles Court) be transferred to them. This was agreed by the committee subject to certain provisions. The legal process to enable this transfer is currently ongoing.

Lowther Gardens Car Park

3. In 2006 Lowther Gardens was registered as a charitable trust with Fylde Council as the sole trustee. In 2010 a group of independent trustees was set up and by 2012 they took over the operation of Lowther Pavilion with a service level agreement (SLA) established to cover the support Fylde Council would provide to the Trust over the following 5 years. In 2014 a

supplementary SLA was produced to cover the rest of Lowther Gardens which was not included in the original SLA including Lowther Gardens Car Park.

4. Since 2012 there has been an income and cost sharing arrangement in place between Fylde Council and Lowther Trust with pay and display income and costs associated with operating the car park (excluding enforcement income and costs) being divided 50/50. Total income to Fylde Council has previously been budgeted at £5,770 per year. The latest update to the Financial Forecast has been amended to reflect the loss of this income.
5. On 8th November 2016 the Council's Principal Parking and Energy Officer received a message from the Chair of Lowther Trust to advise the Trust's intention to end the current arrangement regarding the car park and take over the car park operation themselves as of 1st April 2017. This was further confirmed in a message on 19th January 2017. The Principal Parking and Energy Officer has offered to work with the Trust to ensure the transfer of this operation occurs smoothly and has already advised the Trust's Chair of various issues that need to be addressed to operate the car park in future.

Conclusion

6. Once the transfer of the 3 Kirkham Car Parks have been finalised and the Lowther Trust takes over operation of Lowther Gardens Car Park then Fylde Council will have 16 remaining car parks (2 free and 14 pay and display). There will be an annual decrease in budgeted income of £5,770. Some cost savings will be achieved relating to the operation of the pay and display machine (eg machine maintenance, cash collections, sim card, tickets, etc...) of approximately £500 per year. Other costs (eg officer time, grounds maintenance, enforcement, etc...) will be utilised on other car parks.

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To advise the committee of the intention of Lowther Trust to take over the operation of Lowther Gardens Car Park from 1st April.

FURTHER INFORMATION

Contact - Andrew Loynd, Principal Parking and Energy Officer, 01253 658 527

INFORMATION ITEM



REPORT OF		MEETING	DATE	ITEM NO
OFFICE OF THE CHIEF EXECUTIVE		OPERATIONAL MANAGEMENT COMMITTEE	14 MARCH 2017	11
THE RESIDENTS SURVEY 2016				

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The report provides details of the background to the Residents Survey along with the latest satisfaction levels from the 2016 data set. Satisfaction with services, the Council and the local community is compared against previous data sets as well as the cumulative outcomes. The report includes any proposal to learn from the process or take action in response to the findings.

SOURCE OF INFORMATION

Resident survey questionnaire:
www.fylde.gov.uk/haveyoursay

LINK TO INFORMATION

www.fylde.gov.uk/haveyoursay
[The Resident Survey 2016](#)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The outcome of the Resident Survey is reported to the Operational Management Committee which has the remit for customer services. The information is relevant to almost all council services

FURTHER INFORMATION

Contact: Alex.scrivens@fylde.gov.uk

INFORMATION NOTE

The Residents Survey 2016

1. The Resident's Survey was introduced in 2012, it is a very simple questionnaire with 10 short questions that can be completed in as little as 30 seconds (Appendix 1). The survey replaced the compulsory Place Survey, which cost approximately £7000 per annum and was abolished in 2009 the current survey is delivered within existing resources. The survey allows customers to have their say on the services they pay for.
2. The questionnaire can be completed online at any time with the results reported annually based on the number of completed questionnaires during the year. The questions focus on the main front end services as well as the residents experience, perception and knowledge of the local authority. Apart from the planning and customer service questions it is possible to provide an informed response to the questions without having had direct contact with the Council e.g. a valued judgment on parks, refuse, street cleansing and value for money from the Council.
3. The objective is to obtain an overview of satisfaction with services and the Council that can be used to identify areas for improvement and allow comparison over time. In many cases the overview that the survey provides supplements service based customer research carried out in a number of areas. The survey is live gathering feedback all the time and it is possible to view at any time the latest results, the data set is automatically updated so cumulative results are live.
4. The table in Appendix 2 includes five years data from 2012 to 2016 and the cumulative results of over 3700 responses to date. The comparable data that is possible from the last compulsory Place Survey in 2008 is included to provide context though it is accepted that the Place Survey was a paper based household postal survey as opposed to a predominantly online survey. The 2016 data set is included in Table 1.

Table 1: The 2016 Residents Survey Results

<i>(Percentages figures are of those who rated as satisfied, good or excellent)</i>	2016 % Satisfied
How would you rate the refuse collection service at Fylde	92%
How would you the household recycling service at Fylde	87%
How would you the parks and open spaces in Fylde	98%
How would you the cleanliness of the streets in Fylde	83%
How would you the planning service at Fylde*	79%
How would you the customer service at Fylde*	89%
Overall I would rate the Fylde as a place to visit	90%
Overall I would rate Fylde as a place to live	99%
How would you the value for money I receive from Fylde Council	82%
Overall and taking everything into account , would rate Fylde Council	87%

*Percentage of respondents that had used the service

5. The results from the 2016 Residents Survey data set show high levels of satisfaction across all service areas consistent with the previous two years data and significantly improved on the 2008 Place Survey comparable data. The levels of satisfaction from the Residents Survey are exceptional with many in excess of 80% which is well within the top quartile (top 25%) of results that are achieved in comparable research carried out by other organisations.
6. Survey research indicates there is always a lower level of satisfaction with regulatory and enforcement services because of the nature of the decisions that have to be made, the expectations of the customer and the negative outcome for a number of customers. Two questions refer directly to the Council covering value for money and overall performance. The results from the 2016 Residents Survey show 82% of respondents felt that the Council delivered value for money and 87% were satisfied with the Council performance overall.
7. Looking at the latest research <https://doteveryone.org.uk>, statistics show within Fylde only 15.5% of adults have never been online and 77% of adults in Fylde have all five Basic Digital Skills. This supports the need for the council to become more digitally focused and enable more services to be accessible online. Statistics show the stigma that older people do not use the internet is decreasing year on year. For 2017/18 we plan to use social media more to increase the response rate of the annual survey. Such as Facebook campaigns which will reach over followers 40,000 and 10,000 Twitter impressions all within Fylde District.

Appendix 1: The Resident Survey Results Table

FURTHER INFORMATION AVAILABLE FROM

Allan Oldfield (allano@fylde.gov.uk) 01253 658500

Alex Scrivens (alex.scrivens@fylde.gov.uk) 01253 658543

Appendix 1: The Resident Survey Results Table

QUESTIONS <i>(Percentages figures are the percentage satisfied, good and excellent)</i>	2016 (136 responses)	2015 (461 responses)	2014 (608 responses)	2013 (829 responses)	2012 (1583 responses)	Cumulative (responses 3757)	2008/09 LGA Place Survey (1224 responses)
How would you rate the refuse collection service at Fylde	92%	97%	94%	95%	93%	94%	76%
How would you the household recycling service at Fylde	87%	93%	92%	93%	91%	91%	78%
How would you the parks and open spaces in Fylde	98%	95%	94%	94%	93%	94%	68%
How would you the cleanliness of the streets in Fylde	83%	85%	83%	83%	81%	89%	65%
How would you the planning service at Fylde*	79%	69%	63%	70%	71%	69%	52%
How would you the customer service at Fylde*	89%	89%	89%	88%	90%	88%	n/a
Overall I would rate the Fylde as a place to visit	90%	97%	97%	97%	95%	95%	n/a
Overall I would rate Fylde as a place to live	99%	97%	97%	97%	95%	96%	87%
How would you the value for money I receive from Fylde Council	82%	84%	85%	85%	81%	82%	63%
Overall and taking everything into account , would rate Fylde Council	87%	92%	90%	90%	88%	88%	n/a

*Only includes percentage of the respondents that **have used** the service

N.B. **Removed in 2014 Questions** – Q) How would you rate the shopping facilities in Fylde **and** Q) Rate the feeling of being safe when out at night.