

Agenda

Operational Management Committee

Date:	Tuesday, 14 November 2017 at 6:30 pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	Councillor David Eaves (Chairman) Councillor Sandra Pitman (Vice-Chairman) Councillors Frank Andrews, Julie Brickles, Alan Clayton, Richard Fradley, Karen Henshaw JP, Paul Hodgson, John Kirkham, Kiran Mulholland, Thomas Threlfall.

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 12 September 2017 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24(c).	1
	DECISION ITEMS:	
4	Proposal for Overnight Motorhome Parking at North Beach Car Park	3 - 13
5	Fleet Replacement - Direct Purchase of Previously Hired Vehicles	14 - 18
6	Outside Bodies	19 - 21
	INFORMATION ITEMS:	
7	Green Waste Subscription Service – Update	22 - 25
8	Fairhaven and Church Scar Coastal Protection Scheme	26 - 28
9	Section 106 Payment Process	29 - 32

Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

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

© Fylde Borough Council copyright 2017

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

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

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

This document/publication is also available on our website at www.fylde.gov.uk

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

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 NOVEMBER 2017	4
PROPOSAL FOR OVERNIGHT MOTORHOME PARKING AT NORTH BEACH CAR PARK			

PUBLIC ITEM

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

SUMMARY

Since 2012 Fylde Council has operated an overnight motorhome parking scheme on St Annes Swimming Pool Car Park which has been very successful. The Committee has previously considered a report and resolved to proceed with consultation with a view to extend the Motorhome scheme to North Beach Car Park. This resulted in a proposal being consulted in summer 2017. The outcome from this consultation was broadly negative from local residents.

As a result of the consultation it is being proposed that an initial 1 year pilot scheme be implemented to find out whether the resident's concerns are valid, if mitigating measures can be taken or whether the scheme should be withdrawn.

It is also suggested that the current tariffs charged on North Promenade Car Park be reduced to encourage other visitors.

RECOMMENDATIONS

1. To operate a one year pilot scheme to assess the viability of operating an overnight motorhome parking scheme on North Beach Car Park. The scheme will be reviewed by members after September 2018.
2. To reduce standard tariffs on North Beach Car Park in line with Lytham Station Car Park and implement overnight motorhome parking charges with similar reduced rates. The financial consequence of these changes will be a negligible net effect (or is not quantifiable at this point and any revised income levels will be reflected in future updates to the financial forecast).

SUMMARY OF PREVIOUS DECISIONS

Council – 5th December 2016

Report to Full Council on Proposed Increase to Car Park Pay and Display Fees which resolved 'to increase car park tariffs by an average 5% with effect from 1 April 2017'

Operational Management Committee – 13th September 2016

Report from the Car Parking Working Group Report which resolved 'To proceed with a consultation with residents with a view to extend the Motorhome scheme to North Beach Car Park' and 'To recommend to Council an increase in car park tariffs by an average of 5%'.

Cabinet – 15th January 2014

Report to Cabinet on Car Parking which resolved 'To agree to the existing Car Park Orders being amended to allow a 24 hour multi-day motorhome tariffs on The Island'

Portfolio Holder Decision – 14th March 2012

Report to allow Overnight motorhome parking on St Annes Swimming Pool Car Park

Cabinet – 28th April 2010

Report on North Beach Car Park Charging which resolved 'To agree to charges being levied on North Beach car park in accordance with those set by Council using the pay and display method of charging and that a variation of order be advertised.'

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

Background

North Beach Car Park

1. Prior to 2010 North Beach Car Park was a free-of-charge public car park. Following the introduction of charges user numbers have fallen resulting in the car park being under-utilised, though the income that is generated covers operating costs as predicted at the time. Additional use of the car park would generate more income and increase use of the surrounding beach area. In addition, with fewer users this location has seen an increase in antisocial behaviour, particularly at night.

Overnight Motorhome Scheme on St Annes Swimming Pool Car Park

2. Following many years of requests from motorhome user groups to allow overnight parking on car parks in the Fylde Borough Area, similar to the network of 'Aires' across the continent, in 2012 it was decided to trial a 6 month pilot study on St Annes Swimming Pool Car Park to assess how such a scheme would work and the impact to the local area. At the end of the pilot phase the responses to a consultation found that motorhome users appreciated the easy access to the town centre, beach and local amenities and businesses; though some found the location to be a bit too noisy in the evening as visitors to the cinema left. There were no negative comments received from local residents. As a result the scheme was made permanent with changes to the car park being made to better accommodate motorhomes. In 2014 the tariffs were altered to enable multi-day stays.
3. Since 2012, as reported each May to the Operational Management Committee, the number of motorhomes staying overnight has increased year-on-year. In 2016/17 over £10,000 income was received from this tourist group in pay and display ticket sales. As a consequence, at times this results in a significant number of parking spaces being occupied by motorhomes, reducing the number of spaces for other users.
4. An additional result of the success of the existing scheme has been that both Blackpool and Wyre Councils have seen the benefits this brings and have taken Fylde Council's lead by allowing motorhomes to stay overnight on certain car parks in their areas. This has resulted in a small network of locations allowing overnight motorhome stays being developed along the Fylde Coast to help attract a tourist base which previously had not been catered for.
5. In light of the growth in popularity of the St Annes Swimming Pool Car Park motorhome scheme, the Car Parking Working Group that met in 2016 considered whether the scheme could be extended to other locations. North Beach and St Paul's Avenue car parks were identified as potential quieter locations that would suit those motorhome users who do not wish to stay at such a central and busy area, which has been a frequent request from some motorhome visitors. With St Paul's Avenue due to be closed for an extended

period in the near future as part of the coastal defence works, only North Beach Car Park is viable to consider extending the scheme at this time.

Proposed Overnight Motorhome Scheme on North Beach Car Park

Overview

6. It is proposed that a new overnight motorhome scheme on North Beach Car Park would operate in tandem with the existing scheme on St Annes Swimming Pool Car Park. It is expected that the existing scheme would attract those visitors who wish to stay at a more central and busier location where there is greater potential for noise, with those seeking a quieter location more likely to stay at North Beach Car Park. Potential secondary benefits would be a reduction in antisocial behaviour as a result of the presence of the occupied motorhomes dissuading those taking part in the activities.
7. The conditions for using North Beach car park will include:
 - a. Payment of an appropriate fee for the duration of stay.
 - b. A maximum stay of 3 consecutive nights with no return visits within 5 days.
 - c. No caravans or trailers allowed.
 - d. No open fires or BBQs will be allowed.
 - e. No overnight concessions for blue badge holders.
 - f. No dumping of liquid waste or rubbish.
8. Motorhome users will be signposted to the sluice unit on North Promenade Car Park to dispose of liquid waste with rubbish to either be removed from site or put in available public bins. The conditions of use will be enforced by the Council's Civil Enforcement Officers within existing resources with periodic overnight monitoring by Fylde Council officers to report any inappropriate activities. Motorhome users will also be asked to be self-regulating, to report instances of excessive noise, littering and antisocial behaviour to the Council and, if of a criminal nature, to the Police.

Consultation

9. During summer 2017 the residential and business premises neighbouring North Beach Car Park were hand delivered a consultation letter on the proposal (Appendix 1). Information was also sent to St Annes Town Council, Police and Lancashire Highways and posters to advertise the consultation to current users were put up within the car park.
10. Consultation responses from the Police and Lancashire Highways stated that neither had any objections or observations to make on the proposal. 13 responses were received from residents neighbouring the property and 1 response from an existing user (a further residential response was sent in after the consultation period closed which, we have been advised, the person subsequently forwarded to all Operational Management Committee members). The existing user was positive about the proposal, while all residents were negative about the proposal. This is similar to the consultation responses made prior to the St Annes Swimming Pool Scheme being established.
11. Of the negative consultation responses, the issues raised covered several areas. The full responses are detailed in Appendix 2. Some of the issues are either unlikely to be a result of this scheme (increased parking on Todmorden Road) or outside of Fylde Council's control (current lack of enforcement of on-street parking restrictions in the area). Other issues raised are:
 - a. An increase in traffic – this is likely to be minimal.
 - b. Enforcing the proposed scheme - This will come from within existing enforcement resources and from assistance from other Council departments during out-of-hours to record any issues, particularly regarding noise, antisocial behaviour and rubbish. This will not result in specific issues being responded to but reactive measures can be implemented.
 - c. Attract those going to Blackpool on nights out or be an overflow from Blackpool - This is unlikely as Blackpool now has several locations established of their own.
 - d. Travellers - This facility is unlikely to be more of an attraction to Travellers than previously as Travellers have always potentially been able to use this site if they wished.

- e. Coastguard access – This will be maintained at all times as it always has been, by markings to the front of their compound. Should this become an issue then further measures will be implemented.
- f. Vermin - It has been alleged that St Annes Swimming Pool Car Park has an issue with vermin; this is not something previously reported to Fylde's Parking Services. Should this become a problem this will be addressed.
- g. Lack of facilities – motorhomes, by their nature, are self-contained. Motorhome parks are available should any visitor require facilities. Motorhomers are likely to be aware in advance that facilities are not provided at this site. However the sluice unit on North Promenade Car Park does provide somewhere to dispose of liquid waste which, despite some responder's opinions, is the preferable option to most motorhomers to dispose. Where some may witness liquid waste being disposed down drains it is likely to be grey (washing up/shower water) waste, not black (WC water) waste.

Pilot Phase

12. In recognition of the concerns raised by local residents it is proposed that a one year pilot scheme be implemented. The scheme can then be reviewed by members to assess whether any of the resident's concerns have occurred and what mitigating measures could be implemented or whether the scheme should be withdrawn.

Charges

13. Currently North Beach Car Park is charged at the standard long-stay tariff, as is St Annes Swimming Pool Car Park. However the current rates do not attract many local visitors, meaning the car park is under-utilised. When the car parks were last revised two additional potential options were programmed at no extra cost:

- a. Standard long-stay tariffs with motorhome overnight charges (same as St Annes Swimming Pool Car Park)

Duration of stay	Tariff
Up to 1 hour	£1.20
1 to 2 hours	£2.20
2 to 3 hours	£2.90
3 to 4 hours	£3.40
Over 4 hours	£4.50
Overnight (6pm to 10am)	£5.30
Up to 1 day (9am to 10am the following day)	£8.40
1 to 2 days	£15.80
2 to 3 days	£22.00

- b. Reduced-rate long-stay tariffs (in line with Lytham Station Car Park) with reduced-rate motorhome overnight charges

Duration of stay	Tariff
Up to 1 hour	£0.90
1 to 2 hours	£1.50
2 to 4 hours	£2.30
Over 4 hours	£2.90
Overnight (6pm to 10am)	£4.00
Up to 1 day (9am to 10am the following day)	£7.00
1 to 2 days	£14.00
2 to 3 days	£20.00

- c. It is suggested that the second option is used to increase the use of North Beach Car Park by standard visitors while also promoting this location as being an alternative to St Annes Swimming Pool Car Park for overnight motorhome parking.

Estimated costs

14. Likely costs of implementing a pilot phase overnight motorhome parking scheme are:

- a. Change signs - £200
- b. Change legal order - £900
- c. Change software - £0 (unless different to above pre-prepared tariff structure, in which case £800)

Costs will be contained within the current approved budgets for car park maintenance.

IMPLICATIONS	
Finance	The financial consequence of these changes will be a negligible net effect (or is not quantifiable at this point and any revised income levels will be reflected in future updates to the financial forecast).
Legal	The car parks legal order will require amending to enable motorhomes to park overnight.
Community Safety	Potential benefit in reducing antisocial behaviour in an area that is dark and quiet at night by creating an on-site presence.
Human Rights and Equalities	None
Sustainability and Environmental Impact	None
Health & Safety and Risk Management	None

LEAD AUTHOR	CONTACT DETAILS	DATE
Andrew Loynd	andrewl@fylde.gov.uk , 01253 658 527	31 st October 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Committee reports		www.fylde.gov.uk

Attached documents

Appendix 1 – Consultation letter

Appendix 2 – Consultation responses



Dear Occupier

We are writing to you because your property is located close to North Beach Car Park. Fylde Council are considering a proposal to allow motorhomes to park overnight on North Beach Car Park and we would like to hear your thoughts on this.

Background

Since 2012 motorhomes have been able to park overnight on St Annes Swimming Pool Car Park. During the first year of operation it became apparent that there were two groups of motorhomers who would like to take advantage of such a facility; those who like to be close to a town centre and enjoy the comradery of fellow motorhomers and those who prefer quieter, more remote locations. The facility at St Annes Swimming Pool has proven to be very successful and so we are now hoping to provide the option of a quieter location at North Beach Car Park.

Before motorhomes were allowed on St Annes Swimming Pool Car Park a consultation was carried out with nearby residents to find out what their thoughts were. Of those who expressed negative concerns, predominantly around the potential for an increase in noise, rubbish and encouraging members of the travelling community, none have subsequently contacted Fylde Council to advise of these becoming a reality. Indeed there have been minimal complaints regarding motorhomers at this location from anyone.

Prior to motorhomes being allowed to park overnight, we were aware that the car park was being used for antisocial driving, often by younger people, in the middle of the night and other antisocial behaviour. With the increase in use of the car park by motorhomes the frequency of these issues has significantly reduced. We are aware a similar issue affects North Beach Car Park and would expect over time that these instances would also reduce.

Proposal

To allow self-sufficient motorhomes to park overnight on North Beach Car Park. As with the current scheme at St Annes Swimming Pool Car Park there will be certain restrictions applied:

- An appropriate fee will be set for a single night's parking or multiple days/nights up to 3 nights.
- Maximum stay of 3 consecutive nights. No return visit allowed within 5 days.
- No caravans or trailers will be allowed.
- No open fires or BBQs will be allowed.
- No overnight concessions for blue badge holders.

- That there is no dumping of waste or rubbish.
- That responsible motorhome owners report:
 - All instances of excessive noise, littering and antisocial behaviour to the Council at the first opportunity.
 - Any antisocial issues to the Police at the time.

Users will be signposted to use the sluice unit on North Promenade car park to dispose of waste liquids.

Who else is being consulted?

We are consulting with residents adjacent to the car park, Lancashire Highways, Lancashire Police, the Coastguard, neighbouring businesses, St Annes Town Council and other interested parties.

How to Respond

Fylde Council would like to know your opinion of this proposal. Please complete either the short questionnaire at <https://www.surveymonkey.co.uk/r/MotorhomeSurvey> or the form below and return to Parking Services, Fylde Council, Town Hall, Lytham St Annes, Lancashire, FY8 1LW. All responses must be received by Monday 7th August. All responses will be collated and a summary reported to the Council's Operational Management Committee on 12th September 2017.

Name _____

Address _____

Postcode _____

Email _____

Do you believe there are any advantages to allowing motorhomes to park overnight on North Beach Car Park?

What are your main concerns about allowing motorhomes to park overnight on North Beach Car Park?

Do you have any further comments?

APPENDIX 2 – CONSULTATION RESPONSES

The consultation asked some questions of neighbouring residents and visitors. Their responses, along with the postcodes of the respondents, are set out below. The questions asked were:

Q1: Do you believe there are any advantages to allowing motorhomes to park overnight on North Beach Car Park?

Q2: What are your main concerns about allowing motorhomes to park overnight on North Beach Car Park?

Q3: Do you have any further comments?

R1. (Postcode FY8 2TR)

Q1: No

Q2: Who is going to police this venture if it occurs to ensure the rules listed above are adhered to? I don't believe anyone will because of the cost. This afternoon some young men were playing football in the car park using the new fence as a goal area to kick the ball against and being extremely noisy. The understaffed police can only get involved if they are already in the area and by the time they can get to the car park any perpetrators have already left.

Q3: Cars using the car park as a race track late at night can be stopped by putting in speed bumps strategically placed. Has the Council ever received any money from parking fines in this car park? How much is collected per month for parking fees? How many traffic wardens have we for dealing with illegal parking on Todmorden Road and the North Promenade (as well as all the other areas not in the town centre)? There is plenty wrong with the parking situation at the moment without adding to it with motorhome parking.

R2. (Postcode FY8 2PP)

Q1: No

Q2: - Excessive Noise particularly during nights -Antisocial behavior -Littering

Q3: I believe allowing motorhomes to park overnight on North Beach car part is not correct.

R3. (Postcode FY8 2TR)

Q1: Defiantly NOT we live here because it is quiet and do NOT want to live next door to a campervan site!!!

Q2: Roads becoming busier + St Annes. More people on the sandunes, using the beach + dunes as a toilet! And leaving rubbish. Disturbance of the peace.

Q3: If this does go ahead we expect to be financially compensated for the hindrance.

R4. (Postcode FY8 2TR)

Q1: The possibility of attracting an overflow from Blackpool.

Q2: It is unfair to expect the well behaved parkhome owner to "police" any potential trouble. There should be an official council presence to enforce whatever rules are created in relation to noise + fire .ETC

Q3: No response

R5. (Postcode FY8 2TR)

Q1: None

Q2: Traffic in and out at unsociable hours. People parking and going socialising in Blackpool and returning at early hours.

Q3: Traffic chaos on Clifton Drive. There has been a great increase in traffic noise also so this will not help. It will most probably decrease the value of the surrounding properties. There are no residential properties on the swimming baths car park. Will there be someone patrolling the site to oversee the use of the facilities?

R6. (Postcode FY8 2PP)

Q1: No unless there is investment in the facilities to visitors

Q2: Lack of facilities to motor home owners as a minimum there should be a sluice on the car park and ideally toilet facilities and fresh drinking water. There are no immediate local facilities so consideration should be given to park and ride type facility. Also need to consider how the car park will be policed at night, will there be night time patrols and how will these be financed? Will parking be offered year round or just during summer months? How will out of hours emergencies be covered, will this be by police or by a council officer on cover duty?

Q3: There is already a sluice and toilets at Promenade car park, have you considered trailing the motorhome stop over on that car park for this summer and gauge reaction. This would allow a quick test before committing to investing in facilities at this car park. North Promenade is also close to the Town Hall so any issues can be quickly observed and dealt with. Will the proposed charge for motorhomes be more than the daily rate for car parking as if not the council will lose revenue. Will motorhomes take up same space as a car or will larger bays be marked out? How will this impact on revenue? Will there be a more regular litter and waste collection for the additional waste generated? What impact will motorhomes have on the night sky? How will noise be monitored and policed?

R7. (Postcode FY8 2PP)

Q1: Yes

Q2: The same concerns already highlighted mess noise open fires travellers

Q3: 3 month trial period max 10 vehicles

R8. (Postcode FY8 2TR)

Q1: No. Only advantage could be reduction in Council Tax.

Q2: 1. excessive noise is inevitable. 2. littering and antisocial behaviour. 3. lack of toilets 4. there is no way we can report problems to the council after 5pm or before 9am.

Q3: We are worried about easy access for travellers. The Coastguard need complete access across the car park at all times. Any overnight parking would hinder this.

R9. (Postcode: FY8 2TR)

Q1: NO. Will cause real problems - noise trouble, anti-social behaviour, no shops or activities nearby.

Q2: No shops or entertainment nearby, so will create their own - noise rubbish, anti-social behaviour, encouraging travellers.

Q3: This is a terrible plan. I'd rather have houses built in north car park. My property is right next door to the car park

R10. (Postcode HD3 3XP)

Q1: Yes. May well keep some off the streets. As a retired Police Officer with a motorhome and a water sports enthusiast I visit this part of the coast many times and would visit more if there was more designated parking.

Q2: Litter and waste disposal.

Q3: Suggest Traffic Wardens would visit site regularly and fine offenders.

R11. (Postcode FY8 2TR)

Q1: NO

Q2: In reply to your communication, the area around the swimming pool car park has a problem with vermin (rats, mice, pigeons & seagulls) I feel that if North Beach car park was used for parking motorhomes on a daily basis this would also attract such vermin due to food waste left behind. However well signposted the sluice unit on North Promenade car park maybe, I can't see the motorhomers taking the trouble to travel a mile from North Beach car park to empty their waste liquids when just a few strides away are the sand dunes. I strongly urge you to reconsider the proposal set out in your letter

Q3: I URGE YOU TO RECONSIDER THE PROPOSAL OF MOTORHOMES ON NORTH BEACH CAR PARK

R12. (Postcode FY8 2TR)

Q1: No response

Q2: No response

Q3: 1. Overnight parking on North Beach car park will reduce the value of your property 2. Will increase parking on the yellow lines on Todmorden Rd causing delays to Ambulances etc. 3. Not all motorhome owners are responsible 4. Who will monitor the site. 5. Sites should be away from residential properties 6. Vermin will be attracted to site 7. No residents swimming pool car park 8. To increase revenue parking restrictions on promenade should be enforced, especially at weekend.

R13. (Postcode FY8 2TR)

Q1: No

Q2: Hygiene & Rubbish

Q3: No response

R14. (Postcode FY8 2TR)

Q1: No not at all as our bedrooms overlook the car park

Q2: ST ANNES SWIMMING POOL CAR PARK, No one lives there. We consider it is an invasion of our privacy it is a car park not a camp site

Q3: Will there be designated spaces, if so how many will there be at one time? Will there be a limit

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 NOVEMBER 2017	5
FLEET REPLACEMENT - DIRECT PURCHASE OF PREVIOUSLY HIRED VEHICLES			

PUBLIC ITEM

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

SUMMARY

This report requests approval to the purchase of two Transit Tipper vehicles and three triple mowers as described in this report to replace similar vehicles which are currently on hire arrangements. The vehicles are used by the parks services in respect of the Blackpool Coastal Housing (BCH) contract for which a new 5 year contract (plus a 2 year extension option) was agreed in April 2017. It is timely and appropriate to now consider the options available for the provision of vehicles in respect of this contract. This report proposes that these vehicles are now purchased outright, in line with current fleet procurement practices, the cost of which would be met from revenue savings on the hire costs.

RECOMMENDATIONS

The Operational Management Committee is requested:

1. To consider and recommend to the Finance & Democracy Committee the approval of a fully-funded capital budget increase for Vehicle Purchases of £136,024 in 2018/19, fully-funded from virements from the revenue budgets for vehicle hire costs in 2018/19 and future years as detailed within the report; and
2. Subject to 1 above, to authorise the expenditure for the acquisition of two Ford transit tippers and three triple-mowing machines at a total cost of £136,024 to be met from the approved Capital Programme for vehicle replacement in 2018/19.

SUMMARY OF PREVIOUS DECISIONS

No previous decisions have been taken on this issue.

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. BACKGROUND

1.1 The Fylde Council Parks Service have previously carried out the Grounds Maintenance function on behalf of Blackpool Coastal Housing (BCH) on a short term contract subject to annual renewal at the end of each period. Consequently, the vehicles employed on this contract have been procured through short-term hire agreements with the result that older, less reliable equipment being provided. In April 2017 the Parks Service was successful in its bid for a 5 year contract (with a 2 year extension option) for this work. Now that a longer term agreement is in place, therefore, it is prudent to consider alternative means of vehicle provision. It is therefore proposed that these vehicles are now purchased in line with current fleet procurement practices, to be fully-funded through revenue savings in the vehicle hire costs.

2. SCHEME DETAILS

2.1 Despite the move away from short term hire and lease agreements for most recent vehicle procurements, these particular vehicles and machines above have not been included in the core fleet procurement framework due to the short period of known future work, the arrangement being subject to single year contract extensions. This has contributed to ever-increasing hire costs and unreliable, outdated equipment.

2.2 The security of a long term contract for the BCH grounds maintenance work has now provided an opportunity to consider other options. It is recommended that the Council purchase the required vehicles outright. This would not only result in cost-savings but would also ensure that the council obtains better equipment to deliver the contract.

2.3 The capital costs of the vehicles to be purchased is shown in the table below:

Vehicle	Cost - £
Transit Tipper	24,932
Transit Tipper	24,932
Triple mower	28,720
Triple mower	28,720
Triple mower	28,720
Total Capital Costs	136,024

3. FINANCIAL IMPLICATIONS

3.1 The financing options detailed in Appendix A shows the relevant budgets for the current position and the corresponding budgets for the proposed option displaying the full financing of the proposal. This solution includes the provision of an annual budget for the required maintenance of the acquired vehicles to ensure their useful life is maintained and extended where possible. The proposal results in revenue savings of approximately £5,000 per annum, equating a total of £30,000 over the remaining 6 years of the contract period. In addition the disposal of the vehicles at the end of their predicted useful life is expected to generate sale proceeds of approximately £13,000.

3.2 Although the proposed addition to the Capital Programme will increase the Council's underlying need to borrow, expressed as the Capital Financing Requirement (CFR), no actual borrowing is anticipated as the expectation remains that the unfunded element of the Capital Programme can be financed by internal borrowing i.e. use of the Council's reserves, balances and cash flow. This strategy is prudent from a treasury management perspective as investment returns are low and counterparty risk remains relatively high, whilst the financing and maintenance costs for the vehicles are lower than the costs of hiring the vehicles resulting in a revenue saving to the Council.

3.3 If approved the financial implications of the proposal will be reflected in future updates to the financial forecast. The proposal detailed in the report essentially involves using existing revenue budgets allocated for

vehicle hire to meet the revenue cost of borrowing to purchase additional vehicles for grounds maintenance contract work.

4. PROCUREMENT PATH

4.1 The procurement is in line with the Council's Procurement policy using a frame work agreement. This process has already been completed to provide accurate costs for this report and will be completed once again to ensure up to date costs if this scheme is approved.

The Parks staff have also evaluated various vehicles and machines to ensure suitability of equipment as part of the procedure.

5. OBJECTIVES, OUTPUTS AND OUTCOMES

5.1 Outputs

A modernised, fit for purpose fleet projecting a consistent image across the Council, offering reliability of service delivery, creating a good impression to members of the public and clients, enhancing the reputation of the council and instilling a sense of pride in the workforce.

5.2 Outcomes

- Invest to save with warranty and in-house servicing and repairs contributing to an overall reduction in overheads
- Saving in the region of £5,000 per annum could be realised if direct purchase is approved over hiring
- Maximise warranty benefits of purchase
- Flexibility to include vehicle servicing, maintenance and safety inspections in-house protecting the Operator's Licence and Good Repute of Council
- No hidden off hire charges
- No early termination costs
- Residual value in all vehicles (Estimated on Mowers £1,000 each and Transits at £5,000 at the end of projected life- total value £13,000).
- Consistent with corporate livery
- Flexibility to procure fit for purpose vehicles in accordance with specifications (not standard with hire vehicles)
- Cost effective, reliable replacement vehicles contributing to continuity of service delivery to residents
- Environmental benefits of modern vehicles including reduced emissions and fuel efficiency through the Euro VI engines
- Compliance with legislative changes
- Staying ahead of the game

5.3 Strategic Contribution

Performance – to meet the expectations of our customers

Place – to promote the enhancement of the natural and built environment

6. CONCLUSION

The proposal is to purchase the vehicles as specified in this report, to reduce hire costs as a long term agreement is now in place with the BCH contract. Direct purchase of these vehicles is recommended in line with current fleet procurement practices, to be fully funded through budgeted hire costs and change in financing.

IMPLICATIONS	
Finance	The Operational Management Committee is requested to consider and recommend to the Finance & Democracy Committee the approval of a fully-funded capital budget increase for Vehicle Purchases of £136,024 in 2018/19 fully-funded from various Revenue Budget virements from 2018/19 and future years as detailed within the report, and to authorise the expenditure. If approved the financial implications of the proposal will be reflected in future updates to the financial forecast. The proposal detailed in the report essentially involves using existing revenue budgets allocated for vehicle hire to meet the revenue cost of borrowing to purchase additional vehicles for grounds maintenance contract work.
Legal	None unless contract not met
Community Safety	New machines will meet current health and safety requirements and the latest emissions.
Human Rights and Equalities	None
Sustainability and Environmental Impact	New machines will meet the current emissions standards, machines will be maintained in-house to high standards.
Health & Safety and Risk Management	New machines will have the latest health and safety standards (inc Chapter Eight livery) which will reduce risk both staff and public. In house maintenance to high standards

LEAD AUTHOR	CONTACT DETAILS	DATE
STEVE FULTON	steve.fulton@fylde.gov.uk & Tel 01253 658659	25/10/17

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

Appendix A – Financing Costs

Appendix A: Financing Costs of Proposed Vehicle Purchases

Current Position: Assumed Remaining Contract Period 6 years

Revenue Budgets:

	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>	<u>Total</u>
Hire Costs							
Transit Tipper	6,500	6,500	6,500	6,500	6,500	6,500	
Transit Tipper	6,500	6,500	6,500	6,500	6,500	6,500	
Triple Mower	8,050	8,050	8,050	8,050	8,050	8,050	
Triple Mower	8,050	8,050	8,050	8,050	8,050	8,050	
Triple Mower	8,050	8,050	8,050	8,050	8,050	8,050	
TOTAL NET REVENUE BUDGET	37,150	37,150	37,150	37,150	37,150	37,150	222,900

Proposed Option: Assumed Remaining Contract Period 6 years

Revenue Budgets:

	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>	<u>Total</u>
Maintenance Costs	5,100	5,100	5,100	5,100	5,100	5,100	
Borrowing cost for vehicle purchases	27,000	27,000	27,000	27,000	27,000	27,000	
TOTAL NET REVENUE BUDGET	32,100	32,100	32,100	32,100	32,100	32,100	192,600

Revenue Saving: Assumed Remaining Contract Period 6 years

	<u>2018/19</u>	<u>2019/20</u>	<u>2020/21</u>	<u>2021/22</u>	<u>2022/23</u>	<u>2023/24</u>	<u>Total</u>
TOTAL NET REVENUE BUDGET	5,050	5,050	5,050	5,050	5,050	5,050	30,300

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 NOVEMBER 2017	6
OUTSIDE BODIES			

PUBLIC ITEM

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

SUMMARY

In April 2017 Council made appointments for those outside bodies relating to the brief for the Operational Management committee. In September 2017 Albert Pounder resigned from his role of Borough Councillor. Vacancies have arisen on the Outside Bodies that Albert Pounder had been appointed to. The committee is requested to nominate representatives to the outside bodies that have a vacancy and where a nomination is required.

RECOMMENDATION

1. That the committee nominate one representative, for Full Council to approve, for the PATROL and Sintropher Working Groups.
2. That the committee agree not to make a further appointment to the Fylde Peninsular Coastal Programme Board on the grounds that Councillor Threlfall's appointment to the Fairhaven and Church Scar Coastal Project Board is sufficient.

SUMMARY OF PREVIOUS DECISIONS

14 March 2017 Operational Management Committee recommended nominations to outside bodies.
 3 April 2017 Council confirmed the annual appointments to outside bodies.

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)	v
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. On 3 April 2017, the Council made a number of appointments to outside bodies. These appointments followed from recommendations from the programme committees for appointments from within their respective memberships.
2. A vacancy has arisen on the PATROL and Sintropher Working Group outside bodies following the resignation by Albert Pounder from his role of Borough Councillor. The committee is therefore requested to nominate one representative for approval at the next full council meeting.
3. The table below includes the name of the body/group and the role/purpose of the outside bodies under the remit of Operational Management.

Outside body / partnerships	Role/Purpose	Frequency of meetings	Representative
Fairhaven and Church Scar Coastal Project Board	To oversee the delivery of the replacement hard sea defences at Fairhaven and Church Scar	Monthly	Councillor Threlfall
Fylde Peninsular Coastal Programme Board	To oversee the development of new coastal defences along the Fylde Coast (Blackpool/Fylde/Wyre)		Body has now been superseded by the Fairhaven & Church Scar Project Board.
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	Ad Hoc	Vacancy
Sintropher Working Group	Partnership between Blackpool/Fylde and LCC to develop integrated transport solutions for the Fylde Coast	Ad Hoc	Vacancy

4. 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.
5. Following a board meeting of the Fairhaven and Church Scar Coastal Project Board, the body overseeing the delivery of the replacement hard sea defences at Fairhaven and Church Scar, it was felt that there was only a need for one member to be appointed to the board. As Councillor Threlfall is a serving member on the board there is no requirement for a second nomination.
6. The Fylde Peninsular Coastal Programme Board no longer meets regularly as the individual coastal defence projects on the Fylde Coast are now being progressed within the respective authorities, i.e. The Fairhaven and Church Scar Coastal Project Board within Fylde Borough. It makes sense that any discussions with the wider Fylde Coast Authorities that may take place requiring member input will be picked up by Councillor Threlfall.
7. The nominations from the Operational Management Committee will be presented to the next scheduled full Council meeting, to be held on 4 December 2017, for confirmation.
8. In accordance with Part 5f – Protocol for Members on Outside Bodies of the Constitution a reporting form must be completed by members serving on an outside body every six months, with all completed information being circulated to all members of the Council for information.

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	CONTACT DETAILS	DATE
Sharon Wadsworth	democracy@fylde.gov.uk	31 October 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 NOVEMBER 2017	7

GREEN WASTE SUBSCRIPTION SERVICE – UPDATE

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. The scheme was introduced in June 2017 with a charge of £25 in year 1. This report provides Members with an update on progress over the past 5 months.

SOURCE OF INFORMATION

Head of Health and Environment

LINK TO INFORMATION

[Green Waste Subscription Service – Update](#)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The information is being provided to update the members of the Operational Management Committee on the progress of the subscription service for green waste since it was introduced in June 2017.

FURTHER INFORMATION

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

INFORMATION NOTE

GREEN WASTE SUBSCRIPTION SERVICE – UPDATE

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 is £763,000 per annum from 2018/19 onwards. As part of planning to mitigate this deficit the Council meeting of 5th December 2016, Council agreed to introduce an 'opt-in' green waste subscription service to mitigate some of the funding gap. The £763,000 contribution from LCC part funded all the recyclable collections (paper, cans, plastics, glass and green waste) however, green waste is the only recyclable material that can be charged for in legislation with many local authorities doing so from inception of the service. Lancashire districts have benefitted from LCC funding the service as part of the cost sharing agreement to support recycling initiatives across the county. The decision by LCC to withdraw the subsidy that funded the service has led to almost all the Lancashire districts having to introduce a subscription service for the collection of green waste.

At the January 2017 Operational Management Committee it was RESOLVED to approve the introduction of a subscription service from 1st June 2017 at an annual subscription of £25 per bin in year 1, increasing in to £30 from year 2 (full year service April 1st to March 31st).

Following this decision, employees from Waste Services, Customer Services, IT, Finance and Communications met regularly to implement arrangements for the rollout of the scheme. An information leaflet was delivered to all suitable properties during March 2017 with details of the subscription service and how to make payment online, together with a comprehensive list of FAQs. The information circulated in the press and social media, encouraging residents to sign up at www.fylde.gov.uk/greenwaste. Electronic payments methods were preferred in line with the corporate digital transformation strategy, a small number of cash/cheques were accepted to assist residents who were unable to sign up and pay online.

Two temporary Customer Services staff were recruited for a six month period to support the team with the increased number of enquiries associated with the subscription service. The whole team underwent 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 also worked closely with Customer Services staff to finalise appropriate scrips and frequently asked question responses to ensure the correct information was provided to Customers.

ICT and finance staff supported waste colleagues to ensure that the correct information was recorded at sign up and payment so that address details for subscribed properties could be uploaded into the Bartec system. Subscribed properties have an icon next to the address on the in-cab screen so the crews collect only from subscribed properties. Residents received a service sticker to attach to the green bin to assist the crews in identifying subscribed properties.

The service went live on the 1st June as scheduled. Unauthorised bins that were presented for collection were recorded so that targeted communications could be sent to encourage subscription to the scheme. This proved successful as the number of unauthorised bins presented steadily declined and subscriptions increased. Subscription rates peaked in mid-May ahead of the launch of the scheme however subscriptions continued to come in over the summer months as awareness of the scheme increased. Subscriptions for year 1 remain open until the end of November to capture those properties with heavier leaf fall. Officers will carry out further systems development and testing during December in preparation for year 2 subscription payments from January 2018.

Charges for the green waste service were introduced in order to achieve the stated priority in the council's Corporate Plan to "mitigate the impact of the loss of the LCC waste subsidy", not to cover the cost of the green

waste subscription service. Fylde residents clearly recognise the value of this service with over 17,000 subscriptions. However, the income generated has only gone some way towards mitigating the £763,000 that will be lost when the County Council withdraws the subsidy. The decision was made by the Council to introduce the subscription service a year before the withdrawal of the subsidy from LCC to accommodate the cost of setting up and embedding the service from the initial part year subscriptions.

Attached: *Appendix 1: Estimated Costs and Income - Green Waste Collection Service 2017/18*

FURTHER INFORMATION AVAILABLE FROM

Kathy Winstanley, Head of Health and Environment, kathyw@fylde.gov.uk, 014253 658634.

Estimated Costs and Income - Green Waste Collection Service 2017/18

6 x front line refuse collection vehicles + 1 spare *	Totals 2017-18 Estimated cost of green bin collection service	
Estimated Labour Costs, including NI and pension costs		
Drivers	£76,069	
Loaders	£139,328	
Supervisor / Admin	£31,054	
Agency / Overtime / Bank Holiday / Protective Clothing / Other	£51,212	
Sub-total	£297,663	<i>Direct</i>
Estimated Vehicle Costs		
Twin Bin Refuse Collection Vehicles	£202,500	
Sub-total	£202,500	<i>Direct</i>
Estimated Container Costs		
Cost of replacement Green Bins (approx 2,800)	£50,000	
Sub-total	£50,000	<i>Direct</i>
Estimated Promotion / Subscription Fee Collection Costs		
Estimated leaflet and temporary backoffice support staffing costs	£32,000	
Additional comms and sticker costs	£23,000	
Bank Charges	£12,000	
Sub-total	£67,000	<i>Direct</i>
Total Operational Costs - Direct Costs	£617,163	
Estimated Support Service Costs		
All Support Service / Service Management Costs	£92,198	
Total Operational Costs - Indirect Costs	£92,198	<i>Indirect</i>
Total Estimated Operational and Support Costs - Green Waste Service:	£709,361	
2017/18 Income (17,209 subscriptions @ £25 per bin):	<u>-£430,225</u>	
2017/18 Estimated Net Cost of Service after income from subscriptions	£279,136	

* 86% uptake on regularly presented bins therefore no reduction in operational resources delivering the service

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	14 NOVEMBER 2017	8

FAIRHAVEN TO CHURCH SCAR COAST PROTECTION SCHEME – UPDATE

PUBLIC ITEM

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

SUMMARY OF INFORMATION

Fylde Council is undertaking the Fairhaven to Church Scar Coast Protection Scheme (the Scheme) to reconstruct the sea walls to prevent any coastal erosion and flooding, at an estimated cost of circa £19.83M.

The previous report to Operational Management Committee in September 2017 approved the delivery of the 2.3km long scheme subject to final negotiations with the Council’s preferred bidder.

SOURCE OF INFORMATION

Project Manager

LINK TO INFORMATION

[Fairhaven to Church Scar Coast Protection Scheme](#)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The information is being provided to update the members of the Operational Management Committee on the progress of the Scheme to date.

FURTHER INFORMATION

Contact Mike Pomfret, Project Manager, mike.pomfret@fylde.gov.uk

INFORMATION NOTE

FAIRHAVEN TO CHURCH SCAR COAST PROTECTION SCHEME

Background

Fylde Council is undertaking the Fairhaven to Church Scar Coast Protection Scheme (the Scheme) to reconstruct the sea walls to prevent any coastal erosion and flooding, at an estimated cost of circa £19.83M.

The previous report to Operational Management Committee in September 2017 approved the delivery of the 2.3km long scheme subject to final negotiations with the Council's preferred bidder.

Current Position

Contract

Following the decision of the Operational Management Committee in September 2017, final negotiations have been concluded with the Council's preferred bidder, VBA Joint Venture Ltd. The Council entered into a contract (deed) on the 20th October 2017 with VBA Joint Venture Ltd (VBA). VBA's remit being the design and construction of the scheme in accordance with the Planning Consent and Marine Management Organisation Licence for the scheme. A summary of the main items of the scheme as contracted is shown in the table below:

Item	Sum (£000)
Core Scheme	16,830
Fylde Buff Revetment at Fairhaven	250
Imprinted Revetment at Church Scar	30
Full re-instatement of Stanner Bank Car Park	415
Subtotal (Prices)	17,525
Plus Employer's Risk Pot (10%)	1,752
Plus Employer's Fees	500
Total Cost	£19,777

The allocated scheme budget is £19,830k, made up of £19,430k Flood Defence Grant in Aid from the Environment Agency and £400k from Fylde Council (within the agreed capital programme).

Finance

The £19.83M coastal erosion and flooding scheme does not cover the costs of any public realm at Church Scar and Fairhaven, other than for a reasonable allowance for environmental aspects and to support existing amenities which might be lost as a result of approved work, e.g. the resurfacing of the car park. Consequently, a report will be presented for consideration at the Council meeting of 5th December 2017 requesting further capital funding to cover specific public realm aspects of the overall wider project.

Programme

VBA will be commencing site preparation works in December 2017 at Church Scar with Fairlawn Triangle being the location for VBA's main site compound/offices.

The works are to start at Seafield Road and progress towards the interface between Church Scar and Granny's Bay. Works are currently set to then hop over Granny's Bay to Fairhaven. VBA may well use a smaller satellite compound also when it comes to Fairhaven.

The site working hours are as follows:

08:00 - 18:00 Monday to Friday.

09:00 - 13:00 Saturday.

No on site works on Sundays or Bank Holidays.

Shortly before site mobilisation, VBA will undertake 'Pre-start condition surveys' of all highways, property and land (including trees, boundaries, street furniture and any other features which may be affected by the works), both within the boundaries of the Site and adjacent to the Site and Working Areas. The surveys should be adequate enough to identify existing structural faults with the properties and act as a baseline to consider any change against during and after the Completion of the works.

Prior to the commencement of each stretch of works (Church Scar, Fairhaven) VBA will inform all adjacent residents that could hear or feel the effects of piling work, by letter, of the likely start and finish times and the duration of any piling works within that phase of the scheme.

VBA is obliged to also undertake all reasonable measures to minimise the generation of noise and vibration resulting from his activities.

Communication with the public, business owners and local residents will be led by VBA, who will develop a comprehensive Customer Engagement Plan for the Scheme. VBA will do this in conjunction with Fylde Council and the Environment Agency.

VBA will also set up a Customer Centre at Fairlawn Triangle and it will be staffed by fully trained Customer Service Coordinators (CSC) at advertised times. The CSC's are fully trained to deal with queries or complaints politely and expediently and will have a detailed knowledge of the scheme to explain the reasoning behind any road closures or diversions.

The centre will also feature project visualisations, details of the works programme and literature to describe the benefits of the project.

Quarterly newsletters will be posted in local tourism outlets and community facilities and any road or footpath closures will be communicated well in advance through the newsletters and the local media.

The CSC's will provide customer service training to everyone on site to ensure VBA's entire team deliver high standards of customer service. All issues or concerns raised by members of the public will be logged.

The completion date for the scheme is the 31st March 2020.

FURTHER INFORMATION AVAILABLE FROM

Contact Mike Pomfret (Project Manager) - mike.pomfret@fylde.gov.uk

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
OFFICE OF THE CHIEF EXECUTIVE	OPERATIONAL MANAGEMENT COMMITTEE	14 NOVEMBER 2017	9

SECTION 106 PAYMENT PROCESS

PUBLIC ITEM

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

SUMMARY OF INFORMATION

In response to a recommendation from the Finance and Democracy Committee the report outlines the payment procedures for Section 106 funds and provides a link to the current Section 106 payments which is available on the Fylde website.

Section 106 agreements are drafted when it is considered that a development will have significant impact on the local area that cannot be moderated by means of conditions attached to a planning permission. Such agreements may only constitute a reason for granting planning permission if they meet the legislative tests that they are:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

In order to meet these tests it is normally expected that each requirement in an agreement is supported by national and/or local policy and clear evidence of need.

Accordingly, some planning permissions granted by the council are subject to obligations set out in a Section 106 agreement that require the developer to 'contribute' (in cash or construction) towards community infrastructure or assets that facilitate integration of the development into the community or meet council objectives / community need e.g. affordable housing, parks, playgrounds, bus shelters, crossings, community centres etc.

The council has three model agreements to accommodate different types and sizes of development which can be viewed [at this link](#), and electronic copies of completed planning obligations can be found by searching for the relevant planning application on [the planning application search page](#).

Some contributions are by way of financial payments made to Fylde, Lancashire County Council (LCC) or other designated organisations whilst some require the developer to build affordable homes or deliver public open space. Where there is a financial contribution it is clearly stated in the agreement what the contribution is for, whether it should be spent in a designated geographical area, when it will be paid and, in most cases but not all, when the money must be spent by.

Major developments can have several different contributions ranging from the construction of affordable homes to the provision of bus shelters, the former often provided by the developer and the latter a payment made to the organisation responsible for bus shelters. The details of what is included in the agreement are negotiated between the developer and the local authorities, Fylde and LCC, who will identify the need for various facilities e.g. crossings, highway improvements or parks.

The Operational Management committee approved a scheme at the meeting on May 23rd 2017 for bus service

enhancements and a dial a ride service, financial approval to release the funds for the scheme was given by the Finance and Democracy committee on June 17th 2017, during the discussion on the item concern was expressed that the original planning application that the funds related to was dated 2007. A recommendation was approved for '*Operational Management Committee to explore the reasons for the time delay in this and other S106 agreements, and explore if there is any monitoring in place to ensure that services are carried out in line with S106 agreements.*'

In respect to the Section 106 funding reported to committee in May 2017 the time frame between the application and the expenditure of the funds was almost 10 years but there was no significant delay in delivering the intended community benefit. The Section 106 agreement approved for expenditure earlier this year was the last element for the agreement at Nine Acre Nursery Warton and in accordance with the agreement was only released after the development was complete. In this case the payment was for support to bus services and LCC was given a period of time in the agreement to identify a suitable scheme in the right location. The time taken for LCC to identify and agree an appropriate scheme that matched the requirements of the agreement was much longer than anticipated. The team responsible for the project at LCC experienced a number of personnel changes as a result of ongoing restructure and downsizing which contributed to the delay. The officer at Fylde responsible for monitoring Section 106 funds was in regular dialogue with LCC to ensure the funds were allocated. Where funds are allocated for highway, transport and education purposes the responsibility for identifying the schemes lies with LCC though in many cases the schemes are identified at the planning application stage so the funds are ring fenced in the agreement to specific schemes. When the actual scheme needs to be re-negotiated with a different team at LCC who will deliver the scheme, this can add delays, as the other sections seem to be unaware this has been required.

It is not unusual for Section 106 agreements to have payments made at different stages of development (trigger points based on build out rates) with many transferring funds at the end of construction after the local authority has adopted new highways or open spaces, for major developments this could be several years after the application with a further time period i.e. 10 years in which to identify and deliver a project. Allocations for generic services such as transport, public realm and community facilities may not have a specific scheme / project identified at the time the Section 106 is agreed but instead set out certain criteria within which the funds must be spent, this then requires work to identify and develop an appropriate scheme, all of which takes time. Change of circumstances over time can require a reallocation of Section 106 spend e.g. funds allocated for a bus route that is subsequently stopped before the payment is made would require time to identify another appropriate use.

A Section 106 agreement is a legal document that is completed before the grant of planning permission, but it is not uncommon for Section 106 agreements to take time to agree after approval in principle by the Planning Committee. For major developments, that often require the agreement of a number of parties or where a prospective developer has not been identified, it can be two to three years. The time frame between the approval of an application and allocation of Section 106 funds can also be extended by developers slowing down build out rates in response to market demand, not starting on site for several years and / or to delay the requirement to make the payment at a certain trigger point.

Fylde has an officer responsible for monitoring Section 106 funds and the Fylde [web page has an excel spreadsheet](#) which provides details of all current Section 106 funds and what the funds are allocated for, this spreadsheet is regularly updated. There has never been a delay in spending the money that has led to a deadline being exceeded and funds returned. An overview of the Section 106 process for preparing, delivering and monitoring community infrastructure is attached at appendix 1.

For further information on completed planning obligations members can contact Karen Hodgkiss karenh@fylde.gov.uk or telephone 01253 658515.

SOURCE OF INFORMATION

Section 106 Agreements & Fylde website

LINK TO INFORMATION

<http://www.fylde.gov.uk/business/planning/advice/planning-legal-agreements/>

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

Concern was expressed by members of the Finance and Democracy about the amount of time that it takes for some Section 106 funds to be released, many of the agreements are time bound and any delays could require the payments to be returned or never made if deadlines are not achieved. The report confirms that whilst there are different arrangements pertinent to individual agreements the council has never had to return or failed to receive payment as a result of delays.

FURTHER INFORMATION

Contact: Allan Oldfield (allan.oldfield@fylde.gov.uk) 01253 658500

Appendix 1
S.106 Agreements – Preparation, delivery and monitoring

