

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	28 JUNE 2021	14
<b>FULLY FUNDED REVENUE BUDGET INCREASE - SAND EXTRACTION - ST ANNES FORESHORE</b>			

### PUBLIC ITEM

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

### SUMMARY

A report was presented to the Operational Management Committee, on 16 June 2021, providing an update on the work previously agreed to apply for permissions to resume sand extraction from the St Annes foreshore.

The report seeks a funded budget increase to meet the cost of additional studies and assessments required from the scoping opinions sought.

### RECOMMENDATIONS

The Committee is requested to:

1. Approve a fully funded addition to the revenue budget in respect of 'St Anne's foreshore sand extraction development studies and regulatory applications' in the sum of £76,000 in 2021/22 to be met in full, from the Funding Volatility Reserve;

### SUMMARY OF PREVIOUS DECISIONS

#### Operational Management Committee – 16 June 2021

It was RESOLVED to:

2. Recommend to Finance and Democracy Committee approval of a fully funded addition to the revenue budget in respect of 'St Anne's foreshore sand extraction development studies and regulatory applications' in the sum of £76,000 in 2021/22 to be met in full, from the Funding Volatility Reserve;
3. Subject to 1 above, approve the further work identified as necessary for the proposed development studies in the sum of £76,000, with the works being funded from the Funding Volatility Reserve;

#### Finance and Democracy Committee – 23 November 2020

Sand-winning at St Annes Beach

It was RESOLVED to approve a fully funded budget addition to the revenue budget in respect of 'St Anne's foreshore sand extraction development studies and regulatory applications' in the sum of £232,000, (£70,000 in 2020/21 and £162,000 in 2021/22) to be met in full, from the Funding Volatility Reserve.

#### Operational Management Committee – 10 November 2020

Sand Extraction – St Annes Foreshore

**RESOLVED:**

1. To recommend to the Finance and Democracy Committee approval of a fully funded addition to the revenue budget in respect of 'St Anne's foreshore sand extraction development studies and regulatory applications' in the sum of £232,000, (£70,000 in 2020/21 and £162,000 in 2021/22) to be met in full, from the Funding Volatility Reserve;
2. Subject to 1 above, approve the commencement of the proposed development studies as identified in the report in the sum of £232,000, with the works being funded from the Funding Volatility Reserve;
3. to approve the procurement approach detailed the report to appoint Heaton Planning (Heatons) together with the environmental sub-contractor, Golder Associates, to deliver the sand extraction development studies and regulatory applications;

Council 13 March 1989

The recommendations of the Planning & Development Committee, ref 5/88/1035, was adopted

Planning & Development Committee 22 Feb 1989

The Planning & Development Committee recommended to Council to grant planning permission for application ref 5/88/1035.

Reports to Committee/Council – 1975 to 1989

A number of temporary planning consents and licence concessions for sand extraction on St Annes foreshore granted by Fylde Borough Council.

**CORPORATE PRIORITIES**

Economy – To create a vibrant and healthy economy	√
Environment – To deliver services customers expect	√
Efficiency – By spending money in the most efficient way	√
Tourism – To create a great place to live and visit	

**REPORT**

**BACKGROUND**

1. The Committee considered a report at its meeting on 10 November 2020 summarising the background to sand extraction from the St Annes foreshore and which set out the latest regulatory position following enforcement by the Marine Management Organisation. The report also outlined the work that was required to be undertaken, including the costs involved, in order to apply for permissions to resume sand extraction.
2. The Committee resolved to recommend to the Finance and Democracy Committee approval of a fully funded addition to the revenue budget in respect of 'St Anne's foreshore sand extraction development studies and regulatory applications' in the sum of £232,000, to be met in full, from the Funding Volatility Reserve;

**LATEST POSITION**

3. Officers have recently received two EIA Scoping Opinions – one from Lancashire County Council (LCC) and one from the Marine Management Organisation (MMO). The EIA Scoping Opinions set out the scope of work and information that each authority considers it necessary to include within the EIA.
4. There are some areas where the MMO have requested that assessment is undertaken which officers felt would be outside of the scope of the EIA.
5. Principally, these relate to the following topic areas:
  - Cultural Heritage
  - Health Impact Assessment

- Land Quality including Beach Sediment
  - Health & Safety
  - Operational Environment Management Plan
6. Lancashire County Council's geomorphology advisors (Atkins) also identified a wider scope of work than had been originally proposed.
  7. Golder's geomorphology specialist has reviewed the scope of work requested by Atkins in the light of a recent meeting. Given that Atkins had proposed modelling of a challenging estuary which is more suggestive of a regional research project level of work, Golder's specialist's professional view is that further sediment budget analysis should instead be undertaken in an attempt to best address their requirement. This would lead to an additional £14,700 of geomorphological work. However, due to the complex nature of this work, the fees remain estimates at this stage.
  8. The LCC ecologist has also recommended undertaking a Phase 2 Botanical Survey and Reptile Surveys this summer.
  9. Officers have since had a further meeting with LCC officers, LCC's consultant Atkins along with the council's retained consultant Golder to try and define a tighter scope of work with them. From these discussions a revised scope has been discussed and agreed that is considered appropriate and justified.
  10. A topographical survey of the compound area has also been carried out recently and covers the dunes from St Annes pier to Squires Gate Junction. This information will be of general use to the Council going forwards.
  11. Finally, all sub-consultants have reviewed the Scoping documents and identified any changes to the scope or costs of work they originally proposed.
  12. Whilst the statutory planning application fees are fixed by Government, the MMO charges for their time on an hourly basis and are generally unwilling to provide an indication of what their overall costs may be. An allowance of £9,000 was made in the initial costs but given that the MMO's fees for the EIA Scoping amounted to over £6,000, it is suggested to allow £20,000 for the licence application stage. This has added an additional £11,000 to the overall costs but it is felt that it is sensible to make this additional allowance given the experience at Scoping stage.
  13. The attached briefing note prepared by Heaton's at appendix 1 summarises the position reached to date.

#### FINANCIAL IMPLICATIONS

14. When sand extraction previously took place, the council received payment from the operator on the basis on the amount of sand extracted. In 2018/19, the last full year before extraction was ceased the council received £459,959.
15. Previous committee resolutions made provision for £232,000 to commission the development studies and regulatory applications in order to seek permissions to resume sand extraction. The revised fees as identified in this report would require provision of £282,904, an additional amount of £50,904.
16. However, it should be noted that (as with any planning application) it is likely that the authority (and consultees) will request clarification and further information and therefore it would be wise to make further provision for this. For this contingency a figure of £25,000 is suggested although there cannot be any certainty over this figure at this stage.
17. The total additional budget sought from Members (including initial estimate of the post-submission fees), amounts to £75,904.

<b>FINAL SUMMARY TABLE</b>	<b>£</b>
Additional Planning Application and EIA Costs up to submission	40,904
Suggested contingency for EIA and pre-submission work	10,000
Suggested budget for post-submission work (estimate)	25,000
<b>TOTAL ADDITIONAL BUDGET SOUGHT</b>	<b>75,904</b>

**Table 1 – Summary of additional costs estimate for studies/surveys, preparation of environmental statement, submission of planning application/MMO licence application.**

<b>IMPLICATIONS</b>	
Finance	The report requests approval of a fully funded addition to the revenue budget in respect of 'St Anne's foreshore sand extraction development studies and regulatory applications' 2021/22 in the sum of £76,000, to be met in full from the Funding Volatility Reserve.
Legal	The council cannot recommence sand extraction until it has the required marine licence and planning permission.
Community Safety	There are no implications
Human Rights and Equalities	There are no implications
Sustainability and Environmental Impact	The preparation of the Environmental Statement will ensure that the environmental impacts of sand extraction are identified and assessed as part of the regulatory process to seek permission to recommence operations.
Health & Safety and Risk Management	There are no implications

<b>LEAD AUTHOR</b>	<b>CONTACT DETAILS</b>	<b>DATE</b>
Paul Walker	mailto:Paul.walker@fylde.gov.uk <a href="mailto:Paul.walker@fylde.gov.uk">Paul.walker@fylde.gov.uk</a> Tel 01253 658431	7 June 2021

<b>BACKGROUND PAPERS</b>		
Name of document	Date	Where available for inspection
Document name		Council office or web address