



Agenda

Operational Management Committee

Date:	Tuesday, 8 September 2020 at 6:30 pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Roger Small (Chairman) Councillor John Kirkham (Vice-Chairman)</p> <p>Councillors Mark Bamforth, Julie Brickles, Alan Clayton, Chris Dixon, Will Harris, Paul Hodgson, Kiran Mulholland, Bobby Rigby, Stan Trudgill, Viv Willder.</p>

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 Meeting ID: 818 7163 6963
 Passcode: 503104

Public Platform

To hear representations from members of the public in accordance with Article 15 of the Constitution.
 To register to speak under Public Platform: see [Public Speaking at Council Meetings](#)

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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 9 June 2020 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 23(c).	1
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Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	8 SEPTEMBER 2020	4
ST ANNES SEAWALL			

PUBLIC ITEM

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

SUMMARY

The Council has been successful in applying for funding to undertake development studies in preparation for the replacement of the hard sea defences at St Annes Seawall.

The report requests that the Operational Management Committee support a recommendation to Council for a new capital scheme (St Annes Sea Wall) fully funded from the Environment Agency Flood Defence Grant in Aid Programme to be added to the Capital Programme for 2020/21 in the sum of £300,000.

The report also seeks delegation of the award of contracts to the Director of Development Services (for procurement via the Environment Agency's National Framework) and subsequent authorisation of the £300,000 expenditure as detailed within the report.

RECOMMENDATIONS

The Committee is requested to:

1. Recommend to Council approval of a new fully funded capital scheme 'St Anne's Sea Wall' within the Council's Capital Programme for 2020/21 in the sum of £300,000, to be met in full, from the Environment Agency flood defence grant in Aid programme;
2. Subject to 1 above, approve the commencement of the proposed development studies as identified in section 15 of this report in the sum of £300,000, with the works being funded from the Environment Agency flood defence grant in Aid programme;
3. Approve the procurement approach detailed in section 10 of this report to use the Environment Agencies National Framework to procure the consultants to deliver the development stage of the St Anne's Sea Wall project. To authorise that a contract(s) to be then entered into through the Environment Agency's National Framework for the Development Studies;

SUMMARY OF PREVIOUS DECISIONS

Community Focus Scrutiny Committee at its meeting on 14th October 2010 resolved:

To endorse the decision of Cabinet to adopt the policies set out in the North West England and North Wales Shoreline Management Plan for the Fylde coastline.

Cabinet considered a report on the adoption of the Shoreline Management Plan (SMP) at its meeting on 15th September 2010. After consideration Cabinet resolved:

That subject to consideration and comment by the appropriate scrutiny committee to adopt the policies set out in the North West England and North Wales Shoreline Management Plan for the Fylde Coastline.

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 AND STRATEGIC CONTEXT

1. The Council adopted the [Shoreline Management Plan 2 \(SMP 2\) in 2010](#) which identified policies to manage coastal flood and erosion risks over the next 100 years and covers the entire shoreline of the North West of England and North Wales. The SMP 2 policy for the Fylde Coast is to predominantly "hold the line"; this means strengthening, maintaining or rebuilding the existing sea defences to maintain the existing shoreline. The SMP 2 is a large-scale assessment of the coastal processes and helps reduce associated risks to people and the developed, historic and natural environments. The SMP 2 aims to identify the most sustainable approaches to managing the coastline, in the short, medium and long terms.
2. The implementation of the SMP 2 "hold the line" policy is developed within Shoreline Strategy Appraisal Reports (StAR) which are prepared for each local authority area. The StAR also identifies key areas of the coastline that requires substantial work. Following the development of the StAR, project specific business cases explore and analyse the economic and environmental sustainability issues to determine the most appropriate option to implement the SMP policy.
3. The StAR for the Fylde shoreline was adopted by the Environment Agency in 2014. The StAR recommends that 3 strategic headlands need to be replaced with new structures over the following timescales:
 - Headland 1 (St Annes Seawall) by 2033
 - Headland 2 (Fairhaven) by 2018
 - Headland 3 (Church Scar) by 2018
4. A plan is attached showing the existing hard sea defences at Headland 1 (St Annes Seawall). This comprises of a c670m long seawall constructed in 1935 which protects 252 residential properties from coastal erosion. The hard defences are showing signs of spalling, but with continued maintenance and no repetitive extreme storms the defences should have a residual life of approximately 10 years.
5. The StAR also makes note though that 'plans to replace the defences at the Pleasure Island Complex could tie in with regeneration plans to redevelop the complex as a leading tourist attraction and provide opportunities for partnership working'. It is noted that Schemes in key coastal resort locations, such as St Annes-on-Sea, serve as much needed economic regeneration catalysts.
6. The Scheme as currently defined by the StAR is a concrete stepped revetment (similar to the recently delivered product at Granny's Bay) has an overall estimated value of £5.8m.
7. The Island member working group considers that the replacement of the existing hard sea defences should be brought forward to act as a catalyst for regeneration of The Island site. As a result, officers have applied to the Environment Agency for funding to undertake the initial development studies required to progress the project. The Environment Agency has confirmed the success of this application and that £300,000 is available to spend.
8. The Budget Working Group has considered this and is supportive of the development grant from the Environment Agency being accepted and the project commenced.

PROJECT GOVERNANCE

9. The project is proposed to be run in the PRINCE2 environment (PProjects IN Controlled Environments). PRINCE2 has an established project governance structure/specific project roles and responsibilities.

PROCUREMENT AND VALUE FOR MONEY

10. It is proposed that the Environment Agency's National Framework is used for procurement of St Annes Seawall (initially for the Development Studies) as this approach has worked well with the delivery of the Fairhaven to Church Scar Scheme; which helped deliver public value for money.

COST OF SCHEME AND METHOD OF FINANCING

11. The cost of the Scheme is currently estimated (at high level) to be £5.8m. The cost of the Development Studies, that authority is being sought for at this stage, is estimated at £300k (hence the value of the available Development Studies grant of £300k).
12. There is £3.5m remaining, potentially available, Environment Agency grant after the (£300k) Development Grant. This remaining £3.5m 'Delivery Grant' would be applied for following successful Development Studies (that result in an approvable business case for the substantive investment).
13. Based the number of properties protected though by the replacement seawall, the Environment Agency funding system can only contribute £3.8m overall towards the overall £5.8m. Leaving a £2m shortfall for the substantive Scheme.
14. Nonetheless, if Environment Agency funding is hoped for in future years, based on successful business cases, provision needs to be made now in order to deliver the project. Therefore, the latest forecast spend profile formally submitted to the Environment Agency's Project Application Funding Service (PAFS) is shown below in Table 1.

Table 1 – Estimated spend profile for St Annes Seawall replacement

The estimated spend for each financial year			
Spending estimates are in pounds (e.g £50,000) at current prices. Future maintenance costs aren't included.			
Financial year (April to March)	Grant in Aid	Not yet identified	Total (£)
Previous years	0	0	0
2015 to 2016	0	0	0
2016 to 2017	0	0	0
2017 to 2018	0	0	0
2018 to 2019	0	0	0
2019 to 2020	0	0	0
2020 to 2021	300,000	0	300,000
2021 to 2022	1,000,000	0	1,000,000
2022 to 2023	2,500,000	2,000,000	4,500,000
Total (£)	3,800,000	2,000,000	5,800,000

15. At this pre-contracts stage, the £300k Development Studies funding can be broken down as follows:
- £50k – Site Investigations
 - £50k – Environmental / Ecological Studies
 - £15k - Planning Application
 - £15k – MMO Licence
 - £20k – Consultation
 - £50k – Preliminary Design
 - £100k - Management

Workstreams a. to f. above will be delivered with support from either the Environment Agency national framework, or tendered separately using the Council's contracts procedure rules. The management element

will be capitalised and used to fund a project manager and technical staff to manage the delivery of the above workstreams.

16. Members will recall that as with the Fairhaven to Church Scar Coast Protection Scheme, public realm enhancements to the core sea defence Scheme are not able to be funded from the terms of the grant received from the Environment Agency. The core sea defence Scheme being new a seawall, re-surfaced promenade, rear flood wall, and a reasonable like-for-like provision for street furniture lost as a result of the works.
17. There may also be some additional costs to compensate businesses affected by disruption during construction of the replacement seawall and loss of income from using the rear car park as a site compound. These costs are not currently quantified but are currently being evaluated.

FUTURE BUDGET IMPLICATIONS

18. Table 1 above identifies that a £2m contribution is required to match the £3.8m Environment Agency grant to achieve a funded scheme. The Budget Working Group has received a presentation from officers on the benefits of the project and noted that if the £300,000 grant for development studies is accepted and proceeds and that the council is later unable to identify where the £2m overall project funding shortfall will come from it may have to repay the initial development grant of £300,000 as there will not be a deliverable project. Therefore, if members wish to proceed with acceptance of the initial development grant of £300,000, they will need to be cognisant of this issue.
19. In addition to the potential £2m future contribution from the Council, there may be additional costs in respect of as yet unquantified Public Realm enhancements, business disruption costs, and lost car park income. These costs will be fully quantified in subsequent update reports once the development studies are completed and options for progression of the scheme are considered by Members.
20. Once completed, as well as protecting the land from erosion, the new replacement seawall will be maintained from existing revenue budgets, and is expected to serve as an economic boost to the area, which in turn ought to increase available revenue

RISK ASSESSMENT

21. At this stage (pre-Development) risks are assessed at high level accordingly. The risks at this stage are ensuring competent and experienced resource to management the Development of the Scheme to the timelines and budgets and identification of the £2m match funding requirement before the application is submitted to the Environment Agency for the remaining £3.5m grant.

VIABLE ALTERNATIVES

22. Do nothing. Under the do-nothing scenario there would be no further studies to look at the replacement of St Annes Sea Wall. This would not implement the Fylde Coastal Strategy and would leave a residual life of approximately 10 years. This would lead to increased erosion risk to the properties and infrastructure behind which would be unacceptable. The do-nothing scenario will form the baseline for further appraisal.
23. Do Minimum. This would involve ongoing maintenance of St Annes Seawall with no further study of the problem. Eventually this would lead to the collapse of the seawall and increase the risk of erosion to the properties and infrastructure behind. The Strategy as approved by the Environment Agency states that the increased risk is not considered acceptable as it leaves properties and infrastructure at risk.
24. Do Something. Preferred Option. This would enable a study to go ahead to develop and deliver a replacement seawall. The study would lead to outline design, enable consultation, obtaining planning permission and the required licences as well as updating the appraisal from the Strategy in line with the revised partnership funding principles.

OBJECTIVES, OUTPUTS AND OUTCOMES

25. The objectives, outputs and outcomes of the project are to provide urgent coast protection to over 252 properties for the next 100 years, and also serve as an economic regeneration catalyst to The Island site.

DRAWINGS AND PLANS

26. Appendix 1 attached shows the extent of the existing hard sea defences at The Island site.

CONCLUSION

27. The Committee is requested to recommend to Council approval of a new fully funded capital scheme 'St Anne's Sea Wall' within the Council's Capital Programme for 2020/21 in the sum of £300,000, to be met in full, from the Environment Agency Flood Defence Grant In Aid programme; to approve the commencement of the proposed Development Studies as identified in this report in the sum of £300,000, to approve the use the Environment Agencies National Framework to procure the consultants to deliver the development stage of the St Anne's Sea Wall project and to authorise that a contract(s) to be then entered into through the Environment Agency's National Framework for the Development Studies;

IMPLICATIONS	
Finance	Recommend to Council approval of a new fully funded capital scheme 'St Anne's Sea Wall' within the Councils Capital Programme for 2020/21 in the sum of £300,000, to be met in full from the Environment Agency flood defence grant in Aid programme and subject to Council approval, authorise the drawdown of £300,000 in 2020/21 to deliver the development stage of the St Anne's sea wall project. Members should also be cognisant of the potential future contributions and costs for the Council for ultimately delivering the scheme.
Legal	The report requests authority to enter into call-off contracts via the Environment Agency National Framework.
Community Safety	The Scheme will be developed in line with all applicable safety standards.
Human Rights and Equalities	The Scheme's promenade will be accessible and conform to national standards.
Sustainability and Environmental Impact	The Scheme will embrace the principles of sustainability. The Scheme will be designed to withstand the storm that has the probability of occurring once every 200 years. The Scheme will have a lifespan of 100 years with built-in adaptability for sea level rises.
Health & Safety and Risk Management	The Environment Agency Framework suppliers will have full responsibility for ensuring health and safety both in the detailed design of the Scheme and its construction. Commercial risk management will be overseen by the Project Board and Project Assurance.

LEAD AUTHOR	CONTACT DETAILS	DATE
Mike Pomfret	mike.pomfret@fylde.gov.uk 07904 153068	8 September 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
PowerPoint presentation to the Budget Working Group	August 2020	Technical Services – Town Hall
EA Framework User Agreement	August 2018	
Fylde StAR	February 2014	
EA Pipeline Acceleration Funding	March 2020	

Attached documents:

Appendix 1 Plan of the existing hard sea defences at Headland 1 (St Annes Seawall)

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	8 SEPTEMBER 2020	5
STANNER BANK CAR PARK ENTRANCE			

PUBLIC ITEM

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

SUMMARY

As part of the delivery of Fairhaven and Granny's Bay sea defences and the regeneration of Stanner Bank Car Park, discussions have taken place with Lancashire County Council's Highways team regarding the integration of the front of the car park entrance with the highway. LCC have recommended that changes are made to the entrance to ensure vehicles are filtered into and out of the car park whilst enabling pedestrians to cross safely. This report proposes a solution by redesigning the entrance area funded from the approved Car Park Improvement rolling capital budget.

RECOMMENDATION

The Committee is requested:

1. To approve the expenditure of up to £40,000 from the 'Car Park Improvements' capital budget for 2020/21
2. Authorise that contract procedures are waived in accordance with the Constitution to award the contract direct to Lancashire County Council's Highways Operations Team subject to a value for money assessment being undertaken by officers.

SUMMARY OF PREVIOUS DECISIONS

Operational Management Committee, 17 December 2019:

The Committee approved the drawdown of capital funding to complete the coastal defences public realm works including finishing the car park regeneration and the installation of a car park barrier system.

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

1. The re-construction of Stanner Bank Car Park was completed and handed over by the contractors in July 2020. Prior to completion, in May 2020, Fylde Council were advised by Lancashire County Council's Highways team of the need to integrate the new layout with the highway. They have highlighted the long and wide slip-way into the car park where vehicles can cut-across each other. They have advised that, to ensure safety of pedestrians crossing in front of the new barrier system as well as ensuring the safe circulation of vehicles, this area needs to be redesigned.
2. To enable the car park to open, temporary inter-linking traffic barriers have been placed at the entrance to the car park until a suitable alternative can be put into place (images 1 and 2).
3. Although it is possible to establish an adequate layout using paint markings on the surface to the front of the barrier, the amount of hatched markings is likely to detract from the visual impact of the newly constructed car park and sea defences. It is therefore suggested that the entrance area be redesigned to fit into the aesthetic style of the rest of the sea defence works.

Image 1



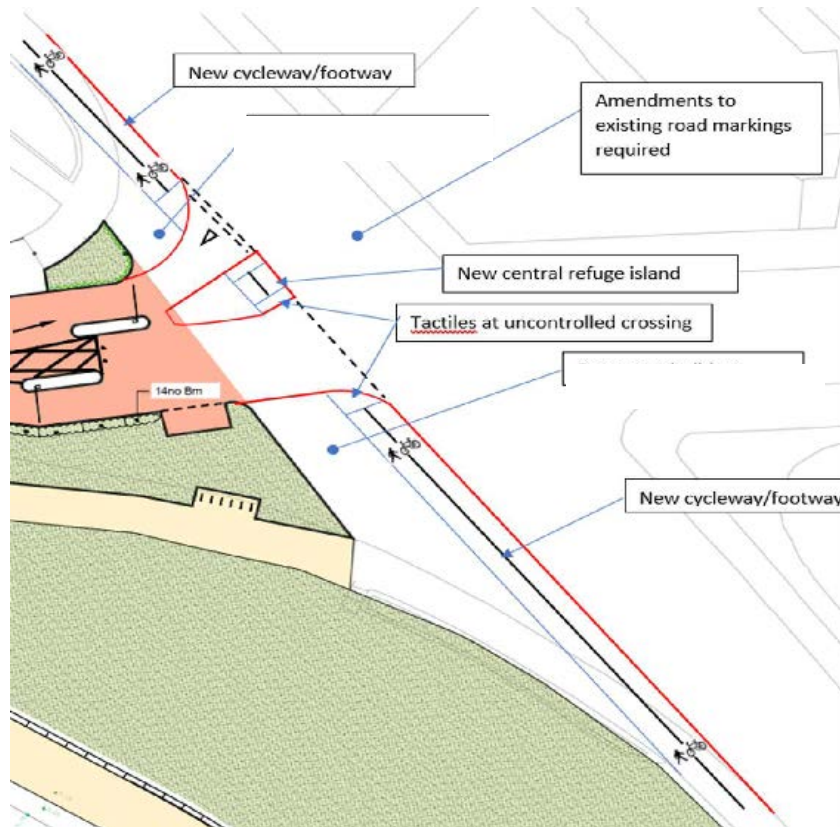
Image 2



DESIGN OF THE ENTRANCE AREA

4. VBA, the contractor that delivered the Church Scar to Fairhaven sea defence work, were asked, as an extension to the sea defence contract, to design and construct the new entrance area to ensure that the same style and quality of work was carried through. However, the quote submitted for the design element alone was £22,586 which was deemed to be excessive. Fylde Council's in-house engineering team have therefore been tasked with carrying out the design work.
5. It is proposed that the current slipway areas either side of the entrance will be removed. The footpath and cycleway will be moved beside the highway. This will ensure that the pedestrian crossing will be located further away from the new car park barrier system. A crossing island will be installed between the entrance and exit channels of the car park to facilitate safe pedestrian crossing. The proposed changes, subject to detailed design and consultation with Lancashire County Council's Highways team, are set out in image 3.

Image 3



HIGHWAYS IMPROVEMENT WORKS

6. Lancashire County Council's Highways team have scheduled improvement works to take place along Inner Promenade in the area of Stanner Bank Car Park. This is a continuation of works that have already occurred along Inner, South and North Promenade. This section had previously been delayed enabling the construction works on the sea defences to be completed. It has been rescheduled for Autumn/Winter 2020/21.
7. To ensure that the improvement works on Inner Promenade match in with the re-designed entrance area to Stanner Bank Car Park it is proposed that Lancashire County Council be requested to quote and, subject to a value for money assessment, be appointed as the contractor for the entrance works so the two can be carried out at the same time.

FUNDING

8. It is estimated that the cost for the proposed work will be approximately £40,000. It is proposed that this be funded from the approved capital budget for Car Park Improvements.

VALUE FOR MONEY AND PROCUREMENT

9. It is proposed to procure the work through the commissioning framework at Lancashire County Council ensuring good value for money. Issues relating to the cost effectiveness of this procurement path have previously been considered by members in the context of the public realm regeneration schemes including St. Annes, Ansdell and Kirkham. It is proposed to maintain this method of working for this scheme. This arrangement provides the Council with assurances in respect of achieving best value in the procuring of materials, equipment for construction and an offers a specialist experienced workforce, both professional and within the crafts, to ensure a high quality, cost effective outcome.
10. This partnership approach with Lancashire County Council has thus far proven to be excellent value for money and enabled the delivery of projects that may not have been possible without this method of implementing such schemes. The process of working enables accurate costings for such schemes and guarantees about timing and financial monitoring during construction.
11. By direct awarding this contract to Lancashire County Council the work on the entrance can be completed at the same time as their planned highway improvement works to limit the impact on residents and ensure the two link together.

VIABLE ALTERNATIVES

12. Although it is possible that a suitable entrance scheme can be implemented more cheaply by using painted surface markings, such a scheme would detract from the visual aesthetics of the completed sea defence project at its main entrance point. Such a scheme is also likely to be less safe as vehicles would still be able to cut-across each other and pedestrians will be crossing immediately in front of the operating barrier system.

CONCLUSION

13. It is recommended that the Operational Management Committee approve the expenditure of up to £40,000 from the Car Park Improvement capital budget and to waive the contract procedure rules, in accordance with the Constitution, to direct award the contract to Lancashire County Council subject to a value for money assessment. This will enable the work to be carried out within the current financial year.

IMPLICATIONS	
Finance	To recommend to committee to approve the expenditure of up to £40,000 from the 'Car Park Improvements' capital budget for 2020/21 and to authorise that contract procedures are waived in accordance with the constitution to award the contract direct to Lancashire County Council's Highways Operations Team subject to the Technical Services team's assessment of value for money.
Legal	None arising from this report
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report
Sustainability and Environmental Impact	None arising from this report
Health & Safety and Risk Management	None arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Andrew Loynd	andrew.loynd@fylde.gov.uk 01253 658 527	25/08/2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	8 SEPTEMBER 2020	6
PUBLIC SPACES PROTECTION ORDERS FOR ENFORCEMENT OF DOG CONTROL			

PUBLIC ITEM

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

SUMMARY

Public spaces protection orders are in place across the borough for the enforcement of dog control under the Anti-Social Behaviour Crime and Policing Act 2014. These PSPOs require a person in control of a dog to comply with conditions including:

- Dogs to be kept on leads in certain locations
- Dogs to be excluded from certain locations
- The immediate removal of dog faeces

Failure to comply with a PSPO is an offence which can be dealt with by a fixed penalty notice of £100 or by prosecution (maximum fine of £1000).

The orders are due to lapse during October 2020. They can be extended, but only if they remain necessary to prevent certain persistent activities that are having a detrimental effect on the quality of life in the locality.

The report asks members to consider whether they are minded to extend the orders and proposes delegating the authority to do so to the Director of Resources following the mandatory processes of consultation, publicity and notification, with the matter being referred back to the committee for further consideration if consultation or publicity responses suggest it appropriate.

RECOMMENDATIONS

1. Committee considers whether it is minded to extend any of the public spaces protection orders described in the report for a further three years
2. In relation to each order that the committee is minded to extend, delegate authority to the Director of Resources to carry out the necessary consultation, publicity and notification and then to extend the order, unless the director considers that the order should not be extended until a response to the consultation or publicity has been considered by the committee at a special meeting.

SUMMARY OF PREVIOUS DECISIONS

Operational Management Committee – May 2017: The committee unanimously RESOLVED to approve the recommendations from the cross-party working group as outlined below:

- To implement a borough wide PSPO for fouling
- To implement a PSPO for dogs on lead on public vehicular highways
- To implement a PSPO for dogs on lead in all council owned car parks
- To implement a PSPO for dogs on lead in Lytham cemetery

- To implement a PSPO for dogs to be excluded from enclosed/fenced children play areas
- To implement a PSPO for dogs to be excluded from ornamental water features
- To implement a seasonal PSPO for dogs to be excluded on the designated Amenity Beach from Good Friday to 30th September
- To implement a seasonal PSPO for dogs on leads along the Promenade Gardens in line with the Amenity Beach exclusion period

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. Public spaces protection orders (PSPOs) are in force across the borough for the enforcement of dog control under the Anti-Social Behaviour Crime and Policing Act 2014. These PSPOs require a person in control of a dog to comply with certain conditions including:
 - Dogs to be kept on leads in certain locations
 - Dogs to be excluded from certain locations
 - The immediate removal of dog faeces
2. Failure to comply with a PSPO is an offence which can be dealt with by a fixed penalty notice of £100 or by prosecution (maximum fine of £1000).
3. The orders cover the following criteria:
 - a borough wide PSPO for dog fouling
 - a PSPO for dogs on lead on public vehicular highways
 - a PSPO for dogs on lead in all council owned car parks
 - a PSPO for dogs on lead in Lytham cemetery
 - a PSPO for dogs to be excluded from enclosed/fenced children play areas
 - a PSPO for dogs to be excluded from ornamental water features
 - a seasonal PSPO for dogs to be excluded on the designated Amenity Beach from Good Friday to 30th September, and a seasonal PSPO for dogs on leads along the Promenade Gardens in line with the Amenity Beach exclusion period.

Full details of the Public Spaces Protection Orders (PSPO) for Dog Control in Fylde are available on the Council website at: [Fylde Dog Enforcement Measures](#).

CRITERIA FOR EXTENSION

4. The PSPOs were established under the Anti-Social Behaviour, Crime and Policing Act 2014 to remove outdated bylaws and implement measures to ensure responsible dog owners are able to enjoy exercising their dogs whilst at the same time introducing measures to manage the behaviour of any irresponsible owners.
5. The PSPOs commenced on October 1 2017 and, according to [statutory guidance](#), remain in force as PSPOs until October 1 2020, when they will lapse unless extended as described below.
6. PSPOs are not intended to remain in force indefinitely, but an order can be extended in duration for a further period of three years if it has not lapsed. A PSPO can be only extended if the authority is satisfied on reasonable grounds that two conditions are met:

The first condition is that:

- a. activities carried out in a public place within the council's area have had a detrimental effect on the quality of life of those in the locality or
- b. it is likely that activities will be carried on in a public place within that area and that they will have such an effect

The second condition is that the effect, or likely effect, of the activities:

- a. is, or is likely to be, of a persistent or continuing nature,
 - b. is, or is likely to be, such as to make the activities unreasonable, and
 - c. justifies the restrictions imposed by the notice.
7. In deciding whether to extend a PSPO, the council is required to *"have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the [European] Convention [on Human Rights]"*. Those rights are:

ARTICLE 10 Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

ARTICLE 11 Freedom of assembly and association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.

There is no evidence to support that anything in the present orders engages any of the rights guaranteed by articles 10 or 11.

PROCEDURE

8. Before extending a PSPO, the authority must carry out *"the necessary consultation the necessary publicity, and the necessary notification"*. The 'necessary consultation' means consulting with the Police and Crime Commissioner, any community representatives that the council considers it appropriate to consult and (unless it is not reasonably practicable to do so) the owner of the affected land. The 'necessary publicity' means publicising the proposal. The 'necessary notification' means notifying the county council and any relevant parish council.
9. A decision to extend any of the PSPOs cannot be taken until representations made as a result of the consultation and publicity have been considered.
10. If members consider that the criteria for extension set out in paragraph 4 are met and are minded to extend any of the PSPOs, it is recommended that authority be given to the Director of Resources to carry out the processes of consultation, publicity and notification, and extend the orders, if she considers it appropriate to do so after considering any responses received. If the consultation and publicity resulted in any matters being

raised that the director feels should be referred to the committee, a special meeting would be arranged for the committee to consider them and decide whether to go ahead with the relevant extension.

PERSISTENT ACTIVITIES HAVING A DETRIMENTAL EFFECT

11. The existence of the PSPOs have proved a successful deterrent against the anti-social behaviour sometimes associated with irresponsible dog ownership, such as the failure to remove dog faeces forthwith and allowing dogs to be off lead and or of control in public areas.
12. Despite these controls there are a small number of irresponsible dog owners who's persistent or continuing activities are having a detrimental effect on the quality of life of those in the locality, requiring the issuing of Fixed Penalty Notices for breaches of the existing dog control orders.
13. Between July 1 and August 21, 2020, 4 FPNs have been issued for dog fouling and 267 issued for breaching the dog exclusion order on the Amenity Beach in St Annes.
14. These recent examples support local concerns that failing to extend the existing orders will result in an increase in the persistent and continuing anti-social behaviours traditionally associated with irresponsible dog ownership which have a detrimental effect on the quality of life for those in the locality.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report.
Legal	The powers to extend the orders, and the considerations members need to take into account, are set out in the report.
Community Safety	The orders are intended to enhance community safety by making it possible for an authorised officer to enforce against irresponsible dog ownership through the issuing of FPNs.
Human Rights and Equalities	Members should consider carefully the continuing need for the powers in each area. If they are not satisfied that problems of detrimental and persistent activities associated with irresponsible dog ownership would recur or intensify if a particular order were to lapse, they should not extend that order.
Sustainability and Environmental Impact	No material impact
Health & Safety and Risk Management	No material impact

LEAD AUTHOR	CONTACT DETAILS	DATE
Kathy Winstanley	Kathy.winstanley@fylde.gov.uk & Tel 01253 658634	21 August 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	8 SEPTEMBER 2020	7
APPOINTMENT TO OUTSIDE BODIES/WORKING GROUPS			

PUBLIC ITEM

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

SUMMARY

Appointments to Outside Bodies are made at Council following recommendations from the programme committees for nominations from within their respective memberships.

Nominations and appointments for the 2020/2021 municipal year have been delayed due to the Coronavirus outbreak. The Coronavirus (Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020) allowed local authorities to extend current appointments for an additional year until 2021, therefore all appointments made in 2019/20 remain in place throughout 2020/21 unless the council decides to change them.

Following changes to committee membership at Council on 20th July 2020 it is timely for the programme committees to review the current Outside Body appointments and put forward any recommend changes to membership to the next Council meeting scheduled for 19 October 2020.

In line with the Protocol for Members on Outside Bodies (Part 5f of the Council's Constitution), every member serving on an outside body is required to complete a reporting form every six months, which is submitted to the relevant programme committee to which the external partnership relates. Members last reported in June 2020.

This report covers those nominations that relate to the Operational Management Committee.

At the same time, it seems prudent for the programme committees to review the current appointments to any 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.

RECOMMENDATIONS

The committee is invited to:

1. recommend any nominations to the outside bodies within the remit of the Operational Management Committee for consideration by council,
2. confirm the membership to any working groups that relate to the terms of reference of the committee.

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.

3 April 2017 - Council confirmed the nominations from the programme committees.
 16 April 2018 – Council confirmed the nominations from the programme committees
 22 May 2019 – Council sought the recommendations from individual programme committees for nominations
 20 July 2020 – Council noted and endorsed the list of current working groups.

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 several 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.
2. Nominations and appointments for the 2020/2021 municipal year have been delayed due to the Coronavirus outbreak. The Coronavirus (Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020) allowed local authorities to extend current appointments for an additional year until 2021, therefore all appointments made in 2019/20 remain in place throughout 2020/21 unless the council decides to change them.
3. Changes were made at Council on 20 July 2020 to committee memberships and it is now prudent for the programme committee to review the current appointments to the Outside Bodies within the remit of their committee as well as the value, in terms of contribution to the council, of retaining representation i.e. should the council continue to dedicate resource.
4. Any changes in representation or appointments on the Outside Bodies represented will be put forward to the next scheduled Council meeting for confirmation.
5. 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 is the current appointee. The committee is invited to recommend nominations for consideration by Full Council.
6. 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 topic/issue.
7. Table 2 below lists the working groups that relate to the terms of reference of the Operational Management Committee that are currently established.
8. The establishment of working groups is within the responsibility of the individual programme committees and does not need the approval of Council.
9. 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.
10. The members nominated should ideally be a member of the programme committee to which the matter relates to.

11. 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.
12. The conclusion of any working group would be brought to committee in a formal report.

Table 1 - 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)	Chairman of Operational Management
Fairhaven and Church Scar Coastal Defence Project Board	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	Completed	Councillor Thomas Threlfall
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	When required	Councillor John Kirkham
Sintropher Working Group	Partnership between Blackpool/Fylde and LCC to develop integrated transport solutions for the Fylde Coast	When required	Councillor John Kirkham

Table 2 - Operational Management Committee– Working groups

Working group	Role/purpose	Notes	Current representation
Car Parking	The group forms approx. every two years to review the council's strategy and approach to car parking	Last Met 2019	Councillors Alan Clayton, Paul Hodgson, David O'Rourke, Roger Small, Tommy Thelfall, Stan Trudgill
Bus Shelter Review	To review the provision of the service, best use of S106 funds & policy for new requests	ongoing	Councillors Mark Bamforth Julie Brickles, Alan Clayton, Paul Hodgson, Roger Small
Carbon Neutral Working Group (Lead committee EH&H)	To investigate and consider the options to minimize the reliance on single use plastic items across the borough to become a 'plastics conscious' borough. To develop a Carbon Reduction Action Plan with a view to the Council becoming net-zero carbon by 2050	Ongoing	Councillors Julie Brickles, Chris Dixon (plus 2 reps from Planning and 3 reps from EH&H)

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
Democratic Services	democracy@fylde.gov.uk	30/7/20

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MAAGEMENT COMMITTEE	8 SEPTEMBER 2020	8
REDUNDANT BUS SHELTERS			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

Following a member request, information is included in the report as to whether any of the Council-owned and maintained bus shelters are redundant.

SOURCE OF INFORMATION

[Lancashire County Council's Maps and Related Information Online \(MARIO\)](#)

LINK TO INFORMATION

[Lancashire County Council's MARIO system](#)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

This information was requested by the committee at the meeting of 12/11/2019.

FURTHER INFORMATION

Contact Andrew Loynd andrew.loynd@fylde.gov.uk

Information

1. Fylde Council own and maintain 76 bus shelters spread across the Borough.
2. During the meeting of the Operational Management Committee of 12/11/2019, where a report on the Bus Shelter Working Group was presented, a request was made for information on redundant bus shelters.
3. Prior to this, an information report had been reviewed by the committee on 22/05/2018 which stated:

Redundant shelters

A review of Lancashire County Council's MapZone system, where all designated bus stops and current bus routes are mapped, has enabled an assessment of which shelters are no longer used by a bus service. Of those bus stops that do not currently have a bus service passing by them (either a primary route or a once-a-day service for commuters), only three of them have shelters. One of them is on Central Beach in Lytham which serves a National Express coach route from Blackpool to London. One shelter on Kilnhouse Lane opposite Tesco Express is provided by Adshel/Clear Channel. Only one shelter owned by Fylde Council is redundant; a brick shelter on the green triangle between Ballam Road and Park View Road in Lytham which is currently in reasonable condition and may be used by some as a sheltered seating area.

4. This exercise has been repeated for the shelters owned and maintained by Fylde Council. As previously reported, all of the shelters, apart from one on the green triangle between Ballam Road and Park View Road (image 1) and one on Central Beach (image 2), have at least one registered bus service that goes past them. The bus stop on Central Beach, Lytham had previously been identified as being used by National Express coach service but, reviewing the National Express website, Lytham is not listed as a potential pick-up or set-down location. However, this shelter was replaced about two years ago following a traffic accident so is in good condition, plus income has been generated from it through advertising for the Lytham Festival.
5. Unless there is a desire by members to remove the two shelters identified or to further review other specific shelters, there is no further recommendation at this time.

Image 1 – Ballam Road/Park View Road Bus Shelter



Image 2 – Central Beach Bus Shelter



INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
OFFICE OF THE CHIEF EXECUTIVE	OPERATIONAL MANAGEMENT COMMITTEE	8 SEPTEMBER 2020	9
THE RESIDENTS SURVEY 2019			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

This information item provides details of the annual update from the ongoing resident's survey, reporting the latest satisfaction levels from the 2019 responses, the update is normally reported to committee earlier in the year but had been delayed due to COVID 19 priorities. Satisfaction with services, the council and the local community is compared against previous years as well as the cumulative findings. The update includes any proposal to learn from the process or act in response to the findings.

SOURCE OF INFORMATION

Resident survey questionnaire:

www.fylde.gov.uk/haveyoursay

LINK TO INFORMATION

www.fylde.gov.uk/haveyoursay

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The latest findings from the resident's survey are reported to the Operational Management Committee every year which has the remit for customer services. The information is relevant to the front facing council services as well as overall value for money.

FURTHER INFORMATION

Contact:

Allan Oldfield allan.oldfield@fylde.gov.uk

Alex Scrivens alex.scrivens@fylde.gov.uk

Information

1. The Resident's Survey was introduced in 2012, it deliberately a simple questionnaire with 10 short questions that can be completed in as little as 30 seconds (Appendix 1). The survey provides a high-level overview of satisfaction with services that is used as a barometer to indicate whether more detailed consultation or research into a service is required based on satisfaction levels over several years.
2. The questionnaire can be completed online at any time with findings reported annually. The questions focus on 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 get an overview of satisfaction with services and the council that can be used to identify areas for improvement based on comparison over time. In many cases the high-level overview that the survey provides supplements service-based customer feedback. The survey is live, 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 data from 2012 to 2019 and shows the cumulative findings from 5,125 responses to date. The 2019 data set for the questions asked is included in Table 1.

Table 1: The 2019 Residents Survey Results

QUESTIONS (% figures are those who responded satisfied, good or excellent)	2019 Response
How would you rate the refuse collection service at Fylde	97%
How would you the household recycling service at Fylde	92%
How would you the parks and open spaces in Fylde	95%
How would you the cleanliness of the streets in Fylde	79%
How would you the planning service at Fylde*	72%
How would you the customer service at Fylde*	90%
Overall, I would rate the Fylde as a place to visit *	98%
Overall, I would rate Fylde as a place to live	96%
How would you the value for money I receive from Fylde Council	81%
Overall and taking everything into account , I would rate Fylde Council	90%

**Percentage of respondents that had used the service or visited.*

5. The survey has an optional open-ended question to provide any other comment about the services or the council which is analysed to inform possible service improvements. Respondents can provide an email if they wish to be kept informed of Fylde Council news, an additional 362 email addresses have been added to the newsletter circulation from the 2019 responses.
6. The results from the 2019 survey show high levels of satisfaction consistent with the previous years with many in excess of 80% which would be top quartile (top 25%) of results achieved in comparable research carried out by other organisations.

7. Survey research supports that lower levels of satisfaction are reported against regulatory and enforcement services because decisions that must be made have a negative outcome for some customers i.e. a fine, refusal or court action.
8. Two questions refer directly to the council, about value for money and overall performance. The results from 2019 **show 81% of respondents felt that the Council delivered value for money and 90% were satisfied with the Council performance overall.**

Attached documents:

- Appendix 1 – The Resident Survey Questionnaire
- Appendix 2 – The Resident Survey Results

Appendix 1: The Resident Survey Questionnaire

At Fylde Council it is important that customers have their chance to rate the services they pay for and provide feedback that helps us to improve. You can have your say and help make a difference to the services you pay for by completing the short questionnaire below. The survey takes no more than two minutes to complete.

I would like to thank you in advance for your support. Yours

sincerely

Allan Oldfield
Chief Executive

SERVICES THE COUNCIL DELIVERS:

1. I would rate the refuse collection service at Fylde as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor

2. I would rate the household recycling service at Fylde as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor

3. I would rate the parks and open spaces in Fylde as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor

4. I would rate the cleanliness of the streets in Fylde as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor

5. I would rate the planning service at Fylde as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor
- ☐ N/A

6. I would rate the customer service at Fylde as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor
- ☐ N/A

7. Overall I would rate the Fylde as a place to visit as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor

8. Overall I would rate Fylde as a place to live as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor

9. I would rate the value for money I receive from Fylde Council as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor

10. Overall and taking everything into account, I would rate Fylde Council as:

- ☐ Excellent
- ☐ Good
- ☐ Satisfactory
- ☐ Poor
- ☐ Very Poor

11. Finally, is there anything else you would like to tell us about our services we provide for you? Or do you have any ideas on how we could improve our services?

12. We would also love to keep you informed of Fylde Council news, events and for you to have your say on Fylde Council and community matters. If you would like us to keep you updated please enter your email address below and to be in with a chance of winning some M&S vouchers simply for filling in the survey.

Appendix 2: The Resident Survey Results Table

QUESTIONS <i>(Percentages figures are the percentage satisfied, good and excellent)</i>	2019 (467 responses)	2018 (431 responses)	2017 (610 responses)	2016 (136 responses)	2015 (461 responses)	2014 (608 responses)	2013 (829 responses)	2012 (1583 responses)	2012-19 Average (responses 5125)
How would you rate the refuse collection service at Fylde	97%	94%	90%	92%	97%	94%	95%	93%	94%
How would you the household recycling service at Fylde	92%	89%	86%	87%	93%	92%	93%	91%	90%
How would you the parks and open spaces in Fylde	95%	96%	93%	98%	95%	94%	94%	93%	95%
How would you the cleanliness of the streets in Fylde	79%	78%	73%	83%	85%	83%	83%	81%	81%
How would you the planning service at Fylde*	72%	68%	60%	79%	69%	63%	70%	71%	69%
How would you the customer service at Fylde*	90%	87%	74%	89%	89%	89%	88%	90%	87%
Overall, I would rate the Fylde as a place to visit	98%	97%	95%	90%	97%	97%	97%	95%	96%
Overall, I would rate Fylde as a place to live	96%	95%	94%	99%	97%	97%	97%	95%	96%
How would you the value for money I receive from Fylde Council	81%	78%	70%	82%	84%	85%	85%	81%	81%
Overall and taking everything into account , would rate Fylde Council	90%	86%	76%	87%	92%	90%	90%	88%	87%

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