



Agenda

Tourism and Leisure Committee

Date:	Thursday, 7 June 2018 at 6:30 pm
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Cheryl Little (Chairman) Councillor Vince Settle (Vice-Chairman)</p> <p>Councillors Christine Akeroyd, Tim Ashton, Jan Barker, Brenda Blackshaw, Maxine Chew, Richard Fradley, Shirley Green, Paul Hodgson, Roger Lloyd, Ray Thomas.</p>

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](#).

	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 8 March 2018 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 22(c).	1
	DECISION ITEMS:	
4	Lytham Hall Restoration: Progress Towards a New HLF Bid	3-5
5	Proposals for the Control of Barbecues, Outdoor Cooking and other Forms of Fire on Council Owned Land	6-23
6	Lytham Festival Agreement	24-25
7	Review of the Council Art Collection	26-30
	INFORMATION ITEMS:	
8	Fairhaven Heritage Lottery Project Update	31-34

9	Year End Performance 2017/18	35-37
10	Capital Programme Monitoring Report 2017/18 - Outturn Position 31 st March 2018	38-42

Contact: Lyndsey Lacey-Simone - Telephone: (01253) 658504 – Email: democracy@fylde.gov.uk

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
COUNCILLOR FRADLEY	TOURISM AND LEISURE COMMITTEE	7 JUNE 2018	4
LYTHAM HALL RESTORATION: PROGRESS TOWARDS A NEW HLF BID			

PUBLIC ITEM

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

SUMMARY

The report is the latest update to the committee on progress against the recommendations approved in respect of the Lytham Hall Restoration Project and is part of the Councils objective to support a new Heritage Lottery Fund (HLF) bid for the restoration of the Hall. The structural restoration work necessary at Lytham Hall can only be achieved through a new and significant HLF bid. The £300,000 capital grant the council made towards the HLF bid in 2012 was to deliver the restoration of Lytham Hall, this remains the priority for the council.

This is the sixth progress report the committee has received in the last 12 month and provides an update on events since the last report on March 8th 2018 during which time Councillor Fradley has continue the remit of the committee to facilitate a partnership that can deliver a new HLF bid for the restoration of Lytham Hall. This work has included a number of meetings with Heritage Trust North West (HTNW) and Lytham Town Trust (LTT) to develop a robust and constructive partnership with the resources to deliver a new HLF bid.

RECOMMENDATIONS

1. That members note the progress that has been made by all parties to develop constructive and progressive relationships which will support a new bid for the restoration of Lytham Hall.
2. That the committee continues to receive further updates through Councillor Fradley with particular focus on the timetable and plan for a restoration bid for the Hall.

SUMMARY OF PREVIOUS DECISIONS

March 8th 2018 Tourism & Leisure - Lytham Hall Restoration Project: Progress Towards a New HLF Bid
 January 11th 2018 Tourism & Leisure – Lytham Hall Restoration Project: Progress Towards a New HLF Bid
 November 2nd 2017 Tourism & Leisure – Lytham Hall Restoration Project: Progress Towards a New HLF Bid
 September 7th 2017 Tourism & Leisure - Lytham Hall Restoration Project: Progress Report
 June 22nd 2017 Tourism & Leisure – Lytham Hall Restoration Project: Rebuilding the Project
 March 9th 2017 Tourism & Leisure – Lytham Hall Restoration Project: Independent Audit Report
 November 3rd 2016 Tourism & Leisure - Lytham Hall Restoration Project: Capital Grant Monitoring Report
 November 12th 2015 Tourism & Leisure - Lytham Hall Restoration Project: Capital Grant Monitoring Report
 January 7th 2015 Tourism & Leisure – Lytham Hall Restoration Project: Progress Report: Coastal Revival Fund
 January 15th 2014 Cabinet - Lytham Hall Restoration Project: Capital Grant Monitoring Report
 June 27th 2012 Cabinet - Lytham Hall Restoration Project: Capital Grant Monitoring Report
 June 28th 2011 Cabinet - Lytham Hall Restoration Project: Capital Grant Approval
 March 28th 2011 Full Council – Lytham Hall Restoration Project: Capital Grant Request
 March 23rd 2011 Cabinet – Lytham Hall Restoration Project: Capital Grant Request

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

- At the Tourism & Leisure Committee on March 8th 2018 a progress update was provided by Councillor Fradley and the following recommendations were agreed by the committee:
 - That the committee notes there is progress being made by all partners to work together towards a new heritage lottery bid for the restoration of Lytham Hall.
 - The committee note that based on the evidence and information provided about the Lytham Hall restricted fund account that it cannot be used to contribute towards a new lottery bid for the restoration of the Hall.
 - That all partners are asked to focus on developing a time table for the submission of a new bid to the HLF for the restoration of Lytham Hall.
- The focus since the March 8th progress report has been to review and improve the partnership arrangements between HTNW (the tenant) and LTT (the landlord) particularly with a view to refreshing the membership of the Lytham Hall Executive which is part of the terms of the lease. If a successful bid is to be made to the HLF for the restoration of Lytham Hall it is important that the relationship between HTNW and LTT is constructive. Both parties have been engaged in a number of meetings sometimes with Councillor Fradley present and sometimes without to ensure that progress is made. The relationship between the partners has improved and work has started to map out and timetable the process for submitting a new HLF bid. The current Lytham Hall Partnership relations are good, open and realistic driven by dedicated professionals with the common goal to restore the Hall.
- One of the key requirements for a future HLF bid will be to ensure that HTNW have the necessary capacity to be involved with, and to deliver, a new HLF bid, this was a concern expressed in the Moore Stephens report commissioned by the HLF. All parties agree that a lot of constructive things have taken place over the last few weeks as the relationship between HTNW and LTT has improved. However, there is still a long way to go to rebuild confidence between all parties and there are a number of significant challenges that still need to be overcome, including financial management, leadership and the ability to deliver an urgent HLF bid.
- The appointment of a new Chief Executive for HTNW was identified as a key action as well as securing appropriate professional financial advice and support. Plans are in place to finance and recruit a new Chief executive at HTNW over the summer and capacity for financial support is being developed through closer working relations between HTNW and LTT. One initiative to enhance relations and improve capacity is Mr Steve Williams from LTT's Executive being appointed a trustee of HTNW and in a reciprocal measure Ms Laurie Peake will be invited to the next LTT Board meeting on July 11th 2018, and subsequently it is expected that she will be proposed as a member of the LTT Board.
- LTT and HTNW have a joint 'Brainstorming Strategy Session' scheduled for May 30th 2018, the purpose of this session is to develop and agree the way forward at the Hall. The primary focus will be on all parties working together to scope out a plan for the continued immediate conservation of Lytham Hall, which is gaining momentum, and agree a strategy for a restoration bid. The meeting will also involve confirm the way forward for the Lytham Hall Partnership and its involvement in managing the Hall.

6. The next steps include continued work on developing a new Lytham Hall Executive made up of LTT and HTNW representatives and to begin discussions with the Heritage Lottery Fund representative over a new bid. Councillor Fradley's opinion is that the mood between all parties with a stake in the restoration of Lytham Hall is more optimistic than it has been since the original bid was withdrawn.

IMPLICATIONS	
Finance	In August 2011 Fylde Council agreed a capital sum of £300,000 to support the Lytham Hall Heritage Restoration Project, which was paid in 2011/12 – the restoration of Lytham Hall has yet to be delivered.
Legal	There are no direct legal implications as a result of this progress update
Community Safety	There are no direct community safety implications
Human Rights and Equalities	There are no direct human rights or equalities implications
Sustainability and Environmental Impact	There are no direct sustainability or environmental impact implications
Health & Safety and Risk Management	There are no direct health & safety or risk management implications

LEAD AUTHOR	CONTACT DETAILS	DATE
Councillor Fradley	cllr.rfradley@fylde.gov.uk	08/05/2018

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
T&L Committee Meetings	November 2016 to January 2018	www.fylde.gov.uk

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	7 JUNE 2018	5
PROPOSALS FOR THE CONTROL OF BARBECUES, OUTDOOR COOKING AND OTHER FORMS OF FIRE ON COUNCIL OWNED LAND			

PUBLIC ITEM

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

SUMMARY

This report outlines options to control the use of barbecues, outdoor temporary cooking facilities and other forms of fire on council owned land, mitigating risk to the public and damage to council property.

RECOMMENDATIONS

To consider the options proposed within this report to either control or prohibit the use of barbecues, outdoor cooking and other forms of fire on council land.

Option A: Full prohibition of barbecues and open fires on coastal parks and open spaces, ecological sites and beaches as identified in the consultation process, through the application of a Public Spaces Protection Order.

Option B: Full prohibition of barbecues and open fires on coastal parks and open spaces only, as identified in the consultation process, through the application of a Public Spaces Protection Order.

Option C: Provision of designated, managed barbecue zones, with selective prohibitions applied to all other areas enforced either through;

- formal enforcement by the application of a Public Spaces Protection Order (PSPO), or
- less formal enforcement undertaken on a trial basis to confirm effectiveness.

SUMMARY OF PREVIOUS DECISIONS

Tourism and Leisure Committee – 22 June, 2017

1. To carry out consultation on the introduction of a Public Spaces Protection Order (PSPO) to prohibit or control the use of barbecues, outdoor cooking on gas or charcoal fuelled facilities and other forms of fire on council owned land within the coastal tourism area of Lytham St Anne's on Sea.
2. That the committee approve the erection of temporary advisory signage preventing the use of barbecues, outdoor cooking facilities and other forms of fire at key locations as identified until the legislation can be put in place.

Tourism and Leisure Committee – 12 January, 2017

Developing a Policy on Events Including Club Days, Festivals and Concerts

1. To approve the proposed policy on events including club days, festivals and concerts as set out in Appendix 1 of the report subject to the word "usually" being inserted (prior to the words set out in last column) in Category D of the Events Categorisation.

The policy approved includes: Barbecues held on Council land as part of events should be done so in a responsible manner and limiting inconvenience and nuisance to others and held in appropriately constructed equipment. Any evidence of a barbecue having taken place should be disposed of responsibly and appropriately once completed along with any litter generated.

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 council and elected members received public complaints in 2017 regarding barbecues and outdoor cooking activities on public open spaces. Recorded complaints have referred specifically to barbecue activity in three geographical locations including Fairhaven Lake, Fylde Sand Dunes and Lytham Green. Concerns have included fire damage to park furniture and grass areas, smoke pollution, food odours, littering and safety hazards relating to open fires on public open spaces.
2. The complaints resulted in a review of the council's position and it was identified that there are no regulations or legislation in place to help manage or prohibit barbecues on council owned land. There are also no designated, safe areas that allow people to barbecue without potentially causing nuisance to others. The Tourism and Leisure Committee requested a report outlining details on the current issues, legal options available and methodology for measures.
3. The report *Prohibition of Barbecues, Outdoor Cooking and other forms of Fire on Council Owned Land*, was presented to the Tourism and Leisure Committee on the 22nd June 2017. Following consideration members resolved to carry out a borough wide public consultation on the possible introduction of a Public Spaces Protection Order (PSPO) to prohibit or control barbecues in the coastal locations of Lytham and St Annes on Sea. The Parks and Coastal Services team were requested to feed back the outcome of the consultation to the committee at the appropriate time.

CONSULTATION PROCESS

4. A consultation framework was developed in adherence to the *Local Government Association Public Spaces Protection Orders Guidance for Councils*. The guidance stipulates that effective consultation should provide an overview of what the local issue is, set out why a PSPO is being proposed and what its impact will be.
5. The consultation is an essential component of satisfying legislative requirements of the Anti-Social Behaviour, Crime and Policing Act 2014 and helps to inform the council's view as to whether requirements under Section 59 of the Act have been adequately fulfilled. The consultation timeline and process followed is outlined below:
 - Press release issued 30th October, 2017 to Gazette and Lytham St Annes Express. Information released on social media including Facebook, Twitter and council website.
 - Erection of posters at Fairhaven Lake, Lytham Green, dune entrance points and wider coastline.
 - On-line public survey went live 1st November, 2017 for a period of 4 weeks.
 - Paper copy surveys made available at Town Hall and Fairhaven Lake.
 - Public consultation survey results and comments compiled and evaluated December 2017.
 - Statutory consultation undertaken with Lancashire County Council, Police and Crime Commissioner and Lancashire Fire and Rescue in January 2018.
 - Neighbouring council consultation to identify a benchmark for comparison in May 2018.
 - Desk top study of national approaches, best practices and lessons learnt in May 2018.

CONSULTATION RESULTS

6. The public consultation results can be found in Appendix 1. A total of 125 respondents completed the survey, both online and in writing although some questions were skipped by some respondents. A summary of the results is shown below. The survey showed a majority of 59.20% respondents felt that barbecues were a problem, however 56.78% did not feel barbecue activity impacted their visit. The most popular method for control was the introduction of a PSPO although this is not a majority of the respondents (44.00%), followed by controlled, designated areas.

Questions	Numbers	Percentages
Do you feel BBQ's or open fires a problem on Fylde's Public Open Spaces?		
Yes	74	59.20%
No	51	40.80%
Do you feel BBQ's or open fires have impacted your visit?		
Yes	55	43.22%
No	68	56.78%
Do you support the introduction of a PSPO to prohibit use, object to the proposed PSPO or support control measures?		
Support PSPO proposal	55	44.00%
Object PSPO proposal	31	24.80%
Support use with control	39	31.20%
If they are to be controlled, what potential methods would you support?		
Location restrictions	41	33.07%
Time restrictions	8	6.45%
Dedicated BBQ spaces only	75	60.48%

7. The Appendix 1 attached lists all the qualitative comments made by respondents to the public consultation which should be read alongside the above quantitative results.
8. The statutory consultation produced one response from Lancashire Fire and Rescue. They advised a moderate, community minded approach, providing designated barbeque areas that are well maintained and monitored by council officers and Police Community Support Officers.
9. Consultation was undertaken with the Preston Black Minority Ethnic (BME) Forum as part of the Fairhaven Heritage Lottery Fund (HLF) Stage 2 Target Audience Consultation. A key objective of the BME Forum is to support consultation and co-ordinate on the barriers and issues facing BME Communities to achieve social and community cohesion. The forum advised that well managed, designated barbecue areas would facilitate community support and participation and could lead to more diverse cultural events and activities on Fairhaven Lake.
10. Consultation with neighbouring councils to determine variables in approaches across West Lancashire revealed that control or prohibition of barbecues wasn't a high priority overall. The authorities consulted were as follows:
- Preston City Council: Bye law prohibition in place for the lighting of fires. No PSPO in place. Separate bye laws to protect statutory ecological sites including LNR's and SSSI's which prohibit fires.
 - Blackpool Council: Bye law prohibition in place for the lighting of fires on public open spaces. No PSPO in place. Separate bye laws to protect statutory ecological sites including LNR's which prohibit fires.
 - South Ribble Borough Council: No bye law prohibition in place for the lighting of fires. No PSPO in place.
11. A desktop study of national authority approaches was also undertaken, revealing a wide variety of policies in response to increasing incidents of barbecues in the councils where there has been action taken. The main three approaches identified were as follows:

- Blanket borough wide barbecue and open fires prohibitions on public open spaces through enforced bye-laws or PSPO's.
- Designated barbecue areas provided, but selective prohibitions in sensitive areas such as statutory ecological sites, cemeteries and small pocket parks where the impact of barbecues is felt more prominently or has greater impact.
- Selective ban on disposable barbecues, but permitted portable reusable types.

LEGISLATION

12. Regardless of the results of the consultation, a PSPO can only be introduced to restrict behaviour which is having, or is likely to have, a detrimental effect on the quality of life of those in the locality; is persistent or continuing in nature; and is unreasonable. The findings of the consultation indicated that the majority (56.78%) did not feel that barbecues had any impact on their visit. As part of the wider HLF consultation process the BME community responded that designated barbecue areas could provide the opportunity for cohesion and diversity.
13. The Government's statutory guidance on the use of PSPOs, to which the council must have regard, says that *'in establishing which restrictions or requirements are included, the council should be satisfied on reasonable grounds that the measures are necessary to prevent the detrimental effect on those in the locality or reduce the likelihood of the detrimental effect continuing, occurring or recurring...[T]he council should give due regard to matters of proportionality...the restriction[s] proposed [should be] proportionate to the specific harm or nuisance that is being caused'*.
14. If members wish to pursue any option that involves making a PSPO, the committee will need to conclude that barbecues and outdoor cooking in the areas to be controlled are having a detrimental effect on people in the locality, that the occurrence of barbecues and outdoor cooking is persistent, continuing and unreasonable, and that the restrictions proposed are proportionate to the harm or nuisance.

OPTIONS APPRAISAL

15. Further to evaluation of the consultation data and studies of methodologies used by other councils, Fylde Council has a number of options available for the control of barbecues on public open spaces. To enable a proportionate and measured response, the benefits and challenges of each option are outlined for members to consider when making a decision.
16. **Option A:** Full prohibition of barbecue and open fires on coastal parks and open spaces, ecological sites and beaches as identified in the consultation¹, through the application of a Public Spaces Protection Order.

Benefits:

- Provides the council full authority to draft and implement prohibitions to target the specific problem in the locations listed and apply to everyone in that locality.
- Would help prevent physical damage and disturbance to landscape, wildlife and infrastructure.
- Some residents supported a blanket ban.
- Provides officers a clear basis for enforcement and enables fix penalties to be issued for persistent anti-social behaviour.

Challenges:

- The consultation results may not satisfy the stipulations in the Section 59 2014 Act requirements. 56.78% of survey respondents stated that barbecues had no impact on their visit, in comparison to 43.22% respondents who stated that it had impacted their visit. The Act requirements are as follows:

Activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality/ The activities is, or is likely to be, of a persistent or continuing nature

¹ The area of parks, open spaces ecological sites and beaches is shown with a red line on the consultation plan which is attached to the previous report considered by the [Tourism and Leisure Committee on 22nd June 2017](#).

or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

- Negative publicity may be received if the council is perceived to implement a prohibition without consideration of a pilot or the provision of dedicated facilities.
- Wide ranging publicity and signage would be required to ensure the policy was clearly communicated and legally enforceable. This would have a capital cost and ongoing revenue implication which could be challenged as disproportionate to the issue being addressed.
- A policy across a large geographical area would make enforcement challenging and more enforcement resource would be required to ensure compliance particularly in the summer season. This would have an ongoing revenue cost implication.
- The Friends of Fairhaven Lake (FoFL) who are an important stakeholder do not support the full prohibition of barbecues and instead support the option of providing designated barbecue areas.
- The Fairhaven Lake and Garden Restoration HLF Project Board were asked for an opinion on providing a designated barbecue area or not - during the board meeting on the 30th January, 2018. Concerns were raised that the HLF encourage councils to utilise community engagement, education and provision of well-designed facilities to prevent anti-social behaviour. Prohibition is viewed as a last resort after all other options have been explored. The board were unanimously in favour of a designated barbecue area.
- A blanket ban may be contrary to the objectives of the Green Flag Award scheme. Community engagement, education and provision of well-designed facilities to prevent anti-social behaviour are encouraged through the scheme. Prohibition is viewed as a last resort after all other options have been explored.
- This option was not supported by Lancashire Fire and Rescue.
- This option was not supported by The Black Minority Ethnic (BME) Forum.
- A blanket ban on Fairhaven Lake may affect the success of the stage 2 Heritage Lottery Fund application for Fairhaven Lake and Gardens which is due to be submitted by the end of July. This would be in respect of it having a negative impact on community engagement and a ban not being supported by key stakeholders (the Friends of Fairhaven Lake (FoFL) and the BME Forum) seen by the Heritage Lottery Fund as essential to have the support of to ensure a successful application.

17. **Option B:** Full prohibition of barbecue and open fires only on coastal parks and open spaces, as identified in the consultation, through the application of a Public Spaces Protection Order.

Benefits:

- Provides the council full authority to draft and implement prohibitions to target the specific problem in specific locations and apply to everyone in that locality.
- Prevents physical damage to park landscape and infrastructure.
- Some residents would support a blanket ban on parks and open spaces.
- Provides officers a clear basis for enforcement and enables fix penalties to be issued for persistent anti-social behaviour.

Challenges:

- Displacement of barbecue activity from parks and open spaces to beaches and sand dunes may occur, resulting in disturbance and damage to the borough's most sensitive sites and associated wildlife. The council has a statutory duty to protect Fylde Sand Dune Local Nature Reserve, Fylde Sand Dune Site of Special Scientific Interest and the Fylde Coast Special Protection Area.

- The consultation results may not satisfy the stipulations in the Section 59 2014 Act requirements. 56.78% of survey respondents stated that barbecues had no impact their visit, in comparison to 43.22% respondents who stated that it had impacted their visit. The Act requirements are as follows:

Activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality/ The activities is, or is likely to be, of a persistent or continuing nature or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the notice.

- Negative publicity may be received if the council is perceived to implement a prohibition without consideration of a pilot or the provision of dedicated facilities. .
- Wide ranging publicity and signage would be required alongside new policies to ensure effective and legally enforceable. This would have a capital and ongoing revenue cost implication.
- A policy across a large geographical area makes enforcement challenging and more enforcement resource would be required to ensure compliance in the summer season. This would have an ongoing revenue cost implication.
- The Friends of Fairhaven Lake (FoFL) who are an important stakeholder do not support the full prohibition of barbecues and instead support the option of providing designated barbecue areas.
- The Fairhaven Lake and Garden Restoration HLF Project Board were asked for an opinion on providing a designated barbecue area or not during the board meeting on the 30th January, 2018. Concerns were raised that the HLF encourage councils to utilise community engagement, education and provision of well-designed facilities to prevent anti-social behaviour. Prohibition is viewed as a last resort after all other options have been explored. The board voted unanimously in favour of a designated barbecue area.
- A blanket ban may be contrary to the objectives of the Green Flag Award judges. Community engagement, education and provision of well-designed facilities to prevent anti-social behaviour are encouraged through the scheme. Prohibition is viewed as a last resort after all other options have been explored.
- This option was not supported by Lancashire Fire and Rescue.
- This option was not supported by The Black Minority Ethnic (BME) Forum.
- A blanket ban on Fairhaven Lake may affect the success of the stage 2 Heritage Lottery Fund application for Fairhaven Lake and Gardens which is due to be submitted by the end of July. This would be in respect of it having a negative impact on community engagement and a ban not being supported by key stakeholders (the Friends of Fairhaven Lake (FoFL) and the BME Forum) seen by the Heritage Lottery Fund as essential to have the support of to ensure a successful application.

18. **Option C:** Provision of designated, managed barbecue zones, with selective prohibitions applied to all other areas enforced either through;

- formal enforcement by the application of a Public Spaces Protection Order (PSPO), or
- less formal enforcement undertaken on a trial basis to confirm effectiveness.

Benefits:

- Positive and proactive response to an issue which has divided public opinion – ‘communication not confrontation’.
- Rather than requiring areas to be policed under threat of sanction, it is anticipated that the provision of appropriate signage, fire retardant furniture and disposal bins for barbecues and associated waste would strongly encourage barbecue users to gravitate towards designated zones.

- Barbecue zones could be piloted to test success rate and be the first step of a phased approach to minimise anti-social behaviour.
- Prevents discouragement of existing visitors or new sectors of the community from enjoying Fylde's public open spaces.
- Approach supported by key stakeholders including Friends of Fairhaven Lake, Fairhaven HLF Board, BME Forum, Lancashire Fire and Rescue, Heritage Lottery Fund and the Green Flag Award scheme through Keep Britain Tidy.
- A PSPO or new bye-laws could be adopted to protect and enable enforcement on non-designated barbecue areas and to protect statutory coast and ecological sites.
- Prevents physical damage to all public open space landscape and infrastructure.
- Provides officers a clear and positive basis for enforcement as well as the diversion of barbecue activity to a designated zone.
- May minimise negative publicity.

Challenges:

- There is no guarantee the provision of designated barbecue zones will eradicate all anti-social behaviour and damage, though are likely to minimise the volume of negative enforcement.
- Other policies including the restrictions on the use of gas canisters or alcohol within the designated zones may also need to be considered.
- Careful consideration will need to be given to the location and design of barbecue zones to ensure appropriate use, popularity and success.
- There will be an initial capital cost to provide the designated areas and an ongoing maintenance resource for grounds maintenance staff in the upkeep of the new barbecue zones as well as the enforcement resource to ensure barbecues take place only in the designated areas.
- In the application of a PSPO in non-designated zones, the consultation results may not satisfy the stipulations in the Section 59 2014 Act requirements as described in Options A and B.
- A publicity campaign and signage would be required to ensure the new policy is communicated effectively and legally enforceable. This would have a cost implication. Such a campaign could place strong emphasis on the positive benefits to all users (users and non-users of barbecues alike) in ensuring that both users and non-users of barbecues now have their own spaces to freely enjoy.
- The geographically selective PSPO would still apply to a large geographical area and will make enforcement challenging.

CONCLUSION

19. Solutions to concerns regarding the use of barbecues should be balanced against the commitment of Fylde Council to promote, facilitate and maximise the positive public use of the borough's public open spaces for both residents and visitors. Guiding this commitment is an overarching aim to create an atmosphere of permission rather than prohibition i.e. an emphasis on promoting responsible use, rather than prohibiting negative use of spaces. Many parks offer a variety of facilities and involve all user groups as part of the solution where possible and work hard to avoid single-group dominance.
20. Any decision on barbecue usage must be balanced against the needs of other users of Fylde's spaces. The PSPO and Fairhaven HLF Stage 2 bid consultations (although not conclusive) indicate that Fylde attracts a wide variety of users, who utilise the space for varying activities and reasons, including for pleasure, walking, socialising, relaxing, events and picnics.
21. There is strong evidence and support to suggest the council should address the issue of barbecues specifically on Fairhaven Lake, Lytham Green and Fylde Sand Dunes. No documented complaints or concerns have been

formally raised for any other public open spaces since March 2017. Furthermore, strong support is indicated for the introduction of barbecue free areas alongside designated barbecue areas.

22. It should be noted that a Public Spaces Protection Order to prohibit all barbecue activity could adversely impact upon usage particularly on Fairhaven Lake and would pose a difficult challenge in terms of resources available to support and enforce a ban. It is also important for members to note that a blanket ban is not preferred as the appropriate response for site specific problems by some local stakeholders or national bodies including the Heritage Lottery and Keep Britain Tidy.
23. If any form of control is considered the most effective legal mechanism for this would be a PSPO as the use of bye-laws require prosecution through the courts.
24. Whatever option is selected will require the introduction of new enforcement procedures and protocols which will include cost of advertisement, additional staffing resources to align with locations/timings of activity, use of technology for surveillance, i.e. CCTV/body cams, etc.
25. An alternative to taking formal action could be to create designated zones to be piloted on Fairhaven Lake on a less formal trial basis (i.e. without explicit threat of sanction if breached), accompanied by a high-profile campaign to publicise the introduction of these areas. Such a campaign could place strong emphasis on the positive benefits to all users (users and non-users of barbecues alike) in ensuring that both users and non-users now have their own spaces to freely enjoy. Publicity could be used to let visitors know that this would be a trial and that any further issues/abuse could result in formal measures being introduced.

IMPLICATIONS	
Finance	All of the options that are described within this report would have financial implications if adopted. These would need to be confirmed following the decision of this committee, along with how that cost would be met. At this stage there are no financial implications arising directly from this report.
Legal	Whilst the council has the power to take forward further investigation of outlined options, detailed legal consideration has not yet been given to their viability and further work (as set out in the report) needs to be done. The legislation stipulates that PSPO's must be subject to regular review. New orders should ideally be reviewed after a year and thereafter PSPO's must be reviewed triennially.
Community Safety	All proposed options have considered and will practically address community safety concerns.
Human Rights and Equalities	<p>Direct discrimination occurs if a person is treated less favourably than another person would be because of a protected characteristic. Indirect discrimination occurs where a provision, criterion or practice that is applied to all puts persons who share a protected characteristic at a particular disadvantage when compared with persons who do not share it and the provision, criterion or practice cannot be shown to be a proportionate means of achieving a legitimate aim².</p> <p>"Protected characteristics" include race.</p> <p>It is observed that a significant number of those who use barbecues or open cooking on council land are from the Black Minority Ethnic (BME) community.</p> <p>In considering each option, the committee will need to consider whether the option would place persons who are from the BME community at a particular disadvantage compared with persons who are not from the BME community. If such a particular disadvantage would arise, the committee will need to consider whether choosing the option would be a proportionate means of achieving a legitimate aim. If the option would not be a proportionate means of achieving a legitimate aim, it would not be lawful to choose that option.</p>

² [Equality Act 2010 Section 19](#)

	<p>In exercising its functions, including its functions as a local planning authority, the council must comply with the Public Sector Equality Duty. This means having due regard to the need to: (i) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010; (ii) Advance equality of opportunity between people who share a protected characteristic and those who do not; and (iii) Foster good relations between people who share a protected characteristic and those who do not.</p> <p>Having due regard for enhancing equality involves removing or minimising disadvantages suffered by people due to their protected characteristics and taking steps to meet the needs of people from protected groups where these are different from the needs of other people. Fostering good relations means tackling prejudice and promoting understanding between people from different groups. Complying with the duty may involve treating some people more favourably than others.</p> <p>If the Council fails to have “due regard” to the matters identified above, it would fail to comply with its statutory duty.</p> <p>The committee may consider it necessary to commission an Equalities Impact Assessment for it to consider before going ahead with its preferred option.</p>
Sustainability and Environmental Impact	<p>The proposed options are aimed at encouraging people to act responsibly towards the environment whilst using public open spaces. Smoke pollution has been highlighted as a concern, however the impact of this is likely to be negligible. Use of a PSPO only on parks and open spaces may cause public displacement onto statutory ecological sites, resulting in the need for an Environmental Impact Assessment.</p>
Health & Safety and Risk Management	<p>All proposed options have considered and will adhere to the council’s health and safety and risk management policies and procedures.</p>

LEAD AUTHOR	CONTACT DETAILS	DATE
Lisa Foden	E: lisa.foden@fylde.gov.uk T: 01253 658468	23 rd May, 2018

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

Attached documents:

Appendix 1 – Proposed PSPO to prohibit BBQ’s and open fires - Public consultation survey data December 2017

Public Space Protection Order to prohibit BBQ's and open fires responses

Do you consider BBQ's or open fires a problem on Fylde's public open spaces?

Fires BBQ are fine where public understands common sense boundaries or is provided facilities to use. A few idiots shouldn't ruin for all
Uncontrolled use leads to damage to picnic tables, seats, etc and grass areas.
I litter pick on St Anne's beach and discarded disposable BBQs are a recurrent problem, they are dangerous and can easily cause injuries.
When litter picking along the Fylde coast we find many disposable BBQs left on the beach and in the sand dunes. These present a real health and safety risk to people and animals due to all the sharp edges and potentially hot coal and metal. A conservative estimate would be that we find on average 4 disposable BBQs left on the beach at St Annes every week in the summer season.
Detritus left. Criminal damage to council property
But only where they damage the area in which they are set. E.g. damage to tables, benches or grassed areas by the use of 'throwaway' bbqs.
Large groups threatening behaviour, rubbish left even racist abuse. A lot of people don't feel safe round lake in eve in summer because of them. Rubbish blowing everywhere. Damage to benches /grass
I think they should be in controlled areas not banned
Fire hazard, smoke nuisance, danger to wildlife and people, damage to park furniture and grass
increasing damage to council property
The majority shouldn't have to suffer because of lapses by a minority there are too many petty rules
I am unaware of previous issues and think the majority of the public can be trusted to act sensibly. Why penalise the majority of people who want to enjoy the local environment?
Have never observed an open fire or a BBQ in St.Annes.
adequate bins for disposing of these BBQ should be available
When people don't think, eg; on the dunes, picnic tables, seats. And grass areas.
people can be lazy and thoughtless and leave the barbeque and consequent litter. also in dune areas they are a fire risk, and generally they can be a hazard and nuisance for people not wanting a face full of stinky smoke. families with children at risk also if any hot coals are left unattended
I believe we should invest in firepits and bbq stands for the public to use. We do not make enough use of the beach and i think this would help
people burning the grass and tables
Used BBQ left on ground still hot. Hazardous to young children, dogs and wildlife. They burn the ground leaves an eyesore on our beautiful green
damaged caused by discarded BBQs and fact that issue will grow the more people see others doing it.
Damage to grass, tables and seating. Litter and BBQS left in situ and hazardous to wildlife and humans.
Unsightly
Grassland fires, Litter
Like to walk in fresh air not choke on smoke and burning meat.
Few people do this, they are easily cleaned up x
families who set up their own portable bbq/coking fires, for example on top of public benches and in public shelters, this happens a lot with day trippers who bring their own food and spend zero in the town.
I've seen the damage to outdoor furniture it causes and all the litter that gets left behind by those who don't seem to have any regard for where they are. Also when spending time on the beach I find the cooking smells unpleasant..
They damaged the grassed areas also I noticed that park furniture have damaged this has to be replaced at considerable cost to the the ratepayers of fylde.
Although there does need to be adequate disposal facilities for hot ashes
Only happens during a few weeks in summer
They are only a problem if they are allowed where fires can start. If controlled safe zones are made for BBQ's (special cordoned off areas prepared with BBQ areas and picnic benches.)
Burnt grass on Lytham Green and around Fairhaven Lake. Also associated litter problems.
No regulation and air pollution im athsmatic with terminal lung diseases both empyseama and bronchiectasis at age 30 smoke is a trigger for me
Damage to environs. Aggressive attitudes. Massive litter
Never seen any barbecues or fires that have been a problem and been a resident for over 30 yrs
I don't use bbq or open fire

Burnt grass and litter discarded
Not generally a problem unless damage to public furniture and fittings is a possible. BBQs on the foreshore do not pose a problem whereas they would if lit, for example, in places such as Lowther or Ashton Gardens.
Get a life
Really see damage to picnic tables and grass areas
Danger and distruction of green space
Pollution, possible damage to wildlife. Nuisance caused by associated alcohol, loud music, anti-social behaviour.
Smell of smoke and meat offensive. Lake is a wildlife area, we go to unwind and enjoy the wild landscape. It is no place for fires and drinking.
The parks and open spaces are abused and consideration to others are not at the forefront of these individuals, they are left burning and destroying the parks
They damage the environment and cause nuisance to other people.
Smell. They're small public open spaces so why. Litter. Monopolisation of spaces which should be open to all. Noisy, kids, pets etc.
They aren't a problem
No proper facilities provided so visitors use and leave portable BBQs often burning furniture and grass.
As long as the bbq is, say, on the beach and not burning the grass in the park I don't see an issue. You should instead consider litter wardens that give out FPNs to offenders. Fires are a different matter as they leave a lot of ash etc behind
Litter and burnt out bbq's left lying around, causing not just a mess but a danger to people and dogs.
I have seen visitors breaking branches off trees around Fairhaven Lake to fuel large BBQ fires which is disgraceful behaviour and a fire hazard when grass is dry.
You should encourage people to have fun and enjoy the beaches etc you could provide barbecue areas
They cause litter, damage and a general nuisance not conducive to what the majority of users of these public areas want to do.
Yes it they cause damage or danger. No if used sensibly and respectfully
Encouraging sensible and social use of outdoor public space is appropriate. Banning such use because of irresponsible use by the few is overkill. Surely, it is already prohibited to damage public property or to behave in a way that disturbs the peace? Police that instead of allowing the few to ruin things for the many. I am supportive of formal areas for outdoor cooking and social gathering.
Not to the extent that a blanket prohibition is required across the entirety of the coastal section of the borough.
Look at Australia, I spent a lot of time in Perth where public spaces, especially costal had public bbq and facilities to use for cooking outdoor, this brings friends and families together, visitors to the area, money being spent locally and generally a good feeling around the area when it's summer time. If this is banned where does it stop? Fisherman? Dog owners....the coast is everyone's space to live and experience, instead of banning this flip it around and look to install facilities and information to assist in turning the area into a vibrant fun place to visit and live.
As a young couple who have recently moved to the area I strongly disagree with this proposal, you only have to look at trends in the area from festivals and events to see this area is becoming something special.
Social activities are to be encouraged.
Litter, excessive sized groups
Where they cause damage to grassed areas, wooden benches and are just left behind rather than being disposed of.
I don't object to bbqs, the problem is that there is no provision for them and so they are just lit anywhere. Grass is burnt and I've seen people pulling wood from trees on Fairhaven lake to burn.
Seen many a bin fire due to bbqs not being extinguished properly
They cause a lot of damage and mess as usually left for someone else to clear away. Also have seen someone cut their foot on a left BBQ
The area around Fairhaven Lake has been damaged by the open fires, particularly furniture. Litter had been left.
Some people do not always take adequate safety precautions and risk injury to themselves and other people. They also sometimes do not leave spaces in the condition in which they found it and leave it for the local council to remove at ratepayers expense.
It's nice to see people outside with their families
Of course. Open fires and bbq's burn the ground affecting wildlife and environment. Huge fire risk. Increase of litter and danger to children and others who may be unfortunate to walk barefoot on the sand and cut themselves on discarded bbqs.
Smelly, dangerous & mess / burnt areas left by many
The amount of litter and damage left .
I feel it can be dangerous and damage open spaces, particularly Lytham Green
BBQs being left unattended at Fairhaven. Hot bbqs put into bins. Scorched grass, fire hazards
Unless properly policed, they are likely to become targets for widespread littering
The damage caused at Fairhaven Lake has been significant over the last year
Old fogies want to put the dampers on people having fun.

No consideration for the surrounding area or other persons affected
Furniture being damaged and rubbish being discarded everywhere.
Damage & Pollution
Disposable BBQ's/fires left smouldering, stench of the smoke, debris/litter left strewn around, encourages ASB and large groups of people to congregate which can be intimidating and unfair to other people who wish to share the open spaces.
The amount of litter left behind. Very dangerous especially for children and animals (domesticated and wild).
Another example of heavy handed proposals for a minor problem. Bans are never the answer - take action against those causing problems not the entire population.
The beach is massive not to be a general nuisance when people want to BBQ. If you want to limit BBQs then limit in the sand dunes and in the immediate area nearest the road.
Having lived on the promenade for many years I have never seen or become aware of any fire on either the dunes or the beach. I have however enjoyed and seen many people enjoy barbecues on the beach responsibly. Open fires however should be treated separately to barbecues.
People do not disposed of bbq responsibly and leave a mess.
public open spaces are for every one - bbqs etc are no more of a nuisance than anything else e.g. screaming kids - we are a neighbourhood
Damage to trees and tables at Fairhaven Lake
Hot ashes risk burns to others and pets. Damage to property and risk of fire spreading
Damage to public space fixtures and grassed areas. As an aside they also represent a risk to uncontrolled dogs.
Never seen any evidence of problems
Look at the pictures on Facebook, it's a disgrace.
AIR POLLUTION. DAMAGE TO RATEPAYER'S PROPERTY.NOXIOUS FUMES (SOME WORSE THAN CIGARETTES) ENVIRONMENTAL DAMAGE. ANTI-SOCIAL BEHAVIOUR.
Generally I see people showing respect for the public places, with just a minority ruining it for the majority who enjoy the outdoors.
As with all items, if used properly there is no issue. The abuse by 1 or 2 should not prevent BBQ's for the many.
BBQ's and open fires in general are not a problem, a small minority of people who have used the in the past could be considered a problem but to punish the majority for the actions of a minority is unfair.
Never seen any issues related to BBQs or open fires
The rubbish left behind following a BBQ or open fire on the beach/sand dunes is disgraceful. Also I have seen that people burn anything they can to keep the fire going including Sign Posting and sea defences.
I have seen scorched areas of grass on Lytham Green from disposable BBQs, I have also seen discarded but still smoldering ones left on the beach near to St Annes Pier.
People don't take their rubbish home with them. Metal BBQs are a hazard.
I have never been aware of any problems and it is usually groups of friends or families enjoying themselves. I do feel a designated BBQ area would be a good idea though with proper disposal facilities

Do you feel BBQs or open fires have impacted your visit?

By having a BBQ my family has experienced and enjoyed exciting outdoor cooking in a beautiful beach environment
See previous comment.
Dangerous litter.
The ones that are left on the beach and sand dunes would make me cautious of visiting the St Annes area of the beach with children or a dog due to the risk of BBQ injury.
Litter anti social behaviour
as above rubbish left on sat night spoils walk on sun. Rubbish blows everywhere. Large intimidating groups, threatening you if you walk past. Now dont go round lake in eve. Damage to areas kleft for yrs.
Frequently through spring to autumn
not necessarily visit but they do have an impact on my life as Ward Councillor as I do get contacted regularly especially at weekends for BBQ's incidents
Am a resident
fires can easily be started from these BBQ fires - more warnings would help
Cautious in summer to,let my grandchildren run on the green
Quite often large, noisy groups are intimidating.

unsightly
Ruin walking on the shoreline.
I am not a visitor I am a resident. the question does not make sense. I had to answer one of the boxes in order to move on thru the survey so please remove my answer.
As above
Litter as a result of the BBQ's
I have to stay in which impact me taking my kids out to the green when its nice because of the smoke
Intimidation
Sometimes,large groups leaving burnt grass,and discarded litter
Unsightly damage and often rubbish and/or food waste left strewn about
Noise
Hate to see the area being disrespected, litter,smoke and smells are awful. It is a place to go for FRESH air. It should not be allowed to disintegrate into a rubbish heap.
Abuse from large groups who congregate in open areas
I enjoy the peace and tranquillity of fylde coastal landscapes.
Unsightly rubbish and damaged furniture and grassed areas.
whne on the beach or sandhills I shouldnt need to watch where my dog or Son are walking, bbq trays and the wire mesh cause serious injury.
The smell of BBQ's is hardly conducive to the enjoyment of the fresh air from sea breezes when all smells is burning meat.
I've seen damage to a park bench and litter left by people who have had a barbeque.
Stopped walking cycling arou d fairhaven
Unfortunately they often go hand in hand with large groups of people which can be intimidating.
I live here anyway but it's not nice to see people having BBQs on Fairhaven Lake as the mess gets left and it looks a mess
It looks a mess.
Noise. Smell/smoke. Anti-social behaviour. Litter
Totally unnecessary. If bbqs are to be lit they should only be allowed in designated areas.
No as I live here but have witnessed the state some areas have been left in. Plus it is dangerous to children and dogs who can be injured with discarded materials
Not a visitor
Have avoided the area where a large group have been having a BBQ, have been cautious about myself or my dog treading on buried/exposed debris e.g. disposable BBQ/bottles/cans etc.
Not a visitor.
No, Barbecues enhance people's enjoyment of our outdoor space. Communal al fresco cooking is a summertime treat. Open fires should be treated separately.
Feel reluctant to visit.
Nearly trod on some glowing embers near Fairhaven Lake which had been abandoned.
Damaged property.
FELT THREATENED BY GROUPS OF PEOPLE AND SMOKE IN LUNGS AND ON CLOTHING. GENERAL FEELINGS OF ANXIETY IN WHAT SHOULD BE PEACEFUL HEALTY OPEN SPACES.
Litter
I have to be more careful when walking on the beach that I don't stand on or trip over discarded BBQs. The smoke from them also affects my lungs as I have severe emphysema and asthma.
As a walker in local health walks I have to be aware of hazards on the dunes and beach

The Council is considering proposals to address the use of BBQs and open fires on Fylde's public open. Do you support an introduction of a PSPO to prohibit use, object to the proposed PSPO or allow use with measures of control?

I like to BBQ in public spaces
Providing BBQs are used with care and any rubbish associated with their use is disposed of in suitable recepticals then they should be permitted in agreed designated areas.
They are too dangerous for indiscriminate use in our open spaces.

The damage caused to the environment and potential harm to people and animals from disposable BBQs which are often left on the beach is significant and seems to be a real problem in the St Annes area. If an awareness campaign were launched about banning BBQs on the coast I think this would help deter people from bringing them. Especially with the bins now gone from the beach I think this coming summer without a ban or some serious education and control measures, BBQs would be a growing problem. Having said this, it is not clear what the proposed 'control measures' would be, so considering the strength of these that might be an option if a total ban is not viable or enforceable.
Older residents too scared to use paths around marine lake.
In properly provided for areas bbqs allow families or groups to enjoy our parkland areas.
limit areas allowed so it is illegal to have bbq so police/council can act.
we should be promoting the use of our outdoor spaces and cooking outdoors is a great way to bring friends together. restrictions should be made to make cleaning up easy but i really dont like things being banned
I do not believe they should be permitted under any circumstances. I do not think the council should go to the expense of a dedicated area as the whole point of such gatherings is to be "au naturel"
if we as a council could manage or direct visitors/residents to authorised sites we could address concerns
Education and encouragement along with some facilities is the way forward
Control measures is too vague and the likelihood would be that most seeking permission would be refused.
Some control might prove useful in the future.
Fire proof bins on areas where you could put brick stands/tables for placing BQ on, good signs in this area with good access for emergency vehicles.
a blanket ban on barbecues for most decent thoughtful families is draconian. Having a picnic or a barbeque, if done responsibly is fine.
Antisocial behaviour on green
as above
This is a very badly designed survey - unsightly!
In general I am ok with a small amount of BBQs providing they are in designated places and policed
To stop damage and littering.
need to control for safety and financial reasons [as above] but not to deter public events and festivals that would need bbq/open fires to take place
As above
As locals we like having bbqs on the beach. We do take our litter home. People just need educating.
Too draconian and discourages visitors
I have seen how controlled BBQ areas have worked in other countries.
They are getting out of hand.
Then i can make use of areas if i knew bbqs and open fires werent going to be there
Some action needs to be taken last Summer bbqs were a source of constant irritation
Open spaces should be for all to enjoy
Sometimes it can get out of control and just needs to be controlled such as open fires in forests
Lytham Green and the surrounding area of Granny's Bay have remained mostly unspoilt and unchanged over the years - stability of these areas is needed to avoid ruination
See previous comment
Get a life
I dont agree with blanket bans with fines. Individuals who damage and litter should be prosecuted.
Remove the nuisance
Encourage visitors by providing proper BBQ areas
It is not the area to encourage this sort of behaviour.
No idea what it means but if it's prohibits bbq great. Lytham is changing and not for the good. This is sure to fly left wing snowflake policies
It's unnecessary - they aren't a problem
Allow use in purpose built designated areas so visitors can enjoy a BBQ but also dispose of it safely without leaving a mess or damaging furniture and grassed areas.
Because, as long as people clear up the litter and don't damage the grass, it's a harmless activity. There is nothing antisocial about a BBQ other than the risk of littering - but if you introduced an FPN scheme like Blackpool have it will incentivise people to clear up and also raise money for the council. I would support a ban on fires on public land although I thought this was already illegal.
bbq's and open fires are a danger not just when left behind as waste but in dry conditions are a fire hazard on the dunes.
There are already signs around Fairhaven Lake advising not to conduct BBQs but these are totally ignored so some more stringent measures are required. The Police notice is ineffective as there are no Police to enforce it. The Lake Car Parks are

already in decline due to drug dealers at night and the whole area will continue to decline if measures are not taken against BBQs and alcohol abuse.
Do you want to drive visitors away
no reason why we cant do all activities if given the appropriate facilities
To limit litter, noise and damage.
Sensible/respectful use should still be allowed.
Maybe put up signs/guidelines for bbq/open fire use. Or set up designated fire pits?
My reasons were included in previous comments. Please police the negative behaviour associated with the incidents reported and not the act of BBQ'ing itself
Allowing use with measures of control would be an appropriate escalation of addressing the issues caused by some barbecue/outdoor fire users. This would allow for reasonable compromise for all concerned, whilst allowing a responsible majority the opportunity to enjoy the benefits and leisure associated with barbecuing in public spaces.
Although it is unclear what the difference is between 'location restrictions' and 'dedicated BBQ spaces only', as these sound as if they are the same thing or 'location restrictions' is just another term for the blanket prohibition proposed for the mapped area, a mixed set of measures should be examined according to the circumstances. For example, it would be inappropriate to set a single time restriction for areas designated for barbecues or open fires; park land in residential areas differs to the dunes area at the far north of the borough. The former would suit an early time restriction, whereas the latter may not require one at all. Likewise, restrictions on types of barbecue and open fire, varied by location, would be more appropriate than a blanket prohibition or a single set of restrictions.
Local government should meddle less in fun and social activities.
Public can't be educated to limit now to certain places, or remove litter , remove bbq, not damage wild life and property
If no damage is caused and no litter left behind then can't see the harm.
I think they would be ok on the beach.
Totally support this. Every school holidays numerous families bring disposable bbqs and either leave them where they are or put, still smouldering in bins
The people who bring the bbqs have no regard for the environment and them come in large numbers and are intimidating.
How are you going to police it. Unless you are going to enforce it in full it is a waste of money exercise doing this. All talk.
It is the minority who spoil it for those who take adequate control of the situation. Not sure how a PSPO would be enforced though.
Don't have to ban them totally it's too heavy handed
Possibility of use in camera-controlled designated areas
It would be the only way to deal with this problem
As above
A tourist town should encourage enjoyment, but introduce restrictions only when essential.
As stated previously.
I wouldn't want to completely ban there use for sensible members of the population, that do have them in a controlled way
Old fogies want to put the dampers on people having fun.
Indiscriminate use must not be allowed to prevent others enjoying the coastal areas. My wife and I regularly walk on the beach and I abhor the loud music and behaviour which these days trippers bring with them.
Proposal supported
Once again it's the irresponsible minority spoiling it for the few. Unfortunately, if they can't be responsible and considerate then they don't deserve to use the space for their BBQ's etc.
As stated above. If people feel that they need hot food on their day out there is an abundance of cafés, shops etc within the proposed area to fulfil their needs.
Tackle the irresponsible and not the entire population.,
As mentioned above the beach area in St Annes is massive so agree a general restriction near road side and in the sand dunes but mad idea to generally ban the entire beach.
Draconian blanket bans on responsible people enjoying the open spaces of the fylde to combat a perceived wide spread problem is unnecessary. You should not impinge on the responsible majority in an attempt to control an irresponsible minority
There should be designated areas, like in Australia.
where next - ban dogs/kids/humans?
To avoid accidents and mess
Use in designated areas should be permitted, however I do have concerns as to how the ban in other areas will be enforced.
The council do not specify the number or extent of complaints, neither do they provide any specific details of the extent of damage or nuisance caused

FIRES AND OUT OF CONTROL ANIMALS HAVE A NEGATIVE IMPACT ON RESIDENTS AND VISITORS EXPERIENCE OF WHAT SHOULD BE CLEAN AIR AND NO DANGER WHILST IN A PUBLIC OPEN SPACE. DOGS ON LEADS, NO FOULING OF LAND OR AIR, NO PERCEPTION OF DANGER FROM GROUPS OF PEOPLE. NO DAMAGE TO COUNCIL PROPERTY. NO TO ALL FIRES ON PUBLIC OPEN SPACES.
If there is disregard for the use (ie directly on floor causing damage / on benches etc). otherwise a stand can easily be bought for a desposable barbeque / a portable one used.
The issue should be monitored - if there is no success then a ban is more reasonable
I would support some very low level control measures which such as disposing of all rubbish, not having a BBQ or fire with 2m of park furniture, limiting use to disposable bbqs only. Any far reaching powers to limit the general public's enjoyment of our open spaces however I would object to.
It would be good to have segregated areas that people could enjoy BBQs and open fires.
Support 100% for the above reasons.
I have stopped wanting to go to certain public areas from fear the smoke from BBQs will affect my breathing.
It's too easy to buy so called disposable BBQs. Support the local cafes instead of creating a danger to others.
designated BBQ areas with proper disposal facilities to reduce chance of bin fires

Please use the box below to make any additional comments you may have relating to the above proposals:

Locations should enable families to still privately enjoy the spaces
Not all BBQs are disposable or require a fireproof surface to be used. Designated areas and well signed places for disposal of rubbish would answer most problems but could prove to be too restrictive. Is their use adjacent to the beach huts or sand areas of the shoreline such a problem, or could these areas be permissible?
Why does the area map not include Park View, the YMCA playing fields, or Green Drive?
Away from other public using amenities.
I have experienced dedicated and properly provided for bbq areas across europe. Rarely have I seen damage caused or despoling of the areas.
BBQ should be away from high footfall areas, reduce conflict. Lots of bins in enclosed area
the public need safe places where bbq can be used and disposed of. i think fires should be allowed on the beach but no fires or bbq on the dunes
Please see comments in box 4
whilst encouraging visitors - safety and control must be paramount
PSPOs should only be used for serious public safety issues not everyday matters that a minority are sniffy about. The area is gradually being controlled more like a police state instead of being a welcoming visitor area
Beach BBQs are a lovely way to enjoy our environment and people who do not have gardens should be allowed to use public areas for family and friends activities.
Time restrictions mlght become neccessary.
business's rely on visitors, any restriction should reflect this, or visitors will go elsewhere
This is a public place , it would make a good picnic and BQ so people and families could stay longer and enjoy the lake to it's full potential.
designated areas with appropriate signage, perhaps with some type of physical border (fence/gate) to prevent children/vulnerable accidentally wandering into these areas.
I see large families having picnics & bbqs on Granny's Bay and Lytham Green, in general they are responsible people and come here to enjoy the day, this is why designated areas are essential
They bring no income to the area only make a mess and leave damage.
the QEII playing fields area [Park View] is excluded from the mapped area surely that is an open public space that also needs to be within the scope of the proposals?
There needs to be bins for hot ashes. Maybe signs asking people to not put them on picnic tables, etc. Educate the idiots.
If implemented who would enforce as most bbqs are used at weekends
Too much damage being done to Lytham Green.
Should be after teatime time restrictions when most families with primary school aged children will have already gone home
None
Could be an age restriction ie over 18 so younger kids cant get into trouble

Get a life
I have seen the disgusting state our picnic tables have been left in, it is so upsetting. These people should not be encouraged to visit the area, they cost us money and in turn spend no money in the area. It is an area from which to appreciate the wildlife and shore line (without being blinded by smoke).
About time!
People can still have picnics without bbqs
On the back of the dog restrictions the council just seems to be getting far too over-zealous. I'm sure it's done with the best of intentions but can't the first instinct please be to do nothing rather than constantly look for solutions to problems that really either don't exist or are pretty minor in the great scheme of things...
Waste of time and money - the money spent enforcing this could be better spent
Controls must be effective as do consequences of abusing any facilities or ignoring restrictions.
It might be a good idea to ban BBQs from parks and grassland although I have never seen anyone have one on Ashton Gardens
Last year was a major issue in St Anne's with bbq was used and left hot ashes could cause fire or burn animals or kids.
On the spot fines for people who disregard the rules.
I hope the action taken stops the downward path of the area as money is supposed to be spent to improve the Promenade and Lake facilities but current visitors abuse the area and need to be discouraged.
I would support all three proposed control measures, but it will only let me tick one!
I have never used open fires or bbqs on the beach myself. But it feels a shame to totally ban them. I like the idea of sitting by an open fire on a beach on an evening. Designated fire pits would be wonderful.
It is important to note that residents of HMOs and self-contained apartments in the borough do not all have access to suitable or adequate garden amenities and nearby public spaces are a valuable alternative. The equality impact assessment for these proposals should take care to examine this aspect of any prohibition.
As location and dedicated space same thing. Only allow on specific hard landscape areas set aside e.g. north beach car parks
On beaches
It is a brilliant idea.
I think designated spaces would be good as then people can still have them but in the right environment
I am pleased something is being done about this to conserve our beautiful area.
Designated areas and restricted time limits AND Policed in FULL and FINES applied.
A lot of parks have dedicated areas it could be done here easily
Any control measures need to be continually and effectively enforced
Set areas seems a sensible option
Sort out real problems like the state of the roads that actually affect residents!
Encourage safe use of the dunes and coastal strip, don't get heavy handed and unwelcoming
Old fogies want to put the dampers on people having fun.
It is much safer to encourage picnics rather than bbqs. Some visitors bring large gas canisters to Fairhaven Lake which is extremely dangerous. I have seen these on a number of occasions.
The new dog related controls seem to be ineffective. If this order is made, it must be enforced, unlike the dog order appears to be.
You're wasting our money and your time if you are not going to employ Rangers or Wardens to enforce this. I anticipate most BBQ's etc. will take place on Saturday/Sunday afternoons/evenings during the Summer. If the areas are not going to be patrolled and action taken at these times then you are completely wasting resources trying to implement these orders in the first place. Signage/notices aren't enough.
Another ridiculous heavy-handed proposal from a Council that seems to get more and more control-freakish year by year. You have powers to deal with people causing damage - use them and leave law-abiding people to live their lives without interference.
Location restrictions nearer road side is generally a sensible idea.
I am disappointed that the council is trying to legislate against an irresponsible minority by penalising a responsible majority. Attempting to criminalise a family beach barbecue is draconian in the extreme. Added to the persecution of dog walkers and harassment of motorists by over zealous council employees, this latest proposal will only make the Fylde coast less attractive to the visitors on which our economy so greatly depends.
Not against people and BBQ's etc - but has to be done in a responsible manner
Without rigid enforcement by uniformed police officers with the necessary powers of arrest any restrictions will likely prove futile.
Police resource is so limited courtesy of May that antisocial behaviour largely goes unchallenged in Warton.
Your survey is faulty. It demands an answer for Q5 even if you do not support the proposal. There should be an option for 'I do not agree with the proposal therefore do not want any of the control methods,

Councils seem to be using these proposed protection orders without any tangible evidence. They impose unnecessary restrictions on the public. Show us some evidence not vague unquantifiable statements

PLEASE ENSURE ALL ANTI SOCIAL AND COST INCURRING ACTIVITIES IN/ON PUBLIC OPEN SPACES CEASES.

I think creating specific BBQ locations would be a great idea with purpose built stands and plenty of bins, however I don't think building these should limit people who prefer to have a BBQ in a quieter more secluded location. If people are found not to be disposing of rubbish or to be causing damage to infrastructure I would fully support fines. I do however think to fine somebody for enjoying something as simple as having a BBQ on the beach/sand dunes would be a wholly disproportionate response to the issues we face on the Fylde.

I also think question 5 should be struck from the consultation as there is no option to ignore even if you disagree with each option you are forced to choose an answer.

In the Lake District there are dedicated BBQ areas for families. When they are used, other people are able to avoid them and the smell of burning food.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	7 JUNE 2018	6
LYTHAM FESTIVAL AGREEMENT			

PUBLIC ITEM

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

SUMMARY

The parent group of the existing operator of Lytham Festival has restructured and as part of this LPL (Preston) Ltd has been replaced by Live Nation (Music) UK Ltd as the operator of Lytham Festival. The report asks the committee to agree to amend the existing arrangements to reflect the change.

The present arrangements also include a mechanism that was intended to retain Mr Daniel Cuffe and Mr Peter Taylor as directors of the operating company if the council had appropriate reason to do so. The revised company structure makes this no longer appropriate and the committee is therefore asked to agree to it being omitted from the agreement.

RECOMMENDATION

1. That the council agree to amend the arrangements for operating Lytham Festival by (i) substituting Live Nation (Music) UK Ltd as the operators; and (ii) deleting the provision relating to Messrs Cuffe and Taylor continuing as directors of the operator.

SUMMARY OF PREVIOUS DECISIONS

Cabinet, 15 January 2014:

1. That Lytham Proms Ltd are granted a 15 year licence with 5 and 10 year break options to hold the Proms Concerts on Lytham Green under Heads of Terms attached as an appendix to the report.
2. To waive the contract procedure rules relating to the letting of this agreement for the reasons set out in the report.

Tourism & Leisure Committee, 3 November 2016:

That the committee approve the following variation for the remaining 12 years of the licence with Lytham Proms Ltd for use of Lytham Green during Lytham Festival:

- i) The 'Concert Period' to be increased from three (3) consecutive live music events to a minimum of three (3) and a maximum of five (5) entertainment events during the licence period.
- ii) To increase the public liability insurance requirement in section 2.16 of the licence from £5 million to £10 million.

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

THE PRESENT ARRANGEMENTS

1. Lytham Festival is operated by LPL (Preston) Ltd (formerly Lytham Proms Ltd) under a licence arrangement with the council. The present licence allows the operators to stage a festival of between three and five days on Lytham Green. The licence runs to 2028.
2. The terms of the licence include a provision that allows the council, if it had reason, to terminate the arrangement if both Daniel Cuffe and Peter Taylor cease to be directors of the operator without the consent of the council¹.

THE PROPOSED CHANGES

3. The proposed changes to the agreement arise from changes made to the corporate structure of the present operator. They do not directly affect the operation of Lytham Festival.
4. Live Nation (Music) UK Ltd the parent group of the present operator, has restructured its operating companies. Consequently, members are asked to approve the substitution of the present arrangements by arrangements which replace the present operator, LPL (Preston) Ltd (formerly Lytham Proms Ltd), with Live Nation (Music) UK Ltd.
5. Daniel Cuffe and Peter Taylor continue to be closely associated with Lytham Festival as lead operators for the brand on behalf of Live Nation. However, the company structure of the new operator is such that neither are directors of Live Nation (Music) UK Ltd although both will continue to be the registered licence holders for Lytham Festival therefore retaining an identity as an enterprise local to the council's area. It is therefore not appropriate, or applicable, for the new arrangements to include the provision requiring both to be retained as directors. Members are requested to agree to the new arrangements not including such a requirement.
6. In all other respects than the identity of the operator and the director retention clause, the new arrangements will be the same as the existing ones.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report.
Legal	The change in arrangements will be effected by a novation of the existing agreement to the new operator, incorporating a variation to remove the director retention clause.
Community Safety	None as a result of this report
Human Rights and Equalities	None as a result of this report
Sustainability and Environmental Impact	None as a result of this report
Health & Safety and Risk Management	None as a result of this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Ian Curtis	ianc@fylde.gov.uk & Tel 01253 658506	16 May 2018

¹ The provision states that the consent of the council cannot be unreasonably withheld, but that the council could refuse consent if the proposal would, in the council's reasonable opinion, result in the operator no longer retaining an identity as an enterprise local to the council's area.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	7 JUNE 2018	7
REVIEW OF THE COUNCIL ART COLLECTION			

PUBLIC ITEM

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

SUMMARY

This report proposes five draft recommendations that are the outcome of work undertaken by a Member Working Group nominated by the Tourism and Leisure Committee in November 2017, to establish the future management approach to the Council Art Collection.

RECOMMENDATIONS

The Tourism and Leisure Committee are requested to support:

1. That the Council adopts a more proactive management approach to the art collection and work towards achieving a 'strategic framework' as recommended by Mr William Moffett in the legal opinion 2017.
2. That Officers work towards achieving museum accreditation for the art collection under the Arts Council England scheme described in this report.
3. That Officers work to establish a Development Trust as described in this report to assist with additional fundraising and promotion of the collection.
4. That officers seek and apply for any external funding that may be applicable to an accredited art collection.
5. That in line with museum accreditation policies and procedures, the Council will not seek to sell any piece of artwork unless all external funding grants and additional fundraising opportunities have been exhausted, and the aims and objectives of the strategic framework have not been achieved. Only then would an application to the Charities Commission and Court be supported, with any income from sales used for the management of the remaining collection as per legal advice.

SUMMARY OF PREVIOUS DECISIONS

Community Focus Scrutiny Committee, 24 July 2014

Review of Fylde Arts Collection

After full consideration of this matter IT WAS RESOLVED to recommend to Cabinet:

1. The endorsement of the Blackpool Fylde and Wyre Cultural Partnership Framework.
2. An interim report being presented to the next Cabinet detailing the work of the Task and Finish Group thus far.
3. Acknowledgement of the excellent work undertaken by the Arts Working Group involving the Friends of the Lytham St Annes Art Collection, Booths, Lancashire County Council Museum Service Fylde Decorative and Fine Arts Society and the Civic Society and the associated future collaboration/ partnership working with these groups.
4. The feasibility of establishing an appropriate mechanism/ legal framework to enable a management policy for the Arts Collection to be developed.

5. The feasibility of exploring options available to appoint a part time dedicated Arts Development Officer who would be responsible for management of the Arts Collection as part of a wider arts development role and to secure external funding for projects at a level which exceeds the cost of the post.
6. An updated report being presented to December meeting of committee which includes the outcomes of 4 and 5 above.

Cabinet, 24 September 2014

Arts Service Review

In reaching its decision, Cabinet considered the details set out in the report before it and at the meeting and **RESOLVED** to:

1. Consider and agree the recommendations detailed below of the Community Focus Scrutiny Committee on the interim conclusions and recommendations of the arts collection task and finish group –
 - 1.1 That the Blackpool Fylde and Wyre Cultural Partnership Framework is recommended for endorsement by Cabinet.
 - 1.2 To present an interim report to the next Cabinet detailing the work of the Task and Finish group thus far.
 - 1.3 To acknowledge the excellent work undertaken by the Arts Working Group involving the Friends of the Lytham St Annes Art Collection, Booths, Lancashire County Council Museum Service Fylde Decorative and Fine Arts Society and the Civic Society. Also the Group wish to support future collaboration and partnership working with these groups.
 - 1.4 To investigate the feasibility of establishing an appropriate mechanism/ legal framework to enable a management policy for the Arts Collection to be developed.
 - 1.5 To explore the feasibility/options available to appoint a part time dedicated Arts Development Officer who would be responsible for management of the Arts Collection as part of a wider arts development role and to secure external funding for projects at a level which exceeds the cost of the post.
 - 1.6 Officers bring a further report to Community Focus Scrutiny Committee on the outcomes of 4 and 5 above.
2. Request that a further report is prepared and presented to Cabinet setting out the outcomes of the detailed feasibility studies in respect of an arts collection management framework and arts officer post as recommended by Community Focus Scrutiny Committee on the 24th July 2014 at points 4 and 5.

Community Focus Scrutiny Committee, 04 December 2014

Arts Service Review

Following consideration of the matter it was **RESOLVED**:

1. To note the progress made with the recommendations
2. To involve the appointed Arts Service Task and Finish group at key stages in the process.

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. Fylde Council are responsible for a number of artworks which are ‘held upon charitable Trust’ (Legal Opinion, Moffett 2017), that have been donated over the last 100 years for the benefit of local people.
2. The Corporate Plan 2016 states under A Great Place to Visit to “Offer an arts collection that is available to everyone”.

3. The Council art service collection comprises of:
 - 112 British and Continental oil paintings dating from mid-1600s onward. Mostly 1800s to early 1900s.
 - 86 watercolours and drawings
 - 74 prints and photographs
 - 12 sculptures
 - 20 ivories
 - Furniture and civic regalia
4. A Member Working Group was nominated by the Tourism and Leisure Committee at the meeting of 2 November 2017, to undertake a review of the Council's arts collection. The purpose of the group was "to review the council's approach to the management of the Lytham St. Annes Art Collection" and "to build on the previous work done by the Arts Service Task and Finish Group in 2013-14".
5. The Working Group consisted of 9 Members of the Tourism and Leisure Committee and was chaired by the Head of Cultural Services, who was assisted by the Head of Governance, the Tourism and Leisure Manager and the Arts Development Officer (Collections). The Working Group held three meetings between December 2017 and April 2018, including a visit to the Atkinson Museum, Southport.
6. Comprehensive information about the collection and a description of the potential future management options were presented and discussed to ensure that Members were provided with enough information to make recommendations to the Tourism and Leisure Committee.
7. At the first meeting, officers presented a range of background information to the Members including:
 - Chronology of Key Events since the first donation in 1925
 - Legal Opinion 2017 provided by William Moffett, Barrister, Radcliffe Chambers, Lincoln's Inn, London
 - Artwork Provenance
 - Overview and Themes of the Collection
 - Current Management and Resources
 - Current exhibitions, promotion and access to the collection
 - Conservation by Lancashire County Council
 - A visit to the Arts Store in the basement of the Chasely building
8. The second meeting covered:
 - Partners and Stakeholders
 - Future Management Options
 - Potential Operating Vehicle and pathways
 - Museum Accreditation
 - Potential Grant Funding
 - Examples of Good Practice
9. In the second meeting the working group proposed that a late Capital Bid be submitted to the Tourism and Leisure Committee at the meeting of 8 February 2018, recommending that a Capital Sum of £50,000 be agreed to improve the current artwork storage facilities. This recommendation was agreed by Full Council at the meeting of 5 March 2018 for inclusion in the 2018/19 Capital Programme.
10. The third and final meeting included a visit to the Atkinson Museum in Southport followed by a meeting to agree and propose recommendations to the Tourism and Leisure Committee, with regard to the future management of the art collection. Heather Davis, Senior Conservation Officer, Lancashire County Council attended the meeting and was invited to give her opinion on the proposed recommendations. Ms Davis agreed that the draft recommendations included in this report, would provide the most competent way in delivering the aims of the working group.

CURRENT POSITION

11. The working group have discussed and evaluated the 'pros and cons' of the 4 options in relation to the future management of the collection, listed below:
 - Maintain the Status Quo

- Transfer to a Trust or Community Group
 - Sell all or part of the collection (Application to the Court and Charities Commission required to establish ownership)
 - Adopt Proactive Management
12. The option of selling any or all artwork was covered by the Head of Governance. It was explained that the majority of the artworks are held upon Charitable Trust by Fylde Council. Under the terms of Charitable Trust, any sale would require a high court judgement which would unlikely to be successful, unless any capital receipt was reinvested into the collection.
13. The group unanimously agreed that the Council need to adopt a more proactive approach with regard to the future management of the collection. The main benefits being:
- Current 'In house' expertise to manage the collection
 - Opportunity to design and implement a strategic framework
 - Work towards museum accredited status
 - Opportunities for external funding grants
 - Fylde Council retain managerial control of the collection (as per the intention of the donors)
 - Continue to work with current stakeholders
 - Opportunity to create a Development Trust to assist with fundraising and promotion
 - Meets the popular operating model in the museum sector e.g. Manchester Art Gallery and The Atkinson, Southport
 - Funds could enable increased conservation and wider public access initiatives
 - Development Trust's eligible for more funding streams than Local Authority
14. It was agreed that all aspects of collection management needed to be improved, and that a 'strategic framework' as advised in the legal opinion 2017 by William Moffett needs to be created and delivered. This will ensure competent management of the collection and provide new external grant opportunities.
15. As part of a more proactive approach, it was agreed to create and work in partnership with a Development Trust. Development Trusts have a purely fundraising remit, rather than any managerial responsibilities. As registered charitable trusts they are able to apply for external grants that local authorities are not eligible to apply for.
16. In order to achieve a 'strategic framework', it was agreed that officers will work towards gaining formal museum accreditation status for the collection. Museum accreditation is a scheme administered by Arts Council England (ACE) to support professionalism and 'best practice' management in the museum sector. Members were advised that formal accreditation could take 2-3 years to achieve.
17. To be awarded formal accreditation, holders of heritage collections are required to submit a suite of management documents to ensure competent management of the collection, including:
- Forward Plan
 - Collections Development Policy (previously known as Acquisitions & Development Policy)
 - Documentation Policy
 - Documentation Procedures Manual
 - Care & Conservation Policy
 - Care & Conservation Plan
 - Emergency Plan
 - Access Policy
 - Volunteer Agreement
 - Environmental Sustainability Policy Statement
 - Security Review
18. The main advantages of working towards accreditation are:
- The artworks will be managed proactively and professionally
 - Support and recognition from professional bodies such as Arts Council England
 - Raises the status of the collection

- Provides new external funding opportunities
- Opportunity to develop a Development Trust to assist with additional fundraising and promotion

CONCLUSION

19. The Member Working Group unanimously agreed that Fylde Council should take a more proactive management approach to the management of the art collection. The donation of the artwork is appreciated and Members felt that the Council has a responsibility to manage the collection competently and are recommending that Officers work towards achieving museum accreditation for the collection.
20. The complexities of ownership and potential sale of the collection was discussed in detail as part of this review. Members recommend that all external funding opportunities are explored before any consideration is given to the sale of any artwork, upon which any capital receipt would be solely used for the future management of the collection.
21. The appointed working group are Councillors Little, Akeroyd, Brickles, Chew, Fazackerley, Lloyd, Pitman, Settle, Thomas.

IMPLICATIONS	
Finance	There are no financial implications arising directly from this report
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
Mark Wilde	mark.wilde@fylde.gov.uk 01253 648475	MAY 2018

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Community Focus Scrutiny Committee	24 July 2014	http://www.fylde.gov.uk/meetings/details/1177
Cabinet	24 September 2014	http://www.fylde.gov.uk/meetings/details/1188
Community Focus Scrutiny Committee	04 December 2014	http://www.fylde.gov.uk/meetings/details/1180

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	7 JUNE 2018	8
FAIRHAVEN HERITAGE LOTTERY PROJECT UPDATE			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

A presentation which gives a progress update to the T&L committee regarding the Fairhaven Lake and Gardens HLF project.

SOURCE OF INFORMATION

Charlie Richards – Fairhaven Project Officer

Julie Vale – Activity Development Officer

LINK TO INFORMATION

[Tourism and Leisure Committee 7 June 2018 Presentation](#)

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

A request was made at the Tourism & Leisure Committee held on the 7th September 2017 for a regular information item to be presented to the Committee. On this specific occasion a presentation was requested by the Chairman of the T&L Committee who also sits on the Fairhaven Project Board.

FURTHER INFORMATION

Contact – Charlie Richards, Fairhaven Project Officer, 01253 658472, charlie.richards@fylde.gov.uk

Contact – Mark Wilde, Head of Tourism, Leisure and Cultural Services, 01253 658475, mark.wilde@fylde.gov.uk

Fairhaven Lake HLF Project

Restoration Project Update
Tourism & Leisure Committee 7 June 2018



To Achieve Excellence

Recap

- The Fairhaven HLF team
- Historic overview of Fairhaven Lake and Gardens
- High level overview of masterplan
- Proposed audience consultation strategy
- Programme



To Achieve Excellence

Design Development

HLF Round 1 vs where we are now



To Achieve Excellence



Changes from Round 1

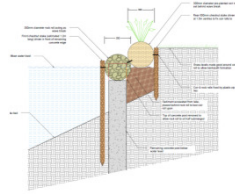
- Proposed Adventure Golf (subject to further funding)
- Forest school island
- Winter wader roost island
- External boat yard
- Beach area (subject to cost review)
- Sensory gardens (subject to cost review)



To Achieve Excellence

Remaining Key Capital Work Elements - Lake

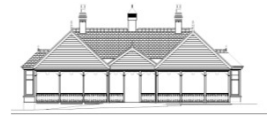
- Lake dredging
- Aeration pods
- Lake edge pilot projects
- Lake edge widening (adjacent to café)
- Boat pontoon & jetty
- Health and safety grab chains



To Achieve Excellence

Remaining Key Capital Work Elements – Buildings

- Heritage restoration of Pavilion Café
- Isaac Dixon Boathouse – Watersports centre and community facility
- Pagoda building – RPSB & wider park heritage centre



To Achieve Excellence

Remaining Key Capital Work Elements - Landscape

- Restoration of Japanese Gardens
- Completion of circular pathway
- Mawsons Lookout
- Tennis and bowls improvements
- Adventure play area
- Planting and vegetation management



To Achieve Excellence

Consultation

- Stakeholders and resident clubs
- UR Potential- Youth consultation
- BME forum visits
- Building visitor profiles
- Visitor surveys



To Achieve Excellence

Volunteers

- Volunteer partners – FOFL, Lytham Heritage Group, Kirkham Prison
- Volunteer role development
 - event support
 - survey & monitoring
 - grounds maintenance
 - heritage research
- To date – 1,931 hours= £27,218 match funding



To Achieve Excellence

Piloting Activity

- Open days
- Action days
- Heritage walks
- Community archaeology



To Achieve Excellence

Action Plan development

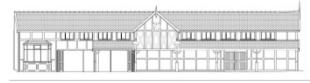
- Number of events rationalised based on consultation
Fewer, Bigger, Better philosophy!
- New activities included, more arts and culture outdoor activities and water sports. Still heavy focus on Fairhaven's heritage stories
- Expenditure as round 1



To Achieve Excellence

HLF Mid-Term Review

- Held in Manchester on 11th April
- Feedback positive
- Presentation 3 hours
- Round 2 submissions, more competitive
- Minimise risk – request to underwrite any gap funding
- Maximise heritage outcomes



To Achieve Excellence

Next Steps

- Planning application mid-June 2018
- Finalisation of the following supporting documents;
 - Business Plan
 - Management and Maintenance Plan
 - Activity Plan
 - Conservation Management Plan
- Additional meeting of T&L Committee proposed mid/late-July 2018 (tbc)
- Planning determination late July/early-August 2018
- HLF Round 2 submission mid-August 2018



To Achieve Excellence

Thank you for listening

If you have any further questions on the project then please contact
charlie.richards@fylde.gov.uk



To Achieve Excellence

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	7 JUNE 2018	9
YEAR-END PERFORMANCE 2017/18			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

The report provides details of the key performance outcomes for the financial year end 2017/18. Performance is reported against the annual targets and commentary is provided by performance exception.

SOURCE OF INFORMATION

Tourism and Leisure team input data into the InPhase corporate online system from service based performance data

LINK TO INFORMATION

<http://fyldeperformance.inphase.com> - Full Corporate Performance suite for Fylde Council

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The performance information is relevant to the committee terms of reference and the responsibility of the committee to monitor performance of the services within its remit.

FURTHER INFORMATION

Contact: Alex Scrivens, Performance & Improvement Manager (01253 658543 or alexs@fylde.gov.uk).

***** PERFORMANCE ABOVE TARGET *****

Green Flag status has been retained for 6 sites around the borough. These are Ashton Gardens, Lowther Gardens, Lytham War Memorial Gardens, Promenade Gardens and Elswick Village Hall & Gardens and Fairhaven Lake & Gardens. Officers continue to work in partnership with numerous community groups around the borough which is leading to more 'In Bloom' awards, more community initiatives and increased quality of environmental standards.






Target YTD figure for St Annes Pool has been surpassed once again. A new improved pool timetable has allowed for more engagement across all ages including children and adults. The new Swim fit class has helped increase engagement levels with adults and introducing shared use of the pool for lane swimming and aqua aerobics has increased participation levels. School swimming lessons saw an increase and the purchase of a pool inflatable allowed for more pool parties which increased engagement with children. Improvements to the reception area where well received by customers

***** PERFORMANCE BELOW TARGET *****






Commentary is provided to explain why performance is currently not on target, with details of any corrective action.

None to report.

PERFORMANCE KEY ICON STATUS

	Over Performance – the indicator is over performing against target
	On Track – the indicator is performing within tolerance of target.
	Cautionary Under Performance – the indicator is moderately under performing. Whilst the indicator has slipped from target it maybe a minor blip overall or minor action will remedy it.
	Under Performance – the indicator is under performing against target.
	Missing Data – the indicator is missing data, this could be due to lag in data in the way the information is collated, or because its currently unavailable.
N/A	Not Applicable – no comparable data available. This could be due to the methodology being change or being a new measure created.

APPENDIX 1: Performance Measures yearend performance (1st April 2017 – 31st March 2018)

Tourism and Leisure						
Local Key Performance Indicators	Frequency	Good Performance Is	APR 2016 MAR 2017	APR 2017 MAR 2018	Year-end Target	Performance Status
PM20: Number of Major parks achieving a 'Green Flag' award	Annual	Bigger is Better	6	6	5	
PM21: Number of community groups supported (including 'in bloom' & 'friends of')	Annual	Bigger is Better	32	30	28	
PM22: Number of 'in bloom' awards achieved by groups working with LA	Annual	Bigger is Better	33	30	28	
PM23: Number of swims at St Annes pool	Monthly	Bigger is Better	108279	97965	97000	
PM94: Number of recorded safety inspections carried out on each unit of children's play equipment	Annual	Bigger is Better	50	49	48	

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	TOURISM AND LEISURE COMMITTEE	7 JUNE 2018	10
CAPITAL PROGRAMME MONITORING REPORT 2017/18 – OUTTURN POSITION 31st MARCH 2018			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

This report sets out details of expenditure on schemes within the Council's approved capital programme for the financial year 2017/18.

SOURCE OF INFORMATION

The report is based upon information on capital programme expenditure on a scheme by scheme basis extracted from the Council's financial ledger system for the period to 31st March 2018.

LINK TO INFORMATION

<http://www.fylde.gov.uk/council/finance/budget-monitoring/2017-18/>

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The purpose of this report is to provide an update of the Council's approved Capital Programme as at the financial year-end, 31st March 2018. The Committee is directed to take particular note of those schemes which are under the Committee's remit.




Further information on the financial outturn position for 2017/18 will be contained within the MTFs Outturn Report to the Finance and Democracy Committee in June 2018.






FURTHER INFORMATION




Contact Paul O'Donoghue (Chief Financial Officer)





e-mail: paul.o'donoghue@fylde.gov.uk Tel: 01253 658566




CAPITAL OUTTURN 2017/18








KEY:  SCHEME DELIVERED TO BUDGET DURING THE YEAR
 SCHEME UNDERSPENT AGAINST BUDGET
 SCHEME OVERSPENT AGAINST BUDGET




APPROVED SCHEMES	Financing Source	Latest Budget 2017/18 £000	Actual Outturn 2017/18 £000	Variance £000	Variance	See key	Slippage Requested £000	Comments
<u>FINANCE & DEMOCRACY COMMITTEE</u>								
Accommodation Project - Phase 6 & 7 - Council Chamber & Internal Refurb / Services	Proceeds from the sale of surplus Council Assets, and the Accommodation Project Reserve	500	500	0	On target		0	The completion of these phases of the scheme, within the approved budget, marks the completion of the internal refurbishment and modernisation of the Town Hall. This has been a major capital scheme, delivered over a number of years, resulting in much improved office accommodation and fit-for-purpose meeting rooms and Council Chamber.
Sub total		500	500	0			0	
<u>TOURISM & LEISURE COMMITTEE</u>								
Fairhaven Lake & Promenade Gardens	Capital Investment Reserve / Direct Revenue Finance	113	108	5	On target		5	Half of the project funding was expected to be required during 2017/18. This level of funding has not actually been required and the balance will now be used in 2018/19, subject to the slippage request being approved.
Development of Play Area - Bridges Playing Field, Warton	S106 Developer Contributions	107	107	0	On target		0	The scheme has been completed within the approved budget during the year.
Fleetwood Road Playing Fields, Wesham	S106 Developer Contributions	25	25	0	On target		0	The scheme has been completed within the approved budget during the year.
Mussel Tank Project	Specific Grant (LSA Civic Society)	130	130	0	On target		0	The scheme has been completed within the approved budget during the year.
Sub total		375	370	5			5	





KEY:  SCHEME DELIVERED TO BUDGET DURING THE YEAR
 SCHEME UNDERSPENT AGAINST BUDGET
 SCHEME OVERSPENT AGAINST BUDGET

APPROVED SCHEMES	Financing Source	Latest Budget 2017/18 £000	Actual Outturn 2017/18 £000	Variance £000	Variance	See key	Slippage Requested £000	Comments
OPERATIONAL MANAGEMENT COMMITTEE								
Replacement Vehicles	Capital Investment Reserve / Borrowing / S106 Developer Contributions / Direct Revenue Finance	1,316	1,297	19	Underspent		19	An operational vehicle, of a bespoke specification, was not delivered to the Council by the year-end. Slippage is requested in this regard and the vehicle is now expected to be received in the early part of the financial year 2018/19.
Fylde Headlands Preliminary Work	Specific Government Grant (Environment Agency)	8	8	0	On target		0	The scheme has been completed within the approved budget during the year.
Public Transport Improvements	S106 Developer Contributions	18	18	0	On target		0	The scheme has been completed within the approved budget during the year.
Fairhaven and Church Scar Coast Protection Scheme	Specific Government Grant (Environment Agency) / Capital Investment Reserve	2,825	2,995	-170	Overspent		-170	Although grant for this scheme may be claimed three months in advance of it being expended, grant may not be claimed beyond the financial year end date. There has recently been an accelerated spend on the scheme towards the end of financial year 2017/18 and the balance of the associated grant was claimed early in the new financial year. Expenditure forecasts will continue to be reviewed as the scheme progresses and adjusted as necessary.
Sub total		4,167	4,318	-151			-151	

KEY:		SCHEME DELIVERED TO BUDGET DURING THE YEAR
		SCHEME UNDERSPENT AGAINST BUDGET
		SCHEME OVERSPENT AGAINST BUDGET

APPROVED SCHEMES	Financing Source	Latest Budget 2017/18 £000	Actual Outturn 2017/18 £000	Variance £000	Variance	See key	Slippage Requested £000	Comments
ENVIRONMENT, HEALTH & HOUSING COMMITTEE								
Disabled Facilities Grants Programme	Specific Grant (Better Care Fund) / External Contributions / Grant repayments	1,255	1,010	245	Underspent		245	This budget has seen a significant increase in central government funding during 2016/17 and 2017/18 which has facilitated the clearance of the backlog / waiting list for disabled facility works. The slippage of £245k reflects the residual balance from 2017/18. An annual monitoring report on DFG's is due to be considered by the Environment, Health and Housing Committee at its next meeting. The £245k is fully allocated and represents the on-going work within the section. The slippage has allowed the service to continue into the current financial year as the Council are still awaiting confirmation and receipt of the 2018/19 DFG allocation.
Housing Needs Grants	DFG Grant Repayments	8	8	0	On target		0	The scheme has been completed within the approved budget during the year.
93 St Albans Road - Compulsory Purchase Order	S106 Developer Contributions	99	89	10	Underspent		0	The scheme has been completed (purchase of the asset) in 2017/18 with a minor underspend.
Affordable Housing Scheme - 93 St Albans Road Refurbishment	S106 Developer Contributions	56	56	0	On target		0	The first phase of the scheme has been completed to budget during the year.
Affordable Housing Scheme - Sunnybank Mill, Kirkham	S106 Developer Contributions	460	460	0	On target		0	The first phase of the scheme has been completed to budget during the year.
Affordable Housing Scheme - Church Road Methodist Church, St Annes	S106 Developer Contributions	275	0	275	Underspent		275	There has been a delay in the transfer of land from the Methodist Church to Great Places Housing Association. The scheme has been awaiting approval from Regional Methodist Church Circuit, which is now expected soon, allowing the scheme to progress in 2018/19, subject to the slippage request being approved.
Affordable Warmth Scheme	Specific Grant (Lancashire County Council)	46	15	31	Underspent		31	The Affordable Warmth Scheme is an ongoing programme funded by Lancashire County Council (LCC). LCC have confirmed that the scheme will continue in 2018/19. The slippage requested is expected to be fully-utilised in 2018/19, if approved.
Sub total		2,199	1,638	561			551	

KEY:  SCHEME DELIVERED TO BUDGET DURING THE YEAR
 SCHEME UNDERSPENT AGAINST BUDGET
 SCHEME OVERSPENT AGAINST BUDGET

APPROVED SCHEMES	Financing Source	Latest Budget 2017/18 £000	Actual Outturn 2017/18 £000	Variance £000	Variance	See key	Slippage Requested £000	Comments
PLANNING COMMITTEE								
Woodlands Road Regeneration Scheme - Town Centre Phase 3	Capital Investment Reserve / S106 Developer Contributions	6	6	0	On target		0	The scheme has been completed within the approved budget during the year.
St Annes Regeneration Schemes	S106 Developer Contributions	170	162	8	Underspent		8	This scheme relates to the refurbishment of St. Andrews Road South in St Annes. It was anticipated that the scheme would be completed by the end of the 2017/18 financial year. However, with the onset of adverse weather conditions in March 2018 the scheme was not fully completed. It will, however, be completed by the end of May 2018.
Staining Regeneration Schemes	S106 Developer Contributions	40	40	0	On target		0	The scheme has been completed within the approved budget during the year.
M55 Link Road - design works	S106 Developer Contributions	387	279	108	Underspent		108	This scheme relates to the detailed technical design of the proposed link road. This work is progressing and payment is being made in stages as work is completed rather than as an upfront payment. Accordingly payments will be spread across two financial years and slippage into 2017/18 in the sum of £137k is now requested. The design works are due to be completed by June. Subject to overall funding agreements being in place tendering by LCC for construction of the new road is due in autumn of 2018.
Sub total		603	487	116			116	
Total Expenditure		7,844	7,313	531			521	