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THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON THURSDAY 4 MARCH 2010. MINUTE NOS. 63 and 65 to 71 ARE NOT SUBJECT TO "CALL-IN".

FORMBY AREA COMMITTEE

MEETING HELD AT THE FORMBY PROFESSIONAL DEVELOPMENT CENTRE, PARK ROAD, FORMBY ON THURSDAY 11TH FEBRUARY, 2010

PRESENT: Councillor Ibbs (in the Chair)
Councillors Cuthbertson, Griffiths and Storey;
Parish Councillor Jenkins and
Mr. P. Thornton, Advisory Group Member.

ALSO PRESENT: Inspector J. McLoughlin (Merseyside Police) and 2 members of the public.

59. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Platt, Parish Councillor Cawley and Mrs. B. Yorke, Advisory Group Member.

60. DECLARATIONS OF INTEREST

No declarations of interest were received.

61. MINUTES OF THE MEETING HELD ON 26 NOVEMBER 2009

RESOLVED:

That the Minutes of the meeting held on 26 November 2009 be confirmed as a correct record.

62. UPDATE ON ACTION FROM PREVIOUS MEETINGS

Ms Sue Ashe, Resource Co-ordinator – Neighbourhoods Division, Planning and Economic Regeneration, reported on action and progress from previous meetings as follows:

(i) Minute No. 33 (2) of 1 October 2009 – Replacement of Stile with a Kissing Gate and Removal of barbed/razor wire on Dune Heath

Ms Ashe indicated that Ms Fiona Whitfield, from the Lancashire Wildlife Trust, was in attendance to give a presentation on the work of the Dune Heath and answer questions thereon. (Minute No. 66 below refers).

(ii) Minute No.46 (iii) of 26 November 2009 – Neighbourhood Police Mobile Telephone Numbers

Councillors had now received mobile phone details from Inspector McLoughlin.

(iii) Minute No.46 (vi) of 26 November 2009 – Larkhill Lane Street Sign

The street sign was now in place.

(iv) Minute No. 47 (2) of 26 November 2009 – Poplar Trees in Duke Street Park

Mrs. Yorke had asked for further information about poplar trees missing from Duke Street Park which she indicated had been planted to commemorate persons 'lost' in the First World War.

Ms Ashe indicated that 89 Poplar Trees had been removed from the park in April 2005 for health and safety reasons, because of their decaying unsafe condition. At that time the Council had been made aware that the trees might have been planted to commemorate persons lost in WW1 and as such had made enquiries to discover their origins. However, after a number of searches of records and by contacting local groups, no further information had been found to link the trees in any way.

Ms Ashe further indicated that between January and March 2005, 20 trees had been planted along the Duke Street Road boundary of the park; and in May 2006 a further 1,500 saplings had been planted in the park as a woodland belt along the Philips Lane boundary.

She concluded by indicating that more recent tree planting had taken place around the park's play areas, with 9 trees having been planted in February 2009 and 18 trees in August 2009.

(v) Minute No. 48 (a) of 26 November 2009 – Open Forum Question by Dr. D. Brennan on flood protection/pumping equipment at the Altmouth Pumping Station

A reply to Dr. Brennan's question had been received from the Environment Agency and was enclosed as Agenda Item. 12 (a). Ms Ashe indicated that Dr. Brennan had subsequently submitted a response to the Environment Agency which had been passed for initial consideration by the Council's Drainage Department. Following discussion with the Drainage Manager it had been suggested to Dr. Brennan that the Environment Agency be requested to attend a future meeting of the Area Committee to discuss flood protection and pumping equipment at the Altmouth Pumping Station and answer questions on the matter. Dr. Brennan had indicated that he would welcome this approach. Dr. Brennan was present at the meeting and concurred that he would be happy for the Environment Agency to attend a future meeting of the Area Committee.

(vi) Minute No. 51 (2) (b) of 26 November 2009 – Shoreline Management Report A3 Plans and Maps

Copies of the maps and plans and a hard copy of the report had been forwarded to Members by the Committee Administrator.

(vii) Minute No. 54 (2) of 26 November 2009 - Involvement of Young People/ Young Advisors in the work of the Area Committee

The Chair and Vice Chair had met with Miss Georgia Jones, the Formby Young Advisor, on 15 January 2010. At the meeting, Miss Jones had updated on the involvement of young advisors in area management and a questionnaire had been completed, the results of which, together with additional background information following Miss Jones's research of other local youth organizations, would be used to start outlining some ideas on how to improve youth involvement with Formby Area Committee. A draft report on the findings and proposals would be submitted to a future meeting.

(viii) Minute No. 55 (2) of 26 November 2009 - reimbursement of £50.00 for litterbin plinth

The £50.00 refund for the litterbin plinth had now been credited to the Area Committee budget.

RESOLVED: That

- (1) the progress and action from previous meetings be noted;
- (2) the Environment Agency be invited to attend a future meeting of the Committee – preferably that on 18 March 2010, to give a presentation and answer questions on flood protection measures in the Formby area; and
- (3) Ms Ashe be thanked for her hard work and success in progressing action from previous meetings.

63. OPEN FORUM

No Open Forum questions had been submitted.

64. POLICE ISSUES

Inspector McLoughlin presented the crime statistics for the Formby Area during December 2009 and January 2010, comparing them with statistics for the same periods in 2007 and 2008 as indicated below:

	Dec 2007	Dec 2008	Dec 2009	Jan 2008	Jan 2009	Jan 2010
All crime	56	35	39	41	51	45
Violent crime	5	4	6	7	6	11

Robbery	1	0	0	0	1	0
Burglary dwelling	4	2	1	3	5	0
Theft of motor vehicle	2	2	0	1	0	1
Theft from motor vehicle	0	3	5	1	8	4
Criminal damage	5	10	6	9	11	9

Referring to the statistics, Inspector McLoughlin also provided a comprehensive report on recent and forthcoming initiatives and actions taken in respect of crime prevention and apprehension in Formby, highlighting the following matters:

- Burglary of dwellings – in a bid to combat an increase in burglary of dwellings (experienced mainly in the South of the Borough, with burglars trying door handles and burgling homes found to be unsecured), the police had set up ‘Operation Handle’ which involved the police themselves trying door handles in neighbourhoods across the Borough and advising residents of the potential risk where doors were found unlocked. In Formby, the doors of 350 homes had been tried, with 20 of these being found to be unlocked. Most of these had been in the vicinity of Alt Road and Redgate which held a particular attraction for thieves coming from out of town, due their proximity to the by-pass. Letters had been sent to all homes in this area warning of the dangers of leaving doors unlocked.
- Incidents of theft from motor vehicles had been relatively low for Formby compared with other areas such as Ainsdale and Birkdale. Inspector McLoughlin referred to a recent trend whereby stolen vehicles had been fitted with false number plates and sold on to unsuspecting purchasers. In a bid to combat this the police were providing non-returnable screws which drivers could use to secure their number plates. The police did not provide a fitting service for this, in case damage to the vehicles was incurred and they were held liable. However, in exceptional circumstances they would provide this service if the vehicle owner signed a disclaimer for any damage incurred.
- Three robberies had occurred at Formby Lower School, the modus operandi for which seemed to indicate that the culprit(s) knew their way round the building. However, the items stolen were marked

with 'Smart Kit', which would render them easily identifiable as school property.

- Following a robbery from the Scout Hut on Rosemary Lane, four youths had been apprehended at Formby Station and subsequently arrested and charged with the offence. The youths were from Crosby, Skelmersdale and Bootle.
- Inspector McLoughlin indicated that he was due to submit Formby's bid for 'Beachsafe' resources during the summer period. There were two quad bikes which were presently based at Crosby, however, efforts were being made to raise funds for further quad bikes, which had proven invaluable in tackling crime on the seafront and open spaces during summer months.

Inspector McLoughlin answered questions and discussion ensued on the following issues:

- the presence of police 'on the beat' in Formby and the necessity for completion of paperwork for recording incidents and processing arrests, which inevitably required police officers to be station based for carrying out this function. The Inspector indicated that each of his officers handled between 10 and 12 cases per month which involved a great deal of paperwork. They were also required to deal with anti-social behaviour issues and liaise and answer questions posed by the local community. He indicated that he was considering undertaking a time and motion study of officers during their work shifts.
- Violent crime statistics appeared to be high for Formby, but Inspector McLoughlin indicated that incidents recorded as 'violent crime' were somewhat misleading as they included such incidents as reports of 'dogs out of control', breaches of ASBOs and breaches of matrimonial order; and in relative terms, Formby was not a violent place. Taking this on board the Committee felt that it would be useful to receive a breakdown of the recorded incidents of violent crime for presenting with the crime statistics at the next meeting.
- the Committee commended the police presence around local shops and Inspector McLoughlin concurred that this had proven beneficial for both the police and public – referring to an incident where a local butcher had directed police officers to a known offender/pilferer whom he had seen entering a nearby charity shop. The Inspector also informed Members of the recent proliferation of thefts of a particular (expensive) brand of self tanning lotion from Boots the Chemist.

RESOLVED: That

- (1) Inspector McLoughlin and his officers be commended for their

efforts in helping keep Formby a safe place in which to live, work and visit;

- (2) Inspector McLoughlin be requested to provide a breakdown of February's violent crime incidents together with the usual crime statistics at the next meeting; and
- (3) Inspector McLoughlin be thanked for his attendance at the meeting and delivery of his report for December 2009 and January 2010.

65. UPDATE ON THE WORK OF THE PRIMARY CARE TRUST

The Committee received a presentation from Mr. Paul Acres, Chair of NHS Sefton on the work of the Primary Care Trust (PCT) and on the key messages around health matters.

Mr. Acres:

- indicated that the PCT had now been in operation for three years and in effect was the NHS for Sefton
- indicated that £500m per year was spent on health care
- referred to the document "Better Health: Better Life" and the consultations undertaken regarding health services
- identified the following priorities for the PCT:
 - (i) improving the health of all residents
 - (ii) reducing health inequalities
 - (iii) improvements to all health services
 - (iv) spending of money wisely
 - (v) engagement with our communities
- indicated that patient waiting times had greatly reduced
- indicated that all national targets had nearly been met
- stated that there was now improved access to G.P.s at weekends and out of hours
- indicated that MRSA and hospital infections had been dramatically reduced
- detailed the provision of new dental services
- stated that one of the major challenges of the PCT was to reduce health inequalities between electoral Wards

- referred to the transformation of community services - looking at the best way of providing services at a local level
- indicated that the PCT was under great financial pressures - £325 million savings had to be made over the next five years

Mr. Acres, along with Dr. Janet Atherton, the Director of Public Health, answered questions from Committee Members on the following topics:

- the cessation of Homeopathy services
- out of hours cover
- the prevalence of Chronic Obstructive Pulmonary Disease (COPD) in Sefton.

RESOLVED: That

- (1) Mr. Acres and Dr. Atherton be thanked for their informative presentation; and
- (2) Councillor Cuthbertson liaise via e-mail with Mr. Acres regarding the withdrawal of homeopathy services.

66. PRESENTATION - LANCASHIRE WILDLIFE TRUST

The Committee received a presentation from Ms Fiona Whitfield, Conservation Officer for the Lancashire Wildlife Trust on the work of the Trust on Freshfield Dune Heath.

Ms Whitfield explained that:

- Freshfield Dune Heath comprised a mixture of lowland dune heath, acidic grassland, woodland and scrub and was the single largest lowland heath site in 'Lancashire'.
- Previously, in the 19th Century, the dune heath had been agricultural land; then in 1908 it was developed into a golf course; in 1941 it was requisitioned to create RAF Woodvale - subsequently used for army training; and in 2004 the heath was purchased from the Ministry of Defence (MoD) by the Wildlife Trust.
- Freshfield's 17 hectares of dune heath comprised 9% of the national total of this very rare habitat, with heather, sand sedge, wavy hair-grass and Sheep's Fescue being the dominant vegetation. However, a number of other specialist plants occurred, including heath grass, heath rush, bird's-foot, heath bedstraw and narrow buckler-fern, with 250 plant species having been recorded so far. In addition, gorse formed an integral part of the heathland landscape and willow scrub was scattered throughout. The Woodland was predominantly birch and pine. The ancient Wham Dyke drained the site, flowing inland into Downholland Brook.

- Almost 1000 species of insect had been recorded, including 300 types of moth - notable species being the northern dune tiger beetle and the goat moth. The spectacular Emperor moth could also be seen flying during the day in late May and early June and 14 species of dragon flies had been recorded.
- Common lizards were frequent; and the rare sand lizard had been recorded close by.
- Many different bird species had been recorded and typical heathland breeding birds included good numbers of whitethroats and linnets. Woodland breeding species included woodcock, blackcap, chiffchaff and willow warbler. Kestrels and Buzzards also hunted the heath. Rarities recorded included the Sardinian warbler, the barred warbler and the firecrest.
- Large numbers of short-tailed field voles occurred, along with shrews, stoats, weasels and foxes. Red Squirrels were frequently sighted in the woodland and a small colony of water voles lived in the Wham Dyke.
- Since 2005 large areas of scrub had been removed in order to restore and extend the dune heath and acidic grassland, and the site was grazed with Hebridean sheep and during the summer by red pole cattle, in order to maintain and improve these habitats. Woodland had been thinned to allow regeneration of the ground flora, and a seven-year cycle of willow coppicing had begun to provide habitat for birds and other plants and animals.

Arising from the presentation and subsequent discussion, Ms Whitfield answered questions on the following issues:

- The replacement of the stile with a kissing gate for the benefit of walkers and visitors to the site.
- The legacy of the barbed and razor wire left by the MoD, the cost implications of removal, the health and safety risks, preventative measures (fencing) taken to prevent the public coming into contact with the wire, the legal implications of leaving it in situ and the possibility of using a local volunteer to remove the wire.
- Removal of brashings and gorse.
- Cutting down of trees and shrubs.
- Drainage of ponds and ditches and possible links to raised water levels on adjoining land.

RESOLVED: That

- (1) Ms Whitfield be thanked for her informative and interesting presentation;
- (2) Ms Whitfield be thanked for arranging the replacement of the stile with a kissing gate on site;
- (3) in respect of the barbed and razor wire left on the dune heath, the Lancashire Wildlife Trust be requested to:
 - (i) seek legal advice about the legal implications of leaving barbed wire and razor wire in situ on the Freshfield Dune Heath;
 - (ii) seek estimates for the cost of removing the barbed and razor wire; and
 - (iii) explore the feasibility of using volunteer help in removing the wire; and
- (4) subject to the outcome of (3) (i) (ii) and (iii) above, the Committee give future consideration to agreeing funding toward the cost of removing the barbed and razor wire on the Freshfield Dune Heath.

67. THORNTON TO SWITCH ISLAND LINK - PUBLIC CONSULTATION AND EXHIBITION

Further to Minute No. 247 of the Cabinet meeting - held on 17 December 2009, the Committee considered the report of the Planning and Economic Regeneration Director which provided details of the progress made on the development of the Thornton Switch Island Link Scheme, including the proposed scheme layout, the proposals for a public consultation and exhibition to be held in February 2010 in advance of the planning application and of initial approaches to landowners to open discussions about land acquisition.

RESOLVED:

That the report be noted.

68. FORMBY FOOTPATH NO. 37 - PROPOSED ORDERS UNDER SECTION 26 AND 118 OF THE HIGHWAYS ACT 1980

The Committee considered the report of the Planning and Economic Regeneration Director on the proposed legal creation of a public footpath

from Range Lane, Formby to the shore, and the proposed extinguishment of the public footpath known as Formby No.37.

The report indicated that since the path had first been recorded the landscape had altered, the shore line had significantly changed and was further west than it was in the 1960's.

The area the path passed through was Ravenmeols Nature Reserve. This site was now designated as a Site of International and National Nature Conservation Importance and a Site of Local Biological or Geological Interest.

Since the site had become a nature reserve, circa 1983, the public had been permitted access to the area with limited restrictions. Various byelaws had been imposed on the use of the area but pedestrian use had not been restricted.

As a consequence Formby Footpath No.37 was no longer the only point of access to the shore from Range Lane and the public had established various walking routes within the site. This had had the effect of reducing use of the original footpath and over time, in places, it had been completely abandoned by the public.

With the reduced use and the impact of the environment the majority of the footpath was no longer evident on the ground. A number of sand dunes had risen on the line of the path and there were large areas of shrubbery that had become established, consequently obstructing it.

The report concluded that pursuant to the Highways Act 1980, Sefton MBC, as the Highway Authority, had a duty to assert and protect the rights of the public for the use and enjoyment of, and to prevent so far as possible the stopping up or obstruction of, all their highways. Therefore, to leave Formby Footpath No.37 in its current state would be a failure in that duty.

In order to resolve this issue and to ensure that the Authority was not failing in its duty, the Committee considered the several options indicated in section 2 of the report.

RESOLVED: That

- (1) the Legal Director be authorised to make concurrent Orders pursuant to the provisions of Section 26 of the Highways Act 1980, for the creation of a footpath known as Formby No.52, as shown on drawing number DC0453 and Section 118 of the Highways Act 1980 for the extinguishment of the footpath known as Formby No.37, as shown on drawing number DC0450;
- (2) if the proposed Orders are unopposed then the Legal Director be authorised to confirm them as such;

- (3) subject to (1) and (2) above, a Definitive Map Modification Order be made under Section 53 of the Wildlife and Countryside Act 1981 to show the effect of the Orders on the Definitive Map and Statement; and
- (4) if the proposed Orders are opposed and referred to the Secretary of State for determination, a request be made to the Inspector that both Orders are either approved or refused.

69. INCE BLUNDELL FOOTPATH NO.6A - REMOVAL OF STILE

The Committee considered the report of the Strategic Director of Regeneration and Environmental Services advising of the instruction for the Farmer at Carr Side Farm, Ince Blundell to remove a timber stile; and the intention of a Borough-wide review of all stiles with a view to making the network of footpaths more accessible.

The report indicated that following a change of ownership the field had reverted back to arable use and there was no longer any need for a stile to prevent the ingress and egress of animals.

RESOLVED:

That the report advising of the removal of the stile on Ince Blundell Footpath No. 6a be noted.

70. RESPONSES TO QUESTIONS RAISED AT PREVIOUS MEETINGS

RESOLVED:

That the responses to questions raised at previous meetings be noted.

71. BUDGET MONITORING REPORT

Further to Minute No. 55 of 26 November 2009, the Committee considered the report of the Planning and Economic Regeneration Director indicating that the balance of the budget available for allocation during 2009/10, including sums set aside for the provision of litterbins and street signs, was £10,423.92.

Details of the allocations made by each ward against the general provision in the current year were set out in section 2 of the report.

RESOLVED: That

- (1) the balance of £10,423.92 of the budget available for further allocation for the rest of the year be noted; and

- (2) an allocation of £150 be approved for the provision of a bicycle marking kit for the identification of stolen bicycles, supplied by the Community Safety Department;
- (3) the following allocations, notified to the Neighbourhoods and Investment Programmes Director since the preparation of his report, be approved:

Scheme	Amount £
Ince Blundell Hall – funding towards the cost of a new boiler	5,000
1 verge tree and guard on Southport Road outside Moss Cottage on the opposite side of the road to the paper shop	To be notified at next meeting
Bench to complement existing planting scheme to be located on Alt Road – between bus stop and end of grassed area (design of bench and exact position to be agreed with Members)	To be notified at next meeting; and

- (4) the Neighbourhoods and Investment Programmes Director be requested to liaise with the Head of Communications to arrange publicity in the local press for the schemes indicated in (2) and (3) above.

72. DATE OF NEXT MEETING

RESOLVED:

That the next meeting of Formby Area Committee be held at **7.00 pm on Thursday 18 March 2010, at the Professional Development Centre, Park Road, Formby**