



## **Fylde Council Annual Parking Report 2019/20**

### **Financial and Statistical Information**

#### **1 Introduction**

Welcome to Fylde Council's Annual Parking Report for 2019/20. This report sets out the off-street parking provision that is provided by the Council and details information relating to income and expenditure plus enforcement statistics associated with the provision of this service.

The weather was changeable through the summer season which meant there were periods where there were many visitors interspersed with periods of less than average visitors. Winter was particularly poor; being wet from mid-November to early March including severe storms through February. Stanner Bank and St Paul's Avenue Car Parks remained closed throughout the year to enable sea defence works to take place around Fairhaven Lake and Granny's Bay. The Town Hall Car Park was closed until end April 2019 for refurbishment with partial closure remaining until end May. Wood Street Car Park was closed for improvement works from late February 2020 until the following financial year. Throughout the year card payments, which were introduced in July 2018, accounted for 16.8% of all transactions and 21.7% of income. In early March 2020 the concern of the impact of Covid 19 increased which resulted in a significant drop in car park use with a full national lock-down encouraged from mid-March and fully implemented from late March. This resulted in virtually no income generated from this period.

During 2018/19 Fylde Council owned and operated 16 car parks spread over Lytham St Annes. Of these 16, 2 were free to use and 14 were charged via pay and display. The car parks comprise a total of 1,374 spaces made of 163 free spaces (88 disabled bays, 7 coach bays and other designated bays including general parking and reserved bays) and 1,211 charged spaces. Further details of the Council's car parks can be found on the Council's website [www.fylde.gov.uk/resident/parking/car-parks](http://www.fylde.gov.uk/resident/parking/car-parks).

Fylde Council aim to meet or exceed the Department for Transport's suggested guidelines on the number of spaces that should be allocated on each car park for use by those with physical mobility issues. Three hours free parking is provided to blue badge holders when parked within designated disabled bays and displaying a parking clock. Further time beyond the 3 hours can be purchased. However if no designated disabled bays are available then blue badge holders are required to pay if they choose to park in a standard bay.

All Fylde Council owned and operated car parks are enforced under the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984 and subsequent amendments. A copy of Fylde Council's Traffic Regulation Order and amendments under which the car parks are

enforced can be found in the Traffic Penalty Tribunal's library - <http://tro.parking-adjudication.gov.uk/>

Fylde Parking Services is led by the Fylde Car Park Strategy, which was formally updated in November 2019. This includes aims, objectives and policies for the service to follow. It also includes targets for the service to be monitored against. These targets, along with the performance against them for 2019/20, are as follows:

**T1 Meet budget expectations (within 5% of original estimate)**

	Original estimate (£)	Actual (£)	% difference
Off-street penalty charges	40,000	41,648	+ 4.12
Pay & display income	575,000	640,593	+11.3
Permit sales	11,950	21,675	+81.38

Pay and display income and permit sales exceeded expectations.

**T2 Response times for both pre Notice to Owner (NtO) Challenges and post Notice to Owner Representations (at least 90% with acknowledgement within 5 working days and full response within 10 working days)**

	Total	Response time within	% difference
Responses to Pre NtO Challenges	592	550	92.91
Responses to post NtO Representations	54	45	83.33

Responses to post NtO representations was below target.

**T3 The number of cases going to the Traffic Penalty Tribunal (no more than 5 per year)**

In 2019/20 3 PCNs that were issued during that period were subsequently referred to the Traffic Penalty Tribunal.

## **2 Financial Performance**

### **2.1 Section 55 (Parking Enforcement Accounts)**

As a local authority which operates Civil Parking Enforcement (as an 'Enforcement Authority') with regards to its own off-street parking provision the Council is required to keep an account of all of its income and expenditure in connection with its off-street enforcement activities. These finances are governed by Section 55 (as amended) of the Road Traffic Regulation Act 1984. The legislation sets out provisions for dealing with any deficits or surpluses in the account at the end of the financial year. Any deficit is to be made good out of the authority's general fund, whilst a surplus can either be carried forward in the

account to the next financial year, or it can be appropriated to the carrying out of a specific project for one of the following purposes:

1. The making good to the general fund of any amount charged to it for the making good of a deficit in the parking account in the 4 years immediately preceding the financial year in question.
2. Meeting all or any of the cost of the provision and maintenance by the local authority of off-street parking accommodation.
3. If it appears to the local authority that the provision in their area of further off-street parking accommodation is unnecessary or undesirable, the following purposes:
  - (i) Meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services, and
  - (ii) The purposes of a highway or road improvement project in the local authority's area.

As Fylde Borough Council is not the local highway or transport authority it is unlikely that any surplus in enforcement revenue would be used for 3(i) or 3(ii) above.

The Council's parking account during 2018/19 performed as follows:

**Report on Fylde Borough Council's Parking Account  
(kept under Section 55 of the Road Traffic Regulation Act 1984 - as amended)  
for the financial year ending 31<sup>st</sup> March 2019**

	2015/16 (£)	2016/17 (£)	2017/18 (£)	2018/19 (£)	2019/20 (£)
<b>Income</b>					
Off-street penalty charges	50,917	44,269	41,828	49,281	41,648
<b>Total Income</b>	<b>50,917</b>	<b>44,269</b>	<b>41,828</b>	<b>49,281</b>	<b>41,648</b>
<b>Expenditure</b>					
CEO Time and Notice Processing Costs	46,138	44,030	48,019*	49,847	46,502
Patrol and TEC Costs	1,507	1,079	1,115	850	1,160
Transport	5,696	4,312	3,532	3,421	6,708
Additional Enforcement Costs (phones, stationery etc...)	97	167	337	678	298
Service recharges	24,632	37,224	36,303	29,629	32,344
<b>Total Expenditure</b>	<b>78,072</b>	<b>86,812</b>	<b>89,306</b>	<b>84,425</b>	<b>87,012</b>
<b>Total Surplus/Deficit</b>	<b>-27,155</b>	<b>-42,543</b>	<b>-47,478</b>	<b>-35,144</b>	<b>-45,364</b>

\*Part of the increase in costs was a result of a one-off investment of £3,100 to replace aging CEO handheld computers and printers

The deficits in the parking accounts were funded from the Council's General Fund.

## 2.2 Off-Street Parking (Car Parks)

Income from off-street parking charges and expenditure on the purchase, maintenance, running and repair of off-street sites are not subject to Section 55 of the 1984 Act (although some of those expenditures can be funded from an end of year surplus in the Section 55

account). The Council's financial performance with regards to off-street parking during 2018/19 was as follows:

### Report on Fylde Borough Council's off-street parking income and expenditure for the financial year ending 31<sup>st</sup> March 2019

	2015/16 (£)	2016/17 (£)	2017/18 (£)	2018/19 (£)	2019/20 (£)
<b>Income</b>					
Pay & display income	580,225	631,125	602,314	678,100	640,593
Contribution for maintenance of 3 <sup>rd</sup> party car park	2,098	2,417			
Permit sales	21,567	21,680	22,220	22,983	21,750
Dispensations	242	268	2,527	263	82
Sale of equipment	3,500				
<b>Total Income</b>	<b>601,632</b>	<b>655,490</b>	<b>627,061</b>	<b>701,346</b>	<b>662,425</b>
<b>Expenditure</b>					
Premises (maintenance and equipment)	43,767	47,646	45,894	44,100	43,600
Supplies and Services	11,499	11,897	11,398	14,573***	19,262
Service recharges	74,786	83,279	87,420	91,401	102,705
Capital Charges	11,903	16,030	12,700	8,414	12,700
Business Rates	83,222	83,911	81,354	70,010****	77,799
Fee Refunds/Income share	24,529	23,921	20,092	19,001	18,811
Capital Works	30,000	28,895	**	60,000	20,000
<b>Total Expenditure</b>	<b>279,706</b>	<b>295,579</b>	<b>258,858</b>	<b>307,499</b>	<b>294,877</b>
<b>Total Surplus</b>	<b>321,926</b>	<b>359,911</b>	<b>368,203</b>	<b>393,847</b>	<b>367,548</b>

\*\*Capital budget of £30,000 was deferred from 2017/18 to 2018/19. The £60,000 in 2018/19 was contribution from the car park capital budget towards the redevelopment of the Town Hall exterior, including car park, which totalled £204,867.

\*\*\*Increase in costs associated with additional ongoing charges related to card payments

\*\*\*\*Reduction in business rates a result of no longer operating Kirkham car parks (saving £8,108) and a rebate of £5,798 related to Kirkham car parks from 2017/18.

The surplus funds raised through the provision of off-street parking facilities are used to offset the costs to the Council of providing services to the public (such as parking enforcement deficit, refuse collection and waste recycling, street cleansing, tourism services, parks maintenance, housing services etc.). Without these surplus funds, those costs would have to be met through Council Tax.

## Statistical performance

### 3.1 Penalty Charge Notices Issued

There is a national list of the parking contraventions for which Civil Enforcement Officers (CEOs) are empowered to issue Penalty Charge Notices (PCNs). Below is a table giving a detailed breakdown of the numbers of PCNs which the Council's CEOs issued in respect of each type of contravention applicable to car parks during 2019/20. Figures for previous years have been included for comparison purposes. Individual contravention codes that are

subject to the higher or lower rates of penalty charge are shown. Higher rates are set at £70 (£35 if paid within 14 days) while lower rates are set at £50 (£25 if paid within 14 days).

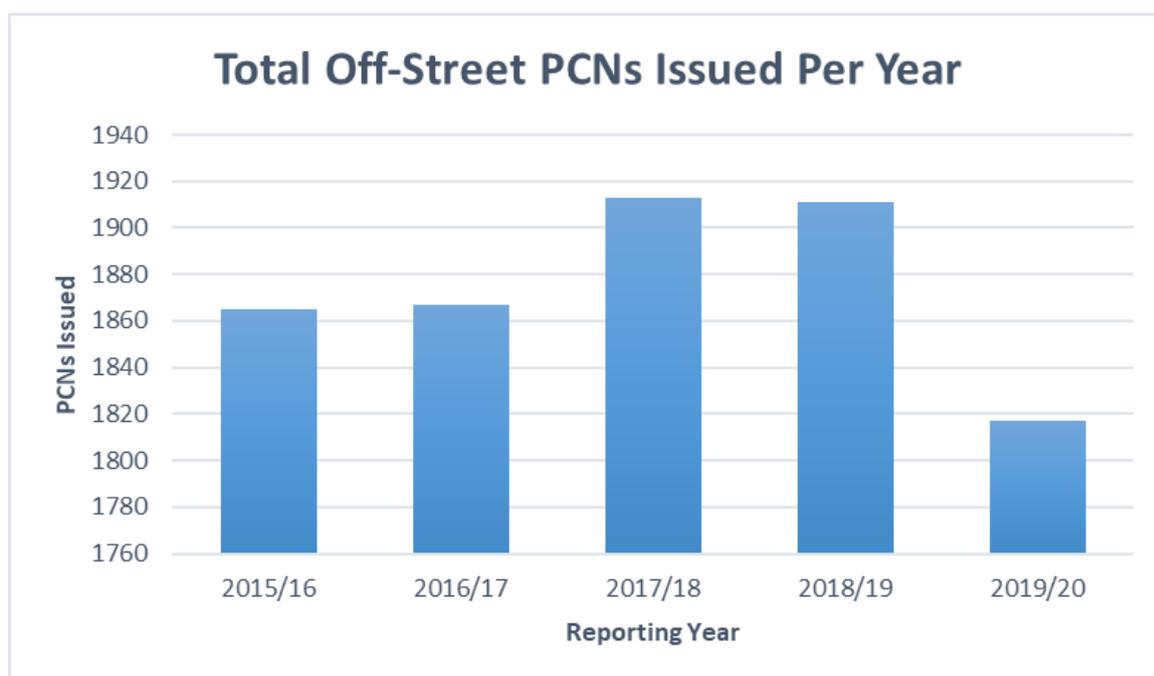
### Number of Penalty Charge Notices Issued For Each Contravention Type

Off-Street (car park) Parking Contraventions						
Code	Contravention Description	PCNs 2015/16	PCNs 2016/17	PCNs 2017/18	PCNs 2018/19	PCNs 2019/20
73 (Low)	Parked without payment of the parking charge	0	0	0	3	0
80 (Low)	Parked longer than the maximum period permitted	2	2	5	5	8
81 (High)	Parked in a restricted area in a car park	6	14	3	7	66
82 (Low)	Parked after the expiry of paid for time	426	314	408	291	295
83 (Low)	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	1,119	1,192	1,248	1,369	1,226
85 (High)	Parked in a permit bay without clearly displaying a valid permit	26	69	24	30	22
86 (Low)	Not parked correctly within the markings of a bay or space	54	76	59	58	78
87 (High)	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	187	182	154	136	107
89 (High)	Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area	0	0	0	0	1
91 (High)	Parked in a car park or area not designated for that class of vehicle	44	16	12	12	12
92 (High)	Parked causing an obstruction	0	0	0	0	2
94 (Low)	Parked in a pay & display car park	1	2	0	0	0

	without clearly displaying multiple valid pay and display tickets when required					
	Number of higher rate off-street PCNs issued	263	281	193	185	210
	Number of lower rate off-street PCNs issued	1,602	1,586	1,720	1,726	1,607
	<b>Total number of off-street PCNs issued</b>	<b>1,865</b>	<b>1,867</b>	<b>1,913</b>	<b>1,911</b>	<b>1,817</b>

### Total Off-Street PCNs Issued Per Year

Reporting Year	2015/16	2016/17	2017/18	2018/19	2019/20
PCNs Issued	1,865	1,867	1,913	1,911	1,817



There was a slight drop in the number of PCNs issued in 2019/20 compared to previous years, predominantly as a result of visitors being deterred from early March 2020 as a result of Covid 19 with enforcement ceasing when lockdown was introduced.

### 3.2 Progression of PCNs

The following table details the ways in which PCN cases had progressed as of January 2021.

Progression of cases	2015/16	2016/17	2017/18	2018/19	2019/20
<b>Total number of PCNs issued</b>	<b>1865</b>	<b>1867</b>	<b>1913</b>	<b>1911</b>	<b>1817</b>
PCNs paid at 50% Discount	1233 (66.11%)	1196 (64.06%)	1264 (66.07%)	1211 (63.37%)	1112 (61.20%)

PCNs paid at full amount (before issue of Charge Certificate)	120 (6.43%)	124 (6.64%)	121 (6.33%)	113 (5.91%)	128 (7.04%)
PCNs paid after issue of Charge Certificate (full amount + 50%)	89 (4.77%)	90 (4.82%)	91 (4.76%)	72 (3.77%)	73 (4.02%)
<b>Total PCNs paid</b>	<b>1442 (77.31%)</b>	<b>1410 (75.52%)</b>	<b>1476 (77.16%)</b>	<b>1396 (73.05%)</b>	<b>1313 (72.26%)</b>
<i>Number of Pre NtO Informal Challenges</i>	568	597	567	714	639
Number of Informal Challenges resulting in PCN cancellation	319 (17.11%)	358 (19.18%)	339 (17.72%)	394 (20.62%)	401 (22.07%)
<i>Number of Post NtO Formal Representations</i>	151	110	78	80	82
Number of Formal Representations resulting in PCN cancellation	22 (1.18%)	11 (0.59%)	11 (0.58%)	12 (0.63%)	16 (0.88%)
<i>Number of TPT Appeals</i>	5	2	2	7	3
Number of TPT appeals resulting in PCN cancellation	0 (0.00%)	2 (0.11%)	2 (0.11%)	4 (0.21%)	2 (0.11%)
Number of PCNs cancelled for other reasons (eg owner untraceable, enforcement agent unable to collect etc...)	82 (4.40%)	86 (4.61%)	85 (4.44%)	95 (4.97%)	49 (2.70%)
<b>Total PCNs cancelled</b>	<b>423 (22.69%)</b>	<b>457 (24.48%)</b>	<b>437 (22.84%)</b>	<b>505 (26.43%)</b>	<b>468 (25.76%)</b>
<b>Total PCNs outstanding (still to pay or be cancelled)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>0 (0%)</b>	<b>10 (0.52%)</b>	<b>36 (1.98%)</b>

Of the PCNs that are issued each year, between 70% and 80% are paid. Of those that are paid the vast majority do so within 14 days of the PCN being issued to take advantage of the discount period. 22% to 27% of issued PCNs are cancelled, the majority as a result of an Informal Challenge within 28 days of the PCN being issued.

#### 4 Adjudication cases

A motorist who has had their challenge against a PCN rejected by the Council has the right to appeal against that decision to an Adjudicator at the Traffic Penalty Tribunal (TPT). The TPT is an independent tribunal whose impartial, independent Adjudicators are lawyers who have been appointed to consider and decide upon appeals against parking penalties.

For PCNs issued during 2019/20 3 cases were registered by TPT for adjudication, equal to 0.17% of all PCNs issued during the year. Of these 1 was dismissed (ie in favour of Fylde Council), 1 was 'not contested' and 1 was allowed (ie in favour of the appellant).

Adjudicator's reports for previous years can be accessed on the tribunal's website [www.trafficpenaltytribunal.gov.uk/downloads](http://www.trafficpenaltytribunal.gov.uk/downloads). These reports provide information for each local area as well as an assessment of any changes that have occurred over the previous year which impacts on parking enforcement and the decisions that adjudicators may make.