



Agenda

Operational Management Committee

Date:	Tuesday, 10 March 2020 at 18:30
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Roger Small (Chairman) Councillor Tommy Threlfall (Vice-Chairman)</p> <p>Councillors Mark Bamforth, Julie Brickles, Alan Clayton, Chris Dixon, Will Harris, Paul Hodgson, John Kirkham, Kiran Mulholland, David O'Rourke, Stan Trudgill.</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 14 January 2020 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 23(c).	1
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	INFORMATION ITEMS:	
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Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	10 MARCH 2020	4
ENVIRONMENTAL ENFORCEMENT OPTIONS – PILOT SCHEME			

PUBLIC ITEM

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

SUMMARY

A key priority for Fylde Council is to create clean, safe and healthy communities and to maintain high quality parks and open spaces. This means ensuring that the environment remains clean and free of litter and dog fouling. Unfortunately, despite a pro-active approach and the great work of many partners, there are continued challenges to achieving a clean borough, with some irresponsible individuals choosing to carryout anti-social behaviour such as littering, dropping cigarette butts and chewing gum, failing to pick up after dogs or letting dogs run out of control or off the lead in restricted areas. Councillors have asked Officers to investigate alternative means of combatting anti-social environmental crime through enforcement. Based on best practice elsewhere, and networking with other authorities, it has emerged that the private sector can complement the services of Local Authority Officers by offering a more targeted approach. District Enforcement is an organisation currently working collaboratively with several Lancashire districts to address environmental crime issues such as dog fouling, littering and other dog control measures under the Public Space Protection Orders, and delivering some great outcomes. The report recommends that Fylde enter into a 12-month pilot agreement with District Enforcement to deliver specialist enforcement services to complement and enhance the level of targeted enforcement currently possible within existing resources.

RECOMMENDATIONS

1. That Members approve a 12-month environmental enforcement trial with District Enforcement ('District'), on a cost neutral basis and with no financial risk to the council;
2. That delegated authority for fully trained staff of District be given to issue Fixed Penalty Notices (FPNs) on behalf of the council for the duration of the agreement;
3. To increase the littering fine from £75 to £100, with a discounted option of £80 if the fine is paid within 10 days;
4. That the agreement is dealt with under the procedure for exempt contracts under contract procurement rule 1 on the grounds that the value of the service does not exceed £189,330 and will be awarded on Contracts Finder;
5. Delegate the final detail of the pilot arrangements to the Director of Resources in consultation with the Head of Health and Environment and the Environmental Health Manager who will monitor the pilot and report performance to this committee.

SUMMARY OF PREVIOUS DECISIONS

N/A

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. Creating clean, safe and healthy communities and maintaining high quality parks and open spaces is a priority for the council. This means ensuring that the environment remains clean and free of litter and dog fouling. The Operational Services and Parks staff do excellent work with partners in keeping the Borough clean, with regular compliments received from local residents and visitors to the area.
2. There are over 700 litter bins located across the borough emptied daily throughout the year, with increased frequency during the warmer weather and events season. There are also 40 bins located on the beach to help people to dispose of their waste responsibly. In addition to the bins, there is a team of mobile litter pickers and street sweepers operating across the Borough.
3. The service also responds reactively to reports of litter and dog fouling to ensure that the borough remains clean and tidy whilst the Dog Wardens inform, educate and enforce dog related enviro crimes under the Public Space Protection Orders.
4. Unfortunately, there are continued challenges to achieving a clean borough, with some irresponsible individuals choosing to carryout anti-social behaviour such as littering, dropping cigarette butts and chewing gum, failing to pick up after dogs or letting dogs run out of control or off the lead in restricted areas.
5. These types of environmental crimes are emotive and cause concern for residents and businesses alike, with street cleanliness and irresponsible dog ownership in the local community common themes on social media platforms. The council has taken a supportive, awareness and educational approach delivering campaigns aimed at highlighting environmental crimes and encourage prevention through responsible waste disposal and dog ownership, to work with partners in helping reduce the instances of environmental crime.
6. Sustaining the standard of cleanliness in all areas of the Borough to the level the customer wants to see cannot be achieved within current resources while those who choose not to dispose of litter properly or pick up after dogs remain determined to do so. Councillors have asked officers to investigate alternative means of combatting anti-social enviro crimes, with an emphasis on enforcement.
7. Several local authorities have addressed this issue by working in partnership with private sector organisations that specialise in enviro crime enforcement. A national organisation called District Enforcement (District) currently works collaboratively with several Lancashire districts providing targeted enforcement, the outcomes have been successful in reducing the number of enviro crime through an effective deterrent. District have well trained professional experienced officers who engage with communities whilst on patrol to tackle enviro crime with the same commitment to achieve a cleaner environment as the council.
8. District's enforcement model is based on issuing 'on the spot' Fixed Penalty Notices (FPN's) for agreed environmental offences with an approximate 8,500 FPN's issued per annum across all current contracts with an average 75% payment rate. This is recognised across the industry as an extremely successful payment rate.
9. The basis for District's FPN model is:

- a. Robust leadership - all teams have a Sector Leader, Team Leader and Senior Enforcement Officer
 - b. Highly trained staff that are solely employed for environmental enforcement
 - c. An agreed deployment strategy ensuring all public/Member complaints have been investigated and “hot spot” areas patrolled
 - d. All FPNs are issued on the spot and are accompanied by high definition body worn camera footage to support the case and safety of officers
 - e. Increased payment rates owing to their ability to obtain accurate offender details at the ‘point of issue’ by contacting the District Ops Support Team. The Ops Support Team has access to the Lexus Nexis System, which can search up to 160 open source databases e.g. electoral role and credit agency records
 - f. Robust Processes – ensuring that non-paying offenders receive reminder letters on day 14 and day 21. All representations are investigated and closed in a timely manner and non-paying offenders are prosecuted if the FPN has not been paid
 - g. Robust Quality Assurance processes for every step of the FPN process
 - h. Clear transparency of all systems giving the Council open access to all FPNs issued, letters sent, representations received and responses, prosecution files and officer witness statements along with body worn camera footage for all issued FPNs.
10. District deliver an “end to end” cost neutral environmental crime service funded through the income from the FPN’s with no upfront payment by the council. District will dedicate 75% of all patrolling hours to the core offences of littering, vehicle litter, dog fouling and the enforcement of Public Space Protection Orders. The remaining 25% will be dedicated to specific environmental crime issues including: increased parks and green space patrols; investigating dog fouling complaints; alley-way dumping; fly tipping; engaging with the public; carrying out surveys; and presenting to local schools.
 11. District were invited to an elected member briefing session in February to present information about the organisation, their services, their methodology and their successes. This included the opportunity for members to ask any questions about the service, the company or the specific proposal tailored to meet the needs of this council. The briefing was well attended by members and feedback received following the session indicated that the majority of members present would support a 12-month pilot agreement with District.
 12. The proposed model for Fylde is cost neutral for the authority and offers least risk, District would collect and retain all revenue from the FPN’s to support the operation. The objective for the council is not income generation but to challenge inappropriate behaviour by the minority of people and to promote a clean, green borough.
 13. The model is based on a forecasted payment rate of 75% with the council’s current FPN fine for littering set at £75; dog fouling and other dog control offences set at £100 with the introduction of the Public Space Protection Orders in October 2017, without discount for early payment. These fees have been reviewed in comparison to other local authorities and best practice in terms of payment options. In 2019 the maximum fine for littering increased to £150, in recognition that littering is a blight and the fine should reflect the scale of the problem. It is proposed the littering fine is increased to £100, with a discounted option of £80 if the fine is paid within 10 days of being issued.
 14. Cases of non-payment will be taken for prosecution because the actions are criminal offences, District will be entitled to claim back costs associated with the enforcement work and the offender would get a criminal record. District would produce the prosecution files and the council would take the cases to Court, the District officers would undertake the whole process and handle complaints; with council officers undertaking audit reviews and spot checks.
 15. District will dedicate the following resource to cover the borough, 10 hours per day, 7 days per week – total patrolling hours 200 per week which equates to 10,400 hours per year:
 - 1 x Team Leader (with experience from the Wyre contract)

- 2 x Enforcement Officers
- 2 x Mobile officers – to provide additional cover for busy days and big events
- 7 days a week remote administration (7am to 7pm).

All employees undergo satisfactory right to work in the UK checks, enhanced DBS Clearance and other probity Legislative checks consistent with the recruitment practices in place at Fylde.

16. Officers will patrol all areas of the borough, guided by intelligence from council officers to address hot spot areas, respond to complaints from customers and target areas of heavy footfall; with a minimum of 25% of their time spent in parks and open spaces.
17. District are keen to work with the local community and recognise that in Fylde there are many voluntary and community groups that play an active role in keeping the local area clean and green, they will implement engagement and education initiatives such as 'Bin it to win it' and the creation of a small social value fund to support local groups. District will provide additional specialist training to council officers including enforcement training to frontline officers and undertake joint initiatives to tackle issues in hot spot areas.
18. District have committed to offering other back office support with access to systems and equipment; which will reduce the administrative burden on council officers creating capacity redirect attentions into the community being proactive and investigating fly tipping and other offences.
19. District would be seeking to work with partner agencies to address offences by young people under the age of 18 years (primarily 16 to 17-year olds) to give them an option of paying the fine or attending an organised litterpick in their community. They would seek consent from parents in advance through a home visit. The parents of young offenders aged 15 years and below will receive a letter explaining that their child has dropped litter and the consequences that may follow in the future if their behaviour doesn't change.
20. The company operates an education to schools' campaign and the management team will be working with Fylde schools to deliver presentations to students, raising awareness of the consequences of enviro-crimes.
21. The pilot, if approved, would run for a period of 12 months after which a full review of the service will be undertaken to inform this committee whether a further agreement should be entered into. The pilot can be implemented within 6 to 10 weeks of approval, a termination notice period for both parties, at any point in the 12-month pilot, will be 60 days.
22. District are externally accredited to ISO9001 quality management standards which ensures standard operating procedures are in place to govern how they deliver the service specification. They are Safe Contractor certified with internal procedures designed to provide exceptional levels of service across all aspects of the company. District will meet all requirements of the General Data Protection Regulations and appropriate Data Sharing Agreements will be agreed.
23. District have completed their own Data Protection Impact Assessment (DPIA) with regards to the use of Body Worn Video (BWV) which has been independently assessed as compliant with the Surveillance Camera Commissioner's Code of Practice. District has indicated that the Commissioner is therefore satisfied the use of BWV is both lawful and legitimate with adequate controls in place. Further information with regards to their accreditation is available on the Gov.uk website.
24. If approval is granted for the pilot scheme to go ahead the authority, the data controller, will need to conduct our own DPIA as the data from the cameras will be processed for our purposes. District will be the data processor and must process the data in accordance with our direction, ensuring compliance with GDPR.
25. It is proposed that the pilot agreement is dealt with under the procedure for exempt contracts under contract procurement rule 1 as follows:

1.2. These rules shall not apply or may be varied where or to the extent that:

- I. The Council or the relevant Committee so resolves;

This option may be chosen providing that:

- The value of the service do not exceed £189,330 (OJEU Threshold for supply and service contracts) to ensure compliance with the Public Contract Regulations 2015;

- The contract is awarded on Contracts Finder

26. Members of the Operational Management Committee are asked to debate and consider the following Officer recommendations:

1. That Members approve the 12-month environmental enforcement trial with District Enforcement ('District'), on a cost neutral basis and with no financial risk to the council;
2. That delegated authority for fully trained staff of District be given to issue Fixed Penalty Notices (FPNs) on behalf of the council for the duration of the agreement;
3. Increase the littering fine from £75 to £100, with a discounted option of £80 for littering if paid within 10 days;
4. That the agreement is dealt with under the procedure for exempt contracts under contract procurement rule 1 on the grounds that the value of the service does not exceed £189,330 and will be awarded on Contracts Finder;
5. Delegate the final details of the pilot to the Director of Resources in consultation with the Head of Health and Environment and the Environmental Health Manager.

IMPLICATIONS	
Finance	The proposed pilot scheme can be delivered at no cost to the Council. The enforcement activity would be undertaken by the external partner, District Enforcement, who will retain the income from the fines that are levied to offset the costs of that activity.
Legal	Local Authorities are empowered under the Environmental Protection Act 1990: Section 88 to operate Fixed Penalty Schemes for littering and The Anti-Social Behaviour, Crime and Policing Act 2014 for breaches of Public Space Protection Orders. The council has the power to authorise a Contractor to undertake these duties on their behalf.
Community Safety	Increased environmental enforcement to tackle low level ASB and enviro-crime will have a positive impact
Human Rights and Equalities	No implications
Sustainability and Environmental Impact	Increased environmental enforcement to tackle low level ASB and enviro-crime will have a positive impact
Health & Safety and Risk Management	No implications

LEAD AUTHOR	CONTACT DETAILS	DATE
Kathy Winstanley	Kathy.winstanley@fylde.gov.uk ; 01253 658634	20 th February 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
N/A		

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	10 MARCH 2020	5
PLEASANT STREET PUBLIC CONVENIENCES REFURBISHMENT			

PUBLIC ITEM

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

SUMMARY

This report details the approved plan to refurbish the public conveniences facility on Pleasant St, Lytham, to clear all current fixtures from ladies, gents and disabled units, deep clean and repair all surfaces and reinstate modern fixtures. New time-controlled doors will be fitted as well as entry turnstiles to ladies and gentlemen's units to enable payment to be collected from customers which will contribute to the upkeep of the facility.

RECOMMENDATIONS

The committee is recommended:

1. Subject to the decision made at Budget Council on 4th March 2020, to approve the expenditure from the 2020/21 capital scheme for the refurbishment of Pleasant Street public conveniences and to award the contract for works up to the value of £82,000 to the contractor nominated through a tender process via the Chest. Details of the winning tender and the quoted value of work will be supplied to Committee members prior to the meeting of 10th March 2020; and
2. To agree that, following the refurbishment of the conveniences, the usual fee of £0.20 per visit will be applied in respect of the Pleasant St public conveniences.

SUMMARY OF PREVIOUS DECISIONS

[Operational Management Committee, 31st May 2016](#)

Resolved:

To approve commencement of the works to upgrade the North Promenade Car Park Public Conveniences and to approve capital expenditure of up to £84,000 for this purpose. This scheme was included within the approved Capital Programme for delivery in 2016/17

[Operational Management Committee, 14th January 2020](#)

Resolved:

To support the capital bids relevant to the Committee's Terms of Reference (in the order of priority as detailed in Appendix A of the report) for further consideration by the Budget Working Group.

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. There is no statutory requirement to provide public conveniences. However, the Public Health Act 1936 allows local authorities to 'provide sanitary conveniences in proper and convenient situations.'
2. In 2005, in response to the Disability Discrimination Act (now covered by the Equalities Act), all Council-owned public conveniences were reviewed to assess whether they complied with legislation. Members took the decision, based on available finances, to upgrade 9 facilities and keep open a further 2 (Pleasant St in Lytham and Church St in Kirkham) that were compliant. Three facilities were closed though one of these, North Promenade, was subsequently upgraded and reopened in 2016. Wrea Green public convenience was transferred to the Parish Council. The new Splash Park public conveniences are due to be installed and opened before Easter 2020.
3. The 10 upgraded facilities charge for use of standard units. The charge is currently set at £0.20. Customers who hold a RADAR toilet key have complimentary use of the facilities.
4. The physical structure of Pleasant St public convenience in the centre of Lytham is in good condition and well maintained by the council. The toilets are well used with the internal facilities maintained to an acceptable operational standard through a cleansing contract with Danfo. Despite this, the fixtures and fittings have not been updated for some considerable time and have deteriorated so are now in a poor and unattractive condition and unlike most of the Council operated public conveniences, no income is generated to contribute towards the cleaning and maintenance of the facilities.
5. A capital bid was considered by the Operational Management Committee to refurbish Pleasant St public convenience, including the installation of turnstiles to enable payment to be made to use the facility, on 14th January 2020 and was supported by members of the committee for the capital funding to be allocated for the suggested works. The project was included as part of the 200/21 capital budget proposal to be considered at Budget Council on 4th March 2020.

REFURBISHMENT SPECIFICATION

6. The specification for the refurbishment works is set out in Appendix 1. New fixtures will be installed which are vandal proof where possible, will use less water and be more energy efficient. Toilet cisterns will have sensor controlled flush buttons and entrance doors will have timed opening and closing. Baby changing units will be installed in each of the three units (ladies, gents and disabled). All retained surfaces will be deep cleaned, painted and repaired as required. The new turnstiles will initially only accept cash payment but have been specified to enable future retrofitting of a card reader to enable cashless payments.

PROCUREMENT

7. Officers from the Technical Services team have led the procurement process. The tender has followed the 'closed tender procedure' whereby 4 selected contractors are invited to tender for the works, using the CHEST procurement portal. The works contract will be a Joint Contracts Tribunal (JCT) Minor Works Building Contract and the closing date for the tenders was March 4th 2020.
8. The evaluation of the bids will be based on the 'most economically advantageous tender' and scored 70/30 price/quality. Indicative procurement timescales are below:
 - Award of Contract From 16th March 2020

- Commence on Site
- Completion

From 20th April 2020
By 22nd May 2020

The dates for the work to be carried out avoids the key school holiday periods of Easter and Summer Half Term while ensuring work is completed before the main summer tourist season starts.

- At the time of drafting this report the tender process was ongoing. The deadline to receive tenders was 4th March 2020 and it is intended that they will be reviewed by 6th March to select the successful tender. Details of the winning tender will be forwarded to Committee members prior to the meeting on 10th March 2020.

FINANCIAL IMPLICATIONS

- Subject to the meeting of Budget Council on 4th March 2020, the approved Capital Programme will include a sum of £82,000 in 2020/21 for the refurbishment of Pleasant St public conveniences.
- The budgeted amount of £82,000 was based on an estimate provided by Danfo, the price of the successful tender will be communicated to the committee ahead of the meeting. The Danfo estimate is set out in Figure 1.

Description	Estimate £000
Ladies Refurbishment	26
Gents Refurbishment	22
Disabled Refurbishment	7
BWIC Costs	15
Turnstile purchase and install	12
Total	82

Figure 1 budget quote costings

CONCLUSION

- To enable the refurbishment works to be completed prior to the 2020 summer season the Operational Management Committee is asked to award the contract to the preferred contractor selected through the tender procedure.
- To enable income to be generated via the new turnstile system, to agree that the usual fee of £0.20 per visit will be applied to Pleasant St public convenience.

IMPLICATIONS	
Finance	This report requests approval that, subject to the decision to be made at Budget Council on 4 th March 2020, to approve the expenditure from the 2020/21 capital scheme for the refurbishment of Pleasant St public conveniences and to award the contract for works budget, up to the value of £82,000 to the contractor nominated through a tender process via The Chest. Following the refurbishment of the conveniences it is further proposed that the usual fee of £0.20 per visit will be applied in respect of the Pleasant St public conveniences.
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	There is predicted to be reduced water and electric consumption at this facility.
Health & Safety and Risk Management	None

LEAD AUTHOR	CONTACT DETAILS	DATE
Andrew Loynd	andrew.loynd@fylde.gov.uk 01253 658527	25 February 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection

Attached documents

Appendix 1 Pleasant St Briefing Document



STANDARD BRIEFING DOCUMENT

JCT Minor Works Building Contract

Pleasant Street Public Conveniences Refurbishment

CONTENTS

Standard Briefing Document

STANDARD BRIEFING DOCUMENT

1. This briefing document has been prepared to provide information to invited contractors regarding the works as outlined in section 6.

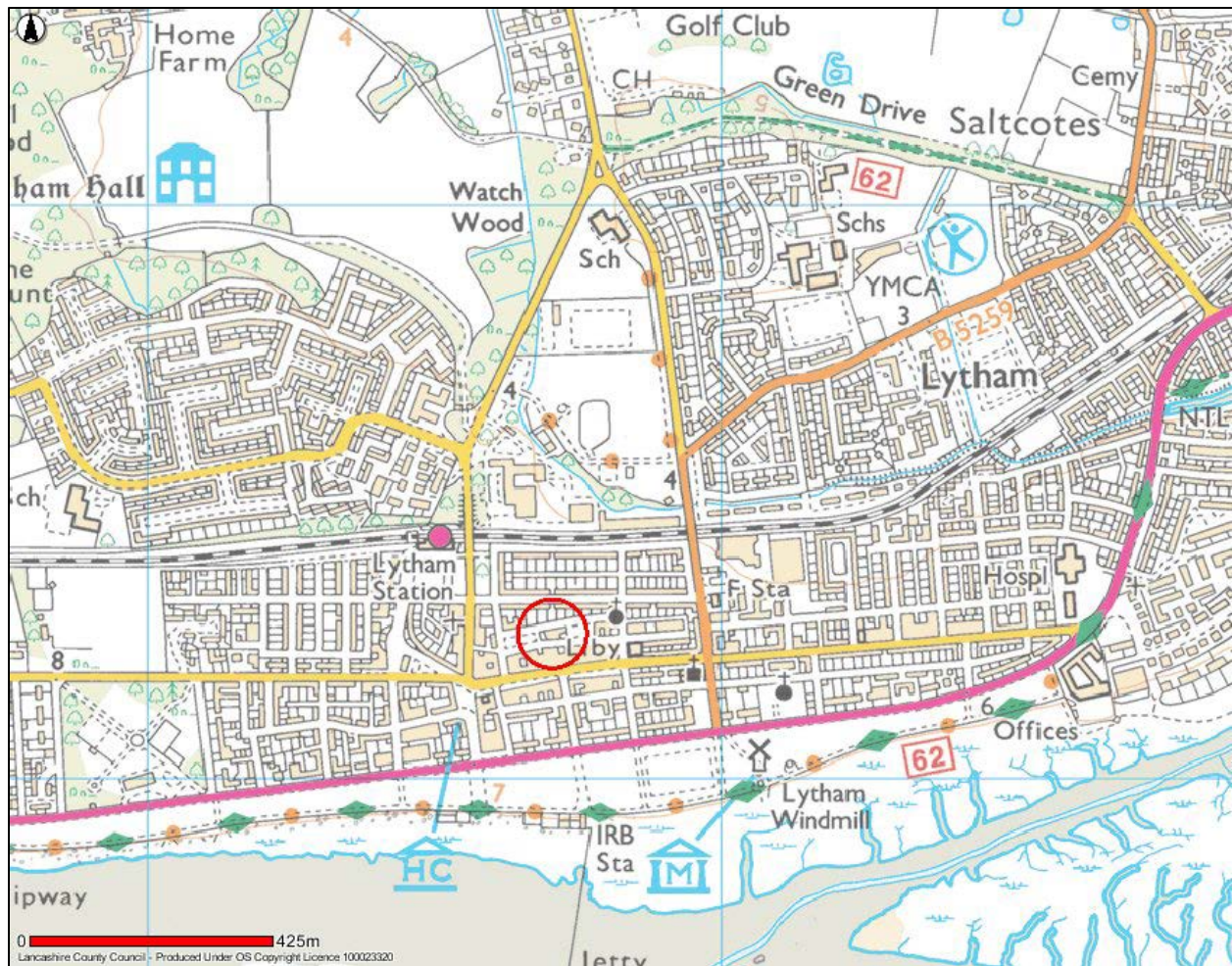
Location

Pleasant Street Public Conveniences

North Clifton Street, Lytham, Fylde, Lancashire, North West England, England

Nearest postcode FY8 5HW

Grid SD 36708 27247



The Brief

2. Fylde Council, as part of the ongoing building maintenance program, has identified Pleasant Street Public Conveniences to be refurbished. The refurbishment is to the internal of the building and encompasses a full refit of the Gents, Ladies and Disabled toilets as per the brief.

The Site

3. The building is owned by Fylde Borough Council. The adjacent car parks are also Fylde Borough Council property and can be used as contractor parking. This is to be detailed further on contract award.
 - 3.1. Access to the site is from either Westby St or North Clifton St, both off Pleasant Street, Lytham.
 - 3.2. The works are located within a residential area.
 - 3.3. Site working hours are to be 08:00-18:00 to reduce the impact of the work on local residents. Works outside of these hours are to be agreed with the client in advance. No Sunday working permitted.
 - 3.4. The site is situated within a busy location of Lytham. In specific note to the adjacent buildings, disabled visitors are frequent.
 - 3.5. It is the responsibility of the Contractor to adequately fence off and sign the works. Furthermore, security of equipment and machinery is also the contractor's responsibility.
 - 3.6. The contractor shall provide safety signage.

General Scope of Works

4. Fylde Borough Council require the refurbishment works to be completed by 31st May 2020.
 - 4.1. Brief overview of the Main Contractor Works, not exhaustive:
 - 4.2. **Ladies toilet Refurbishment**
 - 4.2.1. Remove existing cubicles and make good all adjoining surfaces.
 - 4.2.2. Install 4 x Ultra SGL Toilet Cubicles (Wet Area & High Abuse Range).
 - 4.2.3. Remove 4 x old toilet pans, form a back panel with SGL and fit 4 x wall hung, stainless steel, vandal proof, mid-range pans.
 - 4.2.4. Fit sensor controlled flush buttons.
 - 4.2.5. Fit new cisterns.
 - 4.2.6. Paint the ceiling with emulsion, colour TBC (to be confirmed at pre-start meeting).
 - 4.2.7. Remove sinks.
 - 4.2.8. Build stud walling across sink unit space and install 2 x "Thrii" Wallgate hand washing systems.
 - 4.2.9. Deep clean all wall tiles and replace any damaged tiles, allow for loss of 10% p.c. sum.
 - 4.2.10. Deep clean floor tiles.
 - 4.2.11. Remove and replace baby changing unit with plastic folding changing table
 - 4.2.11.1. Replace entrance door with a "Shucco" aluminium door with wood effect laminate panel with Ladies etched symbol. Include for all ironmongery.
 - 4.2.12. Install timed opening and closing.
 - 4.2.13. Remove all spoil from site

4.2.14. All surfaces to have graffiti removed and to be left in a clean and tidy condition before handover

4.3. Gentlemen's toilet Refurbishment

- 4.3.1. Remove existing cubicles and make good all adjoining surfaces.
- 4.3.2. Install 2 x Ultra SGL Toilet Cubicles (Wet Area & High Abuse Range).
- 4.3.3. Remove 2 x old toilet pans, form a back panel with SGL and fit 2 x wall hung stainless steel vandal proof mid-range pans.
- 4.3.4. Remove urinal system and make good surfaces
- 4.3.5. Fit sensor controlled flush buttons.
- 4.3.6. Fit new cisterns.
- 4.3.7. Paint the ceiling with emulsion, colour TBC.
- 4.3.8. Remove sink unit.
- 4.3.9. Build stud walling across vanity unit space and install 2 x "Thrii" Wallgate hand washing systems.
- 4.3.10. Deep clean all wall tiles and replace any damaged tiles, allow for loss of 10% p.c. sum.
- 4.3.11. Deep clean floor tiles.
- 4.3.12. Fit 3 x individual waterless, mid-range, vandal proof urinals and cisterns
- 4.3.13. Remove and replace baby changing unit with plastic folding changing table
- 4.3.14. Replace entrance door with a "Shucco" aluminium door with wood effect laminate panel with Gents etched symbol. Include for all ironmongery.
- 4.3.15. Install timed opening and closing.
- 4.3.16. Remove all spoil from site.
- 4.3.17. All surfaces to have graffiti removed and to be left in a clean and tidy condition before handover

4.4. Disabled toilet Refurbishment

- 4.4.1. Remove old fixtures and fittings
- 4.4.2. Fit Doc M pack
- 4.4.3. Fit 1 x mid-range vandal proof SS Hand Dryer.
- 4.4.4. Fit 1 x mid-range vandal proof SS sink.
- 4.4.5. Deep clean wall tiles allow for loss of 10% p.c. sum.
- 4.4.6. Deep clean floor tiles.
- 4.4.7. Paint ceiling with emulsion, colour TBC.
- 4.4.8. Install baby changing unit with plastic folding changing table
- 4.4.9. Replace entrance door with "Shucco" aluminium door with wood effect laminate panel with Disabled etched symbol. Include for all ironmongery and Radar assembly.
- 4.4.10. Remove all spoil from site.
- 4.4.11. All surfaces to have graffiti removed and to be left in a clean and tidy condition before handover.

4.5. Supply and Install Turnstiles

- 4.5.1. 2 x tripod turnstiles, 430mm width opening, with the following features:
- 4.5.2. 304 Grade stainless steel construction
- 4.5.3. Integrated secure cash collection section with cash bag
- 4.5.4. Anti-reverse gear pawl
- 4.5.5. LED for customer feedback
- 4.5.6. Strong and reliable construction

4.6. Additional provision

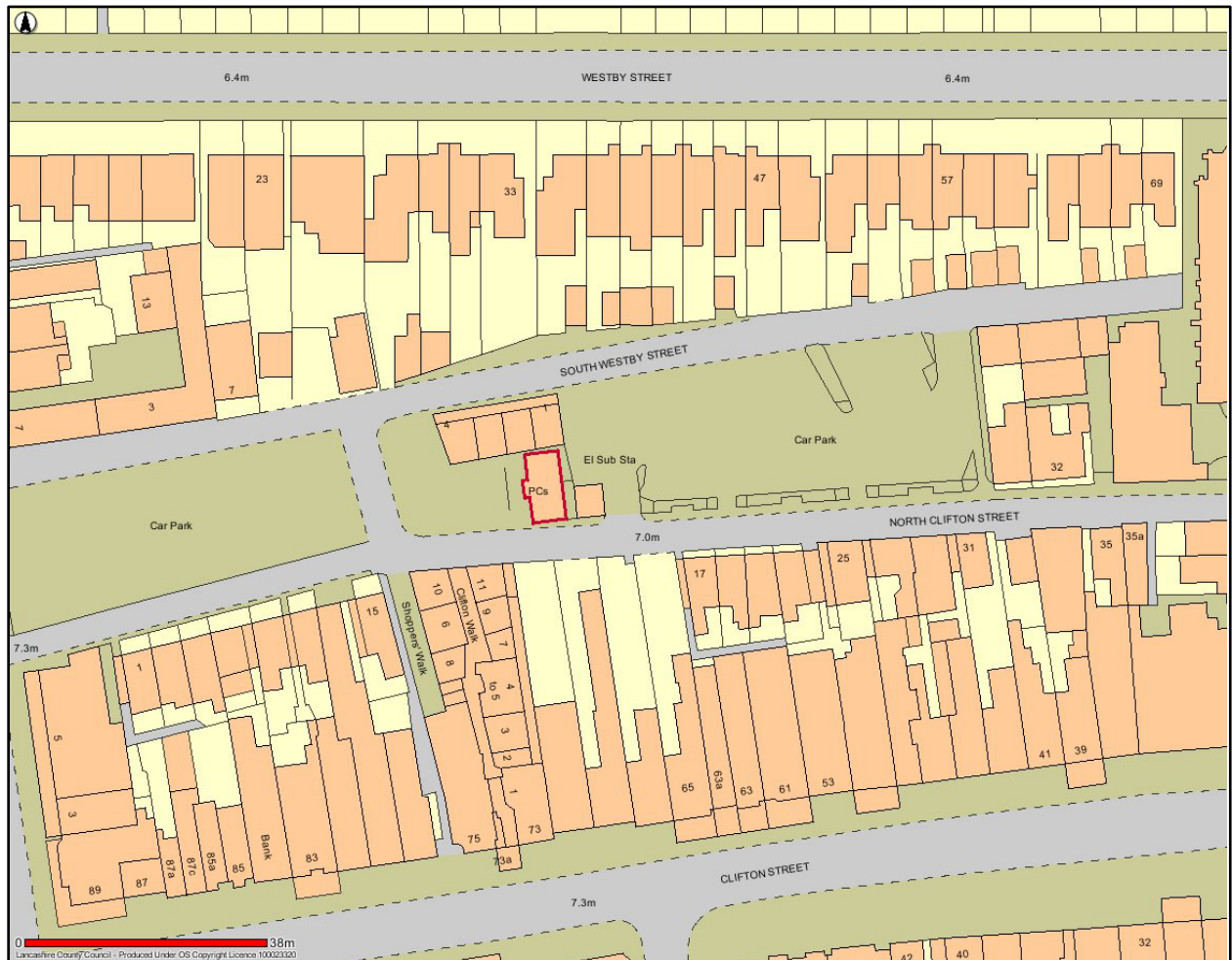
- 4.6.1. Allow for the future installation of a contactless card reader for payment purposes on the turnstiles.

5. Site visits are encouraged for the contractor to appreciate the full scope of works and any access or

egress restrictions there may be.

6. The Council actively seeks professional engagement in its schemes from the Contractor and welcomes a collaborative approach to the proposed scheme.

SITE LOCATION



TIMESCALE

7. It is not thought to last longer than 30 days or 500 person days; to be confirmed by the Contractor.

PROCUREMENT ROUTE

8. These Instructions for quoting, relate to a contract for the refurbishment, testing, commissioning, the certifying for all works, and, all liaison with suppliers.

8.1. The project is being delivered using the closed tendering procedure, whereby selected contractors will be invited to tender for the Works.

8.2. The contract will be the JCT Minor Works Building Contract.

8.3. The Employer will be Fylde Borough Council.

8.4. The works will be carried out under the terms and conditions of the JCT Minor Works Building Contract. The Employer's letter of acceptance of the selected tender offer will constitute a binding contract until an Agreement by Deed is prepared and executed under seal.

8.5. Queries: any queries arising from the tender documents which may have a bearing on the offer should be raised with the Employer via the Chest as soon as possible but in any case, not later than 5 days prior to the date of return of tenders. The Employer will be ready to consider properly reasoned requests for an extension of the tender period.

8.6. The Employer (Fylde Borough Council) does not bind itself to accept any tender.

8.7. It is the practice to publish the amount of the successful tender and the name of the tenderer including, where appropriate, publication on Contracts Finder.

PROGRAMME

Request for quotation on Chest	12 th February 2020
Request for quotation deadline	4 th March 2020
Feedback to unsuccessful contractors	6 th – 13 th March 2020
Contract award	16 th March 2020
Earliest Contract Start	20 th April 2020
All works complete and handed over to FBC	22 nd May 2020

THE MANAGEMENT

9. The Project Manager is:

Peter Downs
Fylde Borough Council Building Surveyor
Town Hall
St Annes
FY8 1LW
Tel: 01253 65
Email: peter.downs@fylde.gov.uk

INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	10 MARCH 2020	6
FAIRHAVEN TO CHURCH SCAR COAST DEFENCE WORKS			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

An update is given on the progress of the Fairhaven to Church Scar Scheme (the Scheme).

SOURCE OF INFORMATION

The Scheme's Project Manager (Mike Pomfret).

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

This update is given to keep the Committee informed of the progress of the Scheme.

FURTHER INFORMATION

Contact Mike Pomfret, mike.pomfret@fylde.gov.uk.

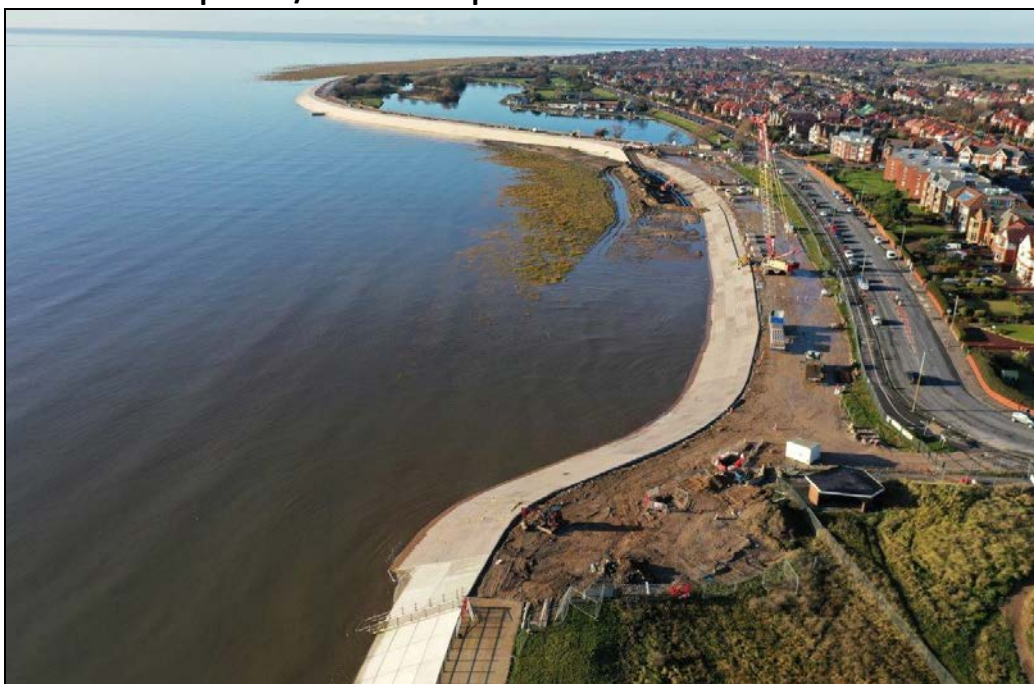
Summary Note

1. The overall Scheme remains below budget and ahead of programme.
2. Fylde Council took over Church Scar from the main contractor VBA Ltd on the 15/01/20 to progress with the Seating Project. Church Scar remains to be opened to the public by the 01/04/20.
3. It is intended on taking over the substantive stretch of Fairhaven (in-between the car parks) on the 02/03/20 for the respective Seating Project there. This being to the end of opening up the main stretch of Fairhaven for public footfall as soon as practicable too.
4. The commissioning works are currently underway with the requested new automated inlet/outlet at Fairhaven Lake. Due to the complex hydraulics this is a slightly iterative process to calibrate the sensors / flow dynamics during different tidal states/lake levels.
5. Granny's Bay remains ahead of programme with the last pre-cast concrete unit for the overall scheme placed on the 07/02/20 (photo below). Granny's Bay is on track for completing / opening around June/July 2020 (against a contract Completion Date of 17/12/20). It is intended to host a formal Grand Opening for the full scheme when Granny's Bay is complete.
6. The scheme's safety signage and equipment is currently being procured. The signage / equipment here has been prescribed with reference to the best practice guide, the 'RNLI's 'A guide to beach safety signs, flags and symbols, Version 2: 2007'

Last Pre-Cast Concrete Unit for the full scheme being place on 07/02/20



New coastline profile / continuous promenade



INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	OPERATIONAL MANAGEMENT COMMITTEE	10 MARCH 2020	7
CAR PARKING ANNUAL REPORT 2018/19			

PUBLIC ITEM

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

SUMMARY OF INFORMATION

Each year Local Authorities are expected to produce and publish an annual report to present financial and statistical information relating to Local Authority parking operations to the public. This information item is presented to the committee to advise them of the report for 2018/19 and highlight key points from this.

SOURCE OF INFORMATION

The data used for the Fylde Parking Annual Report 2018/19 is compiled from Fylde Council's finance system (CIVICA General Ledger), the Parking Service's records of Penalty Charge Notices (Chipside Case Manager) and general records of Fylde Council's car parks.

LINK TO INFORMATION

<https://new.fylde.gov.uk/council/transparency/parking-information/>

INFORMATION

1. Statutory Guidance is provided by Central Government as to how Local Authority parking services may be operated. Part of this stipulates that certain statistical and financial information must be made public via an annual report. In addition the Transparency Code requires further information to be made public. The Fylde Parking Annual Report 2018/19 includes information required for both of these.
2. Key financial points to emerge from this report is that in 2018/19 parking enforcement income and costs incurred a £35,144 deficit while car park operation income and costs resulted in a £393,847 surplus; a total Parking Services surplus of £358,703, an increase of £37,978 on the previous year. This income to the Council has been used to help support other services via the Council's general fund.
3. From the Council's enforcement activities, the total number of Penalty Charge Notices (PCNs) issued almost matched the previous year. Of 1,911 PCNs issued over 72% resulted in payment to date. 25% of PCNs were cancelled, mainly as a result of successful challenges where reasonable grounds were provided why a PCN should not be paid. This demonstrates that Parking Services, while enforcing the car parks' conditions of use, will take into account extenuating or mitigating circumstances when considering challenges and exercise fair and proportionate discretion where appropriate as required by the Traffic Management Act 2004.
4. If a person has formally challenged a PCN and it has been rejected they are able to appeal their case to the Traffic Penalty Tribunal where an independent adjudicator will review all case evidence. In 2018/19, of the

1,911 PCNs issued during the year, 7 cases (0.37% of all PCNs) went to the tribunal, of which 4 were allowed (i.e. found against Fylde Council) and 3 were dismissed (i.e. found in favour of Fylde Council).

5. The Fylde Parking Annual Report 2018/19 can be viewed by the public in the 'Transparency' section of the Council's website.

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To advise the committee that the Fylde Parking Annual Report 2018/19 has been produced and made public.

FURTHER INFORMATION

Contact - Andrew Loynd, Technical Support Manager, 01253 658 527



Fylde Council Annual Parking Report 2018/19

Financial and Statistical Information

1 Introduction

Welcome to Fylde Council's Annual Parking Report for 2018/19. 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.

From the end of April to the end of July 2018 the Fylde Coast experienced an extended heat wave period resulting in continuous hot and dry weather. This resulted in a surge of use of the car parks. In July 2018 the option of paying by card (chip and pin and contactless) was introduced on almost all car parks. By the end of the summer season of that year about 16% of payments were by card. In October 2018 Stanner Bank and St Paul's Avenue Car Parks were shut to enable sea defence works to take place around Fairhaven with closures expected to remain in place until 2020. In January 2019 the Town Hall Car Park was shut to enable the car park and landscaping to be reconfigured, re-opening in April 2019.

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.

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. 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/>

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 31st March 2019**

	2014/15 (£)	2015/16 (£)	2016/17 (£)	2017/18 (£)	2018/19 (£)
Income					
Off-street penalty charges	45,835	50,917	44,269	41,828	49,281
Total Income	45,835	50,917	44,269	41,828	49,281
Expenditure					
CEO Time and Notice Processing Costs	42,603	46,138	44,030	48,019*	49,847
Patrol and TEC Costs	1,836	1,507	1,079	1,115	850
Transport	7,308	5,696	4,312	3,532	3,421
Additional Enforcement Costs (phones, stationery etc...)	49	97	167	337	678
Service recharges	23,551	24,632	37,224	36,303	29,629
Total Expenditure	75,347	78,072	86,812	89,306	84,425
Total Surplus/Deficit	-29,512	-27,155	-42,543	-47,478	-35,144

*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 31st March 2019

	2014/15 (£)	2015/16 (£)	2016/17 (£)	2017/18 (£)	2018/19 (£)
Income					
Pay & display income	541,775	580,225	631,125	602,314	678,100
Contribution for maintenance of 3 rd party car park	901	2,098	2,417		
Permit sales	19,069	21,567	21,680	22,220	22,983
Dispensations	1,402	242	268	2,527	263
Sale of equipment		3,500			
Total Income	563,147	601,632	655,490	627,061	701,346
Expenditure					
Premises (maintenance and equipment)	52,220	43,767	47,646	45,894	44,100
Supplies and Services	12,207	11,499	11,897	11,398	14,573***
Service recharges	78,134	74,786	83,279	87,420	91,401
Capital Charges	7,617	11,903	16,030	12,700	8,414
Business Rates	70,481	83,222	83,911	81,354	70,010****
Fee Refunds/Income share	19,359	24,529	23,921	20,092	19,001
Capital Works	30,000	30,000	28,895	**	60,000
Total Expenditure	270,018	279,706	295,579	258,858	307,499
Total Surplus	293,129	321,926	359,911	368,203	393,847

**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 2018/19. 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).

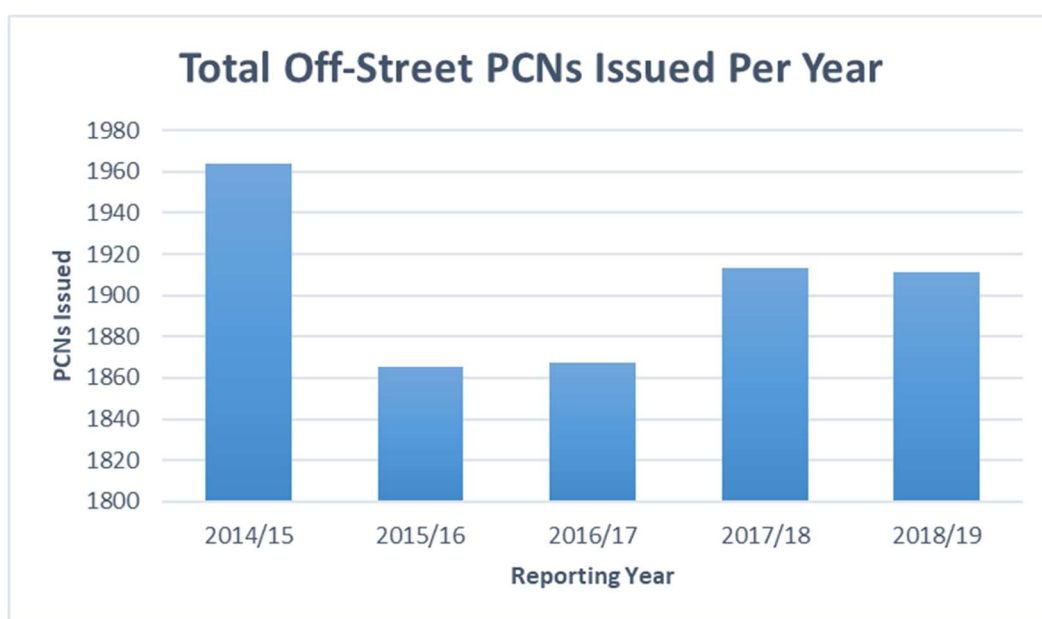
Number of Penalty Charge Notices Issued For Each Contravention Type

Off-Street (car park) Parking Contraventions						
Code	Contravention Description	PCNs 2014/15	PCNs 2015/16	PCNs 2016/17	PCNs 2017/18	PCNs 2018/19
73 (Low)	Parked without payment of the parking charge	0	0	0	0	3
80 (Low)	Parked longer than the maximum period permitted	3	2	2	5	5
81 (High)	Parked in a restricted area in a car park	6	6	14	3	7
82 (Low)	Parked after the expiry of paid for time	459	426	314	408	291
83 (Low)	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	1,160	1,119	1,192	1,248	1,369
85 (High)	Parked in a permit bay without clearly displaying a valid permit	15	26	69	24	30
86 (Low)	Not parked correctly within the markings of a bay or space	68	54	76	59	58
87 (High)	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	227	187	182	154	136
91 (High)	Parked in a car park or area not designated for that class of vehicle	23	44	16	12	12

92 (High)	Parked causing an obstruction	2	0	0	0	0
94 (Low)	Parked in a pay & display car park without clearly displaying multiple valid pay and display tickets when required	1	1	2	0	0
	Number of higher rate off-street PCNs issued	273	263	281	193	185
	Number of lower rate off-street PCNs issued	1691	1602	1586	1720	1726
	Total number of off-street PCNs issued	1964	1865	1867	1913	1911

Total Off-Street PCNs Issued Per Year

Reporting Year	2014/15	2015/16	2016/17	2017/18	2018/19
PCNs Issued	1964	1865	1867	1913	1911



The issuing of PCNs has remained mostly consistent over the last five years with between 1,865 and 1,964 PCNs per year.

3.2 Progression of PCNs

The following table details the ways in which PCN cases had progressed as of January 2020.

Progression of cases	2014/15	2015/16	2016/17	2017/18	2018/19
Total number of PCNs issued	1964	1865	1867	1913	1911
PCNs paid at 50% Discount	1368 (69.65%)	1241 (66.54%)	1204 (64.49%)	1273 (66.55%)	1213 (63.48%)

PCNs paid at full amount (before issue of Charge Certificate)	126 (6.42%)	122 (6.54%)	126 (6.75%)	125 (6.53%)	115 (6.02%)
PCNs paid after issue of Charge Certificate (full amount + 50%)	78 (3.97%)	89 (4.77%)	92 (4.92%)	87 (4.55%)	65 (3.41%)
Total PCNs paid	1572 (80.04%)	1452 (77.85%)	1422 (76.16%)	1485 (77.63%)	1393 (72.90%)
<i>Number of Pre NtO Informal Challenges</i>	<i>607</i>	<i>568</i>	<i>597</i>	<i>567</i>	<i>714</i>
Number of Informal Challenges resulting in PCN cancellation	301 (15.33%)	319 (17.11%)	358 (19.18%)	317 (16.57%)	349 (18.26%)
<i>Number of Post NtO Formal Representations</i>	<i>132</i>	<i>151</i>	<i>110</i>	<i>78</i>	<i>80</i>
Number of Formal Representations resulting in PCN cancellation	12 (0.61%)	22 (1.18%)	11 (0.59%)	11 (0.56%)	12 (0.63%)
<i>Number of TPT Appeals</i>	<i>6</i>	<i>5</i>	<i>2</i>	<i>2</i>	<i>7</i>
Number of TPT appeals resulting in PCN cancellation	4 (0.20%)	0 (0.00%)	2 (0.11%)	2 (0.11%)	4 (0.21%)
Number of PCNs cancelled for other reasons (eg owner untraceable, enforcement agent unable to collect etc...)	75 (3.82%)	73 (3.91%)	74 (3.96%)	98 (5.12%)	108 (5.65%)
Total PCNs cancelled	392 (19.96%)	413 (22.20%)	445 (23.84%)	428 (22.37%)	484 (25.32%)
Total PCNs outstanding (still to pay or be cancelled)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	34 (1.78%)

Of the PCNs that are issued each year, between 76% 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. Just over 20% 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 2018/19 7 cases were registered by TPT for adjudication, equal to 0.37% of all PCNs issued during the year. Of these 3 were dismissed (ie in favour of Fylde Council), none were 'not contested' and 4 were 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. 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.