

# DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF TECHNICAL SERVICES	EXECUTIVE COMMITTEE	19 FEBRUARY 2024	7
<b>BALLAM ROAD CAR PARK</b>			

## PUBLIC ITEM

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

### RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for customer and operational services (Councillor Michelle Morris).

### PURPOSE OF THE REPORT

The report outlines the need for public car parking within or close to Lytham town centre and the opportunity to bring the Ballam Road car park into the council’s paid parking provision. Details of forecast income from the car park are included in the report.

### RECOVERABILITY

This decision is recoverable under section 5 of part 3 of the constitution.

### RECOMMENDATIONS

1. That the council provides 6 months' notice at the earliest opportunity to Atos IT Services UK Limited and does not enter a new lease arrangement for the Ballam Road car park.
2. That pay and display parking facilities are installed on the Ballam Road car park with fee charges to be delegated to the Head of Technical Services in consultation with the Lead member for operational services.
3. It is requested that members authorise the draw down of £30,000 during 2024/25 from the approved 2024/25 capital programme for Car Park Improvements to cover initial costs as set out in Table 2.

## REPORT

### THE NEED FOR CAR PARKING IN LYTHAM

1. Lytham is a vibrant town with significant demand for parking from residents of the town centre and surrounding areas, retail and business workers and customers and tourist users competing for limited parking spaces. Comments are often made by members of the public, either directly to the Council or on social media, about the lack of suitable parking. This has been supported in the past by consultations including Fylde Council’s Lytham Parking Survey in 2021/22 and a detailed Lytham St Annes parking survey by Jacobs, on behalf of Lancashire County Council, published in March 2015 highlighting the competing demands between users.
2. Although some public transport provision is available to access Lytham through bus services linking with Blackpool, Preston and Kirkham and an hourly train service between Blackpool and Preston, most users choose

not to use these services; preferring to use their own cars. [Car ownership trends continue to increase](#) which is likely to result in additional pressure on limited parking provision in future.

#### CURRENT PARKING PROVISION IN LYTHAM

3. Parking provision in Lytham is composed of free on-street parking and charged off-street parking on car parks. The on-street parking, managed by Lancashire County Council, is a mix of areas with time restrictions limiting the length vehicles can park for on main roads close to the town centre and unrestricted parking on residential roads further out. Fylde Council currently operate four off-street car parks including on Pleasant St (107 standard bays and 9 disabled bays), Dicconson Terrace (46 standard bays and 4 disabled bays), Bath St (49 standard bays and 4 disabled bays) and Lytham Station (96 standard bays and 4 disabled bays). In addition some larger business sites, including on the Ribble House and Jubilee House office complexes, have their own on-site off-street car park provision for staff and visitors.
4. Different types of users utilise the different car parks. Pleasant St Car Park is predominantly used by retail and leisure customers along with a limited number of residential and business permits issued each year. Dicconson Terrace and Bath Street Car Parks are used by a mix of retail/leisure customers and tourists to the Promenade. Lytham Station is predominantly used by business staff who hold permits, customers to local businesses and some retail/leisure customers. Through most of the year Pleasant St, Bath St and Dicconson Terrace Car Parks regularly reach capacity with Lytham station Car Park operating at about 50-60% capacity, reaching full capacity at certain periods during the summer season. Table 1 sets out the number of pay and display customers for the car parks during 2022/23.

Table 1: Pay and Display customers at Lytham Car Parks in 2022/23

Car Park	Number of Pay and Display Users	Pay and Display Income
Pleasant St	55,819	£178,735
Dicconson Terrace and Bath St	64,915	£140,987
Lytham Station	18,399	£35,818

5. Pleasant Street Car Park has prices set at a higher rate for short stay parking to encourage a higher turn-over of visitors, though all day parking is allowed. Dicconson Terrace and Bath St Car Parks have prices set at a lower amount to encourage longer stays. Lytham Station Car Park, which is located further away from the Town Centre and is harder to locate by occasional visitors, has prices set at the lowest rate to encourage more use as well as offering multi day tariffs for those who use the car park to access the train network and appears to be used by business staff who do not have a parking permit. Ballam Road car park, which is currently privately operated but allows public parking in the evenings and at weekends, is located on a main route into Lytham and is beside Park View playing fields and slightly further from the town centre than Lytham Station car park.
6. In addition to use by pay and display customers, Pleasant St and Lytham Station Car Parks issue permits to enable year-round parking for a set fee. On Pleasant St, 30 permits are issued each year to a combination of local businesses, local residents and residents of North Clifton St who lived in their houses prior to the mid-1990s when parking restrictions were introduced on North Clifton St. The value of these is about £5,100. On Lytham Station 60 permits have been issued to local businesses for a value of £8,500. Due to an increase in demand the number of available permits was increased to 70 in 2023/24.
7. Currently no provision has been made for motorhomes to park in off-street locations near Lytham. The Council has previously received representation from motorhome users stating their desire to visit, and stay near, the town. With on-street motorhome bans proposed to be introduced during 2024 some motorhome users may choose to park on residential streets. The current off-street car parks in Lytham are not suitable to accommodate motorhomes overnight due to either the close proximity of residential areas or being located on Lytham Green. An alternative off-street location for overnight parking of motorhomes is likely to be beneficial to Lytham.

- Fylde Council officers and members have previously considered how off-street parking provision can be improved in Lytham. The potential opportunity of expanding existing car parks or creating a new one has been considered but not progressed because of cost, viability, and / or opposition. No other viable land within walking distance of Lytham Town Centre is available to create additional off-street car parking.

#### BALLAM ROAD CAR PARK

- The council is the freehold owner of [Ballam Road car park](#) (Image 1) which is situated 300 metres to the north of Lytham railway station, and within 10 minutes walking distance from Clifton Square. The car park is presently leased to Atos IT Services UK Limited under a 20-year lease of which the contractual term expires on 7th July 2024 with annual rental income of £9,000. Atos operate the car park for permit holders only during the working week with permits issued to staff of companies that occupy Ribble House. There is free public parking during weekday evenings and at weekends, benefiting users of Park View Playing Fields and on occasion Lytham Hall. No public parking is provided during the working week.

Image 1. Aerial view of Ballam Road Car Park



- The car park provides 80 undefined spaces as well as cycle stands. The area is well lit with 10 lighting columns. The main roadways through the car park are constructed with tarmac and are in good condition. The parking spaces are constructed of 'grasscrete', a concrete-based structure with holes through it for drainage and to encourage grass to grow to provide a more natural look, though across most of the car park this hasn't happened. Most of the grasscrete appears in good condition with some areas showing weathering. In some areas, most notably spaces closest to Liggard Brook, they are very muddy possibly due to saturated ground. The car park is bordered by vegetation; mainly mature bushes and trees. The side that borders Liggard Brook has posts dotted along it though there is no fence in between them to stop people going to the Brook. However, the vegetation is thick enough to limit this risk. Appendix 1 includes photographs of the car park.
- Over the last two weeks of January 2024 Fylde Officers assessed current use of Ballam Road Car Park. Through the working week, at about 11am, there was an average of 38 cars with the highest of 51 cars. At the weekend there was an average use of 15 cars with the highest of 30. It should be noted that during this period the

weather was cold, stormy, and wet which may have limited users, particularly at the weekends. It would be expected that users, particularly at weekends, would significantly increase during the summer months.

12. With the current lease due to expire, there is an opportunity for Fylde Council to take over the operation of this car park to help meet the wider needs of the community. As there is a current business use of this car park, it is recommended that permits for business users continue to be offered, though there would be no designated area for permit holders to park and no guarantee that a parking space will be available. Other users could be allowed to park on the car park to enable long-stay off-street parking to access Park View Playing Fields as well Lytham Town Centre. In addition, due to the remote nature of this car park from residential properties, it is recommended that space for 5 to 8 motorhomes is allocated to the parking area furthest from the office building for overnight motorhome parking to provide a location near to Lytham as an alternative to on-street parking.
13. For Fylde Council to operate the car park it is suggested that pay and display charges are introduced while allowing permit holders to park. In addition, Fylde Resident Permit Scheme holders would be able to use this car park. With this location being more remote from the town centre with alternative free on-street parking located between the car park and the town centre it is recommended that charges are set at the lower-end of the Council's charging structure, in line with Lytham Station Car Park. With limited overnight motorhome parking available in Lytham, It is suggested that charges are set at the higher end of what is charged by the Council.
14. It is anticipated that during the week most of the parking spaces will be utilised by permit holders with moderate use by pay and display customers. At weekends use will be influenced by events that occur on Park View Playing Fields, Lytham Hall and within Lytham town centre. There is likely to be higher use during the summer season. Annual income from permits is expected to be £9,600 with pay and display generating between £25,000 to £40,000.
15. To enable the Council to introduce charges and enforcement to the car park, the parking legal order will need to be amended at a cost of about £5,000. Installation of a pay and display machine will cost about £5,500 with new signage about £1,000. Further costs may be incurred to address the damp area of the car park and possibly restore the boundary fence with Liggard Brook. To ensure parking is most efficiently used, the car park will need to be assessed to see whether parking space markings can be introduced to define parking bays.
16. Operational costs for running the car park would include business rates (approximately £4,000), maintenance of vegetation by Fylde Council's Park's team (approximately £3,000), General repairs and maintenance (£1,500), income by cash, card and virtual payment fees (£1,800), Payment machine maintenance and back-office support (£800) and electricity for payment machine and lighting (£300).

#### AREAS OF CONCERN

17. Currently Ballam Road car park serves as parking for staff of Ribble House offices and users of Park View Playing Fields. The footpath onto the park is clearly defined and in good condition. There is also a footpath from the car park to the main entrance to Ribble House that passes through private land as well as a crossing area across their main entrance and another footpath across private land towards Lytham. However, as shown in Image 3 in Appendix 1, on Ballam Road itself there is a dropped kerb to indicate a crossing point across Ballam Road towards Lytham Hall or a small section of footpath from the car park entrance towards Lytham. Beyond this there is a [grass verge up to the entrance of Ribble House](#). Further consideration to ensure pedestrians have a safe route on a public right of way from the car park to the centre of Lytham will need to be made.
18. Council officers have assumed that the current car park operator sells permits to staff of Ribble House. However, if this is not the case, or that the charge made by the Council is higher than they currently pay, current users may choose not to use the car park and be displaced onto residential streets. In addition, Council officers have been advised that a major firm are due to relocate their head office to the Ribble House site in the near future. Any changes to the operation of this car park may need to take account of the increase in the increase of staff working at Ribble House.
19. If pay and display charges are introduced, although some customers may appreciate having access to this car park during weekdays and therefore not mind paying for the convenience, there is likely to be a negative

response from existing weekend users who currently park for free. If charging is set too high, it could displace current weekend users onto residential streets e.g. around Hall Park or on Park Rd.

#### SECURITY OF TENURE

20. The Landlord and Tenant Act 1954 provides security of tenure for business tenants when their lease is coming to an end. Where the act applies, the tenant is entitled to a new lease on expiry of their existing lease, unless the landlord can show one of the prescribed grounds for possession.
21. Security of tenure applies to Ballam Road car park, which means that the council could only obtain possession at the end of the lease upon showing that one of the prescribed grounds for opposition to a new lease applies. The applicable ground for possession, should the council wish to operate the car park for itself, would be ground (g). Ground (g) applies where the landlord intends to occupy the land for the purposes, or partly for the purposes, of its own business, which includes the activities of the council. The 'intention' must be a settled one not merely a hope or aspiration, or an exploration of possibilities, but a genuine, firm and settled intention, not likely to be changed, to do something which the landlord has a reasonable prospect of bringing about. Once the firm intention has been confirmed, the council will need to serve a minimum 6 months' notice to bring the lease to an end, but this could still be subject to a challenge from the tenant.

#### FINANCIAL CONSIDERATIONS

22. The council would also be required to pay compensation to the current tenant on obtaining occupation. As the tenant has been in occupation of the property for more than 14 years, the compensation would be twice the rateable value of the property, which is £8,000, multiplied by two, that is £16,000.
23. As detailed above, estimated costs to set up the car park include:

Table 2: Estimate of Initial costs

Description	Cost
Compensation to current tenant	£16,000
Legal Order	£5,000
Installation of pay and display machine	£5,500
Signage	£1,000
Landscape repairs	£2,000
<b>Total</b>	<b>£29,500</b>

24. Estimated annual operational costs for the car park are:

Table 3: Estimated Operational Costs

Description	Cost
Business Rates	£4,000
General repairs and maintenance	£1,500
Income collection fees	£1,800
Payment machine and back-office support	£800
Electricity	£300
Grounds maintenance (Parks Team)	£3,000
<b>Total</b>	<b>£11,400</b>



25. Estimated annual income, taking into consideration of the loss of current rent is:

Table 4: Estimated Additional Annual Income

Description	Income
Annual rent foregone	-£9,000
Permit sales – additional income	£9,600
Pay and display – additional income	£25,000 to £40,000
<b>Total net additional income</b>	<b>£25,600 to £40,600</b>

26. It is estimated that the net benefit to the Council will be between £14,200 to £29,200 taking account of the net additional income and the annual running costs.

**DECISIONS NEEDED**

- 27. The recommendations in the report are intended firstly to establish and document the council’s intention to occupy Ballam Road car park and operate it as a public car park, and secondly to provide authority for the council to instigate the necessary legal processes to obtain possession of the premises as soon as practicable after the expiry of the contractual term of the lease.
- 28. It is also recommended that, once the Council occupies Ballam Road Car Park, the legal process is initiated to add this location to Fylde Council’s Traffic Regulation Order to enable pay and display charges to be set and enforcement of parking regulations to occur.
- 29. It is requested that members authorise the draw down of £30,000 from the 2024/25 capital programme for Car Park Improvements to cover initial costs as set out in Table 2.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

IMPLICATIONS	
Finance	As part of the proposal as detailed within the report it is requested that members authorise the draw-down of £30,000 during 2024/25 from the approved 2024/25 capital programme for Car Park Improvements to cover the initial costs as set out in Table 2 of the report. If the scheme as proposed is progressed there would be ongoing annual revenue costs of around £11,400 which would be more than offset than the estimated annual income of between £25,600 and £40,600.
Legal	The proposal will have implications to the current lease holder’s Security of Tenure under the Landlord and Tenant Act 1954. The report states how the Council, as Landlord, can obtain possession of the land for the stated use.
Community Safety	None arising from his report
Human Rights and Equalities	None arising from his report

Sustainability and Environmental Impact	None arising from his report
Health & Safety and Risk Management	None arising from his report

SUMMARY OF PREVIOUS DECISIONS
A brief summary of the previous decisions on this item including the Committee/Council meeting it went to and the date

BACKGROUND PAPERS REVELANT TO THIS ITEM		
Name of document	Date	Where available for inspection
Document name		Council office or web address

LEAD AUTHOR	CONTACT DETAILS	DATE
Andrew Loynd	andrew.loynd@fylde.gov.uk & Tel 01253 658527	5 <sup>th</sup> February 2024

Attached documents

Appendix 1 – Photographs of Ballam Road Car Park

Appendix 1 – Photographs of Ballam Road Car Park

Image 2. Entrance to Ballam Rd Car Park



Image 3. View towards Lytham Town Centre along Ballam Road from the car park entrance. Note at the top of the image the footpath ends, turning into a grass verge. In the image foreground there is a dropped kerb though no formal crossing point.





Image 4. Some of the parking spaces within the car park. This shows the difference between the tarmac used for the main roadways and grasscrete for parking areas.



Image 5. Parking spaces near to Liggard Brook which are damp and muddy





Image 6. Parking spaces furthest from the office building appear to be underutilised.

