

**Officer Decision**  
**Taken under the Scheme of Delegation**

This decision has been taken in accordance with the county council's Scheme of Delegation to Officers, as set out in section 9 of the [Constitution](#).

|   |  |
|---|--|
| <b>Decision taken on behalf of the:</b> | Director of Highways and Transport   |
| <b>Officer taking the decision:</b>     | Peter Bell, Regulation and Enforcement Manager,<br>Tel: 01772 536818,<br>Email: peter.bell@lancashire.gov.uk |
| <b>Service Area:</b>                    | Highways and Transport   |

**Key Details**

|  |                |
|--|----------------|
| <b>Lancashire County Council (Beacon Fell Country Park Visitors Centre Main Car Park, Preston, Beacon Fell Road, Preston) (Off Street Parking Places) Order 202*</b> |                |
| <b>Decision Date:</b>  | 2/8/24         |
| <b>Part I or Part II:</b>  | Part I         |
| <b>Reason for Part II: (if applicable)</b>   | N/A            |
| <b>Divisions Affected:</b>   | Preston Rural; |

**The Decision**

**Background**

The car park is provided in exercise of s7 powers of the Countryside Act 1968 (The Countryside Act) which gives the power for a County Council to provide Country Parks and picnic sites in its area and the ability to charge for the use of the car park is triggered in accordance with s43, on the basis that the car park is a facility or service provided under the Act.

The £1 parking charge has been in operation since 2010, however, due to the vandalism, a decision was made in 2020 to remove the cash facility, leaving two options for paid parking consisting of card payment at the machine, or payment by mobile phone, which has resulted in the amount of damage to the machines being reduced.

The purpose of this proposed order is to formalise the current pay and display on Lancashire County Council's Country Parks Off-Street Car Parks, that are provided to allow safe parking for visitors to the amenities, whilst contributing to the maintenance of the facilities whilst promoting the correct use of the available spaces by enabling effective enforcement by the council's civil enforcement officers

The proposal does not change the types or machines, current restrictions or tariffs.



Formal consultation was carried out between 19 January-2024 and 16 February-2024 which included advertising in the local press and notices being displayed on site. Divisional county councillors were consulted along with the council's usual consultees and the consultation documents posted on the council's website.

During the consultation process no response was received from Lancashire Constabulary, however, Beacon Fell is one of five Lancashire County Council run Country Parks and two of the other Country Parks received a response from Lancashire Constabulary raising concern that there was no provision in the exemptions for Emergency Services vehicles undertaking their statutory duties.

In order to ensure consistency over the five Country Parks a modification was carried out to include an exemption for both the emergency services and local authority vehicles in pursuance of statutory powers or duties to park safely within the car parks. The consultation for the modification was 11 March-2024 to 25 March-2024 with no objections or comments received.

### Objection

During the consultation period one response was received on the grounds that the move to cashless payments for parking has rendered it economically unviable to have a cash option in country parks. The respondent believes that the existence of new forms of technology is not a justification for removing from people their basic right to make payment in legal tender in whatever manner they wish. The correspondent states that a public authority should not be participating in the growing tendency to move, what can be a useful facility, into a source of draconian restriction.

The main points raised in the objection along with Officer comments are outlined in Appendix C.

|   | Yes                                 | No                                  |
|---|-------------------------------------|-------------------------------------|
| <b>Is this a decision made under a specific delegation from Full Council, Cabinet or another committee?</b><br><br>If so, specify the delegation given by Full Council, Cabinet, or a committee here - delete this sentence if there was no delegation. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>If so, does this discharge the delegation in full?</b>   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>Did the delegation require you to consult with a Cabinet Member(s) or specific officer(s) prior to taking the decision?</b>  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <b>If so, specify the names of the Cabinet Member(s)/officer(s) you have consulted with:</b>  |                                     |                                     |
| County Councillor Rupert Swarbrick – Cabinet Member for Highways and Transport<br>Glen Wrigley - Solicitor (Environment & Resources)  |                                     |                                     |



**The Decision**

Following discussion with the cabinet member and considering the objection and response this order is approved to proceed

**Were any other options considered and, if so, what were they and why were they discounted?**

N/A

**Background Papers**

Modified Draft Order, Plan and Objection summary with officer responses

**Declaration**

|   | Yes                                 | N/A                      |
|---|-------------------------------------|--------------------------|
| In taking this decision, I confirm that I have taken into consideration and kept a record of all relevant advice from the following services:<br><br>[insert the services where you have received advice, for example legal, finance, people services, procurement, property, equality etc] | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Where appropriate, consultation with the relevant Cabinet Member(s) has been completed.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Where appropriate and where the decision impacts on a particular locality, the relevant councillor(s) for the electoral division(s) have been consulted.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>Decision taken on behalf of the:</b>   | Director of Highways and Transport  |                          |
| <b>Officer taking the decision:</b>   | Peter Bell                          |                          |

