

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 are as follows:

- The issue that the substantial risk of problems occurring from vandalism, theft and damage and subsequent cost of several thousand pounds for the replacement of a machine has reduced since the machines became cashless was not mentioned in the official Statement of Reasons. This would suggest that the reduction in cost was not of great importance as it did not carry weight in the reasoning.
- That the introduction of cashless machines has rendered it economically unviable to have a cash option in country parks.
- That the reasoning takes no account of the practical problems which this restriction will cause as people who do not have these facilities will be faced with either running the risk of being pursued for non-payment or having to leave the area.
- That there is a possibility that the machinery will not function properly and there is no mention of the alternative options which could be employed and offered.

The objector also makes the following suggestions:

- That payment in cash could be made to an official of the country park, or to someone in a specified location, such as a tea room or cafe.
- That no charge be made at all, which would remove the need for both payment machines and enforcement costs.

Officers Response

The comments relating to the change to cashless machines and the ability to make cash payment have been acknowledged. However, the £1 parking charge has been in operation since 2010, with cashless machine in operational within the country parks since 2020.

Although it is acknowledged that the pay and display machines have been problematic, with connectivity and compliance we are currently working with our suppliers to make sure there will be sufficient signal strength to allow these transactions to take place.

The parking order, which is proposed is being put in place in order for enforcement to happen once the machines are fully functional and does not make any changes to the current cashless pay and display machines or the £1 parking charge.

The Civil Enforcement Officers when attending site will check with the back-office system and then check connectivity at the site to ensure connection has been in situ all day. If for any reason there is no signal or the system shows there has been a disruption or not working at all, then no Penalty Charge Notices will be issued. The enforcement team will always air on the side of caution and issuing a Penalty Charge Notice will be the last resort. The idea being that visitors pay their £1 to park and in an ideal world, no Penalty Charge Notices are issued, the site then receives an income to help maintain and improve it.

In relation to the comments regarding making available payment in cash to the Civil Enforcement Officers, an official of the country parks, or to someone in a specified location, such as a tea room have been considered. However, this is not a practical or feasible option due to the following reasons:

- Although the Civil enforcement officers will patrol the parks as part of their daily beats, they will not be present at the site all day and it is not operational viable to take manual payments off visitors. This would then create uncertainty with regards to who has paid and who hasn't. Making the sites unmanageable with regards to enforcement.
- The café operates on a seasonal basis, closed during for quieter periods. The collection of parking fees would also add to the work load of café staff who are already busy preparing and servicing food.
- It would not be feasible to have our cash in transit contractor collect form the sites every day, meaning the cash taken would have to stay o site until a scheduled collection. This increases the security risk to the building.
- All cash from Lancashire County Council car parks is collected by our cash in transit contractor from a secure box. This box is not opened until it reaches the secure counting facility, thus ensuring the audit train is unbroken. It would not be feasible to have our cash in transit contractors collect loose takings.

Beacon Fell has a total of twelve car parks around the circuit road. The car parks are distributed evenly around the site, providing access to all areas of the country park. Charges only apply at the three car parks closest to the main visitors' centre; all other car parks are free to use.

Legal advice has been sought from Solicitor (Environment & Resources) regarding the lack of accepting cash payments and he has confirmed the following:

- The government does not plan to mandate cash acceptance. While the government recognises the ability to transact in cash remains important to millions of people across the UK, particularly those in vulnerable groups, it remains the choice of individual businesses as to whether to accept or decline any form of payment, including cash or card. This may be based on factors such as customer preference and cost.
- That in the provisions in the legislation and the research he has conducted, he believe the County Council can decide which method of payment it requires as long as no one is discriminated against and notes here that a reasonable alternative method of providing a parking facility is provided, most of which a free of charge. Accordingly he does not believe the decision would fall foul of legislation that he has reviewed.