



Meeting Agenda

**Public Protection Committee
Lowther Pavilion, Lytham
31 January 2006, 10:00am**

PUBLIC PROTECTION COMMITTEE

MEMBERSHIP

CHAIRMAN - Councillor Dawn Prestwich
VICE-CHAIRMAN – Councillor Albert Pounder

Councillors

Christine Akeroyd	Janine Owen
Elizabeth Clarkson	Martin Taylor
Susan Fazackerley	Ronald Wilson
Steve Mason	Keith Wright
Kiran Mulholland	

Contact: Andrew Lee, St. Annes (01253) 658491, Email: andrewl2@fylde.gov.uk



CORPORATE OBJECTIVES

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

CORE VALUES

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



A G E N D A

PART I - MATTERS DELEGATED TO COMMITTEE

ITEM	PAGE
1. DECLARATIONS OF INTEREST: <i>In accordance with the Council's Code of Conduct, members are reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.</i>	4
2. CONFIRMATION OF MINUTES: <i>To confirm as a correct record the Minutes of the Public Protection Committee held on 20 December 2005.</i>	4
3. SUBSTITUTE MEMBERS: <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	4
4. HURST LEA CARAVAN SITE	5 – 8
5. TAXI LICENSING POLICY	9 – 10
6. EXCLUSION OF THE PUBLIC: <i>Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined in paragraph 4 of Part 1 of Schedule 12A of the 1972 Act.</i>	11

PART II - EXEMPT ITEMS – NOT FOR PUBLICATION

7. PRIVATE HIRE DRIVER APPLICATION	12 – 20
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REPORT



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CONSUMER WELLBEING AND PROTECTION UNIT	PUBLIC PROTECTION COMMITTEE	31 ST JANUARY 2006	4

HURST LEA CARAVAN SITE

Public Item

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

Summary

To advise the members on an application to Appeal to Blackpool Magistrates Court against the Committee's decision to impose certain site licence conditions in respect of Hurst Lea Caravan Site.

Recommendation/s

1. The Committee are asked to note the Application of Appeal.

Executive brief

The item falls within the following executive briefs: Quality of Life (Councillor Patricia Fieldhouse)

Report

1. Following an application from the caravan site owner to amend condition 23 to his site licence from the current closure period of 6 weeks to 4 weeks, the Committee resolved to refuse the application and impose the following additional conditions:

23 (a) The holder of the licence must maintain a written record of all persons over the age of eighteen who occupy a caravan on the site for any continuous period of more than 21 days. The entry for each person must contain:

1. Name
2. The address of their only or principle home

23 (b) The holder must not allow any person who does not provide the address of their only principal home, or whose only principal home is within the site, to occupy caravans on the site for any continuous period of more than 21 days.

23 (c) The site owner must not permit delivery of post to individual caravans on the site and must not make any arrangements for post addressed to individuals occupying caravans on the site to be kept for or collected by them

23 (d) The holder of the site licence must require persons residing at the site to produce evidence of a primary residence by way of utility bill, tax bill or other document.

2. The Committee did agree to allow the site owner, upon application, to realign the closure period from the current closure period which is from the 1st December to 14th January.
3. The applicant through his Solicitor has indicated that he is prepared to withdraw his appeal and agree to the above conditions, if the Authority agrees the reduction in closure period to 4 weeks or removes condition 23 in its entirety (See enclosed correspondence Appendix 1).

IMPLICATIONS	
Finance	There will be an impact on staff resources as a result of the appeal to the magistrates court.
Legal	Nil
Community Safety	Nil
Human Rights and Equalities	Nil
Sustainability	Nil
Health & Safety and Risk Management	Nil

REPORT AUTHOR	TEL	DATE	DOC ID
Stuart Handley	(01253) 658603	16 th January 2006	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
None		

Attached documents

Appendix 1 - Letter of correspondence

Our ref: DC/vp/Han36736/1
Your ref:

Temple Heelis



Mr S Handley
Fylde Borough Council
Town Hall
LYTHAM ST ANNES
LANCASHIRE
FY8 1LW

Solicitors
FYLDE BOROUGH COUNCIL

11 JAN 2006

10 January 2006

Dear Mr Handley

RE : Hurst Lea Caravan Park - Little Eccleston

I can confirm that a Notice of Appeal has been lodged with Blackpool Magistrates Court in compliance with Section 7 of the Caravan Site and Control of Development Act 1960. I can state that the appeal has been laid by way of complaint within the statutory 28 day period. The original decision was made on the 19th December 2005.

To protect our Client's interest the appeal has been lodged, they are prepared to negotiate the matter with the Local Authority through negotiations. I can confirm without prejudice that they are willing to comply with condition 23 if either the condition is removed in its entirety or that the site will be closed for the month of February annually.

Should you agree to the above they are then prepared to accept conditions 23(a)-(d).

Failing this the matter will proceed by way of appeal but I hope that this can be avoided to save time and costs for both sides. The compromise that has been offered I feel is a realistic one in all the circumstances of the case.

If the matter were to go to Court I would be calling the two applicants Mr Hanley and Mr Thomas together with the Planning Consultant Brian Barden who was present. My instructions are that the extra conditions 23(a)-(d) were added without due cause and this would cause one of the limbs to be put forward to the Justices at the eventual appeal hearing.

I hope that this matter can be concluded without the need to move to legal proceedings in a Court of Law and I look forward to your reply in the very near future.

Yours sincerely

DAVID COLLINSON
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Partners: R D Broady M.A.(OXON), J A Sim B.A., C G Mowat, C J A Robinson LL.B., R J Moore LL.B., J D Townsend B.A.
Practising Consultant: R D L Brownson



INVESTOR IN PEOPLE

REPORT



REPORT OF	MEETING	DATE	ITEM NO
CONSUMER WELLBEING AND PROTECTION UNIT	PUBLIC PROTECTION COMMITTEE	31 ST JANUARY 2006	5

TAXI LICENSING POLICY

Public Item

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

Summary

To provide the members of the Committee with an update as to the current situation of the proposed taxi policy and to establish a working group from the Committee to consult on the proposals

Recommendation/s

1. That the Committee notes the report.
2. That a working party be given authority to approve the draft policy for the purposes of public consultation.

Executive brief

The item falls within the following executive briefs: Quality of Life (Councillor Patricia Fieldhouse)

Report

1. At the meeting of the Public Protection Committee held on the 16th November 2005 the Committee determined that the Licensing Department should begin to formulate a Draft Statement of Licensing Policy.

2. The first draft of the Policy is now nearing completion and an outline shall be provided to the Committee at the meeting.
3. It will clearly be important that the draft policy is subjected to full consultation with the trade and other stakeholders and that feedback received is used to reshape the policy where necessary. Before such a consultation exercise is commenced it is important that the draft policy be approved by the Committee. It is therefore requested that consideration be given to the formation of a working group to consider the draft policy, and that, that working group be then authorised by the Committee to approve the draft policy for the purpose of consultation.
4. The draft policy will be circulated to all members of the Public Protection Committee and it is asked that any members who have comments, to feed those back to the working party prior to the public consultation.
5. The Committee are therefore asked to consider the report.

IMPLICATIONS	
Finance	
Legal	
Community Safety	
Human Rights and Equalities	
Sustainability	
Health & Safety and Risk Management	

REPORT AUTHOR	TEL	DATE	DOC ID
Chris Hambly	(01253) 658422	10 th January 2005	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
None		

Attached documents

N/A

REPORT



REPORT OF	MEETING	DATE	ITEM NO
LEGAL AND DEMOCRATIC SERVICES	PUBLIC PROTECTION COMMITTEE	31 ST JANUARY 2006	6

EXCLUSION OF THE PUBLIC

Exempt item

Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A of the 1972 Act.

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