

Minutes

Public Protection Committee



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| Date: | Tuesday, 23 September 2014 |
| Venue: | Town Hall, St Annes |
| Committee members: | Councillor Angela Jacques (Chairman) Councillor Dawn Prestwich (Vice-Chairman) Councillors Christine Akeroyd, Frank Andrews, Susan Ashton, Keith Beckett ISO, Alan Clayton, John Davies, Tony Ford JP, Ken Hopwood, Barbara Nash. |
| Other councillors: | None |
| Officers: | Michael Duck, David Gillett, Chris Hambly, Clare Holmes, Andrew Stell, Sharon Wadsworth |
| Other attendees: | EZ, A Howarth, K Allen, C Dholakie, L Johnson |

1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members. Councillor Tony Ford declared a personal interest in that he was a touring caravan owner.

2. Confirmation of minutes

RESOLVED: To approve the minutes of the Public Protection Committee meeting held on 19 March 2014 as a correct record for signature by the Chairman.

3. Substitute members

The following substitutions were reported under Council procedure rule 23(c):

Councillor Susan Ashton for Councillor Gail Goodman.

4. Hackney Carriage and Private Hire Driver Application EZ.

Chris Hambly, Principal Licensing Officer, presented an application for the grant of a Hackney Carriage and Private Hire Driver's Licence, for the Committee to consider and determine. The applicant had previously held a Hackney Carriage and Private Hire Driver's Licence until prosecuted

for a drink driving offence in June 2013. It was also noted that there had been a conviction in August 2013 for a speeding offence that occurred in February 2013 and resulted in six penalty points being accrued on the applicants licence.

The applicant EZ was invited to address the committee and responded to questions from members in relation to the offences.

Members of the committee were then invited to consider passing a resolution to exclude the public from the meeting in accordance with the provisions of section 100A (4) of the Local Government Act 1972, on the grounds that the business to be discussed was exempt information defined in paragraph 6 of Schedule 12A of the Act (information which reveals that the authority proposes a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person or b) to make an order or direction under any enactment.)

It was resolved to exclude the public whilst the committee consider the application.

The committee considered the matter and RESOLVED to refuse the application.

5. Application for a Pavement Café Licence.

Mr Hambly presented an application for a Pavement Café Licence outside Le Roti, 12a Park Street, Lytham which would include two tables and eight chairs. Representations had been received from the Highways Department of Lancashire County Council.

The applicant, Andrew Howarth, his agent Keith Allen of Keystone Design Associates Ltd and Chandra Dholakia from the Highways Department of Lancashire County Council were invited to address the committee and responded to questions from members in relation to the application. Councillor Beckett proposed an amendment to the application for a maximum distance for use as a pavement café of 1.8 metres (six feet) from the shop front to the carriageway with L-shaped barriers at both ends. This would increase the depth of the footway for pedestrian use from 1.8 metres to 2.3 metres. Councillor Clayton seconded the proposal.

Following a show of hands it was RESOLVED to approve the application for a pavement café licence with the proposed amendments.

6. Deregulation Bill.

Mr Hambly presented the report regarding the proposed changes to taxi and private hire licensing contained within the proposed Deregulation Bill. Mr Hambly briefly explained to members the potential impact to the Council if the proposals were passed.

It was RESOLVED to note the report and for Mr Hambly to report back to the committee once the Bill had progressed through Parliament.

7. Caravan Site Licensing – Little Orchard.

Michael Duck, Senior Environmental Health Officer, introduced the report relating to Little Orchard Caravan Park, Back Lane, Weeton which was licensed, under the Caravan Sites and Control of Development Act 1960, for 45 touring caravans. The applicant was seeking to remove part of Condition 3 of the touring site licence, to allow caravans to remain on the site all year round for storage on allocated storage pitches, and the removal of condition 4 of the touring licence which permits caravans to stay on site for no more than 28 days without the proviso for not returning within 48 hours.

The removal of both these conditions would bring the site licence in line with the planning permission granted on 13th February 2014, 12/0701, for removal of condition 7 of planning permission 09/0095; to allow touring caravans to be stored on site and condition 9 of planning

permission 06/0621 to allow caravans to remain on the site for more than 28 consecutive days with the proviso for not returning within 48 hours.

Staining and Weeton Parish Council and Lancashire Fire and Rescue Services had been consulted and not raised any objections to the application.

Andrew Stell, Development Manager, addressed the committee and responded to questions from members concerning the planning permissions.

After discussion, it was RESOLVED :

- 1) To approve the removal of part of Condition 3, of the touring site licence, to allow touring caravans to be stationed on their allocated pitches for storage all year round.
- 2) To approve removal of Condition 4, of the touring licence, to allow touring caravans to stay on site for more than 28 days.

8. Caravan Site Licensing - Merlewood Country Park.

Mr Duck presented the report relating to Merlewood County Park, situated just off Cartford Road, Little Eccleston, within the Larbreck and Little Eccleston Ward.

The use of the land as a holiday caravan site had been in existence since 1952 with the current site licence holder operating the site since 1998. The current site licence was for the total number of one hundred and sixty three (163) holiday caravans and was issued on the 24th January 2002.

The site owner was seeking the removal of Condition 23, of the holiday site licence, which stated that "caravans shall be used solely for human habitation as static holiday caravans and shall not be occupied from 16th January to 1st March in any one year".

The removal of the condition would bring the site licence in line with the planning approval granted on the 3rd March 2014, 14/0022, for the "Removal of condition 1 on application 3/7/0527 to allow all year round (12 months) holiday site".

Larbreck with Little Eccleston Parish Council and Lancashire Fire and Rescue Services had been consulted and not raised any objections to the application.

Mr Stell responded to questions from members concerning the planning permissions.

After discussion, it was RESOLVED to approve the removal of Condition 23, of the holiday site licence, to allow all year round use of the holiday site.

9. Caravan Site Licensing – Mowbreck Park.

Mr Duck presented the report relating to Mowbreck Park, Mowbreck Lane, Wesham which was licensed under the Caravan Sites and Control of Development Act 1960 as a holiday caravan site.

An application had been received to amend Condition 2 of the holiday site licence issued on 24th July 2007 "Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 16th January and 1st March in any one year." The removal of the condition would bring the site licence in line with Planning Consent 12/0459, granted on 20th November 2012 to allow year round occupation of static caravans for holiday use.

The owner was seeking to retain a two week closure period on the site between the 16th January and 30th January in the same year.

Medlar with Wesham Town Council and Lancashire Fire and Rescue Services had been consulted and not raised any objections to the application.

Councillor Beckett raised his concerns about residents occupying the site as their main residence.

Andrew Stell noted the comments and confirmed that he would formally investigate the matter under planning enforcement and keep the committee updated.

It was RESOLVED to amend Condition 2 of the site licence to read "Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 16th January and 29th January in any one year".

10. Caravan Site Licensing – Lyndale.

Mr Duck introduced the report relating to Lyndale Caravan Park, Preston New Road, Westby which was licensed under the Caravan Sites and Control of Development Act 1960 for fourteen Residential Park Homes. The Licensing Department requested that the site licence issued on the 4th September 2007 be amended to reflect the 2008 Model Standards for Residential Park Home sites.

It was RESOLVED to approve to update the existing site licence conditions to reflect the Department of Communities and Local Government 2008 Model Standards for Residential Caravan Sites.

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