



Agenda

Public Protection Committee

Date:	Monday, 11 December 2017 at 10:00 am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Angela Jacques (Chairman) Councillor Barbara Nash (Vice-Chairman)</p> <p>Councillors Frank Andrews, Jan Barker, Keith Beckett ISO, Brenda Blackshaw, Alan Clayton, Gail Goodman JP, Shirley Green, Peter Hardy, Neil Harvey.</p>

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 27 September 2017 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 24(c).	1
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5	Request for an Increase in the Level of Hackney Carriage Fares	15 - 22
6	Caravan Site Licensing - Bank Lane Caravan Park	23 - 34
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Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

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DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	11 DECEMBER 2017	4
APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - PC			

PUBLIC ITEM

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

SUMMARY

Following an application made to the Licensing Team for the grant of a Hackney Carriage and Private Hire Driver's Licence, the Committee is requested to consider the application and determine if they consider the applicant fit and proper to hold such a licence.

RECOMMENDATION

That the Committee consider the report and determine the application.

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

CORPORATE PRIORITIES

Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. An application has been received from PC for the grant of a Hackney Carriage and Private Hire Driver's licence.
2. In accordance with the standard procedure for all applications, the applicant was requested to submit a Disclosure obtained through the Disclosure and Barring Service and undergo a medical examination.
3. The Disclosure has revealed convictions between 1980 and 2003, further information relating to which will be provided to members at the meeting. The convictions were declared by the applicant upon the application form.

4. Section 59 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 states that, “a district council shall not grant a licence to drive a hackney carriage ... unless they are satisfied that the applicant is a fit and proper person to hold a driver’s licence.”
5. Section 51 (1)(a) of the Local Government (Miscellaneous Provisions) Act 1976 states that, “a district council shall not grant a licence to drive a private hire vehicle unless they are satisfied that the applicant is a fit and proper person to hold a driver’s licence.”
6. Appendix A of the Council’s Statement of Hackney Carriage and Private Hire Licensing Policy, concerning the Relevance of Convictions to Applications is attached for member’s information and use.
7. The applicant has been invited to attend the hearing and the Committee is therefore asked to determine the application.

IMPLICATIONS	
Finance	There are no implications arising directly from the report.
Legal	<p>The Committee should have regard to the requirements of fairness and proportionality in its procedures and to the European Convention on Human Rights in reaching its decision. However, the purpose of the system of driver licensing is to protect the public. If the committee considers that it should refuse the application in order to protect the public, it should not concern itself with the effect on the applicant.</p> <p>Where the council has adopted a policy which applies to a particular matter, it must take the policy into account when making its decision. Although it is not bound to follow the policy, any decision that is contrary to it should be supported and explained by clear and adequate reasons for departing from the policy.</p>
Community Safety	There are no implications arising directly from the report.
Human Rights and Equalities	There are no implications arising directly from the report.
Sustainability and Environmental Impact	There are no implications arising directly from the report.
Health & Safety and Risk Management	There are no implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	chris.hambly@fylde.gov.uk 01253 658422	24 th November 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Hackney Carriage and Private Licensing Policy	September 2017	http://www.fylde.gov.uk/assets/files/11/Hackney-Carriage-and-Private-Hire-Licensing-Policy.pdf

Attached documents

Appendix A - Hackney Carriage and Private Hire Licensing Policy

Appendix A - Taxi and PHV Licensing Criminal Convictions' Policy

1.	Introduction
1.1	The purpose of this policy is to provide guidance on the criteria taken into account by the council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire vehicle licence.
1.2	<p>The overriding aim of the licensing authority is to protect the safety of the public. The licensing authority is concerned to ensure:</p> <ul style="list-style-type: none"> • That a person is a fit and proper person. • That the person does not pose a threat to the public. • That the public are safeguarded from dishonest person. • The safeguarding of children, young persons and vulnerable adults.
1.3	<p>The term “ fit and proper person” for the purposes of licensing is not legally defined and in assessing whether someone is “fit and proper” the Council will consider the following together with any other relevant information:</p> <ul style="list-style-type: none"> • Criminality • Human rights • Period of holding a driver's licence • Number of penalty points endorsed on driving licence • Right to work • Medical fitness • Conduct of the applicant in making the application (e.g. whether they have acted with integrity during the application process) • Previous licensing history of existing and former licence holders <p>In addition the Council will also consider further information provided by sources such as the Police (including abduction notices), Children and Adult Safeguarding Boards and other statutory agencies.</p>
1.4	<p>This policy provides guidance to any person with an interest in hackney carriage and private hire licensing. In particular, but not exclusively:</p> <ul style="list-style-type: none"> • Applicants for drivers' licenses • Existing licensed drivers whose licences are being reviewed • Licensing officers • Members of the Public Protection Committee • Magistrates hearing appeals against local authority decisions
1.5	Where licensing officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the Public Protection Sub-Committee. Whilst officers and the Sub-Committee will have regard to the guidelines contained in the policy, each case will be considered on its individual merits and, where the circumstances demand, the committee/officer may depart from the guidelines.

2	General policy
2.1	There may be occasions where it is appropriate to depart from the guidelines, for example where the offence is a one-off occasion or there are mitigating circumstances or alternatively where there are many or continuous offences which may show a pattern of offending and unfitness.
2.2	<p>A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to:</p> <ul style="list-style-type: none"> a. Remain free of conviction for an appropriate period; and b. Show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). <p>(Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence).</p>
2.3	Where an applicant has been convicted of a criminal offence, the licensing authority cannot review the merits of the conviction [Nottingham City Council v. Mohammed Farooq (1998)].
3	Appeals
3.1	Any applicant refused a driver's licence on the grounds that the licensing authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal.
3.2	Any applicant refused an operator licence on the grounds that the licensing authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal.
3.3	Any licensee whose licence is suspended or revoked has a right to appeal to the Magistrates' Court within 21 days of the notice of suspension or revocation.
4	Powers
4.1	Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.
4.2	The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.
4.3	In this policy the term "disqualification" refers to the period served, in order to

	take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.
5	Consideration of disclosed criminal history
5.1	<p>Under the provisions of Sections 51, 55, and 59, Local Government (Miscellaneous Provisions) Act 1976, the licensing authority is required to ensure that an applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle drivers' licence and/or private hire vehicle operators licence is a 'fit and proper' person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the licensing authority will look into:</p> <ul style="list-style-type: none"> • How relevant the offence(s) are to the licence being applied for • How serious the offence(s) were • When the offence(s) were committed • The date of conviction • Circumstances of the individual concerned • Sentence imposed by the court • The applicant's age at the time of conviction. • Whether they form part of a pattern of offending • Any other character check considered reasonable (e.g. personal references) • Any other factors that might be relevant
5.2	Existing holders of drivers' licences are required to notify the licensing authority in writing within seven days of being arrested, receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions).
5.3	Applicants can discuss further what effect a caution/conviction may have on any application by contacting the licensing office on 01253 658422 in confidence for advice.
5.4	The licensing authority conducts enhanced disclosures from the Disclosure and Barring Service (DBS) of any applicant for a driver licence. The licensing authority follows the DBS's Code of Practice on the fair use of disclosure information. A copy is available on request.
5.5	Applicants applying for the grant or a renewal of a drivers' licence will be required to obtain an enhanced disclosure at their expense. Applicants for an operator's licence will be required to obtain a standard DBS check at their own expense (unless they are the holder of a current hackney carriage or private hire drivers licence issued by Fylde Council). The licensing authority abides by the DBS's Policy on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.
5.6	The licensing authority is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the licensing authority or other licensing authorities, and information disclosed by the police.
5.7	It is an offence for any person knowingly or recklessly to make a false

	declaration or to omit any material particular in giving information required by the application for a licence. Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.
5.8	For renewal applications and current licence holders the policy will not be applied retrospectively where there are no new concerns or convictions. The policy will be applied to existing licence holders if any additional convictions are incurred or they are otherwise brought to the attention of the Council for conduct that would call into question a person's suitability to hold a licence.
5.9	Offences not covered by this Policy will be considered by the Council when determining whether the applicant/licensed driver is a fit and proper person.
6	Serious offences involving violence
6.1	Licensed drivers have close regular contact with the public. A firm line is to be taken with those who have convictions for offences involving violence. An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life.
6.2	In other cases anyone of a violent disposition will normally be refused to be licensed until at least 3 years free of such conviction. However, given the range of the offences that involve violence, consideration must be given to the nature of the conviction.
6.3	Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as: <ul style="list-style-type: none"> • Murder • Manslaughter • Manslaughter or culpable homicide while driving • Terrorism offences • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
6.4	A licence will not normally be granted where the applicant has a conviction for an offence or similar offence to those below and the conviction is less than 10 years prior to the date of application: <ul style="list-style-type: none"> • Arson • Malicious wounding or grievous bodily harm which is racially aggravated • Actual bodily harm which is racially aggravated • Grievous bodily harm with intent • Robbery • Possession of firearm • Riot • Assault Police • Common assault with racially aggravated • Violent disorder • Resisting arrest • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.5	<p>A licence will not normally be granted where the applicant has a conviction for an offence or similar offence to those below and the conviction is less than 5 years prior to the date of application:</p> <ul style="list-style-type: none"> • Racially-aggravated criminal damage • Racially-aggravated offence • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
6.6	<p>A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the below offences and the conviction is less than 3 years prior to the date of application:</p> <ul style="list-style-type: none"> • Common assault • Assault occasioning actual bodily harm • Affray • S5 Public Order Act 1986 offence (harassment, alarm or distress) • S.4 Public Order Act 1986 offence (fear of provocation of violence) • S4A Public Order Act 1986 offence (intentional harassment, alarm or distress) • Obstruction Page 24 of 49 • Criminal damage • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
6.7	<p>A licence will not normally be granted if an applicant has more than one conviction in the last 10 years for an offence of a violent nature.</p>
6.8	<p>In the event of a licence being granted, a strict warning both verbally and in writing should be administered.</p>
7	Possession of a weapon
7.1	<p>If an applicant has been convicted of possession of a weapon or any other weapon related offence, this will give serious concern as to whether the person is fit to carry the public.</p>
7.2	<p>Depending on the circumstances of the offence, an applicant should be free of conviction for 3 years (or at least 3 years must have passed since the completion of the sentence, whichever is longer), before a licence is granted</p>
8	Sex and indecency offences
8.1	<p>As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions for sexual offences must be closely scrutinized. Those with convictions for the more serious sexual offences will generally be refused. For other offences, applicants will be expected to show a substantial period free of conviction for such offences before a licence will be granted.</p>
8.2	<p>Unless there are exceptional circumstances, an application will normally be refused where the applicant has a conviction for an offence such as:</p> <ul style="list-style-type: none"> • Rape • Assault by penetration • Offences involving children or vulnerable adults • Sexual assault

	<ul style="list-style-type: none"> • Indecent assault • Exploitation of prostitution • Grooming, Trafficking for sexual exploitation or other sexual exploitation related offences • Possession of indecent photographs, child pornography etc. • Or any sex or indecency offence that was committed in the course of employment as a taxi or PHV driver • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.
8.3	<p>Before an application will be considered, an applicant should be free of conviction for at least 10 years (or at least 5 years must have passed since the completion of the sentence, whichever is longer), if he/she has a conviction for an offence such as:</p> <ul style="list-style-type: none"> • Indecent exposure • Soliciting (kerb crawling) • Or any similar offences (including attempted or conspiracy to commit).
8.4	In addition to the above the licensing authority will not normally grant a licence to any applicant who is currently on the Sex Offenders Register.
8.5	A licence will not normally be granted if an applicant has more than one conviction for a sexual/indecency offence.
9	Dishonesty
9.1	<p>A licensed PHV or taxi driver is expected to be a trustworthy person. They deal with cash transactions and valuable property may be left in their vehicles. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal or agreed fare, etc. Drivers may well deal with customers who are vulnerable or intoxicated and potentially easily confused. For all these reasons, a serious view is taken of any conviction involving dishonesty.</p>
	<p>In general, a minimum period of 3 years free of conviction or at least 3 years from completion of sentence (whichever is longer) should be required before granting a licence. Offences involving dishonesty include:</p> <ul style="list-style-type: none"> • theft • burglary • fraud • benefit fraud • handling or receiving stolen goods • forgery • conspiracy to defraud <p>Page 26 of 49 Hackney Carriage and Private Hire Licensing Policy 2016</p> <ul style="list-style-type: none"> • obtaining money or property by deception • other deception • taking a vehicle without consent • and any similar offences • Or any similar offences (including attempted or conspiracy to commit)

	offences which replace the above
9.3	A licence will not normally be granted if an applicant has more than one conviction for a dishonesty offence.
9.4	Applicants or existing licence holders that are found to have intentionally misled the Council, or lied as part of the application process, will not normally be issued with a licence.
10	Drugs
10.1	A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which should be considered.
10.2	A licence will not normally be granted where the applicant has a conviction for an offence related to the supply of drugs and has not been free of conviction for 5 years.
10.3	A licence will not normally be granted where the applicant has more than one conviction for offences related to the possession of drugs and has not been free of conviction for 5 years.
10.4	An applicant who has an isolated conviction for an offence related to the possession of drugs (other than for supply) within the last 3-5 years may be granted a licence, but consideration should be given to the nature and quantity of the drugs.
10.5	If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of 5 years free from drug taking after detoxification treatment.
10.6	A licence will not normally be granted if an applicant has more than one conviction for a drugs related offence.
11	Driving offences involving the loss of life
11.1	A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life.
11.2	Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as: <ul style="list-style-type: none"> • Causing death by dangerous driving • Causing death by careless driving whilst under the influence of drink or drugs • Causing death by driving: unlicensed, disqualified or uninsured drivers • or any similar offences
12	Drink driving/driving under the influence of drugs/using a mobile phone whilst driving

12.1	As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident would not necessarily debar an applicant from proceeding on the restoration of his DVLA driving licence but he should be warned as to the significant risk to his licence status in the event of re-offending. Normally at least 3 years, after the restoration of the driving licence following a drink/drug drive conviction should elapse before an application will be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be allowed to proceed.
12.2	Applicants should also be aware of the serious risk posed by driving whilst using a mobile phone. There is a substantial body of research (see for instance http://www.rosipa.com/rospaweb/docs/advice-services/road-safety/drivers/mobile-phone-report.pdf) which shows that drivers who use a mobile phone suffer physical and cognitive distraction which means they : <ul style="list-style-type: none"> • are much less aware of what's happening on the road around them • fail to see road signs • fail to maintain proper lane position and steady speed • are more likely to 'tailgate' the vehicle in front • react more slowly, take longer to brake and longer to stop • are more likely to enter unsafe gaps in traffic • feel more stressed and frustrated
12.3	There is evidence to show that drivers who use a mobile phone have slower reaction times than those who have consumed up to the legal alcohol limit. In light of this, an equally serious view should be taken of convictions for driving whilst using a mobile phone as for driving under the influence of drink or drugs.
12.4	A licence will not normally be granted if an applicant has more than one conviction for an offence of driving under the influence of drink or drugs or whilst using a mobile phone.
13	Licensing offences
13.1	Certain offences under taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed until a period of 3 years has passed since.
13.2	A licence will not normally be granted if an applicant has more than one conviction for a licensing related offence.
14	Insurance Offences
14.1	A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided he/she has been free of conviction for 3 years, however strict warning should be given as to future behaviour.
14.2	A licence will not normally be granted if an applicant has more than one conviction for an insurance related offence.

14.3	An operator found guilty of aiding and abetting the driving of passengers for hire and reward whilst without insurance will normally have his operators' licence revoked immediately and be prevented from holding a licence for at least three years.
15	Outstanding charges or summonses
15.1	If the individual is the subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed at the conclusion of proceedings.
15.2	If the outstanding charge or summons involves a serious offence and the individual's conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application may be put on hold until proceedings are concluded or the licence may be refused.
16	Non-conviction information
16.1	If an applicant has, on more than one occasion, been arrested or charged, but not convicted, for a serious offence which suggests he could be a danger to the public, consideration should be given to refusing the application.
16.2	In assessing the action to take, the safety of the travelling public must be the paramount concern.
17	Cautions
17.1	Admission of guilt is required before a caution can be issued. Every case will be considered on its own merits including the details and nature of the offence.
18	Licences issued by other licensing authorities
18.1	Applicants who hold a licence with one licensing authority should not automatically assume that their application will be granted by another. Each case will be decided on its own merits.
18.2	Licensees who are licensed by multiple authorities are expected to inform all such authorities of the authorities that they are licensed by and to advise each authority of any changes in this respect; and should expect those authorities to share information regarding their conduct and to take it into account as appropriate.
19	Summary
19.1	To summarise, a criminal history in itself may not automatically result in refusal and a current conviction for a serious crime need not bar an applicant permanently from becoming licensed. As the preceding paragraphs indicate, in most cases, an applicant would be expected to remain free from conviction for 3 to 10 years, according to circumstances, before an application can be considered. However, there may be occasions when an application can be

	allowed before 3 years free from conviction have elapsed.
19.2	Any person who has committed an offence and has to wait before an application is positively considered is more likely to value their licence and act accordingly.
19.3	While it is possible that an applicant may have a number of convictions that, individually, meet the above guidelines, the overall offending history must be considered when assessing an applicant's suitability to be licensed. A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Obviously some discretion can be afforded if an offence disclosed is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	11 DECEMBER 2017	5
REQUEST FOR AN INCREASE IN THE LEVEL OF HACKNEY CARRIAGE FARES			

PUBLIC ITEM

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

SUMMARY

A request has been received from Whitesides Taxis seeking an increase in the level of hackney carriage fares. The national average increase in the level of fares has been ascertained and the Committee will be requested to consider the request.

RECOMMENDATION

That the Committee considers the report and determines the request to increase the level of fares.

SUMMARY OF PREVIOUS DECISIONS

17/10/16 – Council resolved to “Delegate to the Public Protection Committee responsibility for determining increases in the level of Hackney Carriage Fares”.

20/7/16 - Public Protection Committee considered a request for a fare increase and resolved to “Refuse the request for an increase in level of hackney carriage fares as being inappropriate”

27/11/13 – Portfolio Holder Decision to approve the following:

- (i) Tariff 1 and 2 fares be increased by 1 per cent.
- (ii) 60 pence be added to every hiring between 0200 and 0600.
- (iii) Taxi operators be requested to display clearly in their vehicles any meter reduction due to discounts

16/7/12 – Portfolio Holder Decision, “In reviewing fares the Portfolio Holder felt that particular regard should be given to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay and to the need to give drivers sufficient incentive to provide a service when it is needed. Therefore the Portfolio Holder approved the requested increase in the hackney carriage fares of 2.5%, as recommended by the [Public Protection Committee](#).”

6/4/11 – Portfolio Holder Decision, “That the portfolio holder approved the following recommendations of the Public Protection Committee and determines the request: In view of very significant rises in fuel and other costs involved in running and maintaining hackney carriages, that hackney carriage fares be increased by 7.5%, and that further surcharges of 20p be allowed if the price of diesel reaches trigger levels of £1.50 and £1.75 per litre.”

16/4/2009 – Portfolio Holder Decision, “The Portfolio Holder considered the recommendations of the [Public Protection Committee](#) and approved the recommendations contained within the report.”

7/12/2007 – Portfolio Holder Decision, “The Portfolio Holder considered the report and the recommendations of the [Public Protection Committee](#) and determines the requests.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	✓
Delivering the services that customers expect of an excellent council (Clean and Green)	✓
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. The provisions of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 allow Local Authorities to fix the level of fares that may be demanded in connection with the hire of a Hackney Carriage.
2. The Office of Fair Trading Best Practice Guidance for Taxi and Private Hire Vehicle Licensing considers fares and comments at paragraph 36 that,

“Fare scales should be designed with a view to practicality. The Department sees it as good practice to review the fare scales at regular intervals, including any graduation of the fare scale by time of day or day of the week. Authorities may wish to consider adopting a simple formula for deciding on fare revisions as this will increase understanding and improve the transparency of the process. The Department also suggests that in reviewing fares authorities should pay particular regard to the needs of the travelling public, with reference both to what it is reasonable to expect people to pay but also to the need to give drivers sufficient incentive to provide a service when it is needed. There may well be a case for higher fares at times of higher demand.”

3. Fylde Borough Councils Hackney Carriage and Private Hire Licensing Policy acknowledges the comments of the OFT and states in Appendix J:

“Hackney Carriage Fare scales will not generally be reviewed more than once per year between January and March with any change agreed being implemented once the required period for objection specified in the Public Notice has passed. In reviewing the scale of maximum fares to be charged locally, consideration will be given to the percentage by which the “National Average” of Tariff One, 2 mile journey fares (as published in Private Hire & Taxi Monthly magazine) increased since the fees were last increased by Fylde Council (i.e. January 2013 to January 2017). In general, this average percentage will constitute the maximum percentage increase in fares above which the authority would not generally consider any application for a tariff increase.”

4. A request for an increase in the level of fares has been submitted by Giles Bridge of A2Z Licensing on behalf of Whitesides Taxis which is included at appendix 1. Officers have confirmed that the increase requested may be summarised as:

- a) increase of 4.6% on all tariffs
- b) Increase in the cost of extras from 20p to 40p
- c) for journeys where between 5 & 8 passengers are being conveyed, the driver may charge 1.5 times the metered fare.
- d) Increase the soiling charge from £40 to £60

5. It is difficult to achieve an actual constant increase of 4.6% on any journey but Officers believe the most efficient way to achieve this would be by:

Tariff 1

An increase in the initial hiring charge from £2.60 to £2.70

Decrease in initial flag drop yardage from 404 yards to 380 yards and decrease from 202 to 190 yds for incremental drops

Tariff 2

An increase in the initial hiring charge from £2.80 to £2.90

Decrease in initial flag drop yardage from 318 yards to 300 yards and decrease from 159 to 150 yds for incremental drops

6. A table is shown below which demonstrates the current fares and the proposed fares should the Committee recommend approval of the request together with the national average level of fares:

Flag	T1 current	T1 proposed	T2 current	T2 proposed
	2.60	2.70	2.80	2.90
1 mile	4.00	4.30	4.80	4.90
2	5.80	6.10	7.00	7.30
3	7.60	7.90	9.20	9.70
4	9.20	9.90	11.40	11.90
5	11.00	11.70	13.60	14.30
6	12.80	13.50	15.80	16.70
7	14.40	15.30	18.00	19.10
8	16.20	17.30	20.20	21.30
9	18.00	19.10	22.40	23.70
10	19.00	20.90	24.60	26.10

7. The previous increase in Hackney Carriage Fares came into force in January 2014 having been approved by the Portfolio Holder in November 2013. The Private Hire and Taxi Magazine which is used to calculate the national average increase has changed the amount of information it publishes but it can be seen that between January 2014 and September 2016 the national average tariff 1, 2 mile journey has increased from £5.57 to £5.74, an increase of 3%.
8. For the information of members, a table is shown below detailing the current fares in Fylde, Blackpool and Wyre. The latest fare increases came into force in April 2011 in Wyre and September 2012 (minor amendment is August in 2016) in Blackpool.

Authority	1 Mile	2 Miles	5 miles	10 miles
Fylde T1	£4.30	£6.10	£11.70	£19.00
Blackpool T1	£4.10	£5.80	£11.20	£20.00
Wyre T1	£3.80	£5.60	£10.60	£19.00
Fylde T2	£4.90	£7.30	£14.30	£26.10
Blackpool T2	£4.60	£7.00	£14.00	£25.80
Wyre T2	£4.50	£6.70	£13.30	£24.30

9. The submission also includes a request to increase the cost of extras from £0.20 to £0.40. Extras include luggage conveyed outside the passenger compartment of the carriage or prams, passengers in excess of one (two children between the ages of 3 years and 12 years to be counted as one, younger children not to be reckoned) and the carriage of dogs (except assistance dogs).
10. The current table of fares includes an amount the driver may charge should the vehicle needs to be withdrawn from service due to passenger abuse of £40.00. It is reported that the cost of valeting vehicles has increased and submission made that this is increased to £60.00.
11. The final element of the submission includes a request that for larger vehicles carrying between 5 and 8 passengers, the driver is entitled to demand 1.5 times the metered fare. Members will be aware that the age limit for encouraging wheelchair accessible vehicles (WAV's) onto the fleet was recently lowered to 6 years in an attempt to increase the numbers licensed. Whilst these WAV's are licensed primarily to carry wheelchairs, and the level of fares should not discriminate against disabled persons, it is inevitable the vehicles will also be used to convey larger numbers of passenger's. Due to the cost of purchasing purpose built vehicles, the

potential revenue in addition to lowering of the age limit may further encourage persons to seek to licence purpose built wheelchair accessible vehicles.

12. Members may wish to note that the level of fares set by the Authority is the maximum a driver is entitled to demand. It is our interpretation of the legislation that hackney carriage proprietors and drivers are entitled to discount fares and calibrate their meters to a tariff less than the Council tariff. However, should a proprietor choose to do this, they should make it clear within the vehicle that the meter is set to a lower tariff so as to avoid any confusion and allegations of overcharging.

13. To conclude, Members are requested to consider the report, supporting information and the requests to:

- a) Increase the level of fares by 4.6% as demonstrated in point 5 above
- b) Increase the cost of extras from 20p to 40p
- c) For journeys where between 5 & 8 passengers are being conveyed, the driver may charge 1.5 times the metered fare.
- d) Increase the soiling charge from £40 to £60

IMPLICATIONS	
Finance	There are no direct financial implications for the Council in setting the fares for hackney carriages.
Legal	None arising directly from the report.
Community Safety	The provision of taxis is an integral part of the transport infrastructure and is particularly influential in the transportation of individuals late at night when bus services have ceased. The provision of affordable taxis assist in community safety by ensuring people are removed from town centres safely and helps to reduce the incidence of drink driving.
Human Rights and Equalities	Hackney carriages are a vital form of transport for the disabled who may have difficulties accessing other forms of public transport. It is important therefore that fares are maintained at a level which will encourage investment in DDA compliant vehicles yet remain affordable to disabled people.
Sustainability and Environmental Impact	None arising directly from the report.
Health & Safety and Risk Management	None arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Chris Hambly	chris.hambly@fylde.gov.uk Tel 01253 658422	24 th November 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Hackney Carriage and Private Hire Licensing Policy	October 2017	http://www.fylde.gov.uk/assets/files/11/Hackney-Carriage-and-Private-Hire-Licensing-Policy.pdf

Attached documents

App A – Fare Increase Submission

App B – Servicing Costs

Submission on behalf of Whitesides Taxis and their Hackney Drivers

re Hackney Carriage Fares

1) Suggestion that there be an increase in hackney fares

The Council's policy on Hackney Fares is that increases should generally be limited to the % increase in fares according to the Private Hire Taxi Magazine table of hackney fares. Whitesides and their drivers would submit that the Council ought to consider a higher rise this year: a rise in line with the increase in the Consumer Price Index since fares were last increased in 2014.

The national average PHTM 2 mile tariff 1 fare at September 2017, last time the average fare was published, is £5.74. The national average 2 mile tariff 1 fare in January 2014, when fees were last increased was £5.57. So the increase in national fares over the last 3 years 9 months 17 p or 3.1%

The Fylde 2 mile tariff 1 fare as per PHTM is £5.80 so an increase of 3.1% would be 20 p¹ to £6.00.

Using the PHTM figures does not produce an increase which is in line with the general increase in prices, CPI, (Consumer Price Index) since January 2014. An increase in line with the CPI would reflect the overall day to day increase in business and personal expenditure that drivers have faced since January 2014.

Inflation, as measured in the CPI has increased by more than the increase in tariff 1 2 miles fares as set out in PHTM. The difference in prices from January 2014 to October 2017 is 4.6%. So a rise in the Fylde Hackney fares in line with the change in CPI since January 2014 would lead to an increase in the 2 mile tariff 1 fare of 30 p to £6.10, rounding figures to the nearest 5 p.

The costs faced by Hackney Drivers have increased since 2014. Some of those increases have been relatively modest, others have been substantial. Please see the table below which relates to an individual driver and provides an insight into the increases in costs faced by a typical Hackney Carriage driver since 2014.

¹ If rounding to the nearest 5 p.

Year	Expenditure item					
	Insurance	Fuel (weekly) ²	Pit test	Vehicle service ³	Tyres ⁴	Private Hire Rent ⁵
2014	£995	£117.90	£176	£120	£108	£165
2015	£1016	£107.90	£176			
2016	£1040	£122.90	£176			
2017	£1315	£120.90	£180	£160	£156	£180
% increase between 2014 & 2017	32.2%	2.5%	2.3%	30%	28.3%	9.1%

Vehicle parts and labour for routine maintenance and servicing. Please see a letter from Shaw and & Wright to Whitesides which indicates that the general increase in the costs of parts and labour is in the region of 5% from 2013 to today.

What must also be remembered is that Hackney Carriage drivers have also faced the more general increase in the CPI, 4.6% since January 2014, in their own personal expenditure.

Whitesides and their drivers believe that in the light of the above figures it would be appropriate for the council to consider an increase in Hackney fares in line with the CPI rather than the increase in national Hackney Fares in the PHTM magazine. When considering the increase sought it is important to remember that it would be a 30 p increase in a 2 mile tariff 1 journey to £6.10 rather than a 20 p increase to £6.00.

2) Other increases sought

Increase extras – passengers and luggage

It is submitted that it is appropriate to double these from 20 p to 40 p. These extras have not been increased in over 25 years. Such an increase would not generally penalise those who rely upon hackney vehicles to get around for daily routine journeys like shopping. It would provide a modest increase in driver income, which would be well received by the trade as a whole.

1.5x Tariff when 5 or more passengers carried in an MPV

The council is requested to add a tariff for MPVs and minibuses when carrying 5-8 passengers of x1.5 of the flag fare, which a number of local authorities such as Brighton and Dover amongst others already charge. This would encourage the purchase of larger wheelchair accessible hackneys, which are premium vehicles and the most comfortable wheelchair accessible vehicles onto the fleet. Hopefully this would then mean that the quality of the vehicles on the fleet would be

² It is believed that fuel prices are likely to rise in the near future.

³ Given the mileage that Hackney Vehicles do, at least two services per year are normal.

⁴ Same brand of budget tyres. Tyres need to be replaced on average every 20,000 miles. Mileage of 50,000 a year for private hire work is not unusual.

⁵ A weekly charge to Private Hire Operator, the increase includes an £8 weekly charge for card payment facilities, which many customers wish to use. In an increasingly competitive market Operators are having to spend more on marketing and computerised systems such as booking apps and booking and dispatch systems to remain competitive. The majority of Hackney Drivers in Fylde work for an operator to supplement the work they receive from the ranks by working for a Private Hire Operator.

improved overall. Whitesides find it difficult to encourage drivers to purchase larger vehicles capable of carrying 5 or more passengers. A 1.5x tariff would also encourage groups of customers to use larger vehicles, because groups of more than 4 would travel in one vehicle, rather than having to hire two vehicles. The cost to the customer would therefore be reduced. Additionally vehicle journeys would be reduced, which would have the positive effect of reducing pollution.

Giles Bridge

Licensing Consultant

21st November 2017

SHAW & WRIGHT LTD

ELLISONS BUILDINGS, PRESS ROAD, ST. ANNES-ON-SEA, LANCS, FY8 2LU

Telephone : 01253 728159

Phone Fax : 01253 726310

Email : shawandwright@btconnect.com

Service & Repairs to all Vehicles
Exhausts - Tyres - Air Condition Servicing
4 Wheel Laser Alignment
Engine Management Re-set

27th September 2017

To whom it may concern

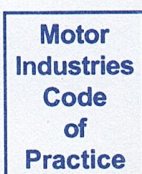
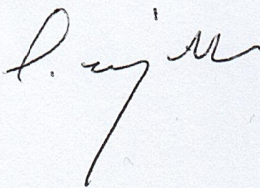
We have been asked by Mr Daniel Whiteside of Whiteside Taxis Ltd to provide him with an estimate of our parts and labour costs charged to him over the past five years.

We would estimate that would be in the region of a 5% increase.

To give two examples oil was charged out at £2.85 ltr in 2013, today it is £5.11 ltr. The cost of a service in 2013 was £175.00 today it is £200.00.

Yours Faithfully

Mr T.Wright



DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	11 DECEMBER 2017	6
CARAVAN SITE LICENSING- BANK LANE CARAVAN PARK			

PUBLIC ITEM

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

SUMMARY

A request has been received from the site owner to amend the site licence to allow the site to remain open all year round.

RECOMMENDATION

That the Committee considers the report, to cancel Condition 25 of the site licence to allow all year round use of the caravan site, in line with the Councils Planning Departments decision to permit the caravan park to remain open all year round.

SUMMARY OF PREVIOUS DECISIONS

There are no other previous decisions relating to this matter.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	✓
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	✓
Promoting Fylde as a great destination to visit (A Great Place to Visit)	✓

REPORT

1. The Licensing Department received correspondence¹ from the site owner from Bank Lane Caravan Park, Bank Lane, Warton, Lancashire.
2. The applicant is seeking to cancel Condition 25 of the site licence² issued on 12th May 2010.
3. Condition 25 of the site licence states *"Caravans shall be used solely for human habitation as holiday caravans and shall not be occupied from 8th January to the 28th February inclusive in any year"*.

¹ Correspondence received, dated 28th October 2017

² Bank Lane Caravan Park Site Licence

4. On the 6th September 2017, the Council's Planning Department approved a variation of Condition 1³ on Planning Application (5/89/0693) to *"Seek planning approval for the caravan park to remain open all year round"*.
5. Lancashire Fire and Rescue Services have been consulted on this application.

IMPLICATIONS	
Finance	None arising directly from the report.
Legal	None arising directly from the report.
Community Safety	None arising directly from the report.
Human Rights and Equalities	None arising directly from the report.
Sustainability and Environmental Impact	None arising directly from the report.
Health & Safety and Risk Management	None arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Michael Duck	michaeld@fylde.gov.uk Tel 01253 658620	27 th November 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Bank Lane Premises File	27 th November 2017	1 st Floor Chaseley Building, St. Annes

Attached documents

Appendix 1 – Correspondence received, dated 28th October 2017 to cancel Condition 25 of the site licence

Appendix 2 – Bank Lane Caravan Park Site Licence

Appendix 3 – Planning Approval (17-0473) Variation of Condition 1 on Planning Application 5/89/93 to seek planning approval for the caravan park to remain open all year round.

³ Planning approval (17/0473)

Email received Sat 28/10/2017 16:33

Good Afternoon Mr Duck

Thank you for your copy of the site licence for Bank Lane Caravan Park Warton, after reading the copy of the site licence I note that para 25 is incorrect. I refer you to planning application number 17/0473 which was been granted at the planning meeting in September of this year. Could you please check the details and then the site licence can be amended to reflect this decision.

I look forwards to receiving the amended licence.

Kind regards
David Bateson



CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960
Section 3
S I T E L I C E N C E

To: David Bateson
Bank Lane Caravan Park
Bank Lane
Warton
PR4 1TB

TAKE NOTICE THAT WHEREAS

1. On the 27th day of January 1978 you made application for a site licence in respect of land situated at Bank Lane, Warton, Nr. Preston, indicated on the plan submitted with the application (which land is hereinafter called “the land”).
2. You are entitled to the benefit of permission for the use of the land as a caravan site granted by the Secretary of State for the Environment by letter dated 12th May 1971 referenced APP/2097/A/37556.

NOW THEREFORE the Council of the Borough of Fylde (hereinafter called “the Council”) HEREBY GRANT a site licence in respect of the land pursuant to Section 3 of the Caravan Sites and Control of Development Act 1960, subject to the conditions specified in the schedule hereto.

This Licence cancels all previous licences.

THE SCHEDULE

1. (a) The total number of caravans stationed on the site at any one time shall be such as to enable compliance with the requirements of this schedule to be maintained and in any case shall not exceed 230 (two hundred and thirty).
- (b) The site shall be laid out in accordance with the plan submitted with the application for this licence or in accordance with any amended plan which has been submitted to and approved in writing by the Council.

2. Not less than ten per cent of the total caravan provision authorised by this licence shall be reserved for touring caravans.
3. The owners/operators of the caravan site shall maintain a register of names of all owners/occupiers of individual caravans and of their main home addresses, and shall make this information available at all reasonable times to the Local Authority.
4. Every caravan shall be made of aluminium or other materials with similar fire performance properties and shall be stationed not less than 5 metres from any other caravan in separate occupation, 3.5 metres at corners.
5. Every caravan shall be sited not less than 3 metres from any boundary of the site.
6. Roads of suitable material shall be provided so that no caravan standing or toilet block is more than 50 metres from a road.
7. The roads shall not be less than 3.7 metres wide or if they form part of a clearly marked one way traffic system 3 metres wide.
8. All carriageway shall be kept free of parked vehicles and other obstructions so as to ensure, at all times, adequate access for emergency vehicles.
9. Where possible every caravan should stand on a hard standing of suitable materials which should extend over the whole area occupied by the caravan and should project one metre from the entrance of the caravan.
10. Fire points shall be established so that no caravan or site building is more than 30 metres from such a point. They should be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Where water standpipes are provided and there is a water supply of sufficient pressure and flow to project a jet of water approximately 5 metres from the nozzle, such water standpipes should be situated at each fire point. There should also be a reel that complies with British Standard 5306 Part 1, with a hose not less than 30 metres long, having means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand control nozzle. Hoses should be housed in a box painted red and marked "HOSE REEL".

Where standpipes are not provided but there is a water supply of sufficient pressure and flow, fire hydrants should be installed within 100 metres of every caravan standing. Hydrants should conform to British Standard 750. Access to hydrants and other water supplies should not be obstructed or obscured.

Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point should be provided with either water extinguishers (2 x 9 litre) or a water tank of at least 500 litres capacity fitted with a hinged cover, 2 buckets and 1 hand pump or bucket pump.

A means of raising the alarm in the event of fire shall be provided at each fire point. This could be by means of a manually operated sounder, e.g. metal triangle with a striker, gong or hand operated siren. The advice of the fire authority should be sought on an appropriate system.

All alarms and fire fighting equipment shall be installed, tested and maintained in working order by a competent person and be available for inspection by, or on behalf of, the licensing authority. A log book shall be kept to record all tests and any remedial action.

11. All equipment susceptible to damage by frost shall be suitably protected.
12. A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire and the location of the nearest telephone. This notice shall include the following:-

“On discovering a fire –

- i. ensure the caravan or site building involved is evacuated
- ii. raise the alarm
- iii. call the fire brigade (the nearest telephone is sited.....)
- iv. attack the fire using the fire fighting equipment provided, if safe to do so.

It is in the interest of all occupiers of this site to be familiar with the above routine and the method of operating the fire alarm and fire fighting equipment.”

13. Long grass and vegetation shall be cut at frequent and regular intervals where necessary to prevent it becoming a fire hazard to caravans, buildings or other installations on the site. Any such cuttings shall be removed from the vicinity of caravans. The space beneath and between caravans shall not be used for the storage of combustible materials.
14. An immediately accessible telephone shall be available on the site for calling the emergency services. A notice by the telephone should include the address of the site.
15. LPG storage supplied from tanks shall comply with Guidance Booklet HSG 34 “The Storage of LPG at Fixed Installations” or, where LPG is supplied from cylinders, with Guidance Note CS4 “The Keeping of LPG in Cylinders and Similar Containers” as appropriate.

Where there are metered supplies from a common LPG storage tank, then Guidance Note CS11 “The Storage and Use of LPG at Metered Estates” provides further guidance. In this case and where a British Gas mains supply is available, then the Gas Safety (Installation and Use) Regulations 1984 and the Pipe-lines Act 1962 may also be applicable.

Exposed gas bottles or cylinders shall not be within the separation boundary of an adjoining unit.

LPG installations shall conform to British Standard 5482, “Code of Practice for domestic butane and propane gas burning installations, Part 2: 1977 Installations in Caravans and non-permanent dwellings”.

For mains gas supply, the 1984 Regulations will be relevant for the installation downstream of any service pipe(s) supplying any primary meter(s) and such service pipes are subject to the Gas Safety Regulations 1972.

In cases where the site owner supplies gas to caravans on the site, he may need an authorisation to do so from OFGAS under the Gas Act 1986.

16. Sites shall be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.

Such electrical installations, other than Electricity Board works and circuits subject to regulations made by the Secretary of State under Section 16 of the Energy Act 1983 and section 64 of the Electricity Act 1947, should be installed, tested and maintained in accordance with the provisions of the Institution of Electrical Engineers' (IEE) Regulations for Electrical Installations for the time being in force, and where appropriate, to be the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1988, Statutory Instrument 1988 No. 1057.

Work on electrical installations and appliances should be carried out only by competent persons such as the manufacturer's appointed agent, the electricity supplier, a professionally qualified electrical engineer, a member of the Electrical Contractors' Association, a contractor approved by the National Inspection Council for Electrical Installation Contracting, or a qualified person acting on behalf of one of the above.

The installations should be inspected periodically: under IEE Wiring Regulations, every year or such longer period (not exceeding 3 years) as is considered appropriate in each case. When an installation is inspected, it should be judged against the current regulations.

The inspector should, within 1 month of such an inspection, issue an inspection certificate in the form prescribed in the IEE Wiring Regulations which should be retained by the site operator and displayed, supplemented or replaced by subsequent certificates, with the site licence. The cost of the inspection and report should be met by the site operator or licence holder.

If an inspection reveals that an installation no longer complies with the regulations extant at the time it was first installed, any deficiencies should be rectified. Any major alterations and extensions to an installation and all parts of the existing installations affected by them should comply with the latest version of the IEE Wiring Regulations.

If there are overhead electric lines on the site, suitable warning notices should be displayed at the entrance to the site and on supports for the line. Where appropriate, particular attention should be drawn to the danger of masts of yachts or dinghies contacting the line.

17. All sites shall be provided with a water supply in accordance with appropriate Water Bylaws and statutory quality standards.
18. Sufficient standpipes with an adequate supply of water shall be provided so that no touring caravan is more than 45 metres from a standpipe.
19. Satisfactory provision shall be made for foul drainage, either by connection to a public sewer.
20. For touring caravans communal toilet blocks should be provided, with adequate supplies of water, on at least the following scales:

Men: 1 WC and 1 urinal per 15 caravans

Women: 2 WCs per 15 caravans

1 wash basins for each WC or group of WCs

1 showers or baths (with hot and cold water) for each sex per 20 caravans

Toilet blocks should be sited conveniently so that all site occupants may have reasonable access to one by means of a road or footpath

Suitable and sufficient means of internal and external artificial lighting shall be provided and maintained for all communal facilities.

All fixtures and fittings provided for communal use shall be maintained in proper working order and in a clean condition.

Laundry facilities should be provided in a separate building adequate to meet the demands of the caravans stationed on the site.

A properly designed disposal point for the contents of chemical closets shall be provided, and shall have an adequate supply of running water for cleaning the containers.

21. Every caravan (other than a touring caravan) stationed for occupation on the site shall be provided with its own sink, water closet, wash hand basin, shower (or bath) and piped water supply, and every standing for such caravan shall be provided with a connection to the foul drainage system; the connection shall be capable of being made airtight when not in use.
22. Every caravan standing shall have an adequate number of suitable non-combustible refuse bins with close-fitting lids or plastic bags. Arrangements should be made for the bins to be emptied regularly. Where communal refuse bins are also provided these should be of similar construction and housed within a properly constructed bin store.
23. One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed. Suitable surfaced parking spaces should be provided where necessary to meet the additional requirements of the occupants and their visitors. Plastic or wooden boats should not be parked between units.
24. Where children stay on the site, space equivalent to about one-tenth of the total area should be allocated for children's games and/or other recreational purposes. This provision will normally be necessary because of the limited space available round the caravans, but may be omitted where there are suitable alternative publicly provided recreational facilities which are readily accessible.
25. Caravans shall be used solely for human habitation as holiday caravans and shall not be occupied from 8th January to the 28th February inclusive in any year.
26. At all times when caravans are stationed on the site for the purposes of human habitation, all facilities and equipment required to be provided by these conditions shall be properly maintained.
27. A suitable sign shall be prominently displayed at the site entrance indicating the name of the site.
28. A copy of the site licence with its conditions should be displayed prominently on the site.

29. Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They shall show where the police, fire brigade, ambulance and local doctors can be contacted, and the location of the nearest public telephone. The notices should also give the name and location/telephone number of the site licence holder or his/her accredited representative. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.
30. All notices shall be suitably protected from the weather and displayed where possible out of the direct rays of the sun, preferably in areas lit by artificial lighting.

Dated 12th day of May 2010



.....
C. Platt
Director- Community Services



Town and Country Planning Acts

Variation of Condition Granted

Part 1 - Particulars of Application

Application Number: 17/0473

Location: BANK LANE CARAVAN PARK, BANK LANE, BRYNING WITH WARTON, PRESTON, PR4 1TB

Description: VARIATION OF CONDITION 1 ON PLANNING APPLICATION 5/89/0693 TO SEEK PLANNING APPROVAL FOR THE CARAVAN PARK TO REMAIN OPEN ALL YEAR ROUND.

Part 2 - Particulars of Decision

The Fylde Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of development referred to in Part 1 hereof in accordance with the development proposal specified on your submitted application form and the relevant plan (s) subject to the following conditions(s) and reasons(s):

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 This permission / consent relates to the following details:

Approved plans:

- Site Location Plan

Reason: To provide clarity to the permission.

- 3 The owners/operators of the caravan site shall maintain an up-to-date register of the names, main address and the period of occupancy including arrival and departure dates of all owners/occupiers of individual caravans/cabins/chalets/holiday lodges etc on the site. This information shall be made available at all reasonable times to the Local Planning Authority.

Reason: The development is provided for holiday use only as occupation on a permanent basis would be contrary to the provisions of Policy SP2 of the Fylde Borough Local Plan.

- 4 That the caravans within the area edged red on the Site Location Plan submitted with this application shall be occupied for holiday purposes only and not as a persons' permanent, sole or main place of residence.

Reason: The development is provided for holiday use only as occupation on a permanent basis would be contrary to the provisions of Policy SP2 of the Fylde Borough Local Plan.

SUMMARY OF RELEVANT POLICIES & GUIDANCE

This decision has been made having regard to the guidance provided by the National Planning Policy Framework and the policies contained within the adopted Development Plan which comprises the saved policies of: the Fylde Borough Local Plan and all other relevant planning guidance and in particular policies:

Fylde Borough Local Plan:

- EP16 Development in or near SSSI's
- EP20 Protection of coastline, estuaries and sand dunes
- SP03 Development in green belt
- TREC06 Static Caravans and Chalets
- TREC10 Countryside Recreation

Fylde Local Plan to 2032:

- EC6 Leisure, Culture and Tourism Development
- EC7 Tourism Accommodation
- ENV1 Landscape
- ENV2 Biodiversity
- GD2 Green Belt

Informative notes:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Date of Decision: 06/09/2017

Signed:



Mr P. Walker
Director of Development Services
Fylde Borough Council
Town Hall
Lytham St Annes, FY8 1LW

Mr Jones
Savills (UK) Limited
16 Grosvenor Court
Foregate Street
Chester
CH1 1HN

- 1) These notes should be read in conjunction with the decision notice issued by the Local Planning Authority in respect of the application which you have recently submitted to the Council.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN GRANTED

- 2) Any permission/consent is granted on the basis of the approved plans listed in the decision notice. The development should be undertaken in strict accordance with the approved plans, as any deviation will constitute unauthorised development which may be liable to enforcement action. Any amendments to the approved plans are likely to require the submission of a further application to the Council. Should such changes be desired, you are advised to contact the Development Management Service to determine the most appropriate means by which any revisions could be considered.
- 3) Any permission/consent granted is subject to the conditions set out in the decision notice and it is the responsibility of the developer to ensure that these conditions are fully complied with. Any conditions that require work to be carried out or details to be approved before any development can take place form a “condition precedent”. If a condition precedent is not complied with, the whole of the development will be unauthorised and may result in enforcement action being taken by the Council.
- 4) The applicant is reminded of the need to obtain formal approval of those details required by the conditions of any planning permission/consent before development may lawfully commence on the site (or any other relevant trigger as set out in each condition). Formal applications for the approval of matters reserved by condition are currently subject to fees (per request) of £28 for householder applications and £97 in all other cases. Any breach of the imposed conditions may leave you liable to enforcement action or may require you to submit a new application in order to regularise any unauthorised works.
- 5) If the applicant is aggrieved by any of the conditions imposed as part of the planning permission, they may appeal to the Planning Inspectorate. Any appeal against the grant of permission subject to conditions to which the applicant objects needs to be made within 6 months of the date on the decision notice.
- 6) In undertaking any development you should ensure that you have also secured any necessary approval under the Building Regulations or any other approvals or consents required including consent from the landlord or obligations under the Party Wall Act.
- 7) For developments that need a new address or address change, please contact addresses@fylde.gov.uk or 01253 658515. New addresses need to be made as early as possible to arrange for Utility connections.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN REFUSED

- 8) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission/consent, they may appeal to the Planning Inspectorate. The relevant time limits to lodge an appeal following the Local Planning Authority’s refusal of permission/consent are as follows:
 - a) For **householder** planning applications – **12 weeks** from the date on the decision notice.
 - b) For **advertisement** consent applications – **8 weeks** from the date on the decision notice.
 - c) For **minor commercial** development applications – **12 weeks** from the date on the decision notice.
 - d) For **any other** types of planning application – **6 months** from the date on the decision notice.

SAVE THAT in circumstances **where an enforcement notice has been served** for the same or very similar development, the time limit to lodge an appeal (in all cases) is:

- within **28 days** from the date of the Local Planning Authority’s decision if the enforcement notice was served before the decision was made, yet not longer than 2 years before the application was made.
- within **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the normal appeal period).

Appeals must be made directly to the Planning Inspectorate and can be dealt with by exchange of written statements or heard before an Inspector at an Informal Hearing or at a Public Inquiry. Further information regarding the appeals process (including application forms) can be obtained from the Planning Inspectorate via their website - <https://www.gov.uk/planning-inspectorate>.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	11 DECEMBER 2017	7
CARAVAN SITE LICENSING - WESTEND RESIDENTIAL CARAVAN PARK			

PUBLIC ITEM

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

SUMMARY

An application has been received from the site owner to amend the site licence to increase the total number of residential caravans on site from 16 to 45 in total.

RECOMMENDATION

That the Committee considers the report to increasing the total number of residential caravans on site to 45.

SUMMARY OF PREVIOUS DECISIONS

There are no other previous decisions relating to this matter.

CORPORATE PRIORITIES	
Spending your money in the most efficient way to achieve excellent services (Value for Money)	
Delivering the services that customers expect of an excellent council (Clean and Green)	
Working with all partners (Vibrant Economy)	
To make sure Fylde continues to be one of the most desirable places to live (A Great Place to Live)	√
Promoting Fylde as a great destination to visit (A Great Place to Visit)	√

REPORT

1. An application¹ was received from the site owner on 15th November 2017, in respect of Westend Residential Park, Blackpool Road, Ribby with Wrea Green, Lancashire, to increase the total number of residential caravans to 45.
2. The current site licence² was issued on 22nd July 2009 and limits the total numbers on site to 16. Condition 1 of the licence states *"The total number of caravans stationed on the site at any one time shall be such as to enable compliance with the requirements of this schedule to be maintained and in any case shall not exceed 16 (sixteen)."*

¹ Application to increase the number of caravans on site.

² Westend Residential Caravan Park Site Licence

3. The Planning Department on the 24th March 2017 approved³ “Change of use of land with planning approval for development as a caravan park (34 seasonal touring caravan pitches and 2 residential park homes) to a site for 29 residential park homes with supporting development including internal road network, landscaping and new pedestrian access to Blackpool Road (Re-submission of 12/0035). At Westend Residential Park, Blackpool Road, Ribby with Wrea, Lancashire.
4. Lancashire Fire and Rescue Services have been consulted on this application.

IMPLICATIONS	
Finance	None arising directly from the report.
Legal	None arising directly from the report.
Community Safety	None arising directly from the report.
Human Rights and Equalities	None arising directly from the report.
Sustainability and Environmental Impact	None arising directly from the report.
Health & Safety and Risk Management	None arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Michael Duck	michaeld@fylde.gov.uk Tel 01253 658620	27 th November 2017

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Premises File	27 th November 2017	1 st Floor Chaseley Building, Town Hall

Attached documents

Appendix 1 – Site licence application to increase the numbers on site

Appendix 2 – Westend Residential Caravan Park Site Licence

Appendix 3 – Planning approval 12/0376 for 29 residential park homes at Westend Residential Caravan Park

³ Planning Department- Change of use approval, 12/0376

Caravan Sites and Control of Development Act 1960 Site Licence Variation Form

1. Brief Site Details

Name of Site: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">WEST END RESIDENTIAL PARK</div>	
Postal address of Site: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> THE APARTMENT WEST END RESIDENTIAL PARK BLACKPOOL ROAD RIBBY WITH WREA </div>	
Post Code: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">PR4 2NF</div>	Phone: 0777 5092878 Fax: 01772 673593 e-Mail: WestendPark759@gmail.com

2. Applicants Details

Name: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">CHRISSE O'CONNOR</div>	
Postal address of Applicant (If different from above): <div style="border: 1px solid black; padding: 2px; margin-top: 5px; height: 80px; display: flex; align-items: center; justify-content: center;"> AS ABOVE </div>	
Post Code:	Phone: Mobile: e-Mail:

3. Is the applicant the:

Freeholder	<input checked="" type="checkbox"/>	Tenant	<input type="checkbox"/>
Leaseholder	<input type="checkbox"/>	Other	<input type="checkbox"/>

If applicant is the leaseholder of a tenant, please give details of the agreement:

5. Existing Licence Conditions:

Type of unit

Please Tick as appropriate

Number

Permanent residential

☒

.....16..... Caravans

Static Holiday

☐

..... Caravans

Holiday Chalets

☐

..... Chalets

Touring Holiday

☐

..... Units

Opening Season:

Static Sites

☐

..... to

Touring Sites

☐

..... to

6. Proposed Application to alter Licence Condition:**Type of unit**

Please Tick as appropriate

Number

Permanent residential

☒

.....45..... Caravans (16+29)

Static Holiday

☐

..... Caravans

Holiday Chalets

☐

..... Chalets

Touring Holiday

☐

..... Units

Opening Season:

Static Sites

☐

..... to

Touring Sites

☐

..... to

7. Does the site have planning permission?

Yes

☐

No

☐

Applied For

☐

Date:

If yes, please give relevant permissions and references:

12/0376

11/0625

8. How is drinking water provided?

Mains supply to unit

☒

.....45..... Units

Standpipes

☐

..... Units

9. How are toilets and wash hand basins provided?

Communal toilet blocks ☐ Units
 Units have their own facilities ☒ *45* Units

10. How are showers provided?

Communal shower blocks ☐ Units
 Units have their own showers ☒ *45* Units

11. Type of foul drainage?

Mains drainage ☐ Units
 Cesspool or cesspit ☐ Units

12. How is kitchen waste water disposed of?

Units have their own sinks connected to foul drainage. ☒ *45* Units

Communal washing up sinks/waste water disposal points connected to foul drainage. ☐ Units

Other (Please give details) ☐ Units

No waste water disposal ☐ Units

13. How is surface water drainage provided?

SURFACE WATER PIPED

14. How is refuse stored on the site?

Individual bins at each unit ☒ *45* Units
 Communal wheeled bins or skips ☐ Units
 Communal bin store ☐ Units

15. Do units use liquefied petroleum gas (LPG) cylinders?

Yes ☐ *CURRENTLY ON LPG TANK*
 No ☐ *TO GO ONTO MAINS IN THE*

16. Is there a LPG storage area on the site? *FUTURE.*

Yes ☐

No ☐

17. Has the applicant held a site licence which has been revoked at any time in the last three years?

Yes ☐

No ☒

18. Was the site in use as a caravan site:

On 9th March 1960 ☐

On 29th March 1960 ☐

At any other time since 9th March 1958 ☒

If so, when:

19. Address for correspondence:

Caravan site ☒

Applicants address ☐

Other (please state below) ☐

Name:	
Address: <i>AS ABOVE.</i>	
Post Code:	Phone: Mobile: e-Mail:

Signed: *Anthony O'Leary* Dated: *15/11/2017*

With the application Form, please send the following:

A layout plan of the site at 1:500 scale including:

- | | |
|------------------------------------|--|
| A. Site Boundaries | B. Position and numbering of touring/holiday caravans and residentia park homes. |
| C. Roads and footpaths | D. Toilet blocks, stores and other buildings |
| E. Water Supplies | F. Recreational spaces |
| G Fire points | H. Parking spaces |
| I. Foul and surface water drainage | |



CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960
Section 3
SITE LICENCE

To: Mr. C.A.J. and Mrs. S.G. O'Connor,
Westend Residential Caravan Park,
Blackpool Road,
Ribby with Wrea Green,
Kirkham,
Preston,
Lancashire,
PR4 2RE.

TAKE NOTICE THAT WHEREAS

1. On the 4th June 2009 you made application for a site licence in respect of land situated at Westend Residential Caravan Park, Blackpool Road, Ribby with Wrea Green, Kirkham, Preston, Lancashire, PR4 2RE indicated on the plan submitted with the application.
2. You are entitled to the benefit of permission for the use of the land as a caravan site under the Town and Country Planning Acts, 1962 to 1968, otherwise than by a Development Order.

NOW THEREFORE the Council of the Borough of Fylde HEREBY GRANT a site licence in respect of the land pursuant to Section 3 of the Caravan Sites and Control of Development Act 1960, subject to the conditions specified in the schedule hereto.

This Licence cancels all previous licences.

THE SCHEDULE

1. The total number of caravans stationed on the site at any one time shall be such as to enable compliance with the requirements of this schedule to be maintained and in any case shall not exceed 16 (Sixteen).

2. The Boundaries and Plan of the Site

- (i) The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- (ii) No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site.
- (iii)
 - (a). A plan of the site shall be supplied to the local authority upon the application of a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the local authority.
 - b. The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and shall be of suitable quality.

3. Density, Spacing and Parking between Caravans

- (i) Except in cases mentioned in paragraph 4 and subject to paragraph 8, every caravan must be practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- (ii) No caravan shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site.
- (iii) Where a caravan has retrospectively been fitted with cladding from Class 1 fire rated materials to its facing walls, then the separation distance between it and an adjacent caravan may be reduced to a minimum of 5.25 metres.
- (iv) In any case mentioned in paragraphs 5 or 7:
 - a. A porch attached to the caravan may protrude one metre into the separation distances and must not exceed 2 metres in length and 1 metre in depth. The porch must not exceed the height of the caravan. Where a porch is installed only one door may be permitted at the entrance to the home, either on the porch side or on the home.
 - b. Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans is not less than 5 metres, except where paragraph 7 applies in which case the extension into the separation distances shall not exceed 4.25 metres.
 - c. Any structure including steps, ramps, etc (except a garage or car port), which extends more than 1 metre into the separation distances shall be of a non-combustible construction. There should be a 4.5 metre clear distance between any structure and any adjacent caravan.
 - d. A garage or car port may only be permitted within the separation distance if it is of non-combustible construction.

- e. Windows in structures within the separation distances shall not face towards the caravan on either side.
- f. Fences, hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high.
- g. Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are minimum of 3 metres from an adjacent caravan.

(v) The density of caravans on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

4. Roads, Gateways and Overhead Cables

(i) Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.

(ii) New roads shall be constructed and laid of suitable bitumen macadam or concrete with a suitable compacted base.

(iii) All roads shall have adequate surface water/storm drainage.

(iv) New two way roads shall not be less than 3.7 metres wide, or if they are designed for and used by one way traffic, not less than 3 metres wide.

(v). One-way systems shall be clearly signposted.

(vi). Where existing two way roads are not 3.7 metres wide, passing places shall be provided where practical.

(vii) Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.

(viii) Roads shall be maintained in a good condition.

(ix) Cable overhangs must meet the statutory requirements.

5. Footpaths and Pavements

(i) Every caravan shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.

(ii) Where practicable, communal footpaths and pavements shall not be less than 0.9metres wide.

6 Lighting

Roads, communal footpaths and pavements shall be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness.

7. Bases

- (i) Every unit must stand on a concrete base or hard-standing.
- (ii) The base must extend over the whole area occupied by the unit, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard standings must be constructed to the industry guidance, current at the time of siting, taking into account local conditions.

8. Maintenance of Common Areas, including Grass, Vegetation and Trees

- (i) Every part of the site to which the public have access shall be kept in a clean and tidy condition.
- (ii) Every road, communal footpath and pavement on the site shall be maintained in a good condition; good repair and clear of rubbish.
- (iii) Grass and vegetation shall be cut and removed at frequent and regular intervals.
- (iv) Trees within the site (subject to necessary consents) be maintained.
- (v). Any cuttings litter or waste shall be removed from the immediate surrounds of the pitch.

9. Supply & Storage of Gas etc.

- (i) Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice.
- (ii) Liquefied Petroleum Gas Cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.

10. Electrical Installations

- (i) On the site there shall be installed an electricity network of adequate capacity to meet safely all reasonable demands of the caravan and other facilities and services within it.
- (ii) The electrical network installations shall be subject to regulation under current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements.

(iii) Any work on electrical installations and appliances shall be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.

(iv) Any work on the electrical network within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.

11. Water Supply

(i) All pitches on site shall be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.

(ii) All new water supplies shall be in accordance with all current legislation, regulations and relevant British or European Standards.

(iii) All repairs and improvements to water supplies and installations shall be carried out to conform with current legislation and British or European Standards.

(iv) Work on water supplies and installations shall be carried out only by persons who are qualified in particular type of work being undertaken and in accordance with current relevant legislation and British or European Standards.

12. Drainage and Sanitation

(i) Surface water drainage shall be provided where appropriate to avoid standing pools of water.

(ii) There shall be satisfactory provision for foul and waste water drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the Local Authority.

(iii) All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards.

(iv) Work on drains and sewers shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British or European Standards.

13. Domestic Refuse Storage & Disposal

(i) Where communal refuse bins are provided these shall be non-combustible and housed within a properly constructed bin store.

(ii) All refuse disposal shall be in accordance with all current legislation and regulations.

14. Communal Vehicular Parking

Suitably surfaced parking spaces shall be provided to meet the requirements of residents and their visitors.

15. Communal Recreation Space

On sites where it is practical to do so, suitable space equivalent to one tenth of the total area of the site shall be allocated for recreational purposes, unless in the local authority's opinion there are adequate recreational facilities within a close proximity to the site.

16. Notices and Information

(i) The name of the site shall be displayed on a sign in a prominent position at the entrance to the site together with the current name, address and telephone number of the site licence holder and manager and emergency contact details, a copy of the site licence or the front page of the said licence and details of where the full licence and other information required to be available under this standard can be viewed and between which times (if not displayed on the notice board).

(ii) A current plan of the site with roads and pitches marked on it shall be prominently displayed at the entrances to it.

(iii) A copy of the current site licence shall be available for inspection in a prominent place on the site.

(iv) In addition at the prominent place the following information shall also be available for inspection at the prominent place:

- (a) A copy of the most recent periodic electrical inspection report.
- (b) A copy of the site owner's certificate of public liability insurance.
- (c) A copy of the local flood warning system and evacuation procedures, if appropriate.
- (d) A copy of the fire risk assessment made for the site.

(v) All notices shall be suitably protected from the weather and from direct sunlight.

17. Flooding

(i) The site owner shall establish whether the site is at risk from flooding by referring to the Environment Agency's Flood Map.

(ii) Where there is a risk from flooding the site owner shall consult the Environment Agency for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take.

18. Requirement to Comply with the Regulatory Reform (Fire Safety) Order 2005

The site owner shall make available the latest version of the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 for inspection by residents and when demanded, a copy of the risk assessment shall be made available to the local authority.

Fire Points

(ii) These shall be located so that no caravan or site building is more than 30 metres from a fire point. Equipment provided at a fire point shall be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment

(iii) Where water standpipes are provided:

- (a) The water supply shall be of sufficient pressure to project a jet of water not less than 5 metres from the nozzle.
- (b) There shall be a reel that complies with the current British or European Standard, with a hose not less than 35 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand nozzle.
- (c) Hoses shall be housed in a red box and marked "HOSE REEL". Access to the fire point shall not be obstructed or obscured.

(iv) Where hydrants are provided, hydrants shall conform to the current British or European Standard.

(v) Access to hydrants and other water supplies shall not be obstructed or obscured.

(vi) Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point shall be provided with water extinguishers (2x9lres) which comply with the current British or European Standard.

Fire Warning

(vii) A suitable means of raising the alarm in the event of a fire shall be provided at each fire point.

Maintenance and Testing of Fire Fighting Equipment

(viii) All alarm and fire fighting equipment shall be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of the licensing authority or the Fire Rescue Service.

(ix) A record shall be kept of all testing and remedial action taken.

(x) All equipment susceptible to damage by frost shall be suitably protected.

Fire Notices

(xi) A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

“On discovering a fire:

- I. Ensure the caravan or site building involved is evacuated.
- II. Raise the alarm.
- III. Call the fire brigade (the nearest phone is situated at.....)”).

Dated **22nd** day of **July 2009**



.....
Clare Platt
Executive Manager- Community Services
Fylde Borough Council



Town and Country Planning Acts

Change of Use Approved with 106 Agreement

Part 1 - Particulars of Application

Application Number: 12/0376

Location: WEST END RESIDENTIAL PARK, BLACKPOOL ROAD, KIRKHAM, PRESTON, PR4 2RE

Description: CHANGE OF USE OF LAND WITH PLANNING APPROVAL FOR DEVELOPMENT AS A CARAVAN PARK (34 SEASONAL TOURING CARAVAN PITCHES AND 2 RESIDENTIAL PARK HOMES) TO A SITE FOR 29 RESIDENTIAL PARK HOMES WITH SUPPORTING DEVELOPMENT INCLUDING INTERNAL ROAD NETWORK, LANDSCAPING AND NEW PEDESTRIAN ACCESS TO BLACKPOOL ROAD (RE-SUBMISSION OF 12/0035)

Part 2 - Particulars of Decision

The Fylde Borough Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN GRANTED SUBJECT TO A 106 AGREEMENT** for the carrying out of development referred to in Part 1 hereof in accordance with the development proposal specified on your submitted application form and the relevant plan (s) subject to the following conditions(s) and reasons(s):

- 1 The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The residential park homes on the area edged red hereby approved shall be limited in number to 29 and shall be laid out in the position, orientation and spacing that is shown on Drawing A 07.2/30A dated May 2012 hereby approved with the associated roadways, open space and landscaping laid out as shown on that plan.

Reason: To adequately define the permission and ensure the efficient operation of the site.

- 3 That the residential park homes hereby approved shall only be operated as an extension to the existing West End Residential Park with vehicular access and servicing taken from the existing access point to Blackpool Road as shown on Drawing A 07.2/30 Rev A dated May 2012 hereby approved and the total number of residential park homes on the combined site edged red and blue in this application not exceeding 43 units..

Reason: To properly define the permission and its access in the interests of the character of the area, highway safety and land use planning matters.

- 4 Prior to the commencement of any development hereby approved a schedule of all hard surfacing materials to be used on the access roads, driveways, paths and any other hard surfaced areas within the development shall be submitted to and approved in writing by the Local Planning

Authority. This specification shall include the size, colour and texture of the materials and shall be supported with samples of the materials where appropriate. Once this specification has been agreed it shall be utilised in the construction of the dwellings and only varied with the prior written consent of the Local Planning Authority.

Reason: Such details are not shown on the application and to secure a satisfactory standard of development.

- 5 Prior to any residential park home first being brought onto site, details of their dimensions, materials and external colour finishes shall be submitted to and approved in writing by the Local Planning Authority. Any initial and replacement residential park home shall be of the same agreed size, materials and colour unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of visual amenity.

- 6 The development hereby approved shall be implemented in full accordance with the Method Statement Outlining Reasonable Measures to protect Great Crested Newts report by Living Ecosystems dated May 2011 and submitted under this application.

Reason: To safeguard the habitat and population of protected species around the site during the development in accordance with Policy EP19 of the Fylde Borough Local Plan as Altered (October 2005)

- 7 That no works shall commence or be undertaken between the months of March and July inclusive, until a walkover survey of the site and its boundary hedges has been undertaken to establish the presence of any breeding birds and the results submitted to the Local Planning Authority. Should such sites be identified, then a mitigation and phasing scheme for any construction works in the vicinity of the identified nesting sites shall be submitted to the Local Planning Authority for approval and implemented throughout the construction of the dwelling.

Reason: To ensure that disturbance to any breeding birds within the site is minimised during the construction of the dwellings in the interest of nature conservation.

- 8 That prior to the commencement of development, full details of scheme to control vehicle speeds to no more than 20mph within the application site shall be submitted to and approved in writing by the Local Planning Authority. The internal road network shall be constructed in accordance with these approved details and shall be retained in a satisfactory condition at all times thereafter.

Reason: To control vehicle speeds within the development site in the interests of general pedestrian safety.

- 9 The whole of the landscape works, as approved shall be implemented and subsequently maintained for a period of 10 years following the completion of the works. Maintenance shall comprise and include for the replacement of any trees, shrubs or hedges that are removed, dying, being seriously damaged or becoming seriously diseased within the above specified period, which shall be replaced by trees of a similar size and species. The whole of the planted areas shall be kept free of weeds, trees shall be pruned or thinned, at the appropriate times in accordance with current syvicultural practice. All tree stakes, ties, guys, guards and protective fencing shall be maintained in good repair and renewed as necessary. Mulching is required to a minimum layer of 75mm of spent mushroom compost or farm yard manure which should be applied around all tree and shrub planting after the initial watering. Weed growth over the whole of the planted area should be minimised. Any grassed area shall be kept mown to the appropriate height and managed in accordance with the approved scheme and programme.

Reason: To ensure a satisfactory standard of development and in the interest of visual amenity in the locality.

- 10 That prior to the first occupation of any of the residential park homes hereby approved, the surface water drainage for the site shall be constructed and connected to appropriate soakaways, and the foul water drainage system connected to the existing sewer system as indicated on the approved plans.

Reason: To ensure that the site is appropriately drained.

SUMMARY OF RELEVANT POLICIES & GUIDANCE

This decision has been made having regard to the guidance provided by the National Planning Policy Framework and the policies contained within the adopted Development Plan which comprises the saved policies of: the Fylde Borough Local Plan and all other relevant planning guidance and in particular policies:

Fylde Borough Local Plan:

- EP01 Environmental Improvement Schemes
- EP11 Building design & landscape character
- EP12 Conservation trees & woodland
- EP14 Landscaping of new developments
- EP19 Protected species
- EP22 Protection of agricultural land
- EP25 Development and waste water
- EP26 Air pollution
- HL02 Development control criteria for new housing proposals
- HL06 Design of residential estates
- SP02 Development in countryside areas
- SP08 Expansion of existing business & commercial operations
- TREC17 Public Open Space within New Housing Developments

Date of Decision: 24/03/2017

Signed:



Mr P. Walker
Director of Development Services
Fylde Borough Council
Town Hall
Lytham St Annes, FY8 1LW

Ms Jane Fox
Fox Planning Consultancy
75 Garstang Road East
Poulton Le Fylde
Lancashire
FY6 8HL

IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD

- 1) These notes should be read in conjunction with the decision notice issued by the Local Planning Authority in respect of the application which you have recently submitted to the Council.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN GRANTED

- 2) Any permission/consent is granted on the basis of the approved plans listed in the decision notice. The development should be undertaken in strict accordance with the approved plans, as any deviation will constitute unauthorised development which may be liable to enforcement action. Any amendments to the approved plans are likely to require the submission of a further application to the Council. Should such changes be desired, you are advised to contact the Development Management Service to determine the most appropriate means by which any revisions could be considered.
- 3) Any permission/consent granted is subject to the conditions set out in the decision notice and it is the responsibility of the developer to ensure that these conditions are fully complied with. Any conditions that require work to be carried out or details to be approved before any development can take place form a “condition precedent”. If a condition precedent is not complied with, the whole of the development will be unauthorised and may result in enforcement action being taken by the Council.
- 4) The applicant is reminded of the need to obtain formal approval of those details required by the conditions of any planning permission/consent before development may lawfully commence on the site (or any other relevant trigger as set out in each condition). Formal applications for the approval of matters reserved by condition are currently subject to fees (per request) of £28 for householder applications and £97 in all other cases. Any breach of the imposed conditions may leave you liable to enforcement action or may require you to submit a new application in order to regularise any unauthorised works.
- 5) If the applicant is aggrieved by any of the conditions imposed as part of the planning permission, they may appeal to the Planning Inspectorate. Any appeal against the grant of permission subject to conditions to which the applicant objects needs to be made within 6 months of the date on the decision notice.
- 6) In undertaking any development you should ensure that you have also secured any necessary approval under the Building Regulations or any other approvals or consents required including consent from the landlord or obligations under the Party Wall Act.
- 7) For developments that need a new address or address change, please contact addresses@fylde.gov.uk or 01253 658515. New addresses need to be done at the earliest stage to enable Utility connections for the new properties.

IN CASES WHERE PERMISSION/CONSENT HAS BEEN REFUSED

- 8) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission/consent, they may appeal to the Planning Inspectorate. The relevant time limits to lodge an appeal following the Local Planning Authority’s refusal of permission/consent are as follows:
 - a) For **householder** planning applications – **12 weeks** from the date on the decision notice.
 - b) For **advertisement** consent applications – **8 weeks** from the date on the decision notice.
 - c) For **minor commercial** development applications – **12 weeks** from the date on the decision notice.
 - d) For **any other** types of planning application – **6 months** from the date on the decision notice.

SAVE THAT in circumstances **where an enforcement notice has been served** for the same or very similar development, the time limit to lodge an appeal (in all cases) is:

- within **28 days** from the date of the Local Planning Authority’s decision if the enforcement notice was served before the decision was made, yet not longer than 2 years before the application was made.
- within **28 days** from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the normal appeal period).

Appeals must be made directly to the Planning Inspectorate and can be dealt with by exchange of written statements or heard before an Inspector at an Informal Hearing or at a Public Inquiry. Further information regarding the appeals process (including application forms) can be obtained from the Planning Inspectorate via their website - <https://www.gov.uk/appeal-planning-decision>.