

# Agenda

## Public Protection Committee

Date:	Wednesday, 7 July 2021 at 10:00am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	<p>Councillor Shirley Green (Chairman) Councillor Ray Thomas (Vice-Chairman)</p> <p>Councillors Frank Andrews, Brenda Blackshaw, Alan Clayton, Gavin Harrison, Karen Henshaw JP, Paul Hodgson, Angela Jacques, Michael Sayward, Stan Trudgill.</p>

	PROCEDURAL ITEMS:	PAGE
1	<b>Declarations of Interest:</b> 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	<b>Confirmation of Minutes:</b> To confirm the minutes, as previously circulated, of the meeting held on <a href="#">30 April 2021</a> as a correct record.	1
3	<b>Substitute Members:</b> Details of any substitute members notified in accordance with council procedure rule 23(c).	1
	<b>DECISION ITEMS:</b>	
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<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	7 <sup>TH</sup> JULY 2021	4
<b>HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER - MCF</b>			

### PUBLIC ITEM

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

### SUMMARY

MCF holds a combined hackney and private hire drivers licence issued by this Authority. Information has been received regarding MCF, the details of which will be presented to members at the Committee. The Committee is requested to determine whether they consider MCF a fit and proper person to hold a licence.

### RECOMMENDATIONS

That the Committee considers the report and either:

- (a) notes the report and take no further action,
- (b) issue a warning letter,
- (c) suspend the licence,
- (d) revoke the licence.

### SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	
Environment – To deliver services customers expect	
Efficiency – By spending money in the most efficient way	
Tourism – To create a great place to live and visit	✓

### REPORT

- MCF is a current licensed driver, holding a combined hackney carriage and private hire driver's licence. He was banned for driving for 6 months on 16<sup>th</sup> December 2020 due to "totting up".

2. MCF failed to notify ourselves of this ban, nor of any of the driving offences committed since he was licenced on 21<sup>st</sup> March 2019. He should have done this with 14 days of the offence.
3. Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 states “a district council may suspend or revoke or refuse to renew the licence of a driver of a Hackney Carriage or a Private Hire vehicle on any of the following grounds:-
  - a) that he has since the grant of the licence:-
    - i) been convicted of an offence involving dishonesty, indecency, or violence
    - ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this part of the Act; or
  - b) any other reasonable cause.”
4. Should the Committee feel it appropriate to suspend or revoke the licence, the grounds for such a decision must be given to the driver within 14 days of the decision and a driver aggrieved by the decision may appeal to the Magistrates’ Court.
5. MCF has been invited to the meeting and the Committee is therefore requested to consider the report and determine whether to:
  - a) note the report,
  - b) issue a warning letter,
  - c) suspend the licence,
  - d) revoke the licence.

IMPLICATIONS	
Finance	No implications arising directly from the report.
Legal	The Committee should have regard to the requirements of fairness and proportionality and to the European Convention of Human Rights in reaching its decision. 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.
Community Safety	No implications arising directly from the report.
Human Rights and Equalities	No implications arising directly from the report.
Sustainability and Environmental Impact	No implications arising directly from the report.
Health & Safety and Risk Management	No implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Andy Hough	<a href="mailto:andy.hough@fylde.gov.uk">andy.hough@fylde.gov.uk</a> Tel 01253 658606	7 <sup>th</sup> June 2021



BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Fylde Council Taxi and private hire licensing policy		<a href="https://new.fylde.gov.uk/business/licensing/taxi-licensing/hackney-carriage-and-private-hire-licensing-policy/">https://new.fylde.gov.uk/business/licensing/taxi-licensing/hackney-carriage-and-private-hire-licensing-policy/</a>

Attached documents

Appendix 1 - Appendix A of the 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"> <li>• That a person is a fit and proper person.</li> <li>• That the person does not pose a threat to the public.</li> <li>• That the public are safeguarded from dishonest person.</li> <li>• The safeguarding of children, young persons and vulnerable adults.</li> </ul>
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"> <li>• Criminality</li> <li>• Human rights</li> <li>• Period of holding a driver's licence</li> <li>• Number of penalty points endorsed on driving licence</li> <li>• Right to work</li> <li>• Medical fitness</li> <li>• Conduct of the applicant in making the application (e.g. whether they have acted with integrity during the application process)</li> <li>• Previous licensing history of existing and former licence holders</li> </ul> <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"> <li>• Applicants for drivers' licenses</li> <li>• Existing licensed drivers whose licences are being reviewed</li> <li>• Licensing officers</li> <li>• Members of the Public Protection Committee</li> <li>• Magistrates hearing appeals against local authority decisions</li> </ul>
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.

<b>2</b>	<b>General policy</b>
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"> <li>a. Remain free of conviction for an appropriate period; and</li> <li>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).</li> </ul> <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)].
<b>3</b>	<b>Appeals</b>
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.
<b>4</b>	<b>Powers</b>
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.
<b>5</b>	<b>Consideration of disclosed criminal history</b>
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"> <li>• How relevant the offence(s) are to the licence being applied for</li> <li>• How serious the offence(s) were</li> <li>• When the offence(s) were committed</li> <li>• The date of conviction</li> <li>• Circumstances of the individual concerned</li> <li>• Sentence imposed by the court</li> <li>• The applicant's age at the time of conviction.</li> <li>• Whether they form part of a pattern of offending</li> <li>• Any other character check considered reasonable (e.g. personal references)</li> <li>• Any other factors that might be relevant</li> </ul>
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.
<b>6</b>	<b>Serious offences involving violence</b>
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"> <li>• Murder</li> <li>• Manslaughter</li> <li>• Manslaughter or culpable homicide while driving</li> <li>• Terrorism offences</li> <li>• Or any similar offences (including attempted or conspiracy to commit) offences which replace the above</li> </ul>
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"> <li>• Arson</li> <li>• Malicious wounding or grievous bodily harm which is racially aggravated</li> <li>• Actual bodily harm which is racially aggravated</li> <li>• Grievous bodily harm with intent</li> <li>• Robbery</li> <li>• Possession of firearm</li> <li>• Riot</li> <li>• Assault Police</li> <li>• Common assault with racially aggravated</li> <li>• Violent disorder</li> <li>• Resisting arrest</li> <li>• Or any similar offences (including attempted or conspiracy to commit) offences which replace the above</li> </ul>

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"> <li>• Racially-aggravated criminal damage</li> <li>• Racially-aggravated offence</li> <li>• Or any similar offences (including attempted or conspiracy to commit) offences which replace the above</li> </ul>
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"> <li>• Common assault</li> <li>• Assault occasioning actual bodily harm</li> <li>• Affray</li> <li>• S5 Public Order Act 1986 offence (harassment, alarm or distress)</li> <li>• S.4 Public Order Act 1986 offence (fear of provocation of violence)</li> <li>• S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)</li> <li>• Obstruction Page 24 of 49</li> <li>• Criminal damage</li> <li>• Or any similar offences (including attempted or conspiracy to commit) offences which replace the above</li> </ul>
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>
<b>7</b>	<b>Possession of a weapon</b>
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>
<b>8</b>	<b>Sex and indecency offences</b>
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"> <li>• Rape</li> <li>• Assault by penetration</li> <li>• Offences involving children or vulnerable adults</li> <li>• Sexual assault</li> </ul>

	<ul style="list-style-type: none"> <li>• Indecent assault</li> <li>• Exploitation of prostitution</li> <li>• Grooming, Trafficking for sexual exploitation or other sexual exploitation related offences</li> <li>• Possession of indecent photographs, child pornography etc.</li> <li>• Or any sex or indecency offence that was committed in the course of employment as a taxi or PHV driver</li> <li>• Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.</li> </ul>
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"> <li>• Indecent exposure</li> <li>• Soliciting (kerb crawling)</li> <li>• Or any similar offences (including attempted or conspiracy to commit).</li> </ul>
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.
<b>9</b>	<b>Dishonesty</b>
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"> <li>• theft</li> <li>• burglary</li> <li>• fraud</li> <li>• benefit fraud</li> <li>• handling or receiving stolen goods</li> <li>• forgery</li> <li>• conspiracy to defraud</li> </ul> <p>Page 26 of 49 Hackney Carriage and Private Hire Licensing Policy 2016</p> <ul style="list-style-type: none"> <li>• obtaining money or property by deception</li> <li>• other deception</li> <li>• taking a vehicle without consent</li> <li>• and any similar offences</li> <li>• Or any similar offences (including attempted or conspiracy to commit)</li> </ul>

	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.
<b>10</b>	<b>Drugs</b>
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.
<b>11</b>	<b>Driving offences involving the loss of life</b>
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"> <li>• Causing death by dangerous driving</li> <li>• Causing death by careless driving whilst under the influence of drink or drugs</li> <li>• Causing death by driving: unlicensed, disqualified or uninsured drivers</li> <li>• or any similar offences</li> </ul>
<b>12</b>	<b>Drink driving/driving under the influence of drugs/using a mobile phone whilst driving</b>



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 <a href="http://www.rosipa.com/rospaweb/docs/advice-services/road-safety/drivers/mobile-phone-report.pdf">http://www.rosipa.com/rospaweb/docs/advice-services/road-safety/drivers/mobile-phone-report.pdf</a> ) which shows that drivers who use a mobile phone suffer physical and cognitive distraction which means they : <ul style="list-style-type: none"> <li>• are much less aware of what's happening on the road around them</li> <li>• fail to see road signs</li> <li>• fail to maintain proper lane position and steady speed</li> <li>• are more likely to 'tailgate' the vehicle in front</li> <li>• react more slowly, take longer to brake and longer to stop</li> <li>• are more likely to enter unsafe gaps in traffic</li> <li>• feel more stressed and frustrated</li> </ul>
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.
<b>13</b>	<b>Licensing offences</b>
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.
<b>14</b>	<b>Insurance Offences</b>
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.
<b>15</b>	<b>Outstanding charges or summonses</b>
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.
<b>16</b>	<b>Non-conviction information</b>
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.
<b>17</b>	<b>Cautions</b>
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.
<b>18</b>	<b>Licences issued by other licensing authorities</b>
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.
<b>19</b>	<b>Summary</b>
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	7 <sup>th</sup> JULY 2021	5
<b>CARAVAN SITE LICENSING – PIPERS HEIGHT CARAVAN PARK HOLIDAY CARAVAN SITE LICENCE</b>			

### 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 holiday caravan site licence to increase the number of static holiday caravan pitches from 28 to 143 pitches and remove the closure period.

### RECOMMENDATION

1. That the Committee considers a request to amend condition 1 of the holiday site licence which currently 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 twenty-eight.*

To

*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 one hundred and forty three (143).*

2. That the Committee considers a request to amend condition 23 of the holiday site licence which currently states –

*Caravans shall not be stationed on the site for the purposes of human habitation except during the period from 1<sup>st</sup> March to 31<sup>st</sup> October in any year.*

To

*Caravans shall be used solely for human habitation as static holiday caravans between 1<sup>st</sup> January and 31<sup>st</sup> December each year.*

### SUMMARY OF PREVIOUS DECISIONS

Planning Permission 17/0009 dated 09/09/20 – Change of use of land to form visitor recreation area with footpaths and landscaping areas

Planning Permission 13/0362 dated 12/08/2013 – Change of use of land from holiday caravan site with closure period to holiday caravan site open 12 months of year

Planning Permission 12/0214 dated 27/02/2013 – Change of use of land to extend caravan park to allow siting of 27 additional holiday caravans

Planning Permission 01/0297 dated 15/08/2001 – Change of use of part of site from touring caravans to static caravans – No specified numbers

Planning Permission 00/0699 dated 03/01/2001 – Change of use of part of site from touring caravans to the stationing of static caravans - No specified numbers

#### CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

#### REPORT

1. Piper's Height Caravan Park, Peel Road, Blackpool benefits from a holiday caravan site licence allowing for 28 holiday caravans to be stationed on the site (Appendix 1a) and a touring site licence allowing for 136 touring caravans to be stationed on site (appendix 1b) .

2. An application was received on 8<sup>th</sup> February 2021 (Appendix 2) to amend condition 1 of the holiday site licence issued on 15<sup>th</sup> June 1994 which 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 twenty-eight*

To

*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 one hundred and forty three (143)*

And to amend condition 23 of the same licence which states –

*Caravans shall not be stationed on the site for the purposes of human habitation except during the period from 1<sup>st</sup> March to 31<sup>st</sup> October in any year*

To

*Caravans shall be used solely for human habitation between 1<sup>st</sup> January and 31<sup>st</sup> December each year*

3. The application indicates that all touring plots are to be replaced by holiday static plots. There is no provision in the Caravan Sites and Control of Development Act 1960 to surrender a site licence, so the touring site licence will remain in place but will be unused.
4. The council has granted permission for the site to be used all year round under planning consent ref 13/0362 and planning officers have confirmed that they have no objections to the grant of the variation application (Appendix 3a). Previous planning consents have approved the change of use of land previously used for touring caravans to be used for siting holiday static caravans without specifying the number of plots permitted, therefore the amount of plots is conditioned by the spacing requirements on the conditions of the holiday site licence.
5. Lancashire Fire & Rescue Service has been consulted on this application and has not expressed any concerns.
6. An email has been sent to the agent working on behalf of the applicant to ask them to consider agreeing that the following conditions be added to the licence if the variation is approved –

*Static holiday caravans shall be occupied for holiday purposes only and not as a person's permanent, sole or main place of residence.*

*The licence holder must keep the following records for each static holiday caravan on site:*

- a. *The names and current home address of the owner; and*

- b. *Documentary evidence of the current home address of the owner*
- c. *and must allow the licensing authority to inspect them at any reasonable time.*

*The licence holder must, if requested by the licensing authority, ask the owner of any static holiday caravan on site to give to the licence holder:*

- a. *The name and current home address of each adult occupier; and*
- b. *Documentary evidence of the current home address of each adult occupier and must forward them to the licensing authority when received.*

The agent has provided the following response by email –

*Comprehensive conditions preventing residential occupancy of holiday caravans are already contained within the planning permissions for both sites and are not therefore really necessary to duplicate in the Site Licence.*

The planning decision notice including conditions can be viewed at appendix 3b and the agents report which accompanied planning application ref 13/0362 at appendix 3c.

7. Following a discussion between the licensing officer and Ian Curtis and Clare Lord of Fylde Council's legal team, a further email has been sent to the agent working on behalf of the applicant to ask them to consider agreeing that a further condition (number 1a) should be added to the site licence -

*The licence dated 15<sup>th</sup> June 1994 for the stationing of 136 touring caravans on the site shall have no effect when static holiday caravans are stationed on the site in accordance with this licence.*

At the time of writing, the agent had not provided a response.

8. The committee is asked to consider whether the application to amend condition 2 should be granted and, if it is, whether the additional conditions set out in paragraphs 5 and 7 should be added to the licence. The site owner can appeal to the magistrates' court against a refusal to agree to the amendment and against the addition of the new conditions.

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
Joanne Gallagher	<a href="mailto:joanne.gallagher@fylde.gov.uk">joanne.gallagher@fylde.gov.uk</a> Tel 01253 658609	27 <sup>th</sup> May 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Pipers Height Caravan Park	16 <sup>th</sup> June 2021	<a href="#">Pipers Height Caravan Park</a>

## Attached documents

Appendix 1a - Existing holiday licence

Appendix 1b - Existing touring site licence

Appendix 2 - Application to vary site licence

Appendix 3a - Planning Approval

Appendix 3b - Planning decision notice

Appendix 3c - Justification to planning for all year round use of the site

Appendix 4 - Location plan

Appendix 5 - Site layout

Section 3

Site Licence

To: Mr J.H.Rawcliffe  
Pipers Height Caravan Park  
Peel Road, Peel,  
Blackpool

TAKE NOTICE THAT WHEREAS

1. On the 10th June 1994 you made application for a site licence in respect of land situate at Pipers Height Farm, Peel Road, Peel, Blackpool indicated on the plan submitted with the application (which land is hereinafter called "the land").
2. You are entitled to the benefit of permissions (ref.no. 3/7/2676 dated 5th July 1961, and ref.no. 5/75/465 dated 5th November 1975, and ref.no. 5/92/0411 dated 12th August 1992) in respect of the area of land edged red on the plan, otherwise than by a Development Order.

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.

All previous site licences are hereby cancelled.

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 twenty-eight.
2. 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.
3. Every caravan shall be sited not less than 3 metres from any boundary of the site.
4. Roads of suitable material shall be provided so that no caravan standing is more than 50 metres from a road.
5. 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.



6. All carriageways shall be kept free of parked vehicles and other obstructions so as to ensure, at all times, adequate access for emergency vehicles.
7. 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.
8. 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.

9. 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.
10. 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 licencing 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 installation 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 Byelaws and statutory quality standards.
18. Satisfactory provision shall be made for foul 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.

19. For caravans without their own water supply and water closets, communal toilet blocks shall 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 basin for each WC or group of WCs

1 shower or bath (with hot and cold water) for each sex per 20 caravans

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

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

20. 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.
21. One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed. Suitably 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.
22. 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.
23. Caravans shall not be stationed on the site for the purposes of human habitation except during the period from 1st March to 31st October in any year.
24. 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.
25. A suitable sign shall be prominently displayed at the site entrance indicating the name of the site.
26. A copy of the site licence with its conditions should be displayed prominently on the site.

27. 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.
28. 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 Fifteenth Day of June 1994



.....  
Director of Environmental Health and Housing

DS



CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT, 1960

Section 3

Site Licence

To: Mr J.H.Rawcliffe  
Pipers Height Caravan Park  
Peel Road, Peel,  
Blackpool.

TAKE NOTICE THAT WHEREAS

1. On the 10th June 1994 you made application for a site licence in respect of land situate at Pipers Height Farm, Peel Road, Peel, Blackpool 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 under Part III of the Town and Country Planning Act 1971, otherwise than by a Development Order (on the land edged blue on the plan).

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.

All previous site licences are hereby cancelled with the exception of the Licence dated 15th June 1994 for the stationing of 28 static Holiday Caravans.

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 any other of the following conditions to be maintained and in any case shall not exceed 136 (One hundred and Thirty six). For every tent occupied on the said land the number of touring caravans should be reduced by one.
2. Every unit shall be not less than 6 metres from any other unit in separate family occupation and not less than 3 metres should be permitted between units in any circumstances.

Vehicles and other ancillary equipment may be permitted within the 6 metres space between units in separate family occupation but, in order to restrict the spread of fire, there shall always be 3 metres clear space within the 6 metres separation.

3. Emergency vehicles shall be able to secure access at all times to within 90 metres of any unit on the site.
4. There shall be an adequate supply of drinking water. Each pitch on a site should be no further than 90 metres from a water tap.

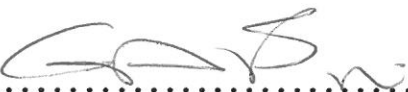
## Appendix 1b - Existing Touring Site Licence

5. A properly trapped gulley and at least sixteen square feet of paved area shall be provided at the base of each water standpipe.
6. The scale of provision of sanitary accommodation shall be 1 WC and 1 urinal for men and 2 WCs for women per 30 pitches and their location should be to the satisfaction of the licensing authority.
7. Laundry facilities shall be provided in a separate room and shall be on the scale of 1 deep sink with hot and cold water supply per 30 pitches.
8. Whether or not WCs are provided, a properly designed disposal point for the contents of chemical closets shall be provided together with an adjacent adequate supply of water for cleansing containers. The method of disposal will need to be considered in the light of the particular circumstances and should be to the satisfaction of the local authority and the appropriate Water Authority. Where appropriate, the water supply shall be clearly labelled as non- potable.
9. There should be a minimum of 4 wash basins supplied with water per 30 pitches; 2 each for men and women. They should be adjacent to the toilets.
10. Showers should be provided on the basis of 1 shower per 25 pitches for men and 1 shower per 25 pitches for women with hot and cold water and be positioned adjoining the toilet block.
11. Particular consideration shall be given to the needs of the disabled in the provision made for water points, toilets, washing points and showers.
12. Where there is an electrical installation other than Electricity Board works and circuits subject to Regulations under Section 60 of the electricity Act 1947, it shall be installed to the requirements of the Institution of Electrical Engineers' Regulations for electrical Installations (the IEE Wiring Regulations) for the time being in force and, where appropriate, to the standard acceptable for the Electricity (Overhead Lines) Regulations 1970, SI 1970 No. 1355. Any installation should be maintained in such a way as to prevent danger as far as reasonably practicable and should be periodically inspected and tested by a competent person in accordance with the IEE Wiring Regulations.
13. Adequate provision shall be made for the storage, collection and disposal of refuse.
14. No pitch shall be further than 90 metres from a fire point. At each fire point there shall be two water (gas expelled) extinguishers each of 10 litres capacity and complying with British Standard 5423:1980, together with a means of raising the alarm in the event of fire (eg a manually operated sounder, gong or hand operated siren). All fire fighting equipment susceptible to damage by frost shall be suitably protected.
15. Wherever there is a likelihood of fire spreading due to vegetation catching fire, suitable beaters, of the type used by the Forestry Commission, shall also be provided at each fire point.
16. The fire points shall be clearly marked and easily accessible. All fire-fighting equipment should be maintained in working order and kept available for use and for inspection by the licensing authority.
17. Each fire point shall exhibit a conspicuous notice indicating the action to be taken in case of fire and the location of the nearest telephone. The notice should include the following:

On discovering fire

1. Raise the alarm
  2. Ensure the affected unit is evacuated
  3. Call the Fire Brigade (the nearest telephone is sited...)
  4. If practicable, attack the fire using the firefighting equipment provided.
- 
18. Arrangements for the storage of Liquefied Petroleum Gas (LPG) on the site shall be in accordance with the current national Code of Practice and regulations.
  19. A sign indicating the name of the site shall be displayed at the site entrance.
  20. Notices shall be displayed prominently on the site indicating the action to be taken in the event of an emergency and show where the police, fire brigade, ambulance, and local doctors can be contacted and the location of the nearest public telephone. Where practicable a telephone shall be provided on the site and the full address of the site should be displayed near the telephone.
  21. The site shall be used only as a touring caravan site between the period 1st March and 31st October in each year. Between the 1st November and the last day of February in each year all caravans shall be removed from the site.
  22. 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.
  23. A copy of the site licence with its conditions shall be displayed prominently on the site.

Dated this Fifteenth Day of June 1994

  
.....  
Director of Environmental Health and Housing





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

### 1. Brief Site Details

Name of Site: Pipers Height Caravan Park	
Postal address of Site: Pipers Height Caravan Park, Peel Road, Blackpool, Lancashire	
Post Code: FY4 5JT	Phone: 01253 763767 Fax: e-Mail: reception@pipersheight.co.uk

### 2. Applicants Details

Name: Clifton Leisure Parks Ltd	
Postal address of Applicant (If different from above):	
Post Code:	Phone: Mobile: e-Mail:

### 3. Is the applicant the:

Freeholder	x	Tenant
Leaseholder		Other

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		..... Caravans
Static Holiday	X	28 Caravans
Holiday Chalets		..... Chalets
Touring Holiday	x	136 Units

**Opening Season:**

Static Sites	1 March to 31 October
Touring Sites	1 March to 31 October

**6. Proposed Application to alter Licence Condition:**

Type of unit	Please Tick as appropriate	Number
Permanent residential		..... Caravans
Static Holiday	x	143 Caravans
Holiday Chalets		..... Chalets
Touring Holiday		..... Units

**Opening Season:**

Static Sites	x	All year
Touring Sites		..... to.....

**7. Does the site have planning permission?**

Yes	x
No	
Applied For	Date: .....

If yes, please give relevant permissions and references:

Planning Permission 00/0699 dated 03/01/2001 - Exchange touring area for static caravans - No specified numbers

Planning Permission 01/0297 dated 15/08/2001 - Exchange touring area for static caravans – No specified numbers

Planning Permission 12/0214 dated 27/02/2013 - 27 additional static caravans

Planning Permission 13/0362 dated 12/08/2013 – Extension to allow all year season

Planning Permission 17/009 dated 09/09/20 - Extension of park to provide recreational area

### 8. How is drinking water provided?

Mains supply to unit	x	All Units
Standpipes		..... Units

### 9. How are toilets and wash hand basins provided?

Communal toilet blocks		..... Units
Units have their own facilities	x	All Units

### 10. How are showers provided?

Communal shower blocks		..... Units
Units have their own showers	x	All Units

### 11. Type of foul drainage?

Mains drainage	x	All Units
Cesspool or cesspit		..... Units

### 12. How is kitchen waste water disposed of? No change

Units have their own sinks connected to foul drainage.	x	All Units
Communal washing up sinks/waste water disposal points connected to foul drainage.		..... Units
Other (Please give details)		..... Units

---

..... Units

..... Units

..... Units

All Units

**X**

**X**

**x**

## 1986

## Page 32 of 94

Caravan site

Applicants address

Other (please state below)

x

Name: Robert Barrs BSc MRICS

Address: Barrs & Co Chartered Surveyors  
Prospect House  
32 Sovereign Street  
Leeds

Post Code:

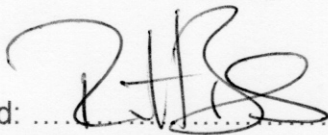
LS1 4BJ

Phone: 0113 389 1175

Mobile: 07913 676404

e-Mail: barrsandco1@gmail.com

Signed: .....



Dated: .....

12/1/21

With the application form, please send the following:

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

*Plan to be sent by applicant.*

A. Site Boundaries

B. Position and numbering of touring/holiday caravans and residential 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

If you are proposing to amend, add or remove site licence conditions then please provide the information on an additional sheet attached to the application.

Please return this completed form to:

The Licensing Team

Town Hall  
Lytham St Annes  
Lancashire  
FY8 1LW

Page 35 of 94



## **Town and Country Planning Acts**

### **Change of Use Granted**

#### **Part 1 - Particulars of Application**

**Application Number:** 13/0362

**Location:** PIPERS HEIGHT CARAVAN PARK, PEEL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5JT

**Description:** CHANGE OF USE OF LAND FROM HOLIDAY CARAVAN SITE WITH CLOSURE PERIOD TO HOLIDAY CARAVAN SITE OPEN 12 MONTHS OF YEAR

#### **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 only for the carrying out of development referred to in Part 1 hereof in accordance with the actual development proposal specified on your submitted application form and the relevant plan, a stamped copy of which is returned with this notice, subject to the following conditions(s) and reasons(s):

- 1 The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

- 2 That any touring caravans, static caravans, motorhomes and any other form of accommodation within the areas edged red on the approved plan shall be occupied for holiday purposes only and not as a persons permanent, sole or main place of residence.

Reason: To ensure that the site is not occupied by owners as their permanent residential home as the permission is for holiday use only, having regard to the location of the site within the countryside and in the interests of policies SP2 and TREC6 of the Fylde Borough Local Plan (As Altered) October 2005 and the Framework at paragraph 55.

- 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 Planning Authority.

Reason: To ensure that the site is not occupied by owners as their permanent residential home as the permission is for holiday use only, having regard to the location of the site within the



countryside and in the interests of policies SP2 and TREC6 of the Fylde Borough Local Plan (As Altered) October 2005 and the Framework at paragraph 55.

**IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED**

1) This planning permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- (b) You, your agent or any other person responsible for implementing this permission should immediately inform the Development Management Section of any proposed variation from the approved plans and ask to be advised as to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond.

3) If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development, i.e. a "condition precedent", the following should also be noted:

- (a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

**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:**

SP02 Development in countryside areas

TREC06 Static Caravans and Chalets

**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:** 12/08/2013

**Signed:**



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

Mr Barrs  
Barrs & Co Chartered Surveyors  
Prospect House  
Sovereign Street  
Leeds  
LS1 4BJ



# **PROPOSAL DETAILS AND JUSTIFICATION STATEMENT**

**Extension Of Holiday Season To Allow Part Of Site To  
Operate For 12 Month (All Year Round) Holiday Use**

**Pipers Height Caravan Park  
Peel Road, Westby with Plumpton, Blackpool FY4 5JU**

**Prepared  
5 June 2013**

### **1. Background to Longer Holiday Seasons**

With milder winters and the increased use of long weekend and mini break vacations, operators of holiday parks want to offer their customers the chance to occupy caravans during parts of the winter months.

However, traditionally, holiday parks are subject to planning conditions limiting the occupation of caravans to 8 or 9 months in each year. The purpose of these planning conditions is to ensure that holiday caravans are not used for residential occupation.

Following recent national planning guidance particularly the Good Practice Guide on Planning for Tourism relating to the changing nature of caravan holiday homes, caravan parks have been able to extend the season they can offer to customers. The Good Practice Guide sets out the advantages to the businesses which provide the accommodation and to those host communities which are supported by the spending that an extended holiday season can generate.

This principle has now been widely accepted and adopted across the North West of England and recently other parks in Fylde have been approved for 12 month holiday use.

### **2. Proposal Summary**

Pipers Height Caravan Park is a well established caravan park situated on the eastern fringe of Blackpool. The caravan park area extends over approximately 10 hectares and provides pitches for static caravan holiday homes.

The business makes an important contribution to the local economy bringing tourists to the area who use other local businesses during their stay.

In order to continue to meet the demands of customers this application seeks to extend the holiday season to allow visitors on part of the site to use their caravans all year round. The main remaining part of the site shall be unchanged.

### **3. Highways and Road Access**

The proposal does create any highway issue as there is no change to the access arrangements. There will be no increase in the number of caravans allowed on the park so the number of potential traffic movements to and from the site will not be affected under the proposal.

#### **4. Landscape Issues**

As mentioned above, the holiday static caravans are already sited all year round there are no visual or landscape issues arising from this proposal.

#### **5. Regional Precedent**

We understand that many parks in the North West of England have now been allowed to offer all year round holiday use. At Barrs & Co we have handled many such applications which are now routinely approved provided there are no landscape issues involved.

There is still a need to prevent permanent residential occupancy of the caravans but this can be achieved following the standard occupancy condition set out in the Appendix to the Practice guide. This is adopted as standard usually by Fylde Borough Council.

#### **6. National Planning Policy**

National Planning policy is set out within PPS7 and also within The Good Practice Guide on Planning for Tourism published by the Department for Communities and Local Government. These documents set out a range of policies regarding caravan parks, their contribution to the local rural economy and the issue of occupancy restrictions.

We specifically refer to Annex B of The Good Practice Guide on Planning for Tourism which specifically discusses holiday caravan park occupancy conditions.

It is clear that the national guidance acknowledges a need to continue to prevent residential occupancy of caravans but finds that overly restricting the duration of the holiday season is not a reasonable method of achieving this control as it greatly restricts the economic potential of the business in contributing to the local economy.

## **7. Summary**

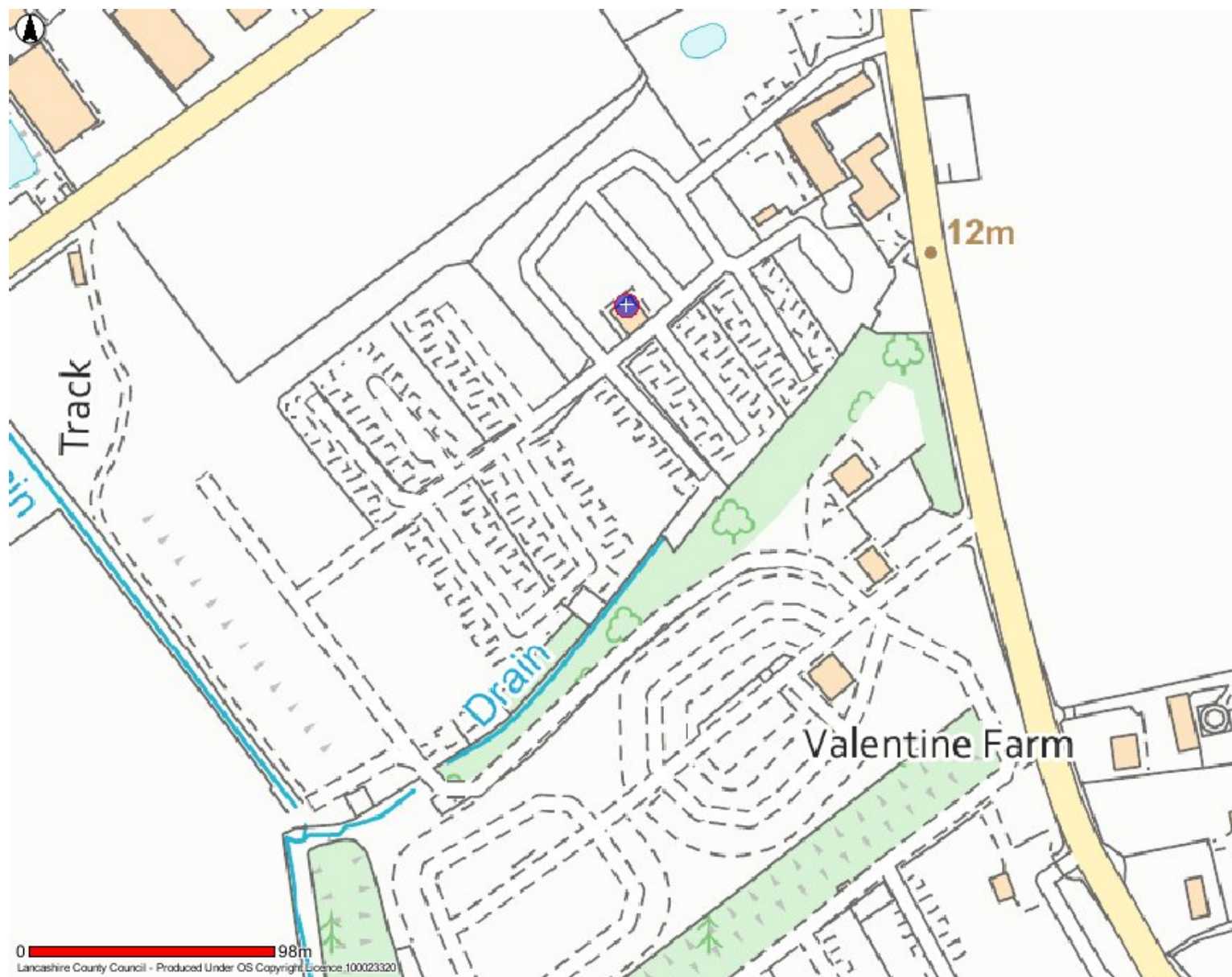
This holiday caravan park is a major asset to the local economy and can help support many complementary business within the community. The caravan park currently employs many full time staff. The park wants to offer customers a longer holiday season so they can visit the area throughout a longer season. The application will allow the business to reach it's potential and contribute further to the local economy.

In our view the application is in accordance with the relevant local plan policies and national policies particularly PPS7 and also The Good Practice Guide on Planning for Tourism published by the Department for Communities and Local Government.

We trust this application can be approved by delegated powers.

**Prepared by Robert Barrs BSc (Hons) MRICS  
Barrs & Co Chartered Surveyors Leisure Consultants**

## Appendix 4 - Location Plan



- Districts**
- Other District/Unitary Authority
  - Lancashire Districts

Piper Heights





10 Metres



## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	7 <sup>th</sup> JULY 2021	6
<b>CARAVAN SITE LICENSING – CLIFTON FIELDS CARAVAN PARK HOLIDAY CARAVAN SITE LICENCE</b>			

### 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 holiday caravan site licence to remove the closure period.

### RECOMMENDATION

1. That the Committee considers a request to amend condition 2 of the holiday site licence which currently states –

*Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 15<sup>th</sup> January and 1<sup>st</sup> March in any one year.*

to

*Caravans shall be used solely for human habitation as static holiday caravans between 1<sup>st</sup> January and 31<sup>st</sup> December each year.*

### SUMMARY OF PREVIOUS DECISIONS

Planning application ref 13/0569 dated 04/11/2013 - Change of use of land from holiday caravan park with closure season to holiday caravan park open 12 months of year.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

## REPORT

1. Clifton Fields Caravan Park, Peel Road, Blackpool benefits from a holiday caravan site licence allowing for 149 caravans to be stationed on the site (Appendix 1).
2. An application was received on 8<sup>th</sup> February 2021 (Appendix 2) to amend condition 2 of the holiday site licence issued on 11<sup>th</sup> June 2012 which states:

*Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 15<sup>th</sup> January and 1<sup>st</sup> March in any one year.*

to

*Caravans shall be used solely for human habitation as static holiday caravans between 1<sup>st</sup> January and 31<sup>st</sup> December each year.*

3. The council has granted permission for the site to be used all year round under planning consent ref 13/0569 and planning officers have confirmed that they have no objections to the grant of the variation application (Appendix 3a & 3b).
4. Lancashire Fire & Rescue Service has been consulted on this application and has not expressed any concerns.
5. An email has been sent to the agent working on behalf of the applicant to ask them to consider agreeing that the following conditions be added to the licence if the variation is approved –

*Static holiday caravans shall be occupied for holiday purposes only and not as a person's permanent, sole or main place of residence.*

*The licence holder must keep the following records for each static holiday caravan on site:*

- a. *The names and current home address of the owner; and*
- b. *Documentary evidence of the current home address of the owner*
- c. *and must allow the licensing authority to inspect them at any reasonable time.*

*The licence holder must, if requested by the licensing authority, ask the owner of any static holiday caravan on site to give to the licence holder:*

- a. *The name and current home address of each adult occupier; and*
- b. *Documentary evidence of the current home address of each adult occupier and must forward them to the licensing authority when received.*

The agent has provided the following response by email –

*Comprehensive conditions preventing residential occupancy of holiday caravans are already contained within the planning permissions for both sites and are not therefore really necessary to duplicate in the Site Licence.*

The planning decision notice including conditions can be viewed at appendix 3b and the agents report which accompanied planning application ref 13/0569 at appendix 3c.

6. The committee is asked to consider whether the application to amend condition 2 should be granted and, if it is, whether the additional conditions set out in paragraph 5 should be added to the licence. The site owner can appeal to the magistrates' court against a refusal to agree to the amendment and against the addition of the new condition.

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
Joanne Gallagher	<a href="mailto:joanne.gallagher@fylde.gov.uk">joanne.gallagher@fylde.gov.uk</a> Tel 01253 658609	21 <sup>st</sup> May 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Clifton Fields Caravan Park	21 <sup>st</sup> May 2021	<a href="#">Clifton Fields Caravan Park</a>

#### Attached documents

Appendix 1 - Existing site licence  
 Appendix 2 - Application to vary site licence  
 Appendix 3a - Planning Approval  
 Appendix 3b - Planning decision notice  
 Appendix 3c - Justification to planning  
 Appendix 4 - Location plan  
 Appendix 5 – Site layout



## Caravan Sites and Control of Development Act 1960

### Section 3

#### Holiday Caravan Site Licence

#### Clifton Fields Caravan Park

To: Clifton Leisure Parks Limited,  
Clifton Fields Caravan Park,  
Peel Road,  
Blackpool,  
Lancashire,  
FY4 5JU

#### TAKE NOTICE THAT WHEREAS

On 30<sup>th</sup> September 2011 and 3<sup>rd</sup> January 2012 you made application for a site licence in respect of land situated at Clifton Fields Caravan Park, Peel Road, Blackpool, Lancashire, FY4 5JU indicated on the plan submitted with the application (which land is hereinafter called "the land")

You are entitled to benefit of permission for the use of the land as a caravan site under the Town and Country Planning Acts, 1962 to 1990, otherwise than by a Development Order.

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. 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 149 (one hundred and forty-nine).
2. Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 15<sup>th</sup> January and 1<sup>st</sup> March in any one year.
3. 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 this schedule shall be properly maintained.
4. The caravans stationed on the site shall not be occupied as a persons sole or main place of residence. The site owner shall maintain a register of names of all

owners/occupiers of individual caravans and of their main home addresses and shall make this available at all reasonable times to the Local Authority (SP2 of the Fylde Borough Local Plan 2005).

### **Site Boundaries**

5. The boundaries of the site should be clearly marked, for example by fences or hedges. In addition, the site owner should give the local authority a plan of its layout. It is recommended that a 3 meter wide area should be kept clear within the inside of all boundaries.

### **Density and Space Between Caravans**

6. Subject to the following variations, the minimum spacing distance between caravans made of aluminium or other materials with similar fire performance properties should be not less than 5 meters between units, 3.5 meters at the corners. For those with a plywood or similar skin it should be not less than 6 meters. Where there is a mixture of holiday caravans of aluminium and plywood, the separation distance should be 6 meters; and where there is a mixture of permanent residential homes and holiday caravans, the separation distance should again be 6 meters. The point of measurement for porches, awnings, etc is the exterior cladding of the caravan.
  - Porches may protrude 1 meter into the 5 metres and should be of the open type.
  - Where awnings are used, the distance between any part of the awning and an adjoining caravan should not be less than 3 meters. They should not be of the type which incorporates sleeping accommodation and they should not face each other or touch.
  - Where there are ramps for the disabled, verandas and stairs extending from the unit, there should be 3.5 meter clear space between them (4.5 meter if mixture of caravans) and such items should not face each other in any space. If they are enclosed, they may need to be considered as part of the unit and, as such, should not intrude into the 5 or 6 meter space.
  - A garage, a shed or a covered storage space should be permitted between units only if it is of non-combustible construction (including non-combustible roof) and sufficient space is maintained around each unit so as not to prejudice means of escape in case of fire. Car ports and covered walkways should in no circumstances be allowed within the 5 or 6 meter space.
7. The density should be consistent with safety standards and health and amenity requirements. The gross density should not exceed 60 (sixty) caravans to the hectare, calculated on the basis of the useable area (i.e. excluding lakes, roads, communal services and other areas unsuitable for the siting of caravans) rather than the total site area.
8. Roads and footpaths should be designed to provide adequate access for fire appliances. (Detailed guidance on turning circles etc is available from fire authorities). Roads of suitable material should be provided so that no static caravan standing is more than fifty metres from a road. Where the approach to the caravan is across ground that may become difficult or dangerous to negotiate in wet weather, each standing should be connected to a carriageway by a footpath with a hard surface. Roads should not be less than 3.7 metres wide, or, if they form part of a clearly marked

one way traffic system, three metres wide. Gateways should be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres. Footpaths should not be less than 0.75 metres wide. Roads should have no overhead cable less than 4.5 metres above the ground. They should be suitably lit taking into account the needs and characteristics of a particular site. Emergency vehicle routes within the site should be kept clear of obstruction at all times.

### **Hard Standings**

9. Where possible, every static caravan should stand on a hard standing of suitable material, which should extend over the whole area occupied by the caravan placed upon it, and should project a sufficient distance outwards from the entrance or entrances of the caravan to enable occupants to enter and leave safely.

Hard standings may be dispensed with if the caravans are removed during the winter, or if they are situated on a ground which is firm and safe in poor weather conditions.

### **Fire Fighting Appliances**

#### *Fire Points*

10. These should be established so that no caravan or site building is more than thirty metres from a fire point. They should be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

#### *Fire Fighting Equipment*

11. 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 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 control nozzle. Hoses should be housed in a box painted red and marked "HOSE REEL".
12. 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.
13. 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.

#### *Fire Warning*

14. A means of raising the alarm in the event of a fire should 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.

### *Maintenance*

15. All alarm and fire fighting equipment should 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 should be kept to record all tests and any remedial action.
16. All equipment susceptible to damage by frost should be suitably protected.
17. A clearly written and conspicuous notice should 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 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 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."

### *Fire Hazards*

18. Long grass and vegetation should 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 should be removed from the vicinity of caravans. The space beneath and between caravans should not be used for the storage of combustible materials.

### **Storage of Liquefied Petroleum Gas (LPG)**

19. The storage of LPG should comply with LPGA Code of Practice 7: "Storage of full and empty LPG cylinders and cartridges" or LPGA Code of Practice 1 Part 1: "Bulk storage at fixed installations: installation and operation of vessels located above ground", as appropriate.

Where there are metered supplies from a common LPG storage tank, then LPGA Code of Practice 25: "The Storage and Use of LPG at Metered Estates" provides further guidance. In this case and where a mains gas supply is available, then the Gas Safety (Installation and Use) Regulations 1998 and the Pipe-lines Act 1962 may also be applicable.

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

LPG installations should 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.

### **Electrical Installations**

20. Sites should be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
21. 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 applicable, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) Regulations 1988, Statutory Instrument 1988 No 1057.
22. 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 three 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 (one) 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.

23. 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 affected by them should comply with the latest version of the IEE Wiring Regulations.
24. If there are overhead electric lines on the site, suitable warning notices should be displayed at the entrance to the site on supports for the line. Where appropriate, particular attention should be drawn to the danger of masts of yachts or dinghies contacting the line.

### **Water Supply**

25. All sites should be provided with a water supply in accordance with appropriate Water Bye-laws and statutory quality standards.

### **Drainage, Sanitation and Washing Facilities**



26. Satisfactory provision should be made for foul drainage, either by connection to a public sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the Local Authority.

### **Refuse Disposal**

27. Every caravan standing should have an adequate number of suitable non-combustible refuse bins with close-fitting 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

### **Parking**

28. One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed. Suitably 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.

### **Recreation Space**

29. 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.

### **Notices**

30. A suitable sign should be prominently displayed at the site entrance indicating the name of the site.
31. A copy of the site licence with its conditions should be displayed prominently on the site.
32. Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should 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.
33. All notices should 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 11<sup>th</sup> Day of June 2012



.....

C. Platt

Director of Community Services

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

### 1. Brief Site Details

Name of Site: Clifton Fields Caravan Park	
Postal address of Site: Clifton Fields Caravan Park, Peel Road, Blackpool, Lancashire	
Post Code: FY4 5JU	Phone: 01253 763767 Fax: e-Mail: reception@pipersheight.co.uk

### 2. Applicants Details

Name: Clifton Leisure Parks Ltd	
Postal address of Applicant (If different from above):     	
Post Code:	Phone: Mobile: e-Mail:

### 3. Is the applicant the:

Freeholder	x	Tenant
Leaseholder		Other

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	x	6 Caravans
Static Holiday	X	149 Caravans
Holiday Chalets		..... Chalets
Touring Holiday	x	100 Units

**Opening Season:**

Static Sites	1 March to 15 January
Touring Sites	1 March to 18 January

**6. Proposed Application to alter Licence Condition:**

Type of unit	Please Tick as appropriate	Number
Permanent residential		..... Caravans
Static Holiday		..... Caravans
Holiday Chalets		..... Chalets
Touring Holiday		..... Units

**Opening Season:**

Static Sites	x	All year
Touring Sites	x	All year

**7. Does the site have planning permission?**

Yes x

No

Applied For Date: .....

If yes, please give relevant permissions and references:

Planning Permission 13/0569 Dated 4/11/2013 – Extension to season to allow all year use.

**8. How is drinking water provided? No Change**

Mains supply to unit ..... Units

Standpipes ..... Units

**9. How are toilets and wash hand basins provided? No Change**

Communal toilet blocks ..... Units

Units have their own facilities ..... Units

**10. How are showers provided? No Change**

Communal shower blocks ..... Units

Units have their own showers ..... Units

**11. Type of foul drainage? No change**

Mains drainage ..... Units

Cesspool or cesspit ..... Units

**12. How is kitchen waste water disposed of? No change**

Units have their own sinks connected to foul drainage. .... 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? No change**

**14. How is refuse stored on the site? No change**

Individual bins at each unit ..... Units  
Communal wheeled bins or skips ..... Units  
Communal bin store ..... Units

**15. Do units use liquefied petroleum gas (LPG) cylinders? No change**

Yes

No

**16. Is there a LPG storage area on the site? No change**

Yes

No

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

Yes

No x

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

On 9<sup>th</sup> March 1960

On 29<sup>th</sup> March 1960

At any other time since 9<sup>th</sup> March 1958

If so, when: December 1989

**19. Address for correspondence:**

Caravan site

Applicants address

Other (please state below) x

Name: Robert Barrs BSc MRICS

Address: Barrs & Co Chartered Surveyors  
Prospect House  
32 Sovereign Street  
Leeds

Post Code:

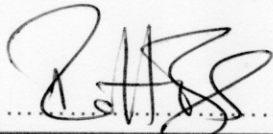
LS1 4BJ

Phone: 0113 389 1175

Mobile: 07913 676404

e-Mail: barrsandco1@gmail.com

Signed: .....



Dated: .....

12/1/21

With the application form, please send the following:

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

*Plan to be sent by applicant.*

A. Site Boundaries

B. Position and numbering of touring/holiday caravans and residential 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

If you are proposing to amend, add or remove site licence conditions then please provide the information on an additional sheet attached to the application.

Please return this completed form to:

The Licensing Team  
Town Hall  
Lytham St Annes  
Lancashire  
FY8 1LW



**To:** Licensing  
**From:** R. Thow

**Your Ref:**                                      **Our Ref:** ENQ/21/0028                      **Date:** 19 February 2021

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**PROPOSED VARIATION OF CARAVAN SITE LICENCE**

**LOCATION - PIPERS HEIGHT AND CLIFTON FIELDS CARAVAN PARK, PEEL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5JT**

Thank you for your consultation on an application to vary the caravan site licence at the above sites to allow year round occupation.

From the information submitted with the application and the planning history I can advise that there are no objections to year occupation of the caravans for holiday purposes.

Ruth Thow.





**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure)  
(England) Order 2010**

**Full Planning Permission Granted**

**Part 1 - Particulars of Application**

**Application Number:** 13/0569

**Location:** CLIFTON FIELDS CARAVAN PARK, PEEL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5JU

**Description:** PROPOSED CHANGE OF USE OF LAND FROM HOLIDAY CARAVAN PARK WITH CLOSURE SEASON TO HOLIDAY CARAVAN PARK OPEN 12 MONTHS OF YEAR.

**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 only for the carrying out of development referred to in Part 1 hereof in accordance with the actual development proposal specified on your submitted application form and the relevant plan, a stamped copy of which is returned with this notice, subject to the following conditions(s) and reasons(s):

- 1 The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

- 2 That any touring caravans, static caravans, motorhomes and any other form of accommodation within the areas edged red on the approved plan shall be occupied for holiday purposes only and not as a persons permanent, sole or main place of residence.

Reason: To ensure that the site is not occupied by owners as their permanent residential home as the permission is for holiday use only, having regard to the location of the site within the countryside and in the interests of policies SP2, TREC6 and TREC7 of the Fylde Borough Local Plan (As Altered) October 2005 and paragraph 55 of the NPPF.

- 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 Planning Authority.

Reason: To ensure that the site is not occupied by owners as their permanent residential home as the permission is for holiday use only, having regard to the location of the site within the countryside and in the interests of policies SP2, TREC6 and TREC7 of the Fylde Borough Local Plan (As Altered) October 2005 and paragraph 55 of the NPPF.

**IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED** In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

#### **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:**

SP02 Development in countryside areas

TREC06 Static Caravans and Chalets

TREC07 Touring Caravan & Camping Sites

#### **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:** 04/11/2013

**Signed:**



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

Mr Barrs  
Barrs & Co Chartered Surveyors  
Prospect House  
Sovereign Street  
Leeds  
LS1 4BJ



# **PROPOSAL DETAILS AND JUSTIFICATION STATEMENT**

**Extension Of Holiday Season To Allow Site To Operate  
For 12 Month (All Year Round) Holiday Use**

**Clifton Fields Caravan Park  
Peel Road, Westby with Plumpton, Blackpool FY4 5JU**

**Prepared  
11 September 2013**

### **1. Background to Longer Holiday Seasons**

With milder winters and the increased use of long weekend and mini break vacations, operators of holiday parks want to offer their customers the chance to occupy caravans during parts of the winter months.

However, traditionally, holiday parks are subject to planning conditions limiting the occupation of caravans to 8 or 9 months in each year. The purpose of these planning conditions is to ensure that holiday caravans are not used for residential occupation.

Following recent national planning guidance particularly the Good Practice Guide on Planning for Tourism relating to the changing nature of caravan holiday homes, caravan parks have been able to extend the season they can offer to customers. The Good Practice Guide sets out the advantages to the businesses which provide the accommodation and to those host communities which are supported by the spending that an extended holiday season can generate.

This principle has now been widely accepted and adopted across the North West of England and recently other parks in Fylde have been approved for 12 month holiday use.

### **2. Proposal Summary**

Clifton Fields Caravan Park is a well established caravan park situated on the eastern fringe of Blackpool. The caravan park provides pitches for static caravan holiday homes and touring caravans.

The business makes an important contribution to the local economy bringing tourists to the area who use other local businesses during their stay.

In order to continue to meet the demands of customers this application seeks to extend the holiday season to allow visitors to use the site all year round.

### **3. Highways and Road Access**

The proposal does create any highway issue as there is no change to the access arrangements. There will be no increase in the number of caravans allowed on the park so the number of potential traffic movements to and from the site will not be affected under the proposal.

#### **4. Landscape Issues**

As mentioned above, the holiday static caravans are already sited all year round there are no visual or landscape issues arising from this proposal.

#### **5. Regional Precedent**

We understand that many parks in the North West of England have now been allowed to offer all year round holiday use. At Barrs & Co we have handled many such applications which are now routinely approved.

There is still a need to prevent permanent residential occupancy of the caravans but this can be achieved following the standard occupancy condition set out in the Appendix to the Practice guide. This is adopted as standard usually by Fylde Borough Council.

#### **6. National Planning Policy**

National Planning policy is set out within PPS7 and also within The Good Practice Guide on Planning for Tourism published by the Department for Communities and Local Government. These documents set out a range of policies regarding caravan parks, their contribution to the local rural economy and the issue of occupancy restrictions.

We specifically refer to Annex B of The Good Practice Guide on Planning for Tourism which specifically discusses holiday caravan park occupancy conditions.

It is clear that the national guidance acknowledges a need to continue to prevent residential occupancy of caravans but finds that overly restricting the duration of the holiday season is not a reasonable method of achieving this control as it greatly restricts the economic potential of the business in contributing to the local economy.

#### **7. Summary**

This holiday caravan park is a major asset to the local economy and can help support many complementary business within the community. The caravan park currently employs many full time staff. The park wants to offer customers a longer holiday season so they can visit the area throughout a longer season. The application will allow the business to reach it's potential and contribute further to the local economy.

In our view the application is in accordance with the relevant local plan policies and national policies particularly PPS7 and also The Good Practice Guide on Planning for Tourism published by the Department for Communities and Local Government.

We trust this application can be approved by delegated powers.

**Prepared by Robert Barrs BSc (Hons) MRICS  
Barrs & Co Chartered Surveyors Leisure Consultants**



## Appendix 4 - Location Plan

- Districts**
- Other District/Unitary Authority
  - Lancashire Districts

Clifton Fields





- FIRE EXTINGUISHER
- ✕ DEFIBRILLATOR
- ♻️ RECYCLING
- ELSAN POINT

10 Metres



## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	7 <sup>th</sup> JULY 2021	7
<b>CARAVAN SITE LICENSING – CLIFTON FIELDS CARAVAN PARK TOURING SITE LICENCE</b>			

### 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 touring caravan site licence to remove the closure period.

### RECOMMENDATION

1. That the Committee considers a request to amend condition 2 of the touring site licence which currently states –

*Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 18<sup>th</sup> January and 1<sup>st</sup> March in any one year.*

to

*Caravans shall be used solely for human habitation as touring holiday caravans between the 1<sup>st</sup> January and 31<sup>st</sup> December each year.*

### SUMMARY OF PREVIOUS DECISIONS

Planning application ref 13/0569 dated 04/11/2013 - Change of use of land from holiday caravan park with closure season to holiday caravan park open 12 months of year.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓



## REPORT

1. Clifton Fields Caravan Park, Peel Road, Blackpool benefits from a touring caravan site licence allowing for 100 caravans to be stationed on the site at any one time. (Appendix 1)
2. An application was received on 8<sup>th</sup> February 2021 (Appendix 2) to amend condition 2 of the site licence issued on 11<sup>th</sup> June 2012 which states:

*Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 18<sup>th</sup> January and 1<sup>st</sup> March in any one year. (please note there is a typing error in this condition and static holiday should say touring).*

To

*Caravans shall be used solely for human habitation as touring caravans between 1<sup>st</sup> January and 31<sup>st</sup> December each year.*

3. The council has granted permission for the site to be used all year round under planning consent 13/0569 and planning officers have confirmed that they have no objections to the grant of the variation application (Appendix 3a & 3b).
4. Lancashire Fire & Rescue Service has been consulted on this application and has not expressed any concerns.
5. An email was sent to the agent working on behalf of the applicant to ask them to consider agreeing that the following conditions be added to the licence if the variation is approved –

*Touring caravans shall be occupied for holiday purposes only and not as a person's permanent, sole or main place of residence.*

*The licence holder must keep the following records for each touring caravan on site:*

- a. *The names and current home address of the owner; and*
- b. *Documentary evidence of the current home address of the owner*
- c. *and must allow the licensing authority to inspect them at any reasonable time.*

*The licence holder must, if requested by the licensing authority, ask the owner of any touring caravan on site to give to the licence holder:*

- a. *The name and current home address of each adult occupier; and*
- b. *Documentary evidence of the current home address of each adult occupier and must forward them to the licensing authority when received.*

The agent has provided the following response by email –

*Comprehensive conditions preventing residential occupancy of holiday caravans are already contained within the planning permissions for both sites and are not therefore really necessary to duplicate in the Site Licence.*

The planning decision notice including conditions can be viewed at appendix 3b and the agents report which accompanied planning application ref 13/0569 at appendix 3c.

6. The committee is asked to consider whether the application to amend condition 2 should be granted and, if it is, whether the additional conditions set out in paragraph 5 should be added to the licence. The site owner can appeal to the magistrates' court against a refusal to agree to the amendment and against the addition of the new condition.

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
Joanne Gallagher	<a href="mailto:joanne.gallagher@fylde.gov.uk">joanne.gallagher@fylde.gov.uk</a> 01253 658609	24 <sup>th</sup> May 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Clifton Fields Caravan Park	24 <sup>th</sup> May 2021	<a href="#">Clifton Fields Caravan Park</a>

#### Attached documents

Appendix 1 - Existing site licence  
 Appendix 2 - Application to vary site licence  
 Appendix 3a - Planning Approval  
 Appendix 3b - Planning decision notice  
 Appendix 3c - Justification to planning  
 Appendix 4 - Location plan  
 Appendix 5 - Site layout



## Caravan Sites and Control of Development Act 1960

### Section 3

#### Touring Caravan Site Licence

#### Clifton Fields Caravan Park

To Clifton Leisure Parks Limited,  
Clifton Fields Caravan Park,  
Peel Road,  
Blackpool,  
Lancashire,  
FY4 5JU

#### TAKE NOTICE THAT

On 30<sup>th</sup> September 2011 and 3<sup>rd</sup> January 2012 you made application for a site licence in respect of land situated at Clifton Fields Caravan Park, Peel Road, Blackpool, Lancashire, FY4 5JU indicated on the plan submitted with the application (which land is hereinafter called "the land")

You are entitled to benefit of permission for the use of the land as a caravan site under the Town and Country Planning Acts, 1962 to 1990, otherwise than by a Development Order.

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. 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 100 (One Hundred).
2. Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 18<sup>th</sup> January and 1<sup>st</sup> March in any one year.

3. The caravans stationed on the site shall not be occupied as a persons sole or main place of residence. The site owner shall maintain a register of names of all owners/occupiers of individual caravans and of their main home addresses and shall make this available at all reasonable times to the Local Authority (SP2 of the Fylde Borough Local Plan 2005).
4. The site shall be maintained in a clean and tidy condition at all times. Every caravan stationed on the site shall be maintained in a good state of repair and external decoration.

### **Density**

4. Site density should not exceed 75 units (caravan or motor caravans) per hectare (30 units per acre) calculated on the basis of the usable area rather than the total site area (i.e. excluding crags, lakes, roads, communal services etc.) provided that, where tent camping is also permitted, the maximum number of units stationed on the site at any one time should be reduced by the number of pitches occupied by main tents stationed for human habitation.
5. Where the number of units on the site is to be limited by condition, it may be appropriate to prescribe maximum by references to specified periods so as to permit up to 10 more units during such peak holiday periods as may be agreed between the site licensing authority and the licence holder without the provision of additional facilities, provided that:
  - (i) the provisions of paragraph 1 above are complied with, and
  - (ii) the standards relating to spacing, as set out in paragraph 3 below, are complied with.

### **Spacing**

6. Every unit should be not less than 6 metres from any other unit in separate family occupation and not less than 3 metres should be permitted between units in any circumstances.
7. Vehicles and other ancillary equipment should be permitted within the 6 metres space between units in separate family occupation but, in order to restrict the spread of fire, there should always be 3 metres clear space within the 6 metres separation.
8. Emergency vehicles should be able to secure access at all times to within 90 metres of any unit on the site.

### **Drinking Water Supply and Waste Water Disposal**

9. There should be an adequate supply of drinking water. Each pitch on a site should be no further than 90 metres from a water tap. At each tap there should be a soak away or gully.

10. Water waste disposal should be provided so that each pitch is no further than 90 metres from a waste water disposal point. The appropriate Water Authority should be consulted about the arrangement for disposal of water likely to be contaminated.

#### **Toilets: WCs and Chemical Closets**

11. The scale of provision should be 1 WC and 1 urinal for men and 2 WC's for women per 30 pitches and their location should be to the satisfaction of the Licensing Authority. The pro rata scale can be reduced where sites have over 120 pitches (see also paragraph 9 below). Toilets may not be justified where sites have less than 10 pitches, but on sites with between 10 and 30 pitches at least one WC and 1 urinal for men and 2 WC's for women should be provided.
12. Where the provision of WC's is not feasible or justified, entry should be confined to units with their own toilets or chemical closets should be provided.

#### **Disposal Point of Chemical Closets**

13. Whether or not WC's are provided, a properly designed disposal point for the contents of chemical closets should be provided together with an adjacent adequate supply of water for cleaning containers. The method of disposal will need to be considered in the light of the particular circumstances and should be to the satisfaction of the Local Authority and the appropriate Water Authority. Where appropriate, the water supply should be clearly labelled as non-potable.

#### **Washing Points**

14. There should be a minimum of 4 wash basins supplied with water per 30 units : 2 each for men and women. They should be adjacent to the toilets.

#### **Hot Water: Showers**

15. Showers should not be obligatory on sites with less than 70 pitches. If showers are required, provision should be on the basis of 1 shower per 25 pitches and hot water should be available.

#### **Disabled Persons**

16. Particular consideration should be given to the needs of the disabled in the provision made for water points, toilets, washing points and showers.

#### **Electrical Installations**

17. Where there is an electrical installation other than Electricity Board works and circuits subject to Regulations under Section 60 of the Electricity Act 1947, it should be installed to the requirements of the Institution of Electrical Engineers' Regulations for Electrical Installations (the IEE Wiring Regulations) for the time being in force and, where appropriate, to the standard acceptable for the Electricity (Overhead Lines) Regulations 1970, S.I. 1970, No. 1355. Any installation should be maintained in such a way as to prevent danger as far as reasonably practicable and should be periodically inspected and tested by a competent person in accordance with the IEE Wiring Regulations.

## **Refuse Disposal**

18. Adequate provision should be made for the storage, collection and disposal of refuse. (It is expected that site operators should normally be able to meet their responsibilities by making arrangements with the Local Authority).

## **Fire Precautions**

19. No unit should be further than 90 metres from a fire point. At each fire point there should be two water (gas expelled) extinguishers each of 10 litres capacity and complying with British Standard 5423:1980, together with a means of raising the alarm in the event of equipment susceptible to damage by frost should be suitably protected.
20. Wherever there is a likelihood of fire spreading due to vegetation catching fire, suitable beaters, of the type used by the Forestry Commission, should also be provided at each fire point.
21. The fire points should be clearly marked and easily accessible. All fire-fighting equipment should be maintained in working order and kept available for use and for inspection by the Licensing Authority.
22. Each fire point should exhibit a conspicuous notice indicating the action to be taken in case of fire and the location of the nearest telephone. The 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 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."

## **Liquefied Petroleum Gas**

23. Arrangements for the storage of Liquefied Petroleum Gas (LPG) on the site, should be in accordance with the current National Code of Practice and Regulations.

## **Site Notices**

24. A sign indicating the name of the site should be displayed at the site entrance.
25. Notices should be displayed prominently on the site indicating the action to be taken in the event of an emergency and show where the Police, Fire Brigade, Ambulance and Local Doctors can be contacted and the location of the nearest public telephone. Where practicable a telephone should be provided on the site and the full address of the site should be displayed near the telephone.

26. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.
27. At sites with overhead electric lines, warning notices should be displayed on the supports for the lines and at the site entrance. Where appropriate, these should warn against the danger of contact between the lines and the masts of yachts or dinghies.
28. A copy of the site licence with its conditions should be displayed prominently on the site.

Dated 11<sup>th</sup> Day of June 2012

A handwritten signature in dark ink, reading "Clare Platt", on a light blue rectangular background.

.....

C. Platt

Consumer Wellbeing and Protection Manager

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

### 1. Brief Site Details

Name of Site: Clifton Fields Caravan Park	
Postal address of Site: Clifton Fields Caravan Park, Peel Road, Blackpool, Lancashire	
Post Code: FY4 5JU	Phone: 01253 763767  Fax:  e-Mail: reception@pipersheight.co.uk

### 2. Applicants Details

Name: Clifton Leisure Parks Ltd	
Postal address of Applicant (If different from above):	
Post Code:	Phone:  Mobile:  e-Mail:

### 3. Is the applicant the:

Freeholder	x	Tenant
Leaseholder		Other

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	x	6 Caravans
Static Holiday	X	149 Caravans
Holiday Chalets		..... Chalets
Touring Holiday	x	100 Units

**Opening Season:**

Static Sites	1 March to 15 January
Touring Sites	1 March to 18 January

**6. Proposed Application to alter Licence Condition:**

Type of unit	Please Tick as appropriate	Number
Permanent residential		..... Caravans
Static Holiday		..... Caravans
Holiday Chalets		..... Chalets
Touring Holiday		..... Units

**Opening Season:**

Static Sites	x	All year
Touring Sites	x	All year

**7. Does the site have planning permission?**

Yes x

No

Applied For Date: .....

If yes, please give relevant permissions and references:

Planning Permission 13/0569 Dated 4/11/2013 – Extension to season to allow all year use.

**8. How is drinking water provided? No Change**

Mains supply to unit ..... Units  
Standpipes ..... Units

**9. How are toilets and wash hand basins provided? No Change**

Communal toilet blocks ..... Units  
Units have their own facilities ..... Units

**10. How are showers provided? No Change**

Communal shower blocks ..... Units  
Units have their own showers ..... Units

**11. Type of foul drainage? No change**

Mains drainage ..... Units  
Cesspool or cesspit ..... Units

**12. How is kitchen waste water disposed of? No change**

Units have their own sinks connected to foul drainage. .... 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? No change**

**14. How is refuse stored on the site? No change**

Individual bins at each unit ..... Units  
 Communal wheeled bins or skips ..... Units  
 Communal bin store ..... Units

**15. Do units use liquefied petroleum gas (LPG) cylinders? No change**

Yes  
 No

**16. Is there a LPG storage area on the site? No change**

Yes  
 No

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

Yes  
 No x

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

On 9<sup>th</sup> March 1960  
 On 29<sup>th</sup> March 1960  
 At any other time since 9<sup>th</sup> March 1958

If so, when: December 1989

**19. Address for correspondence:**

Caravan site  
 Applicants address  
 Other (please state below) x

Name: Robert Barrs BSc MRICS

Address: Barrs & Co Chartered Surveyors  
Prospect House  
32 Sovereign Street  
Leeds

Post Code:

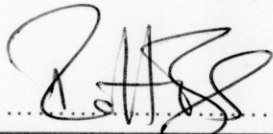
LS1 4BJ

Phone: 0113 389 1175

Mobile: 07913 676404

e-Mail: barrsandco1@gmail.com

Signed: .....



Dated: .....

12/1/21

With the application form, please send the following:

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

*Plan to be sent by applicant.*

A. Site Boundaries

B. Position and numbering of touring/holiday caravans and residential 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

If you are proposing to amend, add or remove site licence conditions then please provide the information on an additional sheet attached to the application.

Please return this completed form to:

The Licensing Team  
Town Hall  
Lytham St Annes  
Lancashire  
FY8 1LW

Page 81 of 94



**Town and Country Planning Act 1990  
Town and Country Planning (Development Management Procedure)  
(England) Order 2010**

**Full Planning Permission Granted**

**Part 1 - Particulars of Application**

**Application Number:** 13/0569

**Location:** CLIFTON FIELDS CARAVAN PARK, PEEL ROAD, WESTBY WITH PLUMPTONS, BLACKPOOL, FY4 5JU

**Description:** PROPOSED CHANGE OF USE OF LAND FROM HOLIDAY CARAVAN PARK WITH CLOSURE SEASON TO HOLIDAY CARAVAN PARK OPEN 12 MONTHS OF YEAR.

**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 only for the carrying out of development referred to in Part 1 hereof in accordance with the actual development proposal specified on your submitted application form and the relevant plan, a stamped copy of which is returned with this notice, subject to the following conditions(s) and reasons(s):

- 1 The development hereby permitted must be begun not later than the expiration of 3 years commencing upon the date of this permission, and where applicable should be undertaken in strict accordance with the plan(s) comprising all aspects of the approved development accompanying the decision notice.

This standard time limit is required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004, while compliance with approved plans is required to ensure the approved standard of development is achieved.

- 2 That any touring caravans, static caravans, motorhomes and any other form of accommodation within the areas edged red on the approved plan shall be occupied for holiday purposes only and not as a persons permanent, sole or main place of residence.

Reason: To ensure that the site is not occupied by owners as their permanent residential home as the permission is for holiday use only, having regard to the location of the site within the countryside and in the interests of policies SP2, TREC6 and TREC7 of the Fylde Borough Local Plan (As Altered) October 2005 and paragraph 55 of the NPPF.

- 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 Planning Authority.

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**IMPORTANT – PLEASE CAREFULLY READ THE NOTES BELOW AS FAILURE TO COMPLY COULD MAKE THE DEVELOPMENT HEREBY PERMITTED UNAUTHORISED** In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the development is the submission of a new application. If any other type of condition is breached then you will be liable to a breach of condition notice.

#### **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:**

SP02 Development in countryside areas

TREC06 Static Caravans and Chalets

TREC07 Touring Caravan & Camping Sites

#### **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:** 04/11/2013

**Signed:**



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

Mr Barrs  
Barrs & Co Chartered Surveyors  
Prospect House  
Sovereign Street  
Leeds  
LS1 4BJ



# **PROPOSAL DETAILS AND JUSTIFICATION STATEMENT**

**Extension Of Holiday Season To Allow Site To Operate  
For 12 Month (All Year Round) Holiday Use**

**Clifton Fields Caravan Park  
Peel Road, Westby with Plumpton, Blackpool FY4 5JU**

**Prepared  
11 September 2013**



### **1. Background to Longer Holiday Seasons**

With milder winters and the increased use of long weekend and mini break vacations, operators of holiday parks want to offer their customers the chance to occupy caravans during parts of the winter months.

However, traditionally, holiday parks are subject to planning conditions limiting the occupation of caravans to 8 or 9 months in each year. The purpose of these planning conditions is to ensure that holiday caravans are not used for residential occupation.

Following recent national planning guidance particularly the Good Practice Guide on Planning for Tourism relating to the changing nature of caravan holiday homes, caravan parks have been able to extend the season they can offer to customers. The Good Practice Guide sets out the advantages to the businesses which provide the accommodation and to those host communities which are supported by the spending that an extended holiday season can generate.

This principle has now been widely accepted and adopted across the North West of England and recently other parks in Fylde have been approved for 12 month holiday use.

### **2. Proposal Summary**

Clifton Fields Caravan Park is a well established caravan park situated on the eastern fringe of Blackpool. The caravan park provides pitches for static caravan holiday homes and touring caravans.

The business makes an important contribution to the local economy bringing tourists to the area who use other local businesses during their stay.

In order to continue to meet the demands of customers this application seeks to extend the holiday season to allow visitors to use the site all year round.

### **3. Highways and Road Access**

The proposal does not create any highway issue as there is no change to the access arrangements. There will be no increase in the number of caravans allowed on the park so the number of potential traffic movements to and from the site will not be affected under the proposal.

### **4. Landscape Issues**

As mentioned above, the holiday static caravans are already sited all year round there are no visual or landscape issues arising from this proposal.

### **5. Regional Precedent**

We understand that many parks in the North West of England have now been allowed to offer all year round holiday use. At Barrs & Co we have handled many such applications which are now routinely approved.

There is still a need to prevent permanent residential occupancy of the caravans but this can be achieved following the standard occupancy condition set out in the Appendix to the Practice guide. This is adopted as standard usually by Fylde Borough Council.

### **6. National Planning Policy**

National Planning policy is set out within PPS7 and also within The Good Practice Guide on Planning for Tourism published by the Department for Communities and Local Government. These documents set out a range of policies regarding caravan parks, their contribution to the local rural economy and the issue of occupancy restrictions.

We specifically refer to Annex B of The Good Practice Guide on Planning for Tourism which specifically discusses holiday caravan park occupancy conditions.

It is clear that the national guidance acknowledges a need to continue to prevent residential occupancy of caravans but finds that overly restricting the duration of the holiday season is not a reasonable method of achieving this control as it greatly restricts the economic potential of the business in contributing to the local economy.

### **7. Summary**

This holiday caravan park is a major asset to the local economy and can help support many complementary business within the community. The caravan park currently employs many full time staff. The park wants to offer customers a longer holiday season so they can visit the area throughout a longer season. The application will allow the business to reach it's potential and contribute further to the local economy.

In our view the application is in accordance with the relevant local plan policies and national policies particularly PPS7 and also The Good Practice Guide on Planning for Tourism published by the Department for Communities and Local Government.

We trust this application can be approved by delegated powers.

**Prepared by Robert Barrs BSc (Hons) MRICS  
Barrs & Co Chartered Surveyors Leisure Consultants**



## Appendix 4 - Location Plan

- Districts**
- Other District/Unitary Authority
  - Lancashire Districts

Clifton Fields





10 Metres



## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	7 JULY 2021	8
<b>APPOINTMENT TO WORKING GROUPS</b>			

### PUBLIC ITEM

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

### SUMMARY

Following changes to committee membership at Council, on 19<sup>th</sup> April 2021 for the municipal year 2021/22, it is timely for the committees to review the current appointments to any working groups that are currently established and relate to the terms of reference of the Public Protection Committee. The establishment of working groups is within the responsibility of the individual committees and does not need the approval of Council.

### RECOMMENDATIONS

The committee is invited:

1. To confirm the membership to any working groups that relate to the terms of reference of the committee.

### SUMMARY OF PREVIOUS DECISIONS

17/7/2019 Appointment to Working Groups confirmed  
20 July 2020 – Council noted and endorsed the list of current working groups.

### CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

### REPORT

1. it is timely for the committee to review the current appointments to any working groups following changes to committee memberships, for the municipal year 2021/22, that were made at Council on 19 April 2021.
2. Committees can establish their own subject specific working groups to be set up when required in order to advise the parent committee on a particular topic/issue.
3. The table below lists those working groups that relate to the terms of reference of the Public Protection Committee that are currently established.

4. The establishment of working groups is within the responsibility of the individual committees and does not need the approval of Council.
5. It is important that the members nominated to working groups have an appropriate interest in the subject, can commit to positively represent the Council and be available to commit the time to attend the majority of the meetings involved.
6. The members nominated should ideally be a member of the committee to which the matter relates to.
7. The conclusion of any working group would be brought to committee in a formal report.

Public Protection Committee– Working groups			
Working group	Role/purpose	Notes	Current representation
Caravan Site Licensing	To review proposed conditions on new and existing site licenses regarding registers and evidence proof to ensure a consistent approach.	Last met 24/3/21	Councillors Brenda Blackshaw, Alan Clayton, Shirley Green, Gavin Harrison, Paul Hodgson

IMPLICATIONS	
Finance	No implications arising from this report
Legal	No implications arising from this report
Community Safety	No implications arising from this report
Human Rights and Equalities	No implications arising from this report
Sustainability and Environmental Impact	No implications arising from this report
Health & Safety and Risk Management	No implications arising from this report

LEAD AUTHOR	CONTACT DETAILS	DATE
Democratic Services	democracy@fylde.gov.uk	30/7/20

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

## INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
LICENSING DEPARTMENT	PUBLIC PROTECTION COMMITTEE	7 <sup>th</sup> JULY 2021	9
<b>BUSINESS &amp; PLANNING ACT 2020 – PAVEMENT CAFÉ LICENCES</b>			

### PUBLIC ITEM

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

### SUMMARY OF INFORMATION

To update the Public Protection Committee in respect of the Business & Planning Act 2020 in relation to Pavement Café Licences.

### SOURCE OF INFORMATION

The Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulations 2021 - <https://www.legislation.gov.uk/ukdsi/2021/9780348224344/contents>

### WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To advise the Committee regarding this legislation.

The Business and Planning Act 2020 was introduced last year to assist premises recover from the financial costs of the pandemic.

Part of this legislation was to cut the “red tape” in applying for Pavement Café licences and speed up the application time. This would therefore give premises a higher capacity to seat customers.

The legislation was due to expire on 30<sup>th</sup> September 2021 but as now been extended until 30<sup>th</sup> September 2022.

The licences will not automatically be extended and will still have to go through the renewal and consultation process.

We currently licence 6 premises that have taken advantage of this legislation.

### FURTHER INFORMATION

Contact Andy Hough at [andy.hough@fylde.gov.uk](mailto:andy.hough@fylde.gov.uk) Tel - 01253 658606

## INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
LICENSING DEPARTMENT	PUBLIC PROTECTION COMMITTEE	7 <sup>th</sup> JULY 2021	10
<b>CARAVAN SITE FIT &amp; PROPER PERSONS TEST</b>			

### PUBLIC ITEM

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

#### SUMMARY OF INFORMATION

- On 15 June 2020, section 8 of the Mobile Homes Act 2013 ("the Act") came into force. Section 8 of the Act provides that there is requirement for a manager of a Relevant Protected Site to be a fit and proper person in England.
- The Mobiles Homes (Requirement for Manager of Site to be Fit & Proper Person) (England) Regulations 2020 were published on 23 September 2020.
- The local authority will consider a set of criteria – the "fit and proper person test" and will either grant an application unconditionally, grant it subject to conditions, or reject it. If a site licence holder or site manager fails the test, the site licence holder would have to appoint a new manager (who must be a fit and proper person) themselves, or consent to the local authority doing so.
- Applicants will be included on the register for a period of up to 5 years.
- A local authority may vary or reject a condition attached to an entry on a register.
- It will be an offence to breach a condition attached to an entry, provide false or misleading information in support of an application, or to operate a site without having a fit and proper person in place. If convicted of any of these offences, the site owner will be liable for an unlimited fine. Breach of these requirements will also enable the local authority to apply to court to have the site licence revoked.
- During the first year applications must be submitted between the 1st July 2021 and by midnight of 30 September 2021 inclusive to be assessed as a Fit and proper Person. If a person is found to be operating a site and fails to comply with the fit and proper person test it is a criminal offence and if found guilty would be liable, on summary conviction, of a fine up to level 5 (unlimited).
- The local authority may charge a reasonable fee cover the administration of the application process and/or any enforcement of the regime. The fee was been agreed at £250.00 per application at Finance & Democracy Committee on 28<sup>th</sup> June 2021.

#### SOURCE OF INFORMATION

UK Public General Acts - The Mobile Homes Act 2013 - [www.legislation.gov.uk/ukpga/2013/14/section/8](http://www.legislation.gov.uk/ukpga/2013/14/section/8)

UK Statutory Instruments – The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 - [www.legislation.gov.uk/uksi/2020/1034/contents/made](http://www.legislation.gov.uk/uksi/2020/1034/contents/made)

Mobile homes: A guide for local authorities on the fit and proper person test:



[www.gov.uk/government/publications/mobile-homes-fit-and-proper-person-test-guidance-for-local-authorities/mobile-homes-a-guide-for-local-authorities-on-the-fit-and-proper-person-test](http://www.gov.uk/government/publications/mobile-homes-fit-and-proper-person-test-guidance-for-local-authorities/mobile-homes-a-guide-for-local-authorities-on-the-fit-and-proper-person-test)

**WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?**

To update the Committee regarding the upcoming implementation of the Fit & Proper Test in respect of 14 Residential Park Home Sites (relevant protected sites) which are situated within the Borough of Fylde.

**FURTHER INFORMATION**

Contact Joanne Gallagher at [joanne.gallagher@fylde.gov.uk](mailto:joanne.gallagher@fylde.gov.uk) Tel - 01253 658609

## INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
LICENSING DEPARTMENT	CARAVAN SITE LICENSING WORKING GROUP	7 <sup>th</sup> JULY 2021	11

### CARAVAN SITE LICENSING – WORKING GROUP UPDATE

#### PUBLIC ITEM

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

#### SUMMARY OF INFORMATION

During the previous working group meeting it was decided that officers would create a letter to send to owners of holiday sites providing information & wording of the new condition which it is proposed to add to holiday caravan site licences. The letter has been prepared, but due to time constraints and the ongoing work in relation to the Fit & Proper Persons test for residential sites no further progress has currently been made.

#### SOURCE OF INFORMATION

Licensing Team, Fylde Council

#### WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

To provide a progress update to the Caravan Site Licensing Working group.

#### FURTHER INFORMATION

Contact Joanne Gallagher at [joanne.gallagher@fylde.gov.uk](mailto:joanne.gallagher@fylde.gov.uk) Tel - 01253 658609