



# Minutes

## PUBLIC PROTECTION COMMITTEE

<b>Date:</b>	Wednesday, 26 October 2016
<b>Venue:</b>	Town Hall, St Annes.
<b>Committee Members:</b>	Councillor Angela Jacques (Chairman) Councillor Barbara Nash (Vice-Chairman)  Councillors Frank Andrews, Jan Barker, Keith Beckett ISO, Brenda Blackshaw, Alan Clayton, Gail Goodman JP, Peter Hardy, Neil Harvey.
<b>Officers Present:</b>	Ian Curtis, Kathy Winstanley, Clare Lord, Chris Hambly, Michael Duck, Sharon Wadsworth, Joanne Gallagher, Tara Walsh
<b>Members of the public:</b>	DKB, PWH, NP and 2 other members of the public were in attendance during the course of the meeting.

### 1. Declarations of interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members.

Prior to the start of discussion on Item 8 (Application for Private Hire Driver - DKB) Councillors Alan Clayton and Peter Hardy declared a personal and prejudicial interest and withdrew from the discussion and voting thereon.

### 2. Confirmation of minutes

RESOLVED: To approve the minutes of the Public Protection Committee meeting held on 20<sup>th</sup> July 2016 as a correct record for signature by the Chairman.

### 3. Substitute members

There were no substitute members in attendance at the meeting.

### Decision Items

#### 4. Caravan Licensing – Thornfield Holiday Camp

Mr Duck (Environmental Health Officer – Commercial) presented a report relating to Thornfield Holiday Camp concerning an application to reduce the distances between caravans from twenty feet (6.09 metres) to 5 metres. The matter had been deferred from the 20<sup>th</sup> July 2016 meeting in order to seek Lancashire Fire Service opinion on the reduction of distances between caravans on site.

A response from Lancashire Fire and Rescue Services had been received and Mr Duck confirmed that a suitable fire risk assessment had been provided by the site owners.

It was RESOLVED to amend Condition 2 on the site licence to reduce the distances between caravans to 5 metres.

5. Caravan Licensing – Hurst Lea Caravan Park

Mr Duck (Environmental Health Officer – Commercial) introduced a report relating to Hurst Lea Caravan Park situated on Cartford Lane, Little Ecclestone. A request had been received from the site owner seeking to amend part of Condition 2, of the site licence issued on 12th March 2012, to allow year round holiday use.

Notification had been received from the planning department confirming that there were no planning restrictions in place in relation to this application.

Following a detailed discussion it was RESOLVED:

- 1) To amend Condition 2 of the site licence to allow all year round holiday use.
- 2) To notify the licence holder that the committee is minded to amend Condition 23(d) of the site licence by adding the following wording to the end of the condition “and to retain a copy of the same for Council inspection” and to offer the licence holder the opportunity to make representations.
- 3) In the event of the licence holder not making representations, to amend the condition 23(d) as detailed above
- 4) To write to all the current site holders, operating a year round holiday site, to canvass their opinions on the possible inclusion of additional wording in the condition of their licences requiring them to retain for Council inspection a copy of the evidence of main residences provided by occupiers.

6. Hackney Carriage and Private Hire Licensing Policy

Chris Hambly (Environmental Services Manager) presented a report introducing a draft replacement of the current Hackney Carriage and Private Hire Licensing Policy. The current policy was introduced in 2006 and was now felt to need refreshing. The replacement draft Policy reflected current concerns and practices.

It was RESOLVED:

- 1) That the Committee authorises officers to carry out a full consultation exercise and report the results of the consultation exercise to the 15<sup>th</sup> February 2017 Public Protection Committee.

7. Disclosure and Barring Service

Mr Hambly introduced a report following a request from an existing operator to consider the introduction of on-line disclosure checks.

Following a brief discussion it was RESOLVED:

- 1) That the Committee notes the report and authorises officers to investigate the options of outsourcing disclosure checks and to report the findings to the 15<sup>th</sup> February 2017 Public Protection Committee for consideration.

8. Application for Private Hire Driver - DKB

*(Councillors Clayton and Hardy withdrew from the meeting having declared a personal and prejudicial interest at the start of the item)*

Mr Hambly presented an application, received from DKB for the grant of a Private Hire Driver's Licence, for the Committee to consider and determine if they considered the applicant fit and proper to hold such a licence.

The applicant DKB had various convictions dating from 2005 to 2015. The council's Hackney Carriage and Private Hire Licensing Policy indicated that DKB ought not to be considered as a fit and proper person. DKB was invited to address the committee to explain why the policy should not be applied in his case. He also responded to questions from members.

Members adjourned to enable a full and frank discussion to be held.

The committee discussed the matter in detail and RESOLVED not to deviate from the current policy and to refuse the grant of a Private Hire Driver's Licence to DKB.

*(At the conclusion of the above item, Councillors Clayton and Hardy returned to the meeting)*

9. Application for Private Hire Driver – PWH

Mr Hambly presented an application, received from PWH for the grant of a Private Hire Driver's Licence, for the Committee to consider and determine if they considered the applicant fit and proper to hold such a licence.

The applicant PWH had several motoring convictions dating from 1983 to 2008. The council's Hackney Carriage and Private Hire Licensing Policy indicated that PWH ought not to be considered as a fit and proper person. PWH was invited to address the committee to explain why the policy should not be applied in his case. He also responded to questions from members.

Members adjourned to enable a full and frank discussion to be held.

The committee discussed the matter in detail and RESOLVED to grant the application and issue a Private Hire Driver's Licence to DKB.

10. Hackney Carriage and Private Hire Driver – NP

Mr Hambly presented a report following a complaint regarding NP's conduct whilst acting as a driver. NP was a current licensed driver, holding a combined hackney carriage and private hire driver's licence which was due to expire on the 10<sup>th</sup> April 2017.

Details of the complaint were presented to members and the meeting was adjourned to enable members to read the information.

When the Committee had reconvened NP was invited to address the committee and he responded to questions from members in relation to the incident.

Members adjourned to enable a full and frank discussion to be held.

The committee discussed the matter in detail, taking into account the current Hackney Carriage and Private Hire Licensing Policy, and RESOLVED to issue a warning letter to NP.

Information Item

The committee received the following information item:

11. Taxi Licensing Matters - Training

Members were requested to note the proposed date for a full-day joint training session on the 2<sup>nd</sup> December 2016 at Wyre Council on taxi licensing. In accordance with protocol, the Member Development Steering Group would be requested to approve the necessary expenditure at their next meeting.

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