



Agenda

Public Protection Committee

Date:	Wednesday, 8 July 2020 at 10:00am
Venue:	Remote meeting via Zoom
Committee members:	<p>Councillor Angela Jacques (Chairman) Councillor Frank Andrews (Vice-Chairman)</p> <p>Councillors Brenda Blackshaw, Alan Clayton, Shirley Green, Gavin Harrison, Karen Henshaw JP, Paul Hodgson, Michael Sayward, Ray Thomas, Stan Trudgill.</p>

Please Note: This meeting is being held remotely via Zoom. To access the meeting please click on the link below.

<https://us02web.zoom.us/j/84752041601?pwd=bkpSdkxEUE8yVzRDazhzRTZlcGJFQT09>

Meeting ID: 847 5204 1601

Password: 401752

	PROCEDURAL ITEMS:	PAGE
1	Declarations of Interest: Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council's Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	Confirmation of Minutes: To confirm the minutes, as previously circulated, of the meeting held on 28 November 2019 as a correct record.	1
3	Substitute Members: Details of any substitute members notified in accordance with council procedure rule 23(c).	1
	DECISION ITEMS:	
4	Request for Dispensation from Displaying Private Hire Vehicle Signage	3 - 12
5	Caravan Site Licensing - Mowbreck Park Caravan Park	13 - 31
6	Street Trading	32 - 34

Contact: Sharon Wadsworth- Telephone: (01253) 658546 – Email: democracy@fylde.gov.uk

The code of conduct for members can be found in the council's constitution at
<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	8 JULY 2020	4
REQUEST FOR DISPENSATION FROM DISPLAYING PRIVATE HIRE VEHICLE SIGNAGE			

PUBLIC ITEM

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

SUMMARY

A request has been received from a prospective Private Hire Operator seeking dispensation from displaying the required private hire vehicle signage.

The signage requirements set within the Borough are for the protection of the public with regards to the ease of recognising private hire vehicles. However, it is understood that the vehicles for which the dispensation is sought are to operate in conjunction the applicant's main business.

RECOMMENDATION

1. That the Committee considers the report and determines the request.

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this applicant.

Dispensation has been issued previously to operators which fall within the Policy.

CORPORATE PRIORITIES

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

REPORT

1. Private Hire vehicles are currently required to display the Fylde Borough Council door stickers and identity plates to the front and rear of the vehicle. However, S75 (3) of the Local Government (Miscellaneous Provisions) Act 1976, does provide Local Authorities with the discretion to provide dispensation from displaying signage, in writing.

2. Dispensation is currently granted to some Private Hire Operators in Fylde Borough involved in the Chauffeur Business. The proprietors of vehicles are still required to display a disc confirming the vehicle to be licensed as a Private Hire vehicle, whilst all signage such as the identity plates and door signs must be conveyed in the boot of the vehicle.
3. A formal request has been received from the Travel Style Group for dispensation from displaying the required signage upon two vehicles he intends to licence as private hire vehicles as part of his business. At the time of writing, the vehicles have not been purchased but it is understood, the applicant is considering purchasing Mercedes E Class and V class vehicles.

4. The applicants state states,

Travel Style Group is a new business, the vision of a successful multi business owner, based in the Fylde, with a track record of delivering high levels of customer service, who values and delivers high service standards.

Travel Style Group will offer travel services to both businesses and individuals, who require a company that will take care of all of their travel requirements, for both business and pleasure.

It is intended that to provide the enhanced level of service our customers expect, we will provide an executive private hire / chauffeur service to ensure that any journey starts and finishes in style.

As the business is in the early stages of development, it makes sense to tap into the transport requirements of the group companies, consisting of BIU St Annes, BPG Lytham, Corebenyah Lytham, and a number of other companies within the group. We intend to offer transport services for business travel and visitors to our sites, as well as offering our services to members of staff for any special occasions / holiday airport transfers etc.

Once the business is up and running, we will be offering our executive private hire and chauffeur services to other corporate organisations in the Fylde coast area. We will be offering our services to private individuals for special occasion transport, such as airport transfers, date nights etc and sporting events etc. Our services will be provided on a pre booked basis.

We are currently in the process of developing our website, to provide customers with a window to our services and to allow them to make bookings and receive confirmations etc.

Also we are working on building in back office systems to manage accounts and admin functions etc.

We are working on including a fleet management facility to manage the compliance of both cars and drivers, to include car test dates, service reminders, insurance renewal dates. And such things as driver details, record driver licence checks etc. Reminders for drivers to undertake daily checks of their vehicle, with an acknowledgement tick box.

Initially we will be employing directly employed drivers driving our own company cars, however as the business grows we will consider owner drivers, providing they meet the standards we set ourselves, such as executive type cars and uniformed drivers to include, suit shirt and tie.

5. The [Hackney Carriage and Private Hire Licensing Policy](#) refers to dispensation requests at Appendix F, and comments:

All applications for dispensation from the requirements to display external vehicle licence plates will be considered by the Public Protection Committee who will take account of the individual circumstances of the case. Dispensations are unlikely to be granted unless the applicant can satisfy the committee that their vehicle(s) are of such a type and age that they would be appropriate for executive travel and that such work represented at least 80% of their total business (verified by operator records in the case of existing vehicles). Such vehicles must display a windscreen badge, provided by the council. These badges will show the details of the vehicle as they appear on the plate. Vehicle licence plates and door signs will be provided and must be carried in the boot of the vehicle at all times. Vehicles given this exemption will normally be limousines, executive type cars, such as top range Mercedes, BMW's etc.

6. As such, the matter is referred to the Public Protection Committee so that consideration may be given to the request.
7. The applicant has been invited to attend the meeting.

IMPLICATIONS	
Finance	There are no financial implications arising directly from the report.
Legal	<p>The requirement to display a licence plate is imposed in the interests of public safety and is intended to enable anybody picked up by a private hire vehicle to verify that the vehicle is a genuine licensed PHV. A further reason for plates being required is to enable a passenger or other member of the public to identify the vehicle in the event of an incident or cause for complaint. Allowing vehicles to operate without complying with the normal requirements to display a plate compromises these protections.</p> <p>In summary, members should, in considering whether to grant the dispensation, satisfy themselves that the lowering of the level of protection offered to the public is offset by some advantage offered by allowing the requests. None has been identified in the report, but no doubt the applicants will be able to provide more information to support their request.</p>
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	andy.hough@fylde.gov.uk Tel 01253 658422	June 2020

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

Attached documents

Appendix 1 – Formal request with supporting documentation

Travel Style Group Limited

Licensing Department

Fylde Borough Council

St Annes Road West

Lytham St Annes

FY8 1LW

09/03/20

Re: Licence Application

Dear Andy / Joanne

As you know we have recently made an application for a private hire operator licence, as well as individual driver licences.

I refer to our recent conversation regarding a dispensation for the requirement to display plates and door signs on our cars.

I would be grateful if you would consider granting the above mentioned dispensation, as we intend to operate as an executive pre booked private hire / chauffeur service. Working mainly for corporate customers as well as, providing our services for special occasion transport.

All of our cars will be modern executive vehicles from marques such as Mercedes and BMW. And all of our drivers will be uniformed in suits with company ties.

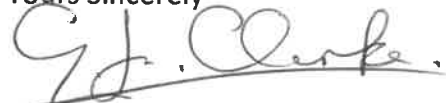
The initial two cars we would like to operate are as follows:

Mercedes E Class YF19 LXN and BMW 740d SE V10 GMC.

It is intended that the BMW will be a temp / back up car and as the fleet expands, we will standardise on Mercedes vehicles, E Class, S Class and V Class. (Please see attached fleet profile).

If you require any further information, please do not hesitate to contact me.

Yours Sincerely



Gary Clarke

Registered Office, Jubilee House, East Beach, Lytham St Annes, FY8 5FT.

Travel Style Group

Business Plan

Travel Style Group is a new business, the vision of a successful multi business owner, based in the Fylde, with a track record of delivering high levels of customer service, who values and delivers high service standards.

Travel Style Group will offer travel services to both businesses and individuals, who require a company that will take care of all of their travel requirements, for both business and pleasure.

It is intended that to provide the enhanced level of service our customers expect, we will provide an executive private hire / chauffeur service to ensure that any journey starts and finishes in style.

As the business is in the early stages of development, it makes sense to tap into the transport requirements of the group companies, consisting of BIU St Annes, BPG Lytham, Corebenyah Lytham, and a number of other companies within the group. We intend to offer transport services for business travel and visitors to our sites, as well as offering our services to members of staff for any special occasions / holiday airport transfers etc.

Once the business is up and running, we will be offering our executive private hire and chauffeur services to other corporate organisations in the Fylde coast area. We will be offering our services to private individuals for special occasion transport, such as airport transfers, date nights etc and sporting events etc. Our services will be provided on a pre booked basis.

We are currently in the process of developing our website, to provide customers with a window to our services and to allow them to make bookings and receive confirmations etc.

Also we are working on building in back office systems to manage accounts and admin functions etc.

We are working on including a fleet management facility to manage the compliance of both cars and drivers, to include car test dates, service reminders, insurance renewal dates. And such things as driver details, record driver licence checks etc. Reminders for drivers to undertake daily checks of their vehicle, with an acknowledgement tick box.

Initially we will be employing directly employed drivers driving our own company cars, however as the business grows we will consider owner drivers, providing they meet the standards we set ourselves, such as executive type cars and uniformed drivers to include, suit shirt and tie.

Travel Style Group

Business Plan Cont...

Company Structure:

Director: Russ Priestley, a successful multi business owner with a track record for developing and growing various businesses into successful organisations.

Director: Thomas Ellis, Financial director for many of the businesses in the group. Works closely with Russ, with responsibility for the financial compliance and financial guidance of the group companies.

Donna Frankland: An experienced business person, with responsibility for the office management of many of the group companies. Ensuring efficient office and admin management across the group. Donna has a wealth of experience in all areas of IT and running successful office functions.

Gary Clarke: With 30 years experience of running UK and European transport operations from multiple locations in the UK. Also worked in the executive hire / chauffeur sector in the Fylde coast area. Having held operators licences in road transport operations, operating from multiple sites in the UK. Fully aware of the responsibilities of running transport operations in todays fast paced economy. With full awareness of the need for safe and compliant operations.

Initial Fleet Profile

Mercedes E 220d saloons. (Good executive image, reliable and economical). Can source good late models, low mileage examples for approximately £35k.

Mercedes E 220d estate. (Good image, reliable, and economical. Also spacious and ideal for holiday airport and cruise terminal transport with luggage). Can source good late model, low mileage examples for approximately £35k.

Mercedes V250d / V300d 7 / 8 seater luxury people carrier. (Good executive image, reliable and fairly economical, for large vehicle). Good for transporting large groups to functions and airports etc. Always seem to be in demand. Higher charge rates than cars. Although less available on the second hand market than the E Class, can still source good, late model, low mileage examples for around £50k.

Possibly look at Mercedes S Class, as a flagship model. More as a special occasion offering and senior company executive travel. In my experience, limited market in this area for everyday hires, and charge rates not that much higher than E Class. Can source good, late model, low mileage examples for approximately £50k.

Future consideration should be given to the use of electric vehicles. However not really suitable for this type of work at the moment, until charging facilities become more available and charging times reduce. Also, the current batch that do offer reasonably good distance range are quite expensive and not as suitable as above for this type of work.

I think we should consider purchasing company number plates for the cars. I suggest plates ending with TSG, as an abbreviation of Travel Style Group. I've looked online and can get these from DVLA for between £250.00 and £1,000.00.

I suggest a replacement cycle every 3 to 4 years. I think this will be dictated by the mileages covered and the performance of the business.

The second hand market seems pretty good for these types of vehicles, so they should retain a reasonably good value when it comes to disposal.



Business Power and Gas Ltd
Jubilee House
East Beach
Lytham St Annes
Lancashire
FY8 5FT

FAO Donna Frankland
Travel Style Group Ltd
Jubilee House
East Beach
Lytham St Annes
FY8 5FT

25th February 2020

Re: Executive Private Hire Transport Services

Dear Donna,

Please be advised we intend to use the services of the Travel Style Group, as soon as you are eligible carry out business as an executive private hire company.

It is intended you will be involved in transporting both staff, customers and industry counterparties of the company, on a pre booked basis, as and when the need arises.

Please keep us informed as to when you will be available to provide services on our behalf.

Yours Sincerely

A handwritten signature in blue ink, appearing to read 'James Hall'.

James Hall
Director of Operations



Travel Style Group
Jubilee House
East Beach
Lytham St Annes
FY8 5FT

9th March 2020

Re: Executive Private Hire Transport Services

Dear

Please be advised we intend to use the services of the Travel Style Group, as soon as you are eligible carry out business as an executive private hire company.

It is intended you will be involved in transporting both staff and customers of the company, on a pre booked basis, as and when the need arises.

Please keep us informed as to when you will be available to provide services on our behalf.

Yours Sincerely

Simon Carter
Operations Manager

**NOW
BOARDING**

Travel Style Group
Jubilee House
East Beach
Lytham St Annes FY8 5FT

25th February 2020

RE: Executive Private Hire Transport Services

Dear Gary,

Please be advised we intend to use the services of the Travel Style Group, as soon as you are eligible to carry out business as an executive private hire company.

It is intended you will be involved in transporting both staff and customers of the company, on a pre-booked basis, as and when the need arises.

Please keep us informed as to when you will be available to provide services on our behalf.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'D. Pollard', enclosed within a large, hand-drawn oval.

Daniel Pollard
Director
Now Boarding

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	8 JULY 2020	5
CARAVAN SITE LICENSING- MOWBRECK PARK CARAVAN PARK			

PUBLIC ITEM

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

SUMMARY

An application has been received to increase the number of spaces for residential caravans on site from 28 to 30 and to amend 1 condition on the site licence to reflect this.

The applicant is also seeking to amend Condition 4 on the site licence to include the following "To allow the reduction of spacing to 5.25 meters if cladding has been fitted"

RECOMMENDATION

1. To consider approval to amend Condition 1 of the site licence, to increase the total number of residential caravan pitches from 28 to 30.
2. Subject to approval of point 1, to amend of Condition 1 of the site licence, to increase the total number of residential pitches on site to 30 in total.
3. To consider approval to amend Condition 4 on the site licence to allow for the reduction of spacing as requested.
4. Subject to approval of point 3, to amend the wording of condition 4 to allow the reduction of spacing between vans to 5.25 meters if cladding has been fitted.

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

CORPORATE PRIORITIES

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

REPORT

1. An application was received on 21st November 2019 from the site owners Mrs S & Mr M Carroll (Mowbreck Park Ltd) of Mowbreck Park, Mowbreck Lane, Wesham.
2. The site owner is seeking to amend condition 1 of the site licence issued on 2nd July 2007 to increase the number of residential pitches from 28 to 30 and to add the following wording to Condition 4 – “to allow the reduction of spacing to 5.25 meters if cladding has been fitted”.
3. On the 20th April 2018, the Council’s Planning Department approved a Certificate of Lawful Development (ref 18/0140) “certificate of Lawful Development for existing use of land to site two residential caravans at 2 & 6 Pine Way, Mowbreck Caravan Park”.
4. Lancashire Fire and Rescue Services have been consulted on the application to amend the condition regarding spacing and confirmed that they are satisfied that the technical specifications of the cladding on the van meet the required standards and therefore approve the proposal.

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	Joanne.gallagher@fylde.gov.uk Tel 01253 658609	June 2020

BACKGROUND PAPERS

Name of document	Date	Where available for inspection
Mowbreck Park file	6 th February 2020	Chaseley Building, 1 st Floor, Room F21

Attached documents

Appendix 1 - Application received to vary site licence issued on 2nd July 2007.

Appendix 2 - Mowbreck park residential caravan site licence issued on 2nd July 2007.

Appendix 3 - Certificate of Lawful Development - 18/0140 Approval of use of land to site two residential caravans.

Appendix 4 – Site Plan

Appendix 5 – Caravan layout plan including distances.

Mowbreck Park

Holiday & Residential Park

www.mowbreckpark.co.uk

Mowbreck Lane
Wesham
Preston
PR4 3JR

19th November 2019

Tel: 01772 682 494

Fax: 01772 672 986

Email: info@mowbreckpark.co.uk

To the Licencing Team

I would like to amend no.4 on the current Licence for the residential area so that it includes the following:

to allow the reduction of spacing to 5.25 meters if cladding has been fitted

it currently states:

Subject to the following variations, every caravan should be not less than 6 meters from any other caravan which is occupied separately and not less than 2 meters from a road. The point of measurement for porches, awnings, etc is the exterior cladding of the caravan.

Porches may protrude 1 meter into the 6 metres and should be of the open type.

Eaves, drainpipes and bay windows may extend into the 6 metre space provided the total distance between the extremities of two adjacent units is not less than 5.25 metres.

Where there are ramps for the disabled, verandas and stairs extending from the unit, there should be 4.5m clear space between them and two 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 6 metre space.

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

Kind regards,



Shirley Carroll

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

1. Brief Site Details

Name of Site: Mowbreck park <i>Residential area.</i>	
Postal address of Site: Mowbreck park Ltd Mowbreck lane Wesham Preston	
Post Code: PR4 3JR	Phone: 01772 682494 Fax: e-Mail: info@mowbreckpark.co.uk

2. Applicants Details

Name: Mowbreck Park Ltd, S Carroll & M Carroll	
Postal address of Applicant (If different from above): 	
Post Code:	Phone: Mobile: e-Mail:

3. Is the applicant the:

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

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

5. Existing Licence Conditions:

Type of unit	Please Tick as appropriate	Number
Permanent residential	<input checked="" type="checkbox"/>	...28... Caravans
Static Holiday	<input type="checkbox"/> Caravans
Holiday Chalets	<input type="checkbox"/> Chalets
Touring Holiday	<input type="checkbox"/> Units

Opening Season:

Static Sites	<input type="checkbox"/> to
Touring Sites	<input type="checkbox"/> to

6. Proposed Application to alter Licence Condition:

Type of unit	Please Tick as appropriate	Number
Permanent residential	<input checked="" type="checkbox"/>	...30... Caravans
Static Holiday	<input type="checkbox"/> Caravans
Holiday Chalets	<input type="checkbox"/> Chalets
Touring Holiday	<input type="checkbox"/> Units

Opening Season:

Static Sites	<input type="checkbox"/> to
Touring Sites	<input type="checkbox"/> to

7. Does the site have planning permission?

Yes	<input checked="" type="checkbox"/>	
No	<input type="checkbox"/>	
Applied For	<input type="checkbox"/>	Date:

If yes, please give relevant permissions and references:

18/0140.

8. How is drinking water provided?

Mains supply to unit	<input checked="" type="checkbox"/>	...30... Units
Standpipes	<input type="checkbox"/> Units

9. How are toilets and wash hand basins provided?

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

10. How are showers provided?

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

11. Type of foul drainage?

Mains drainage ☒ Units
 Cesspool or cesspit ☐ Units

12. How is kitchen waste water disposed of?

Units have their own sinks connected to foul drainage. ☒ 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?

Dykes.

14. How is refuse stored on the site?

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?

Yes ☐
 No ☒

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

Yes ☒

No ☐

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

Yes ☐

No ☒

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

On 9th March 1960 ☐

On 29th March 1960 ☐

At any other time since 9th March 1958 ☐

If so, when:

19. Address for correspondence:

Caravan site ☒

Applicants address ☐

Other (please state below) ☐

Name:

Address:

Post Code:

Phone:

Mobile:

e-Mail:

Signed: SA Carroll Dated: 18/11/19

With the application form, please send the following:

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

A. Site Boundaries

B. Position and numbering of touring/holiday caravans and 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



FYLDE BOROUGH COUNCIL

Caravan Sites and Control of Development Act 1960

Section 3

Permanent Residential Caravan Site Licence

Mowbreck Park Ltd

To: H. Cowburn and S.A. Carroll
Mowbreck Park Ltd,
Mowbreck Lane,
Wesham,
Lancashire
PR4 3JR

TAKE NOTICE THAT

WHEREAS on 10th October 2006 you made application for a site licence in respect of land situated at *[Address of Site]* indicated on the plan submitted with the application (which land is hereinafter called "the land")

AND WHEREAS 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 28 (Twenty-Eight).
2. 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.

Site Boundaries

3. 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

4. Subject to the following variations, every caravan should be not less than 6 meters from any other caravan which is occupied separately and not less than 2 meters from a road. The point of measurement for porches, awnings, etc is the exterior cladding of the caravan.
 - Porches may protrude 1 meter into the 6 metres and should be of the open type.
 - Eaves, drainpipes and bay windows may extend into the 6 metre space provided the total distance between the extremities of two adjacent units is not less than 5.25 metres.
 - Where there are ramps for the disabled, verandas and stairs extending from the unit, there should be 4.5m clear space between them and two 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 6 metre space.
 - 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
5. The density should be consistent with safety standards and health and safety requirements. The gross density should not exceed 50 (fifty) caravans to the hectare, calculated on the basis of the usable area (ie excluding lakes, roads, communal services and other areas unsuitable for the siting of caravans) rather than the total site area.

Roads, gateways and footpaths

6. 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 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. Roads and footpaths should be suitably lit. Emergency vehicle routes within the site should be kept clear of obstruction at all times.

Hard Standings

7. Every caravan should stand on a concrete hard-standing which should extend over the whole area occupied by the caravan placed upon it, and should project a sufficient

distance outwards from its entrance or entrances to enable occupants to enter and leave safely.

Fire Fighting Appliances

Fire Points

8. 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

9. Where water standpipes are provided and there is a water supply for sufficient pressure and flow to project a jet of water approximately five 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 thirty 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".
10. 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.
11. 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 (two) buckets and 1 (one) hand pump or bucket pump.

Fire Warning

12. 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, eg metal triangle with a striker, gong or hand operated siren. The advice of the fire authority should be sought on an appropriate system.

Maintenance

13. 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.
14. All equipment susceptible to damage by frost should be suitably protected.

Fire Notices

15. 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

16. 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.

Telephones

17. An immediately accessible telephone should be available on the site for calling the emergency services. A notice by the telephone should include the address of the site.

Storage of Liquefied Petroleum Gas (LPG)

18. The storage of LPG should comply with LPG Code of Practice 7: "Storage of full and empty LPG cylinders and cartridges" or LPG 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 LPG 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

19. Sites should be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
20. 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.
21. 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.

22. 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.
23. 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

24. All sites should be provided with a water supply in accordance with appropriate Water Byelaws and statutory quality standards.

Drainage, Sanitation and Washing Facilities

25. Satisfactory provision should be made for foul drainage, either by connection to a public sewer or sewerage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the local authority.
26. Every caravan should have its own water supply and internal water closet, properly connected to the foul drainage system. In addition, every caravan should be provided

with a bath or shower, wash-hand basin and sink, each with a constant supply of hot and cold water. All amenities should be properly connected to the drainage system.

27. Every site and every hard standing should be provided with an adequate drainage system for the complete and hygienic disposal of foul, rain and surface water from the site, buildings, caravans, roads and footpaths.

Refuse Disposal

28. Every caravan standing should 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.
29. 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

30. Where children live on 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

31. A suitable sign should be prominently displayed at the site entrance indicating the name of the site.
32. A copy of the site licence with its conditions should be displayed prominently on the site.
33. 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.
34. 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.

C. Platt...



Business Unit Manager Consumer Wellbeing and Protection

Dated 2nd July 2007



CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

Mowbreck Residential Caravan Park, Mowbreck lane, Wesham, PR4 3JR

Site Licence Amendment

Licence holders name is hereby amended to the following –

Mrs S A & Mr M Carroll

Dated 19th day of November 2019

A handwritten signature in black ink that reads 'Tracy Manning'.

Tracy Manning

Director of Resources



Town and Country Planning Act 1990: Section 191

Town and Country Planning (Development Management Procedure)(England) Order 2015

Approval of Certificate of Lawfulness

First Schedule: CERTIFICATE OF LAWFUL DEVELOPMENT FOR EXISTING USE OF LAND TO SITE
TWO RESIDENTIAL CARAVANS

Second Schedule: 2 & 6 PINE WAY, MOWBRECK CARAVAN PARK, MOWBRECK LANE, MEDLAR
WITH WESHAM, PRESTON, PR4 3HA

Application Number: 18/0140

The Fylde Borough Council hereby give notice that the development described in the First Schedule in respect of the land/premises specified in the Second Schedule and edged red on the plan(s) listed in the informative note below and validly received on 27 February 2018 is **lawful** in accordance with the provisions of the above section of the Town and Country Planning Act 1990 (as amended), for the following reason:

- 1 The Council considers that on the evidence provided and on the balance of probabilities, it has been sufficiently demonstrated that the land known as No.2 and No.6 Pine Way in Mowbreck Caravan Park has been used for the siting of residential caravans for a period of at least 10 years prior to 20 February 2018. As such the use of the land for the siting of two residential caravans is now immune from enforcement action under s172 of the Town & Country Planning Act 1990 (as amended).
- 2 This certificate relates to the caravan pitches referred to as No.2 and No.6 Pine Way in Mowbreck Caravan Park, Medlar with Wesham PR4 3HA, as shown the site location plan submitted with the application.

Informative Notes:

1. This certificate is issued solely for the purpose of Section 191/ Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use /operations described in the First Schedule taking place of the land specified in the Second Schedule were lawful, on the certified date and, thus, were not liable to enforcement action, under section 172 of the 1990 Act, on that date.
3. This certificate applies only to the extent of the use /operations described in the First Schedule and to the land specified in the Second Schedule and identified on the listed plan. Any use /operation which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

Date of Decision: 20/04/2018

Signed:



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

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

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

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

IN CASES WHERE PERMISSION/CONSENT HAS BEEN GRANTED

- 2) Any permission/consent is granted on the basis of the approved plans listed in the decision notice. The development should be undertaken in strict accordance with the approved plans, as any deviation will constitute unauthorised development which may be liable to enforcement action. Any amendments to the approved plans are likely to require the submission of a further application to the Council. Should such changes be desired, you are advised to contact the Development Management Service to determine the most appropriate means by which any revisions could be considered.
- 3) Any permission/consent granted is subject to the conditions set out in the decision notice and it is the responsibility of the developer to ensure that these conditions are fully complied with. Any conditions that require work to be carried out or details to be approved before any development can take place form a “condition precedent”. If a condition precedent is not complied with, the whole of the development will be unauthorised and may result in enforcement action being taken by the Council.
- 4) The applicant is reminded of the need to obtain formal approval of those details required by the conditions of any planning permission/consent before development may lawfully commence on the site (or any other relevant trigger as set out in each condition). Formal applications for the approval of matters reserved by condition are currently subject to fees (per request) of £34 for householder applications and £116 in all other cases. Any breach of the imposed conditions may leave you liable to enforcement action or may require you to submit a new application in order to regularise any unauthorised works.
- 5) If the applicant is aggrieved by any of the conditions imposed as part of the planning permission, they may appeal to the Planning Inspectorate. Any appeal against the grant of permission subject to conditions to which the applicant objects needs to be made within 6 months of the date on the decision notice.
- 6) In undertaking any development you should ensure that you have also secured any necessary approval under the Building Regulations or any other approvals or consents required including consent from the landlord or obligations under the Party Wall Act.
- 7) For developments that need a new address or address change, please contact addresses@fylde.gov.uk or 01253 658515. New addresses need to be made as early as possible to arrange for Utility connections.

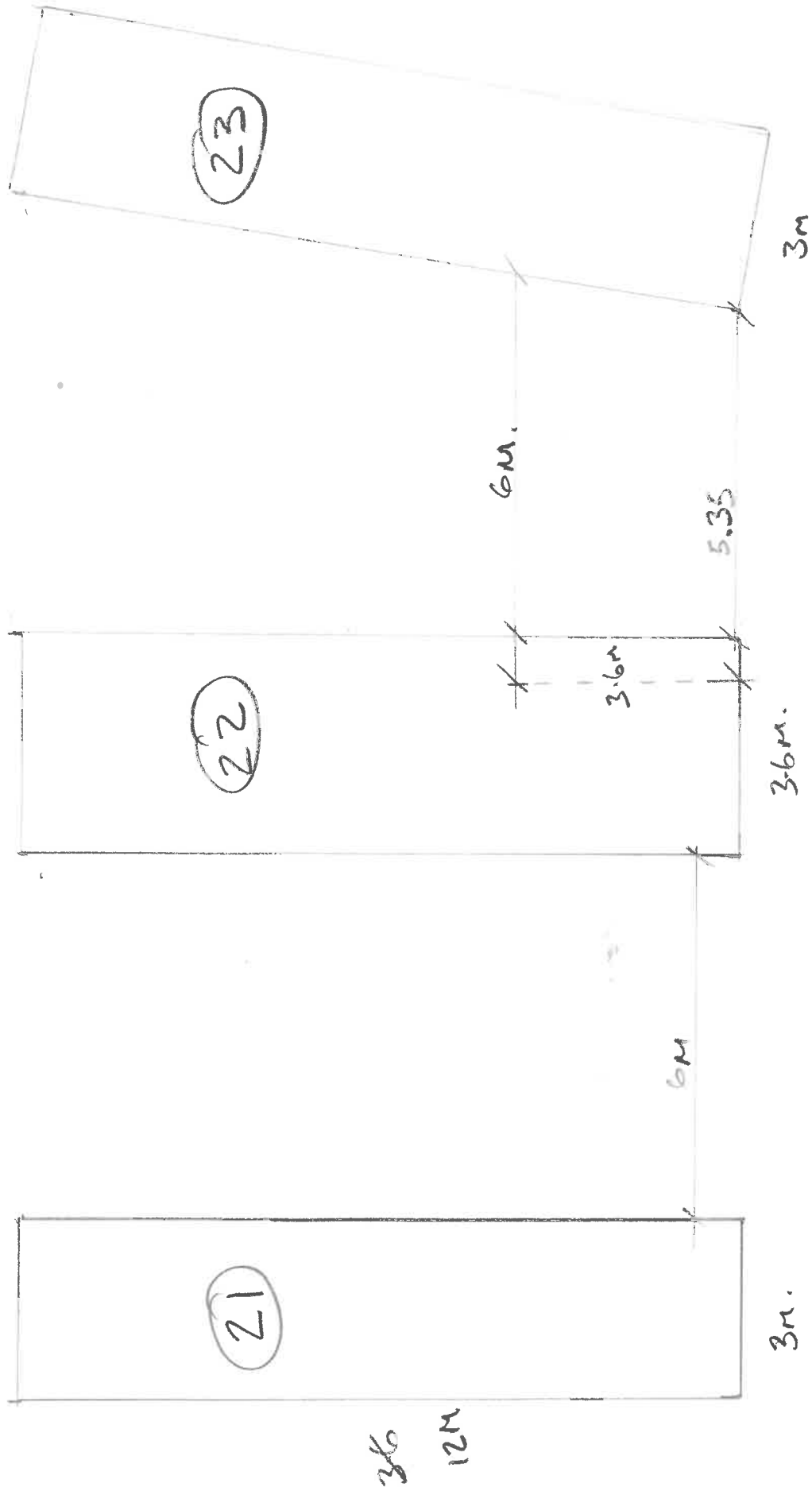
IN CASES WHERE PERMISSION/CONSENT HAS BEEN REFUSED

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

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

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

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



DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	8 JULY 2020	6
STREET TRADING			

PUBLIC ITEM

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

Erratum: The reference in the summary paragraph to “Clifton Street” should read “Clifton Square”.

SUMMARY

Following complaints received from business owners regarding a monthly market taking place, the Committee will be requested to consider passing a resolution to re-designate Clifton Street as a “licence street” for street trading to provide additional controls when determining applications.

RECOMMENDATION

1. To consider the report and subject to the consultation exercise re-designate Clifton Square, Lytham as a “licence street”, rather than a “consent street” for the purposes of street trading as defined under the Local Government (Miscellaneous Provisions) Act 1982.

SUMMARY OF PREVIOUS DECISIONS

24th June 2004 – Environment and Housing Policy Committee

That the Committee approve the designation of St Annes Road, St Annes, (including The Square) and Clifton Square, Lytham as consent streets for the purpose of street trading and agree that the required notices of intention to designate those streets as consent streets be published and served.

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

REPORT

1. The Local Government (Miscellaneous Provisions) Act 1982 (the Act) contains provisions relating to street trading. Street trading is defined in the Act as “selling or exposing or offering for sale of any article (including a living thing) in a street” and a street is defined as, “any road, footway, beach or other area to which the public have access without payment”.
2. Fylde has adopted the provisions of the Act and most streets in the Borough are designated as “consent streets” which means that consent from the council is required in order to carry out street trading. A small number of streets in Lytham, St Annes and Kirkham are designated as “prohibited streets” where trading may not take place under any circumstances.
3. Members may wish to note that in 2004, the Council re-designated St Annes Road West, St Annes (including the Square) and Clifton Square, Lytham from prohibited streets to consent streets for the purposes of street trading.
4. At the time, the purpose of allowing controlled street trading in the two town centres was to add vitality to the areas, creating added attractions and amenities and adding to the reputation of the town. Done in the right way, with controlled restrictions, it is recognised that trading could have major benefits to the town centres.
5. Since that time, a limited amount of trading has taken place with the main trader being an ice cream seller and his purpose-built trike.
6. A market has also taken place once a month which has recently attracted complaints from traders in the town, concerned that the market was selling similar or the same items at significantly cheaper prices than the “bricks and mortar” traders of Lytham. As such, consideration has been given to this to identify an appropriate solution to allowing the market to continue whilst considering the needs of the existing traders.
7. The current designation of the street as consent street provides some controls and conditions may be attached where reasonably necessary and may include conditions to prevent the obstruction of the street and nuisance or annoyance whether to persons using the street or otherwise.
8. However, the legislation also refers to “licence streets”, where a licence is issued, rather than a consent, the difference being that a council could licence streets in areas where they wanted to exercise specific control, eg setting up pitches, in effect creating a formal street market, where charges could be levied for cleaning and collecting refuse. Whilst this is useful, issuing street trading licences also provides the Council with additional powers in terms of imposing conditions relating to the size and type of any stall and prohibiting or restricting the amount of waste left.
9. Furthermore, reasons for refusal of a street trading licence include [“that there are already enough traders trading in the street from shops or otherwise in the goods in which the applicant desires to trade”](#) . Any applicant aggrieved by a decision to refuse to grant or renew a licence may appeal the decision to the Magistrates Court.
10. Prior to passing a resolution to re- designate any street under the terms of the Local Government (Miscellaneous Provisions) Act 1982, the Council is required to publish a notice of that re-designation in a local newspaper circulating in the area and serve a copy of the notice on the Chief Constable for Lancashire and Lancashire County Council Highway Authority.
11. Should the Committee be minded to pass the resolution, a fee for the licence will be required and a separate report will be submitted to the Environment, Health and Housing Committee recommending the level of fee to be set.
12. Therefore, in order to progress the matter, members are requested to consider the re-designation of the street as Clifton Square as a licence street, rather than a consent street. To conclude, members are asked to note the report and consider instructing officers to make the necessary arrangements to publish an intention of a resolution as referred to in point 10 above.

IMPLICATIONS	
Finance	Should notice of intention to re-designate be passed, there will be a number of public notices required which will be met from existing budgets. An application fee will also be required to be calculated.
Legal	As detailed in report.
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
Chris Hambly	chris.hambly@fylde.gov.uk Tel 01253 658422	June 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection