Agenda

Public Protection Committee

Date:	Wednesday, 18 November 2020 at 10:00am
Venue:	Remote meeting via Zoom
Committee members:	Councillor Shirley Green (Chairman) Councillor Gavin Harrison (Vice-Chairman) Councillors Frank Andrews, Brenda Blackshaw, Alan Clayton, Karen Henshaw JP, Paul Hodgson, Angela Jacques, Michael Sayward, Ray Thomas, Stan Trudgill.

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

Join Zoom Meeting - https://us02web.zoom.us/j/82747525166?pwd=WnpFUzA0NHZ2VlhsMSt5WksveWYxQT09

Meeting ID: 827 4752 5166
Passcode: 510618

	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 9 September 2020 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:	
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8	**Caravan Site Licensing – Fylde Trout Fishery - Stanley Villa Farm Touring Caravan Site Licence**	**71 - 87**

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	18 NOVEMBER 2020	4

APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE – AR

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

SUMMARY

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

RECOMMENDATION

That the Committee consider the report and determine the application.

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

CORPORATE PRIORITIES	
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. An application has been received from AR for the grant of a Hackney Carriage and Private Hire Driver's licence.
2. In accordance with the standard procedure for all applications, the applicant was requested to submit a disclosure obtained through the Disclosure and Barring Service and undergo a medical examination.
3. The Disclosure has revealed convictions from 1995 and 2019, further information relating to which will be provided to members at the meeting.
4. The 2019 conviction & fine were declared by the applicant on his application form for a drivers badge.

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

IMPLICATIONS	
Finance	No implications arising directly from the report.
Legal	No implications arising directly from the 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
Joanne Gallagher	joanne.gallagher@fylde.gov.uk Tel 01253 658609	12th October 2020

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

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	The overriding aim of the licensing authority is to protect the safety of the public. The licensing authority is concerned to ensure: • That a person is a fit and proper person. • That the person does not pose a threat to the public. • That the public are safeguarded from dishonest person. • The safeguarding of children, young persons and vulnerable adults.
1.3	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: • Criminality • Human rights • Period of holding a driver's licence • Number of penalty points endorsed on driving licence • Right to work • Medical fitness • Conduct of the applicant in making the application (e.g. whether they have acted with integrity during the application process) • Previous licensing history of existing and former licence holders 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.
1.4	This policy provides guidance to any person with an interest in hackney carriage and private hire licensing. In particular, but not exclusively: • Applicants for drivers' licenses • Existing licensed drivers whose licences are being reviewed • Licensing officers • Members of the Public Protection Committee • Magistrates hearing appeals against local authority decisions
1.5	Where licensing officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the Public Protection Sub-Committee. Whilst officers and the Sub-Committee will have regard to the guidelines contained in the policy, each case will be considered on its individual merits and, where the circumstances demand, the committee/officer may depart from the guidelines.

2	**General policy**
2.1	There may be occasions where it is appropriate to depart from the guidelines, for example where the offence is a one-off occasion or there are mitigating circumstances or alternatively where there are many or continuous offences which may show a pattern of offending and unfitness.
2.2	A person with a conviction for a serious offence need not be automatically barred from obtaining a licence, but would normally be expected to: a. Remain free of conviction for an appropriate period; and b. Show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). (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).
2.3	Where an applicant has been convicted of a criminal offence, the licensing authority cannot review the merits of the conviction [Nottingham City Council v. Mohammed Farooq (1998)].
3	**Appeals**
3.1	Any applicant refused a driver's licence on the grounds that the licensing authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal.
3.2	Any applicant refused an operator licence on the grounds that the licensing authority is not satisfied he is a fit and proper person to hold such a licence has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal.
3.3	Any licensee whose licence is suspended or revoked has a right to appeal to the Magistrates' Court within 21 days of the notice of suspension or revocation.
4	**Powers**
4.1	Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a licence if the application/licence holder has been convicted of an offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause.
4.2	The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.
4.3	In this policy the term "disqualification" refers to the period served, in order to

	take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.
5	**Consideration of disclosed criminal history**
5.1	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: • How relevant the offence(s) are to the licence being applied for • How serious the offence(s) were • When the offence(s) were committed • The date of conviction • Circumstances of the individual concerned • Sentence imposed by the court • The applicant's age at the time of conviction. • Whether they form part of a pattern of offending • Any other character check considered reasonable (e.g. personal references) • Any other factors that might be relevant
5.2	Existing holders of drivers' licences are required to notify the licensing authority in writing within seven days of being arrested, receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions).
5.3	Applicants can discuss further what effect a caution/conviction may have on any application by contacting the licensing office on 01253 658422 in confidence for advice.
5.4	The licensing authority conducts enhanced disclosures from the Disclosure and Barring Service (DBS) of any applicant for a driver licence. The licensing authority follows the DBS's Code of Practice on the fair use of disclosure information. A copy is available on request.
5.5	Applicants applying for the grant or a renewal of a drivers' licence will be required to obtain an enhanced disclosure at their expense. Applicants for an operator's licence will be required to obtain a standard DBS check at their own expense (unless they are the holder of a current hackney carriage or private hire drivers licence issued by Fylde Council). The licensing authority abides by the DBS's Policy on the secure storage, handling, use, retention and disposal of disclosure information, which is available on request.
5.6	The licensing authority is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the licensing authority or other licensing authorities, and information disclosed by the police.
5.7	It is an offence for any person knowingly or recklessly to make a false

	declaration or to omit any material particular in giving information required by the application for a licence. Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.
5.8	For renewal applications and current licence holders the policy will not be applied retrospectively where there are no new concerns or convictions. The policy will be applied to existing licence holders if any additional convictions are incurred or they are otherwise brought to the attention of the Council for conduct that would call into question a person's suitability to hold a licence.
5.9	Offences not covered by this Policy will be considered by the Council when determining whether the applicant/licensed driver is a fit and proper person.
6	**Serious offences involving violence**
6.1	Licensed drivers have close regular contact with the public. A firm line is to be taken with those who have convictions for offences involving violence. An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life.
6.2	In other cases anyone of a violent disposition will normally be refused to be licensed until at least 3 years free of such conviction. However, given the range of the offences that involve violence, consideration must be given to the nature of the conviction.
6.3	Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as: • Murder • Manslaughter • Manslaughter or culpable homicide while driving • Terrorism offences • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
6.4	A licence will not normally be granted where the applicant has a conviction for an offence or similar offence to those below and the conviction is less than 10 years prior to the date of application: • Arson • Malicious wounding or grievous bodily harm which is racially aggravated • Actual bodily harm which is racially aggravated • Grievous bodily harm with intent • Robbery • Possession of firearm • Riot • Assault Police • Common assault with racially aggravated • Violent disorder • Resisting arrest • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above

6.5	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: • Racially-aggravated criminal damage • Racially-aggravated offence • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
6.6	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: • Common assault • Assault occasioning actual bodily harm • Affray • S5 Public Order Act 1986 offence (harassment, alarm or distress) • S.4 Public Order Act 1986 offence (fear of provocation of violence) • S4A Public Order Act 1986 offence (intentional harassment, alarm or distress) • Obstruction Page 24 of 49 • Criminal damage • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above
6.7	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.
6.8	In the event of a licence being granted, a strict warning both verbally and in writing should be administered.
7	**Possession of a weapon**
7.1	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.
7.2	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
8	**Sex and indecency offences**
8.1	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.
8.2	Unless there are exceptional circumstances, an application will normally be refused where the applicant has a conviction for an offence such as: • Rape • Assault by penetration • Offences involving children or vulnerable adults • Sexual assault

	• Indecent assault • Exploitation of prostitution • Grooming, Trafficking for sexual exploitation or other sexual exploitation related offences • Possession of indecent photographs, child pornography etc. • Or any sex or indecency offence that was committed in the course of employment as a taxi or PHV driver • Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.
8.3	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: • Indecent exposure • Soliciting (kerb crawling) • Or any similar offences (including attempted or conspiracy to commit).
8.4	In addition to the above the licensing authority will not normally grant a licence to any applicant who is currently on the Sex Offenders Register.
8.5	A licence will not normally be granted if an applicant has more than one conviction for a sexual/indecency offence.
9	**Dishonesty**
9.1	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.
	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: • theft • burglary • fraud • benefit fraud • handling or receiving stolen goods • forgery • conspiracy to defraud Page 26 of 49 Hackney Carriage and Private Hire Licensing Policy 2016 • obtaining money or property by deception • other deception • taking a vehicle without consent • and any similar offences • Or any similar offences (including attempted or conspiracy to commit)

	offences which replace the above
9.3	A licence will not normally be granted if an applicant has more than one conviction for a dishonesty offence.
9.4	Applicants or existing licence holders that are found to have intentionally misled the Council, or lied as part of the application process, will not normally be issued with a licence.
10	**Drugs**
10.1	A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which should be considered.
10.2	A licence will not normally be granted where the applicant has a conviction for an offence related to the supply of drugs and has not been free of conviction for 5 years.
10.3	A licence will not normally be granted where the applicant has more than one conviction for offences related to the possession of drugs and has not been free of conviction for 5 years.
10.4	An applicant who has an isolated conviction for an offence related to the possession of drugs (other than for supply) within the last 3-5 years may be granted a licence, but consideration should be given to the nature and quantity of the drugs.
10.5	If there is evidence of persistent drugs use, misuse or dependency a specialist medical examination (in accordance with DVLA Group 2 medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of 5 years free from drug taking after detoxification treatment.
10.6	A licence will not normally be granted if an applicant has more than one conviction for a drugs related offence.
11	**Driving offences involving the loss of life**
11.1	A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life.
11.2	Unless there are exceptional circumstances a licence will not normally be granted where the applicant has a conviction for an offence such as: • Causing death by dangerous driving • Causing death by careless driving whilst under the influence of drink or drugs • Causing death by driving: unlicensed, disqualified or uninsured drivers • or any similar offences
12	**Drink driving/driving under the influence of drugs/using a mobile phone whilst driving**

12.1	As licensees are professional vocational drivers, a serious view is taken of convictions for driving, or being in charge of a vehicle while under the influence of drink or drugs. An isolated incident would not necessarily debar an applicant from proceeding on the restoration of his DVLA driving licence but he should be warned as to the significant risk to his licence status in the event of re-offending. Normally at least 3 years, after the restoration of the driving licence following a drink/drug drive conviction should elapse before an application will be considered. If there is any suggestion that the applicant is alcohol or drug dependent, a satisfactory special medical report must be provided before the application can be allowed to proceed.
12.2	Applicants should also be aware of the serious risk posed by driving whilst using a mobile phone. There is a substantial body of research (see for instance http://www.rospa.com/rospaweb/docs/advice-services/road-safety/drivers/mobile-phone-report.pdf) which shows that drivers who use a mobile phone suffer physical and cognitive distraction which means they : • are much less aware of what's happening on the road around them • fail to see road signs • fail to maintain proper lane position and steady speed • are more likely to 'tailgate' the vehicle in front • react more slowly, take longer to brake and longer to stop • are more likely to enter unsafe gaps in traffic • feel more stressed and frustrated
12.3	There is evidence to show that drivers who use a mobile phone have slower reaction times than those who have consumed up to the legal alcohol limit. In light of this, an equally serious view should be taken of convictions for driving whilst using a mobile phone as for driving under the influence of drink or drugs.
12.4	A licence will not normally be granted if an applicant has more than one conviction for an offence of driving under the influence of drink or drugs or whilst using a mobile phone.
13	**Licensing offences**
13.1	Certain offences under taxi legislation such as plying for hire, overcharging and refusing to carry disabled persons would normally prevent a licence being granted or renewed until a period of 3 years has passed since.
13.2	A licence will not normally be granted if an applicant has more than one conviction for a licensing related offence.
14	**Insurance Offences**
14.1	A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided he/she has been free of conviction for 3 years, however strict warning should be given as to future behaviour.
14.2	A licence will not normally be granted if an applicant has more than one conviction for an insurance related offence.

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

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

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	18 NOVEMBER 2020	5

CARAVAN SITE LICENSING – MOWBRECK CARAVAN PARK HOLIDAY CARAVAN SITE LICENCE

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 for the 2020-2021 season only.

RECOMMENDATION

That the Committee considers a request to add a condition to the holiday caravan site licence which will be effective for the 2020-2021 season only stating the following –

Static holiday caravans are permitted to remain occupied between 16th January 2021 and 29th January 2021

SUMMARY OF PREVIOUS DECISIONS

12/0459 & 12/0680 Variation of condition 7 of planning permission 78/0823 to allow all year round occupation of static caravans for holiday purposes.

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. Mowbreck Caravan Park benefits from a holiday caravan site licence allowing for 196 static holiday caravans to be stationed on the site and occupied between 29th January and 16th January the following year (Appendix 1). It also has a residential caravan site licence allowing for a further 30 caravans to be occupied all year round.

2. An application was received from the site owner on 17th September 2020 requesting permission for the holiday site to remain open during the usual closed period between 16th January 2021 and 29th January 2021. (appendix 2). She advises that she has many holiday home owners at Mowbreck park who have their main residence abroad and are unable to travel there due to the current covid 19 restrictions in place.
3. Government guidance has been issued in respect of applications of this nature. (Appendix 3)
4. Planning have been consulted in accordance with the government guidance and have provided the response (appendix 4)
5. Lancashire Fire and Rescue Services have been consulted on this application and have not expressed any concerns.

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	12th October 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Application for variation of site licence	12th October 2020	Licensing office, first floor town hall

Attached documents

Appendix 1 - Existing site licence
Appendix 2 - Application to vary site licence
Appendix 3 - Government guidance
Appendix 4 – Planning comments

Caravan Sites and Control of Development Act 1960

Section 3

Holiday Caravan Site Licence

Mowbreck Park

To: S Carroll & M Carroll
Mowbreck Park Ltd
Mowbreck Lane
Wesham
Lancashire
PR4 3JR

TAKE NOTICE THAT WHEREAS

On 21st January 2019 you made application for a site licence in respect of land situated at Mowbreck Park, Mowbreck Park, Wesham, Lancashire 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.
Fylde 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 following conditions.

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 One Hundred and Ninety-Six (196).

2. Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 16th January and 29th January in any one year.

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.

Site Boundaries

4. 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

5. 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 there are ramps for the disabled, verandahs 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 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.

6. 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 (ie excluding lakes, roads, communal services and other areas unsuitable for the siting of caravans) rather than the total site area.

7. 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

8. 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

9. 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

10. 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".

11. 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.

12. 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

13. 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

14. 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.

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

16. 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

17. 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

18. 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)

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.

27. Properly designed disposal points for the contents of chemical closets should be provided, with an adequate supply of water for cleaning the containers.

Refuse Disposal

28. 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

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 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

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.

Dated 14th day of February 2019

Director of Resources

Resources Directorate

Notes

It is provided by the Caravan Sites and control of Development Act 1960 as follows:-

Appeal to Magistrates' Court against conditions attached to site licence.

7.-(1) Any person aggrieved by any condition (other than the condition referred to in subsection (3) of section five of this Act) subject to which a site licence has been issued to him in respect of any land may, within twenty-eight days of the date on which the

licence was so issued, appeal to a Magistrates' Court acting for the petty sessions area in which the land is situated; and the Court, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of the said section five) that the condition is unduly burdensome, may vary or cancel the condition.

(2) Insofar as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition nor, thereafter, whilst an appeal against the condition is pending.

Provision as to breaches of condition

9.-(1) If an occupier of land fails to comply with any conditions for the time being attached to a site licence held by him in respect of the land, he shall be guilty of an offence and liable on summary conviction, in the case of the first offence to a fine not exceeding level 4 on the Standard Scale of fines*.

(2) Where a person convicted under this section for failing to comply with a condition attached to a site licence has on two or more previous occasions been convicted thereunder for failing to comply with a condition attached to that licence, the court before whom he is convicted may, if an application in that behalf is made at the hearing by the local authority in whose area the land is situated, make an order for the revocation of the said site licence to come into force on such date as the court may specify in the order, being a date not earlier than the expiration of any period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction; and if before the date so specified an appeal is so brought the order shall be of no effect pending the final determination or withdrawal of the appeal.

The person convicted or the local authority who issued the site licence may apply to the magistrates' court which has made such an order revoking a site licence for an order extending the period at the end of which the revocation is to come into force, and the magistrates' court may, if satisfied that adequate notice of the application has been given to the local authority or, as the case may be, the person convicted, make an order extending that period.

(3) Where an occupier of land fails within the time specified in a condition attached to a site licence held by him to complete to the satisfaction of the local authority in whose

area the land is situated any works required by the condition to be so completed, the local authority may carry out those works, and may recover as a simple contract debt in any court of competent jurisdiction from that person any expenses reasonably incurred by them in that behalf.

Transfer of site licences and transmission on death, etc.

10.-(1) When the holder of a site licence in respect of any land ceases to be the occupier of the land he may, with the consent of the local authority in whose area the land is situated, transfer the licence to the person who then becomes the occupier of the land.

(2) Where a local authority give their consent to the transfer of a site licence, they shall endorse on the licence the name of the person to whom it is to be transferred and the date agreed between the parties to the transfer as the date on which that person is, for the purposes of this Part of this Act, to be treated as having becoming the holder of the licence.

(3) If an application is made under subsection (1) of this section for consent to the transfer of a site licence to a person who is to become the occupier of the land, that person may apply for a site licence under section three of this Act as if he were the occupier of the land, and if the local authority at any time before issuing a site licence in compliance with that application give their consent to the transfer they need not proceed with the application for the site licence.

(4) Where any person becomes, by operation of law, entitled to an estate or interest in land in respect of which a site licence is in force and is, by virtue of his holding that estate or interest, the occupier of the land within the meaning of this Part of this Act he shall, for the purposes of this Part of this Act, be treated as having become the holder of the licence on the day on which he became the occupier of the land, and the local authority in whose area the land is situated shall, if an application in that behalf is made to them, endorse his name and the said date on the licence.

*(Currently £1,000, subject to alteration by Order)

Fylde Council

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

1. Brief Site Details

Name of Site: MOWBRECK PARK Ltd.	
Postal address of Site: 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 / Shirley & Michael Carroll	
Postal address of Applicant (If different from above): A/A.	
Post Code:	Phone: Mobile: e-Mail:

3. Is the applicant the:

Freeholder	☑	Tenant	☐
Leaseholder	☐	Other	☐

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

4. Existing Licence Conditions:

Type of unit	Please Tick as appropriate	Number
Permanent residential	☑	30 Caravans
Static Holiday	☐	196 Caravans
Holiday Chalets	☐	..... Chalets
Touring Holiday	☐	..... Units

Opening Season:

Static Sites	☐	30th Jan to 16th Jan
Touring Sites	☐	..... to .....

5. 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	☑	..... to ALL YEAR
Touring Sites	☐	..... to .....

Is this a temporary amendment to the opening season for 2020/2021 following the coronavirus restrictions in force in 2020?

Yes ☑ **No** ☐

6. Does the site have planning permission?

Yes	☑	
No	☐	
Applied For	☐	Date: .....

If yes, please give relevant permissions and references:

12/0459
12/0680.

7. How is drinking water provided?

Mains supply to unit ☑ ...196... Units + 30 residential

Standpipes ☐ ..... Units

8. How are toilets and wash hand basins provided?

Communal toilet blocks ☐ ..... Units

Units have their own facilities ☑ ..... Units

9. How are showers provided?

Communal shower blocks ☐ ..... Units

Units have their own showers ☑ ...196... Units + 30 residential

10. Type of foul drainage?

Mains drainage ☑ ...196... Units + 30 residential

Cesspool or cesspit ☐ ..... Units

11. How is kitchen waste water disposed of?

Units have their own sinks connected to foul drainage. ☑ ...196... Units + 30 residential

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

Other (Please give details) ☐ ..... Units

No waste water disposal ☐ ..... Units

12. How is surface water drainage provided?

Dykes.

13. How is refuse stored on the site?

Individual bins at each unit ☑ .....30..... Units

Communal wheeled bins or skips ☑ .....196..... Units

Communal bin store ☐ ..... Units

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

Yes ☑

No ☐

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

Yes ☑

No ☐

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

Yes ☐

No ☑

17. 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:

18. Address for correspondence:

Caravan site ☑

Applicants address ☐

Other (please state below) ☐

Name: S CARROLL & M. CARROLL MOWBRECK PARK Ltd.	
Address: MOWBRECK LANE WESHAM PRESTON	
Post Code: PR4 3JR	Phone: 01772 682494 Mobile: e-Mail: info@mowbreckpark.co.uk

Signed: ..... Dated: 17/09/20.

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

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

Data Protection – PLEASE READ THIS NOTICE CAREFULLY

We will use the information you provide in this form and in any supporting documents to process and determine your application for a licence. The information will be held on internal databases and electronic document management systems and included in such public registers as the Council may be required to maintain.

The information supplied may be passed to other bodies, including law enforcement agencies and government departments, as allowed by law. We may check information you have provided, or information about that that another person has provided, with other information we hold. We may also obtain information about you from, or provide information to, organisations such as government departments, law enforcement agencies, other local authorities, and private sector organisations such as banks, insurance companies or legal firms, to:

- Verify the accuracy of information,
- Prevent or detect crime, or
- Protect public funds.

We will not give your information to anyone else, or use information about you for other purposes,
unless the law requires us to.

Extension to the open season of a caravan, campsite or holiday park for a temporary period

What should caravan, campsite and holiday park owners do if they wish to extend their open season beyond the usual summer season in the winter for a temporary period?

Where the open season of a caravan, campsite or holiday park is limited by planning condition, park owners are encouraged to speak to their local planning authority before submitting an application to extend their opening beyond the usual summer season for a temporary period.

Pre-application engagement can improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. Local planning authorities can also advise whether a planning application is necessary.

Where there may be particular concerns about flooding or the impact on a protected site, applicants are also encouraged to seek advice from the Environment Agency and Natural England respectively, before submitting an application.

How can site owners make an application?

Under section 73 of the Town and Country Planning Act 1990, caravan, campsite and holiday parks can submit an application to local planning authorities to vary or remove conditions associated with a planning permission. A successful s.73 application results in the grant of a new planning permission and therefore the original permission remains intact. When determining a s.73 application, the local planning authority may impose conditions beyond those proposed in the application. However, the conditions imposed should only be ones which could have been imposed on the original grant.

Does a s73 planning application require an Environmental Impact Assessment?

A section 73 application is considered to be a new application for planning permission under the 2017 Environmental Impact Assessment (EIA) Regulations. The local planning authority will need to determine if an EIA is necessary. Where an EIA was carried out on the original application, the planning authority will need to consider if further information needs to be added to the original Environmental Statement to satisfy the requirements of the EIA Regulations. Whether changes to the original Environmental Statement are required or not, an Environmental Statement must be submitted with a section 73 application for an EIA development.

What should local planning authorities do if they receive an application to vary planning conditions to permit opening beyond the usual summer season for a temporary period?

Where local planning authorities consider it appropriate to require an application to vary relevant planning conditions (where for instance there is a risk of flooding or where parks are situated close to protected sites) they should prioritise the application and make an early decision to provide certainty to caravan, campsite and holiday park operators. In doing so, they should consider the benefits of longer opening season times for a temporary period to the local economy as it recovers from the impact of COVID-19.

Who must a local planning authority consult if they receive an application?

Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in article 15 of the Development Management Procedure Order (as amended). Depending on the type of development proposed these consultees may include neighbouring landowners, parish councils and relevant statutory consultees.

The Environment Agency are statutory consultees for development, other than minor development that is in Flood Zones 2 and 3, or in Flood Zone 1 which has critical drainage problems. Natural England are statutory consultees for development that is likely to affect a site of special scientific interest.

Will permission be granted if the caravan park is in a flood protection zone, or near an SSSI?

Statutory consultees and other third parties can suggest conditions to mitigate potential impacts and make a development acceptable in planning terms. The decision as to whether it is appropriate to impose such conditions rests with the local planning authority.

What does this mean for caravan site licences?

All existing site licences and any conditions attached to them will remain in force. Local authorities could decide to alter any conditions attached to a licence to reflect any new planning requirements, but this will be subject to consultation with the owner who has a right of appeal against the decision.

Do local planning authorities have to take enforcement action if there is a breach of planning condition?

The National Planning Policy Framework already emphasises that planning enforcement is a discretionary activity, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Given the current situation, while local planning authorities must have regard to their legal obligations, they should not seek to undertake planning enforcement action which would unnecessarily restrict the ability of caravan, campsite and holiday parks to extend their open season.

From: Matthew Taylor
Sent: 15 September 2020 11:57
To:
Cc: Licencing
Subject: RE: closed season
Attachments: 12-0459 decision.pdf; 12-0459 location plan.pdf; 12-0680 decision.pdf; 12-0680 location plan.pdf

Dear Shirley,

Following on from your query below, I can advise as follows from a planning perspective:

The original planning permission which allowed the siting of caravans on the land (reference 78/0823) was most recently varied in 2012 by planning permissions 12/0459 and 12/0680. Those permissions varied conditions on the original planning permission in order to allow the year round occupation of caravans on the site providing that these are used for holiday purposes only (as controlled by condition 1 of each permission). I have attached copies of the decision notices and location plans for both permissions for your information.

As there is no condition on either planning permission requiring a shutdown period in January between the dates set out in your e-mail, this is not something that is required by the existing planning permissions on the site. Therefore, I suspect that your query below relates, instead, to restrictions contained in the site licence rather than the planning permission. I have, therefore, copied the Council's Licencing Service into my reply so that they can advise you of the licencing requirements separately.

I trust that this clarifies the position with respect to the planning implications of your query.

Kind regards,

Matthew

From: shirley carroll <
Sent: 12 September 2020 13:00
To: Planning <planning@fylde.gov.uk>
Subject: closed season

Re: Mowbreck Park, Wesham, Preston, PR4 3JR

We would like to apply for the park to remain open during its 2 week closed period, January 16th - 30th January for 2021.
We have many holiday home owners at Mowbreck park who have their main residence abroad and are unable to travel there. Most of them also fall into the high risk category.

Please advise us if you have any objections to this as I do need to submit an application to alter the site licence,

kind regards,

shirley Carroll

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	18 NOVEMBER 2020	6

CARAVAN SITE LICENSING – LARBRECK GARDENS CARAVAN PARK HOLIDAY CARAVAN SITE LICENCE

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 for the 2020-2021 season only.

RECOMMENDATION

That the Committee considers a request to add a condition to the holiday caravan site licence which will be effective for the 2020-2021 season only stating the following –

Static holiday caravans are permitted to remain occupied between 16th January 2021 and 1st March 2021

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

1. Larbreck Gardens holiday caravan park benefits from a holiday caravan site licence allowing for 58 static holiday caravans to be stationed on the site and occupied between 1st March and 16th January the following year (Appendix 1). It also has a licence issued under the Public Health Act 1936 allowing for 25 chalets to be occupied all year round.
2. An application was received from the site owner on 8th October 2020 requesting permission for the holiday site to remain open during the usual closed period between 16th January 2021 and 1st March 2021. (appendix 2). He advises that he has many holiday home owners at Larbreck Gardens who usually go abroad, stay with relatives or find rented accommodation in the area during the period that the site is

closed but are unable to do any of those things this year due to the current covid 19 restrictions in place (appendix 3).

3. Government guidance has been issued in respect of applications of this nature. (Appendix 4)
4. Planning have been consulted in accordance with the government guidance and have provided the response (appendix 5)
5. Lancashire Fire and Rescue Services have been consulted on this application and have not expressed any concerns.

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	27th October 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Application for temporary variation to site licence	27th October 2020	Licensing Office, First floor, Town Hall

Attached documents

Appendix 1 - Existing site licence
Appendix 2 - Application to vary site licence
Appendix 3 – Covering letter
Appendix 4 - Government guidance
Appendix 5 – Planning comments

Caravan Sites and Control of Development Act 1960

Section 3

Holiday Caravan Site Licence
Larbreck Gardens

To: David Henry Kirkham
Larbreck Gardens
Garstang Road,
Little Eccleston,
Preston,
Lancashire,
PR3 0XA

TAKE NOTICE THAT WHEREAS

On 26th September 2008 you made application for a site licence in respect of land situated at Larbreck Gardens, Larbreck, Little Eccleston, Nr Preston 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 Fifty-seven (57). In addition to the 57 holiday static caravans 1 (one) touring caravan is permitted.

2. Caravans shall be used solely for human habitation as static holiday caravans and no caravan shall be occupied between 16th January and 1st March in any one year.

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.

Site Boundaries

4. 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

5. Every caravan shall be 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.

   Where there are ramps for the disabled, verandahs and stairs extending from the unit, there should be 3.5 meter clear space between them and such items should not face each other in any 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.

6. Roads of suitable material should be provided so that no static caravan standing is more than 50 metres from a road.

7. Roads should not be less than 3.7 metres wide, or, if they form part of a clearly marked one way traffic system, 3 metres wide.

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

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.

Fire Fighting Appliances

Fire Points

10. Fire Points shall 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 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

13. 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

14. 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.

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

16. 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

17. 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

18. 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)

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.

27. For caravans without their own water supply and water closets, communal toilet blocks should be provided, with adequate supplies of water, on at least the following scales:

    Men: 2 WC and 2 urinals

    Women: 4 WCs

    2 wash basin for each WC or group of WCs

    2 Showers or bath (with hot and cold water)

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

Refuse Disposal

28. 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

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 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

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.

Dated **25th** day of **November 2008**

Clare Platt

.....

C. Platt

Executive Manager- Community Safety

Larbreck Gardens, Garstang Road, Little Eccleston, PR3 0XA

Amendment of condition to site licence dated 25th November 2008

Condition numbered 1 is hereby amended, so as to increase the number of holiday caravans by 1 (one) and now reads:

Condition No 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 fifty-eight (58).

Cancellation of condition to site licence dated 25th November 2008

Condition number 27 is hereby are cancelled.

Addition of a condition to existing site licence dated 25th November 2008

Condition No 35

A suitable sign should be prominently displayed prohibiting touring caravans from occupying the site.

Dated 27th day of February 2014

.....

T. Morrison

Director of Resources

Fylde Council

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

1. Brief Site Details

Name of Site: LARBRECK GARDENS	
Postal address of Site: GARSTANG ROAD. GT. ECCLESTON. PRESTON	
Post Code: PR3 0XS	Phone: 01995670662 Fax: e-Mail: LARBRECK.GARDENS@BTCONNECT.COM

2. Applicants Details

Name: D. H. KIRKHAM	
Postal address of Applicant (If different from above):	
Post Code:	Phone: Mobile: e-Mail:

3. Is the applicant the:

Freeholder	☑	Tenant	☐
Leaseholder	☐	Other	☐

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

4. Existing Licence Conditions:

Type of unit	Please Tick as appropriate	Number
Permanent residential	☐	..... Caravans
Static Holiday	☑	58 Caravans
Holiday Chalets	☑	24 Chalets
Touring Holiday	☐	..... Units

Opening Season:

Static Sites	☐	1ST MARCH to 15TH JAN
Touring Sites	☐	..... to .....

5. 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	☐	1st March to 28th February.
Touring Sites	☐	..... to .....

Is this a temporary amendment to the opening season for 2020/2021 following the coronavirus restrictions in force in 2020?

Yes ☑ **No** ☐

6. Does the site have planning permission?

Yes	☑	
No	☐	
Applied For	☐	Date: .....

If yes, please give relevant permissions and references:

LAST ONE IS DATED. 25th NOV, 2008.

7. How is drinking water provided?

Mains supply to unit	☑	ALL ..... Units
Standpipes	☐	..... Units

8. How are toilets and wash hand basins provided?

Communal toilet blocks	☐	..... Units
Units have their own facilities	☑	ALL ..... Units

9. How are showers provided?

Communal shower blocks	☐	..... Units
Units have their own showers	☑	ALL ..... Units

10. Type of foul drainage?

Mains drainage	☐	..... Units
Cesspool or cesspit	☑	ALL ..... Units

11. How is kitchen waste water disposed of?

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

No waste water disposal ☐ ..... Units

12. How is surface water drainage provided?

BY DRAINAGE PIPES

13. How is refuse stored on the site?

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

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

Yes	☑
No	☐

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

Yes	☑
No	☐

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

Yes	☐
No	☑

17. 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: ALL THE TIME.

18. Address for correspondence:

Caravan site	☑
Applicants address	☐
Other (please state below)	☐

Name: D. H. KIRKHAM.

Address:
LARBRECK GARDENS CARAVAN SITE.
GARSTANG ROAD.
GT. ECCLESTON.
PRESTON

Post Code: PR3 0XS

Phone: 01995 670 662

Mobile:

e-Mail: LARBRECK.GARDENS@BTCONNECT.COM.

Signed: ..... Dated: 6/10/20.

With the application form, please send the following: YOU ARE ALREADY IN POSSESSION OF AN UP TO DATE PLAN SHOWING A TO H

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

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

Data Protection – PLEASE READ THIS NOTICE CAREFULLY

We will use the information you provide in this form and in any supporting documents to process and determine your application for a licence. The information will be held on internal databases and electronic document management systems and included in such public registers as the Council may be required to maintain.

The information supplied may be passed to other bodies, including law enforcement agencies and government departments, as allowed by law. We may check information you have provided, or information about that that another person has provided, with other information we hold. We may also obtain information about you from, or provide information to, organisations such as government departments, law enforcement agencies, other local authorities, and private sector organisations such as banks, insurance companies or legal firms, to:

- Verify the accuracy of information,
- Prevent or detect crime, or
- Protect public funds.

We will not give your information to anyone else, or use information about you for other purposes,
unless the law requires us to.

Larbreck Gardens Caravan Park
Larbreck • Garstang Road • Great Eccleston • Preston • PR3 0XS
Tel: (01995) 670662 • Fax: (01995) 670662

The Environmental Health Department
Fylde Council
Town Hall
Lytham.St.Annes FY8 1LW

5th October 2020.

Dear Sir/Madam

One of the conditions of my Site Licence is that the site is closed From 15th January to 1st March each year. Normally this is not a problem because those licencees who do not have a permanent dwelling elsewhere.either go abroad,stay with relatives or find rented accomodation in the area for the six weeks the site is closed. But due to the fact that most of those affected are in there 60s and 70s and some in there 80s, coupled with the Covid

19 restrictions make relocating for them not a desirable option. I am therefore formally requesting that you grant me permission to allow those affected to remain on the site from 15th January to 1st March 2021. That is assuming the restrictions are still in place at that time. If you grant me this permission it would be strictly a one off and that after 2021 the conditions of my licence would be respected as normal.

Your early response would be appreciated.

Yours sincerely

David Kirkham. Site owner.

Proprietors: David Kirkham

Extension to the open season of a caravan, campsite or holiday park for a temporary period

What should caravan, campsite and holiday park owners do if they wish to extend their open season beyond the usual summer season in the winter for a temporary period?

Where the open season of a caravan, campsite or holiday park is limited by planning condition, park owners are encouraged to speak to their local planning authority before submitting an application to extend their opening beyond the usual summer season for a temporary period.

Pre-application engagement can improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. Local planning authorities can also advise whether a planning application is necessary.

Where there may be particular concerns about flooding or the impact on a protected site, applicants are also encouraged to seek advice from the Environment Agency and Natural England respectively, before submitting an application.

How can site owners make an application?

Under section 73 of the Town and Country Planning Act 1990, caravan, campsite and holiday parks can submit an application to local planning authorities to vary or remove conditions associated with a planning permission. A successful s.73 application results in the grant of a new planning permission and therefore the original permission remains intact. When determining a s.73 application, the local planning authority may impose conditions beyond those proposed in the application. However, the conditions imposed should only be ones which could have been imposed on the original grant.

Does a s73 planning application require an Environmental Impact Assessment?

A section 73 application is considered to be a new application for planning permission under the 2017 Environmental Impact Assessment (EIA) Regulations. The local planning authority will need to determine if an EIA is necessary. Where an EIA was carried out on the original application, the planning authority will need to consider if further information needs to be added to the original Environmental Statement to satisfy the requirements of the EIA Regulations. Whether changes to the original Environmental Statement are required or not, an Environmental Statement must be submitted with a section 73 application for an EIA development.

What should local planning authorities do if they receive an application to vary planning conditions to permit opening beyond the usual summer season for a temporary period?

Where local planning authorities consider it appropriate to require an application to vary relevant planning conditions (where for instance there is a risk of flooding or where parks are situated close to protected sites) they should prioritise the application and make an early decision to provide certainty to caravan, campsite and holiday park operators. In doing so, they should consider the benefits of longer opening season times for a temporary period to the local economy as it recovers from the impact of COVID-19.

Who must a local planning authority consult if they receive an application?

Local planning authorities are required to undertake a formal period of public consultation, prior to deciding a planning application. This is prescribed in article 15 of the Development Management Procedure Order (as amended). Depending on the type of development proposed these consultees may include neighbouring landowners, parish councils and relevant statutory consultees.

The Environment Agency are statutory consultees for development, other than minor development that is in Flood Zones 2 and 3, or in Flood Zone 1 which has critical drainage problems. Natural England are statutory consultees for development that is likely to affect a site of special scientific interest.

Will permission be granted if the caravan park is in a flood protection zone, or near an SSSI?

Statutory consultees and other third parties can suggest conditions to mitigate potential impacts and make a development acceptable in planning terms. The decision as to whether it is appropriate to impose such conditions rests with the local planning authority.

What does this mean for caravan site licences?

All existing site licences and any conditions attached to them will remain in force. Local authorities could decide to alter any conditions attached to a licence to reflect any new planning requirements, but this will be subject to consultation with the owner who has a right of appeal against the decision.

Do local planning authorities have to take enforcement action if there is a breach of planning condition?

The National Planning Policy Framework already emphasises that planning enforcement is a discretionary activity, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Given the current situation, while local planning authorities must have regard to their legal obligations, they should not seek to undertake planning enforcement action which would unnecessarily restrict the ability of caravan, campsite and holiday parks to extend their open season.

From: Planning
Sent: 27 October 2020 07:48
To: larbreck.gardens@btconnect.com
Subject: RE: temporary permission to remain open for closed seasomn.

Mr Kirkham

I refer to your email below.

There are two options for this. Firstly, if you want to make a permanent change to the opening season restriction on the planning permission for the park then you will need to make a planning application to do that. This is because the only way to revise the details controlled through a planning condition such as this is to make a formal application to vary that condition. If you wish to do this then the details of how to apply for planning permission are on the council's website here with the relevant form being the one which relates to a variation of a condition. You will need to provide a plan of the site and the application fee which is £234. We will also need to know the planning permission and condition that is involved.

Secondly, if you are simply looking to relax the opening season restrictions so that you can remain open during the coming winter closing season (as set out in your email below) then there is no need to do anything beyond writing to inform us of that intention. The government guidance to local planning authorities is to take a pragmatic approach with businesses to help them accommodate the issues which Covid will be causing to their business. I intend to address that with respect to the caravan park industry by not pursuing any enforcement action agonist those parks which remain open in breach of their opening hours conditions in winter 2020-21.

I trust that this assists but if you have any queries please let me know.

Regards

Andrew

From: Mr Kirkham <larbreck.gardens@btconnect.com>
Sent: 20 October 2020 12:11
To: Planning <planning@fylde.gov.uk>
Subject: temporary permission to remain open for closed seasomn.

Please let me know the procedure to ask for permission to remain open from 15th January to 1st March 2021 which is in contravention of a condition of my site licence. I do not want to permanently change my licence,only this year on

account of the Covid situation. I have already completed a planning application for a temporary change but have been told by licencing to contact you.
Please advise me what to do.

Yours sincerely

David Kirkham. Larbreck Gardens Caravan Park.

This email has been checked for viruses by Avast antivirus software.
www.avast.com

Planning

t: 01253 658435
e: planning@fylde.gov.uk

Fylde Borough Council

www.fylde.gov.uk

Email Disclaimer

Andrew Stell
Development Manager

t: 01253 658473
e: andrew.stell@fylde.gov.uk

Fylde Borough Council

www.fylde.gov.uk

Email Disclaimer

Chris Hambly
Environmental Services Manager

t: 01253 658422
e: chris.hambly@fylde.gov.uk

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	18 NOVEMBER 2020	7

CARAVAN SITE LICENSING- MEADFOOT CARAVAN PARK HOLIDAY SITE LICENCE

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 Condition 2 of the site licence to bring the spacing requirements into line with the model standards for holiday sites.

RECOMMENDATION

That the Committee considers approval to amend condition 2 of the site licence from -

"Every caravan shall be not less than six metres from any other caravan in a separate occupation, and not less than 2 metres from a carriageway."

to

*"Every caravan shall be not less than **five metres** from any other caravan in a separate occupation, and not less than 2 metres from a carriageway."*

SUMMARY OF PREVIOUS DECISIONS

13th March 2019 – Public Protection Committee resolved to amend conditions 2 & 26 on the site licence.

13th February 2020 – Planning application granted for redevelopment of Meadfoot caravan park comprising: (1) removal of existing caravans and demolition of existing amenity buildings; (2) Siting of 30 new caravan bases; (3) reconfiguration of existing internal access road; and (4) Amalgamation of existing accesses off Cartford Lane to provide combined access for Meadfoot and Hurst Lee Caravan Parks including erection of entrance wall up to 2.2M in height around access.

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. Meadfoot Caravan site benefits from a holiday site licence allowing for 37 holiday caravans. (Appendix 1).
2. An application was received on 24th July 2020 to amend condition 2 of the site licence originally issued on 12th July 2007 and subsequently varied on 21st March 2019 (appendix 2 & 3). Condition 2 of the site licence currently states –

   "Every caravan shall be not less than six metres from any other caravan in a separate occupation, and not less than 2 metres from a carriageway."

   The applicants are seeking to amend this to

   *"Every caravan shall be not less than **five metres** from any other caravan in a separate occupation, and not less than 2 metres from a carriageway."*

   This would bring the condition in line with the Caravan Sites and Control of Development Act 1960 (Section 5) Model Standards 1989 for holiday caravan sites which states the following -

   The minimum spacing distance between caravans made of aluminium or other materials with similar fire performance properties should not be less than 5 metres between units, 3.5 metres at the corners.
3. Lancashire Fire and Rescue Services have been consulted on this application and initially expressed some concerns. The applicant provided details of the specifications of the caravans which are going to be placed on site and these were passed to LFRS, who have not raised any further queries.
4. The Councils Planning Department have been consulted and they had no objections to the proposal. (Appendix 6)

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	12th October 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Meadfoot Caravan site	1st August 2020	Meadfoot holiday licence variation

Attached documents

Appendix 1 - Existing site licence
Appendix 2 – Covering email from applicants agent
Appendix 3 - Application to vary site licence
Appendix 4 - Existing site layout
Appendix 5 – Proposed site layout
Appendix 6 – Planning Approval

FYLDE BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960
Section 3

HOLIDAY CARAVAN SITE LICENCE

MEADFOOT CARAVAN SITE

To: Marian Garner
"Meadfoot"
Cartford Lane
Little Eccleston
Nr Preston
PR3 0YP

TAKE NOTICE THAT WHEREAS

1. On the 16th day of September, 1960, an application for a site licence in respect of land situated at "Meadfoot", Cartford Lane, Little Eccleston, indicated on the plan submitted with the application (which land is hereinafter called "the land").

2. In respect of the above application, permission was granted for the use of the land as a caravan site under Part III of the Town and Country Planning Act, 1947, otherwise than by a Development Order.

NOW THEREFORE Fylde Borough Council (hereinafter called "the Council") HEREBY AMEND and RE-ISSUE the site licence in respect of the land pursuant to section 3 and 5 of the Caravan Sites and Control of Development Act, 1960, subject to the conditions specified in the Schedule hereto.

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 thirty-seven.

2. Every caravan shall be not less than six metres from any other caravan in a separate occupation, and not less than 3 metres from a carriageway.

3. Every caravan shall not be less than 3 metres from the boundary of the site, which is not adjacent to open rural land or water course.
(The above condition must be fully complied with, within 5 years from the date of the licence).

4. No caravan standing or toilet block is more than forty five metres from a road.

5. The carriageways shall be not less than four metres wide or, if they form part of a one-way traffic system, three metres wide.

6. All carriageways shall be kept free from parked vehicles and other obstructions so as to ensure, at all times, a free traffic flow.

7. A paved area shall be provided at the entrance to each caravan, such area to be not less than 1 metre long by 1 metre deep.

8. Fire points shall be established so that no caravan or site building is more than 30 metres from a fire point. They shall be easily accessible and clearly and conspicuously marked "FIRE POINT". Each such fire point shall consist of either :-

   a. A water standpipe together with a reel of small diametre hose of not less than 30 metres in length having a means of connection to the standpipe (preferably a screw thread connection) and terminating in a small hand control nozzle. Such standpipe shall have a water supply of sufficient pressure and flow to project a jet of water approximately 5 metres from the nozzle of the hose. The hose shall be housed in a box painted red and marked "HOSE REEL"; or

   b. Two x 9 litres (gas expelled type) fire extinguishers, suitably protected as far as possible against vandalism; or

   c. A water tank of at least 500 litres capacity fitted with a hinged lid, two buckets and one hand pump or bucket pump.

9. A means of raising the alarm in the event of a fire shall be provided at each fire point. This may be by means of a manually operated sounder, e.g. metal triangle with a striker, gong or hand operated siren.

10. 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 at .....)
    iv. Attack the fire using the fire fighting equipment provided.

    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."

11. Long grass and vegetation shall be cut at frequent and regular intervals to prevent it becoming a fire hazard. Any such cuttings shall be removed from the vicinity of caravans.

12. Provisions shall be made for the storage of liquefied petroleum gas and regard shall be had to the Health and Safety Executive Code of Practice for the keeping of Liquefied Petroleum in Cylinders and Similar Containers.

13. Unless already provided, the site shall be provided within six months from the date hereof with a water supply complying with the current British Standard Code of Practice.

14. Unless already provided, sufficient water standpipes with an adequate supply of water shall be provided within twelve months from the date hereof so that no caravan or caravan standing shall be more than forty five metres from a standpipe.

15. A properly trapped gulley and at least 1.5 square metres of paved area shall be provided at the base of each water standpipe.

16. Unless provision has already been made, provision shall be made for the disposal of all foul drainage from the site by connection to a public sewer or by discharge into a properly constructed septic tank, having an outlet satisfactory to the local authority and the Environment Agency.

17. Unless already provided, communal toilet blocks shall be provided with adequate supplies of water on at least the following scales:-

Men	3 Water closets and 3 urinals; 3 washbasins; 2 showers or baths (each with hot and cold water)
Women	6 water closets; 3 washbasins; 2 showers or baths (each with hot and cold water)

18. Laundry facilities shall be provided in a separate room and shall include not less than two deep sinks each with running hot and cold running water.

19. If chemical closets are used on the site and unless already provided, a properly designed disposal point for the contents of chemical closets shall be provided in a suitable position.

20. Unless already provided, there shall be provided in approved positions under the control of the applicant a sufficient number of refuse bins with close fitting lids and with handles; the refuse bins to be situated convenient for collection by the councils staff.

21. Adequate provision shall be made for surface water drainage for carriageway , footways and paved areas and for the site generally.

22. Unless already provided, suitably surfaced parking places shall be provided with space for at least 13 cars; additional space shall be set aside (to be surfaced as required) to accommodate a further 24 cars.

23. Space equivalent to approximately one tenth of the total site area shall be allocated for children's games and other recreational purposes.

24. No railway vehicle, tramcar, omnibus body, aeroplane fuselage or similar structure whether on wheels or not and howsoever adapted shall be stationed or erected on the site.

25. No structure (other than a caravan) used for the purposes of human habitation or tent shall be placed or erected on the site at any time when caravans are stationed on the site for the purposes of human habitation.

26. 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.

27. 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.

28. At all times when caravans are stationed on the site for the purposes of human habitation a copy of the site licence as for the time being in force shall be displayed on the site in some place.

29. The site shall be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated thereon.

30. Any electrical installation on the site other than Electricity Board works and circuits subject to regulations made by the Secretary of State for Energy, under section 60 of the Electricity Act 1947, shall be installed and maintained in accordance with the requirements of the Institution of Electrical Engineers Regulations for the Electrical Equipment of Buildings (the IEE Wiring Regulations) for the time being in force, and where appropriate to the standard which would be acceptable for the purposes of the Electricity (overhead Lines) Regulations 1988, SI 1988 No. 1057.

31. The installation shall be inspected not less than once every 12 months, (in the case of underground installations 3 years) or in such longer period as may be recommended by a person who shall be one of the following :-

A professionally qualified electrical engineer;

A member of the Electrical Contractors' Association;

A member of the Electrical Contractors' Association of Scotland

A certificate holder of the National Inspection Council for Electrical Installation Contracting; or

A qualified person acting on behalf of one of these (in which case it should be stated for whom he is acting).

Such person shall in writing within 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 with the site licence. The cost of the inspection and report should be met by the site operator.

Dated 12th Day of January 2007

Clare Platt

Clare Platt
Executive Manager
Consumer Wellbeing and Protection

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

Meadfoot, Cartford Lane, Little Eccleston, Nr Preston, PR3 0YP

Site Licence Transfer

Licence transfer endorsement- In pursuance of section 10 of the Caravan Sites and Control of Development Act 1960, the Council hereby consent to the transfer of the licence to **Hanley Parks Ltd, 272 Oxcliffe Road, Morecambe, LA3 3EH**

Dated 12th day of February 2019

Tracy Manning

.....

T Manning Director of Resources
Resources Directorate

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

Meadfoot, Cartford Lane, Little Eccleston, Nr Preston, PR3 0YP

Amendment to site licence

Condition 2 is deleted and replaced with the following:

Every caravan shall not be less than six metres from any other caravan in a separate occupation, and not less than 2 metres from a carriageway.

Condition 26 is deleted and replaced with the following:

Caravans shall not be stationed on the site for the purposes of human habitation except for the period from 1st March to 29th February in any year

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

II. The licence holder must keep the following records for each static caravan on site:

a) The name 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.

III. The licence holder must, if requested by the licensing authority, ask the owner of any static 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.

Dated 21st day of March 2019

Tracy Manning

.....

T Manning Director of Resources
Resources Directorate

From: Deborah Stanners <debs@grahamanthonyassociates.com>
Sent: 22 July 2020 16:19
To: Joanne Gallagher
Subject: Meadfoot Caravan Park, Cartford Lane, Little Eccleston
Attachments: 200722. Site Licence App Form - 6 to 5 metres.pdf

Hi Joanne

Further to your telephone conversation with Avnish, please find attached Site Licence Variation Form duly completed and signed.

We propose amending point 2 to read:

"The minimum spacing distance between caravans shall not be less than 5 metres between units and not less than 2 metres from a carriageway."

If you have any queries with the above an attached, please do not hesitate to contact us.

Kind regards

Deborah Stanners
Receptionist / Administrator

Graham Anthony Associates
2 Croston Villa
High Street
Garstang
Preston
PR3 1EA
Tel: 01995 604514

Before you print this, please think about the **ENVIRONMENT**

Fylde Council

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

1. Brief Site Details

Name of Site: MEADFOOT CARAVAN PARK	
Postal address of Site: Cartford Lane Little Eccleston Preston Lancashire	
Post Code: PR3 0YP	Phone: c/o 01995 604514 Fax: e-Mail: debs@grahamanthonyassociates.com

2. Applicants Details

Name: HANLEY PARKS LIMITED	
Postal address of Applicant (If different from above): 272 Oxcliffe Road Morecambe	
Post Code: LA3 3EH	Phone: c/o 01995 604514 Mobile: e-Mail: debs@grahamanthonyassociates.com

3. Is the applicant the:

Freeholder	☑	Tenant	☐
Leaseholder	☐	Other	☐

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

4. Existing Licence Conditions:

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

as existing

Opening Season:

Static Sites	☐	..... to .....
Touring Sites	☐	..... to .....

as existing

5. 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	☐	..... to .....
Touring Sites	☐	..... to .....

6. Does the site have planning permission?

Yes	☑	
No	☐	
Applied For	☐	Date: .....

If yes, please give relevant permissions and references:

3/7/2469 dated 10 March 1961 – Proposed site for 37 Caravans

19/0478 dated 13 February 2020 – Redevelopment of Meadfoot Caravan Park comprising: (1) Removal of existing caravans and demolition of existing amenity buildings; (2) Siting of 30 new static caravan bases; (3) Reconfiguration of existing internal access road; and (4) amalgamation of existing accesses off Cartford Lane to provide combined access for Meadfoot and Hurst Lea Caravan Parks including erection of entrance wall up to 2.2m in height around access.

7. How is drinking water provided?

Mains supply to unit ☐ ..... Units
Standpipes ☐ ..... Units
} as existing

8. How are toilets and wash hand basins provided?

Communal toilet blocks ☐ ..... Units
Units have their own facilities ☐ ..... Units
} as existing

9. How are showers provided?

Communal shower blocks ☐ ..... Units
Units have their own showers ☐ ..... Units
} as existing

10. Type of foul drainage?

Mains drainage ☐ ..... Units
Cesspool or cesspit ☐ ..... Units
} as existing

11. 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
} as existing

No waste water disposal ☐ ..... Units as existing

12. How is surface water drainage provided?

as existing

13. How is refuse stored on the site?

Individual bins at each unit ☐ ..... Units
Communal wheeled bins or skips ☐ ..... Units
Communal bin store ☐ ..... Units
} as existing

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

Yes ☐

No ☐

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

Yes ☐

No ☐

as existing

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

Yes ☐

No ☑

17. 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: Since 1940

18. Address for correspondence:

Caravan site ☑

Applicants address ☐

Other (please state below) ☐

Name:	
Address:	
Post Code:	Phone: Mobile: e-Mail:

Signed: Graham McMahon Associates Dated: 22/7/2020

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

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

Data Protection – PLEASE READ THIS NOTICE CAREFULLY

We will use the information you provide in this form and in any supporting documents to process and determine your application for a licence. The information will be held on internal databases and electronic document management systems and included in such public registers as the Council may be required to maintain.

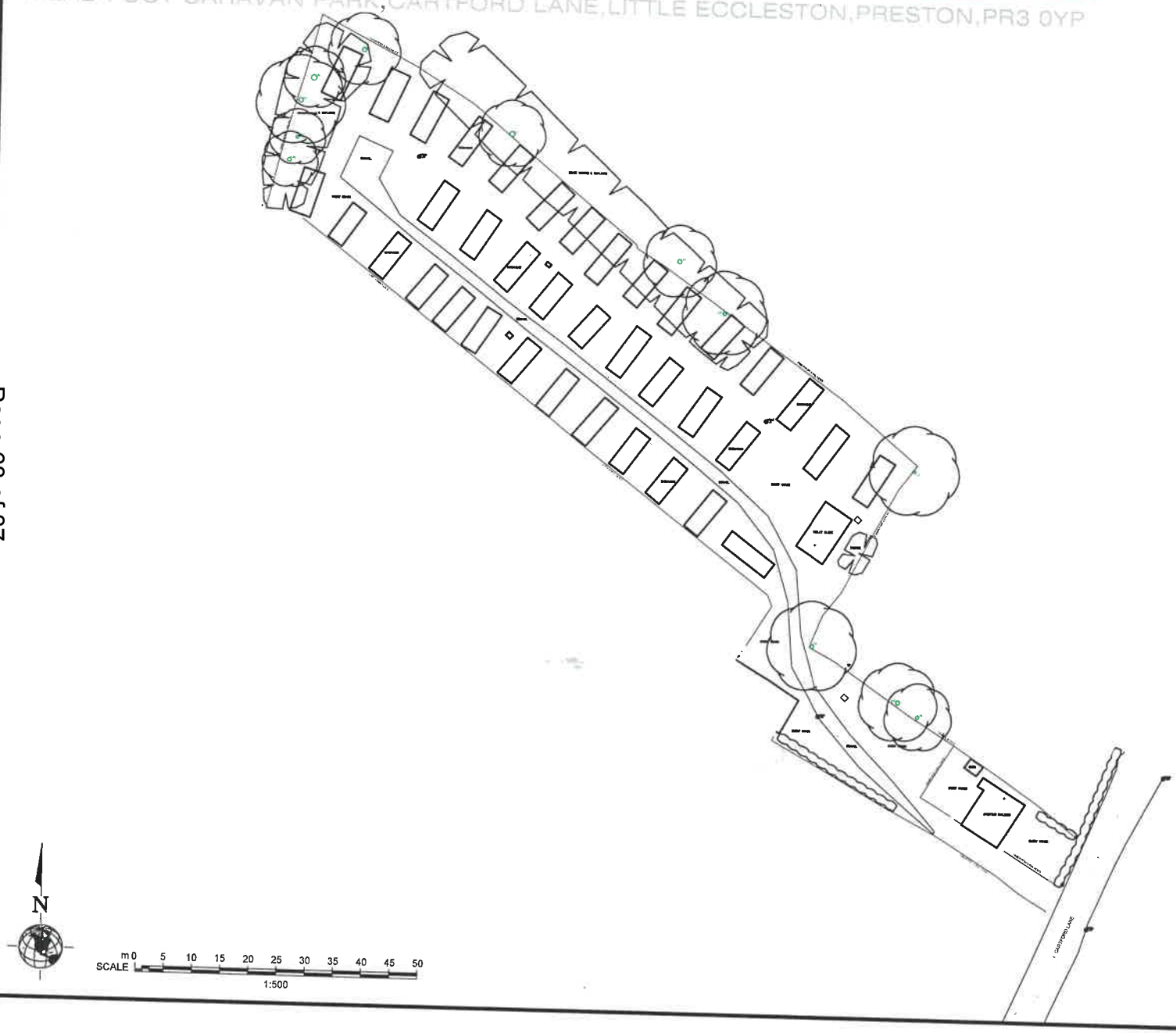
The information supplied may be passed to other bodies, including law enforcement agencies and government departments, as allowed by law. We may check information you have provided, or information about that that another person has provided, with other information we hold. We may also obtain information about you from, or provide information to, organisations such as government departments, law enforcement agencies, other local authorities, and private sector organisations such as banks, insurance companies or legal firms, to:

- Verify the accuracy of information,
- Prevent or detect crime, or
- Protect public funds.

We will not give your information to anyone else, or use information about you for other purposes,
unless the law requires us to.

EXISTING SITE PLAN

MEAD FOOT CARAVAN PARK, CARTFORD LANE, LITTLE ECCLESTON, PRESTON, PR3 0YP



GA planning • architecture • design ASSOCIATES

T: 01995 604514
E: info@GrahamAnthonyAssociates.com
W: www.GrahamAnthonyAssociates.com

2 CROSTON VILLA
HIGH STREET
GARSTANG
PRESTON
PR3 1EA

MR HANLEY

PLANNING PURPOSES ONLY

EXISTING SITE PLAN:

GA3189-ESP-01

1:500 (A3)

PROPOSED SITE PLAN:

MEAD FOOT CARAVAN PARK,CARTFORD LANE,LITTLE ECCLESTON,PRESTON,PR3 0YP

STATIC UNITS 38ft x 12ft (11.6M x 3.6M)

STATIC UNITS 35ft x 12ft (10.6M x 3.6M)

STATIC UNITS 32ft x 12ft (9.7M x 3.6M)

TOTAL 30 UNITS

N

m 0 5 10 15 20 25 30 35 40 45 50

SCALE 1:500

GA planning• architecture• design ASSOCIATES

T: 01995 604514
E: info@GrahamAnthonyAssociates.com
W: www.GrahamAnthonyAssociates.com

2 CROSTON VILLA
HIGH STREET
GARSTANG
PRESTON
PR3 1EA

CLIENT: MR HANLEY

DWG STATUS: PLANNING PURPOSES ONLY

DRAWING TITLE / REFERENCE: **PROPOSED SITE PLAN:** MEAD FOOT CARAVAN PARK, CARTFORD LANE, LITTLE ECCLESTON, PRESTON, PR3 0YP

DRAWING No.	SCALE(S)	DATE
GA3189-PSP-01A	1: 500 (A2)	'18

ALL DIMENSIONS TO BE CHECKED ON SITE AND ANY DISCREPANCIES TO BE REPORTED TO GRAHAM ANTHONY ASSOCIATES PRIOR TO PROCEEDING WITH ANY WORKS. DO NOT SCALE OFF DRAWING AND REFER TO WRITTEN DIMENSIONS.
THIS DRAWING IS SUBJECT TO COPYRIGHT ©

Memorandum

To: Joanne Gallagher

From: Planning Department

Your Ref: **Our Ref:** ENQ/20/0154 **Date**: 05/08/20

Site Address: Meadfoot holiday Caravan Park, Cartford lane, Little Eccleston, PR3 0YP

Application: Variation of Site License.

After assessing the application and approved site plans provided from the recent planning application (ref 19/0478). The planning department do not have any objections to the proposed variation of site license which relates to the reduction in spacing between caravans from 6m to 5m.

Planning Department.

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	18 NOVEMBER 2020	8

CARAVAN SITE LICENSING – FYLDE TROUT FISHERY - STANLEY VILLA FARM TOURING CARAVAN SITE LICENCE

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 condition 1 of the touring site licence to increase the number of Camping Pods from 21 to 24 and also to amend condition 3 to allow all year round occupation of the camping pods on site.

RECOMMENDATION

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

The total number of camping pods 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 shall not exceed 21 (Twenty one).

to

The total number of camping pods 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 shall not exceed 24 (Twenty four).

And to consider a request to amend condition 3 of the site licence which currently states

Camping pods shall be used solely for human habitation and no pod shall be occupied between 1st January and 15th February in any one year.

to

Camping pods shall be used solely for human habitation between 1st January to 31st December in any one year.

SUMMARY OF PREVIOUS DECISIONS

Planning application 17/0572/ Appeal ref APP/M2325/C/18/3199156 – retrospective application for the change of use of the land for camping and siting of 25 camping pods for either holiday use or use associated with the existing fishery, the general use of the facilities building to support the fishing and holiday uses, and the use of ancillary facilities on site (car parking areas, office building, toilet) to support the fishing and holiday uses.

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. Stanley Villa Farm – Fylde Trout Fishery currently benefits from a Touring caravan site licence allowing for 21 camping pods to be stationed on the site between 16th February and 1st January every year. (Appendix 1).
2. An application was received on 31st July 2020 (Appendix 2) to amend condition 1 of the site licence issued on 3rd March 2014 which states –

   The total number of camping pods 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 shall not exceed 21 (Twenty one).

   to

   The total number of camping pods 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 shall not exceed 24 (Twenty four).

   And to consider a request to amend condition 3 of the site licence which currently states

   Camping pods shall be used solely for human habitation and no pod shall be occupied between 1st January and 15th February in any one year.

   to

   Camping pods shall be used solely for human habitation between 1st January to 31st December in any one year.
3. Fylde Council Planning Department have been consulted and have confirmed that that site has permission for all year round use (appendix 3)
4. Lancashire Fire and Rescue Services have been consulted on this application and have not expressed any concerns.

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	15th October 2020

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Fylde trout Fishery (Stanley Villa)	15th October 2020	Fylde Trout fishery variation July 2020

Attached documents

Appendix 1 - Existing site licence
Appendix 2 - Application to vary site licence
Appendix 3 - Planning Approval
Appendix 4 – Site layout plan

Caravan Sites and Control of Development Act 1960

Section 3

Touring Caravan Site Licence
Fylde Trout Fishery Caravan Park

To: Alex Young
T/A Fylde Trout Fishery
Stanley Villa Farm Camp
Back Lane
Weeton
Lancashire
PR4 3HN

TAKE NOTICE THAT WHEREAS

On 6th February 2014 you made application for a site licence in respect of land situated at Fylde Trout Fishery, Back Lane, Weeton, Lancashire referred to as “the land”.

You are entitled to the benefit of planning permission 12/0247 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 (“the Council”) HEREBY GRANT a site licence in respect of the land shown edged yellow on the attached plan and 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 camping pods 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 21 (twenty-one). Their siting shall be limited to the area coloured yellow on the Plan.

2. The pods within the area edged yellow on the location plan submitted with the application shall be occupied for holiday purposes only and not as a person’s permanent, sole or main place of residence.

3. Camping pods shall be used solely for human habitation and no pod shall be occupied between 1st January and 15th February in any one year.

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

5. 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 (ie. 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.

6. 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 6 above are complied with, and

   (ii) the standards relating to spacing, as set out in paragraph 8-9 below, are complied with.

Spacing

7. 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.

8. 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.

9. 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

10. 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 soakaway or gulley.

11. 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

12. 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.

13. 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

14. 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

15. 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

16. 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

17. 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

18. 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

19. 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

20. Where fire extinguishers are provided 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 fire (e.g. a manually operated sounder, gong, or hand operated siren) All fire fighting equipment susceptible to damage by frost should be suitably protected.

21. Where standpipes are provided rather than fire extinguishers no unit should be further than 30 metres from a fire point. There must be a water supply of sufficient pressure and flow to project a jet of water approximately 5 metres from the nozzle, together with a reel of small diameter nose of not less than 30 metres in length, having means of connection to a water standpipes (preferably a screw thread connection) and terminating in a small hand control nozzle. Hoses should be housed in a box painted red and marked “Hose Reel”.

22. 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.

23. 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

24. 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

25. A sign indicating the name of the site should be displayed at the site entrance.

26. 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.

27. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.

28. 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.

29. A copy of the site licence with its conditions should be displayed prominently on the site.

Screening, Site Road, Etc.

30. Any screening by the way of bushes or trees which are required by the District Council shall be maintained to a proper standard.

31. Site grass shall be kept cut to a reasonable level.

32. Any access, access road or site road shall be maintained in good condition.

Dated day of March 2014

……..
T. Morrison

Director of Resources.

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

1. Brief Site Details

Name of Site: Stanley Villa Farm Fishing & Camping	
Postal address of Site: Back Lane, Greenhalgh, Preston	
Post Code: PR4 3HN	Phone: 01253 804588 Fax: e-Mail: hello@campingbugs.co.uk

2. Applicants Details

Name: Alex Young	
Postal address of Applicant (If different from above): Townend Cottage, Greenhalgh Lane, Greenhalgh, Preston	
Post Code: PR4 3HL	Phone: 07890 715283 Mobile: e-Mail: hello@campingbugs.co.uk

3. Is the applicant the:

Freeholder	☐	Tenant	☐
Leaseholder	☐	Other	☐

If applicant is the leaseholder of a tenant, please give details of the agreement: Leaseholder – Family Owned Site.

4. Existing Licence Conditions:

Type of unit	Please Tick as appropriate	**Number**
Permanent residential	☐	…….. Caravans
Static Holiday	☐	21 Camping Pods
Holiday Chalets	☐	…….. Chalets
Touring Holiday	☐	…….. Units

Opening Season:

Static Sites	☐	…… to ……
Touring Sites	☐	…15th Feb… to 31st December

5. Proposed Application to alter Licence Condition:

Type of unit	Please Tick as appropriate	**Number**
Permanent residential	☐	…….. Caravans
Static Holiday	☐	……24 Pods
Holiday Chalets	☐	…….. Chalets
Touring Holiday	☐	…….. Units

Opening Season:

Static Sites	☐	…… to ……
Touring Sites	☐	1st Jan to 31st December

6. Does the site have planning permission?

Yes	☐	
No	☐	
Applied For	☐	Date: ……

If yes, please give relevant permissions and references:

17/0572

Appeal Ref: APP/M2325/C/18/3199156

Planning Department confirmed in writing it's fine to open year round.

7. How is drinking water provided?

Mains supply to unit	☐	Mains Water supplied to facilities building
Standpipes	☐	……2…… Units

8. How are toilets and wash hand basins provided?

Communal toilet blocks	☐	……9…… Units
Units have their own facilities	☐	……no - shared… Units

9. How are showers provided?

Communal shower blocks	☐	……7…… Units
Units have their own showers	☐	……shared…… Units

10. Type of foul drainage?

Mains drainage	☐	…… Units
Cesspool or cesspit	☐	……1…… Units

11. 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.	☐	……4…… Units
Other (Please give details)	☐	…… Units

No waste water disposal	☐	…… Units

12. How is surface water drainage provided?

Land drains

13. How is refuse stored on the site?

Individual bins at each unit	☐	…… Units
Communal wheeled bins or skips	☐	……6 x 1100 L… Units
Communal bin store	☐	…… Units

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

Yes ☐

No ☐

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

Yes ☐

No ☐

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

Yes ☐

No ☐

17. 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: Opened June 2012

18. Address for correspondence:

Caravan site ☐

Applicants address ☐

Other (please state below) ☐

Name:	
Address:	
Post Code:	Phone: Mobile: e-Mail:

Signed: …*Alex Young*…… Dated: ……31/07/2020……

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	

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

Data Protection – PLEASE READ THIS NOTICE CAREFULLY

We will use the information you provide in this form and in any supporting documents to process and determine your application for a licence. The information will be held on internal databases and electronic document management systems and included in such public registers as the Council may be required to maintain.

The information supplied may be passed to other bodies, including law enforcement agencies and government departments, as allowed by law. We may check information you have provided, or information about that that another person has provided, with other information we hold. We may also obtain information about you from, or provide information to, organisations such as government departments, law enforcement agencies, other local authorities, and private sector organisations such as banks, insurance companies or legal firms, to:

- Verify the accuracy of information,
- Prevent or detect crime, or
- Protect public funds.

We will not give your information to anyone else, or use information about you for other purposes,
unless the law requires us to.

Fylde Borough Council is the data controller. You can contact us by email at listening@fylde.gov.uk, by phone on 01253 658658, or at the Town Hall, St Annes Road West, Lytham St Annes FY8 1LW or see our website at http://www4.fylde.gov.uk/licensing-privacy-notice.pdf . Our Data Protection Officer can be contacted at the same address, or at dpo@fylde.gov.uk or on 01253 658506

From: Chris Hambly
Sent: 05 November 2020 11:42
To: Chris Hambly
Subject: FW: Pods Stanley Villa - 20/0439

From: Alex Young <hello@campingbugs.co.uk>
Sent: 30 July 2020 18:04
To: Phil Dent <phil.dent@fylde.gov.uk>
Subject: Fwd: Pods Stanley Villa - 20/0439

Hi Phil,

I hope you're well.

As per Ruth's email below - Planning is fine with the year round opening.

Is the next step to fill in the forms and email them back to you?

Many thanks,
Alex

---------- Forwarded message ---------
From: **Ruth Thow** <ruth.thow@fylde.gov.uk>
Date: Tue, Jul 28, 2020 at 3:46 PM
Subject: RE: Pods Stanley Villa - 20/0439
To: Alex Young <hello@campingbugs.co.uk>

Hi Alex

Thanks for your email, and the time taken to show me around the site (and preventing me from falling off the fence!).

There are no planning conditions requiring a shut down period, the site has planning permission to open year round.

I had a conversation with Fiona this morning and I reiterated my comments to her that I mentioned to you about the layout of the car park and I've asked her to supply a plan which sets out how the car park is to be formalised.

The application is one which will have to be determined by committee, as the previous application was a committee decision and this current application is proposed as a variation to that decision Members will have to determine the current application.

I hope this information assists.

Regards

From: Alex Young <hello@campingbugs.co.uk>
Sent: 27 July 2020 16:35
To: Ruth Thow <ruth.thow@fylde.gov.uk>
Subject: Fwd: Pods

Hi Ruth,

Lovely to see you last week and thanks for taking the time to visit our site.

I've been speaking with Phil Dent about extending our site licence to extend our season to stay open in Jan and the first half of Feb.

Phil has mentioned (in the email below), that it relies on having the correct planning permission and to enquire this with the planning department first.

Is this something we could do?

Even if it is just for this season (to help us catch back up with losses from being closed).

Also - do you have any updates on the Bell Tent permission - and - if like you mentioned it could possibly avoid going to a planning committee?

Many thanks again,

Alex

---------- Forwarded message ---------
From: **Phil Dent** <phil.dent@fylde.gov.uk>
Date: Mon, Jul 27, 2020 at 1:17 PM
Subject: RE: Pods
To: Alex Young <hello@campingbugs.co.uk>

Hi Alex,

I have attached an application form to vary your licence to extend the season – however one of the conditions relies on having the correct planning permission in place -so you are best enquiring with them first. This form can also be used to vary the pod numbers on the licence.

Other than that it was just to increase signage or visuals to prevent children playing on the bunds or going near the lake.

Thanks

Phil

From: Alex Young <hello@campingbugs.co.uk>
Sent: 27 July 2020 09:14
To: Phil Dent <phil.dent@fylde.gov.uk>
Subject: Pods

Hi Phil,

Thanks for your site visit last week.

It was nice to see you and catch up as well as meeting your colleague.

Are there any actions that I need to follow up on please?

e.g. - I think our current licence only says 21 Pods - where we now have 24.

Micky was waiting for us to get the new planning permission in place (which we won on appeal last year) before we updated it.

Also - as mentioned - to help us claw back on losses - would it be possible to extend our season this year to stay open in Jan / Feb?

How would I do this?

Thanks again,

Alex

--

Stanley Villa Farm Fishing & Camping

Back Lane, Greenhalgh,

Notes:

All work is to be carried out to the latest current British standards Codes of Practice and recognised working practices.
All work and materials should comply with Health and Safety legislation.
All dimensions are in millimetres where explicitly shown otherwise.
The contractor should check and certify all dimensions as work proceeds and notify the architect of any discrepencies.
Do not scale off the drawings, if in doubt ask.

Amendment A - 13.07.2017: Path added from parking area to lake and path added to perimeter of lake.

G H A
Gary Hoerty Associates
Gary Hoerty Associates Chartered Surveyors
Suite 9 - Grindleton Business Centre
The Spinney
Grindleton
Clitheroe
Lancashire BB7 4DH

T: 01200 449700
Email: info@ghaonline.co.uk

Project:

Fylde Trout Fishery
Back Lane
Weeton
Preston

Title: Site Plan

Drawing No: You/708/2178/01 | **Drawn:** PF

Client: Mr. A. Young

Date: June 2017 | **Scale:** 1:1250 @ A3

Amendments: A