



FYLDE BOROUGH COUNCIL

## Meeting Agenda

**Public Protection Committee**  
**Studio Room, Lowther Pavilion**  
**11 May 2005, 10.00a.m.**



## **CORPORATE OBJECTIVES**

The Council's investment and activities are focused on achieving our five key objectives which aim to :

- Conserve, protect and enhance the quality of the Fylde natural and built environment
- Work with partners to help maintain safe communities in which individuals and businesses can thrive
- Stimulate strong economic prosperity and regeneration within a diverse and vibrant economic environment
- Improve access to good quality local housing and promote the health and wellbeing and equality of opportunity of all people in the Borough
- Ensure we are an efficient and effective council.

## **CORE VALUES**

In striving to achieve these objectives we have adopted a number of key values which underpin everything we do :

- Provide equal access to services whether you live in town, village or countryside,
- Provide effective leadership for the community,
- Value our staff and create a 'can do' culture,
- Work effectively through partnerships,
- Strive to achieve 'more with less'.



## A G E N D A

### **PART I - MATTERS DELEGATED TO COMMITTEE**

<b>ITEM</b>	<b>PAGE</b>
<b>1. DECLARATIONS OF INTEREST:</b> <i>In accordance with the Council's Code of Conduct, members are reminded that any personal/prejudicial interests should be declared as required by the Council's Code of Conduct adopted in accordance with the Local Government Act 2000.</i>	3
<b>2. CONFIRMATION OF MINUTES:</b> <i>To confirm as a correct record the minutes of the Public Protection Committee meeting held on 8 March 2005 (previously circulated).</i>	3
<b>3. SUBSTITUTE MEMBERS:</b> <i>Details of any substitute members notified in accordance with council procedure rule 26.3</i>	3
<b>4. HURST LEA CARAVAN SITE</b>	4- 17
<b>5. REQUEST FOR INCREASES IN THE LEVEL OF HACKNEY CARRIAGE FARES</b>	18-25
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### **PART II –EXEMPT ITEM NOT FOR PUBLICATION**

<b>7. PRIVATE HIRE DRIVER APPLICATION</b>	27-38
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# REPORT



REPORT OF	MEETING	DATE	ITEM NO
CONSUMER WELLBEING AND PROTECTION	PUBLIC PROTECTION COMMITTEE	11 <sup>TH</sup> MAY 2005	4

## HURST LEE CARAVAN SITE

### Public/Exempt item

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

### Summary

To enable members to reconsider an application to amend condition 23, relating to the occupancy of caravans on a licensed caravan site, and the objections made to this application. The applicant wishes to reduce the closure period from the current condition of 6 weeks in each year to 4 weeks (Note: amendment to the initial request for 2 week closure).

### Recommendation/s

1. The Committee is asked to determine the application for amendment to condition 23 to the site licence.

### Executive brief

The item falls within the following executive brief[s]: Short title of brief (Councillor Fred Bloggs).

### Report

This application relates to Hurst Lea Caravan Site on Cartford Lane, Little Eccleston. This is a site which is licensed under the Caravan Sites and Control of Development Act 1960, for 30 caravans.

Continued....

The initial application was to vary the existing site licence conditions relating to the caravan site licence granted to the Mr Thomas Hanley, on the 25<sup>th</sup> January 2005. Mr Hanley applied to vary the site licence by amendment to condition No 23 of the site licence.

Condition 23 currently states ``Caravans shall be used for human habitation as static holiday caravans and shall not be occupied from 1<sup>st</sup> December in one year to the 14<sup>th</sup> January inclusive in the following year``.

The variation applied for was to amend the above 6 week period when the caravans shall not be occupied, to 2 weeks, from the 14<sup>th</sup> February to 28<sup>th</sup> February in each year.

The site owner wished to maintain the designated status of the caravan site as a holiday site. The amendment as above to the condition on occupancy would not remove this designation.

At the meeting of the Public protection Committee held on the 8<sup>th</sup> March 2005, when the application was first considered, the Committee resolved, following representations from Little Ecclestone with Larbreck Parish Council and a resident of Little Ecclestone (see attached), to defer consideration of the application to enable officers to obtain more information and to enable the Scrutiny Management Board to consider scheduling a scrutiny review of the policy issues.

To reiterate the background information detailed in the report presented to Committee on the 8<sup>th</sup> March:

The site has been a licensed caravan site since 1961 following the granting of planning permission. No planning restrictions relating to occupancy were imposed. However, conditions relating to the site licence were imposed, which included the restriction on occupancy. The restriction imposed at that time was that caravans shall not be used for the purpose of human habitation between 1<sup>st</sup> November and the following 28<sup>th</sup> February, which was as stipulated on the application made by the owner for the site. Following a request by the site owner the dates on this restriction were amended in February 2001 to the dates as apply now,

Caravan site licences are issued by the Consumer Wellbeing and Protection Unit. The Authority has discretion to attached conditions when issuing a licence, under Section 5 of the Act. Section 5 states `` A licence issued by a Local Authority in respect of any land may be so issued subject to such conditions as the authority may think it necessary or desirable to impose on t Under the general power, any conditions which are attached to a site licence must be either:-

(a) necessary, or

(b) desirable in the interests of;

(i) caravan dwellers on the site itself;

(ii) of any class of persons; or

(iii) the public at large.

Under Section 5(6) of the Act the then Secretary of State specified model standards with respect to the lay-out and the provisions of facilities, services and equipment for caravan sites or particular types of caravans, and that, in deciding what (if any) conditions to attach to a site licence, the council shall have regard to the standards so specified. Such standards have been adopted by the Council and are reflected in the standard conditions which are applied to caravan sites licensed with this Authority. See Appendix 1, which relates to the standard conditions which are applied to Hurst Lea.

It must be noted that the Court of Appeal has accepted that planning and other considerations may overlap. But the principle purpose of imposing conditions appears to have to be ``public health and similar considerations.

To maintain the restriction on occupancy, which is desirable in the interests of the residents of Little Eccleston and the wider public, then evidence for imposing such restriction has to be proved.

Since the meeting held on the 8<sup>th</sup> March the site owner has amended his initial request, by letter, stating the following:

‘We feel that rather than go through a lengthy appeal process, we would be more than happy to accept an 11 months Holiday Licence for Hurst Lea Caravan Park, in lieu of the 11½ month licence that was applied for originally’.

At the time of writing this report a reply is awaited from the applicant in relation to a written undertaking that measures will be undertaken by him to ensure that the caravans are occupied solely for holiday use , which is consistent with the site licence conditions.

Investigations have been undertaken by officers of the Consumer Wellbeing and Protection Unit in relation to compliance with the site licence conditions. The site was found to comply in relation to the public health issues raised.

The view of Fylde Primary Care Trust and Wyre Primary Care Trust have been sought in relation to the impact residential and holiday caravan sites have on local health service provision.

The response (by e-mail) from Fylde Primary Care Trust was that they doubt any Fylde GP or dental practice will be greatly affected by the change, as most of the residents will access Wyre Primary Care Trust services in Great Eccleston or Poulton.

A letter of response has been received from the Wyre Primary Care Trust (See Appendix 2). It would appear that the general opinion as regards Great Eccleston Health Centre, which serves the health needs of Little Eccleston and surrounding area, is that this is a minor increase and will have no effect on the provision of health services in the local area. As regards the dental practice, they state that ‘the burden on the dental practice has increased significantly as there are 10 caravan parks in the area’.

The matter was reported to the Scrutiny Management Board on the 9<sup>th</sup> March 2005. The board decided that no action should be taken by the Board as this matter has been investigated in the past and further activity would not deliver tangible results.

The Clerk to Little Ecclestone with Larbreck Parish Council, Mr Hanley of Hurst Lea Caravan Site and Mr and Mrs Norton (Authors of the letter of objection), have been advised as to the meeting and it is anticipated that a representative for the parties may wish to speak on their behalf.

- i Introduction by the chairman or legal adviser
- ii Representative for the Objector(s) to be asked to amplify the objections
- iii Members to question the representative
- iv Applicant or representative to be asked to respond to the objections
- v Members to question the applicant or representative

IMPLICATIONS	
Finance	
Legal	
Community Safety	
Human Rights and Equalities	
Sustainability	
Health & Safety and Risk Management	

REPORT AUTHOR	TEL	DATE	DOC ID
Stuart Handley	(01253) 65608	28 <sup>th</sup> april 2005	

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LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
Hurst Lee Caravan Site File	current	Council office

### **Attached documents**

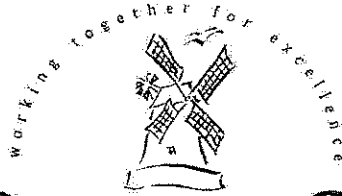
Copies of:

Site licence and conditions

Letter of objection from Little Ecclestone with Larbreck Parish Council

Letter of objection from Mr and Mrs Norton

Letter from Wyre NHS Primary Care Trust



# FYLDE BOROUGH COUNCIL

## CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

### Section 3

### SITE LICENCE

---

To: Mr Thomas Hanley  
"Hurst Lea"  
Cartford Lane  
Little Eccleston  
Nr. Preston

#### TAKE NOTICE THAT WHEREAS

1. On the 26<sup>th</sup> September 1960 application for a site licence in respect of land situated at "Hurst Lea", Cartford Lane, Little Eccleston, Nr. Preston, indicated on the plan submitted with the application (which land is hereinafter called "the land").
2. You are entitled to the benefit of permission for the use of the land as a caravan site under the Town and Country Planning Acts, 1962 to 1968, otherwise than by a Development Order.

NOW THEREFORE the Council of the Borough of Fylde (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 thirty.
2. Every caravan shall be made of aluminium or other materials with similar fire performance properties and shall be stationed not less than 5 metres from any other caravan in separate occupation, 3.5 metres at corners.
3. Every caravan shall be sited not less than 3 metres from any boundary of the site.
4. Roads of suitable material shall be provided so that no caravan standing is more than 50 metres from a road.

5. The roads shall not be less than 3.7 metres wide or if they form part of a clearly marked one way traffic system 3 metres wide.
6. All carriageway shall be kept free of parked vehicles and other obstructions so as to ensure, at all times, adequate access for emergency vehicles.
7. Where possible every caravan should stand on a hard standing of suitable materials which should extend over the whole area occupied by the caravan and should project one metre from the entrance of the caravan.
8. Fire points shall be established so that no caravan or site building is more than 30 metres from such a point. They should be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

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

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

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

9. A means of raising the alarm in the event of fire shall be provided at each fire point. This could be by means of a manually operated sounder, e.g. metal triangle with a striker, gong or hand operated siren. The advice of the fire authority should be sought on an appropriate system.
10. All alarms and fire fighting equipment shall be installed, tested and maintained in working order by a competent person and be available for inspection by, or on behalf of, the licencing authority. A log book shall be kept to record all tests and any remedial action.
11. All equipment susceptible to damage by frost shall be suitably protected.
12. A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire and the location of the nearest telephone. This notice shall include the following:-

"On discovering a fire –

- i. ensure the caravan or site building involved is evacuated

- ii. raise the alarm
- iii. call the fire brigade (the nearest telephone is sited.....)
- iv. attack the fire using the fire fighting equipment provided, if safe to do so.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17. All sites shall be provided with a water supply in accordance with appropriate Water Bylaws and statutory quality standards.
18. Satisfactory provision shall be made for foul drainage, either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the local authority.
19. For caravans without their own water supply and water closets, communal toilet blocks 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 basins for each WC or group of WCs

2 showers or baths (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.

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

20. Every caravan standing shall have an adequate number of suitable non-combustible refuse bins with close-fitting lids or plastic bags. Arrangements should be made for the bins to be emptied regularly. Where communal refuse bins are also provided these should be of similar construction and housed within a properly constructed bin store.

21. One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed. Suitable surfaced parking spaces should be provided where necessary to meet the additional requirements of the occupants and their visitors. Plastic or wooden boats should not be parked between units.
22. Where children stay on the site, space equivalent to about one-tenth of the total area should be allocated for children's games and/or other recreational purposes. This provision will normally be necessary because of the limited space available round the caravans, but may be omitted where there are suitable alternative publicly provided recreational facilities which are readily accessible.
23. Caravans shall be used solely for human habitation as static holiday caravans and shall not be occupied from 1st December in one year to the 14th January inclusive in the following year.
24. At all times when caravans are stationed on the site for the purposes of human habitation, all facilities and equipment required to be provided by these conditions shall be properly maintained.
25. A suitable sign shall be prominently displayed at the site entrance indicating the name of the site.
26. A copy of the site licence with its conditions should be displayed prominently on the site.
27. Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They shall show where the police, fire brigade, ambulance and local doctors can be contacted, and the location of the nearest public telephone. The notices should also give the name and location/telephone number of the site licence holder or his/her accredited representative. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.
28. All notices shall be suitably protected from the weather and displayed where possible out of the direct rays of the sun, preferably in areas lit by artificial lighting.

Dated **25th** day of **January 2005**

  
.....  
Clare Platt  
Consumer Wellbeing and Protection Manager  
Fylde Borough Council

## Handley, Stuart

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**From:** Price Barbara [Barbara.Price@FyldePCT.nhs.uk]  
**Sent:** 07 March 2005 12:12  
**To:** 'StuartH@fylde.gov.uk'  
**Subject:** FW: Hurst Lea Caravan Park

Stuart

Please see the answer to your question below:

Regards  
Barbara Price  
PA to Chief Executive  
Fylde Primary Care Trust  
Tel 01253 306371 / Fax 01253 306374

-----Original Message-----

**From:** Atkinson Graham  
**Sent:** 07 March 2005 12:09  
**To:** Price Barbara  
**Subject:** RE: Hurst Lea Caravan Park

Barbara

The PCT does receive an allocation for 'temporary residents' to cover the existing 46 weeks, but increasing the length of occupancy by a further 4 weeks will not be funded.

I doubt that any Fylde GP or dental practice will be greatly affected by the change as most of the residents will access Wyre PCT services in Great Eccleston or Poulton.

Graham Atkinson  
Director of Modernisation and Primary Care, Fylde PCT  
Tel 01253 306368  
Email graham.atkinson@fyldepct.nhs.uk

-----Original Message-----

**From:** Price Barbara  
**Sent:** 07 March 2005 11:52  
**To:** Atkinson Graham  
**Subject:** FW: Hurst Lea Caravan Park

Graham

Stuart Handley from Fylde Borough Council requires a reply today on this for a meeting tomorrow. Julie has not obviously replied. Can you help please?

Barbara

-----Original Message-----

**From:** Handley, Stuart [mailto:StuartH@fylde.gov.uk]  
**Sent:** 01 March 2005 12:00  
**To:** 'julie.goulding@fyldepct.nhs.uk'  
**Subject:** Hurst Lea Caravan Park

With reference to our telephone conversation this morning, please find attached the letter I was referring to. I would be grateful for a response as soon as possible, as this matter is to be the subject of a report to our Public Protection Committee on the 8th March.

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

Thankyou

Stuart Handley  
Commercial and Licensing Manager

<<80410-srh4.doc>>

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**LITTLE ECCLESTON WITH LARBRECK PARISH COUNCIL**

Clerk to the Council  
Mrs. J. Purnell  
Domus  
Cartford Lane  
Little Eccleston  
PR3 OYP

Tel. 01995-670524

Mr. K. Lee  
Chief Executive  
Fylde Borough Council  
Town Hall  
Lytham St. Annes  
FY8 1LW

28 January 2005

Dear Mr. Lee

The Parish Council is becoming increasingly concerned at the escalating pace of problems relating to caravan sites within this Parish.

You may well be aware of two recent cases, the results of which would have a domino effect within other sites and serious consequences for the quality of life for residents in this Parish.

The first involves a licensing matter - an application to remove the condition for the six week closed period at Hurst Lee Caravan Park, Cartford Lane, Little Eccleston. This is a tantamount to making the site residential. If this succeeds, we will await the flood of applications.

The second a planning matter - an application for a Certificate of Lawfulness for use of land to existing caravan park at Hill View, Cartford Lane, Little Eccleston. A copy of the response to this application is enclosed, for your information.

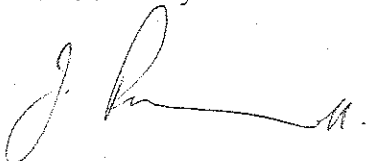
The Parish Council is concerned that the Certificate of Lawfulness is the latest ploy to by-pass the conditions imposed by Policy Trec 6 of the Fylde Borough Local Plan. It is of particular concern as two other caravan site owners have recently purchased large tracts of land immediately adjacent to their sites. The individuals concerned have proved in the past to be the most aggressive in pursuing their ultimate aims i.e. to physically extend their sites and increase the number of caravans to the maximum. This is not good news for the future of this Parish.

The Parish Council considers that for too long the Borough Council has chosen to turn a blind eye to contraventions of licensing conditions on caravan sites and this has encouraged determined site owners to take more and more liberties. Unannounced site inspections should be carried out on a regular basis - a zero-tolerance policy needs to be introduced to contraventions of licensing and planning regulations.

The Parish Council is asking for recognition of the grave situation and would appreciate your comments on the points raised.

I look forward to receiving an early response.

Yours sincerely



hoy. 1129.

1 2005 FEB - 2 P 3 55 1

FAO Mr Stuart Handley  
Commercial and Licensing Manager  
Fylde Borough Council  
Town Hall  
Lytham St Annes

15<sup>th</sup> January 2005

Re Hurst lea Caravan Park, Cartford Lane, Little Eccleston

We attended a Parish Council meeting Thursday 13<sup>th</sup> January, and were told there is an application to Fylde Borough to reduce the closure period of Hurst Lea Caravan Park.

We wish to object to this in the strongest terms and put forward the following:

1. Cartford Lane is a narrow lane with no footpaths, there is already a traffic issue. Access is narrow, the drainage is not sufficient.
2. We already have a drainage problem both in our back garden and more worryingly under our floorboards. We contacted Fylde Borough last year, spoke to Bill Tobin Technical Officer, Martin Boycey from Consumer Wellbeing and Protection and were promised that Darren Wrigley from Technical Services would contact us (which has not happened). The problem is being made worse by one of the Caravan Parks partly filling in the dyke at the bottom of our property. (Fylde Borough Council, although promising some action have done nothing about this).
3. Little Eccleston consists of a small number of council taxpayers surrounded and over run with holiday caravans. If opening times are extended this will only add to the problem.
4. We are extremely concerned about a multiplication effect. There are ten caravan parks in the vicinity, if Fylde Borough Council allows one to change its opening period, then this gives the others an opportunity. If this carries on Little Eccleston as a community will disappear and simply become one large caravan park.

To summarise we object in the strongest possible terms to any increase in the opening times of Hurst View. It is time Fylde Borough tried to look after the interest of those residents who pay their council tax.

Yours sincerely

# REPORT



REPORT OF	MEETING	DATE	ITEM NO
CONSUMER WELLBEING AND PROTECTION	PUBLIC PROTECTION COMMITTEE	11 <sup>TH</sup> MAY 2005	5

## REQUEST FOR INCREASE IN THE LEVEL OF HACKNEY CARRIAGE FARES

### Public/Exempt item

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

### Summary

A request has been received from the Fylde Licensed Hackney Drivers Association for an increase in the level of hackney carriage fares.

The recent history of fare increases in the Borough is detailed in the report together with the formal submission.

### Recommendation/s

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

### Executive brief

The item falls within the following executive brief: Economy (Councillor Roger Small).

### Report

1. The provisions of Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 allows Local Authorities to fix the level of fares that may be demanded in connection with the hire of a Hackney Carriage.

Continued....

2. Officers from the Consumer Wellbeing and Protection Unit have received a request from the Fylde Licensing Hackney Drivers Association requesting an increase in the level of fares. The increase relates simply to an increase in the initial hiring charge of the vehicle and will result in an increase of 20 pence on all Tariff 1 journeys and 40 pence on Tariff 2 journeys.
3. Details of the submission are attached at Annex 1 of the report together with a comparison of the current and proposed fares, and details of neighbouring Authorities tariffs at Annex 2.
4. Members may recall that they last considered a request for an increase in the level of fares at a meeting of the Public Protection Committee held on the 2<sup>nd</sup> December 2004. Options were considered by the Committee from the two Associations representing differing views within the trade. It was determined at the meeting that the request of the Fylde Taxi and Private Hire Association be agreed and there would be no increase in the level of fares.
5. Members also asked as a result of the request that Officers look at introducing a suitable policy on hackney fare increases for consideration by a future meeting of the Committee. A separate report is to be submitted to the Committee in the future concerning a formula for calculating fare increases and the matter is being currently being discussed through the Quality Taxi Partnership. The minutes of the last meeting are attached at Appendix 3 for Members information.
6. At a meeting of the Public Protection Committee on 17<sup>th</sup> June 2004, Members approved that should the price of litre of diesel attain the price of 87.9 pence at the Kilnhouse Service Station, a driver is entitled to charge a surcharge of 20 pence per hiring. For information purposes, the price of fuel has reached this level and information leaflets have been circulated to the trade advising of the availability of the surcharge.
7. The Fylde Taxi and Private Association have been consulted concerning the request and at the time of submitting the report no formal reply has been received. It is understood that the Association may wish to make comment and this information will be forwarded when available.
8. The Committee is therefore requested to determine the application.

IMPLICATIONS	
Finance	
Legal	
Community Safety	
Human Rights and Equalities	
Sustainability	
Health & Safety and Risk Management	

REPORT AUTHOR	TEL	DATE	DOC ID
Chris Hambly	(01253) 658422	27 <sup>th</sup> April 2005	

LIST OF BACKGROUND PAPERS		
NAME OF DOCUMENT	DATE	WHERE AVAILABLE FOR INSPECTION
1)		Council office or website address

**Attached documents**

- 1) Submission of Fylde Hackney Drivers Association
- 2) Tariff Comparison
- 3) Minutes of Quality Partnership Meeting

# F.L.H.D.A. FYLDE LICENCED HACKNEY DRIVERS ASSOCIATION.

CHAIRMAN  
Chris Beesley

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17 March 2005

## APPLICATION TO THE FYLDE BOROUGH COUNCIL, PUBLIC PROTECTION COMMITTEE, FOR A HACKNEY CARRIAGE FARE INCREASE FOR THE YEAR 2005/06.

The last time the Hackney Carriage Fare table was adjusted was in November 2003, as it will be nearly two years since the last adjustment came into operation I would hope the Committee look at our proposals with an open mind.

The life of a Taxi driver is not an easy one, I personally have to work SEVENTY HOURS A WEEK AND TAKE £400.00 POUNDS JUST TO COVER MY EXPENSES, OF KEEPING A CAR ON THE ROAD.

<u>Tariff one</u>	<u>Proposed</u>
Existing	
£2.00 Flag drop	£2.20 Flag drop
for first 600 yds.	For first 548 yds.
<u>Tariff two</u>	<u>Proposed</u>
Existing	
£2.00	£2.40
450 yds	424 yds

The remainder of the Fare table to remain unchanged.

You will note the Rise of 40 pence on the tariff two Flag drop, it was felt by the Taxi Association and the under mentioned companies, that the greater part of this years rise should be placed on the late night tariff, so as not to hit the less fortunate people Of the borough. And give some incentive to keep the Taxis on the road longer with the Change in late night opening taking place this year.

**This proposal is commended to you by.**

**FYLDE LICENCED HACKNEY DRIVERS ASSOCIATION.**

**FYLDE TAXIS.**

**WESHAM TAXIS.**

**FRECKLETON & WARTON TAXIS.**

**INDEPENDENT STREET TAXIS.**

**KIRKHAM & MACS TAXIS.**

**A representative of Whiteside Taxis was asked to the meeting, but failed to attend.**

**The above mentioned would also ask the committee to consider a request to make it  
A licence condition that CALENDAR TAXI METERS ARE FITTED TO ALL TAXIS  
IN FYLDE BOROUGH. We consider this to be a public protection issue, witch  
should stop any driver over charging the fare paying public.**

**Yours truly,**

**Mr Chris Beesley.**

**Chairman Fylde Licenced Hackney Drivers Association.**

TARIFF 1	National Average	Fylde Current	FLHDA Prop	Blackpool (wef 4/05)	Wyre (wef 4/05)
1 mile	£2.76	£3.00	£3.20	£3.40	£2.90
2 miles	£4.15	£4.20	£4.40	£4.80	£4.10
3 miles	£5.54	£5.60	£5.80	£6.20	£5.30
4 miles	£6.93	£6.80	£7.00	£7.40	£6.50
5 miles	£8.32	£8.00	£8.40	£8.80	£7.70

TARIFF 2	National Average	Fylde Current	FLHDA Prop	Blackpool (wef 4/05)	Wyre (wef 04/05)
1 mile	£4.15	£3.40	£3.80	£3.80	£3.55
2 miles	£5.53	£5.00	£5.40	£5.60	£5.15
3 miles	£6.91	£6.60	£7.00	£7.20	£6.75
4 miles	£8.29	£8.40	£8.80	£9.00	£8.35
5 miles	£9.67	£10.00	£10.40	£10.60	£9.95



## **FYLDE TAXI QUALITY PARTNERSHIP**

### **MEETING – 6<sup>th</sup> APRIL 2005**

#### **Attendees**

Cllr Prestwich – Fylde Borough Council  
Cllr Clarke - Fylde Borough Council  
S Handley - Fylde Borough Council  
C Hambly - Fylde Borough Council  
A Hough - Fylde Borough Council  
T D Aspinall - Independent  
J McLemn – Independent  
C Beesley - FLDHA  
I Wilmott – Freckleton & Warton Taxis  
A Quigley – FLDHA  
D Whiteside – Whitesides  
D Smith – FTPHA  
M Elder – Fylde Taxis  
A Coia – Fylde Taxis  
J White – Wesham Taxis  
C Petrus – Kirkham Macs

#### **Minutes**

Cllr Prestwich (CP) opened the meeting at 10.00 and welcomed everybody and advised that the purpose of the meeting was to discuss the proposals for a formula for a fare increase and hoped that a formula could be agreed.

Chris Hambly (CH) advised that whilst a formula could give a basis for a fare increase it could not work out the tariff, and any request for an increase would still need to be agreed by the Council's Public Protection Committee (PPC).

C Beesley (CB) advised that the proposal from FLDHA had been based upon the average earnings for the North West (based on National Office of Statistics), Automobile Association motor running costs and public hire insurance premiums. A copy of proposal is attached.

D Smith (DS) representing the FTPHA stated that their proposed formula based on the National Average fare according to the National Private Hire Magazine had been agreed at a meeting of the association some 12 months ago. A copy of this is attached.

There was a heated and at times very personal debate, between the two associations regarding the merits of both proposals to which the Chairman brought to order and the debate continued.

Tony Quigley (TQ) suggested that the fare increase should be based on the percentage increase in council tax charged by Fylde Borough Council.

CH suggested that perhaps the formula should be based on an average based on the increase in the National Average fare, the rate of inflation and the Retail Price Index.

J McLemn (JM) stated that it was agreed at the previous meeting that the proposals should be voted on, and the winning proposal should be placed in front of the PPC for there approval and therefore proposed that a vote should be held. T Aspinall (TA) seconded this.

The members and officers of the Council felt that after taking into account the differing views put forward and the strong feelings that the merits of both proposals should be considered by the PPC and requested the attendees to forward any additional comments they may have to either herself or the officers, and these would be placed in front of the PPC.

CP also advised that she would hold informal meeting's with members of the PPC in order that the submissions could be fully considered by the members.

The meeting ended at 11.30.

# REPORT



<i>REPORT OF</i>	<i>MEETING</i>	<i>DATE</i>	<i>ITEM NO</i>
<b>UNIT BUSINESS MANAGER – LEGAL &amp; DEMOCRATIC SERVICES</b>	<b>PUBLIC PROTECTION COMMITTEE</b>	<b>11<sup>Th</sup> MAY 2005</b>	<b>6</b>

## EXCLUSION OF THE PUBLIC

### 6. EXCLUSION OF THE PUBLIC

Members are invited to consider passing a resolution concerning the exclusion of the public from the meeting in accordance with the provisions of Section 100(A)(4) of the Local Government Act 1972 on the grounds that the business to be discussed is exempt information as defined in paragraph 4 of Part 1 of Schedule 12A of the Act.