Agenda

PUBLIC PROTECTION COMMITTEE

Date:	Friday, 1 April 2016 at 10am
Venue:	Town Hall, St Annes, FY8 1LW
Committee members:	Councillor Angela Jacques (Chairman) Councillor Barbara Nash (Vice-Chairman) Councillors Christine Akeroyd, Frank Andrews, Jan Barker, Keith Beckett ISO, Brenda Blackshaw, Alan Clayton, Gail Goodman JP, Shirley Green, Peter Hardy, Neil Harvey.

	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 27 November 2015 as a correct record.	1
3	**Substitute Members:** Details of any substitute members notified in accordance with council procedure rule 24(c).	1
	DECISION ITEMS	
4	**Request for Dispensation from Displaying Private Hire Vehicle Signage**	3 - 10
5	**Request to Re-Designate Back St Annes Road West for the Purposes of Street Trading**	11 - 27
	INFORMATION ITEMS	
6	**Update on Henry Street Working Group**	28

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	1 APRIL 2016	4

REQUEST FOR DISPENSATION FROM DISPLAYING PRIVATE HIRE VEHICLE SIGNAGE

PUBLIC ITEM

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

SUMMARY

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

The signage requirements set within the Borough are for the protection of the public with regards to the ease of recognising private hire vehicles. However, it is understood that the vehicles for which the dispensation is sought is to operate as Chauffeur or Executive hire.

RECOMMENDATION

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

SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this applicant.

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

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

REPORT

1. A formal request has been received from Edward McDonald for dispensation from displaying the required signage upon his private hire vehicles. Mr McDonald is currently a licensed private hire driver and has applications for a private hire vehicle and private hire operator pending.

2. A copy of the request is appended for the information of members and it is confirmed that at this time, the vehicle is a black Mercedes Viano first registered on the 30th January 2014.

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

4. Dispensation is currently granted to some Private Hire Operators in Fylde Borough involved in the Chauffeur Business. The proprietors of vehicles are still required to display a disc confirming the vehicle to be licensed as a Private Hire vehicle, whilst all signage such as the identity plates and door signs must be conveyed in the boot of the vehicle.

5. The Hackney Carriage and Private Hire Licensing Policy deals with dispensation requests at Appendix A, paragraph 13.5 which states,

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

6. As such, the matter is referred to the Public Protection Committee so that consideration may be given to the request.

7. The applicant has been invited to attend the meeting.

IMPLICATIONS	
Finance	Should the Committee be minded to pass a resolution, that resolution will require advertising in the local press.
Legal	The requirement to display a licence plate is imposed in the interests of public safety and is intended to enable anybody picked up by a private hire vehicle to verify that the vehicle is a genuine licensed PHV. A further reason for plates being required is to enable a passenger or other member of the public to identify the vehicle in the event of an incident or cause for complaint. Allowing vehicles to operate without complying with the normal requirements to display a plate compromises these protections. In summary, members should, in considering whether to grant the dispensation, satisfy themselves that the lowering of the level of protection offered to the public is offset by some advantage offered by allowing the requests. None has been identified in the report, but no

	doubt the applicants will be able to provide more information to support their request.
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	TEL	DATE	DOC ID
Chris Hambly	01253 658422	15th March 2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Hackney Carriage and Private Hire Licensing Policy	2006	http://www.fylde.gov.uk/assets/files/11/Hackney-Carriage-and-Private-Hire-Licensing-Policy.pdf

Attached documents

Appendix 1 - Request for Dispensation

Mr Edward Macdonald

Little Tarn Brick Farm

Blackpool Road Kirkham Preston

Pr42RE

Dear Committee

Re: Dispensation

I, Edward Macdonald, have ran my own business on the Fylde Coast for the last 20 years.

I have recently decided to have a change of career and after thinking long and hard as to which path to take and speaking to various people in many walks to life, I decided on Executive Travel.

On speaking to people within the travel business, and taking on board all their advice, I purchased a new, luxurious, top of the range, Executive Spec Mercedes Vianio purely for elite business clients and those who require luxury travel. (Pictures Enclosed)

I will be attending local business seminars, advertising in local business magazines and brochures, and have been using my previous business contact to support this.

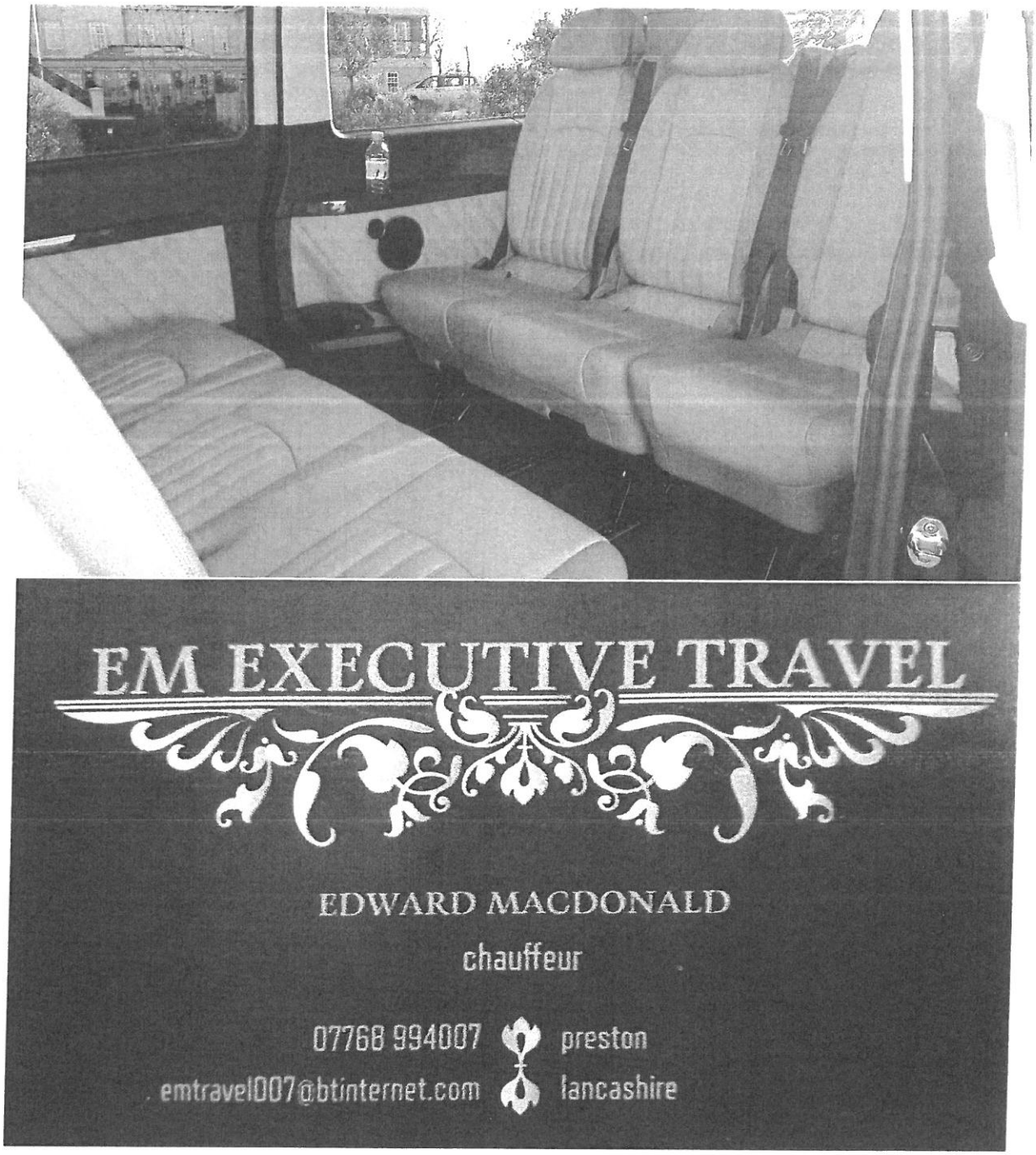
Many local business people and dignitaries have already expressed an interest in using my service as they require an "unplated" vehicle due to privacy and discretion. They have advised that having plates in full view would deter corporate clients, CEO's, etc. from using my service.

I Hope that you will find my case a valid one and I look forward to serving people of the Fylde Coast and beyond.

Kind regards

Edward Macdonald

EM Travel


EM EXECUTIVE TRAVEL
EDWARD MACDONALD
chauffeur
07768 994007
preston
emtravel007@btinternet.com
lancashire

L9 EJN

History Bookmarks Window Help

dispensation letter

(7 unread) - edwardmacdonald12@btinternet.com - BT Yahoo Mail

uk-mg42.mail.yahoo.com/neo/launch?.partner=bt-1&.rand=91j81sgk91sp5#3633

Sport Find and Watch TV Weather Lifestyle Money Tech & Gadgets Videos Help My BT

All Search Search Mail Search web

Archive Move Delete Spam More

Collapse all

E M Executive Travel (4)

People

Darren Cookson <ddc@coffeelogistics.co.uk>

To emtravel007@btinternet.com

CC edwardmacdonald12@btinternet.com

Feb 25 at 6:50 PM

Dear Mr MacDonald,

Hope you well.

Thank your time last week, I am pleased to confirm following our negotiation it is now our intention to use your services for all our business transport requirements such as airport transfers, corporate meetings etc. Could you please send me all the relevant paperwork as discussed to enable us to open a trading account.

Look forward to catching up with you again soon.

Kindest regards

Darren

Darren Cookson
Sales Director
+44 (0)7947877544
ddc@coffeelogistics.co.uk

Dolce House
Unit A125 | Tustin Way
Longridge Road
Preston | PR2 5LX
+44 (0)1772 662233.
www.coffeelogistics.co.uk

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Reply Reply to All Fo

Appendix 1

Fwd: RELIANT CONFIRMATION

emtravel007 <emtravel007@btinternet.com>
To edwardmacdonald12@btinternet.com

Sent from my Samsung Galaxy smartphone.
-------- Original message --------
From: Richard Shorrock <richard.s@reliantdirect.co.uk>
Date: 11/03/2016 10:29 (GMT+00:00)
To: emtravel007@btinternet.com
Subject: RELIANT CONFIRMATION

Dear Mr MacDonald,

It was good to meet you and discuss the service that you are able to offer to our business.

I am happy to confirm that we will use your services at the agreed terms. The majority of transportation will be to Manchester airport, business meetings in the Midlands and London. There will also be occasional requirements of picking up manufacturers' representatives from Preston train station to our Head normally be able to give you 4 weeks' notice of any bookings.

Please email me the account application form and I will pass it onto our accounts department, we prefer to settle invoices electronically so please forward your bank details.

Once again thank you for your time and good luck with your new business venture.

Regards

Richard Shorrock
Managing Director
Reliant TV (St Annes) Limited
E-mail: richard.s@reliantdirect.co.uk
Mobile 07815 131250
DD: 01253 501580
Tel: 01253 440272
Fax: 01253 354454

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Appendix 1

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	1 APRIL 2016	5

REQUEST TO RE-DESIGNATE BACK ST ANNES ROAD WEST FOR THE PURPOSES OF STREET TRADING

PUBLIC ITEM

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

SUMMARY

The Licensing Team have received a request from the Friends of Back West Arts Trail to consider a revision to the current Street Trading Policy to re-designate Back St Annes Road West as a consent street for the purposes of Street Trading.

RECOMMENDATION

That the Committee consider the matter, and if appropriate pass a notice of resolution to the effect that it is the Authority's intention to re-designate Back St Annes Road West as a consent street for the purpose of street trading.

SUMMARY OF PREVIOUS DECISIONS

Fylde Borough Council has adopted the legislation relating to street trading and established a policy which includes a schedule of prohibited streets. That Policy has been amended on occasions to authorise trading in St Annes Square, Lytham Piazza, Ashton Gardens, Wood Street, Wood Street Car Park, Lowther Gardens and car park, Inner promenade between Ansdell Road South and St. Pauls Ave, East Beach, Central Beach and West Beach Lytham.

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

REPORT

1. Fylde Borough Council has adopted the provisions of the Local Government (Miscellaneous Provisions) Act 1982 in relation to street trading and resolved that all streets within the Borough be designated as consent streets for the purposes of street trading apart from a number of streets within Lytham St Annes which are designated as prohibited streets and as such, street trading may not take place at those locations. Back West Crescent, St Annes was one of the streets designated as a prohibited street.

2. A request has recently been received from the Friends of Back West Arts Trail for Back West Crescent, St Annes to be re-designated as a consent street so that a regular street market may take place. Information from the organisers is attached at appendix 1.

3. Prior to passing a resolution to re- designate any street under the terms of the Local Government (Miscellaneous Provisions) Act 1982, the Council is required to publish a notice of that intention in a local newspaper circulating in the area and serve a copy of the notice on the Chief Constable for Lancashire and Lancashire County Council Highway Authority.

4. Information has already been provided to the Highways Authority following an application for a Road Closure in Back St Annes Road West. They have expressed some concern regarding the notification as detailed below:

   "There is nothing informing us that the idea has been well thought out,
   There is no risk assessment,
   There is no plan showing how the stalls would be set out,
   There is no method statement detailing how it is planned to manage setting up the market,
   There is no evidence showing that everyone has been properly consulted and there is full support,
   There are garaging and parking hardstanding requiring access arrangements,
   There are back gates and flat door entrances requiring access, some of the properties are 3-4 storey high to the rear and have fire escapes."

5. These concerns have been communicated to the event organiser and the Committee will be informed of any update at the meeting.

6. The Committee is therefore requested to consider the report and consider whether to instruct Officers to carry out the statutory notification and advertising required to give notice of intention to re-designate Back St Annes Road West as a consent street.

IMPLICATIONS	
Finance	Should the Committee be minded to pass a resolution, that resolution will require advertising in the local press.
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	TEL	DATE	DOC ID
Chris Hambly	01253 658422	15th March 2016	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
none		

Attached documents

1. Event Information
2. Current Application Form and Policy
3. Area Plan

Friends of the back west art trail
C/o Melanie Jackson & Jayne Callaghan
The Attik
10 Orchard Road
St Annes on Sea
FY8 1RY
info@theattikstannes.co.uk
01253 724422

Dear Chris

Further to your email today regarding our proposed market **"The Back West Sunday Vintage Market"** on Back St Anne's Road West**.** Please accept this letter as our formal request for re designation of the road. Attached is a copy of our proposal outlining the purpose for our request. This fully explains the purpose of the market and the need to request re designation of the trade restrictions currently on Back St Anne's West Crescent.
We would be grateful if you could provide an estimate of costs and a timeline in completing the re designation of the road as this information is essential before applications for funding can be made.

Please do not hesitate to contact us should you have any questions or need further information.
Jayne

Regards

Jayne Callaghan / Melanie Jackson

St Anne's Back West Crescent (2 pages)

"The Back West Sunday Vintage Market"

Aim / Vision

To create a Sunday vintage / flea market selling vintage / retro / antiques / craft / artisan to be held monthly during the spring and summer months. Traders preferably from the St Anne's and surrounding area will be invited to hold a stand at the market selling their goods for a small stall fee dependent on pitch size.

St Anne's already has a strong presence of second hand furniture retailers especially on Back West Crescent and the surrounding area. The idea / vision is to create a brick lane style Sunday market opening up the opportunity for other smaller traders without a shop to trade on the market. But more importantly reenergise St Anne's on Sea by bringing / creating an alternative shopping experience which will bring new shoppers to the town, spending within the town as well as the market.

The market will be heavily advertised using social media and advertising (Posters / flyers / word of mouth)

It will run from 9am to 2pm

Traders will be charged a nominal fee £15 per 6ft pitch. Multiples allowed for traders with larger items.

All profits / funds raised after trading costs are covered will be reinvested back into the market and the Back West Arts Trail.

Proposal is currently for market to run monthly on the same Sunday each month i.e.: 1st Sunday of every month. If market is a success consideration will be given to extending this to weekly during summer months.

Traders with business premises on Back St Anne's Road West will be given priority to stalls outside their premises and will be charged according to footage measured in 6ft intervals. If the business decides not to participate the outside of their shop frontage will be made available for other stall holders.

All pitch fees will be payable 7 days in advance and non-refundable

Proposed Traders for the market - predominantly from Lytham St Anne's with good quality wares to sell

Antique/vintage Furniture
Brick a brac
Art
Vintage clothing
Objects d'art

The urban arts centre will be available for indoor trading pitches for crafters. Approximately 10 / 15 pitches will be available.

Ancillary stall holders

Tea/coffee pitches
Breakfast foods
Cakes / confectionary

Legal Requirements

Permission to trade on Back St Annes Road West (From Clifton Drive to St Andrews Road South)

This area is currently subject to a ban on trading outside of shop premises, in order for the market to take place this restriction must be lifted / re designated.

A formal letter requesting the above has been addressed to Chris Hambly 24.02.16

An estimate for costs and timeline has been requested within the letter.

Temporary permission to close Back St Annes Road West (Initially from Orchard Road to Park Road)

The relevant form will be submitted this week.

Notify Fylde Borough Council with our intention to hold the event

The relevant application form will be submitted online this week.

FYLDE BOROUGH COUNCIL

Local Government (Miscellaneous Provisions) Act 1982

Street Trading Consent Application

---

1. Do you trade in your own name or as a firm or as a limited company?

   ……...

2. (i) If trading in your own name please state full name and address

   …….

   …….

   (ii) If as a firm, please state name of firm, its principal business address together with the full names and addresses of all partners

   …….

   …….

   …….

   (iii) If as a limited company please state full name of the company together with the registered office and the full names and addresses of all directors

   …….

   …….

   …….

3. Ages (if over 21 state "over 21" …….

4. Telephone number : …….

5. Articles to be sold (you must give a full description or everything you propose to sell)

   ……..

   ……..

   ……..

   ……..

6. Type of vehicle to be used (if appropriate)

   ……..

7. Registration No. of vehicle:

   …….

8. If not using vehicle, proposed method of sale

   .....

   .....

9. Give details of the place where the vehicle and goods are normally housed.

   ……..

   ……..

10. Name and address of any employees authorised by you to trade from the vehicle/stall

    …….

    …….

    …….

11. If you are granted a Consent, when and where do you propose to trade. Please give intended days and areas of the Borough

    …….

    …….

    Give any additional information/details which you wish to be considered when dealing with your application.

    …….

    …….

12. The application fee can be found in the Fees & Charges table on this website and must accompany this form.

13. This authority is under a duty to protect the public funds it administers, and to this end may use he information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

    For further information, see http://www.fylde.gov.uk/council-and-democracy/data-protection/fair-processing-notice/ or contact the Borough Council's Head of Legal Services

Signature of Applicant: Date:

Notes

1. If your application is refused your fee will be refunded.

2. Every Consent is renewable on or before 1st January each year and lasts for up to one year expiring on the 31st December thereafter.

3. Completed forms must be return to:-

Consumer Wellbeing & Protection
Town Hall
Lytham St. Annes
FY8 1LW

For Office Use Only

Fee Paid: ……..

Environmental Health Officer's Comments: ……

Date Vehicle Inspected (if appropriate): ……

Environmental Health Officer: ……

Consent Granted: YES/NO

Consent Number: ……

FYLDE BOROUGH COUNCIL

Street Trading Consent Conditions

1. Consent will not be granted if it is considered that one or more of the conditions of the consent will be breached.

2. The consent granted by the Council is personal to the consent holder and is not transferable. Where the consent holder is an employer, this consent will apply to named employees who have been previously notified to and approved by the Council. The consent may only be transferred to another vehicle, container or stall with the prior consent in writing of the Council.

3. The consent granted by the Council may be revoked at any time, should one or more of the conditions be breached.

4. Applications for a street trading consent, other than ice-cream vendors, must state the site from which they wish to trade.

5. The consent holder shall trade only on the site as specified in the consent.

6. The holder may apply for a variation in respect of the site. Such application for variation must be in writing and give details of the proposed relocation.

7. It is the applicant's responsibility to ensure that the site they are applying for is suitable and they have a legal right to trade. No responsibility will be accepted by Fylde Borough Council for persons found to be trading from unsuitable or illegal sites.

8. Only goods specified in the consent may be sold from the vehicle, container or stall specified in the consent.

9. Nuisance or annoyance shall not be caused by the consent holder or any of his/her employees to persons using the street or otherwise.

10. No obstruction of any street or right of way or danger to the public shall be caused by the consent holder or any of his/her employee of his.

11. The consent holder shall not permit any nuisance, obstruction or annoyance to be caused by the presence of his / her trading activities to persons occupying nearby residential or commercial premises.

12. The name and address of the consent holder shall be displayed conspicuously on the vehicle, container or stall used by him/her.

13. The consent holder shall comply with all legislation relevant to the conduct of the business in which he/she is engaged and ensure that any vehicle used by him in connection therewith is in a roadworthy condition and where necessary taxed and insured.

14. The consent holder or any person employed by him/her shall not use any loudspeaker, whistle, horn, bell or their audible method to attract custom, PROVIDED that this shall not apply to the chimes of an ice cream van during permitted hours of 12 noon to 7.00 p.m.

15. The consent holder shall provide adequate receptacles for rubbish and shall after trading has ceased, remove all rubbish and litter from the site.

16. The consent holder shall comply with any reasonable requirements of the Council or any of its officers or of any police officer in relation to the siting or operation of his/her street trading business.

17. The Council may forfeit this consent if consent holders shall without good cause fail to comply with any condition herein.

18. Any consent issued will only be valid in relation to a single vehicle, container or stall.

19. The consent holder shall at the request of the Council present the vehicle, container or stall for inspection at such time and place as required by the Council.

20. consents will not be granted to persons under the age of 17 years.

21. consents will be granted for the period 1st January to 31st December inclusive, after which renewals, where given, will relate annually.

22. The fee, which must accompany the application, can be found in the Fees & Charges table on this website. If the application is received after 1st July in any given year, the fee will be half the annual fee. All consents expire on the 31st December. The fee will be refunded if the consent is not granted.

N.B. The Law provides that any person who trades in a “consent Street” without having obtained the consent of the Council shall be guilty of an offence.

The following special conditions apply to this consent:

Summary of the Code of Practice on Noise from Ice Cream Van Chimes etc.

It is an offence to sound your chimes before 12 noon or after 7.00 p.m. It is also an offence to sound your chimes in such a way as to give reasonable cause for annoyance. A code of practice approved by the Government gives guidance on methods of minimising annoyance caused by your chimes. The main points of the code of practice are:-

Do Not Sound Chimes

1. for longer than 4 second at a time;
2. more often than once every 3 minutes;
3. when the vehicle is stationary;
4. when in sight of another vehicle which is trading;
5. when within 50 metres of schools (during school hours), hospitals and places of worship (on Sundays and other recognised days of worship);
6. more often than once every 2 hours in the same length of street;
7. louder than 80 dB(A) at 7.5 metres;
8. as loudly in quiet areas or narrow streets as elsewhere.

Remember:-

It is an offence to sound your chimes before 12 noon or after 7.00 p.m.

It is an offence to sound your chimes at any time in a way which gives reasonable cause for annoyance.

FYLDE BOROUGH COUNCIL

Local Government (Miscellaneous Provisions) Act 1982

Application for Trading in "Consent Streets"

In accordance with the Local Government (Miscellaneous Provisions) Act 1982, Fylde Borough Council have resolved that all streets within the Borough (with the exception of those streets designated as prohibited – See Appendix A) be designated as consent streets for the purposes of street trading.

NOTE: Consents in respect of streets (areas) listed under Schedule B is granted by the Chief Executive in accordance with the wishes of the Council. Currently, consent is granted in respect of 7 fixed pitches on land in the ownership of the Council i.e. off the public highway. Consent to trade on this land which is in the ownership of the Council is fixed in respect of each individual site. In respect of Schedule C and D, due to the nature of the areas, the type of trading allowed will be restricted. Such restrictions will be dependent upon the type of street trading proposed. Therefore, in addition to the information as requested on the enclosed application form, the Authority will require other supporting documentation in order to determine the suitability of the type of trading allowed and the restrictions to be imposed. This is in order to ensure that such trading compliments the area and does not conflict with the use of the area.
It is therefore **important to note that** consent to trade in respect of this application does not include consent to trade in the areas defined under Schedules B or C.

Guidance Notes for Applicants

A "Consent Street" is fined as a street in which street trading is prohibited without the consent of the districts council.

"Street Trading" means the selling or exposing or offering for sale of any article (including a living thing) in a street but this does not include:-

(a) trading as a pedlar under the authority of a pedlars certificate granted under the Pedlars Act 1971;

(b) anything done in a market or fair the right to hold which was acquired by Virtue of a grant, enactment or order;

(c) trading in a trunk road picnic area provided under the Highways Act 1980;

(d) trading as a news vendor;

(e) trading at
- (i) a petrol filling station;
- (ii) at a shop or in a street adjoining premises so used and as part of the business of the shop;

(f) selling things, or offering or exposing them for sale as a roundsman.

The reference to trading as a news vendor in (d) above is a reference to trading where:-

(1) the only article sold or exposed or offered for sale are newspapers or periodicals; and

(2) they are sold or exposed for sale without a stall or receptacle for them or with a stall or receptacle for them which does not:-

(i) exceed 1m in length or width or 2m in height;
(ii) occupy a ground area exceeding 025sq.m;
(iii) stand on the carriageway of a street.

Any application for street trading consent must be made to the Council in writing on the attached form.

The Council will consider all applications for “Consent” and may grant such consent if they think fit.

Consents will not be granted to persons under the age of 17 years.

A Street Trading Consent will be granted for 12 months only and may be revoked at any time.

Conditions are imposed on each applicant granted such a consent (see attached). The Council have the power to vary the conditions of the consent at any time.

For consent to trade a fee is required. This can be found in the Fees & Charges table on this website

The Law provides that any person who trades in a “consent street” without having obtained the consent of the Council shall be guilty of an offence.

It is also an offence to street trade in a consent street listed under Schedules B and C without the consent of the Chief Executive and in a prohibited street as listed under Schedule A.

FYLDE BOROUGH COUNCIL

Local Government (Miscellaneous Provisions) Act 1982

Street Trading

The streets in Schedule 'A' are designated as Prohibited Streets for the purposes of street trading, and the streets in Schedule 'B' and `C` are designated as consent streets for which authorisation from the Chief Executive is required. It is important to note that consent to trade in respect of consents granted by the Consumer Wellbeing and Protection Unit do not include consent to trade in the areas defined under Schedules 'B' and `C`. Schedule 'D' relates to areas identified as event areas where consents may be issued for a limited period of time, subject to the stated Policy.

Schedule A

Albany Road
All Saints Road
Ansdell Road South (from Inner Promenade) to Clifton Drive)
Astland Street

Avon Street
Arundel Road (Princes Road to Lake Road North)
Back Commonside
Back North Crescent
Back Rossall Road
Back St. Annes Road West
Back West Crescent
Back Woodlands Road
Bazley Road
Ballam Road (from Westby Street to Guardian Royal Exchange Assurance Co. Ltd. entrance)
Bannister Street
Bath Road
Bath Street and its continuation access to Lytham Promenade
Beach Avenue
Beach Road
Beach Street
Beauclerk Road
Bentinck Road
Blackpool Road (from Albany Road to Cambridge Road)
Bromley Road
Buckingham Road

Gregson Street
Grosvenor Street

Hastings Place
Highbury Road West (from Clifton Drive North to St. Davids Road North)
Hornby Road

Inner Promenade
Kensington Road
Kingsway (Woodlands Road to Lake Road North)
King Edward Avenue
Kings Road
Lake Road (from Inner Promenade, Clifton Drive South)
Lightburne Avenue
Links Gate
Links Road
Lowther Terrace

Marine Drive
Market Square
Miletas Place
Myra Road

North Promenade

Schedule A Cont'd

Cartmell Road
Central Beach
Cartmell Road
Central Beach
Church Road (Lytham)
Clifton Drive (Ansdell/Lytham)
Clifton Drive North

Clifton Drive South
Commonside
Coronation Road
Crescent, The
Cyprus Avenue
Denford Avenue
Derbe Road
Dicconson Terrace, and its continuation access to Lytham Promenade
Douglas Street
Dove Street
Denmark Road
East Beach
Eastbank Road
Eddington Road
Fairhaven Road
Fairlawn Road
Fylde Road (Ripon Road to Albany Road
Park Road
Park Street
Pleasant Street
Pollux Gate
Preston Road
Pembroke Road
Princes Road
Queen Street
Ribble Street
Richmond Road
Ripon Road
Rutland Court
Rutland Road
Riley Avenue
Rossall Road (from Gordon Road to Ansdell Road)
Seymour Road
St. Albans Road
St. Andrews Road North (from St. Annes Road West to Beach Road)

Orchard Road
Oxford Road (Back Woodlands Road to Ansdell Road North)
St. Andrews Road South (from West Crescent to St. Thomas Road)
St. Annes Road East (from Railway to Headroomgate Road)
St. Davids Road South
St. Georges Lane
St. Georges Road
St. Georges Square
St. Johns Street
St. Patricks Road South
St. Pauls Avenue
St. Thomas Road
Sandgate
Seafield Road
South Promenade
Station Road
Swainson Street
Todmorden Road
Upper Westby Street
Warton Street
West Beach
Westby Street
Windsor Road (Woodlands Road to Pembroke Road)
Windsor Road (Pembroke Road to Ansdell Road South)
Wood Street
Woodlands Road
Woodville Terrace
Worsley Road (from Hilton Avenue to Links View)

All of which streets are in the area known as Lytham St. Annes, Lancashire

Schedule B

All that land fronting the Lifeboat House, Lytham.

All that land and foreshore between Ansdell Road South and Squires Gate Lane, Lytham St. Annes, Lancashire, in the ownership or control of the Fylde Borough Council and lying on the seaward side of Inner Promenade, South Promenade, North Promenade, Clifton Drive North, Stanner Bank Car Park, Fairhaven Lake Car Park, St. Pauls Avenue Car Park, Fairhaven Road Car Park and North Promenade Car Park.

Schedule C

St Annes Road West (including St Annes Square)
Clifton Square

Schedule D

Following a decision of the Public Protection Committee on 19th January 2010, the following additional areas have been designated as consent streets for the purposes of street trading.

Ashton Gardens
Wood Street
Wood Street Car Park
Lowther gardens and car park
Inner promenade between Ansdell Road South and St. Pauls Ave
East Beach, Central Beach and West Beach Lytham

Applicants should note that all applications for street trading consent in an area listed within Schedule D will be considered by the Public Protection Committee. The Committee meets on an ad hoc basis and it is strongly advised that applications are submitted at least 2 months prior to an event to allow full consideration of that application.

Applications for consent in schedule D will be considered in accordance with the following guidelines:

i) Consents will only be issued for specific events which have a tangible and measurable benefit to the Fylde, its residents and businesses.

ii) Applications for consents shall not be for the financial benefit of individuals at the expense of local residents or businesses. Priority shall be given to local traders.

iii) No consent shall be granted for a type of trading which the Committee consider will detract from the Borough's "classic resort" status.

Finally, applicants should note that all granted applications will be subject to monitoring by Officers of the Authority. Non compliance of licence conditions or trading which causes nuisance or annoyance during an event may lead to a recommendation to the Public Protection Committee that future applications from an applicant are refused.

Appendix 3

Districts

- Other District/Unitary Authority
- Lancashire Districts

Back St Annes Road West

Lancashire County Council

Date: 15/03/2016

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INFORMATION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	1 APRIL 2016	6

HENRY STREET WORKING GROUP

PUBLIC ITEM

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

SUMMARY OF INFORMATION

A working party (comprising the Chairman of committee and Councillors Barker, Blackshaw and Clayton) was established at the Public Protection committee on 13 October 2015 to examine the options available and address issues raised with the location of the Dicconson Terrace / Henry Street Hackney carriage stand.

The working party is continuing to meet with a view to examining the options available to address the issues and a full report will be brought before a future meeting of the committee to discuss the options.

SOURCE OF INFORMATION

Members of the Working Party and Environmental Health Manager

LINK TO INFORMATION

N/a

WHY IS THIS INFORMATION BEING GIVEN TO THE COMMITTEE?

The resolution of the Public Protection Committee required that the group reports back to the Committee. Whilst the Group is continuing to meet, the opportunity is being taken to update the Committee of the current situation.

FURTHER INFORMATION

Contact Chris Hambly, Environmental Health Manager, (chris.hambly@fylde.gov.uk, 01253 658422)