

## AGENDA FOR

### LICENSING AND SAFETY PANEL

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**To: All Members of Licensing and Safety Panel**

**Councillors:** P Adams, N Bayley, J Grimshaw, D Jones (Chair), A McKay, Sarah Southworth, J Walker and S Wright

Dear Member/Colleague

#### **Licensing and Safety Panel**

You are invited to attend a meeting of the Licensing and Safety Panel which will be held as follows:-

<b>Date:</b>	Thursday, 26 April 2018
<b>Place:</b>	Rooms A & B, Town Hall, Knowsley Street, Bury
<b>Time:</b>	7.00 pm
<b>Briefing Facilities:</b>	If Opposition Members and Co-opted Members require briefing on any particular item on the Agenda, the appropriate Director/Senior Officer originating the related report should be contacted.
<b>Notes:</b>	

## **AGENDA**

### **1 APOLOGIES FOR ABSENCE**

### **2 DECLARATIONS OF INTEREST**

Members of the Licensing and Safety Panel are asked to consider whether they have an interest in any of the matters on the agenda, and if so, to formally declare that interest.

### **3 MINUTES OF THE LAST MEETING** *(Pages 1 - 8)*

To approve and sign as a correct record the minutes of the last meeting held on 20 March 2018. A copy of the minutes is attached.

### **4 PUBLIC QUESTION TIME**

Questions are invited from members of the public present at the meeting on any matters for which this Panel is responsible.

Approximately 30 minutes will be set aside for Public Question Time if required.

### **5 OPERATIONAL REPORT INCLUDING STATISTICS** *(Pages 9 - 12)*

A report by the Assistant Director (Localities) is attached.

### **6 LICENSING OF TOURING SITES - STANDARD CONDITIONS** *(Pages 13 - 26)*

A report by the Assistant Director (Localities) is attached.

### **7 LICENSING OF CAMPSITE** *(Pages 27 - 56)*

A report by the Assistant Director (Localities) is attached.

### **8 URGENT BUSINESS**

Any other business, which by reason of special circumstances, the Chair agrees may be considered as a matter of urgency.

### **9 EXCLUSION OF PRESS AND PUBLIC**

To consider passing the appropriate resolution under section 100 (A)(4) of the Local Government Act 1972 that the press and public be excluded from the meeting during consideration of the following item of business since it involves the likely disclosure of the exempt information stated.

### **10 SUSPENSION/REVOCATION OF A HACKNEY CARRIAGE DRIVER'S LICENCE** *(Pages 57 - 62)*

A report by the Assistant Director (Localities) is attached.

**11 APPLICATIONS FOR HACKNEY CARRIAGE/PRIVATE HIRE  
DRIVERS' LICENCES** *(Pages 63 - 74)*

A report by the Assistant Director (Localities) is attached.

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<b>Minutes of:</b>	<b>LICENSING AND SAFETY PANEL</b>
<b>Date of Meeting:</b>	20 March 2018
<b>Present:</b>	Councillor D Jones (in the Chair), Councillors: P Adams, N Bayley, J Grimshaw, Sarah Southworth, J Walker and S Wright
<b>Apologies for absence:</b>	Councillor A McKay
<b>Public Attendance:</b>	There were no members of the public in attendance

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**LSP.432 DECLARATIONS OF INTEREST**

There were no declarations of interest raised in relation to any items on the agenda.

**LSP.433 MINUTES****Delegated decision:**

That the Minutes of the Licensing and Safety Panel meeting held on 13 February 2018, be approved as a correct record and signed by the Chair.

**LSP.434 PUBLIC QUESTION TIME**

There were no public questions asked under this item.

**LSP.435 OPERATIONAL REPORT**

The Assistant Director (Localities) submitted a report advising Members on operational issues within the Licensing Service.

The report set out updates in respect of the following issues:

- In relation to Licensing Hearings Panels, the Licensing Unit Manager reported the following:

The Licensing Service received an application for a new premises licence in respect of Polka, 20 Parkhills Road, Bury, due to the premises licence being surrendered on 21 September 2017 by the previous owner. On 26 September 2017 an application to transfer the premises licence was made by another Applicant, however, representation was made by Greater Manchester Police and the application was refused at a Licensing Hearings Panel on 31 October 2017.

A further application for the grant of a new licence was subsequently submitted and Greater Manchester Police, in their capacity as a responsible authority, made representations which were considered

at a Licensing Hearings Panel on 7 February 2018 and after hearing all the evidence in respect of the new licence application, the Panel considered it reasonable, balanced, appropriate and proportionate to refuse the application for a premises licence.

- In relation to the agreement of Common Minimum Standards across Greater Manchester, it was reported that the Licensing Unit Manager and the Chair of the Licensing and Safety Panel attended an event at Dukinfield Town Hall on 8 February 2018 where the matter was discussed with the principle being to explore a more co-ordinated approach to Taxi and PHV Licensing and to develop minimum standards for Greater Manchester, looking at policies around drivers, vehicles and operators. Following a three month consultation with the trade, it was hoped to have one generic report to adopt provisions, by April 2019.
- It was reported that a prosecution in relation to the illegal landing of puppies and unlicensed Pet Shop Offences had been heard at Manchester Magistrates' Court on 7 March 2018. Mr Viktor Molnar pleaded guilty to offences under the Rabies order 1974 (importation of dogs, cats and other mammals) and sections 10, 73 and 75 of the Animal Health Act 1981 and to an offence under the Pet Animals Act 1951 for using his premises in Prestwich as a pet shop without a licence.

Mr Molnar was given a 270 hour Community Order and disqualified from operating a pet shop or a boarding establishment for ten years. He must also pay compensation to a purchaser of a puppy from Scotland to cover purchase and quarantine costs and to pay a contribution to prosecution costs of £2,500. Mr Molnar was registered with the Royal College of Veterinary Surgeons which will be contacted over his fitness to continue as a practising vet.

### **It was agreed:**

That the report be noted.

## **LSP.436 SAFEGUARDING REPORT**

A report by the Assistant Director (Localities) was submitted in respect of introducing safeguarding training for applicants/licence holders of hackney carriage/private hire drivers' licences.

The Licensing Unit Manager reported that following issues raised in the 2014 report into Child Sexual Exploitation in Rotherham regarding safeguarding controls in taxi and private hire licensing, the Licensing Service has identified the need to review its own safeguarding arrangements.

The proposed training aims to enable drivers to understand the need to protect vulnerable adults and children and identify possible victims of abuse and exploitation. Also, to understand their own roles and

responsibilities in relation to personal safety and to identify where they can report any concerns.

The Convictions Policy and Guidelines, approved on 4 December 2014, states that the Council is concerned to ensure that a person is fit and proper; that the public are not exposed to persons with a history of dishonesty, indecency or violence and that the safeguarding of children and young persons and vulnerable adults.

Currently Bury Council does not have a policy in place that requires applicants who wish to become licensed drivers of hackney carriage and private hire vehicles or existing licence holders, to undertake any training in relation to safeguarding matters. A request by the Interim Executive Director of Resources and Regulation was received asking that the Licensing Service investigate the possibility of introducing a policy relating to new applicants and existing licence holders to undertake safeguarding training.

Currently two providers of safeguarding training have been identified, one being a private company, Personnel Check and the other Barnardos. It is proposed the costs of the training will be borne by the Applicant or the Licence Holder. The current cost proposals for the Barnardos' online training is £6,000 for an unlimited licence to access the training.

Bury Council currently licences 1061 private hire drivers and 125 hackney carriage, meaning that unit costs would average £6 per driver. Additional costs would be incurred for facilitating and supervising the drivers in taking an online training session.

In respect of the private company, Personnel Check, they work on the basis of a pay per session basis which would be £750.00 or £30.00 for 40 drivers per session, with the possibility of additional costs for room hire.

Various questions and issues were raised by the members of the Licensing and Safety Panel.

### **It was agreed:**

1. To introduce a policy for the requirement for Applicants/Licence Holders of hackney carriage/private hire drivers' licences to undertake safeguarding.
2. To delegate to the Head of Service (Trading Standards and Licensing) following consultation with the Chair of the Licensing and Safety Panel the power to approve providers to carry out the safeguarding training.
3. That the requirement be implemented from 1 July 2018, with a provision for existing drivers to have taken the training within 12 months, from that date.

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## **LSP.437 URGENT BUSINESS**

The Chair of the Licensing and Safety Panel reported, for information, that he and two other elected members, along with the MP for Bury had been at a meeting which was attended by upwards of over 70 hackney carriage drivers licensed by Bury Council, in which it was requested that there be another MOT testing station in Bury. The Chair defended the policy for the one testing station in Bradley Fold and referred to the fact that that there is often no representation at the Licensing and Safety Panel meetings, which were also public meetings, in order to express their concerns on an individual level, nor at the liaison meetings.

## **LSP.438 EXCLUSION OF THE PRESS AND PUBLIC**

### **Delegated decision:**

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items of business since it involved the likely disclosure of information relating to individuals who hold Licences granted by the Authority or Applicants for Licences provided by the Authority.

## **LSP.439 SUSPENSION/REVOCATION OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE** **(E)**

1. It was requested that the hearing for Licence Holder 32/2017 be adjourned until the next meeting, which was agreed by the members of the Licensing and Safety Panel.
2. Licence Holder 33/2017 did not attend the meeting and it was reported by the Licensing Unit Manager that several attempts to contact the Licence Holder had been made via email, telephone, and letter. Two officers of the Licensing Service had been to the Licence Holder's address on that afternoon and it was apparent that no one was currently in the property and there was an apparent backlog of post behind the front door. The Father of the Licence Holder, also a Licence Holder in Bury, is known at present to be in Pakistan and it is unknown if the Licence Holder has gone with him. After further investigations with local private hire operators, it was concluded that this Licence Holder is not currently driving for any operator in Bury.

Following an in-depth discussion with the members of the Licensing and Safety Panel, it was decided, on a majority decision, to hear the case for Licence Holder 33/2017 in absence. Although it was agreed that the Licence Holder was not present to defend himself, the Panel considered the complaint serious enough to hear in his absence and there had been sufficient attempts to make him aware of the meeting and requirement to attend.

The Licensing Unit Manager presented a report submitted by the Assistant Director (Localities), which explained that on 12 December 2017 the Licensing Service received a complaint from a concerned Parent, that Licence Holder had been contacting her daughter excessively, without permission and using inappropriate language.

The complainant's daughter, who is over 18, had been out in Rochdale and used her mobile phone to contact the Licence Holder's operator in the early hours of Saturday 9 December 2017, to book a private hire taxi. The complainant's daughter had received an initial text from a mobile number advising her that her taxi was waiting outside.

Subsequently, between 09.37am and 12.30pm later the same day, her mobile received 7 phone calls and 5 text messages, 14 audio calls and 20 messages through the WhatsApp messaging service, with one stating 'Ur hot u'. Through Whatsapp, the complainant's daughter was able to view the profile of the sender and she identified him as being the taxi driver who had taken her from Rochdale earlier that day and the mobile number was the Licence Holder's, the same number she had been notified of the arrival of her taxi in the early hours.

A witness statement and screen shots of the phone activity were attached to the report for the Panel's consideration.

### **Delegated decision:**

The Panel carefully considered the report in respect of Licence Holder 33/2017 and taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, **resolved, unanimously, to revoke the driver's licence.**

The Panel noted the following:

1. The Licence Holder had sought to engage with the customer in an unprofessional and inappropriate conversation, evidence of which was provided to the Panel.
2. The Licence Holder had deliberately breached the customer's privacy by contacting her, other than in a professional capacity.
3. The contact with the customer after completing the journey was unauthorised and unprofessional and was aggravated by the inappropriate content of the messages and large number of attempts to make contact using various methods.
4. The contact via the customer's mobile phone was such that the customer's mother was distressed and sufficiently concerned as to the conduct of the Licence Holder that she made a formal complaint.
5. The Licence Holder's conduct had left the customer feeling unsafe and wary of using a taxi service in Bury in future.
6. The Licence holder was not a fit and proper person and had breached the conditions and expected conduct of a licensed driver.

The Licence Holder would be informed in writing of the Panel's decision and would be reminded of their right to appeal to the Magistrates' Court within 21 days.

3. Licence holder 34/2017 attended the meeting and was unaccompanied.

The Chair outlined the procedure to be followed and the Licensing Unit Manager presented a report submitted by the Assistant Director (Localities), which was accepted by the Licence Holder.

The report explained that the Licence Holder was granted a private hire driver's licence with Bury Council on 23 March 2016. On 1 February 2018, the Licensing Service became aware that the licence holder had failed to disclose motoring convictions, following a check of the Licence Holder's DVLA issued driving licence.

The Panel noted that the Licence Holder had a conviction SP30, speeding on a public road on 31 March 2016, for which his licence was endorsed with 3 penalty points; speeding on a motorway on 30 April, 2016 for which his licence was endorsed with 3 penalty points and two offences of using a vehicle with defective tyres on 25 February 2017, for which his licence was endorsed with 3 penalty points and he was fined £293.

The Licence Holder addressed the Panel and explained that he did not realise he had to disclose these offences, as he did not think they were major incidents. He explained he did not realise the speed limits on the roads in question and the defective tyres were on a vehicle he had used belonging to the operator he worked for. He now realises the error of his ways and that any conviction should be declared.

The Licence Holder went on to explain that he was the sole provider of his family and he could not afford to lose his licence as he would not be able to financially support them. He reported that he has now moved to another operator and is much happier there.

Various questions and concerns were raised with the Licence Holder from the Licensing and Safety Panel members.

### **Delegated decision:**

The Panel carefully considered the report and the oral representations provided by the licence holder 34/2017 and taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976, **resolved, on a majority decision, to suspend the driver's licence for a period of three months.**

The Panel noted the following:

1. That the Licence Holder had only been issued his licence on 23 March 2016 and the first offence of speeding was committed on 31 March 2016 with the second offence of speeding only one month later.
2. The Licence Holder did not appreciate the seriousness of the offences or the danger, specifically in relation to defective tyres.
3. The Licence Holder had not disclosed, during the application process, any of the offences or convictions and the fact that he had 9 penalty points on his licence.
4. The Licence Holder did not appear to accept he was responsible for ensuring the roadworthiness of vehicles he drives.
5. The Licence Holder provided no reasonable explanation for the convictions or for not disclosing them, as the Panel were satisfied that the requirement to do so was very clear on the application forms.

The Licence Holder was informed of their right to appeal to the Magistrates' court within 21 days.

## **LSP.440 APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE**

**(E)** The Licensing Unit Manager presented a report submitted by the Assistant Director (Localities) regarding an application for a Private Hire Vehicle Driver's Licence.

Applicant 35/2017 attended the meeting and was unaccompanied. The Chair outlined the procedure to be followed and the Licensing Unit Manager read the report, which was accepted by the Applicant.

The report explained that the Applicant was convicted of battery on 25 March 2013 at Bury and Rochdale Magistrates' Court and sentenced to a conditional discharge of 12 months with costs of £100 and a victim surcharge of £15. Further, the report noted that although the conviction fell outside the Council's Convictions Guidelines, due to the time that had elapsed, the Applicant had been brought before the Panel as he had failed to disclose this conviction on his application form.

The Applicant addressed the Panel and explained that he did not realise that this conviction would still be present on his record, as it was over 5 years ago and he thought the offence would be cleared from his record.

The Applicant explained that the incident occurred in self-defence as he was approached by 2 people he knew, in an aggressive manner. However, after the incident they shook hands and he presumed that was the end of it, however, the other party made a complaint to the Police and he was convicted of battery.

The Applicant explained that he needs a full time job in order to progress in life. He was currently working part time as a chef but felt he would be more suited to the more flexible and longer hours and being self-employed, offered by being a taxi driver. He was very remorseful of the incident that

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occurred and apologised for not disclosing the conviction, but stated that it was a genuine misunderstanding in not doing so.

**Delegated decision:**

The Panel carefully considered the report and the oral representations by the Applicant and after taking into account the Council's Conviction Policy and Guidelines and in accordance with the Local Government (Miscellaneous Provisions) Act 1976 resolved, unanimously, that **the application for a Private Hire Driver's Licence by Applicant 35/2017 be granted.**

The Panel noted that although the offence of battery is serious, the Applicant had shown remorse and understood the seriousness of the matter. The offence and conviction had taken place over 5 years ago and there had been no further convictions since that time. In relation to not disclosing this conviction, the Panel accepted that the Applicant was genuine in his reasons and that it had been an oversight on his part. The Panel also noted that if the Applicant had declared the conviction, officers would have granted the licence.

**COUNCILLOR D JONES  
CHAIR**

**Please note: The meeting started at 7.00 pm and finished at 8.40 pm**



# REPORT FOR DECISION

Agenda Item	
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<b>DECISION OF:</b>	<b>LICENSING &amp; SAFETY PANEL</b>
<b>DATE:</b>	<b>26<sup>th</sup> APRIL 2018</b>
<b>SUBJECT:</b>	<b>OPERATIONAL REPORT</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR (LOCALITIES)</b>
<b>CONTACT OFFICER:</b>	<b>M BRIDGE</b>
<b>TYPE OF DECISION:</b>	N/A – Report for information only
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is in the public domain
<b>SUMMARY:</b>	A report to advise members on operational issues within the licensing service.
<b>IMPLICATIONS:</b>	
<b>Wards Affected:</b>	N/A
<b>Scrutiny Interest:</b>	Internal Scrutiny Panel

## 1.0 BACKGROUND

- 1.1 The report advises Members on operational issues within the licensing service.

## 2.0 Licensing Hearings Panel

- 2.1 The Licensing Service have been notified that a Personal Licence holder has received a relevant offence under schedule 4 of the Licensing Act 2003. In light of this information a Licensing Hearings Panel has been scheduled to be heard on the 18<sup>th</sup> April 2018. The licensing service will update members of the panel of the outcome of this hearing at this meeting.
- 2.2 The Licensing Service have received an application in respect of Best One, 99 Chesham Fold Road, Bury, BL9 6JZ. Representations have been received from Greater Manchester Police in respect of this application. A Licensing Hearings Panel has been scheduled to be heard on the 18<sup>th</sup> April 2018. The licensing service will update members of the panel of the outcome of this hearing at this meeting.

## 3.0 Statistics of the Licensing Service

3.1 The Licensing Service during the financial year 17/18 have dealt with the following:-

Type of Work	Number
Number of Licences/Registrations/Consents/Permits processed	3625
Number of applicants/Licence holders considered by the Licensing and Safety Panel Of which were new applicants – 15 Suspension / Revocation / Admonishment - 11 Granted - 11 Refused – 4 Withdrawn - 2	28
Number of applications considered by Licensing Hearing Panels Of these:- Temporary Event Notice -1 Grant of Premises Licence - 1 Transfer application - 3 Review application – 1 Application to vary the designated premises supervisor - 2	8
Complaints regarding Taxi Trade	197
Complaints regarding Licensed premises	79
Miscellaneous Complaints	6
Freedom of Information Requests	38
Compliance checks undertaken for the following:- Licensed premises Taxi Trade	138 252
Subject Access Requests from Insurance Companies	19
Number of Enhanced Disclosure Checks	420

Number of Knowledge Tests undertaken includes Hackney Carriage conditions test/Private hire conditions test	125
Animal Licensing (Inspections carried out)	
• Animal Boarding Establishments	62
• Dog Breeding	5
• Pet Shops	9
• Riding Establishments	3
Gambling	
• Betting Shop (New)	1
• Club Machine Permit (New)	2
• Notification of Intent to have Gaming Machines	15
• Small Society Lotteries	18
Policy matters	
• Review of Hackney Carriage Age	
• Medical Exemptions	
• CSE Training	

## Contact Details:

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## REPORT FOR DECISION

<b>MEETING:</b>	<b>LICENSING &amp; SAFETY PANEL</b>
<b>DATE:</b>	<b>26<sup>th</sup> APRIL 2018</b>
<b>SUBJECT:</b>	<b>LICENSING OF TOURING SITES GENERAL CONDITIONS</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR (LOCALITIES)</b>
<b>CONTACT OFFICER:</b>	<b>M BRIDGE/A WILLIAMS/M STREET</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	<b>Approval of Campsite Licence</b>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	<ol style="list-style-type: none"> <li>1. Members adopt the proposed standard conditions in respect of campsite under the Public Health Act and Caravan Sites and Control of Development Act 1960 1936 contained at Appendix 1. – Preferred option.</li> <li>2. Members refuse to adopt the standards conditions under the Public Health Act 1936 and Caravan Sites and Control of Development Act 1960.</li> <li>3. Members make amendments to the proposed standard conditions proposed</li> </ol>

<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework?      Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Financial Implications and Risk Considerations:</b>	There are no specific issues from the report other than potential costs/risks associated with legal appeals.
<b>Statement by Director of Finance and E-Government:</b>	The cost of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.
<b>Equality/Diversity implications:</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Considered by Monitoring Officer:</b>	Yes <input checked="" type="checkbox"/> Comments
<b>Are there any legal implications?</b>	Under the legislation the Council is required to determine applications. The report is in accordance with the appropriate legislation.
<b>Staffing/ICT/Property:</b>	None
<b>Wards Affected:</b>	All
<b>Scrutiny Interest:</b>	

**TRACKING/PROCESS****DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

**1.0 BACKGROUND**

- 1.1 Applications for a campsite are considered under section 269 of the Public Health Act 1936. Bury Council has not previously received an application for a campsite, therefore the Council are required to determine any applications that are received.
- 1.2 The Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended indicate that this is a council function and under the Council's Constitution is delegated to the Licensing and Safety Panel.
- 1.3 A licence is required if the site is operating for more than 42 consecutive days or more than 60 days on any 12 consecutive months.

## **2.0 CURRENT ISSUES**

- 2.1 Members of the Licensing and Safety Panel are being requested to adopt the conditions proposed under the Public Health Act 1936 which are attached at Appendix 1.

## **3.0 CONCLUSION**

- 3.1 Members are requested to consider the options contained in the report.
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### **List of Background Papers:-**

Public Health Act 1936

### **Contact Details:-**

Mr M. Bridge  
Licensing Unit Manager  
3 Knowsley Place  
Duke Street  
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Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)

## Appendix 1

***Please note that these conditions are for touring tent & caravan sites. They are not for static sites, park homes and traveller sites although there will be some similarities in the conditioning.***

### **Density**

1. Site density should not exceed 75 units (caravans or motor caravans) per hectare (30 units per acre) calculated on the basis of the useable area rather than the total site area (i.e. 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.
2. Where the number of units on the site is to be limited by condition, it may be appropriate to prescribe maxima by reference 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 1 above are complied with; and (ii) the standards relating to spacing, as set out in paragraphs 3 - 5 below are complied with.

### **Spacing**

3. 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.
4. 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.
5. Emergency vehicles should be able to secure access at all times to within 90 metres of any unit on the site.
6. There should be a 3 metre wide area kept clear within the inside of all the boundaries.

### **Drinking Water Supply**

7. There should be an adequate supply of drinking water that is provided in accordance with appropriate Water Bylaws and Statutory Quality Standards. Drinking water should be clearly marked as **Drinking Water**.
8. Each pitch on a site should be no further than 90 metres from a water tap.
9. At each tap there should be a soakaway or gulley.



### **Waste Water Disposal**

10. Waste water disposal points 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 arrangements for disposal of water likely to be contaminated.

### **Toilets : WCs and Chemical Closets**

11. The scale of provision should be 1 WC and 1 urinal for men and 2 WCs 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 12 below). Toilets may not be justified where sites have less than 10 pitches but on sites with between 10 and 30 pitches at least 1 WC and 1 urinal for men and 2 WCs for women should be provided.
12. Where the provision of WCs is not feasible or justified entry should be confined to units with their own toilets or chemical closets should be provided.
13. Satisfactory provision should be made for the drainage of foul water.

### **Disposal Point for Chemical Closets**

14. Whether or not WCs 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 cleansing 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.** The electrical installations shall be subject to regulation under current relevant legislation and must be designed, installed, tested and inspected in accordance with the provisions of the current relevant statutory requirements. Any works on electrical installations and appliances shall be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements. Any work on the electrical installation within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.

### **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 9 litres capacity that meet 21A standard and complying with British Standard 5306:2012, two 6 litre water with additive will also achieve the 21A standard to deal with class A fires. At each point there should also be a means of raising the alarm in the event of fire (e.g. a manually operated sounder, gong or hand operated siren). All firefighting 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 meters from a fire point. There must be a water supply of sufficient pressure and flow to project a jet of water approximately 5 meters from the nozzle, together with a reel of small diameter hose of not less than 30 meters in length, having means of connection to a water standpipe (preferably a screw thread connection) and terminating in a small hand control nozzle. Hoses should be housed in a box painted red and marked A HOSE REEL.
- 22.** The fire points should be clearly marked and easily accessible. All firefighting 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 fire
1. Raise the alarm
  2. Ensure the affected unit is evacuated
  3. Call the Fire Brigade (the nearest telephone is sited .....)
  4. If practicable, attack the fire using the firefighting equipment provided.

### **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. CAGE

### **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.
25. A copy of the site licence with its conditions should be displayed prominently on the site.

### **Screening, Site Road, Etc.**

26. Any screening by the way of bushes or trees which are required by the District Council shall be maintained to a proper standard.
27. Site grass shall be kept cut to a reasonable level.
28. Any access, access road or site road shall be maintained in good condition.

### **Site Boundaries**

29. The boundaries of the site shall be clearly marked by a man made or natural feature and the site owner shall give the authority an up to date layout of the site on application of the licence, when there is a material change to the boundaries or layout or if requested by the local authority. The plan must show all relevant structures, features and facilities on site.

### **Other Conditions**

30. Unless individual planning permission suggests otherwise no caravan or tent shall be permitted to remain on the site for more than twenty-one consecutive nights. The holder(s) for the time being of this site licence shall maintain a

register of the users of each pitch on the site. Such registers shall be made in such forms as the Environmental Services officers shall from time to time approve but shall in any event contain sufficient particulars of the names and addresses of every person occupying a pitch on the site, whether with caravan or tent and the date of actual vacation of the pitch.

Unless individual planning permission suggests otherwise the site shall only be used for caravans and tents from the 1st March to the 31st October in each year. The site shall be completely cleared of all caravans, tents and structures of a temporary nature by the 1st November in each year.



## Public Health Act 1936 – Section 269

### Application for Licence to Use Land as a Site for Moveable Dwellings

Name of applicant(s)

Address of applicant(s)



Post code

Telephone number(s)

I  
here

by apply for a Licence under Section 269 of the Public Health Act 1936 authorising the use as a site for moveable dwellings on the land within your Borough occupied be me/us at:



Post code

Telephone number(s)

Address of site:

Name of Site:

Appl

licants Interest in land (Give particulars of tenancy or lease if any):

Acreage of site:

Has the applicant  
time in the

held a site licence which has been revoked at any  
last 3 years?

Yes

No

If yes please give details

Please state the maximum number of tents proposed to be stationed at any one time:

Please  
state



What are the arrangements for refuse disposal:

Please  
state



What are the arrangements for sewage and waste disposal:

## **Electricity Supply**

Are there electric hook-ups for tents? Yes

No

If yes how many

Do you have a NICE/IEE Certificate? Yes  No

## **Toilet facilities**

Please state below your numbers for the following:

Numbers of	Male	Female
WC's		
Showers		
Wash hand basins		
Hot & cold water points		
Urinals		
Chemical disposal points		

Do you have a water tap for cleaning closets? Yes  No

## **Foul Water Drainage**

Which of these relates to your site?

Sewer	Septic tank	Cesspool

If you have a Septic tank or package sewage treatment plant where does it discharge?

# Document Pack Page 23

Please state.

	If you have
e a Cesspool who empties it and how often?	

## **Water Supply**

How many water points do you have?

What is the average distance from the tents?

	State the nearest
est supply of drinking water <b>IF NONE ON SITE</b> , and its distance from the site.	

Are gullies present at the water points? Yes ☐ No ☐

Are soakaways present at the water points? Yes ☐ No ☐

## **Fire Points**

Please give the number of fire points you have:

What is the average distance from the tents?

	Please state
how many fire extinguishers you have and what type they are:	


Please state the number of hoses you have and what type:

## **Planning permission**

Has planning permission for the site been obtained from the local authority?

Yes ☐ No ☐

If yes state:

a) Date of permission:


## Document Pack Page 24

b) Planning reference:

c) Date on which permission will expire:

If **no** has permission been applied for?

Yes

☐

No

☐

If planning permission has been applied for please state the date the application was made and the

Date

Reference number

planning reference number.

A layout plan of the site to a scale not less than 1:500 should be attached showing the boundaries of the site, the positions of the tent pitches and (where appropriate):

Roads and footpaths	Recreation spaces	Water supply
Toilet blocks stores & other buildings	Fire points	
Foul & surface water drainage	Parking spaces	

### **Declaration**

I confirm that the information I have provided on this application form is true to the best of my knowledge and belief.

**Signature**

**Dated**

Section 269 (4) provides that where under the section an application for a licence is made to a local authority, the authority shall be deemed to have granted it unconditionally, unless within 4 weeks from the receipt thereof they give notice to the applicant stating that his application is refused, or stating the conditions subject to which a licence is granted, and if an applicant is aggrieved by the refusal of the authority to grant him a licence, or by any condition attached to a licence granted, he may appeal to the Court of Summary Jurisdiction.

**Please return the completed application with the site layout plan and electrical certification to:**

Urban Renewal  
Department for Communities and Wellbeing  
Room 35, Town Hall  
Knowsley Street  
Bury  
BL9 0SW



**NOTE 1**

If you are aggrieved by any condition attached to this licence you may appeal to a court summary jurisdiction within 21 days on the case of Section 269 of the Public Health Act 1936 or 28 days in the case of the Caravans Sites and Control of Development Act 1960 from the date of receiving this licence.

**NOTE 2**

A. **Caravans** - means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle or trailer) and any motor vehicle so designed or adapted.

**Note 3**

The council must be notified of any alterations or additions to the site prior to them taking place.

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## Appendix 2

**Risk Assessment for The Paddock Campsite**

The Paddock Campsite is a public campsite with shower and toilet facilities that is used by members of the public as a base for holidays. The campsite is accessed via Leaches Road, Shuttleworth. The Paddock Campsite owners seek to reduce any risk by providing their own site specific risk assessment that can encourage members of the public to reduce risks. The Paddock is also hired out to members of the public to hold private functions, such as weddings.

TOPIC AREA	HAZARDS	CONTROL MEASURES
Site Layout  Glamping Yurts Glamping Tents Camping Tents	FIRE RISK	Adequate separation between units. 6m between groups and 3m between tents in the same group.  No combustible sheds or other structures within the separation distance  No combustible storage beneath decking  Vegetation kept cut back  Fire buckets and extinguishers provided in accordance with site Fire Rules  Maintenance regime for fire fighting equipment, including frost protection  Briefing sheet given to all tent campers on arrival and sheet in information pack in Glamping units  Fire points are not more than 90metres away from campers and glampers. These are weather-proof structure, easily accessible and marked FIRE POINT
Site Services Overhead electric cables	ELECTROCUTION	Anti climb devices fitted to pole. Warning notices displayed Advice given to site users
Glamping & Camping Use	Carbon monoxide (CO)	(CO) detectors are provided in the glamping yurts  Advice displayed on site rules and at retail point where BBQ's sold of dangers of CO.
Roadways Traffic routes	Vehicles - collision	Clearly marked traffic route, no obstructions 20mph Speed limit applied Adequate road width with passing places
Amenity Blocks Floors	Slips/Trips	Slip resistant flooring Adequate cleaning procedures Signage for wet/slippy floors
Water temperature	SCOLDING FROM HOT WATER	Thermostatic temperature controlled
Legionella	Legionella RISK	Boiler maintenance according to manufacturer's instructions Run all showers and other fittings weekly to avoid water stagnating Dismantle and clean shower heads at least quarterly Remove redundant pipework Keep water cisterns covered, insulated and free of debris
Grounds Maintenance	Chemical poisoning	Safe use of grass cutting and other equipment Trained staff

	Physical injury	Safe use of grass cutting and other equipment Trained staff Equipment maintenance
BBQ Glamping & Camping Cooking	Fire Risk	All BBQ's to be outside of tents when in use and raised off the ground.  After cooking, make sure the barbecue is cool before moving it  Keep a bucket of water, sand or a hose nearby for emergencies
Gas Cooking  Glamping Yurts	Gas explosion/leak	Gas cylinders are to be stored outside, away from direct sunlight and away from frost  Change of gas cylinders outdoors in a well ventilated area  All joints are tightened, safe and secure  After cooking, turn off the gas supply, this will stop the gas from leaking  Never smoke whilst changing the gas
Tents	Fire risk	Never use candles in a tent – torches are safer  No cooking inside a small tent  Don't smoke inside a tent  Keep cooking equipment away from tent walls as they could easily set alight.
Countryside Safety	Fire Risk	Avoid open fires in the countryside, always have them in safe, designated area provided raised off the ground  Put out cigarettes and other smoking materials properly  If you see a fire in the countryside, report it immediately  Don't attempt to tackle fires that can't be put out with a bucket of water – leave the area as soon as possible and contact the fire brigade. Dial: 999  Don't leave bottles or glass around. Sunlight shining through glass can start a fire. Dispose of rubbish in the bins provided
Site Management	Fire Risk	The Occupancy of the field is no more than 250 people at any one time.

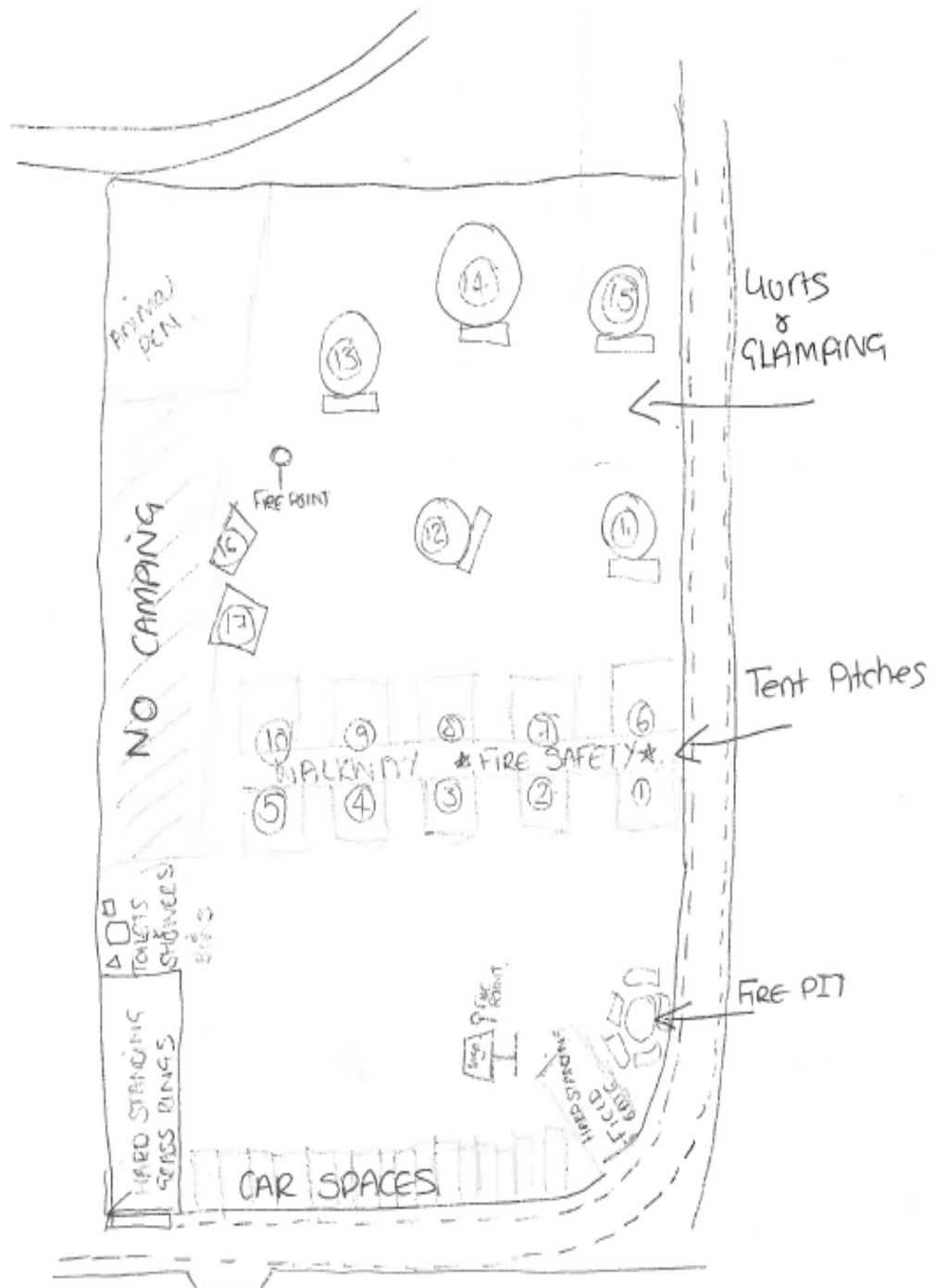
		We will allow a maximum of 60 tents and 60 cars at any time.
Functions		Each structure will come hired with its own risk assessment as each structure is completely different.  Catering companies and asked to provide a risk assessment and also food hygiene certificate.
Waste	Fire Risk	No waste is stored next to an ignition source The domestic waste is removed from the property when required or at least once a week
Hazards	Control measures required	Explanatory Notes on Hazard
<b>General</b>		
Injury from traffic accident on access road	Enter the campsite from the Leaches Road direction Leaving the campsite only turn left towards returning back up Leaches Road heading towards Whalley Road.  Please check Right and Left when leaving the campsite.	The campsite is accessed on a sharp Right hand turn as you travel down Leaches Road. This corner requires special care.
Hypothermia particularly that induced by sudden cold wet weather	Check weather forecasts in advance of all activities  Ensure all campers have appropriate clothing and other equipment, including weather proof tents	Weather can change suddenly, Northerly winds are particularly hypothermic and dangerous. Please ask a member of staff for weather forecast.
Injury resulting from wind	Check weather forecasts daily during stay. When extreme weather is forecast take care that tents pegs are firmly in place and that all flaps/zips are fully done up. Site your car strategically to block the wind. Take down any gazebos and	In windy weather parts of the campsite can suffer from gale force winds

	awnings.	
Infection from contact with wild animals	Careful hygiene is required to ensure that hands and all cooking and eating utensils are clean, and that unnoticed contact with wild animal excrement does not lead to infection. Use toilet and dishwashing facilities available at the campsite Drink only water labelled as suited for drinking.	Rabbits, foxes, stoats, badgers are all known to frequent the area, and The Paddock advises that infection can result where campers are not careful with hygiene. Farm animals including sheep, cattle and dogs do occasionally range over the campsite and can also be sources of infection
Burning from fire, especially camp cooking	Respect the advertised distances required between tents (6m between groups, 3m between tents within one group) Adhere to the no on ground fire rule Do not attempt a fire bucket or barbecue during extremely windy conditions Site camp cooking facilities carefully, ensuring they are steady and are away from inflammable material Note the site of fire points near your camp	Campfires are not allowed on site but off ground fire buckets and barbecues are allowed. All campers must be aware of the dangers inherent in having fires outdoors, near their tents and other camping accommodation and equipment. Fire points are bright red and sited around the camping area. Inside the yurts are fire extinguishers.
Falling injuries in dark	Ensure all group members have personal lights for use at night	There is minimal lighting on the campsite, and only near the toilet block. Rough ground is therefore a hazard at night.
Cuts from equipment, machinery	Brief on avoiding touching machinery, including farm and roading machinery, Check fields for hazards prior to setting up. Occasionally farm equipment and maintenance machinery may be on	On no account should children be allowed to play on such machinery

	the campsite including tractors, JCB, dumper and mowers.	
On site activities Hazards		
Injury from tree climbing and play area	All tree climbing and play equipment must only be used with supervision from an adult. Clear briefing to all children by their parents/guardians that unsupervised activities are not allowed.	There are a couple of climbing trees and a selection of toys available for children to play with.
First aid Emergency Procedures	A first aid kit is kept at Kays Cottage In the courtyard, located through the stone gateposts.	Kays Cottage is not always open, i.e. it is not always staffed.
Emergency Services	The campsite has mobile phone coverage  The campsite management can be contacted via phone on 07768 700227.  Emergency Services: Phone: 999 or 111	Where emergency helicopters are called, the field opposite the campsite entrance would be the most suitable landing point.

## Fire risk assessment

Appendix 3



Plan of Site





**Toilets, showers, washing point & waste bins.**



**Fire pit**





**Yurts, bell tents & camping pods**



**Tent pitches marked up**





**Fire point**



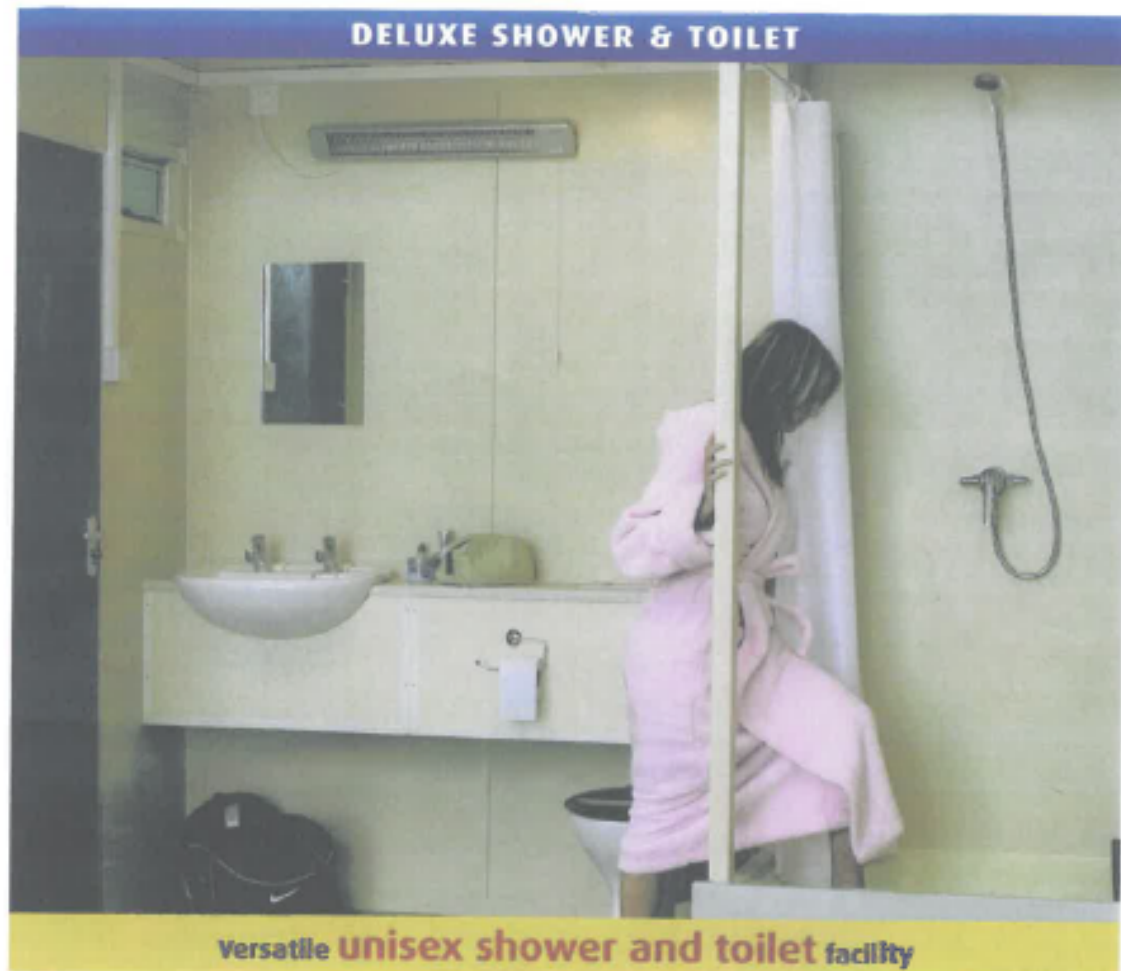


**Fire point**

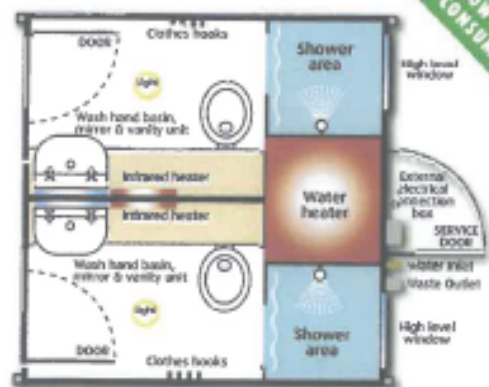




**Pitches marked up**



**versatile unisex shower and toilet facility**



**The unit comes complete with:**

Shower	Two large shower cubicles (870mm x 870mm). Each with a powerful stable mains fed shower with temperature control (NOT an electric instantaneous shower with fluctuating temperature), shower curtain
Hot water	210 litres of mains pressure hot water
Furniture	Two WCs and two wash-hand basins set in a vanity unit with mirror
Heating	High level infra-red heater
Flooring	Kayl flooring

**Technical Information:**

Dimensions	W: 2.864m L: 3.000m H: 2.820m (3.230m with tank)
Electrical connection	240V 32 Amp 2P + E (3-core) Blue Plug
Min electrical load	27 Amps
Max electrical load	27 Amps
Waste water outlet	110mm connection (can be fitted to a tank, see optional extras)
Mains water inlet	22mm
Weight	1,800 kg
Optional extras	900 gallon waste tank, tank connector
Delivery	Four Deluxe Shower and Toilet units can be delivered on one standard articulated wagon, or our own wagon and trailer

The **DELUXE SHOWER & TOILET** unit is truly a high quality unisex changing facility, and as with all our units the internal specification makes it equally at home in the event, leisure and construction industries.

The unit is divided into 2 equal cubicles, each cubicle houses a powerful shower, water flushing toilet, vanity unit and a wash-hand basin. The energy efficient showers are mains fed and ensure a constant supply of controlled hot water. Heating is provided by a wall mounted infra-red heater.



## Shower Specification



SS

# MAXIM 3000



Free with 12 000 ROI points

The Maxim 3000, with its modern design, is the first entirely double-walled toilet, perfectly smooth for easy cleaning. With well-placed accessories, this unit offers a spacious interior, along with total manageability thanks to its hand grips and ergonomic shape. The optional fresh water flushing system offers you a tank incorporated into the base, resulting in absolutely zero loss in space.

## Specifications:

Dimensions (HxWxD):	2,30 m x 1,12m x 1,22m
Weight:	84 kg
Standard tank volume:	265L

## Panel colours:



Royal Blue



Teal Green



Forest Green



Sand



Granite



## FLUSHING SYSTEMS



### Basic Flush Kit

Recirculating flushing system  
(hand or foot pump)



### Flip Top

Recirculating flushing system  
(hand or foot pump)



### Fresh Water Flush

Foot flush only  
(base tank capacity: 61L)

## HANDWASH AND ADDITIONAL OPTIONS



Maxim 3000  
handwash  
(capacity: 32.5L,  
Nr of uses: 160)



Kit to lift the Maxim  
3000 with a full tank



Kit to lift the  
Maxim 3000 with an  
empty tank



Stainless steel bowl  
(only in combination  
with the Fresh Water  
Flush)

Additionally, we also offer further accessories such as: soap dispensers, towel dispensers, corner shelf, gender indicator, mirror, 4-roll toilet paper holder and solar light.

## Toilet Specification



**Public Health Act 1936 – Section 269**

**Application for Licence to Use Land as a Site for Moveable Dwellings**

Name of applicant(s)

MRS. CAROL ROTHWELL The Paddock

Address of applicant(s)

Kays Cottage Sheep Hey Farm

Shuttleworth. BURY Lancs

Post code BLO 0ND

Telephone number(s) 07768 700 227

I hereby apply for a Licence under Section 269 of the Public Health Act 1936 authorising the use as a site for moveable dwellings on the land within your Borough occupied by me/us at:

Address of site:

Post code

Telephone number(s)

Name of Site: The Paddock

Applicants Interest in land (Give particulars of tenancy or lease if any):

Sole owner of land

Acreage of site:

0.85 Acres

Has the applicant held a site licence which has been revoked at any time in the last 3 years?

Yes

No

If yes please give details

Please state the maximum number of tents proposed to be stationed at any one time:

20 Pitches - Possibly more than 1 Tent per pitch.

Please state what the arrangements are for refuse disposal:

Skip

Please state what the arrangements are sewage and waste disposal:

Tanks - emptied by a waste company.

### Electricity Supply

Are there electric hook-ups for tents? Yes ☐ No ☒

If yes how many

Do you have a NICE/IEE Certificate? Yes ☐ No ☐

### Toilet facilities

Please state below your numbers for the following:

Numbers of	Male	Comunal	Female
WC's	4		
Showers	2		
Wash hand basins	2	4	
Hot & cold water points	2 Hot	4 cold	
Urinals	NONE		
Chemical disposal points	NONE		

Do you have a water tap for cleaning closets? Yes ☐ No ☐

### Foul Water Drainage

Which of these relates to your site?

Sewer	Septic tank	Cesspool
-------	-------------	----------

If you have a Septic tank or package sewage treatment plant where does it discharge? Please state.

we have sealed underground tanks that are emptied by a contractor

If you have a Cesspool who empties it and how often?

N/A

### Water Supply

How many water points do you have?

4

What is the average distance from the tents?

15 m

State the nearest supply of drinking water **IF NONE ON SITE**, and its distance from the site.

15 m

Are gullies present at the water points?

Yes

☐

No

☒

Are soakaways present at the water points?

Yes

☐

No

☒

### Fire Points

Please give the number of fire points you have:

2

What is the average distance from the tents?

20 m

Please state how many fire extinguishers you have and what type they are:

4 water

Please state the number of hoses you have and what type:

none

### Planning permission

Has planning permission for the site been obtained from the local planning authority?

Yes

☒

No

☐

If yes state:

- a) Date of permission:  
b) Planning reference:  
c) Date on which permission will expire:


If no has permission been applied for?

Yes ☐ No ☐

If planning permission has been applied for please state the date the application was made and the planning reference number.

Date	N/A	Reference number
------	-----	------------------

A layout plan of the site to a scale not less than 1:500 should be attached showing the boundaries of the site, the positions of the tent pitches and (where appropriate):

Roads and footpaths	Recreation spaces	Water supply
Toilet blocks stores & other buildings	Fire points	
Foul & surface water drainage	Parking spaces	

#### **Declaration**

I confirm that the information I have provided on this application form is true to the best of my knowledge and belief.

**Signature**

Carl E. Robinson

**Dated**

14-02-18

Section 269 (4) provides that where under the section an application for a licence is made to a local authority, the authority shall be deemed to have granted it unconditionally, unless within 4 weeks from the receipt thereof they give notice to the applicant stating that his application is refused, or stating the conditions subject to which a licence is granted, and if an applicant is aggrieved by the refusal of the authority to grant him a licence, or by any condition attached to a licence granted, he may appeal to the Court of Summary Jurisdiction.

**Please return the completed application with the site layout plan and electrical certification to:**

Michelle Street  
Urban Renewal  
Department for Communities and Wellbeing  
Room 35, Town Hall  
Knowsley Street  
Bury  
BL9 0SW

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## REPORT FOR DECISION

<b>MEETING:</b>	<b>LICENSING &amp; SAFETY PANEL</b>
<b>DATE:</b>	<b>26<sup>th</sup> APRIL 2018</b>
<b>SUBJECT:</b>	<b>LICENSING OF CAMPSITE</b>
<b>REPORT FROM:</b>	<b>ASSISTANT DIRECTOR (LOCALITIES)</b>
<b>CONTACT OFFICER:</b>	<b>M BRIDGE/A WILLIAMS/M STREET</b>
<b>TYPE OF DECISION:</b>	<b>COUNCIL</b>
<b>FREEDOM OF INFORMATION/STATUS:</b>	This paper is within the public domain
<b>SUMMARY:</b>	<b>Approval of Campsite Licence</b>
<b>OPTIONS &amp; RECOMMENDED OPTION</b>	<p>In addition</p> <ol style="list-style-type: none"> <li>1. Members are requested to grant a licence with conditions attached from the adopted standard conditions in relation to The Paddock, Sheep Hey Farm for 20 pitches – this is the preferred option</li> <li>2. Members refuse to grant the licence with proposed conditions for a campsite in relation to The Paddock, Sheep Hey Farm.</li> </ol>

<b>IMPLICATIONS:</b>	
<b>Corporate Aims/Policy Framework:</b>	Do the proposals accord with the Policy Framework?      Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Financial Implications and Risk Considerations:</b>	There are no specific issues from the report other than potential costs/risks associated with legal appeals.
<b>Statement by Director of Finance and E-Government:</b>	The cost of the licensing function are funded through the fees and charges levied by the Council. There may be additional costs if appeals are lodged with the Magistrates and Crown Courts.
<b>Equality/Diversity implications:</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Considered by Monitoring Officer:</b>	Yes <input checked="" type="checkbox"/> Comments
<b>Are there any legal implications?</b>	Under the legislation the Council is required to determine applications. The report is in accordance with the appropriate legislation.
<b>Staffing/ICT/Property:</b>	None
<b>Wards Affected:</b>	All
<b>Scrutiny Interest:</b>	

**TRACKING/PROCESS****DIRECTOR:**

Chief Executive/ Strategic Leadership Team	Executive Member/Chair	Ward Members	Partners
Scrutiny Committee	Committee	Council	

**1.0 BACKGROUND**

- 1.1 Applications for touring site licences (caravan & tented sites) are considered under section 269 of the Public Health Act 1936. Bury Council has not previously received an application for a campsite licence, therefore the Council are required to determine any applications that are received.
- 1.2 A licence is required if the site is operating for more than 42 consecutive days or more than 60 days on any 12 consecutive months.
- 1.3 There are currently no licensable camp sites in the Borough of Bury.
- 1.4 In light of no applications being previously received, the council needs to adopt conditions under section 269 (1) of the Public Health Act 1936 in order to apply such conditions that are relevant to all new licence applications.



## **2.0 CURRENT ISSUES**

- 2.1 Members of the Licensing and Safety Panel have been requested to adopt the conditions proposed under the Public Health Act 1936 which are attached at Appendix 1.
- 2.2 Prior to the application being submitted to the Council by Mrs Rothwell, an initial site visit was undertaken by officers of the Councils Housing Standards Department and the Fire Service on the 7<sup>th</sup> of November 2017. At the time of that site visit the camp site was not operating as it was out of season and all moveable structures had been removed so the field was empty.
- 2.3 A satisfactory Fire Risk Assessment for the campsite was obtained by the fire service at a previous visit from GMFRS. A copy of which is attached at Appendix 2.
- 2.4 Further advice was given by Council officers to Mrs Rothwell on the requirements in terms of conditions to meet the campsite licence. The licence application form was sent out on the 22<sup>nd</sup> of December 2017.
- 2.5 The Council received the application on the 28<sup>th</sup> February 2018 for a campsite license from Mrs Rothwell, whose full address is Kays Cottage, Sheep Hey Farm, Shuttleworth, Bury, BL0 0ND. A copy of the application, plan and photographs of the site and amenities are attached at Appendix 3. The plan indicates the relative position of the tents, fire pit and parking which are within the distance required by the licence.
- 2.6 Planning permission was granted for a Camp Site following an application for a Change of Use from a field at The Paddock, Sheep Hay Farm, Leaches Road, Shuttleworth, Bury, BL0 0ND on the 26<sup>th</sup> of May 2016. Permission was granted for 20 pitches (tents only, no caravans or motor homes are permitted) and the siting of 2 moveable portaloos and showers.
- 2.7 A second site visit was undertaken on the 12<sup>th</sup> of April 2018 by Housing Standards and the Fire Service. The field had at this point been set up again as a camp site as the season had begun.

The Paddocks has 2 bell tents, 2 yurt's and camping pods set up for hire which take up 5 of the pitches and are adequately spaced. The remaining 15 pitches are available for touring tents, there were none present at the time of our visit but 10 of the pitches had been marked out and provided adequate separation.

There are 4 water points for clean wholesome drinking water which is mains supplied. There are 4 toilets and 2 showers and each are supplied with wash hand basins and hot/cold water. All foul and other waste water from showers and washing area are drained to a tank which is emptied as required by Park Farms. Chemical closets are not used or brought onto site as the site is tented only. All waste produced on site is placed in lidded bins and then transferred to a skip located at the owner's property for collection by L & G skip hire when required.

The site has no electric hook up points at any of the pitches and LPG is not stored on site as bottled gas for the 5 Glamping pitches are replaced when they are empty.

- 2.8 Should the members of the Licensing and Safety Panel decide to refuse the application for a licence the applicant has a right of appeal to the Magistrates Court.

### **3.0 CONCLUSION**

- 3.1 Members are requested to consider the options contained in the report.
- 

#### **List of Background Papers:-**

Public Health Act 1936

#### **Contact Details:-**

Mr M. Bridge  
Licensing Unit Manager  
3 Knowsley Place  
Duke Street  
Bury  
BL9 0EJ  
Telephone: 0161 253 5209  
Email: [m.bridge@bury.gov.uk](mailto:m.bridge@bury.gov.uk)

## **Appendix One**

***The Following details the schedule of conditions proposed to be applied to the Paddock Camp Site under Public Health Act 1936 – Section 269.***

***This is an application for a Tented site only***

### **Density**

1. There shall be no more than 20 pitches on site as permitted by the planning department.
2. The pitches are for tents only and no caravan or motorhome is permitted on site.

### **Spacing**

3. 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.
4. 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.
5. Emergency vehicles should be able to secure access at all times to within 90 metres of any unit on the site.
6. There should be a 3 metre wide area kept clear within the inside of all the boundaries.

### **Drinking Water Supply**

7. There should be an adequate supply of drinking water that is provided in accordance with appropriate Water Bylaws and Statutory Quality Standards. Drinking water should be clearly marked as **Drinking Water**.
8. Each pitch on a site should be no further than 90 metres from a water tap.

### **Waste Water Disposal**

9. Waste water disposal points 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 arrangements for disposal of water likely to be contaminated.

### **Toilets : WCs and Chemical Closets**

10. The scale of provision should be 1 WC and 1 urinal for men and 2 WCs 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 12 below). Toilets may not be justified where sites have less than 10 pitches but on sites with between 10 and 30 pitches at least 1 WC and 1 urinal for men and 2 WCs for women should be provided.
11. Where the provision of WCs is not feasible or justified entry should be confined to units with their own toilets or chemical closets should be provided.
12. Satisfactory provision should be made for the drainage of foul water.

### **Disposal Point for Chemical Closets**

13. Whether or not WCs 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 cleansing 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**

14. 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**

15. 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**

16. 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**

17. The electrical installations shall be subject to regulation under current relevant legislation and must be designed, installed, tested and inspected in accordance with the provisions of the current relevant statutory requirements. Any works on electrical installations and appliances shall be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements. Any work on the electrical installation within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.

## **Refuse Disposal**

18. Adequate provision should be made for the storage, collection and disposal of refuse.

## **Fire Precautions**

19. 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 9 litres capacity that meet 21A standard and complying with British Standard 5306:2012, two 6 litre water with additive will also achieve the 21A standard to deal with class A fires. At each point there should also be a means of raising the alarm in the event of fire (e.g. a manually operated sounder, gong or hand operated siren). All firefighting equipment susceptible to damage by frost should be suitably protected.
20. Where standpipes are provided rather than fire extinguishers no unit should be further than 30 meters from a fire point. There must be a water supply of sufficient pressure and flow to project a jet of water approximately 5 meters from the nozzle, together with a reel of small diameter hose of not less than 30 meters in length, having means of connection to a water standpipe (preferably a screw thread connection) and terminating in a small hand control nozzle. Hoses should be housed in a box painted red and marked A HOSE REEL.
21. The fire points should be clearly marked and easily accessible. All firefighting equipment should be maintained in working order and kept available for use and for inspection by the licensing authority.
22. 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 fire
1. Raise the alarm
  2. Ensure the affected unit is evacuated
  3. Call the Fire Brigade (the nearest telephone is sited )
  4. If practicable, attack the fire using the firefighting equipment provided.

## **Liquefied Petroleum Gas**

23. 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. CAGE.

## **Site Notices**

- 24. A sign indicating the name of the site should be displayed at the site entrance.
- 25. 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.
- 26. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.
- 27. 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.
- 28.25. A copy of the site licence with its conditions should be displayed prominently on the site.

## **Screening, Site Road, Etc.**

- 29.26. Any screening by the way of bushes or trees which are required by the District Council shall be maintained to a proper standard.
- 30.27. Site grass shall be kept cut to a reasonable level.
- 31.28. Any access, access road or site road shall be maintained in good condition.

## **32. Site Boundaries**

- 33.29. The boundaries of the site shall be clearly marked by a man made or natural feature and the site owner shall give the authority an up to date layout of the site on application of the licence, when there is a material change to the boundaries or layout or if requested by the local authority. The plan must show all relevant structures, features and facilities on site.

## **34. Other Conditions**

- 35.30. Unless individual planning permission suggests otherwise tent shall be permitted to remain on the site for more than twenty-one consecutive nights. The holder(s) for the time being of this site licence shall maintain a register of the users of each pitch on the site. Such registers shall be made in such forms as the Environmental Services officers shall from time to time approve but shall in any event contain sufficient particulars of the names and addresses of every person occupying a pitch on the site and the date of actual vacation of the pitch.
  - 1. Unless individual planning permission suggests otherwise the site shall only be used for tents from the 1st March to the 31st October in each

year. The site shall be completely cleared of all caravans, tents and structures of a temporary nature by the 1st November in each year.

**36.      NOTE 1**

37.If you are aggrieved by any condition attached to this licence you may appeal to a court summary jurisdiction within 21 days on the case of Section 269 of the Public Health Act 1936 or 28 days in the case of the Caravans Sites and Control of Development Act 1960 from the date of receiving this licence.

**38.      NOTE 2**

39.A. **Caravans** - means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle or trailer) and any motor vehicle so designed or adapted.

**40.      NOTE 3**

41.The council must be notified of any alterations or additions to the site prior to them taking place.

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