



Committee: LICENSING COMMITTEE
Date: THURSDAY, 25 AUGUST 2022
Venue: MORECAMBE TOWN HALL
Time: 1.00 P.M.

A G E N D A

1. **Apologies for Absence**

2. **Appointment of Vice-Chair**

To appoint a Vice-Chair for the remainder of the 2022/23 municipal year.

3. **Minutes**

Minutes of meeting held on 30th June 2022 (previously circulated).

4. **Items of Urgent Business authorised by the Chair**

5. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

Matters for Decision

Exclusion of the Press and Public

6. **Exempt Item**

The Committee is recommended to pass the following recommendation in relation to the following item:

“That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the ground that it could involve the possible disclosure of exempt information, as defined in paragraph 1 of Schedule 12A of that Act.”

Councillors are reminded that, whilst the following item has been marked as exempt, it is for the Committee to decide whether or not to consider it in private or in public. In making the decision, Councillors should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion, Councillors should also be mindful of the advice of Council officers.

7. **Existing Hackney Carriage Drivers Licence Holder** (Pages 4 - 25)

Report of the Licensing Manager.

8. **Existing Dual Driver's Licence and Private Hire Operator** (Pages 26 - 40)

Report of the Licensing Manager.

The press and public will be re-admitted to the meeting at this point.

9. **BUSINESS AND PLANNING ACT 2020 - Extension to Pavement Licence Provisions**
(Pages 41 - 59)

Report of the Licensing Enforcement Officer.

10. **Driver Recruitment Progress Report** (Pages 60 - 64)

Report of the Licensing Officer.

11. **Pedicab - Consideration of Consultation Responses** (Pages 65 - 171)

Report of the Licensing Manager.

Published on 19 August 2022.

12. **Chairs of Licensing Sub-Committees** (Pages 172 - 174)

Report of the Licensing Manager.

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Colin Hartley (Chair), Fabiha Askari, Gerry Blaikie, Roger Cleet, Andrew Gardiner, Jake Goodwin, Mike Greenall, Tim Hamilton-Cox, Sally Maddocks and Margaret Pattison

(ii) Queries regarding this Agenda

Please contact Sarah Moorghen, Democratic Services - email

smoorghen@lancaster.gov.uk.

(iii) Changes to Membership, or apologies

Please contact Democratic Support, telephone 582170, or alternatively email democracy@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on 17th August 2022.

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LICENSING COMMITTEE**BUSINESS AND PLANNING ACT 2020
Extension to Pavement Licence Provisions****25th August 2022****Report of Licensing Enforcement Officer****PURPOSE OF THE REPORT**

To seek approval for the extension to existing administration and enforcement provisions contained within Part 1 of the Business and Planning Act 2020 in respect of Pavement Licences.

RECOMMENDATIONS

- 1. Retain the existing fee of £100 that is set for the grant of a pavement licence for a further 12 months until 30th September 2023.**
- 2. That where a pavement licence is granted it shall normally be granted for a period up to and including 30 September 2023 or a lesser period (not less than 3 months) as directed by the applicant or upon determination by the Local Authority**
- 3. That the policy and associated appendices (1-4) attached at Appendix 1 be extended for a further year to 30th September 2023.**

1.0 Introduction

1.1 On 22 July 2020 The Business and Planning Act 2020 came into force.

1.2 Part 1 of the Act deals with the consumption and sale of food and drink outdoors, and relates to two particular licensing issues

- The introduction of Pavement licences
- The modification of premises licences to authorise off sales of alcohol for a limited period

1.3 Historically the Council has dealt with the Licensing of Street/ Pavement cafes utilising the provisions contained within the Highways Act 1980. In effect the licensing of such areas is the Council giving its approval for the applicant to use the part of the highway as indicated by the licensee in his/her application. The Highways Act 1980

street café licences remain in place for 1 year, cost £158 and are subject to a set of standard licensing conditions. The licensing conditions are generally concerned with

- Protecting public safety
- Preventing public nuisance
- Ensuring access for public utility providers when needed
- Promoting the appearance of the area (quality/ type of furniture etc)

The Highways Act 1980 licence makes provision for licences to be revoked where problems are identified. The provisions of the Highways Act 1980 street café licences remain in statute and therefore any licences issued under these provisions remain valid.

- 1.4 The Business and Planning Act 2020 (the “Act”) introduced a “Pavement Licence” for the licence holder to put removeable furniture on part of the highway **adjacent** to the premises to sell / serve food and/or drink and also allows people to consume food and or drink supplied from or in connection with the premises. In effect this allows the area to be used as an extended seating area to the premises or to be a stall from which food/ drink is sold/ served. The licence can be applied to any premises which sells food and/or drink for consumption on or off the premises and is not restricted to those premises where alcohol is sold. For example, it can be used by a café to set up an ice cream stall outside,) or it can be used to facilitate what we traditionally regard as a street café.
- 1.5 The Business and Planning Act 2020 also introduced provisions for the automatic modification of premises licences (issued under licensing Act 2003) to authorise the “off-sale” of alcohol for a limited period. The period currently ends on 30 September 2023. The Act does include measures to exclude certain premises that are currently specifically excluded from selling “off sales” and also makes it clear that those off sales are only permitted during the hours that the premises is licensed for on sales. There are also provisions within the Act regarding proposals to review licences in respect of off sales that have proved problematic.
- 1.6 The above two provisions were introduced as a temporary measure up to and including 30 September 2022 only in order to facilitate the operation of business within the restrictions / guidance in place at the time regarding the COVID- 19 pandemic. The pavement licence provision provides a fast-track application procedure detailing a 7 days consultation period and a subsequent maximum 7 day period in which those applications must be determined, failure to do so results in licences being granted by default.
- 1.7 On 21st July 2022 amendments came into force by virtue of The Business and Planning Act 2020 (Pavement Licences) (Coronavirus) (Amendment) Regulation 2022. The purpose of the amendment is to extend the current provision for Pavement Licences from the existing statutory expiry date of 30th September 2022 for a further 12 months until 30th September 2023.
- 1.8 Members are advised that Regulation 5 only applies to a Pavement Licence for which the application is made on or after the date these Regulations came into force. The previous date of 30th September 2022 will continue to apply in relation to any pavement licence applied for before the date these Regulations came into force, though the holder of such a licence may be able to apply for a further licence. Regulation 6 extends the expiry of Sections 1-9 of the 2020 Act generally, similarly to 30th September 2023.

- 1.9 For Members information it is noted that Pavement Licensing is to be made permanent under plans announced in the recent Queens Speech 2022. The proposed Levelling Up and Regeneration Bill progressing through Parliament will ultimately provide local leaders with the powers they need to revitalise town centres.

Here's a recent quote from a government source:

"During the pandemic, restaurants, pubs and bars were granted temporary powers to serve guests on pavements, helping to mitigate lost floorspace for tables due to social distancing requirements. Through new legislation, these powers will be made permanent to expand capacity for businesses to boost local economies and inject life into local communities."

It is understood Clause 184 of the Bill will introduce provisions for making pavement licensing permanent. Schedule 17 amends the Business and Planning Act 2020 including introducing a "relevant amount" of £350 for existing consents and £500 for new applications.

2.0 Background information regarding Pavement Licences

2.1 The Act details the following

- Applications must be made in writing to the Local Authority
- Applications must be accompanied by a fee of not more than £100 as the local authority may require
- Applications must contain specific information; these are not detailed in this briefing paper but replicate the information currently required by the Council in respect of Highways Act licence applications
- The local authority has to publish the application and publicise the 7-day consultation period
- The applicant must place a notice at the premises advising of the application, the details of the notice requirements are not provided in this report but largely replicate the Licensing Act public notice requirements. The notice must stay in place until the end of the consultation period
- The local authority must consult the highways authority and any other persons it considers appropriate regarding the application.
- The local authority must take into account any representations made during the consultation period
- The local authority has 7 days following the close of consultation to determine the application, failure to do so means that the licence is granted by default
- The local authority can grant, or refuse the licence in respect of any or all of the purposes and or in respect of some or all of the highway area
- The licence if granted, cannot be for a period of less than 3 months and can be up to and including 30 September 2022 (extended to 2023)
- The licence will be subject to default mandatory conditions in respect of provisions of no smoking areas and access for mobility impaired and can be subject to reasonable conditions imposed by the local authority
- Pavement licences do not currently repeal the provisions of the Highways Act Licences, as such existing highways licences remain in place and valid

- There are a number of provisions detailed in the Act in respect of enforcement powers, these include the facility to revoke the licence in respect of public health or safety concerns, anti-social behaviour, public nuisance or obstruction of the highway.
- The Act details that a pavement licence constitutes deemed planning permission.

3.0 Recommendations

- 3.1 In order to further enhance the recovery of the local hospitality industry members are requested to consider an amendment to the Council’s existing Pavement Licence policy to extend the period in which such licences and conditions associated with them are extended for a further 12 months until a end date of 30th September 2023.
- 3.2 The policy outlining the Councils processes and procedures is to be updated to reflect the amendments in respect of applications for Pavement licences. **Appendix 1.**

CONCLUSION OF IMPACT ASSESSMENT (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)	
FINANCIAL IMPLICATIONS The current fee for a Highways Act Street café licence is set at £158, this fee has been set at a level of cost recovery . The Pavement Licence administrative process will largely replicate that of the Highways Act Street café licence process. the maximum fee that can currently be charged by the Council for a Pavement licence is £100. The administrative work involved in processing the application is similar to that associated with Highways Act Street Café licences, with the additional administrative burden of a requirement to determine applications within 7 days of the close of consultation.	
LEGAL IMPLICATIONS These are outlined in the report and there are no further comments to add.	
SECTION 151 OFFICER’S COMMENTS	
MONITORING OFFICER COMMENTS The Monitoring Officer has been consulted and has no further comments to make.	
BACKGROUND PAPERS	Contact Officer: Miss J Curtis

None	Telephone: 01524 582732 E-mail: jcurtis@lancaster.gov.uk Ref: JC
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Lancaster City Council

Pavement Licensing Policy

Business and Planning Act 2020

Effective: 31 July 2020 v3
Updated 25th August 2022

Contents

Section	Title	Page
1	Introduction	
2	Scope	
3	Application and Determination of Pavement Licences	
4	Conditions	
5	Enforcement	
6	Review Procedures	
Appendix 1	Site Notice Template	
Appendix 2	Lancaster City Council Pavement Licence Conditions	
Appendix 3	National Conditions	
Appendix 4	Scheme of Delegation	

1. Introduction

The Covid-19 pandemic has affected businesses across all sectors of the economy causing many to cease trading for several months while others have had to significantly modify their operations.

On 25 June 2020 the Government announced an intention to relax planning and licensing laws to help the hospitality industry recover from the coronavirus lockdown by removing short term obstacles that could get in their way.

The Business and Planning Act 2020 received Royal assent on 22 July 2020 and provides a fast track process for premises selling food and drink such as bars, restaurants, cafes and pubs, to sell and provide seating for customers outdoors through temporary changes to legislation. The Act introduces a temporary permission, in the form of a “pavement licence”, to be issued by Lancaster City Council for furniture such as tables and chairs to be placed on the pavement adjacent to their premises which will enable them to sell food and drink from that area and to maximise seating capacity whilst adhering to social distancing guidelines.

The measures included in the Act modify provisions in the Licensing Act 2003 to provide automatic extensions to the terms of on-sales alcohol licences to allow for off-sales. It is a temporary measure, with provisions lasting until the end of September 2023.

Currently, tables and chairs permissions are granted as Street café licences issued by Lancaster City Council, under Part 7A of the Highways Act 1980. The Street café licence fee is currently £158 for an annual licence and is subject to a statutory 28-day consultation period. Licence conditions are also attached to the grant of these licences

The new measures in the Business and Planning Act, places a cap on the application fee for businesses, specifies a 7 day consultation period with licences automatically granted if not determined by the Council within a further 7 day period

2. Scope

2.1 Definition of pavement licence

A pavement licence is a licence granted by the local authority, or deemed to have been granted, which allows the licence-holder to sell food and or drink and place removable furniture over certain highways adjacent to the premises in relation to which the application was made.

2.2 Highways Act Street Café Licences

A holder of a Street Café licence may choose to apply for a Pavement Licence. A holder of a Street Café licence can apply free of charge for a Pavement Licence, to cover the same licensed area as the Street Café Licence, up to and including 30 September 2023. The application process is as outlined in this policy.

2.3 Eligible Businesses

A business which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible

include: public houses, cafes, bars, restaurants, snack bars, coffee shops, and ice cream parlours.

A licence permits the business to use furniture placed on the highway to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

2.4 Eligible Locations

Licences can only be granted in respect of highways listed in section 115A (1) Highways Act 1980.

Generally, these are footpaths restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. Highways maintained by Network Rail or Crown land are exempt (so a licence cannot be granted).

2.5 Type of furniture permitted

The furniture which may be used is:

- counters or stalls for selling or serving food or drink;
- tables, counters or shelves on which food or drink can be placed;
- chairs, benches or other forms of seating; and
- umbrellas, barriers, heaters and other articles used in connection with the outdoor consumption of food or drink.
- Ancillary items such as hand sanitising stations required to ensure that the area is covid secure

The furniture is required to be removable, and must be capable of being easily moved, and stored away in a secure safe manner when not in use.

The Council would also expect the type of furniture to be 'in keeping' with the local area.

2.6 Planning Permission

Once a licence is granted, or deemed to be granted, the applicant will also benefit from deemed planning permission to use the land for anything done pursuant to the licence while the licence is valid.

3. Application and Determination of Pavement Licences

3.1 Submission of the Application

An application for a Pavement Licence must be made to the Council, and the following will be required to be submitted with the application:

- a completed Application Form
- the required fee of £100, (online payment)
- a plan showing the location of the existing premises and the area to which the application relates (ie pavement licensed area) shown by a red line, so the application site can be clearly identified
- a plan clearly showing the proposed area covered by the licence in relation to the highway, if not to scale, with measurements clearly shown. The plan must show the positions and number of the proposed tables and chairs, together with any other items

that they wish to place on the highway. The plan shall include clear measurements of, for example, pathway width/length, building width and any other fixed item in the proposed area.

- the proposed days of the week on which, and the times of day between which, it is proposed to put furniture on the highway,
- photos or brochures showing the proposed type of furniture ;
- Reference of any current street café licence (Highways Act 1980) issued by Lancaster City Council ;
- evidence that the applicant has met the requirement to give notice of the application (for example photographs of the notice outside the premises and of the notice itself);
- a copy of a current certificate of insurance that covers the activity for third party and public liability risks, to a minimum value of £2 million,

3.2 Fees

The Council has determined that the fee for applications will be £100. A pavement licence if granted will be issued from the date the application is granted until 30 September 2023. The £100 fee is payable irrespective of the duration of the licence, and is non returnable

3.3 Consultation

Applications are consulted upon for 7 days, starting with the day on which a valid application was made to the Council.

The Council will publish details of the application on its website at www.lancaster.gov.uk.

The Council is required by law to consult with the Highways Authority ie Lancashire County Council. In addition, to ensure that there are not detrimental effects to the application the Council will consult with:

- Lancaster/ Morecambe Town Centre Management/ Business Improvement Manager, Carnforth Chamber of Commerce as appropriate
- Lancaster City Council Environmental Health Service (including Noise pollution and Food and Safety Teams)
- Lancaster City Council Planning Department
- Lancashire Fire & Rescue Service
- Lancashire Police
- Lancaster City Council Environmental Services (refuse/street cleaning)

Representations from the above parties or members of the public should be provided to Lancaster City Council's licensing team by emailing Licensing@Lancaster.gov.uk. The email should be headed Pavement licence representation followed by the name of the premises.

The Council will take into account representations received during the public consultation period and consider these when determining the application. The application will be determined in accordance with the relevant sections of the Council's scheme of delegation outlined at **Appendix 4**

3.4 Site Notice

An applicant for a pavement licence must on the day the application is made, fix a notice of the application to the premises so that the notice is readily visible to, and can be read easily by, members of the public who are not on the premises. The notice must be constructed and secured so that it remains in place until the end of the public consultation period.

Evidence of the site notice requirement must be supplied to the Council.

The Site Notice must: contain the information as detailed in **Appendix 1** and must be a minimum size of A4 and use Black type in a minimum font size 16

3.5 Site Assessment

The following matters will be used by the Council and consultees in considering the suitability of the proposed application:

- public health and safety – for example, ensuring that uses conform with latest guidance on social distancing and any reasonable crowd management measures needed as a result of a licence being granted and businesses reopening;
- public amenity – will the proposed use create nuisance to neighbouring occupiers by generating anti-social behaviour and litter; and
- accessibility – taking a proportionate approach to considering the nature of the site in relation to which the application for a licence is made, its surroundings and its users, taking account of:
 - any other temporary measures in place that may be relevant to the proposal, for example, the reallocation of road space. This could include pedestrianised streets and any subsequent reallocation of this space to vehicles;
 - whether there are other permanent street furniture or structures in place on the footway that already reduce access;
 - the impact on any neighbouring premises
 - the recommended minimum footway widths and distances required for access by mobility impaired and visually impaired people
 - other users of the space, for example if there are high levels of pedestrian or cycle movements.

Applicants are strongly encouraged to talk to neighbouring businesses and occupiers prior to applying for a pavement licence, and so take any issues around noise, and nuisance into consideration as part of the proposal.

3.6 Determination

Once the application is submitted the Council has 14 days from the day after the application is made (excluding public holidays) to consult on and determine the application. This consists of 7 days for public consultation, and then 7 days to consider and determine the application after the consultation.

If the Council determines the application before the end of the determination period the local authority can:

- grant the licence in respect of any or all of the purposes specified in the application and impose conditions,
- grant the licence for some or all of the part of the highway specified in the application, and impose conditions, or
- refuse the application.

Where a valid application has been made and no objections received the application will be granted by licensing officers

Where a valid application has been made and relevant representations are received the application will be determined by The Licensing Sub Committee

If the Council does not determine the application within the 14 day period, the application will be deemed to have been granted.

A template for the notice required is provided at **Appendix 1**

3.7 Approval of Applications

On approving the application, the Council will issue a Pavement Licence to which conditions will be attached. The licence will also contain specific terms such as days and hours of operation and appearance and location of the furniture corresponding to the application.

The Council generally will only permit Pavement Licences between 09:00 and 22:00 hours

Applications outside these hours will be assessed in terms of the criteria detailed above. The Council however retains the right to specify permitted hours of trading that are less than those specified above in appropriate circumstances.

3.8 Licence Duration

The provisions regarding pavement Licences will remain in place until 30 September 2023. As such, the Council will normally grant applications to 30 September 2023.

A licence granted or deemed to be granted will not be valid beyond 30 September 2023.

3.9 Refusal of Applications

If the site is deemed unsuitable for a Pavement Licence, or if relevant representations are made which cannot be mitigated by conditions then the application may be refused.

There is no statutory right of appeal detailed in the Act .

4. Conditions

The Council's standard conditions are set out at **Appendix 2**. In some cases, extra measures may be required. This will be considered when determining any application which has been subject to representations, on a case by case basis.

However, this is not the case for the national licence conditions which are applied to all Pavement licences. These are detailed at **Appendix 3**.

5. Enforcement

The Council aims to work closely with other enforcement authorities to enforce the provisions of all appropriate legislation. The case remains that an obstruction of the

Highway is an offence under The Highways Act 1980 and will be dealt with by the Highways Authority or the Police.

Obtaining a licence does not confer the holder immunity in regard to other legislation that may apply, e.g. Public Liability, Health & Safety at Work, Food Hygiene and Safety, Alcohol and Entertainment Licensing, Social distancing controls, Applicants must ensure all such permissions, etc. are in place prior to applying.

If a condition imposed on a licence either by the Council or via a National Condition is breached the Council will be able to issue a notice requiring the breach to be remedied and the Council can take action to cover any costs.

The Council may revoke a licence in the following circumstances:

1. For breach of condition, (whether or not a remediation notice has been issued) or
2. Where:
 - There are risks to public health or safety – for example by encouraging users to breach government guidance on social distancing by placing tables and chairs too close together;
 - the highway is being obstructed (other than by anything permitted by the licence);
 - there is anti-social behaviour, statutory nuisance or public nuisance – for example, the use is increasing the amount of noise generated late at night and litter is not being cleaned up;
 - it comes to light that the applicant provided false or misleading statements in their application – for example they are operating a stall selling hot food and had applied for tables and chairs on which drinks could be consumed; or
 - the applicant did not comply with the requirement to affix the notice to notify the public for the relevant period.
3. The Council may also revoke the licence where all or any part of the area of the relevant highway to which the licence relates has become unsuitable for any purpose for which the licence was granted or deemed to be granted. For example, the licensed area (or road adjacent) is no longer to be pedestrianised. The Council will give reasons where these powers are used.

6. Review Procedures

This Policy covers the Temporary Permission for Pavement Licences under the Business and Planning Act which are scheduled to expire on 30 September 2023.

This Policy will be reviewed from time to time should changes occur in relevant legislation, the nature of Pavement Licence's generally, relevant social distancing measures or as a result of local considerations within the Lancaster City Council area

**BUSINESS AND PLANNING ACT 2020
Notice of Application submitted to
LANCASTER CITY COUNCIL
In respect of a Pavement Licence for**

NAME OF PREMISES]
[FULL ADDRESS OF PREMISES]

NOTICE IS HEREBY GIVEN that in accordance with Business and Planning Act 2020
(applicant name)
Has made an application to Lancaster City Council on *(Date)* for a Pavement Licence

The application is in respect of
(Description of the highway area to be utilised e.g area extending X meters from the frontage of the premises address)

And is seeking permission to utilise a Pavement Licence to facilitate
(description of the activities to be carried on)

The proposed hours of operation are as follows
(please insert days and timings)

A copy of the proposal and accompanying plan are available for inspection on the Councils website at XXXXXXXXXX

Any person wishing to make representations to the Council regarding this application may do so by emailing Licensing@lancaster.gov.uk. The email should be headed Pavement licence representation *(insert premises name)*. Alternatively, in writing to the Licensing Manager, Morecambe Town Hall, Marine Road, Morecambe LA4 5AF **to be received no later than 7 days from the date of this notice.**

Signed Name in Print

Dated this th day of 2022

(The date of the notice must be stated as the day after the application was made)

Pavement Licences**Standard licence conditions**

- 1.0 The Licence will have effect until 30 September 2022 unless surrendered or revoked.
- 2.0 The issue of a License does not give, or imply any permission to sell intoxicating liquor in the street.
- 3.0 The Licence shall be displayed in the window of the premises to which it relates.
- 4.0 The use of the Licensed Area shall cease before 22.00 hours each day and shall not commence prior to 09.00.
- 5.0 The Licensed Area shall be vacated immediately if requested by the Council, Lancashire County Council as Highway Authority, Lancashire Constabulary or other emergency service, statutory undertaker etc. without any liability for compensation, refund of application fee, or damage arising.
- 6.0 The Council reserve the right to request the clearing of the licensed area if required for special one-off events for public safety
- 7.0 The Licence shall be rendered invalid, should the Licensee cease to own the premises or cease employment.
- 8.0 The Licensee shall indemnify the Council and shall produce to the Council's Licensing Manager for inspection a policy of insurance indemnifying himself and the Council against any injury or damage to any person or property and against any claim liability expense or damage arising by reason or in consequence of the permission granted. The policy shall provide cover of not less than £2,000,000 in respect of any one accident or series of accidents arising from one incident unlimited during the period of the insurance.
- 9.0 Upon expiry or revocation of the permission the Licensee shall remove any structures from the highway and reinstate the highway to its former state and condition and in default thereof, the Council will be empowered to carry out such work of reinstatement and recover the expense in so doing from the Licensee.
- 10.0 For streets with footways and carriageways, the maximum width of any licensed area shall not exceed one third of the usable width of the footpath. A minimum unobstructed footpath width of 1.8 metres must be provided for safe and convenient pedestrian movement. This distance being, measured from the edge of the licensed area to any significant amount of street furniture (such as lamp posts, bollards, parking meters etc). Where there is a heavy pedestrian flow additional footpath space may be required.

- 11.0 For pedestrianised streets a minimum width of 1.8 meters or two thirds of the total width of the public highway, whichever is the greater, must remain free and unobstructed to facilitate pedestrian movement. This figure may be increased where there is a heavy pedestrian flow. The unobstructed route shall fall equally either side of the centre line of the highway to ensure the space available for tables and chairs is shared equally between premises on each side of the street.
- 12.0 A clear direct pathway of at least 1.2 metres wide shall be maintained to allow entry and exit from building premises.
- 13.0 Only the Licensed Area shall be used for trading.
- 14.0 Where tables and chairs are proposed directly outside a shop front, a well designed and constructed physical barrier or roped area of approximately 0.8 metres in height is required to designate the area and to guide persons with sight disability around the use. Such barriers must not be permanently fixed to the ground and must be of a style, design and type to be agreed by the Council
- 15.0 Only furniture associated with the operation of the pavement licence shall be placed within the Licensed Area. .
- 16.0 Tables and chairs shall be durable and suitable for outside use. No damaged furniture should be used.
- 17.0 An area of 1 metre around the Licensed Area must be regularly cleansed and floor debris and other' waste immediately removed to the satisfaction of the Council's Head of Environmental Services.
- 18.0 Tables, chairs and umbrellas shall not be positioned so as to obstruct sight lines for drivers of vehicles at junctions.
- 19.0 No canopy or umbrella shall be lower than two metres in height and shall be adequately secured.
- 20.0 All street cafe furniture, including barriers shall be removed and safely securely and stored at the end of trading each day, or at the end of the approved trading hours as defined by the Licence, whichever is the earliest.
- 21.0 Suitable safe storage for street café furniture shall be identified by the applicant at the time of application for a license.
- 22.0 There must be adequate provision made for the collection and containment of litter and, the Licensee must provide suitable litter bins.
- 23.0 The Licensee will ensure that the designated area is maintained in a clean and tidy condition. The Licensee shall also take appropriate precautions to prevent the immediate highway from becoming littered as a result of trading activities.
- 24.0 The Licensee shall at all times when the pavement cafe is in operation make available for customers toilets and hand washing facilities, to wheelchair accessible standards where it is practicable and reasonable to do so.

- 25.0 The Licensee will be responsible for the conduct of customers. They must not be a nuisance or annoy users of the highway or other persons.
- 26.0 No speakers or playing of music shall be permitted.
- 27.0 No electrical cables shall be run along the ground in such a way that they create a trip hazard or are susceptible to mechanical damage.
- 28.0 No tables and chairs (street furniture) to be placed so as to cause an obstruction or nuisance to any Charter Market stall holder.
N.B. This may mean that a Pavement Licence cannot be used whilst the market is taking place.
- 29.0 Where alcohol is permitted to be served or consumed in the licensed area glass receptacles including bottles cannot be used. Polycarbonate or similar material receptacles should be used.
- 30.0 All patrons consuming intoxicating liquor must be seated at a table within the licensed area, there will be no vertical drinking

National Licence Conditions

Smoke-free seating condition

The licence holder must make reasonable provision for seating where smoking is not permitted.

No obstruction condition

The licence-holder must ensure that anything done in pursuant to the pavement licence, or any activity of other persons which is enabled by the pavement licence, must not have an effect on the following:

(a) preventing traffic, other than vehicular traffic, from:

(i) entering the relevant highway at a place where such traffic could otherwise enter it (ignoring any pedestrian planning order or traffic order made in relation to the highway),

(ii) passing along the relevant highway, or

(iii) having normal access to premises adjoining the relevant highway,

(b) preventing any use of vehicles which is permitted by a pedestrian planning order or which is not prohibited by a traffic order,

(c) preventing statutory undertakers having access to any apparatus of theirs under, in, on or over the highway, or

(d) preventing the operator of an electronic communications code network having access to any electronic communications apparatus kept installed for the purposes of that network under, in, on or over the highway.

Function		Decision Delegated to
Determination of Pavement Licence	Where, during the public consultation period, no representations have been received.	Licensing Manager (ref part 2 Section 7)
	Where, during the public consultation period, representations have been received.	Licensing Sub Committee (ref part 2 Section 5)

Ref – Councils Constitution

LICENSING COMMITTEE**Driver Recruitment Progress Report****25th August 2022****Report of Licensing Officer****PURPOSE OF REPORT**

To provide members with an update on the progress of licensed driver recruitment.

This report is public.

RECOMMENDATIONS

- 1) That the Committee note the report and the measures applied by licensing to encourage and recruit new drivers into the licensed trade.**

1.0 Background

- 1.1 During the Covid-19 pandemic it became apparent that there was a shortfall in licensed drivers both locally and nationally. Feedback received from the public was that it was becoming increasingly difficult to access hackney carriage/private hire vehicles particularly in the early hours.
- 1.2 The reduced number of drivers was identified in the Licensing workplan for 2022/23. The workplan stated that the Licensing Service would promote the role of becoming a licensed driver and work alongside partners to assist applicants.
- 1.3 Licensing Officers have discussed the reason for the shortfall in drivers with several previously licensed drivers. The reason they gave for the reduced number of drivers was mainly the lack of work available throughout the pandemic.
- 1.4 Once restrictions had eased, and the world began to return to some normality, 91 drivers did not return to the trade. Many commented that they did not have the funds to renew or they had found alternative employment that offered more security.
- 1.5 Licensing Officers assisted private hire operators in registering for the Kick Start Scheme. The intention was to assist operators in recruiting new drivers. The Kick Start Scheme provides government funding to create new jobs for

16 to 24 year olds on Universal Credit. Unfortunately, the Kick Start funding application was rejected due to one of the application requirements being that the driver would be required to be supervised at all times. This would not be cost effective for private hire operators, it would also make a seat in a licensed vehicle redundant.

- 1.6 Licensing Officers supported local private hire operators at recruitment events at the Job Centre aiming to encourage people to join the taxi trade. During the recruitment events people did not show any interest in becoming a licensed driver. The main barrier was the application cost, it costs between £405 and £430 to complete an application

2.0 Report

- 2.1 On 10th March 2022 the Licensing Service was awarded funding from covid recovery funds to encourage people into the trade. Officers have spent at least 3-4 hours per week administering/managing the application process with applicants.
- 2.2 The amount of funding enabled Lancaster City Council to offer 49 new applicants/previous drivers a 1-year dual drivers licence.

The funding for each applicant was utilised to cover the following application requirements:

- Lancaster and Morecambe College Taxi Drivers Course
 - Enhanced Disclosure and Barring Certificate (DBS)
 - Practical Taxi Driving Test
 - Group 2 Medical
 - New 1 year dual drivers licence (for new drivers only)
 - Renewal 1 year dual drivers licence (for previous licensed drivers only)
- 2.3 Prior to advertising the funding available, the Licensing Service contacted all drivers that had expired during the pandemic. The purpose of contacting them was to encourage them to return to the trade. Officers informed the drivers of the funding available for a 1 year dual drivers badge and offered to utilise documents already on file. The Licensing Manager considered each application on a case by case basis, to determine what the application process would be for them (no driving test or college course if previously completed).

There have been 6 previously licensed drivers that have taken up the offer of funding to be relicensed.

- 2.4 Licensing Officers contacted Lancaster and Morecambe College in relation to the cost of the college course and they have reduced the cost from £225 to £100 per applicant. If an applicant is claiming Universal Credit/Jobseekers allowance then they can access the course free of charge.

2.5 The Licensing Team worked together with Inspira, an organisation who help local people into work, improve their skills and open up new opportunities. Licensing Officers assisted in setting up recruitment events alongside Inspira with Officers attending those events to talk the applicants through the application process and answer any questions they had.

2.6 Licensing Officers offered a one-to-one appointment to each applicant. The purpose of the appointment was to confirm the applicant had a clean driver's licence, no convictions that would trigger the Hackney/Private hire licensing policy, were medically fit and discuss the application process. Where an applicant was unable to access Morecambe Town Hall, Licensing Officers met remotely with the applicants within the district.

As well as the initial face to face appointment each applicant was given a contact within the Licensing Team throughout the application process if they required any assistance and support.

2.7 All 49 funded places have now been allocated and the funding option is no longer available.. The Licensing Service have granted 20 out of 49 driver badges to date. The aim is to have the majority of the applications granted by the end of October 2022.

2.8 There have been some delays due to applicants having to resit certain units of the college course, not passing first time around and applicants not registering to the DBS update service. (Which is a mandatory application requirement)

2.9 Public Safety has been the paramount consideration of the recruitment process and unfortunately there have been a small number of applications that the Licensing Manager has refused. This has been due to applicants having convictions that triggered the Councils Hackney/Private Hire licensing policy and or not meeting the medical standards.

3.0 History of Licensed Drivers

3.1 During the taxi working party members requested for this report to include: the number of new licences that have been granted and the total number of licensed drivers each year from 2017 – August 2022.

Year (1st January – 31st December)	Total of New Driver Licences Granted	Total Number of Licensed Drivers
2017	21 new driver licences	539
2018	22 new driver licences	515
2019	30 new driver licences	512
2020	12 new driver licences	521
2021	14 new driver licences	480
2022 (1 st January – 16 th August 2022)	34 new driver licences	441

3.2 Since January 2022 to the present day, the Licensing Service has granted 34 new driver licences. This is a significant improvement on previous years and a positive indication of an increase in recruitment to the trade.

4.0 Future Funding Options

4.1 All the covid recovery funding has been allocated, however, licensing have been made aware of other possible funding options that may be available to the unemployed or people on a low income

4.2 If an applicant is unemployed, they can register for a National Careers Service appointment and be assessed for suitability, this may determine what funding may be available to them through the Flexible Support Fund and/or Restart Funding.

4.3 The Licensing Team will communicate the other funding options available to applicants when we receive new driver enquiries and periodically through trade newsletters. The Licensing Service will keep on working with external organisations such as Lancaster and Morecambe College, Job Centre Plus and Inspira to encourage people to join the licensed trade.

5.0 Conclusion

5.1 During the pandemic it was identified that there was a shortfall in licensed drivers both nationally and locally. The Licensing Service received funding from covid recovery funds to aid the recruitment of drivers into the trade.

5.2 Applicants eligible for funding have been required to meet the same standard as any other applicant or existing driver. Public Safety has not been compromised by the introduction of the funding available.

5.3 All the funded places have now been allocated and the funding option is no longer available. The Licensing Service have granted 20 of the 49 driver badges to date. The aim is to ensure the majority of applications will be granted by the end of October 2022.

5.4 It has taken significant Officer resources to get to this position with the recruitment of drivers. Recruitment is not a statutory function of the Council, however it was identified as important if Lancaster City Council want to build a sustainable licensed trade.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

Applicants eligible for funding have been required to meet the same standard as any other applicant or existing driver.

FINANCIAL IMPLICATIONS

Financial Services have not been consulted

LEGAL IMPLICATIONS

There are no legal implications.

BACKGROUND PAPERS

None

Contact Officer: Sarah Jones

Telephone: 01524 582766

E-mail: sljones@lancaster.gov.uk

Ref: SJ/Recruitment

LICENSING COMMITTEE

Public and Trade Consultation – Pedicab Licensing

25 August 2022

Report of Licensing Manager

<p align="center">PURPOSE OF REPORT</p> <p>Members approved a public and trade consultation on the licensing of pedicabs as hackney carriages for use along a specified section the Promenade in Morecambe and the public highway.</p> <p>Members are requested to consider consultation responses and determine permitted routes, with or without modification.</p> <p>This report is public.</p>
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RECOMMENDATIONS

- a) That members of Licensing Committee consider consultation responses and determine the permitted route for pedicabs operating in the district with or without modification.
- b) Members may wish to depart from the previous “agreement in principle” to the licensing of pedicabs in response to the consultation.

1.0 Report

- 1.1 At the previous meeting of Licensing Committee, members resolved in principle to licence Pedicabs as Hackney Carriages. It was decided that the views of the public should be obtained regarding their introduction, specifically for use along the Promenade, between the Midland Hotel and Whinnysty Lane, Heysham. No decision was taken in respect of permission on the Highway but the suggested route from the Midland Hotel to Happy Mount Park was included in the consultation.
- 1.2 A public and trade consultation was undertaken for 4 weeks, from Friday 1st July 2022 to Monday 1st August 2022. The details provided as part of the consultation are attached at **Appendix 1**. It was felt that an open-ended request for feedback on proposals regarding pedicabs would provide more authentic responses from the public, rather than asking closed or leading questions as part of a survey.
- 1.3 During the consultation period the details were sent to the licensed trade, posted on social media channels and made available to the public on the Licensing pages of the Councils website.

A total of **61** responses were received. (This does not include Facebook comments).

- 1.4 Feedback was relatively balanced, with some representations being fully supportive of the initiative, whilst others objected or asked questions about the management or raised safety concerns about their introduction.

A cross section of responses have been provided for consideration at **Appendix 2**.

- 1.5 The response from the public was encouraging, with many local people wanting to support a new “green” business idea that brought visitors to the area. Some comments were balanced between being supportive of the idea but highlighted the already busy areas of the Promenade and the challenges that presents.

Those who opposed the introduction of pedicabs were concerned about the use along the Promenade and stated that permitting their use in an already busy area would present an additional risk to others. Some suggested separation of the Promenade for different users, using marking etc. (This would be the responsibility of Public Realm to consider). Others advised that the train already in operation along the Promenade meets the demand of the public and follows a similar route along the highway.

It seems the public who support the initiative would welcome the option of travelling along the Promenade in a pedicab, but the perception of the operation is that the vehicles will be available on an ad-hoc/as and when type basis. Members need to consider further business models other than the proposals put before them when setting standards.

- 1.6 A small number of responses were received from the local hackney carriage and private hire trade. It was also an agenda item at the Taxi/PH working party and discussed with trade representatives.

The legislation and difficulties in creating a separate licensing regime for pedicabs and the barriers it presents was a common theme of the trade responses.

Some of the questions raised included the following.

“How and where will the vehicles rank”

“Will the pedicabs be capable of being flagged down or permitted to ply for hire”

“What will the fare structure look like, will it be the same as motor vehicles” If not, the justification in that decision-making.

“What is a reasonable reason for refusal of a fare”

“Will the driver be subject to the same DBS/Medical/Qualification as motorised vehicle drivers”

“Can the licence plate be transferred from a pedicab to a motor vehicle rendering the current cap on numbers redundant”

All questions presented were valid, with many already been given consideration by Officers. This presents a challenge with the current proposals set out in previous Licensing Committee reports whereby the business operation wishes to operate on a pre-booked basis and with set fees/charges.

2.0 Conclusion

- 2.1 The 61 responses of the 4-week public and trade consultation on the introduction of pedicabs have been collated. It was fairly balanced in terms of responses and the level of support for the introduction of pedicabs to the district.
- 2.2 In considering the consultation responses, members are asked to determine whether to allow use of the pedicabs along the permitted route of the Promenade between the Midland Hotel and Whinnysty Lane, Heysham and the public highway between the Midland Hotel and Happy Mount Park or to restrict their use to the Promenade/Public Highway or in light of representations revisit the decision to licence pedicabs as hackney carriages in the district.
- 2.3 Once a decision has been reached on permissions, the licensing manager can then draft standards and licence conditions for riders, pedicabs for members consideration.
- 2.4 As set out in previous reports, the licensing of pedicabs is difficult with many licensing authorities choosing not to licence such vehicles as hackney carriages. The difficulties include some of the points raised by the licensed trade and members of the public as part of the consultation.
- 2.5 The paramount consideration of the licensing regime is public safety. This should be at the forefront of decision-making. Members are asked to provide full and detailed reasons for their decision.

FINANCIAL IMPLICATIONS Financial Services have not been consulted	
LEGAL IMPLICATIONS It is important that consultation is undertaken having regard to Government guidance on how consultation should be carried out. In 2000 the Government published its Code of Practice on consultation, the latest version of this is version 3 published in 2008 by the Department for Business, Enterprise, and Regulatory Reform. More recently in 2018 the Cabinet office published the Government Consultation principles. Any appeal against a decision to refuse a Hackney Carriage licence would be to Crown Court.	
BACKGROUND PAPERS Agenda for Licensing Committee on Thursday, 9th June 2022, 1.00 p.m. - Lancaster City Council Agenda for Licensing Committee on Thursday, 30th June 2022, 1.00 p.m. - Lancaster City Council	Contact Officer: Jennifer Curtis Telephone: 01524 582732 E-mail: jcurtis@lancaster.gov.uk Ref: JC/Pedicab

Public Consultation– Pedicabs

Lancaster City Council are considering the licensing of pedicabs. (Sometimes referred to as rickshaws) Pedicabs are small three wheeled vehicles with a seat, pedals, and handlebars for the operator and usually a hooded cab for passengers.



This will allow Lancaster City Council to set minimum standards for the rider and vehicle, including DBS requirements, rider competency, medical fitness, safety requirements and standards, testing, and maintenance.

Pedicabs are being considered for licensing and be permitted to operate along the pedestrianised area of the Promenade in Morecambe between the Midland Hotel and Whinnysty Lane, Heysham. Pedicabs may also be permitted for use of the public highway between the Midland Hotel and Happy Mount Park.

Why your views matter

We would like to hear your views on the licensing of pedicabs, the feedback received as part of the consultation will be used to shape the Councils future policies and procedures.

Please email licensing@lancaster.gov.uk with the subject heading, consultation response to provide your views. Please note the deadline for responses is Monday 1st August 2022.

What happens next

The results of this consultation will be presented to members of the Licensing Committee for their consideration.

Newby, Elizabeth

From: Pam Jones [REDACTED]
Sent: 06 July 2022 15:56
To: licensing
Subject: Consultation Response

This email is from an external email address

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Never disclose your password to anyone.

Re Licensing of pedicabs on Morecambe Prom.

As a resident of Bare, I walk daily along the prom and am well aware of the number and types of users. We have walkers, cyclists, mobility scooters, kids scooters, roller blades and the occasional horse - if it has wheels and/or feet, we have it.

With the width of the prom, we have very little problem that I have been aware of, most users are entirely sensible and capable of taking into account other users.

No doubt the validity of this could be checked via accident records for the prom.

The biggest nuisance is cyclists riding too fast and failing to give warning of their approach using a bell.

So I have no objection to the idea of pedicabs in principle as they are surely not much bigger than a mobility scooter, with the caveats that

- numbers are strictly controlled (as I presume they will be via licensing arrangements)
- they are required to have a means of warning pedestrians of their approach
- they adhere to some kind of speed limit if such a thing is enforceable
- thought is given to their use during busy times eg weekend festivals (like the kite festival) or when sections of prom may be closed or restricted eg during The Bay filming or similar.

I have some reasons I think they are a great idea to be encouraged

- an excellent potential small business with resulting employment opportunities
- great tourist attraction
- a lovely way for people with limited mobility to enjoy the amenity of the prom
- eco friendly.

So I am in favour.

Thanks

Pam Jones
[REDACTED]

Newby, Elizabeth

From: Louise Ash [REDACTED]
Sent: 06 July 2022 15:03
To: licensing
Subject: Consultation Response

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Good afternoon License team.

I wanted to give some feedback on the proposed use of Rickshaws on Morecambe Prom and around the Midland Hotel area.

I fully support their use. Environmentally friendly, great fun and new to the town.

As a youngster I hired a twin bike with a sun canopy that could be peddled around the prom in Spain. They were marketed at tourists and hired out by the hour. This scheme seems similar, but you don't have to peddle yourself, so can take in the wonderful views.

Safety is always top of mind, so a way of ensuring that the operator can be seen, heard and avoided at busy times would make sense. Maybe a sensible speed limit, a fun horn to honk, and a cheerful operator? Having local businesses advertise on them might help them be colourful?

If their implementation is well advertised, in advance of launching, so locals know they're going to be on the Prom, then I'm pretty sure they'll be well received by most people.

I hope this helps, and wish you and the new entrepreneur well.

Kind regards
Louise Ash

Newby, Elizabeth

From: Wendy Sanders [REDACTED]
Sent: 06 July 2022 13:16
To: licensing
Subject: Consultation Response

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Hi I think it's hard enough to walk up and down the prom with all the cyclists and scooter riders as it is . I just think these are going to make it even more difficult for people . I think it's a nice idea just not very practical . Soon people won't be able to go for a lovely walk for fear of being run over by a cyclists. Iv had quite a few close encounters whilst out with my grand children .

Yours wendy wilson x

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Newby, Elizabeth

From: Kirsty Macmillan [REDACTED]
Sent: 06 July 2022 10:45
To: licensing
Subject: Consultation Response

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I don't think the pedicabs would be a good idea on the pedestrianised prom. They are too large. There are huge numbers of people that walk along there all the time. Families can spread across the whole prom as it is. People walk their dogs there and kids run and play along there. It's bad enough as it is just trying to walk along the prom without getting hit by cyclists, roller bladers, dogs not on leads or on extendable leads with owners just letting them run. Pedicabs would only make things more dangerous. Besides, there's plenty of buses that go all the way along the prom and there is also the land train now that the summer holidays are coming.

Sent from Samsung Mobile on O2
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Newby, Elizabeth

From: Rachael Allar [REDACTED]
Sent: 06 July 2022 11:08
To: licensing
Subject: Consultation Response - rickshaws

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Hello,

I have just seen a link to this on social media and think it is a great idea for over the summer, very much like the road train that operates between happy mount park and the car park by the winter gardens.

As mentioned in the article strict policy's to do with DBS and fitness checks would be a major concern for me, along with some other factors

1. How many rickshaws operating at 1 time, you do not want lots of them monopolising the roads or prom.
2. Hours of operating, limiting times especially Monday-Friday so they aren't on the roads during popular commuting times (7:30-9:30 and 16:00-18:30)
3. Speed, especially when in more pedestrianised areas.
4. Sound, in large cities where they are popular they can be blasting out music but that wouldn't be fair for people trying enjoy walks or spending time on the beach.

I think it's really exciting to see potential plans for things in Lancaster and Morecambe. I look forward to seeing more

Regards
Rachael

Sent from my iPhone

Newby, Elizabeth

From: Carol Alty [REDACTED]
Sent: 06 July 2022 11:27
To: licensing
Subject: Consultation Response

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Never disclose your password to anyone.

Re the use of pedicabs on the promenade. My response is a great big NO.

This is from a H&S point of view. Recently I have witnessed a few near misses and a couple of contacts with electric scooters and electric version of skateboards being manoeuvred at speed by young teenagers clashing with older people and also young children whose parents felt the prom is still a safe place to let their children run a short distance from them.

A promenade is by its very name to walk on. I am well aware that bikes, scooters, pushchairs, prams, mobility scooters etc are used, these are all great forms to enable exercise and a way of enjoying Morecambes wonderful prom, but with the extra hazard of a pedicab lots of holiday makers will just see it as yet another hazard to contend with. They belong on the road with other taxi type vehicles.

I do not wish to be a killjoy, but Morecambe like a lot of other places has had a lot of negativity about it recently. Such as people being assaulted and killed outside of entertainment venues, children bundled into cars from school etc.

Please don't have it known as the first place to have someone knocked over on the prom by a pedicab and killed, the weight of one of those with 2 passengers and a cyclist could easily do that.

Kind regards

C Alty

Sent from my Huawei phone

Newby, Elizabeth

From: Robinson, Ian
Sent: 05 July 2022 14:10
To: licensing
Subject: Consultation Response

Good afternoon,

Licensing of Pedicabs

I've worked as a city council engineer on Morecambe-Heysham frontage for over 30 years and I hope it is appropriate for me to comment.

The bylaws were changed in 2007 to allow cycling on the promenade. Since then, there have been issues of shared use, speeding cyclists and accidents, some of which I've had to deal with in court.

However my perception is that a suitable balance has evolved and on the whole the promenade traffic currently works efficiently for cyclists and pedestrians.

Introduction of Pedicabs may upset this delicate balance and I can't see the cost/benefit working. And at busy times I anticipate some very annoyed walking visitors.

It's worth noting that the promenade East of MTH is extremely narrow right up to Happy Mount Park, with width restrictions at some access points.

I would anticipate that a 1.2m wide Pedicab would struggle here, particularly when encountering council refuse vehicles and cleaners on their daily rounds.

Regards,

Ian..

Ian Robinson

Senior Engineer – Lancaster City Council

Directorate for Economic Growth and Regeneration



Newby, Elizabeth

From: Chadwick, Paul
Sent: 06 July 2022 09:57
To: licensing
Subject: 'consultation response'

Good Morning,

I feel that adding a further mode of transport to the promenade would create another hazard.

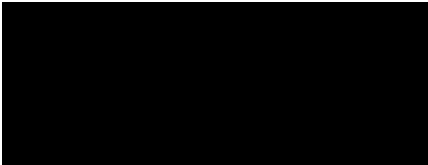
The promenade, in the summer months is already very busy with walkers, dog walkers with extendable leads, cyclists, runners, motorised scooters and skateboards which already fly along at dangerous speeds. To me the purpose of the promenade is to allow people the pedestrianised freedom to enjoy the fresh air and exercise, where toddlers and children are safe to run free without the dangers of a further mode of transport.

regards

Paul Chadwick,

Technical Officer,

Housing Standards,
Lancaster City Council.



Newby, Elizabeth

From: licensing
Sent: 01 July 2022 12:53
To: Curtis, Jennifer
Subject: FW: Consultation response.

From: william riley [REDACTED]
Sent: 01 July 2022 12:52
To: licensing <licensing@lancaster.gov.uk>
Subject: Consultation response.

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I do not agree with licensing pedicabs on the promenade. Like e scooters, they will not stay there. The promenade should also be cleared of all cycling. There's a clue in the name to promenade. Walk. There is no requirement to insure a cycle or pass any test. Presumably the operator will cycle home. Two drunk hen party goers will be quite a sight, and cause concern.

Newby, Elizabeth

From: Camp, Richard
Sent: 28 July 2022 15:40
To: licensing
Subject: Pedicabs proposal - consultation response

Hello

I work in the Planning Policy Team and been involved in developing the cycle network across the district and also in developing polices aimed at encouraging active travel through the Climate Emergency Local Plan Review. Overall the introduction of pedicabs is welcomed as a way to promote cycling and as a sustainable form of transport. It should be noted that the promenade forms part of the districts strategic cycle network and also part of the Sustrans designated Bay Cycle Way. The promenade east of Morecambe town centre can often be congested and there is potential for user conflict between cyclists and pedestrians so the introduction of pedicabs on this section would be an issue. Its noted however that the proposal avoids this section and uses the highway. Its advised that the byelaws effecting the promenade are referred to, to check whether a pedicab is technically a cycle or otherwise.

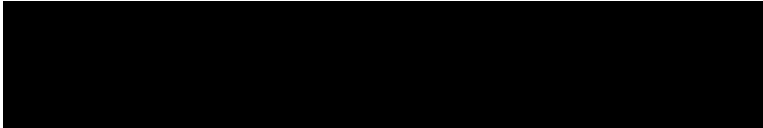
Kind regards

Richard Camp

Richard Camp BSc, MSc, MRTPI

Planning Policy Officer

Planning & Place I Directorate for Economic Growth and Regeneration | Lancaster City Council



Please note I work part time hours:- Wednesday, Thursday and Friday

Stay informed: sign up to receive our planning policy newsletters, details on our website:

<https://www.lancaster.gov.uk/planning/planning-policy>



Newby, Elizabeth

From: [REDACTED]
Sent: 08 July 2022 10:29
To: licensing
Subject: Consultation Response

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Hi

As a resident of Morecambe, I am fully supportive of this idea in theory. I use the prom daily either walking or cycling.

As a walker I have to consider: the cyclists; and those that use mobility scooters; electric scooters; powered long boards, battery powered mini model cars and some who use electric mopeds.

As a cyclist I use the approach of caution by going slower than I would on the road, in all areas. Including and particularly: the Central Clock Tower; the narrow prom after the Sailing Club towards Bare; access areas to the beach and areas where there are play parks.

This is because in my experience: walkers are not always expecting a cyclist to pass them and will step out or move direction without looking; children are not always alert to bikes and will naturally as young children do: impulsively dash out of the parks etc; people walking with dogs on extendable leads are one of my next greatest concern and I believe this could be resolved by having a few polite signs to use short leads for dogs. (I notice there are now some new signs encouraging the use of leads, which hopefully dog walkers will read and abide by, as that has caused me near misses too!). Other concerns as a cyclist are people playing ball on the prom and children on push bikes or scooters who do random 360 turns. These are all potential hazards when bikes are whizzing along.

Therefore, taking all these things into account I agree with the idea and think this will be another great venture for our town, IF the safety concerns are addressed and measures are put in place to ensure every prom user is aware of the possibility of a pedal cab approaching them.

I have read on local social media sites, some believe cycle and walking lanes should be painted on the prom. This may work, but in my experience walkers cross over the prom to access the beaches and car parks etc and therefore whilst designating areas provides a guide it may create a 'false sense of security' and cause similar issues like I've mentioned.

I hope all prom users will be able to continue enjoying this space which benefits general health and wellbeing. And I hope my input helps in this consultation.

Thank you for reading.

Kind regards

Jill Consadine

Newby, Elizabeth

From: Jenny Bowler [REDACTED]
Sent: 07 July 2022 21:46
To: licensing
Subject: Consultation Response

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Re rickshaws on Morecambe prom

I think this is a brilliant idea and one to be encouraged. I see no issue using the Promenade in the same way that bicycles already do. We should encourage environmentally friendly business ideas such as this which will add a bit of novelty and encourage visitors to explore more of what Morecambe and Heysham have to offer. Please do agree to this!

Jenny Bowler

Sent from Yahoo Mail on Android

Newby, Elizabeth

From: Katy Lord [REDACTED]
Sent: 08 July 2022 01:55
To: licensing
Subject: Consultation Response

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To whom this may concern,

I would be against licensing pedicabs (rickshaws) for the promenade. Mainly due to working and living part time in London and having seen them in action here, I know the untold stress and aggravation they cause.

The promenade is a wonderful place enjoyed by us all, the land train would be a far better novelty to enjoy the views with. Pedicabs can be down right dangerous to pedestrians and road users alike, I strongly urge you to decline licensing.

Kind regards,
Kathryn Lord

Newby, Elizabeth

From: Kerry O [REDACTED]
Sent: 07 July 2022 22:16
To: licensing
Subject: Consultation Response

This email is from an external email address

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Hello.

I'm torn between a yes as I can see many benefits to morecambe even though I physically couldn't board them and a no, mainly due to public safety.

As an ambulatory wheelchair user (who is using her powerchair more and more, verging on being a full time user I'm concerned they will be moving too fast for me to get out of the way safely, especially if I have my deaf dog with me, it's hard enough some days with current users without adding larger vehicles who will be wanting to get from a to b as fast as possible in order to make money. Perhaps a speed limiting device could be added?

Please consider a painted cycle lane for them to be in, along with other cyclists some of whom zoom down it like its a race track and make it feel unsafe. I feel a physical barrier between the cyclists and pedestrians would be safer but a 50 50 split wouldn't work as it wouldn't be wide enough for families, wheelchair users to walk side by side plus it would spoil the aesthetic.

It definitely needs careful consideration.

Thank you

Kerry Ollerenshaw

Newby, Elizabeth

From: charlotte barker [REDACTED]
Sent: 07 July 2022 17:27
To: licensing
Subject: Consultation Response

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Dear sirs

With reference to the request for views on the licensing of rickshaws on the prom areas in Morecambe I think it is a brilliant idea. I also hope the person who is setting up this business moves to offering green carbon free travel from the park and ride by the motorway to Lancaster and Morecambe via the cycle path if the Eden project ever happens.

Yours faithfully

Charlotte Barker

Newby, Elizabeth

From: Anne Holloway [REDACTED]
Sent: 07 July 2022 09:48
To: licensing
Subject: Consultation response

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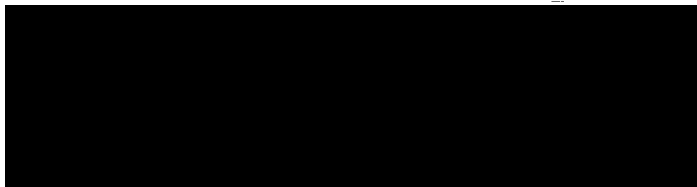
As a relatively new resident and business owner (12 months) in Morecambe - Edgelands Gallery on Yorkshire St in the West End - I would welcome pedicabs on the Prom. We are working really hard to encourage new visitors to the area and I believe pedicabs would be a positive edition to the vibe of Morecambe.

In terms of safety I think licensed users, following, as you suggest, a code of conduct, would cause no nuisance. We manage to navigate the bikes and a scooters and the guy in sunglasses on the segway without issue! The prom, particularly from The Midland Hotel to Heysham, has a real continental feel to it, and I think the pedicabs would really add to it - and from our point of view in the West End - would encourage more footfall to our businesses, which would benefit the regeneration of this area and the town as a whole.

Kind regards

Anne

Anne Holloway ■



Newby, Elizabeth

From: Jane Dale-beaumont [REDACTED]
Sent: 06 July 2022 22:08
To: licensing
Subject: Consultation Response

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Absolutely brilliant idea , I can no longer push my Disabled son in his wheelchair, due to health issues , he would love this so would my grandchildren. Great fun down our beautiful prom .

Jane Dale-Beaumont

Sent from my iPad

Newby, Elizabeth

From: Powell, Jonathan [REDACTED]
Sent: 06 July 2022 18:4
To: licensing
Subject: Consultation Response

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I am in support of the pendicabs licensing proposal. As a sustainable and green initiative I feel this would be welcome in the District.

Best Regards,

Jon Powell
Head of Enterprise and Innovation Services Lancaster University And President of Lancaster and District Chamber of Commerce

Sent from my iPhone

Newby, Elizabeth

From: Adam Hanlon [REDACTED]
Sent: 06 July 2022 18:34
To: licensing
Subject: Consultation Response

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Dear Sir for Madam,

I am strongly OPPOSED to the idea of licensed pedicabs operating on the Promenade.

The council's (historical) decision to allow wheeled traffic on the Promenade is flawed in general. it is interesting to note that it was railroaded through the approval's process with no consultation at the time...

The Promenade should be a recreational facility for residents and visitors to stroll and enjoy Morecambe's amazing sea views. Instead, it has become a traffic thoroughfare for wheeled traffic, that is intent on getting to their destinations with the utmost despatch. This means that those enjoying the Promenade now need to be constantly aware as they run a real and quantifiable risk of being struck by said traffic.

Adding to this by allowing a fee paying service seems short-sighted, and counter to the very nature of the Promenade (cf. "*a paved public walk, typically one along the seafront at a resort*")

I hope that, unlike previous consultations, all viewpoints, rather than only those of non-elected office holders will be actually taken into account in this instance.

Yours

Adam Hanlon

Adam Hanlon

Underwater Photographer
[REDACTED]



On behalf of the Visual Impairment Forum for the LCC Area

To whom it may concern

Firstly, please may I introduce myself, I am the chair of the Visual Impairment Forum, we are a group of blind and visually impaired people from across Lancashire facilitated by a business support officer at LCC. We share our wider range of knowledge to help improve services that impact members of the blind and visually impaired community in our area.

Having become aware of the consultation being carried out regarding Pedicabs in the Morecambe Area and knowing there is a number of visually impaired and blind residents living in the area and visitors to the area likely to increase with the exciting plans for the Eden Project, we would like to share our experience in the hope the team may find it beneficial as they look at the licensing of future cabs;

- Please can we ask for assurances that all operators will be monitored regarding training to improve safety.
- Can we also ask will the Pedicabs have high contrast livery on the cab, so residents who are elderly with mobility issues and those who are partially sighted can see them easier to avoid collision.
- Visually impaired and blind people often don't hear cyclists can we please ask bells are fitted and it's mandatory for operators to use them. Pedicabs will be heavier than a bicycle, so this is an important feature to avoid potential accidents involving the operator, passenger and pedestrians.
- As the cabs are going to travel on the pedestrian area between The Midland Hotel and Happy Mount Park can we please offer a suggestion, would it be possible to mark the cycle lane allowing enough room for the width of the pedicab improving Access for All.

We hope you don't mind us raising the above points on behalf of the visually impaired community, please let us know if we can assist you further. We are more than happy to share our lived experience to help others.

Kind Regards
Denise Wilkinson (chair of the VI Forum)

RNIB's response to Lancaster County Council's consultation on pedicabs

About RNIB:

We are the Royal National Institute of Blind People (RNIB), the UK's leading sight loss charity and the largest community of blind and partially sighted people. Everyday 250 people begin to lose their sight. RNIB has a crucial role to play in creating a world where there are no barriers to people with sight loss. We want society, communities and individuals to see differently about sight loss.

Our response

Blind and partially sighted people consistently tell us that barriers to journey-making, including streets and transport, are one of the biggest issues they face. This is why RNIB campaign for the right of blind and partially sighted people to maintain independence and dignity in all journeys. We welcome the opportunity to respond to this consultation on the licensing of pedicabs in Morecambe.

RNIB is concerned about pedicabs on Morecambe's pedestrianised promenade, as we are about all cyclists in pedestrianised areas, because these shared use areas negatively impact blind and partially sighted people and potentially compromise their safety.

Public spaces where bikes are not separated from pedestrians can become no-go zones for blind and partially sighted people. 78 per cent of respondents to an RNIB survey said they would avoid a shared route with bikes.

For blind and partially sighted pedestrians, knowing they can be in the same space as cyclists can be intimidating, particularly because bikes are so hard to detect. 82 per cent of respondents said bicycles affected their ability to make walking journeys. Many of our survey respondents who identified bikes as an issue reported being run into by a cycle, had experienced near misses, or had concerns about being knocked over.

Cycles can be difficult or impossible for blind and partially sighted people to see and hear because they are unpredictable, agile and silent. While pedicabs are bigger than normal cycles because of the passenger seating, we are concerned that this will also make them more dangerous to collide with because of the increased weight, momentum, and structure that could cause injury upon collision.

The DfT says in LTN 1/20, "Shared use facilities are generally not favoured by either pedestrians or cyclists, particularly when flows are high. It can create particular difficulties for visually impaired people."

This guidance makes it clear that:

- Cycles must be treated as vehicles and not as pedestrians.
- On urban streets, cyclists must be physically separated from pedestrians and should not share space with pedestrians. This separation should ideally be with a kerb of at least 60mm.
- Shared use routes in streets with high pedestrian or cyclist flows should not be used.

Most blind and partially sighted people are unable to carry out the necessary communication with cyclists for negotiating right of way, including any visual gestures or calls. This can cause confusion for the cyclist as to the intention of blind and partially sighted pedestrians. It might not even be obvious to the cyclist that a pedestrian is blind or partially sighted. This affects the cyclist's ability to judge what safety margin to give, to determine whether and how to give way or pass that pedestrian safely. The experience is disorienting and potentially dangerous for the individual with sight loss.

The potential danger and therefore intimidation is even greater with e-bikes as they move at higher speeds. We share Councillor Roger Cleet's reported concern with the proposal being for the pedicabs to be motorised vehicles.

For our walking and cycling infrastructure to be inclusive it must be designed to promote safer cycling and safer walking. We recommend, from the perspective of blind and partially sighted pedestrians, safer walking includes:

- dedicated pedestrian-only footways (no shared use areas),
- detectable kerbs (of no less than 60mm upstand, and high tonal contrast) separating pedestrians from all vehicles includes cycles and cycle lanes, and

- inclusive pedestrian crossings over roads and cycleways to ensure pedestrians are always kept separate from vehicles.

The risk of mobility aids such as white canes interfering with the wheels of bicycles is a further risk to physical safety of both the cyclists and the pedestrian.

73 per cent of blind and partially sighted respondents to a survey carried out by RNIB to inform our response to the Department for Transport Accessibility Action Plan stated that they were not confident sharing paths and spaces with cycles. For a blind or partially sighted person to say they are “not confident” means the un-doing of what will have been considerable efforts to gain and maintain mobility and orientation skills, often the result of professional training by vision rehabilitation officers employed by the Local Authority.

While LTN 1/20 notes that “Research shows that cyclists alter their behaviour according to the density of pedestrians – as pedestrian flows rise, cyclists tend to ride more slowly and where they become very high cyclists typically dismount,” we are concerned that if the pedicab driver was transporting passengers, they wouldn’t be as willing or able to dismount as a regular cyclist. They would be pressured in their role as taxi driver to continue onward even among high numbers of pedestrians. This would give them even less time or space to spot blind or partially sighted pedestrians and make good decisions around them.

The Equality Act (2010) and Public Sector Equality Duty makes it unlawful for public authorities to discriminate in the exercise of a public function. They also have a duty to make reasonable adjustments including changing practices, policies and procedures which have a discriminating effect and to take reasonable steps to enable disabled people to avoid substantial disadvantages.

We also hope consideration will be given to how easy or otherwise blind and partially sighted people will find it to hail or use these pedicabs. Will people be expected to flag them down anywhere on the Promenade (which wouldn’t be accessible to blind and partially sighted people), or is there a plan for “taxi ranks,” dedicated places to go to hire one? And if so, will these areas, which potentially may contain multiple waiting pedicabs, be safely cordoned off and clearly marked to reduce the chances of blind or partially sighted people unknowingly colliding with them? Even a stationary or unoccupied pedicab poses a risk of substantial injury to an individual with sight loss.

Collisions with either stationary or moving pedicabs might be lessened if proper consideration is given to proper contrast in the colours of the pedicabs, particularly the passenger compartment. Colours that highly contrast with their surroundings might help them be visible to partially sighted people.

For further information contact Erik Matthies

Email



Newby, Elizabeth

From: licensing
Sent: 31 July 2022 21:30
To: Curtis, Jennifer
Subject: FW: Pedicabs

From: David Billings [REDACTED]
Sent: 29 July 2022 18:09
To: licensing <licensing@lancaster.gov.uk>
Subject: Pedicabs

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Dera Slrs,

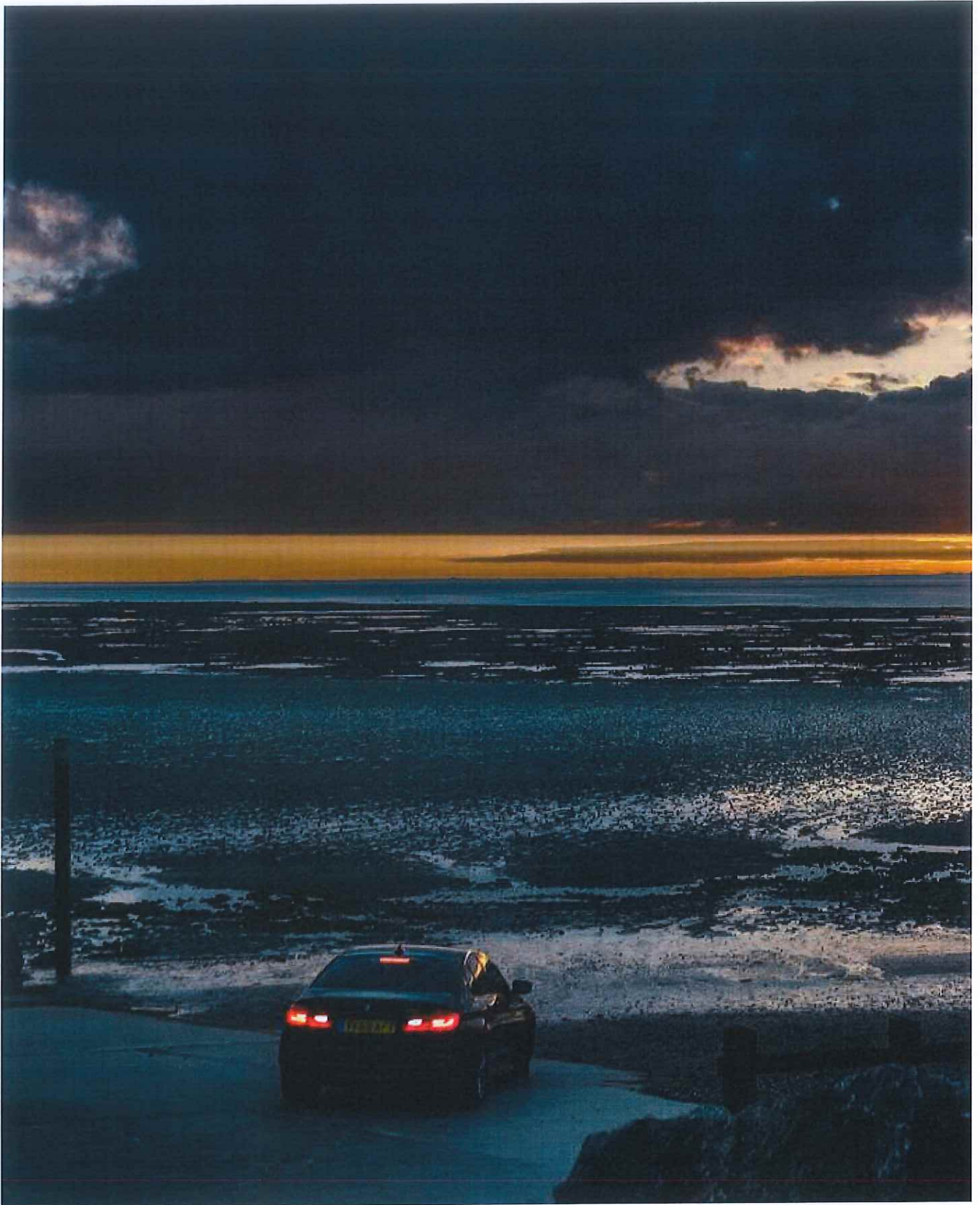
Having seen the information in the press release and the request for public opinion on the matter of licensing these vehicles it raises concerns a number of concerns. There has been no indications as to the number of these vehicles that are going to be allowed on to the promenade or the volumes of traffic. There is no indication of size or speeds that they will be allowed to travel at. But having seen these and based on previous experience I beleive that they will not be of benefit to the community and will cause more of a problem.

My residence is on Sandylands Promenade and I have first hand experiance of the use of the promenade. The use of these vehicles on the promenade in my mind raises serious public safety for concernes for the existing promenade users, the space is heavily used for recreation by members of our community familes with children and dog walkers cyclist of all ages and runners skaters etc., and I would seriously object to these vehicles being licensed by the city council for operation on the promenade which at the moment becomes congested but is relativley safe. With people with small children and animals these can be unpredectabe and if they where to run off are likley tsustain serious injury if they wehere to be in an accident with a pedi cab which will have a far greater inertia than a child, with potentially fatal consequences.

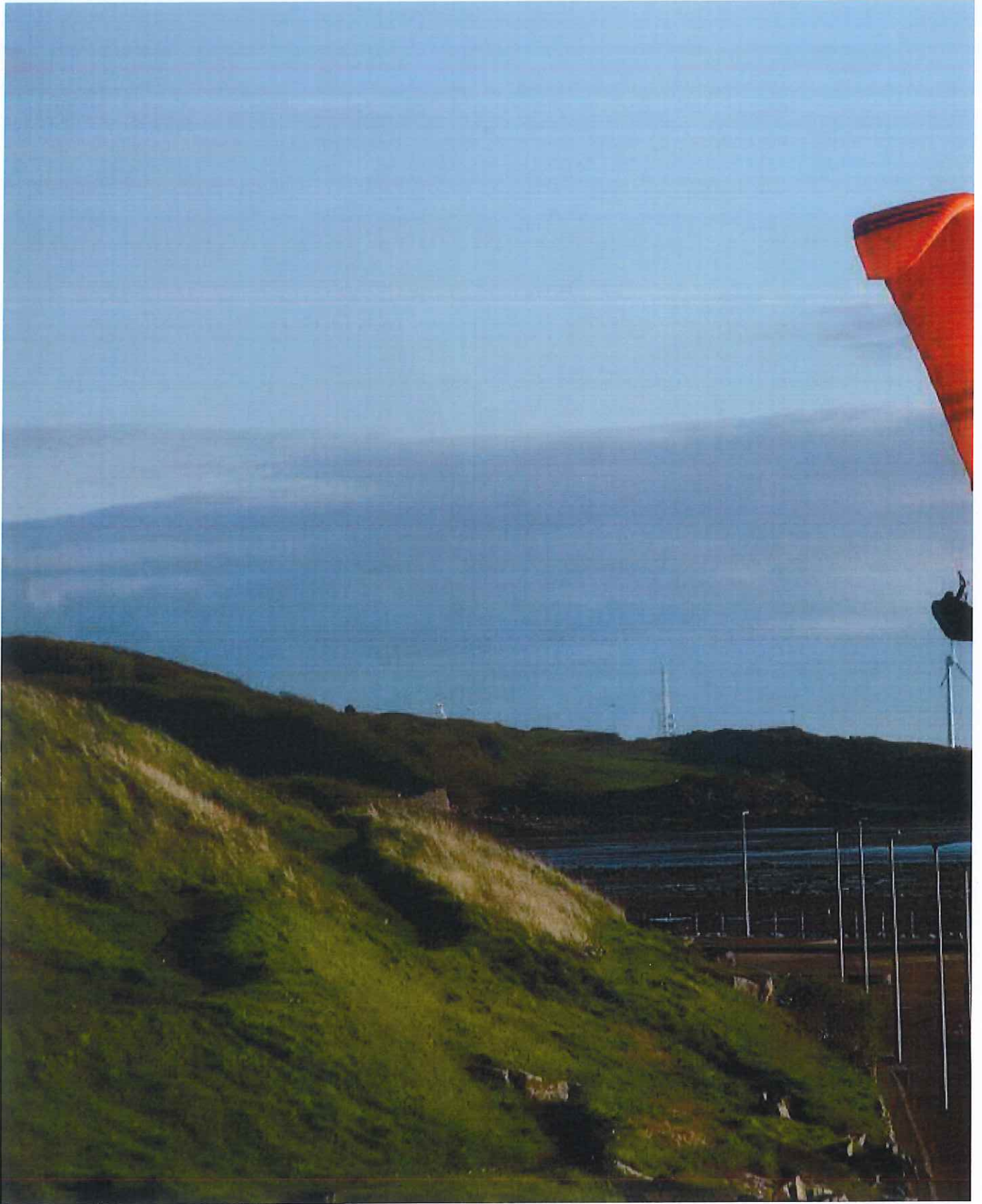
The width of these vehicle will impede other users whilst they are operating on the promenade especially on the reduced widths of the promenade between the Battery and Grosvenor Fishing Breakwater and then between the Sunny Slopes and Whinnsty Lane. The width of the Promenade is also becomes progressivley narrower as the promenade move towards Happy Mount Park from the Inshore Lifeboat Station. These sections of the promenade already becomes extremley congested. There is the a higher risk of collision in these areas with the potential for serious injuries.

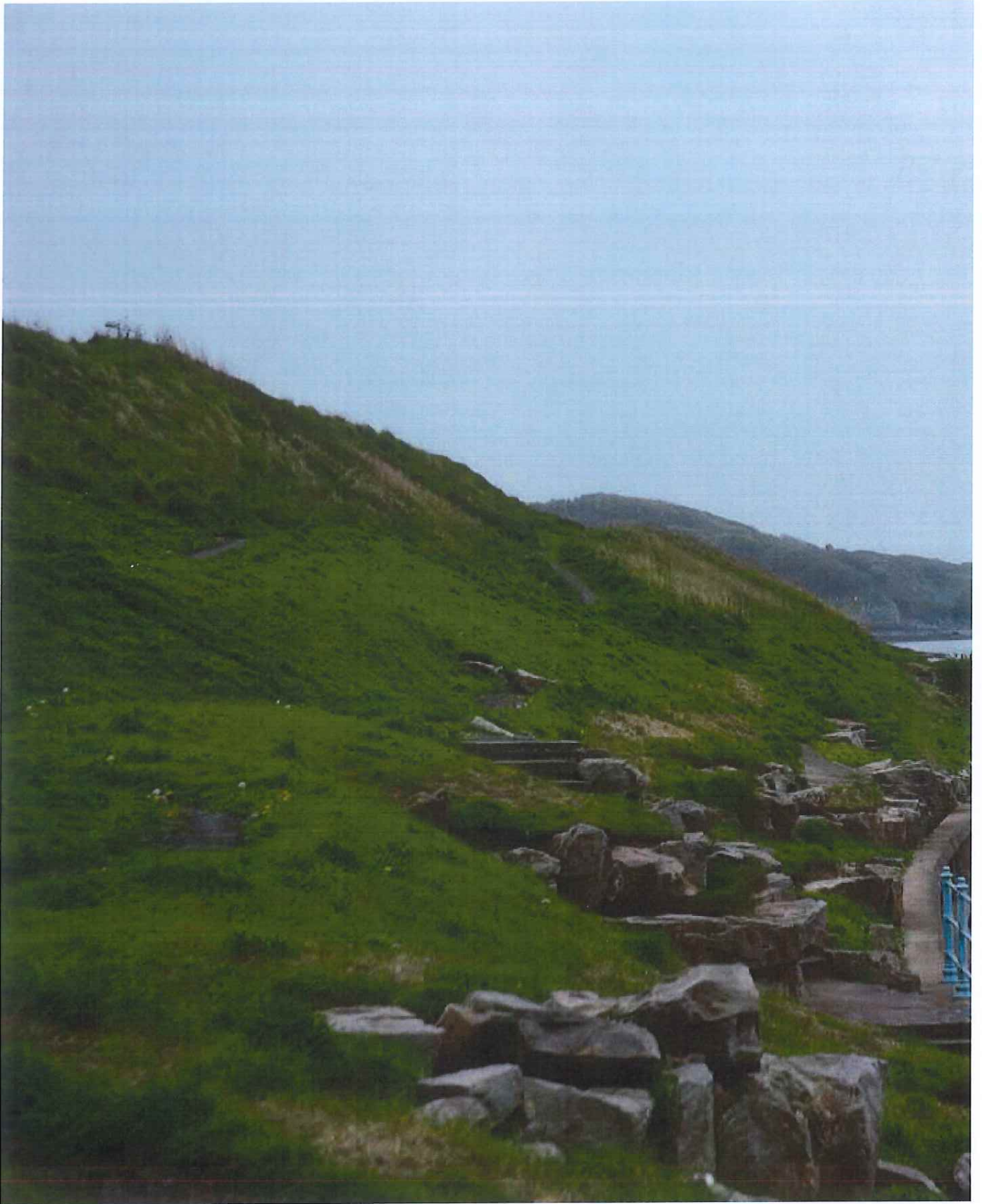
The Promenade aslo has vehicle crossings around both the Lifeboat stations and the sailing club slipway adjacent to Morecambe Town Hall. There are is a also Vehicle entrance to the battery car park. Launcing vehicles Tractors and trailers at the oakley road slipway, vehiclar access to those properties with vehicle access off the Promnade between Oakley Road and Sunny Slopes. In these areas there is a medium to high risk of collison with other authorised promenade users with potential serious outcome, I understand that one of this type of vehicle has been involved in a fatal collision London

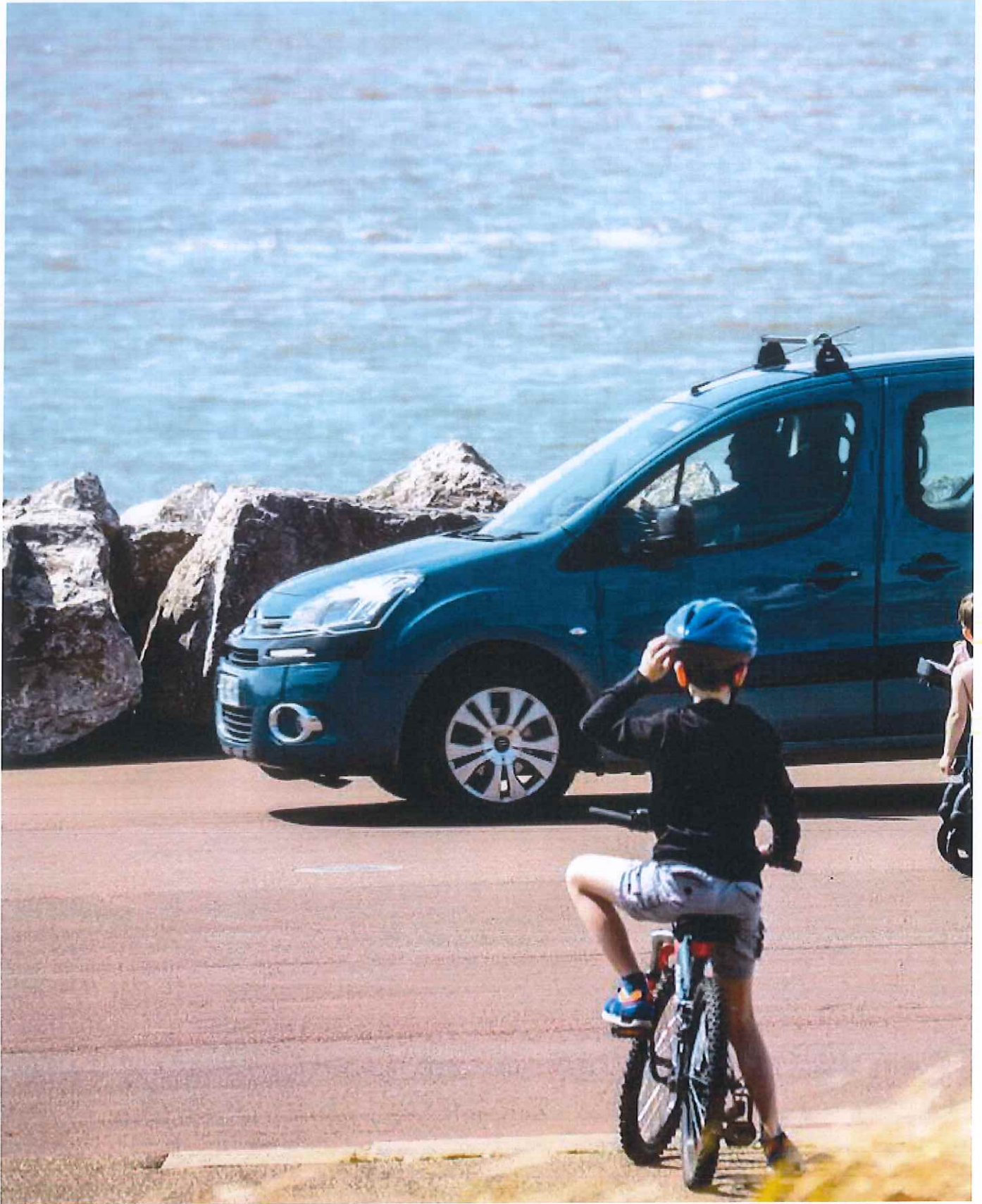
At the present time the occasions of where the unauthorised use of motor vehicle on the promenade is increasing, with these vehicles being driven along the promenade this is also being compounde by the use of e-scooters and motorised skate boards which also increase the risk of accidents, together with the fact that I have actualyly seen a









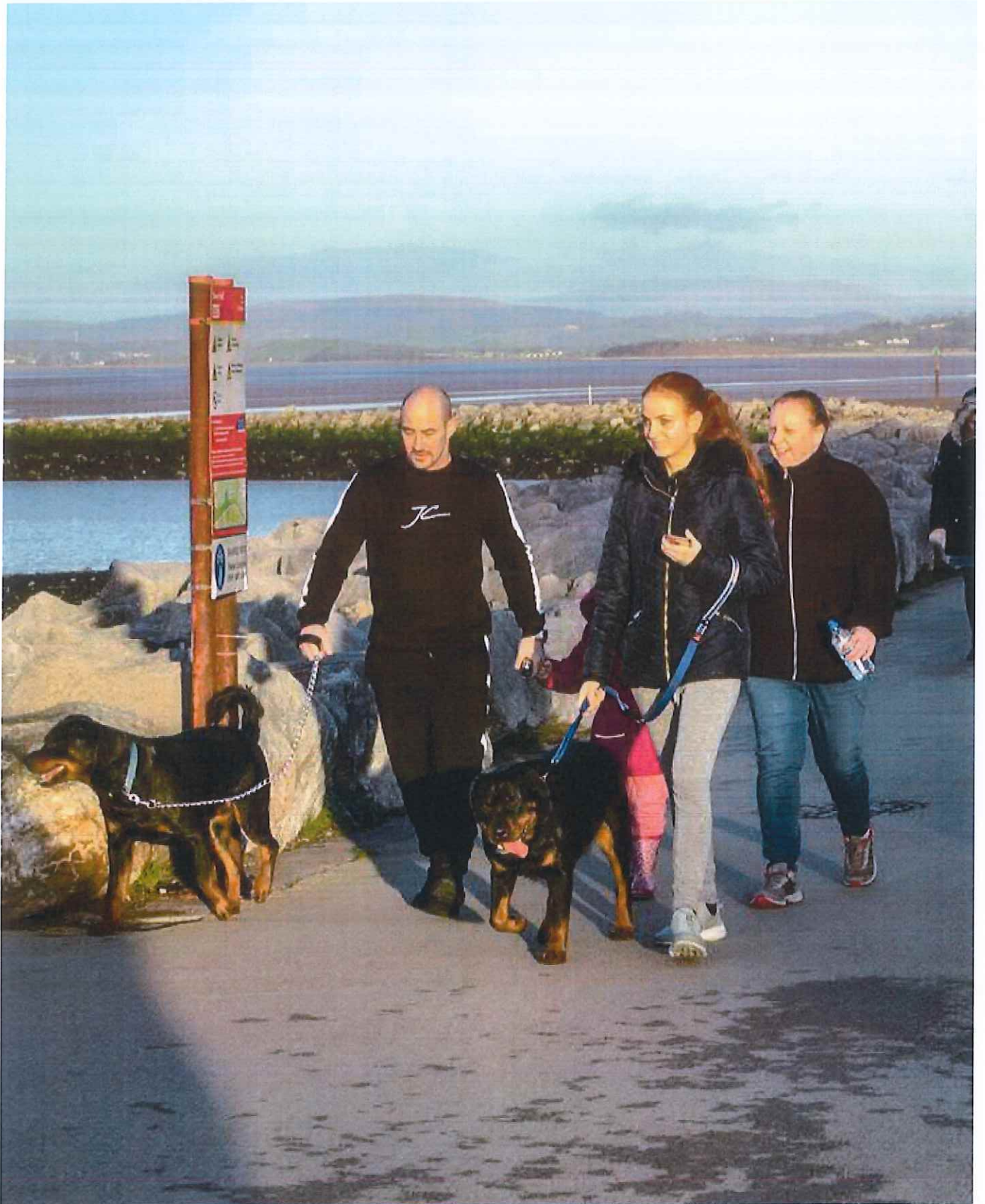


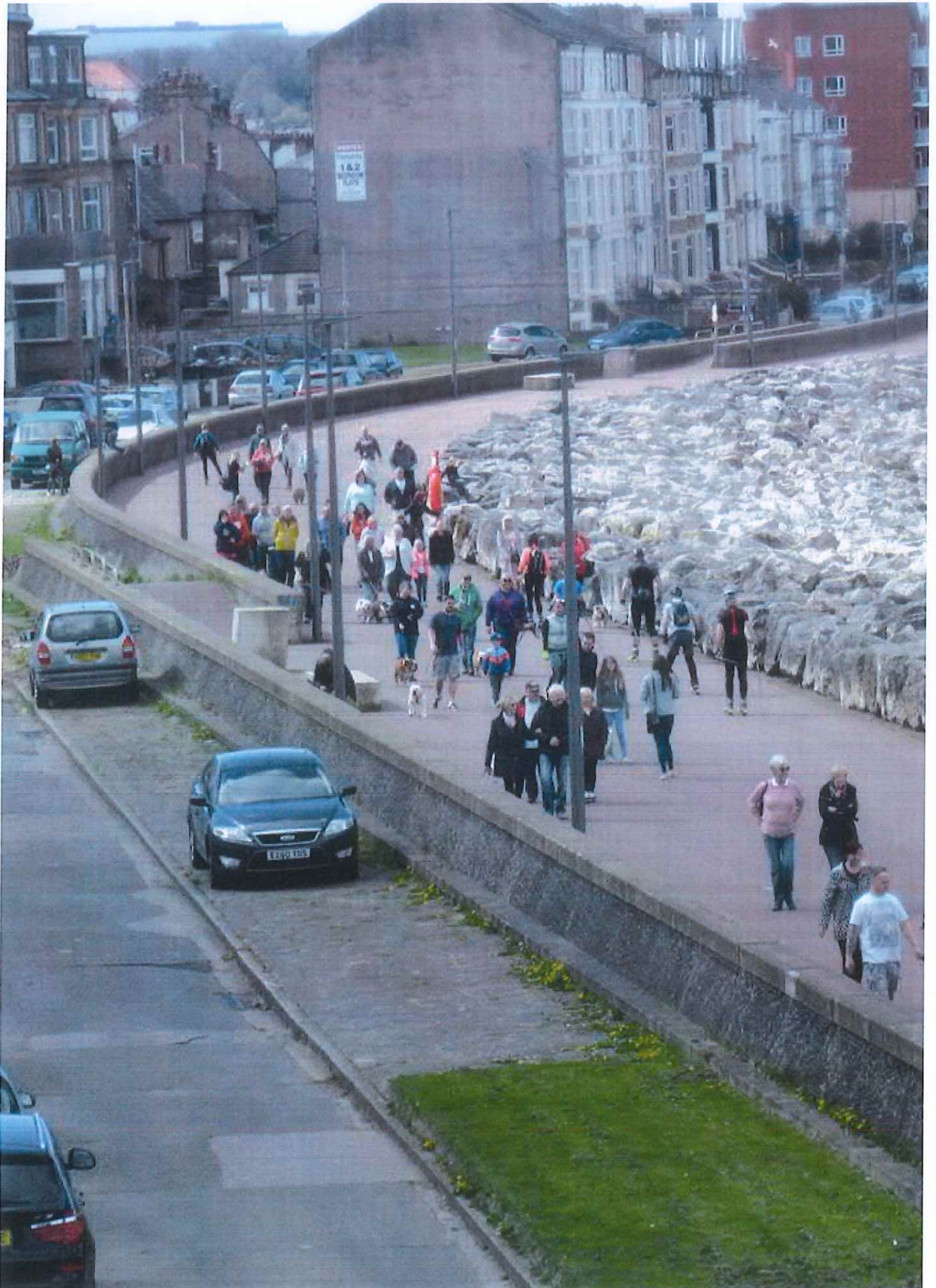




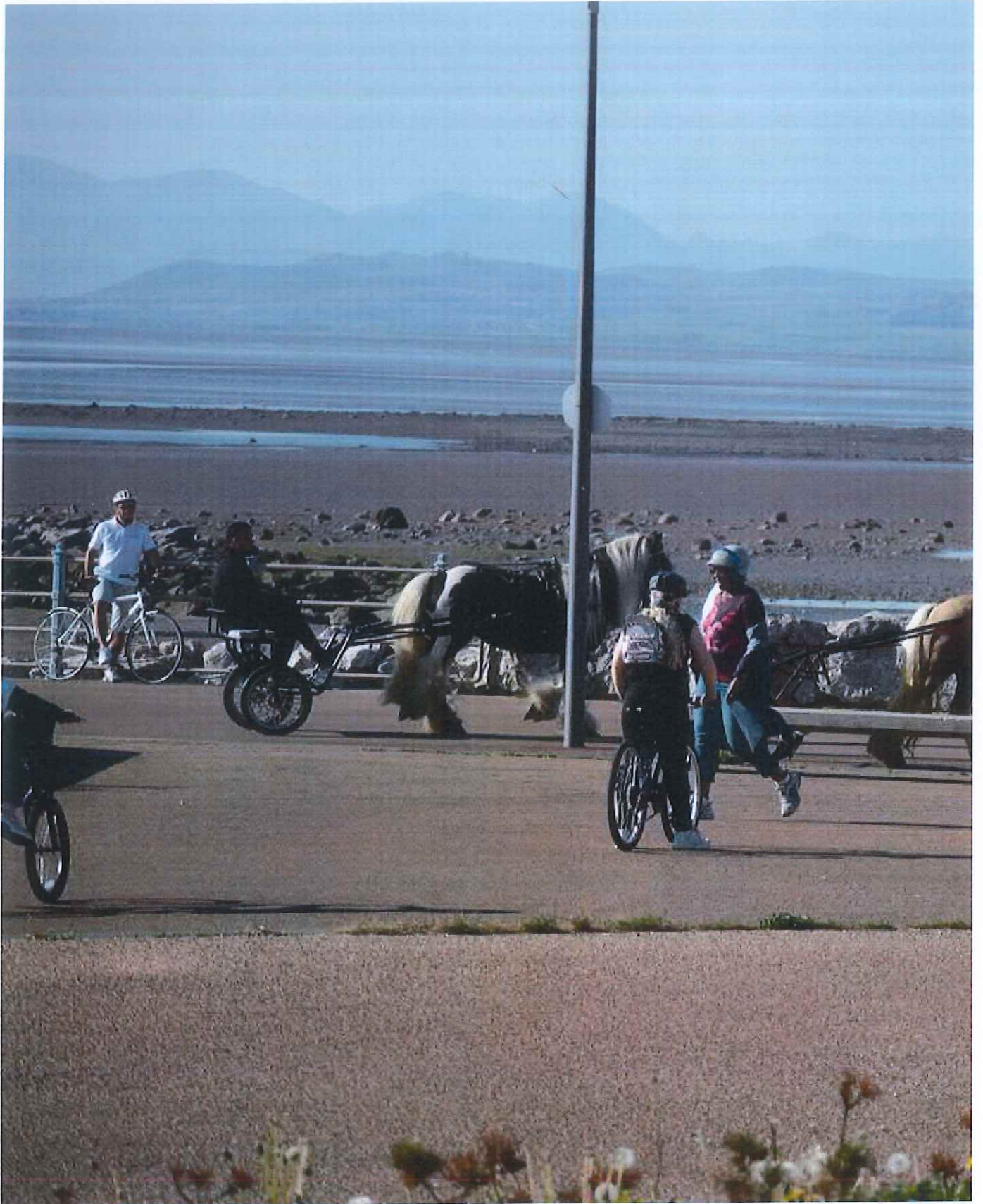






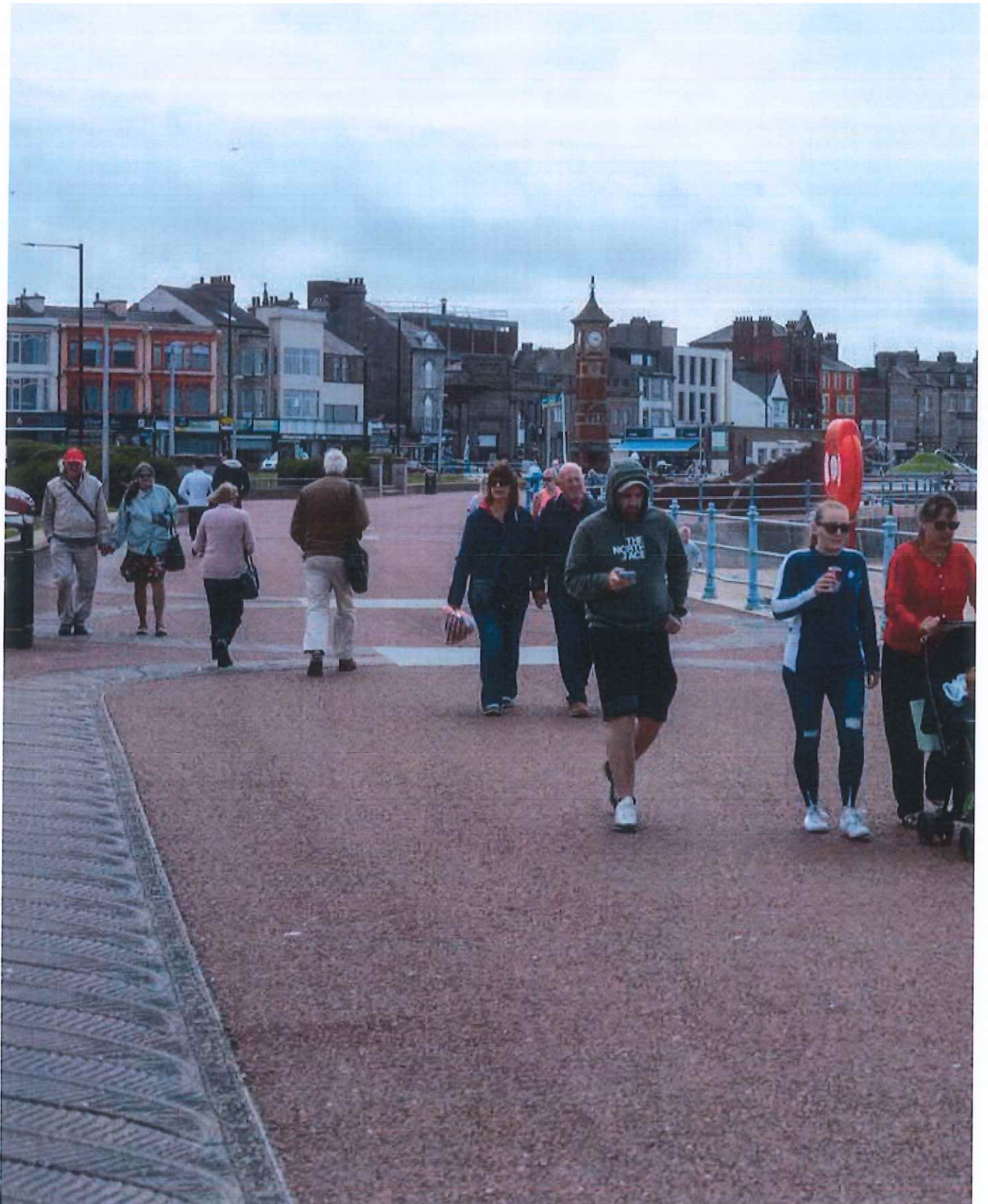


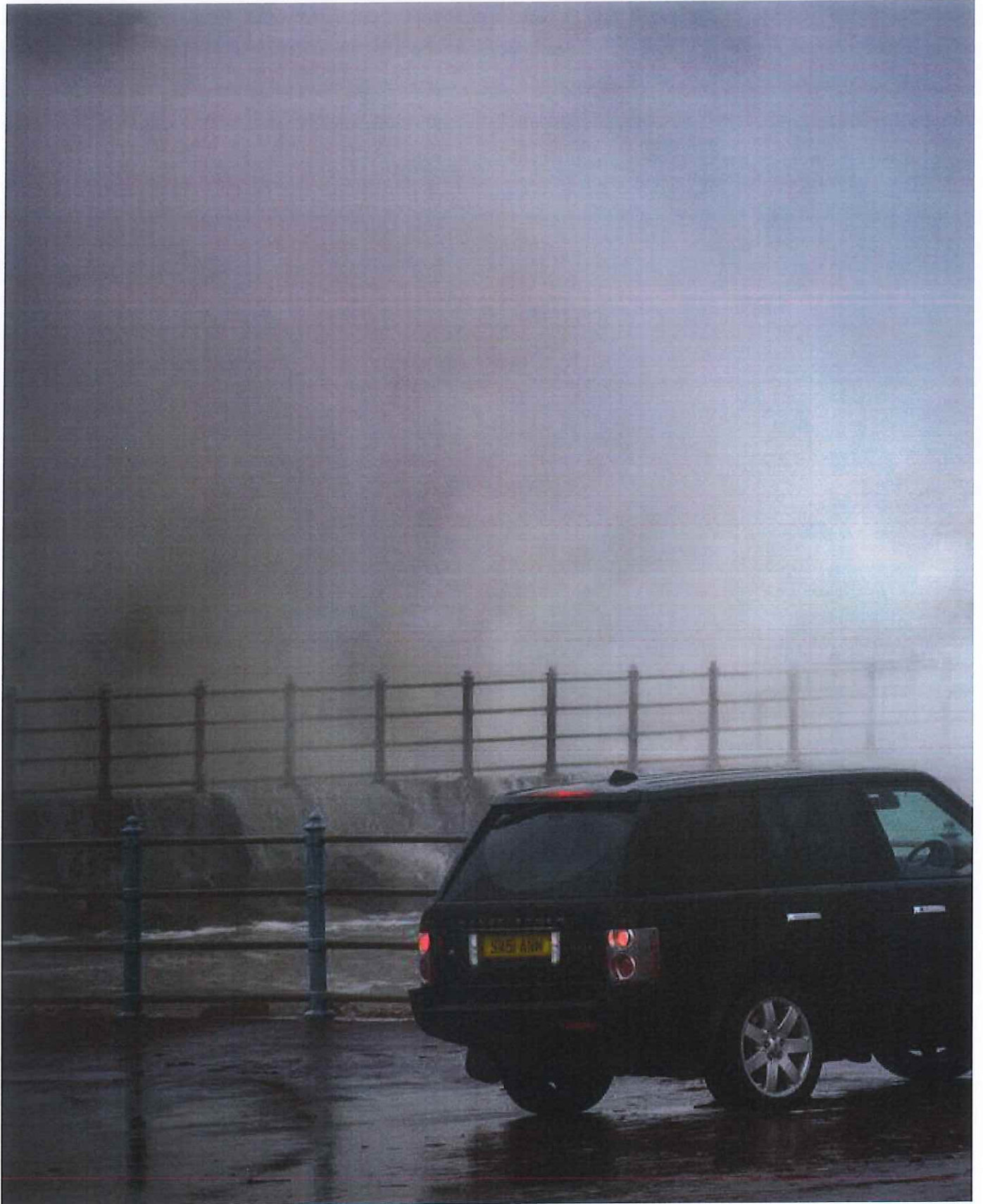


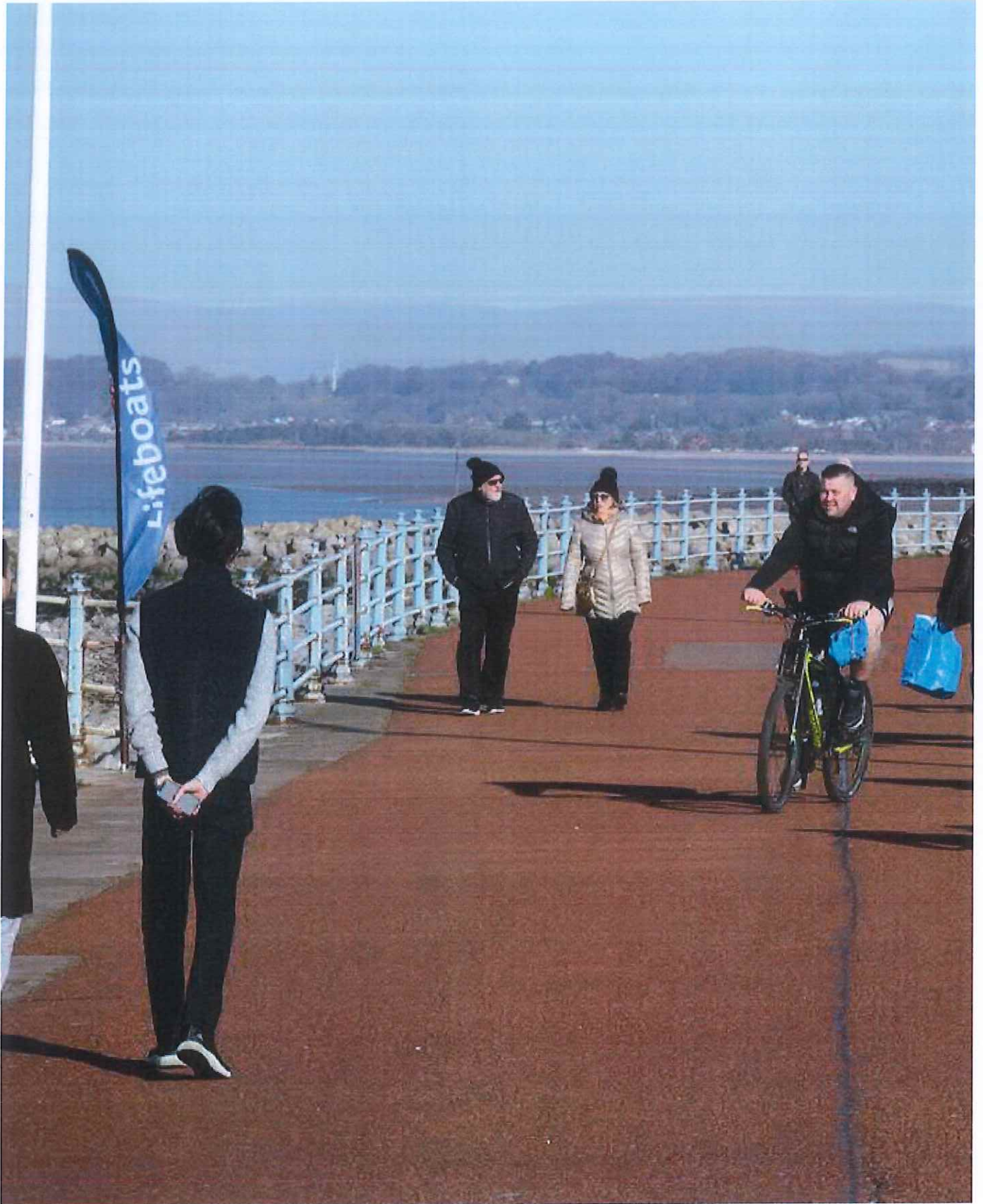


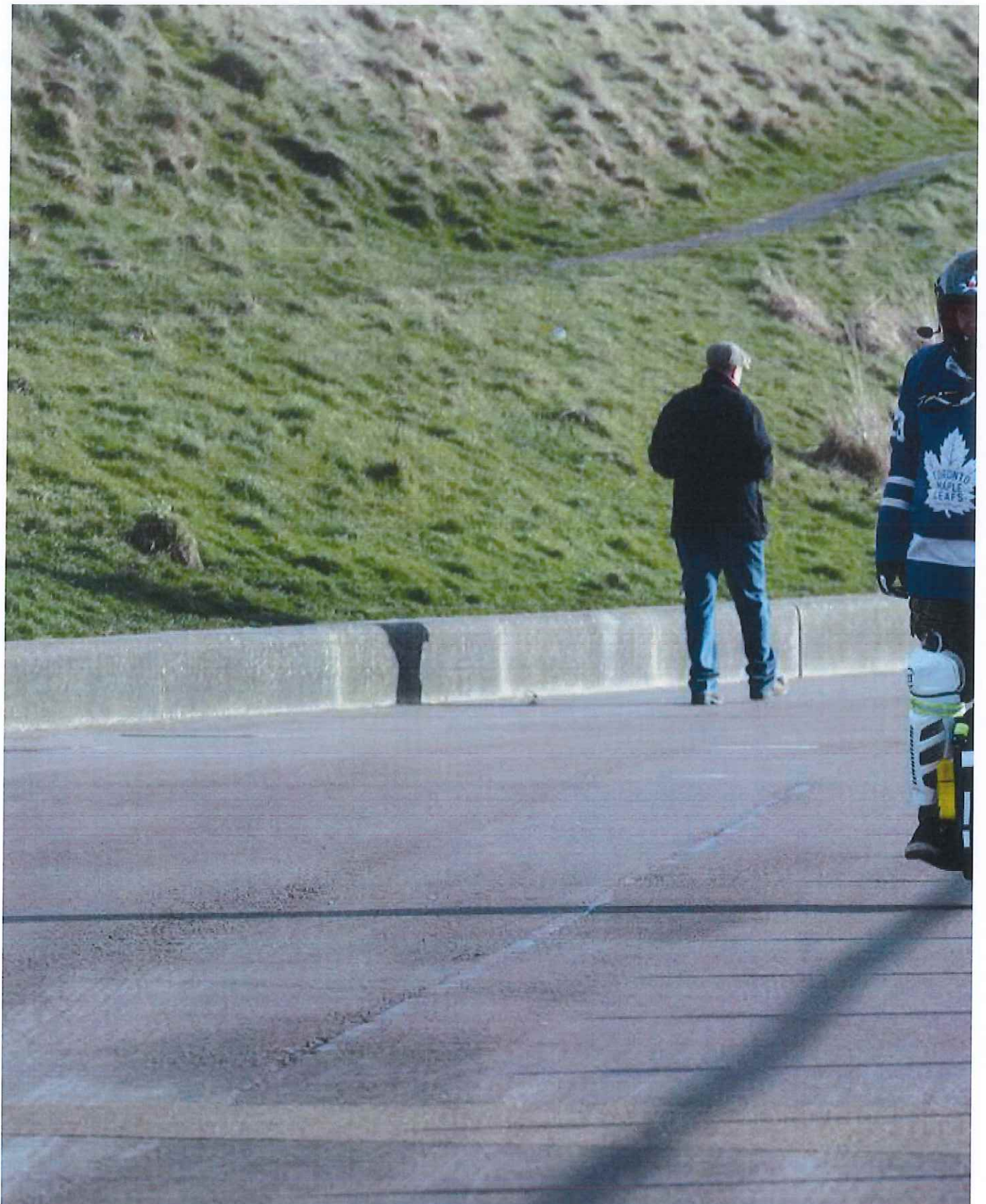


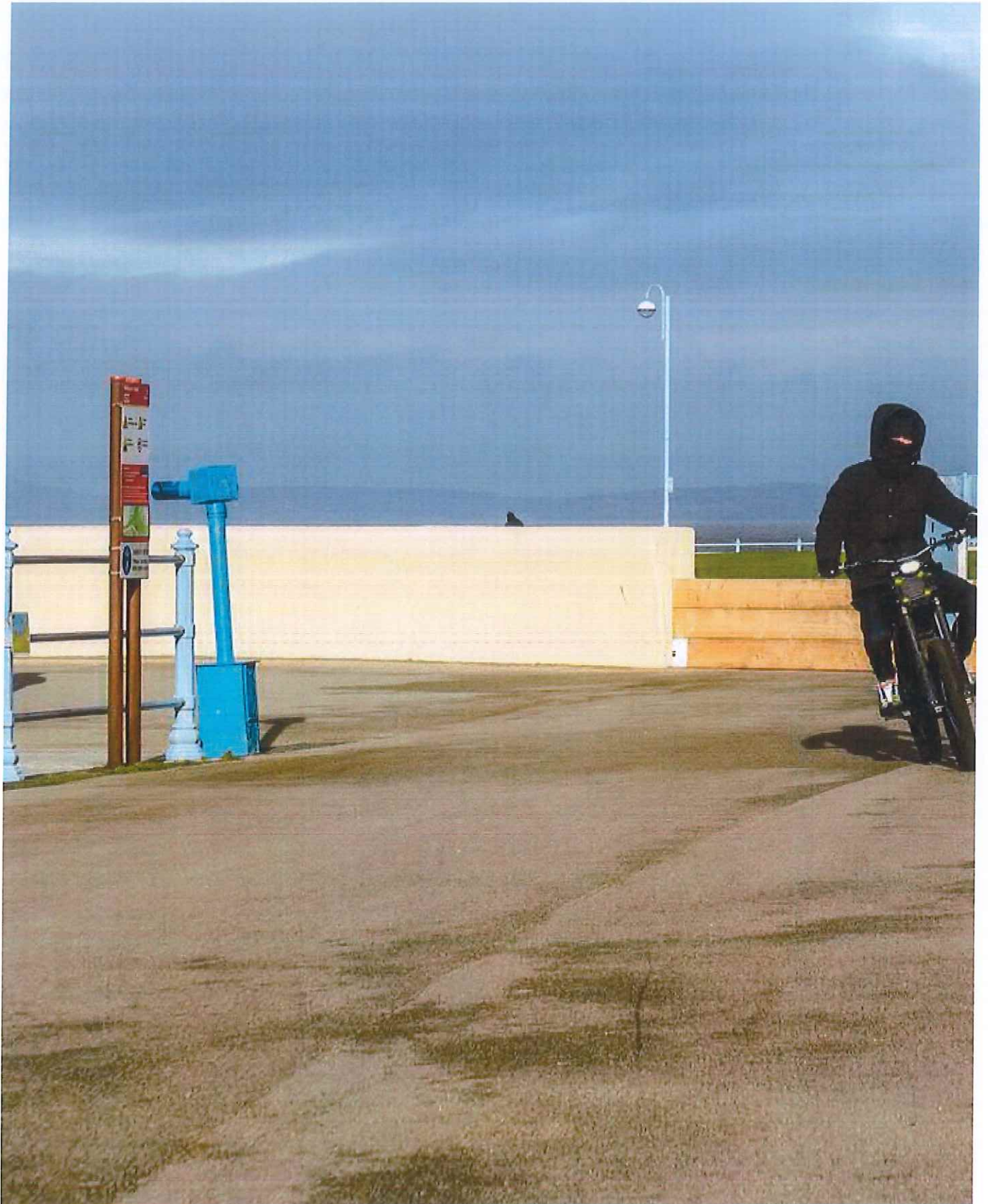


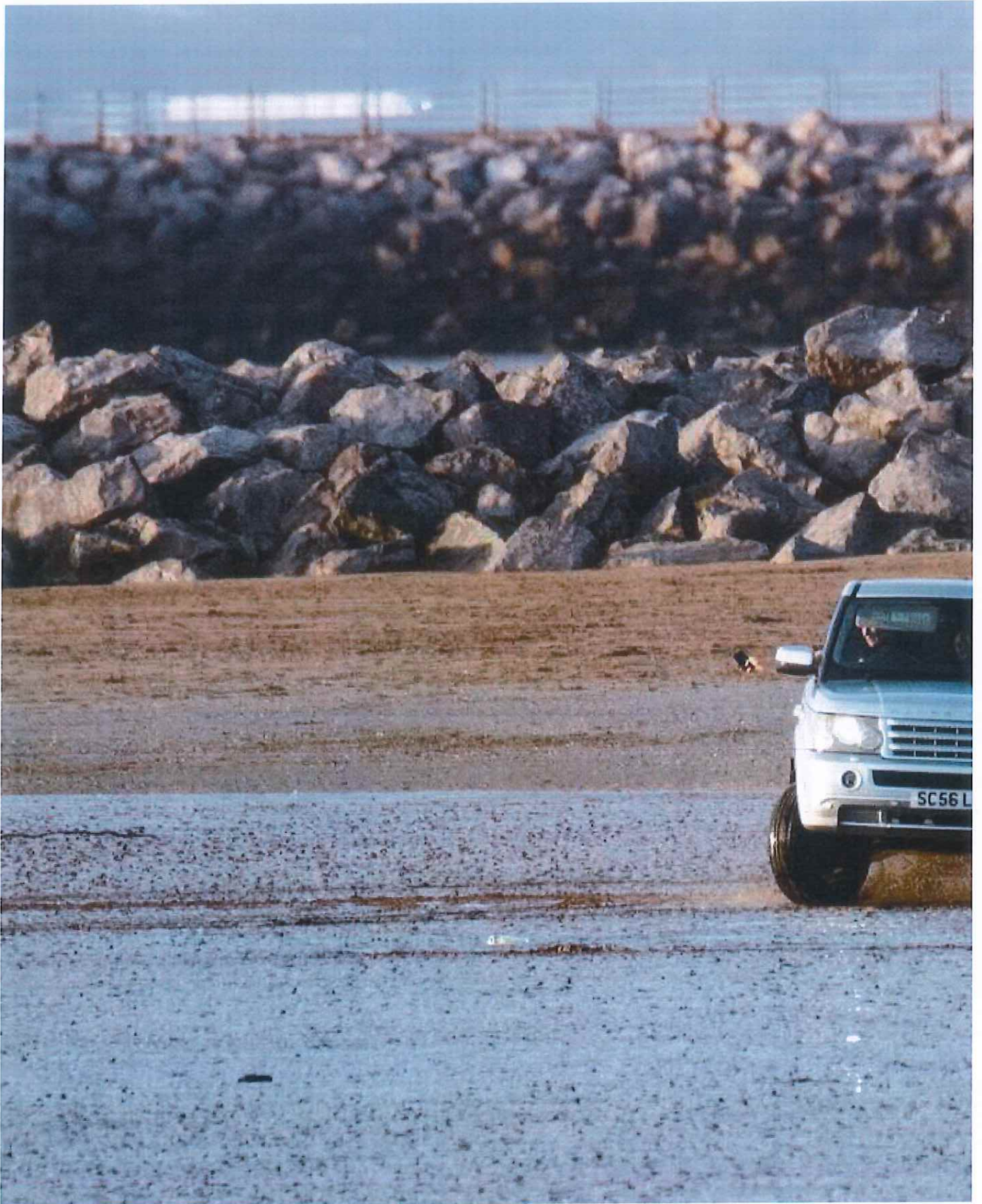


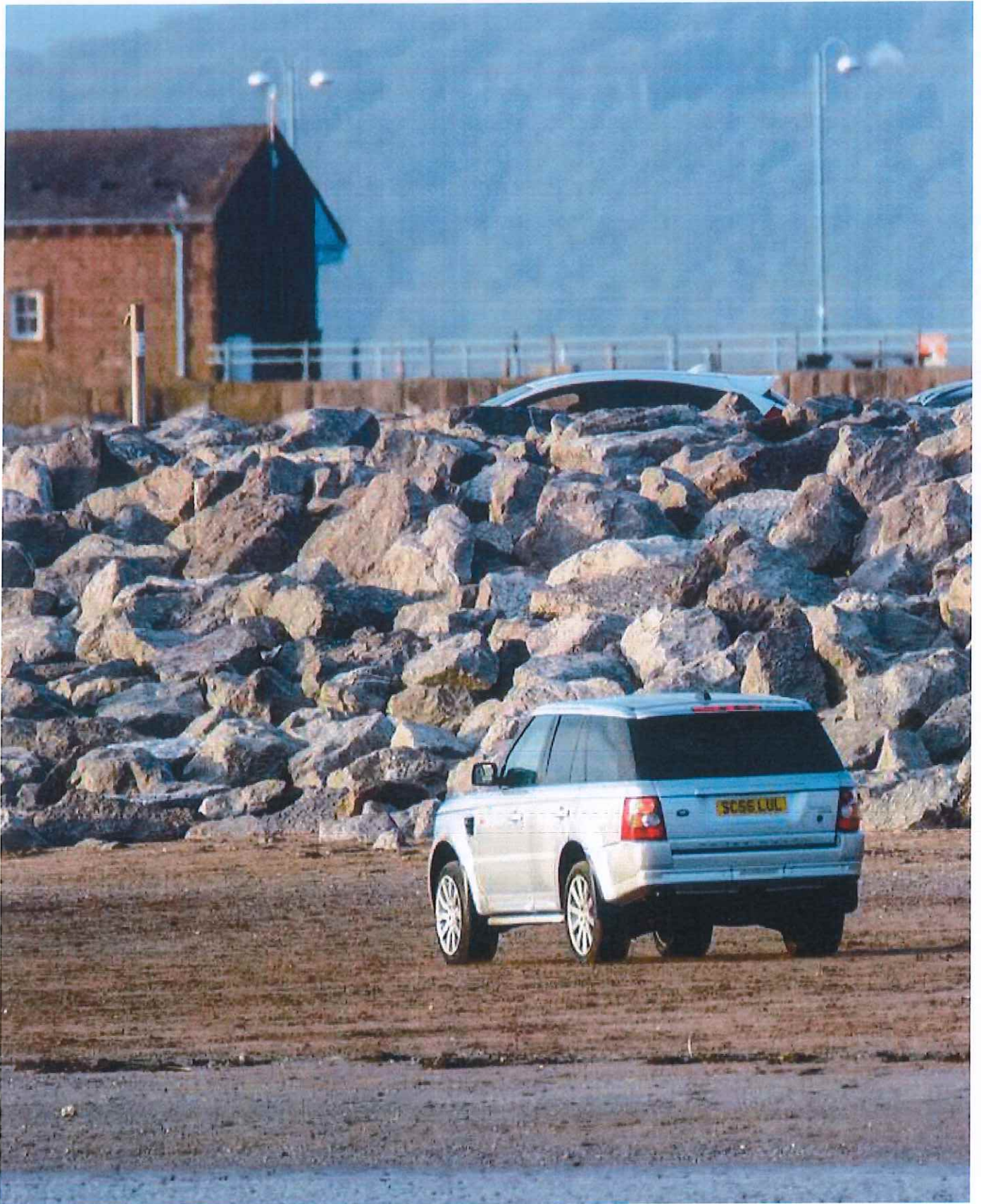


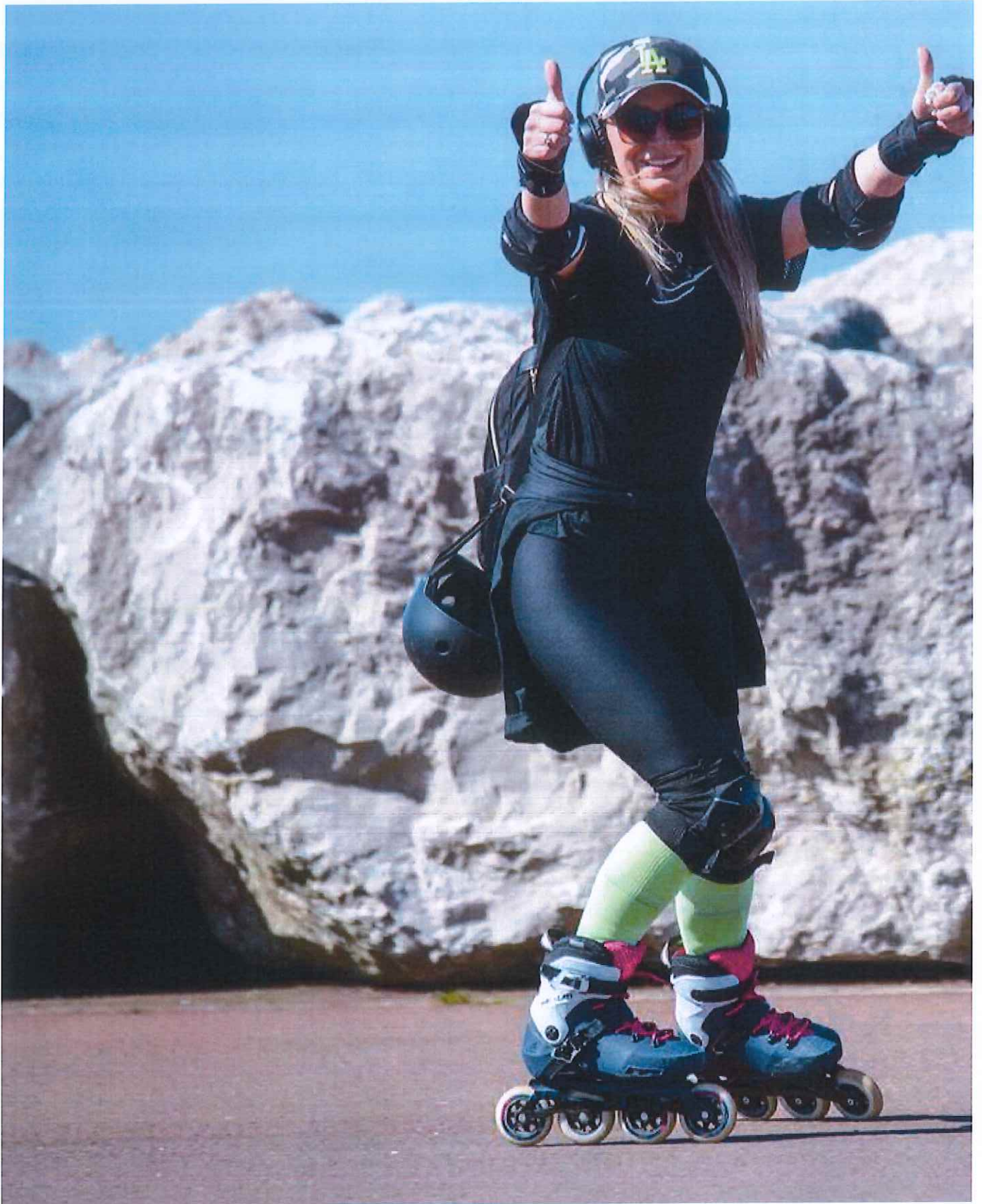


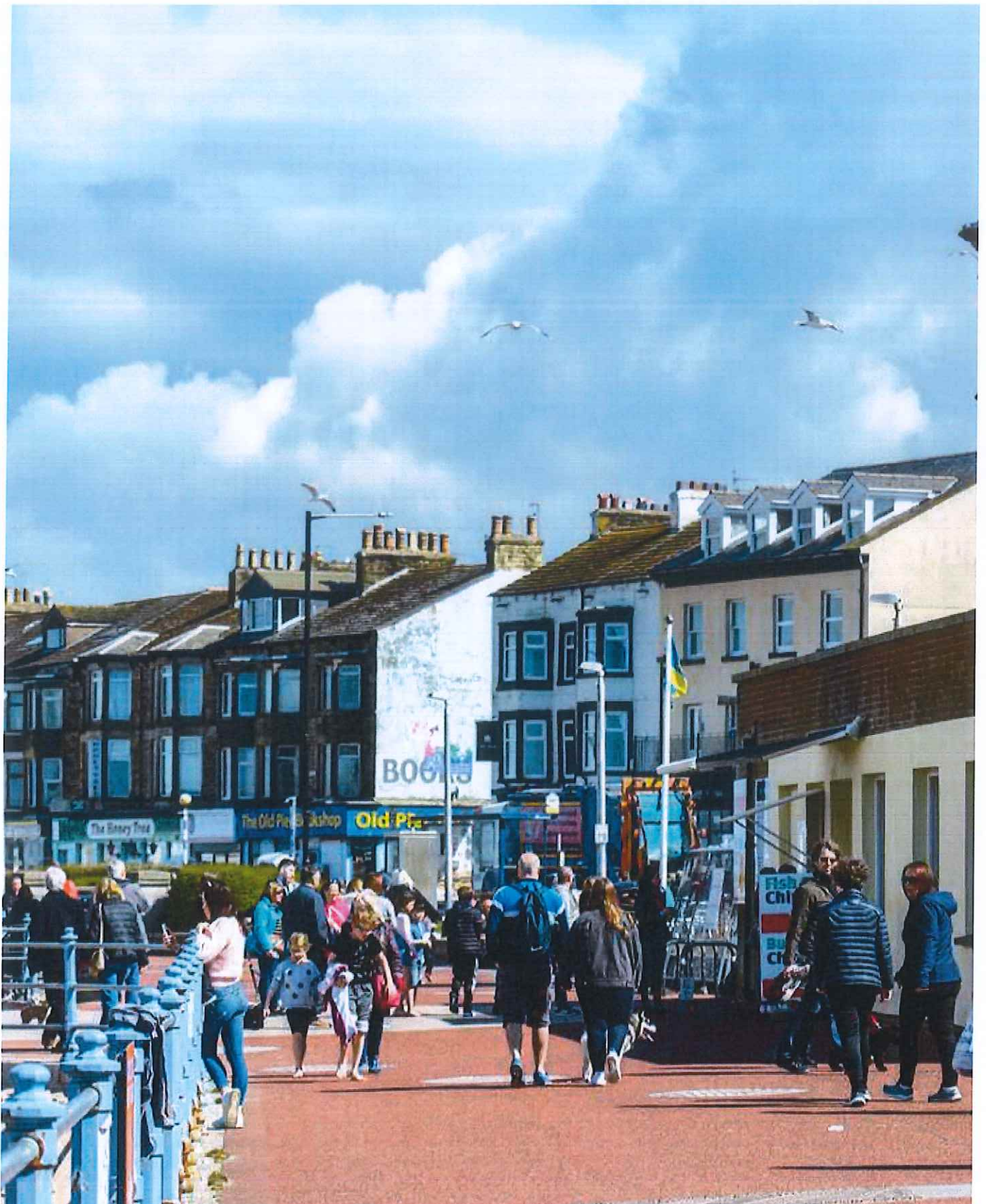


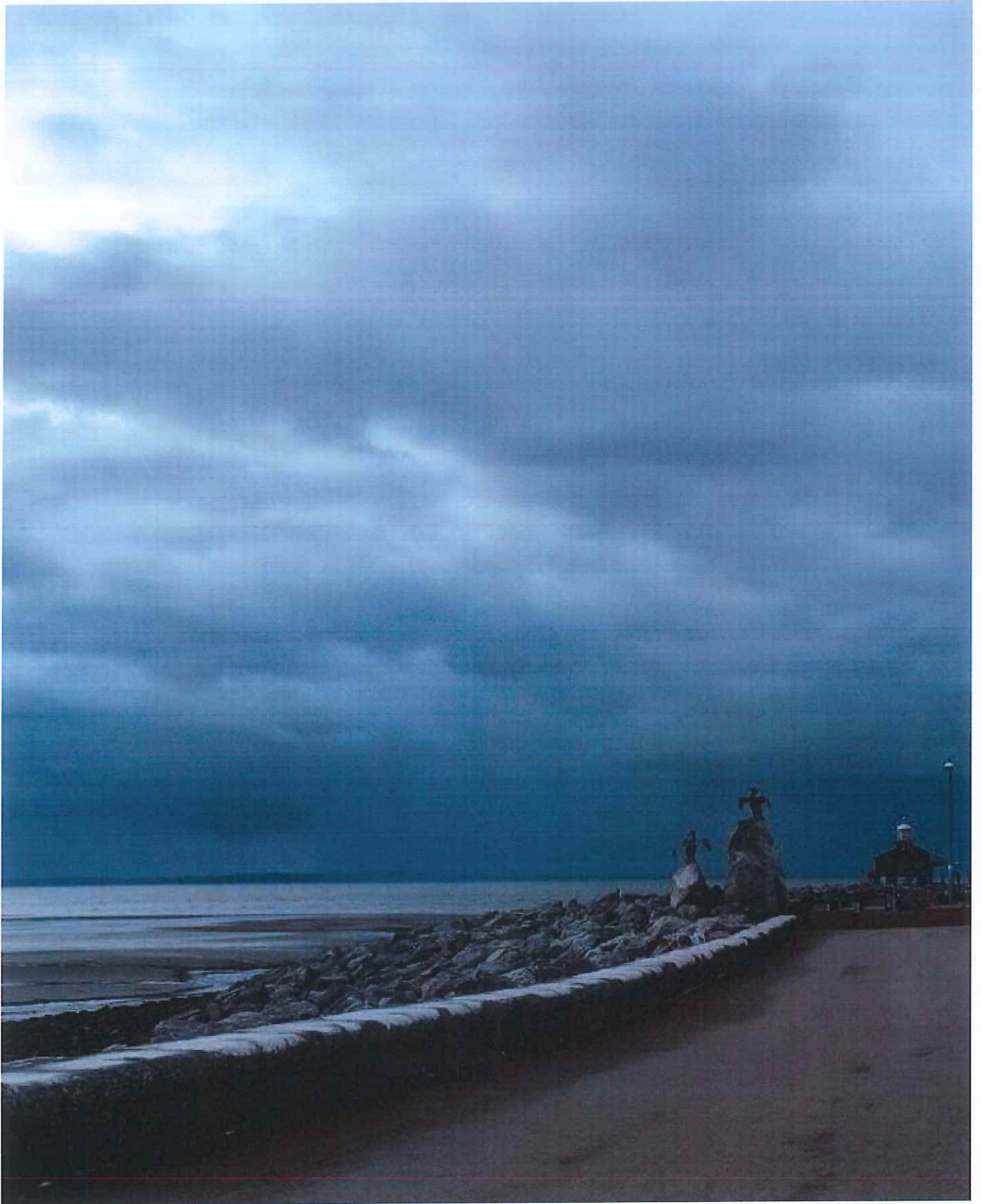


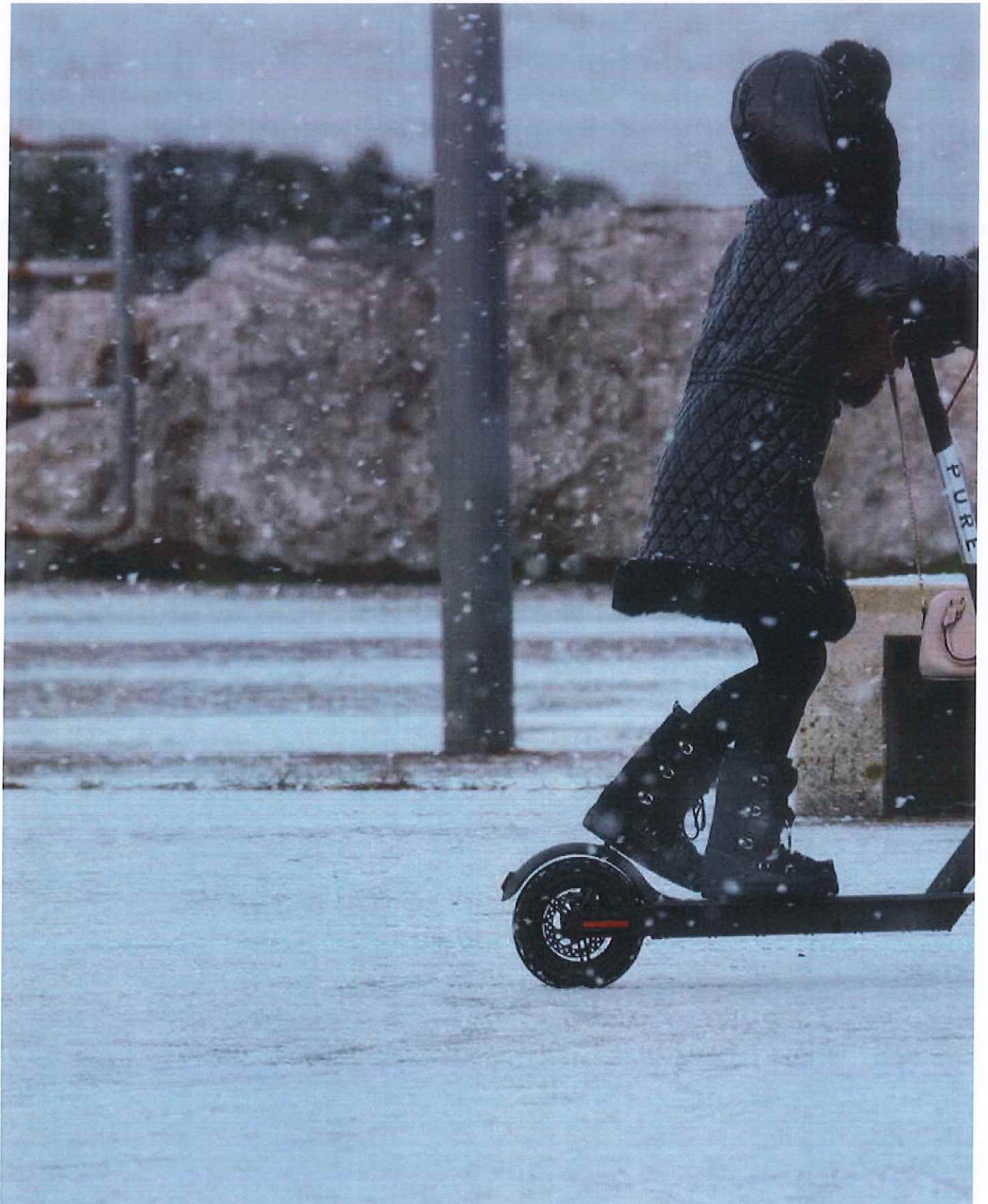


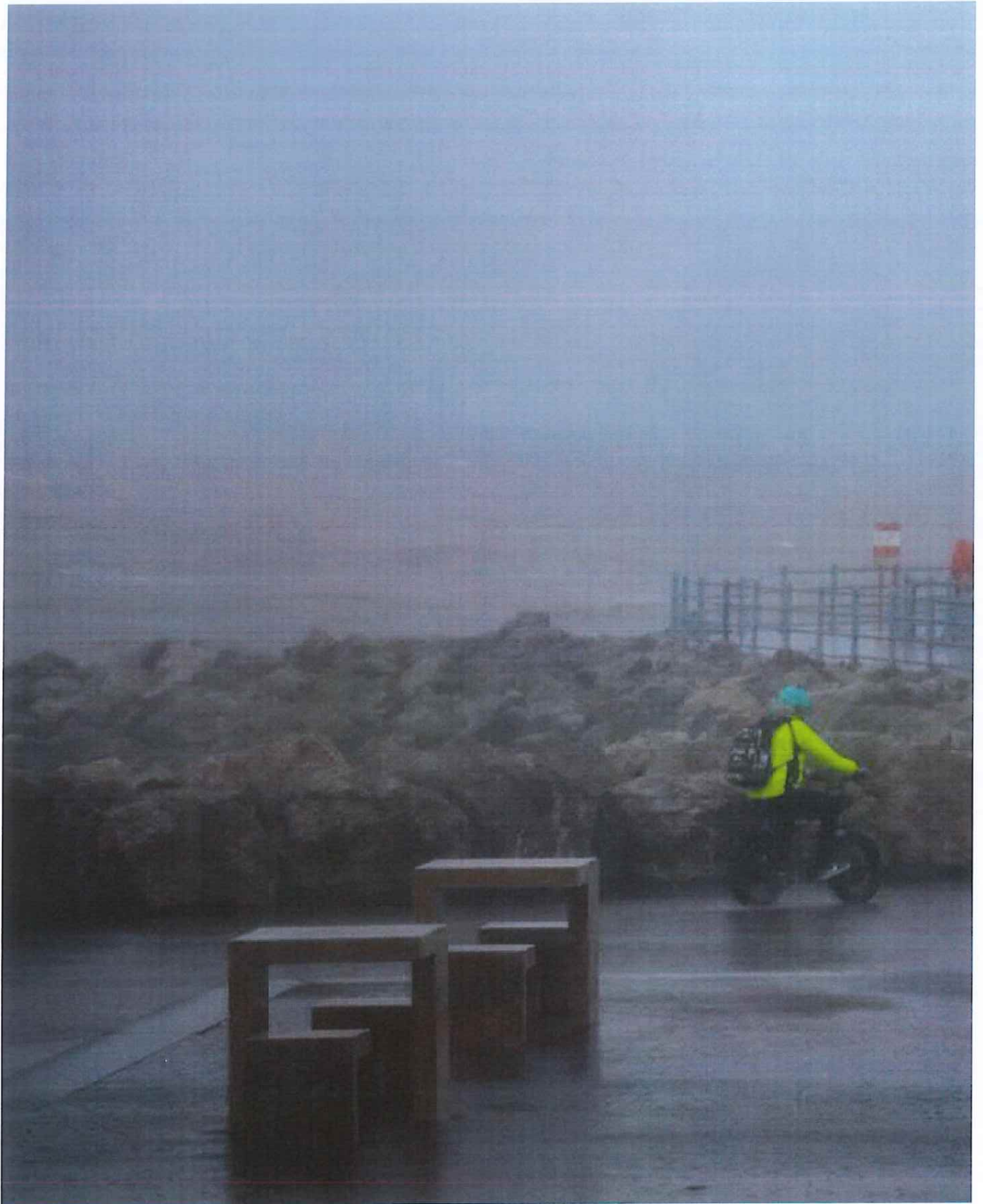


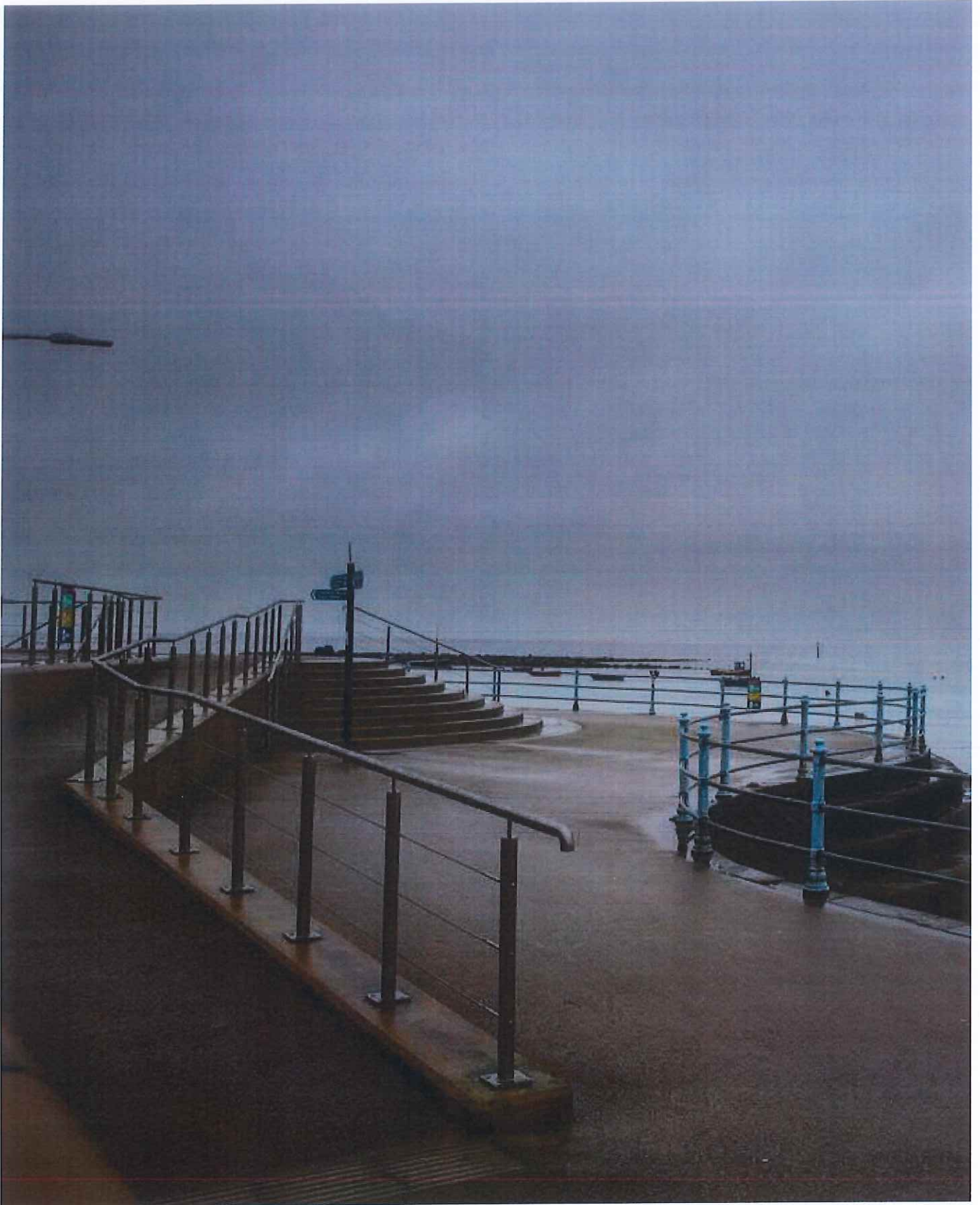




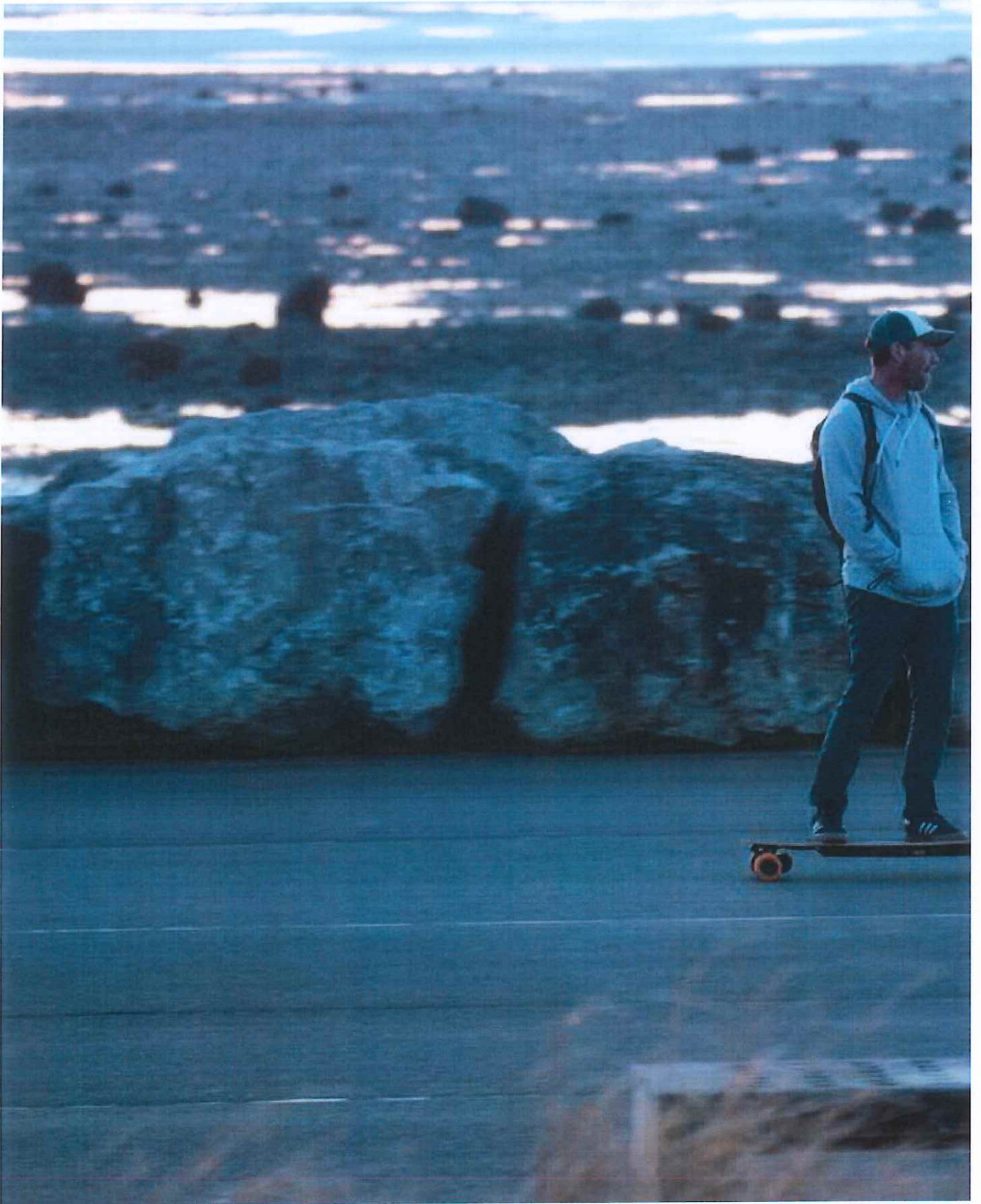


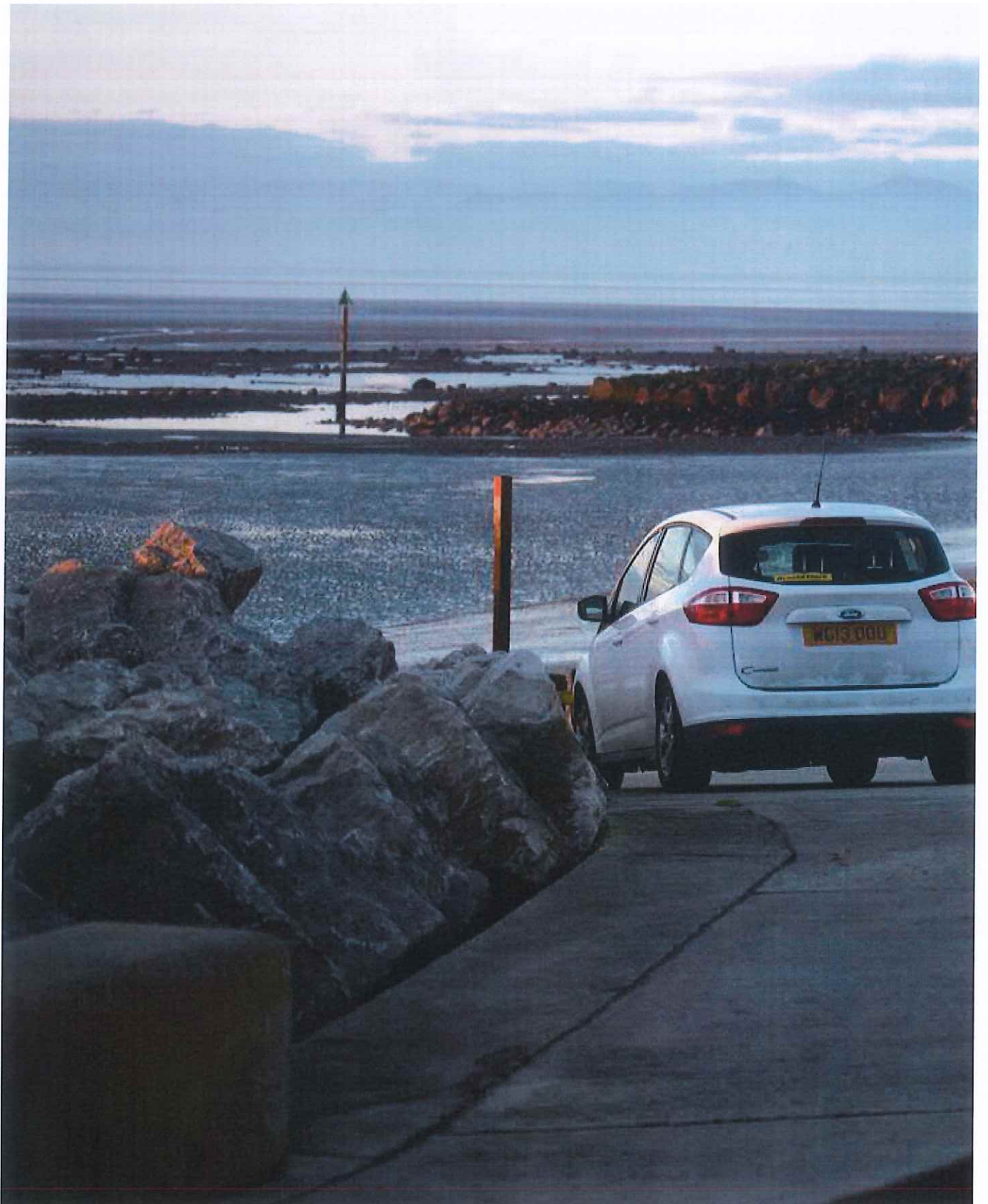


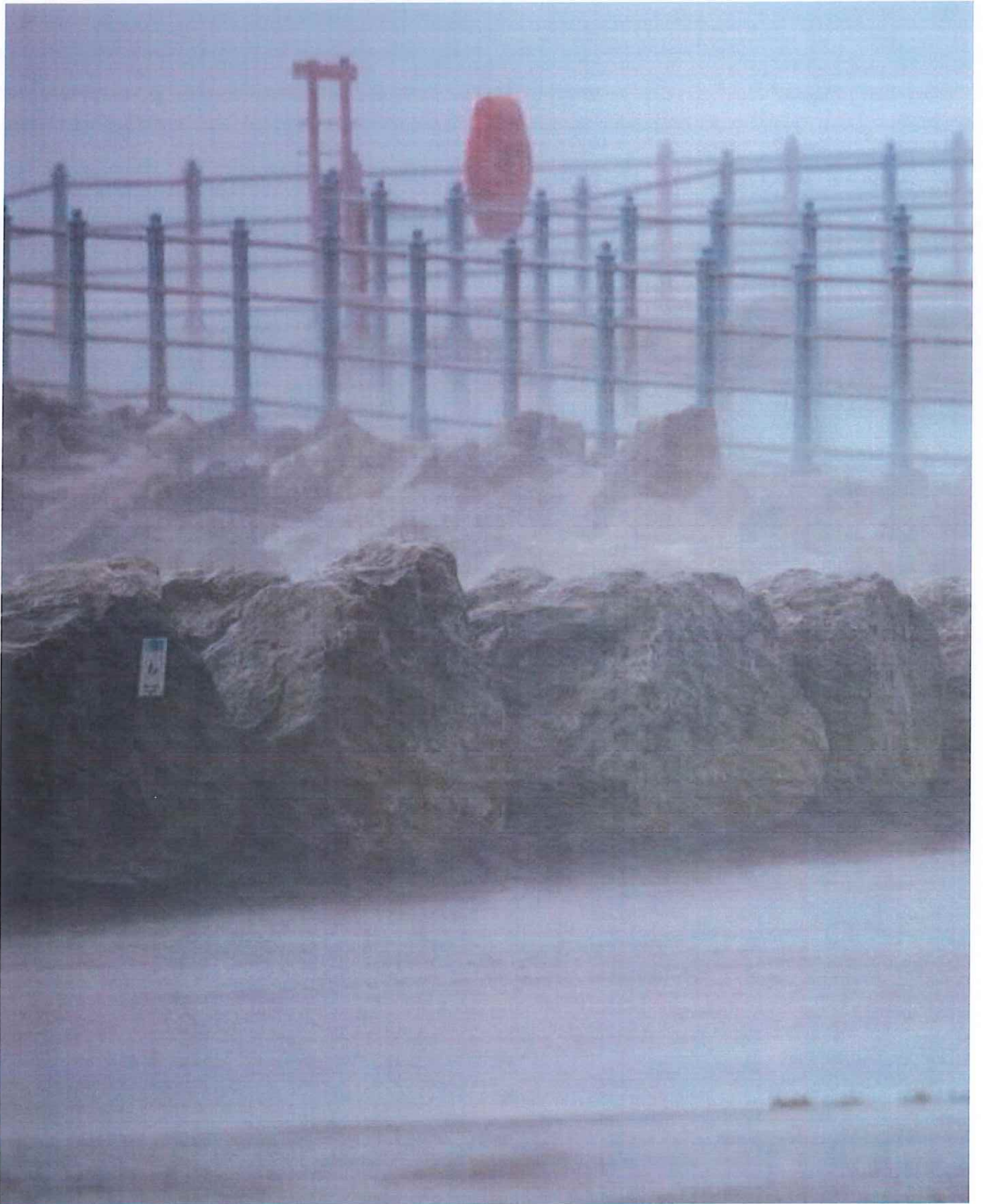


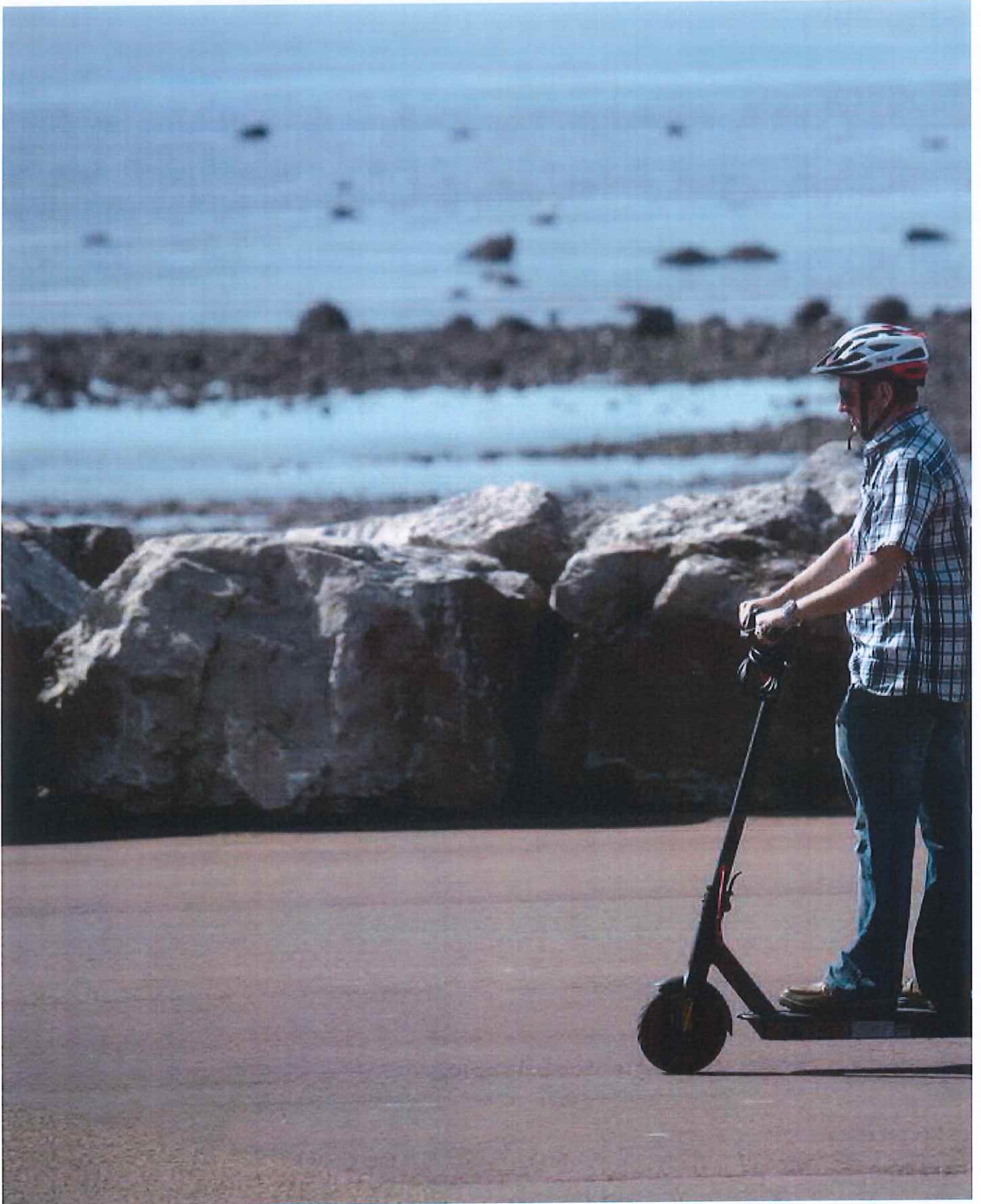




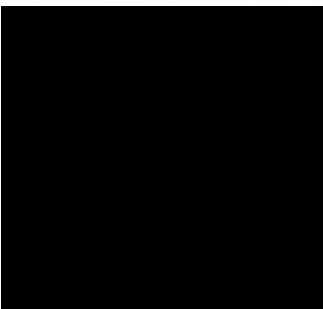
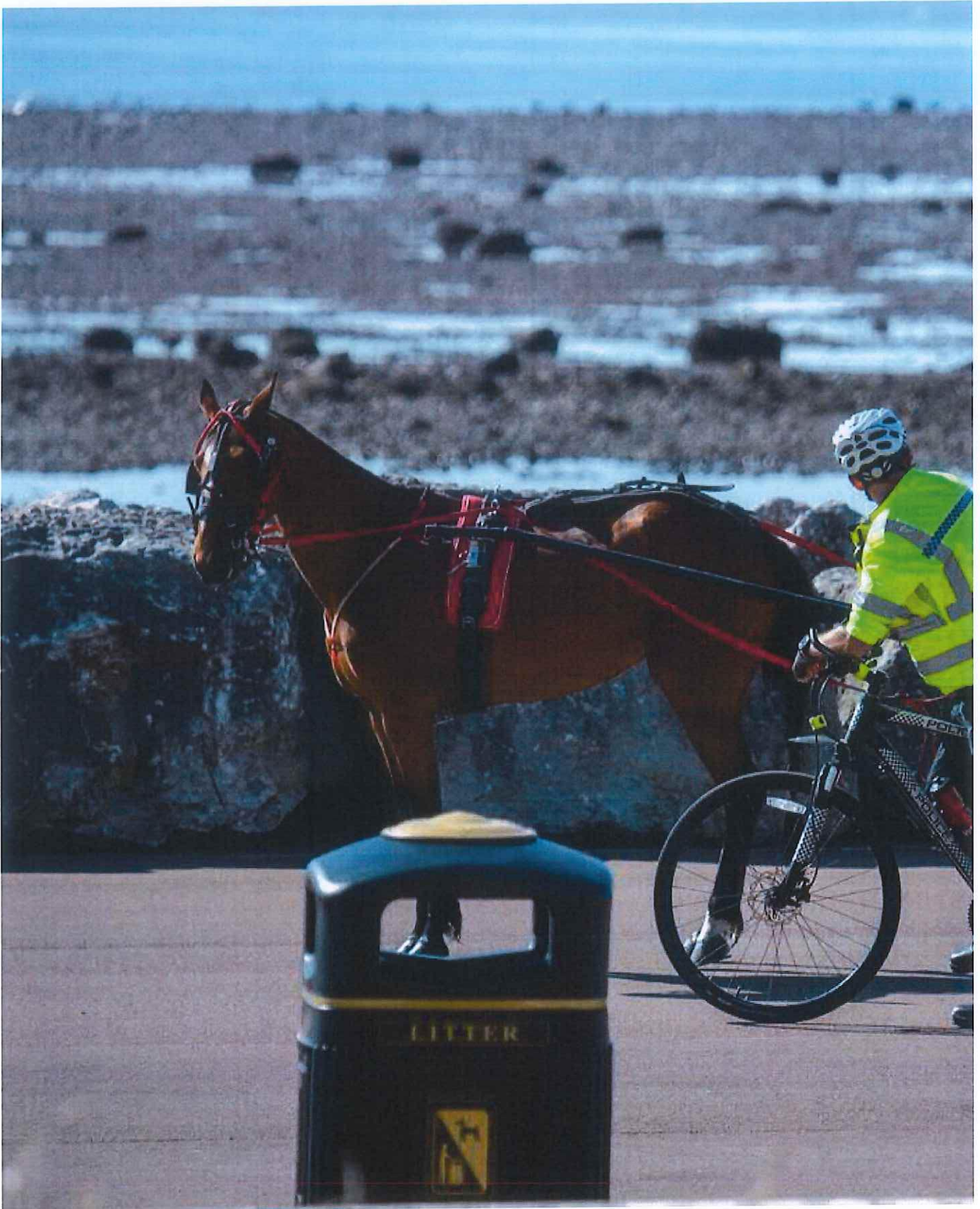














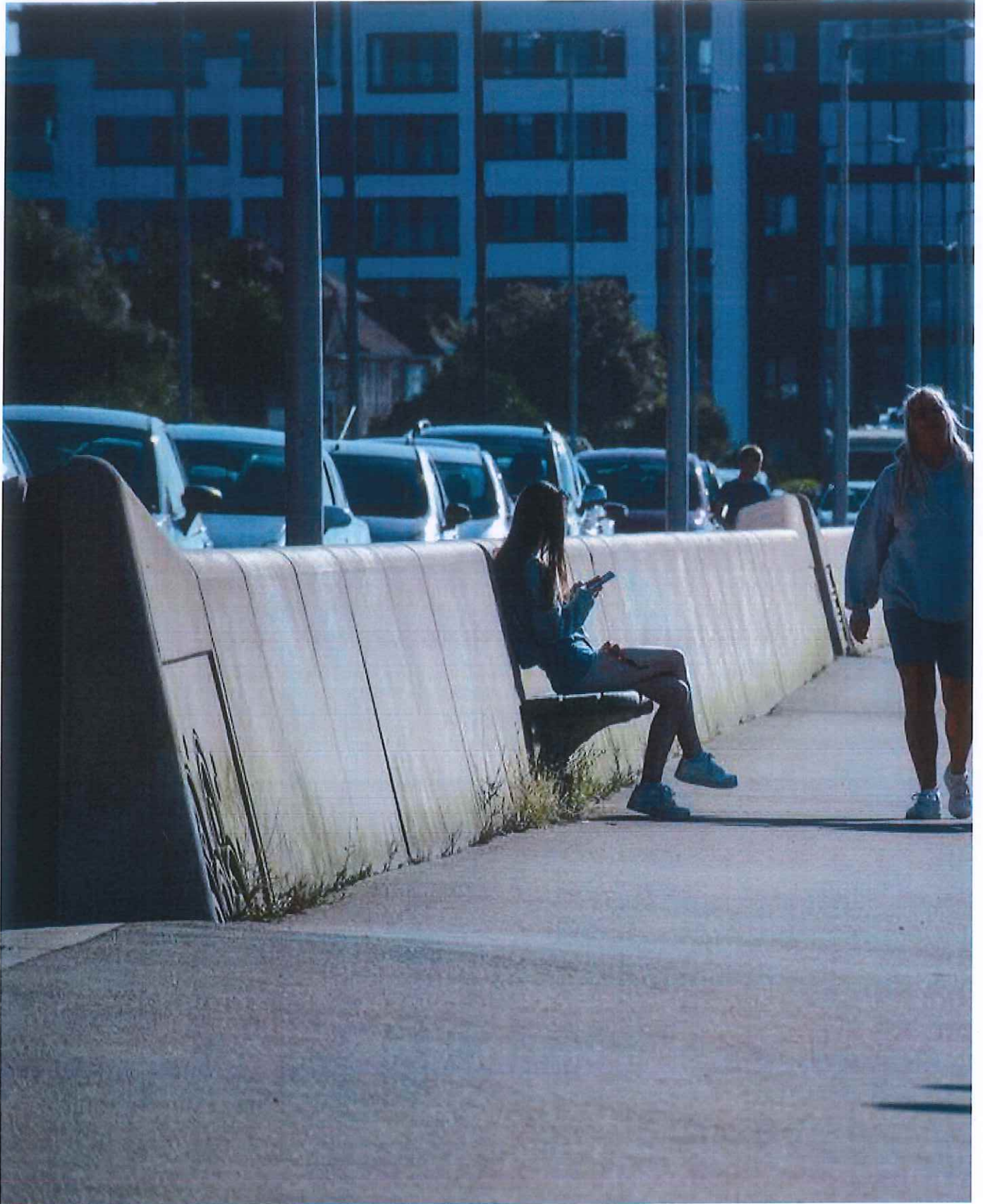
Newby, Elizabeth

From: David Billinge [REDACTED]
Sent: 31 July 2022 20:25
To: licensing
Subject: Fwd: Pedicabs

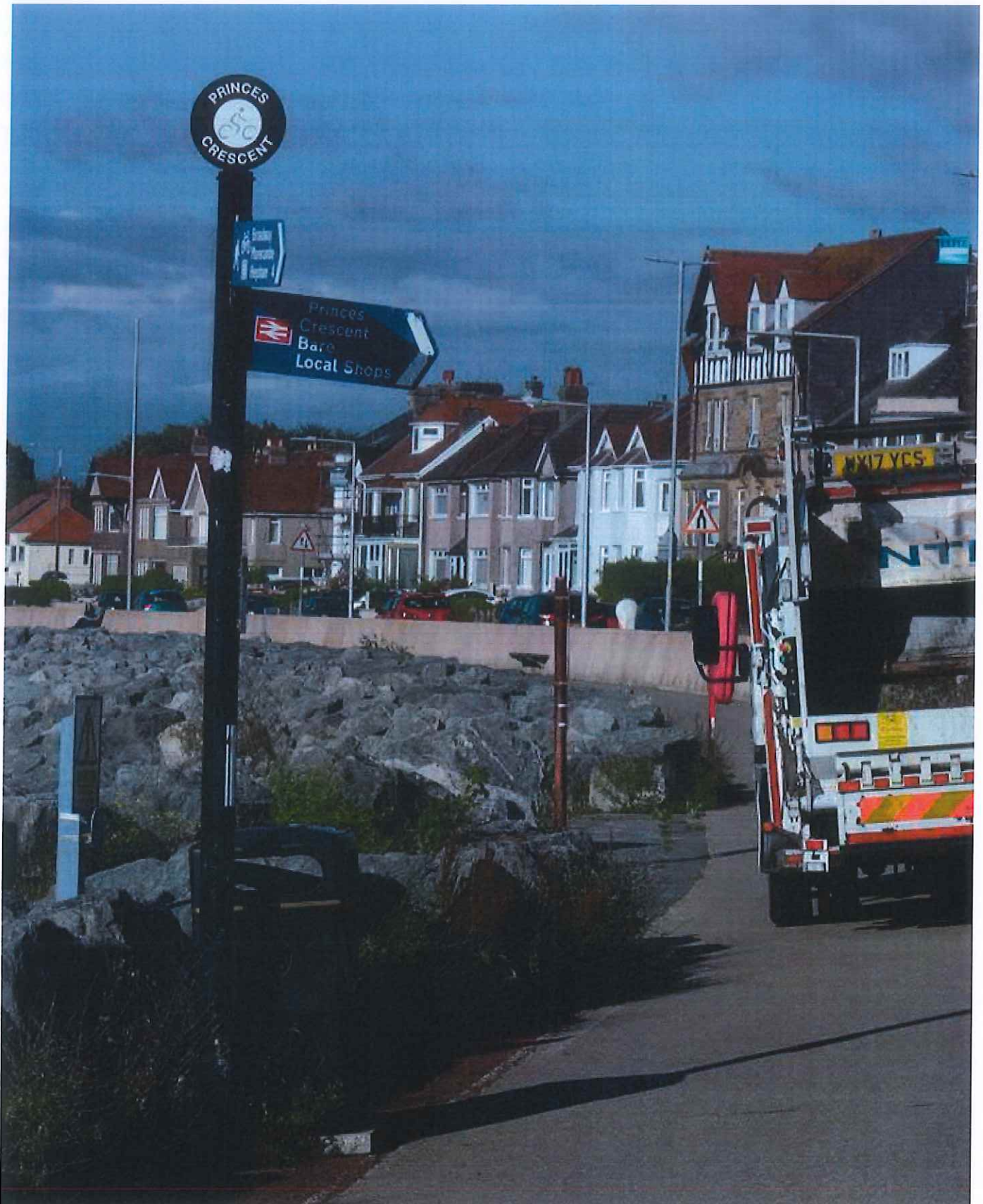
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Good Evening,

Please find attached three additional photographs showing the narrow width of the promenade at Bare and exiting traffic on the promenade

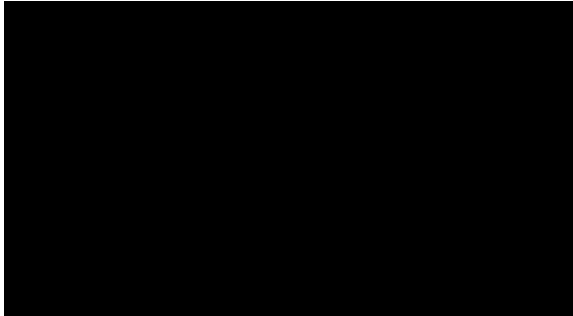
Also please note that the width of the wagon that is used to empty the bins on the promenade is not actually wide enough for the pedi cabs to pass in the opposite direction.

This area means there is a high risk of collision and serious injury.

The risk to council staff being involved on a vehicular collision is greatly increased due to the width of the promenade.

Regards

David Billinge



Begin forwarded message:

From: David Billinge [REDACTED]
Subject: Pedicabs
Date: 29 July 2022 at 18:09:06 BST
To: licensing@lancaster.gov.uk

Dera SIrs,

Having seen the information in the press release and the request for public opinion on the matter of licensing these vehicles it raises concerns a number of concerns. There has been no indications as to the number of these vehicles that are going to be allowed on to the promenade or the volumes of traffic. There is no indication of size or speeds that they will be allowed to travel at. But having seen these and based on previous experience I beleive that they will not be of benefit to the community and will cause more of a problem.

My residence is on Sandylands Promenade and I have first hand experiance of the use of the promenade. The use of these vehicles on the promenade in my mind raises serious public safety for concernes for the existing promenade users, the space is heavily used for recreation by members of our community familes with children and dog walkers cyclist of all ages and runners skaters etc., and I would seriously object to these vehicles being licensed by the city council for operation on the promenade which at the moment becomes congested but is relativley safe. With people with small children and animals these can be unpredectabe and if they where to run off are likley tsustain serious injury if they wehere to be in an accident with a pedi cab which will have a far greater inertia than a child, with potentially fatal consequences.

The width of these vehicle will impede other users whilst they are operating on the promenade especially on the reduced widths of the promenade between the Battery and Grosvenor Fishing Breakwater and then between the Sunny Slopes and Whinnsty Lane. The width of the Promenade is also becomes progressivley narrower as the promenade move towards Happy Mount Park from the Inshore Lifeboat Station. These sections of the promenade already becomes extremley congested. There is the a higher risk of collision in these areas with the potential for serious injuries.

The Promenade also has vehicle crossings around both the Lifeboat stations and the sailing club slipway adjacent to Morecambe Town Hall. There is also a vehicle entrance to the battery car park. Launching vehicles Tractors and trailers at the Oakley Road slipway, vehicular access to those properties with vehicle access off the Promenade between Oakley Road and Sunny Slopes. In these areas there is a medium to high risk of collision with other authorised promenade users with potential serious outcome, I understand that one of this type of vehicle has been involved in a fatal collision London

At the present time the occasions of where the unauthorised use of motor vehicle on the promenade is increasing, with these vehicles being driven along the promenade this is also being compounded by the use of e-scooters and motorised skate boards which also increase the risk of accidents, together with the fact that I have actually seen a paraffin launching from the top of the Sunny Slopes. Which in itself is a breach of CAA rules as it is within the Danger zone around the nuclear power station.

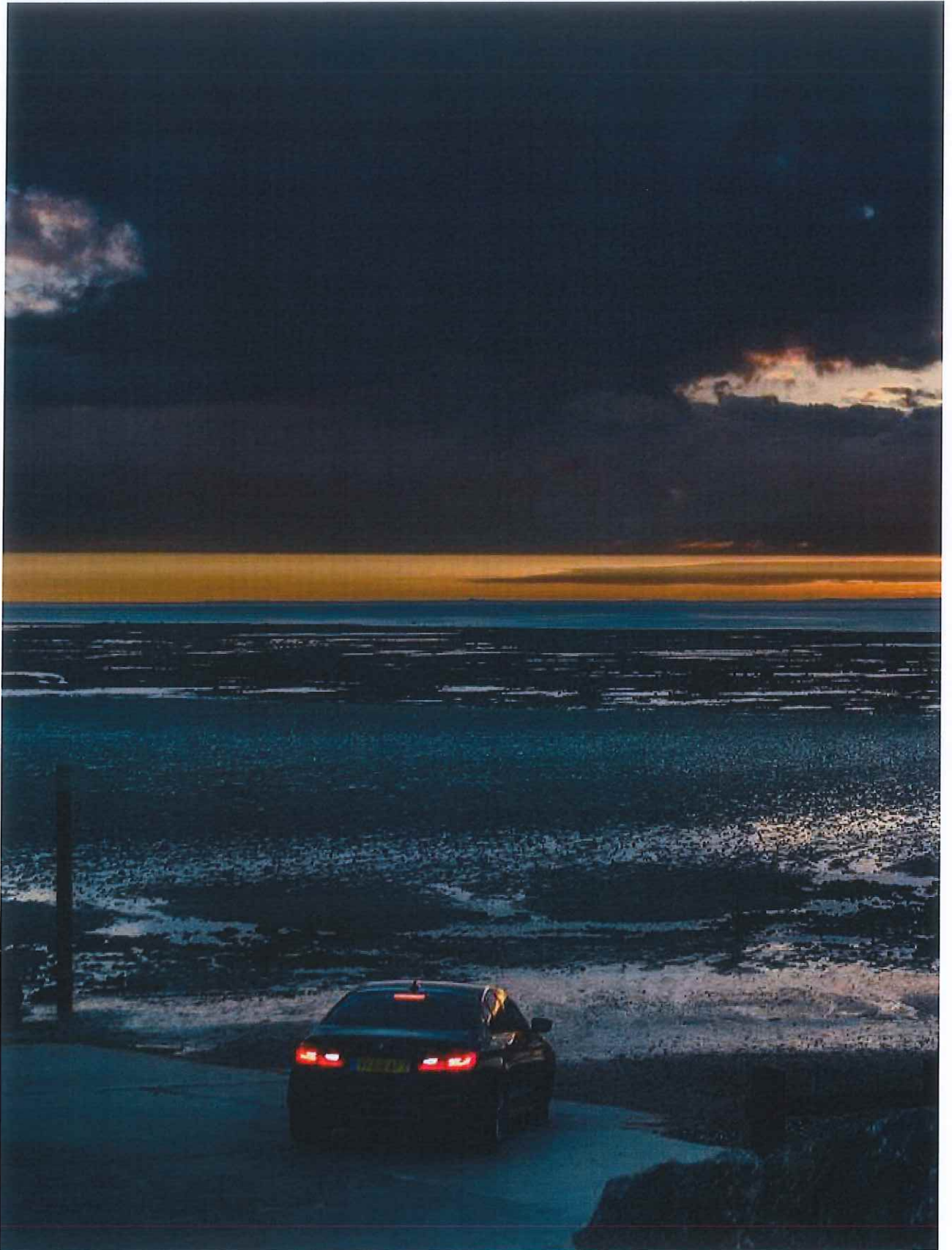
There are also occasions where horse drawn vehicles and horses are on the promenade and mixing with the pedicabs it is not in my opinion a good idea.

What are the views of council's own officers who manage the Promenade in respect of their use of these vehicles on the promenade.

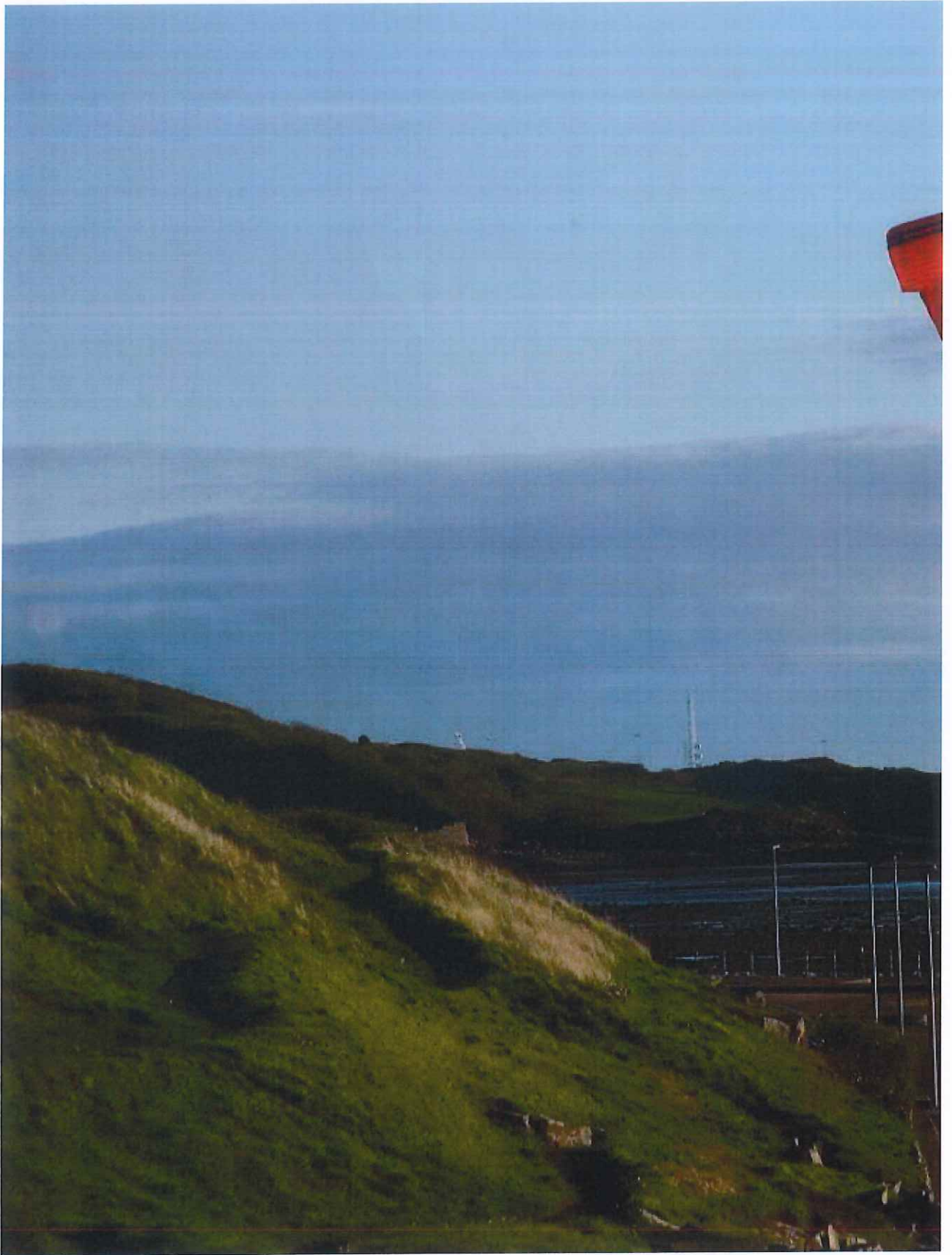
There has been no information about the use of music on these machines how loud it will be and the levels of nuisance that that it is likely to cause.

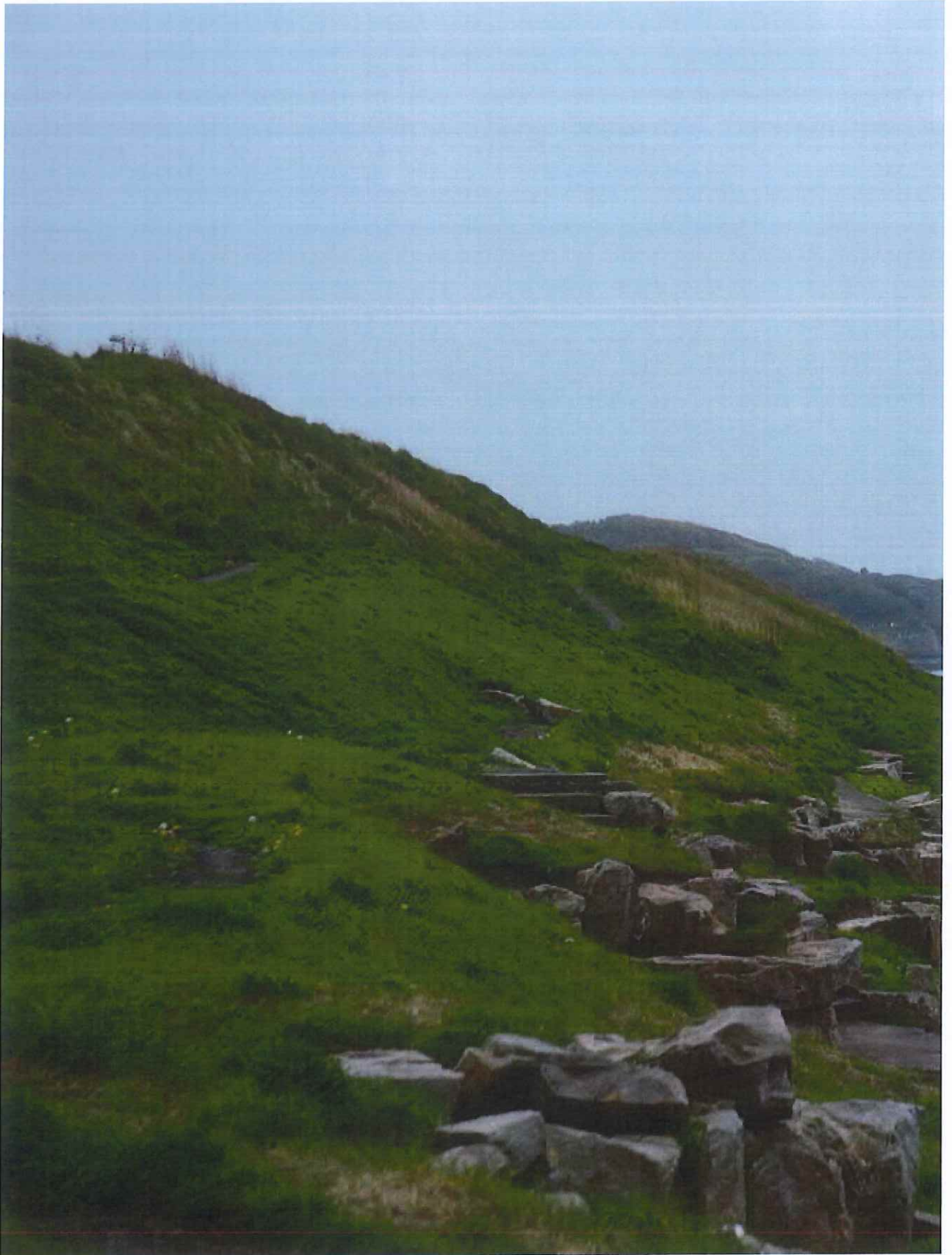
I would presume that they will need additional resources to monitor their safe operation. As they are not motor vehicles I presume that the riders will not have driving licence and I would think that some form of training should be mandatory.

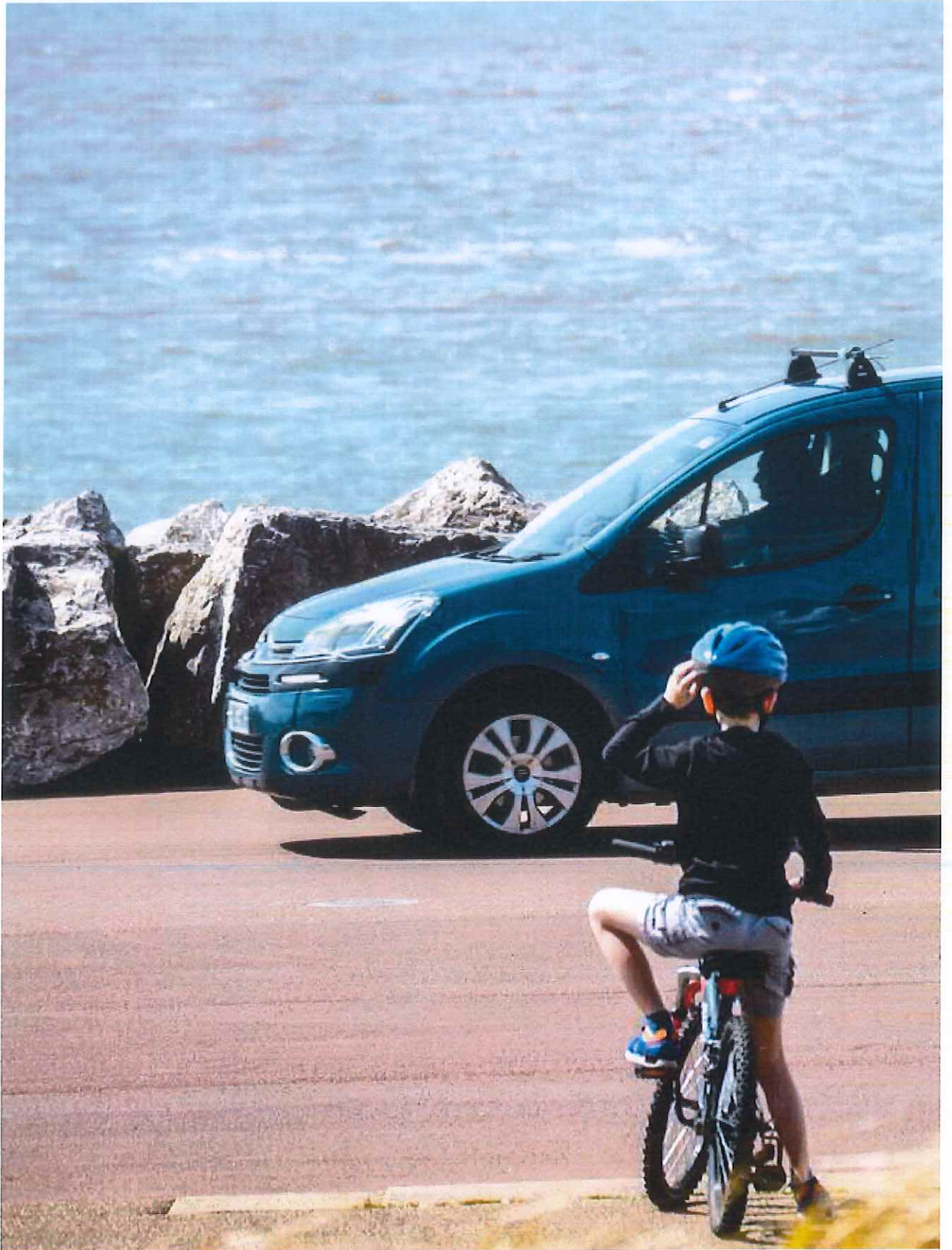
I have included a series of photographs to illustrate the points that I have raised in my objection









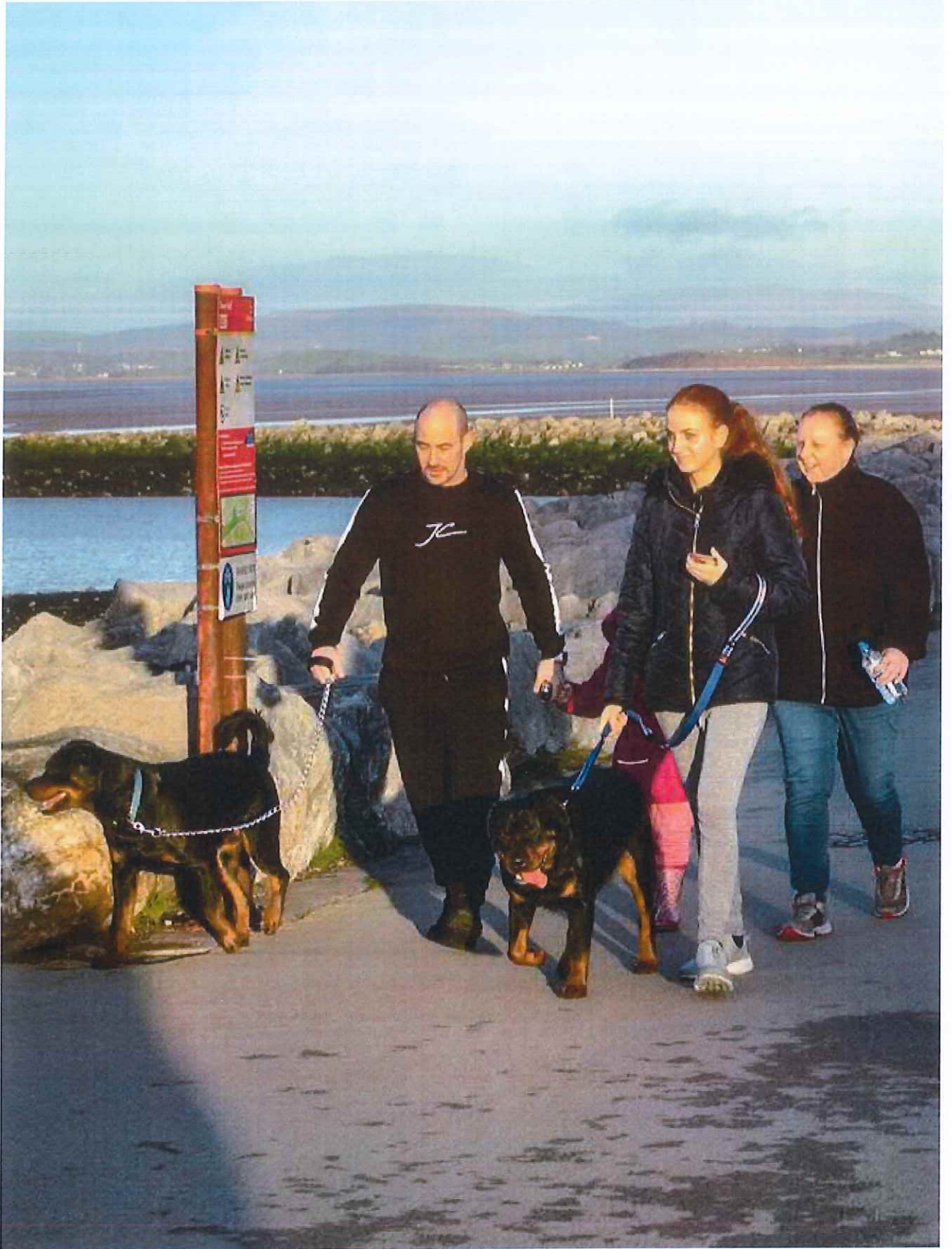


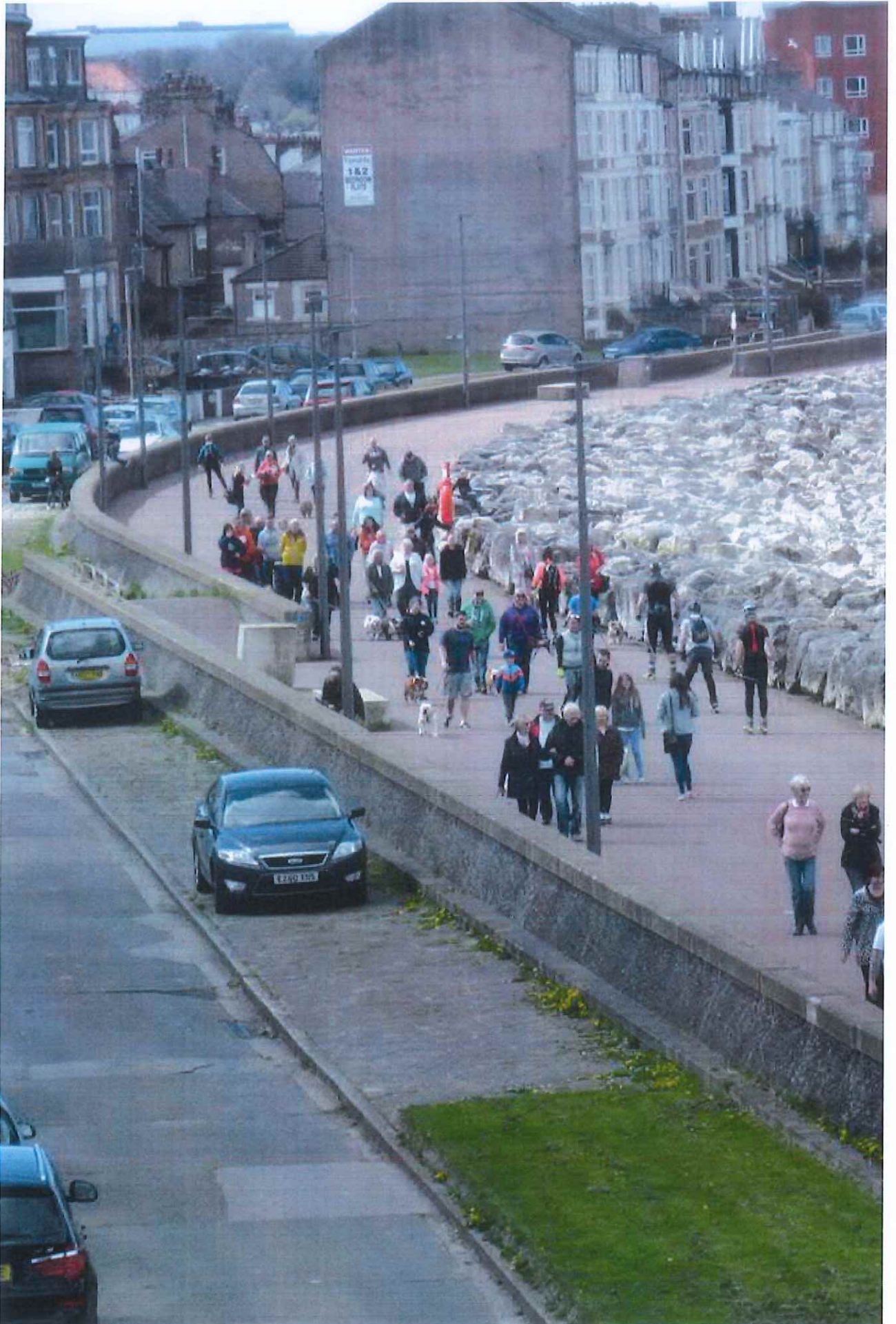


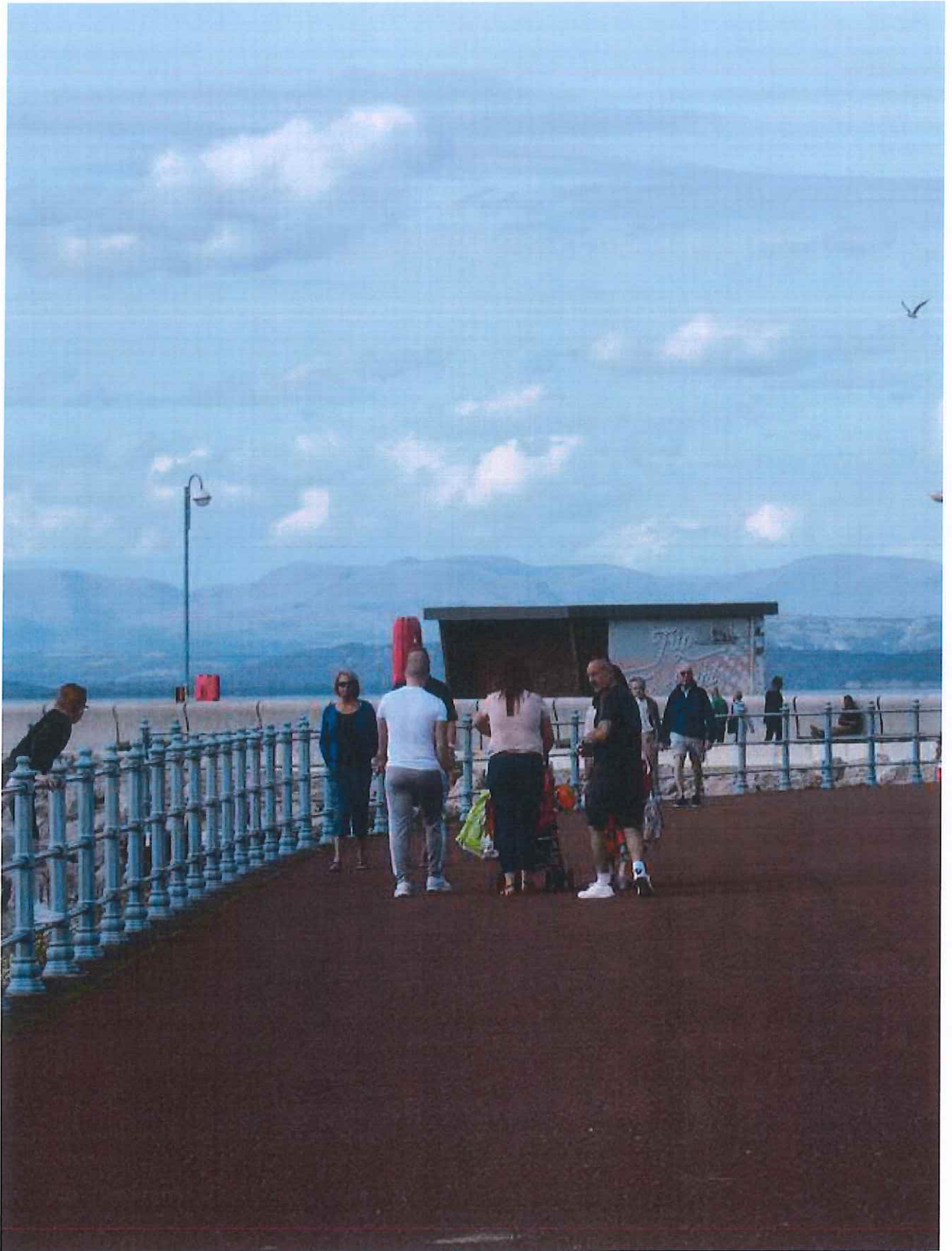


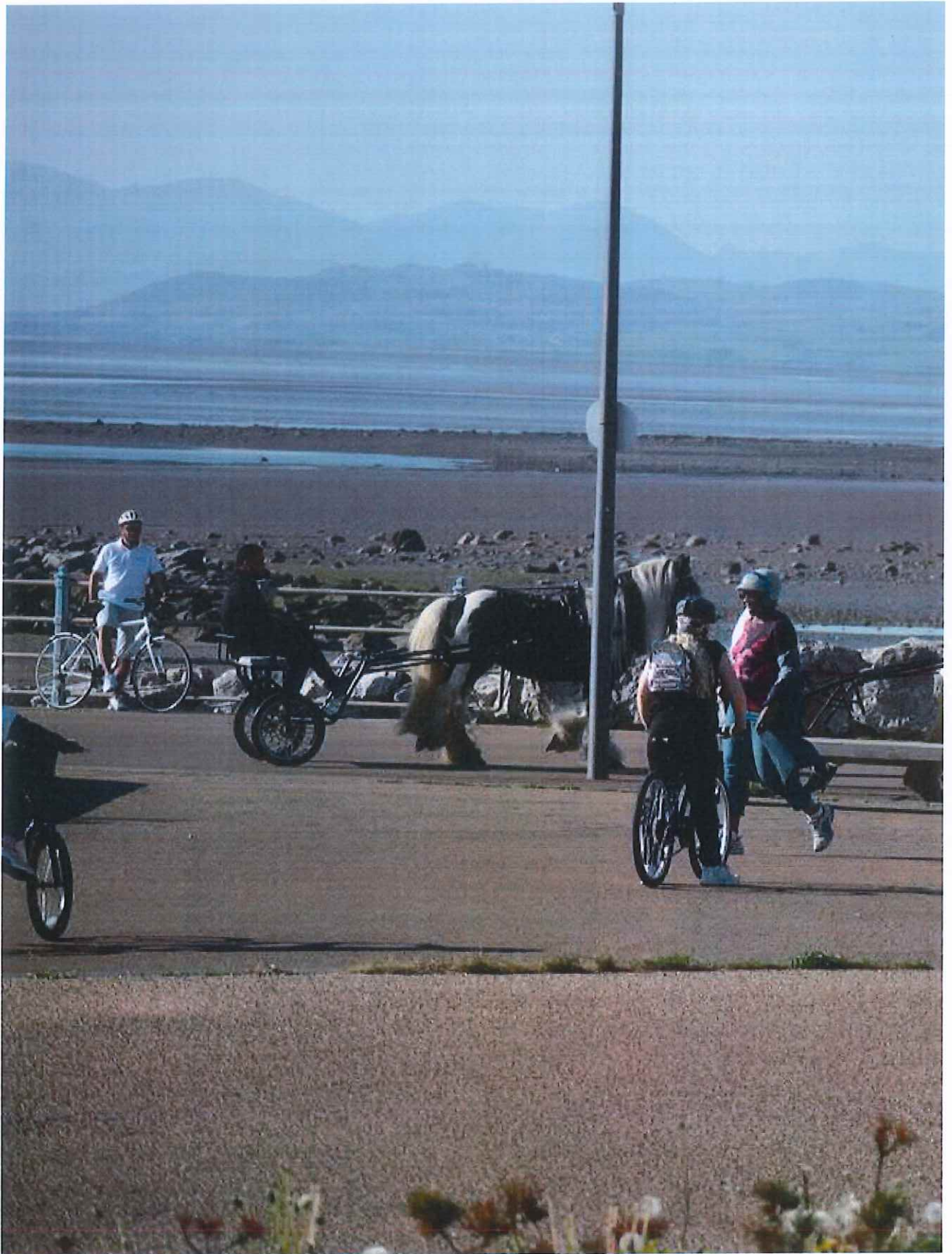




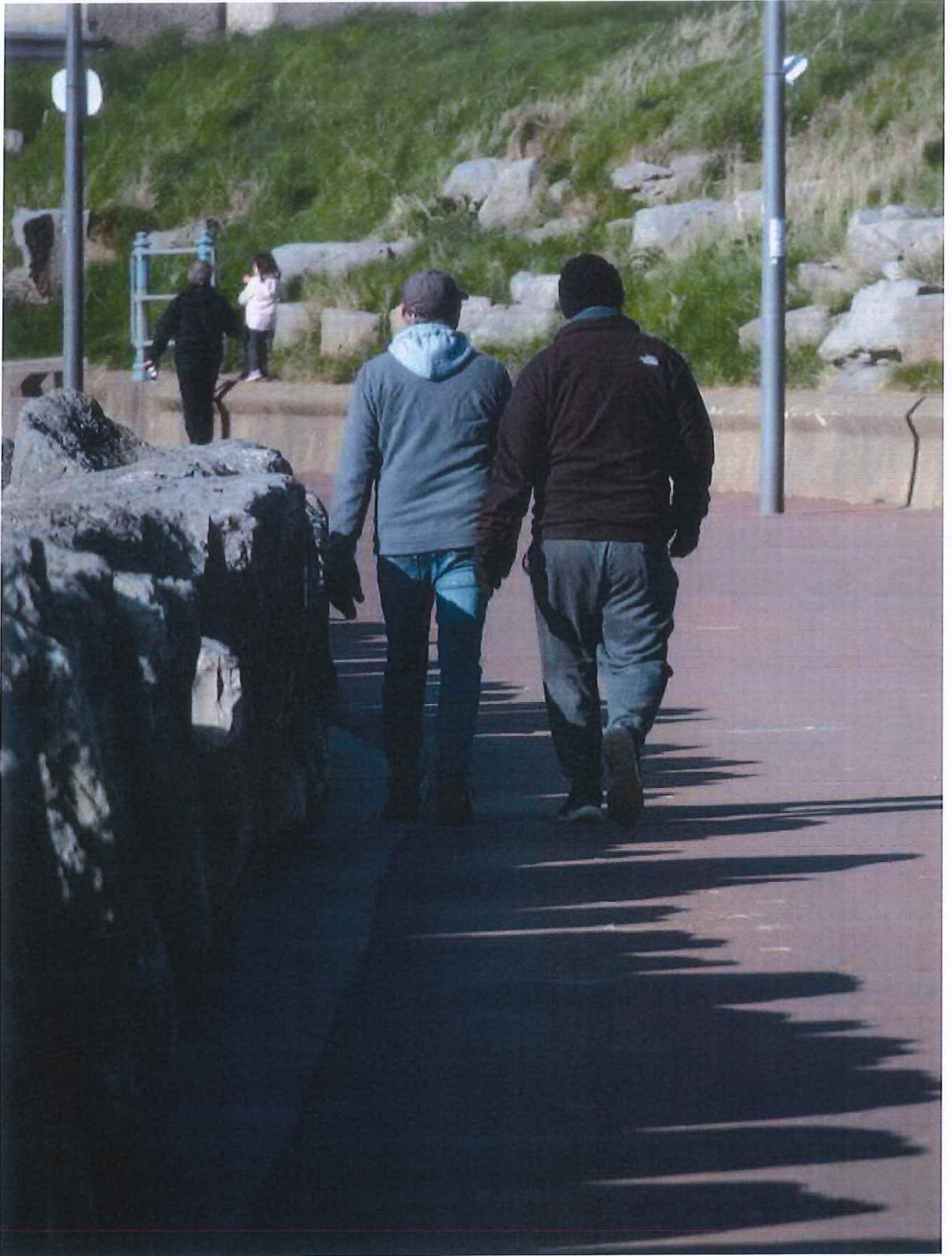






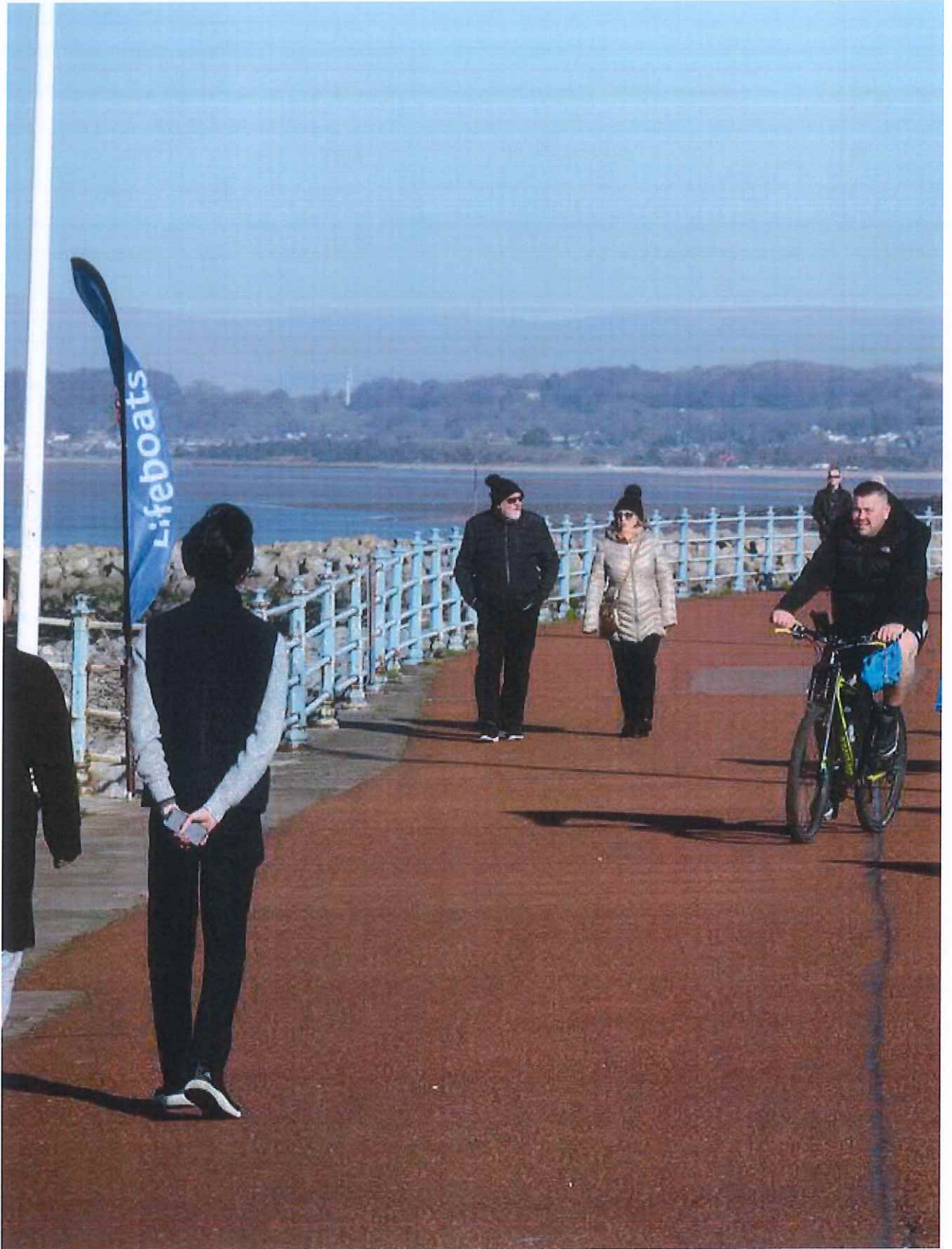


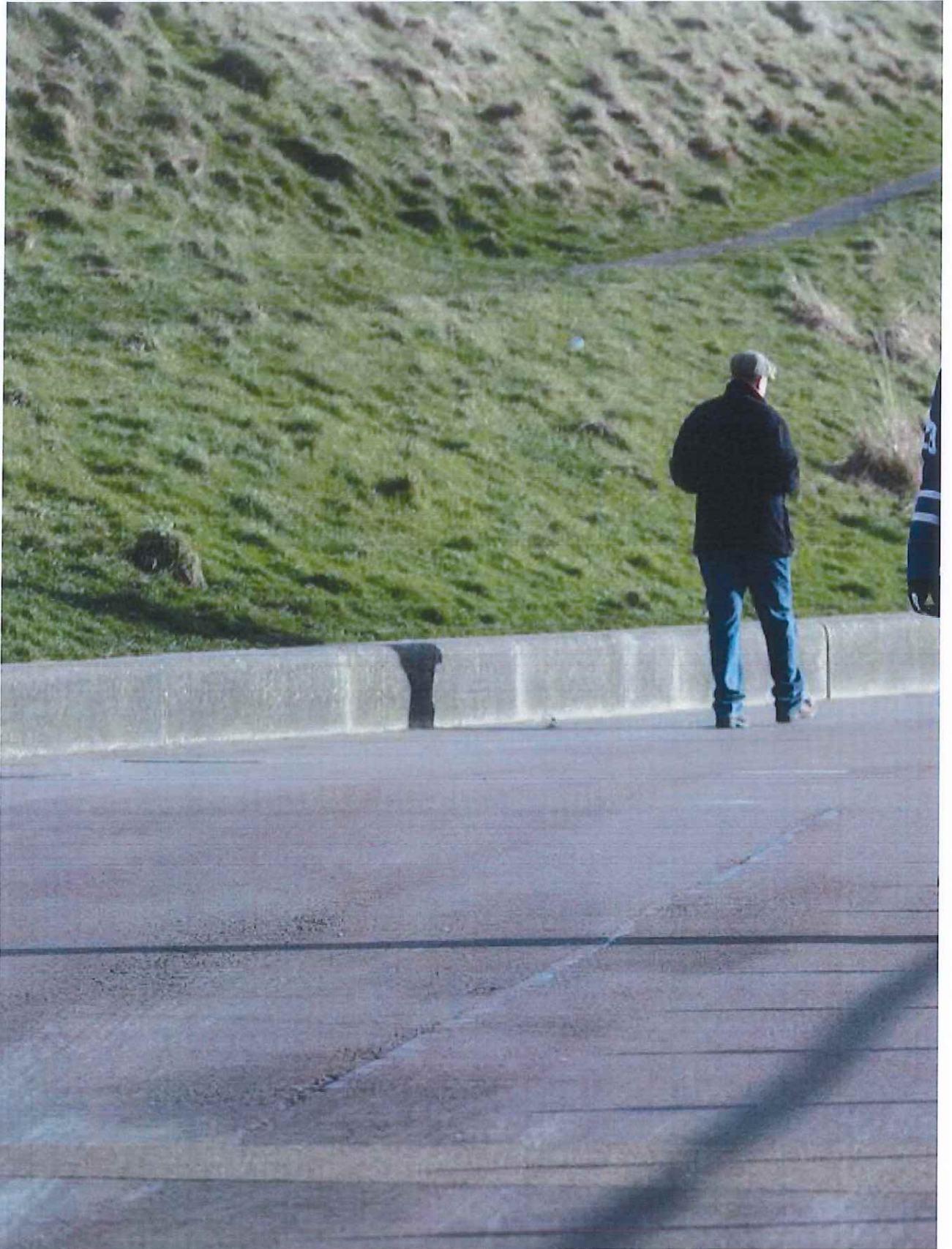


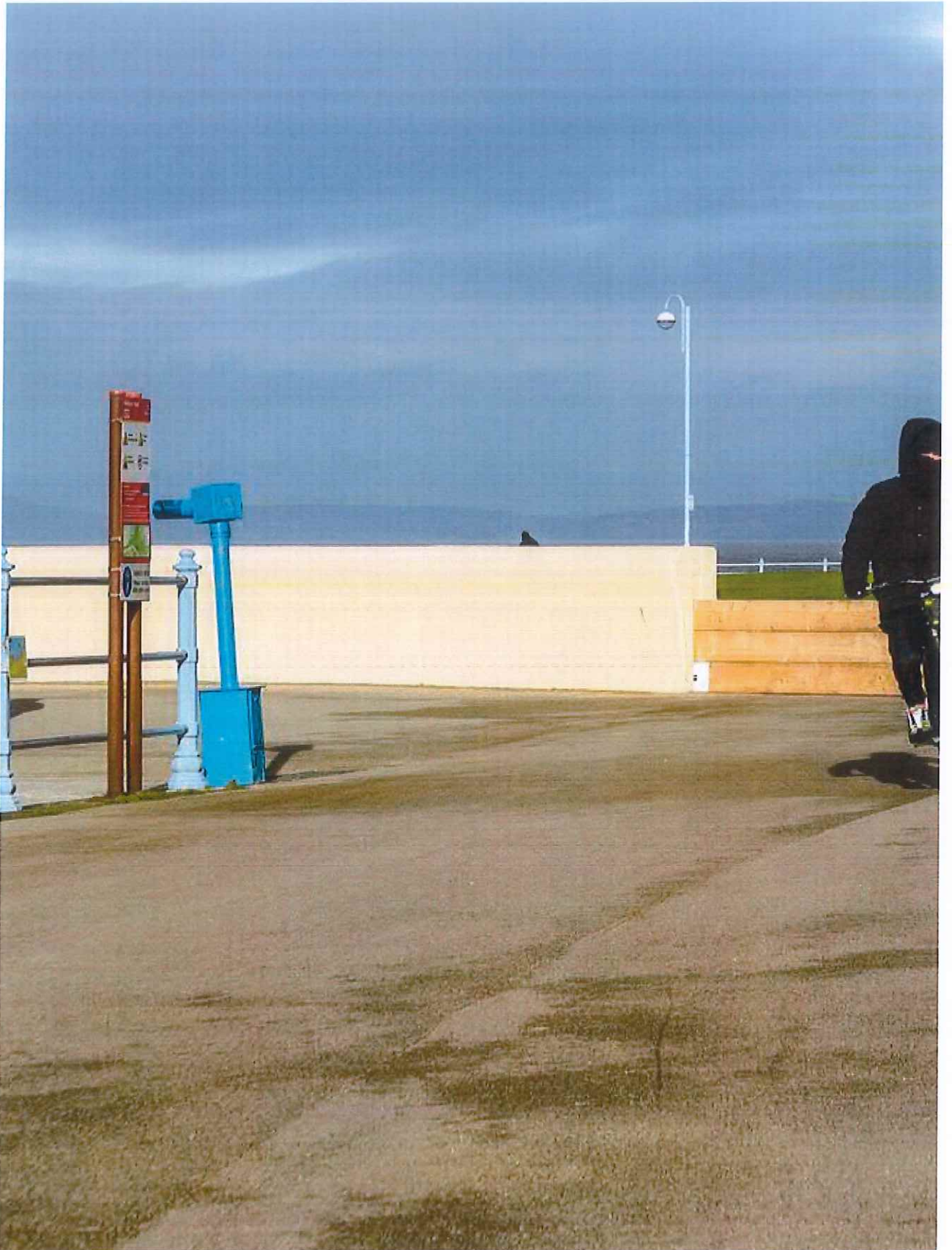


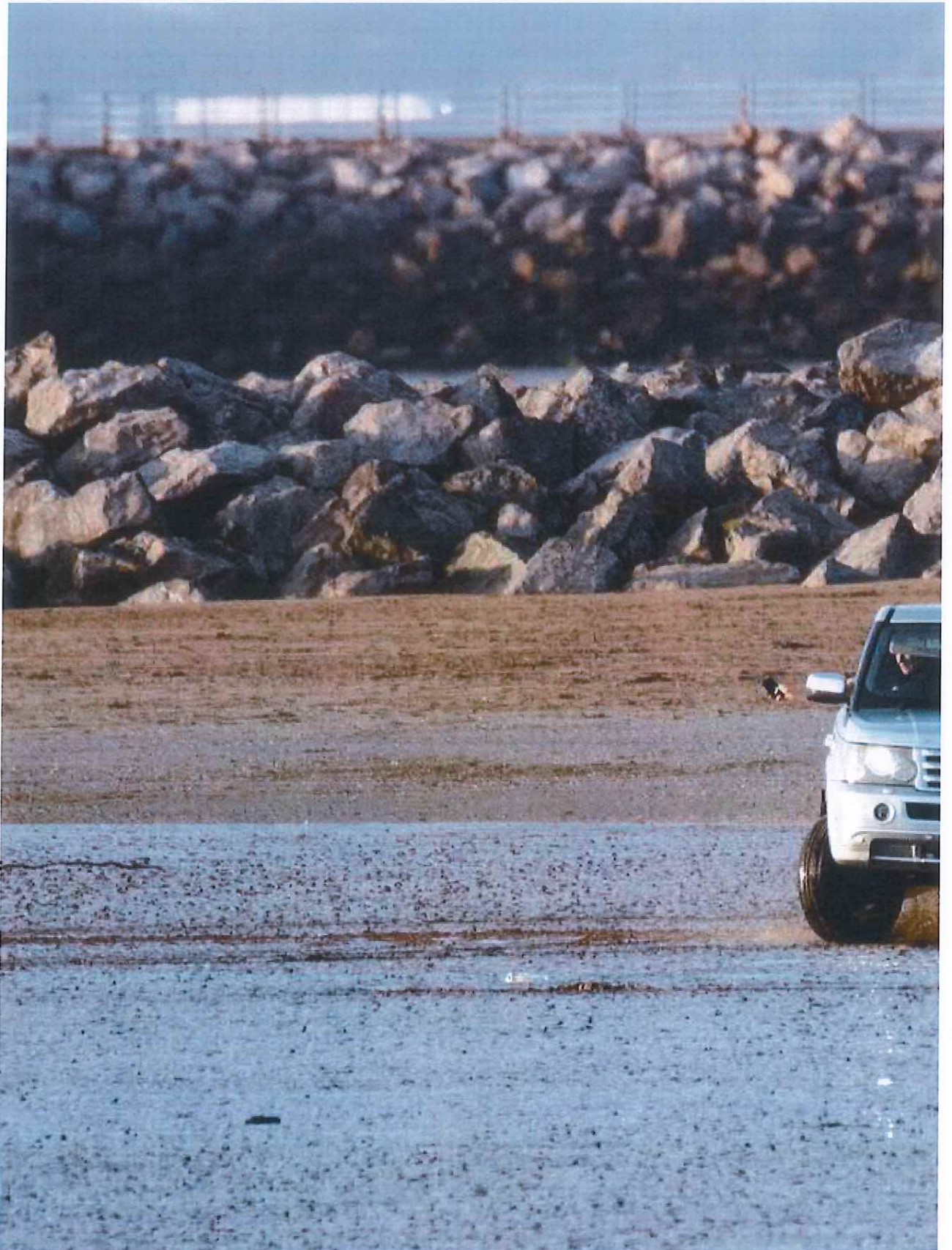


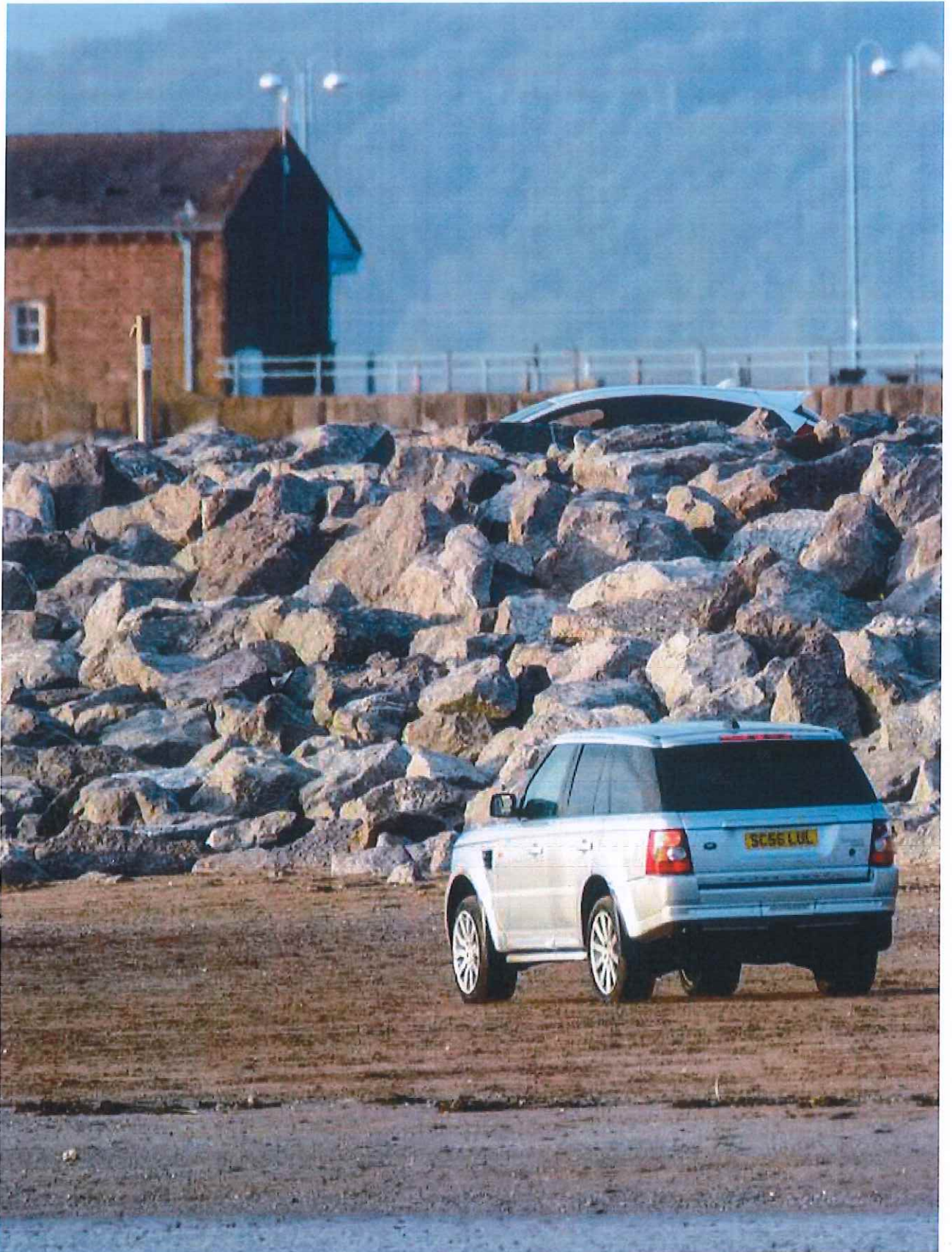




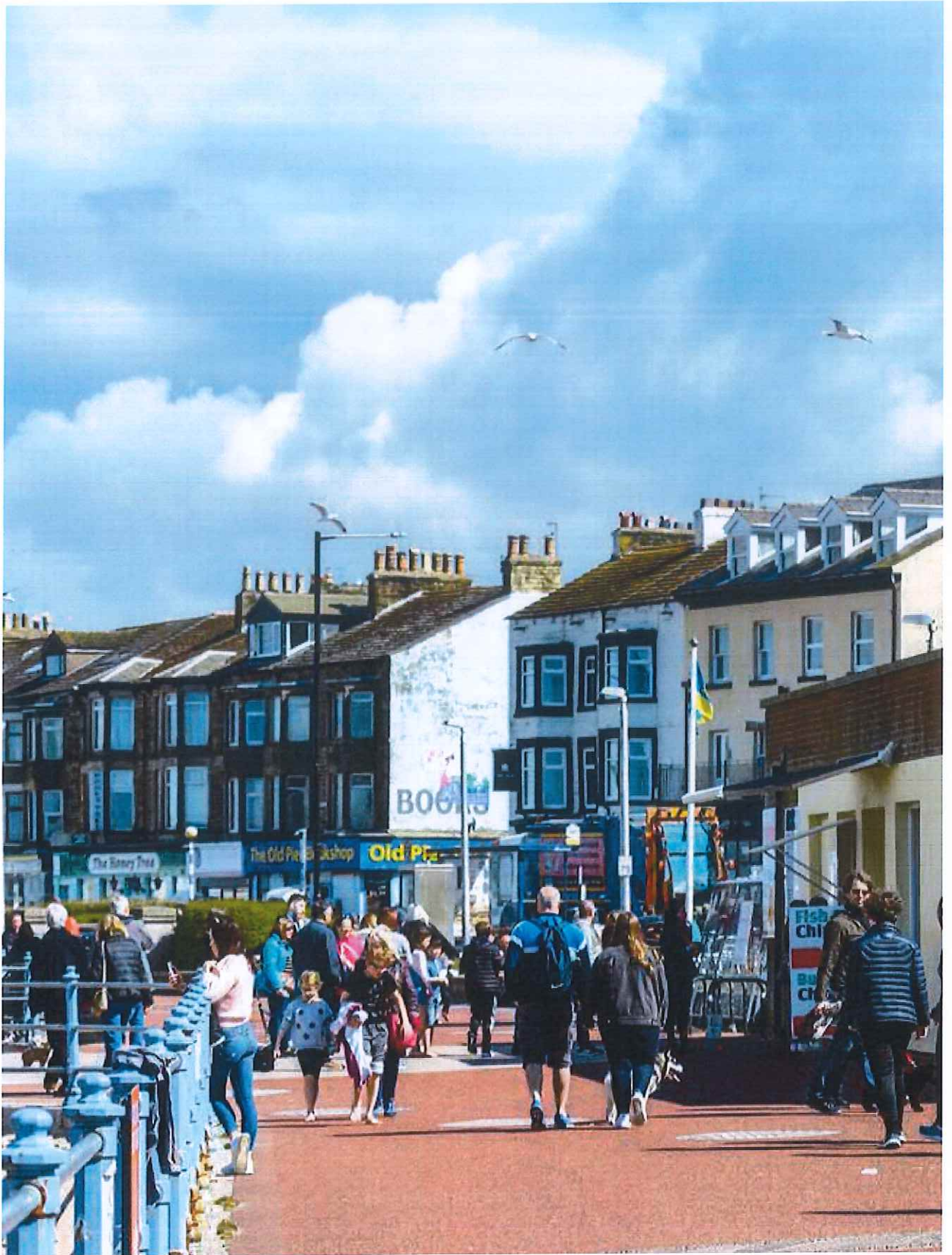


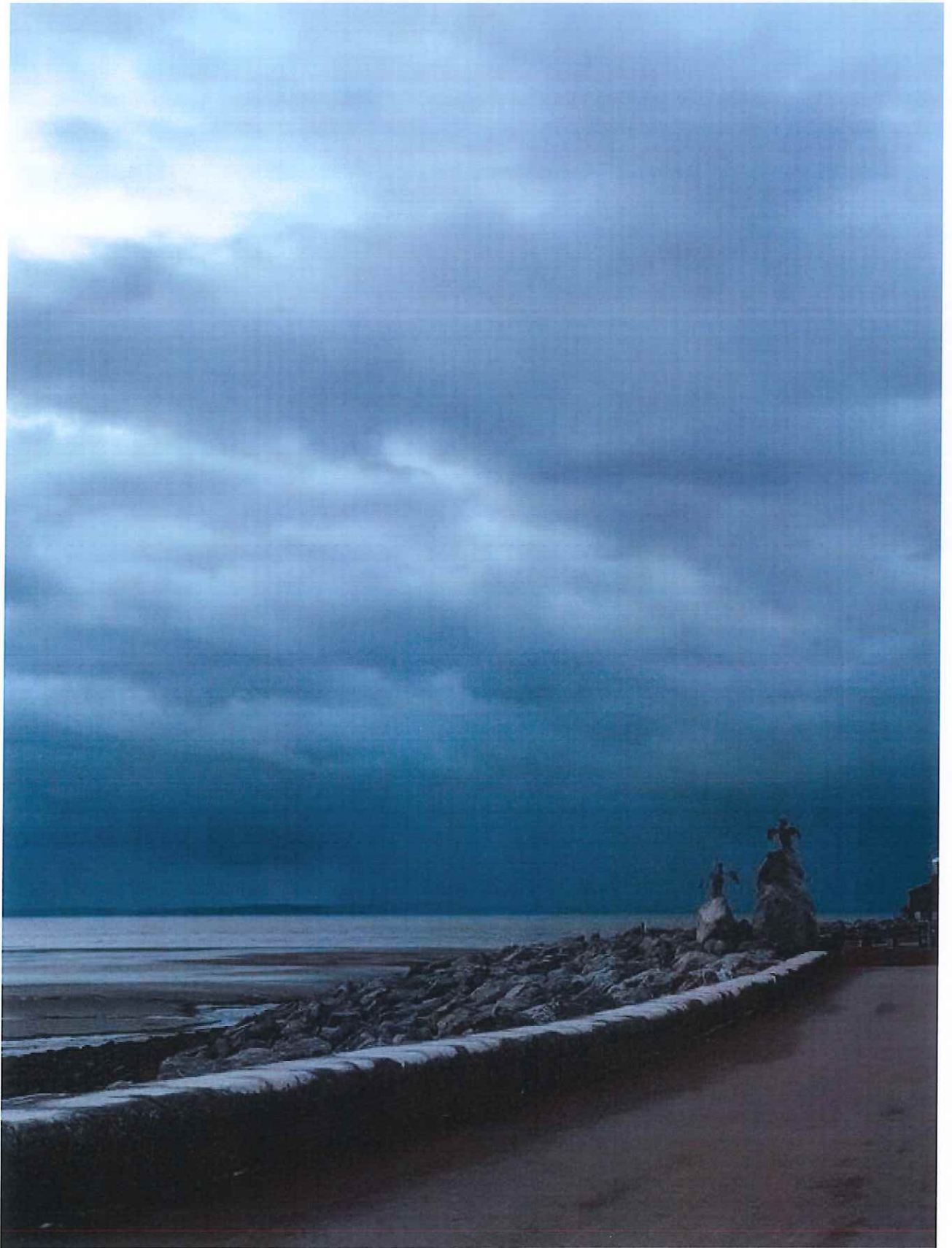




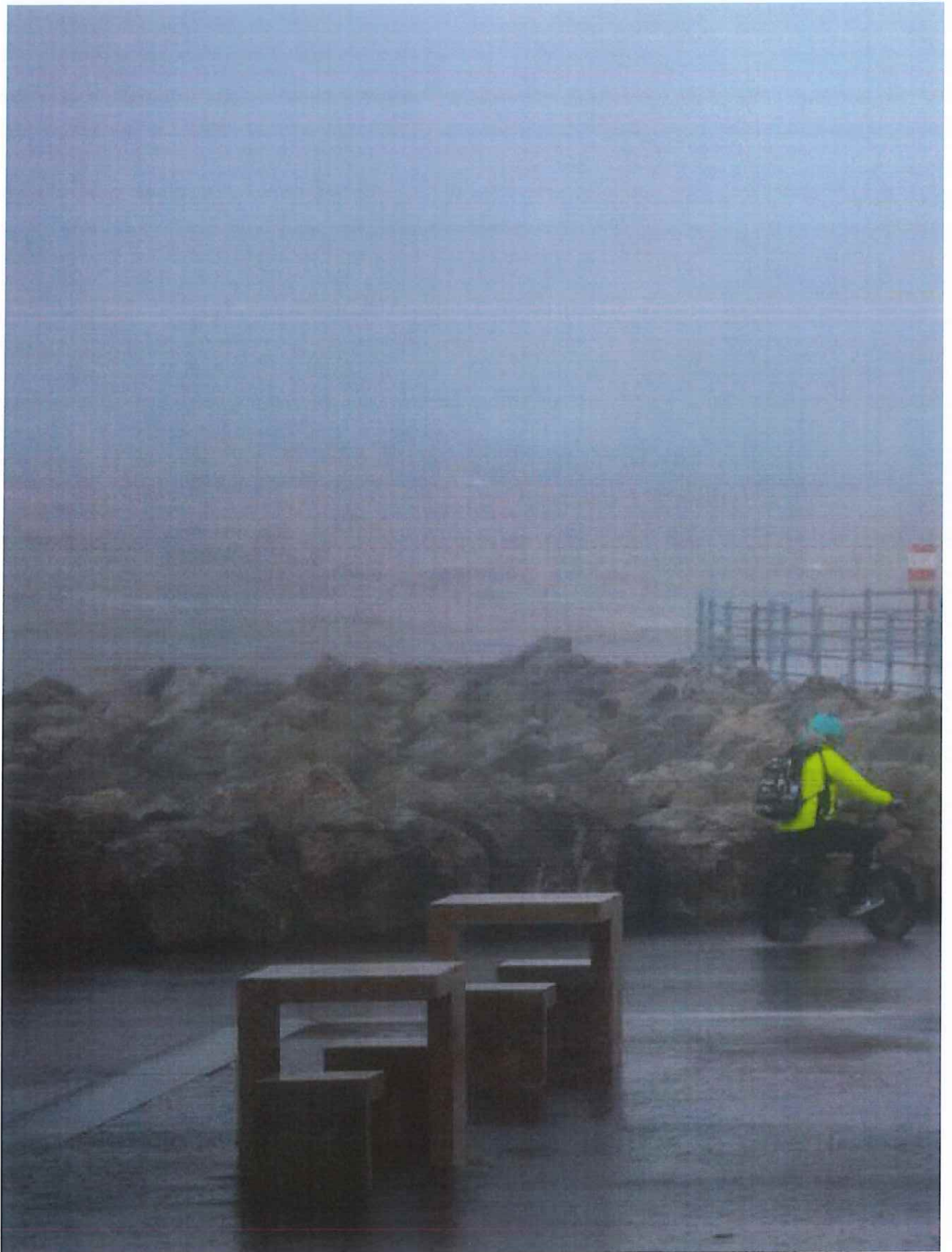


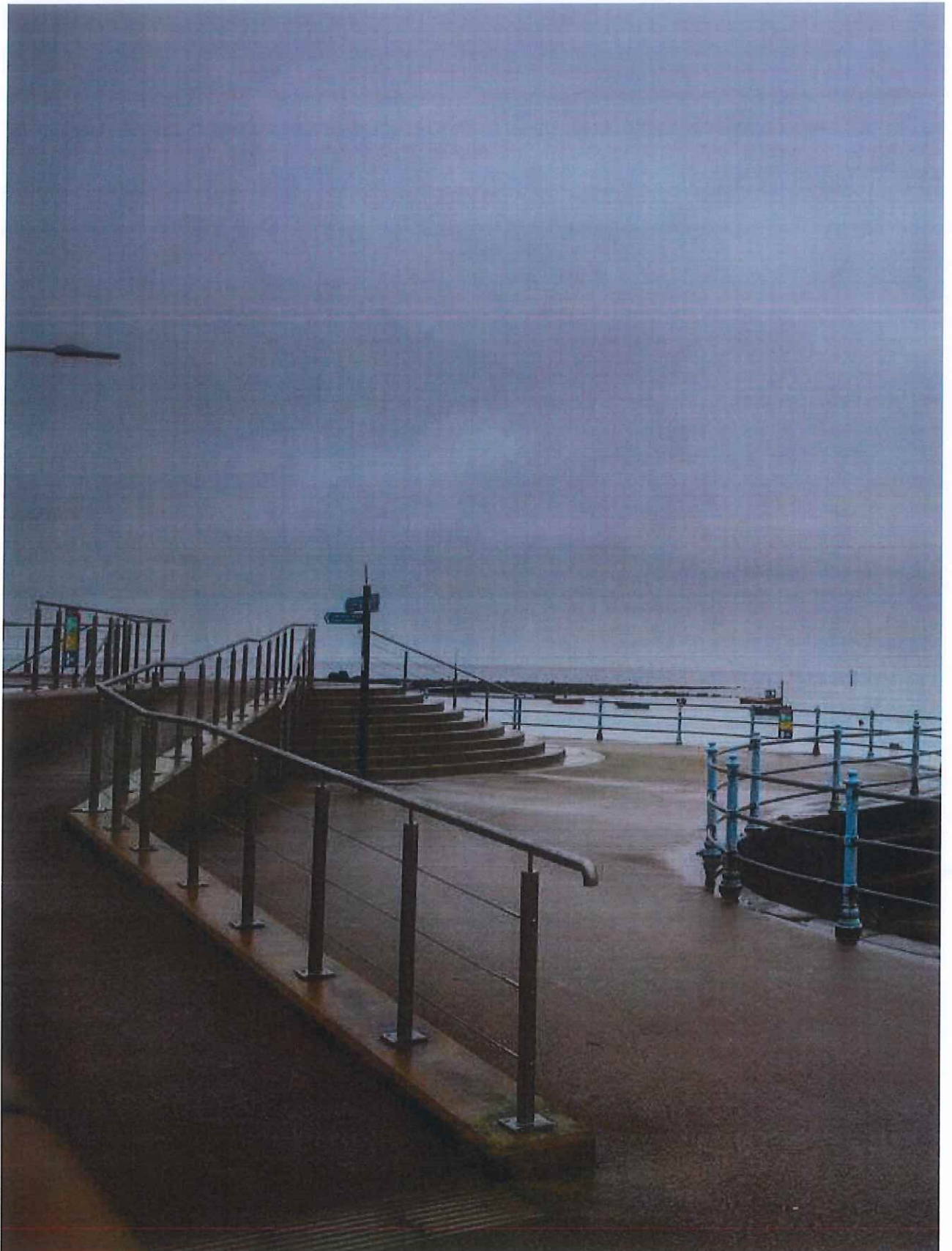


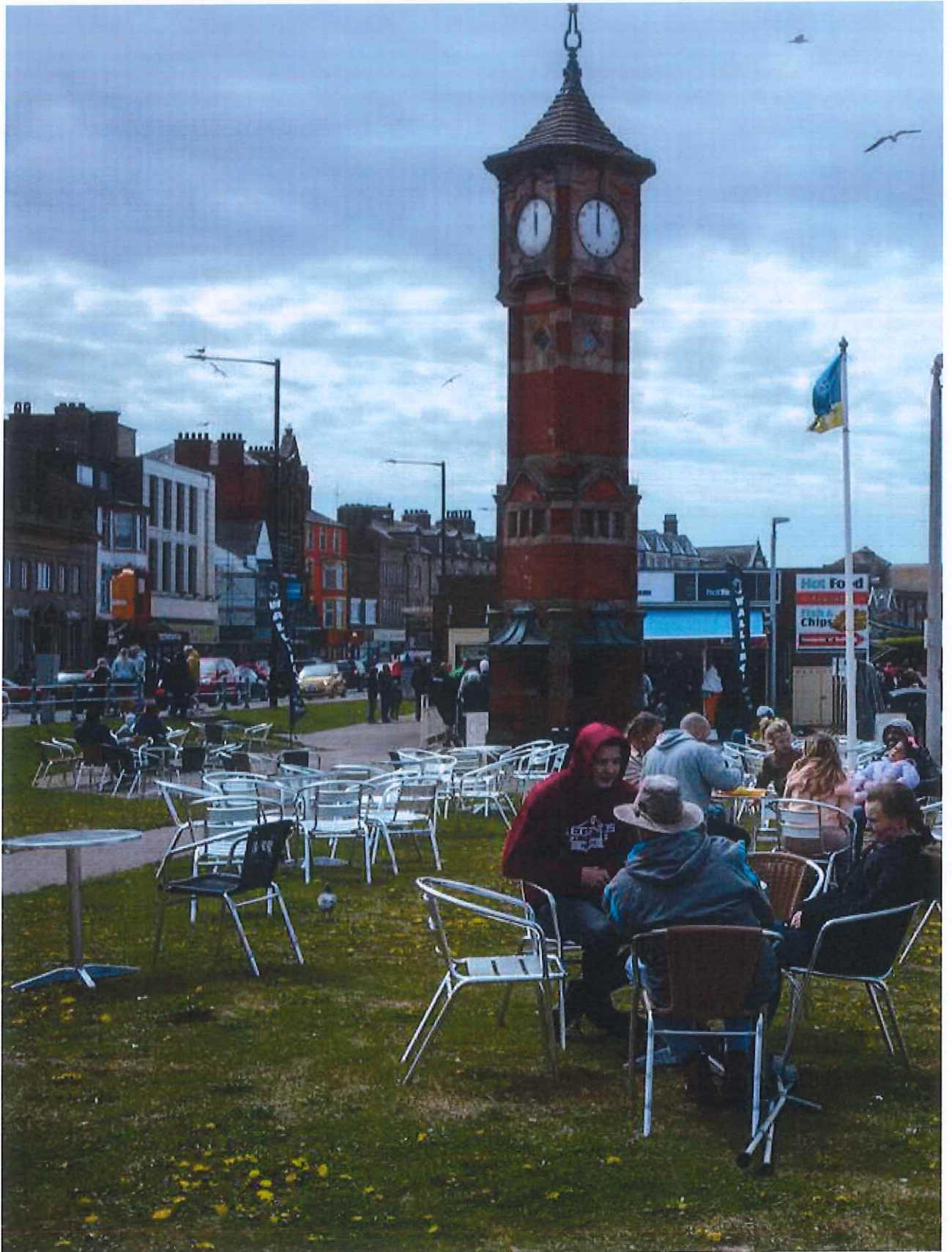


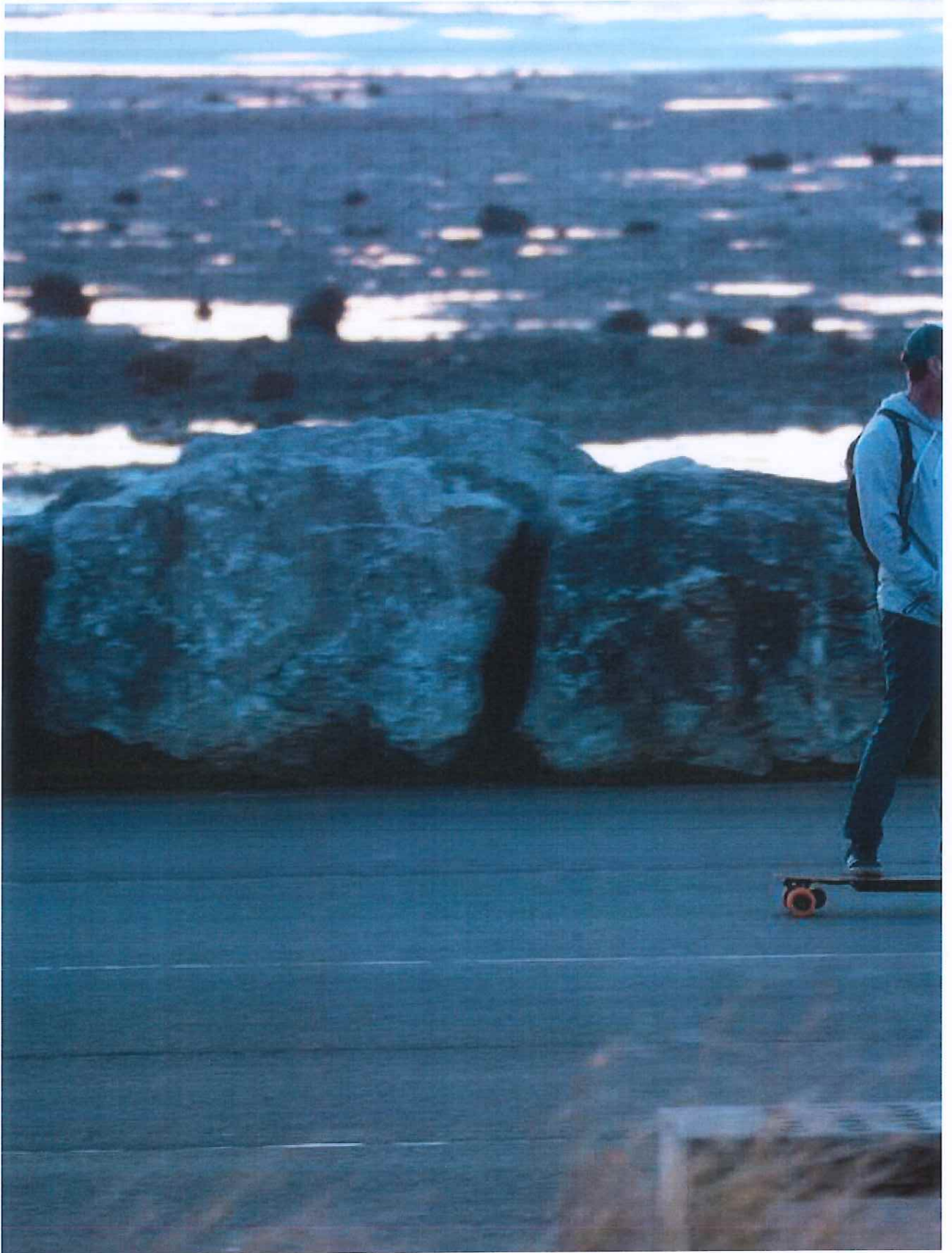


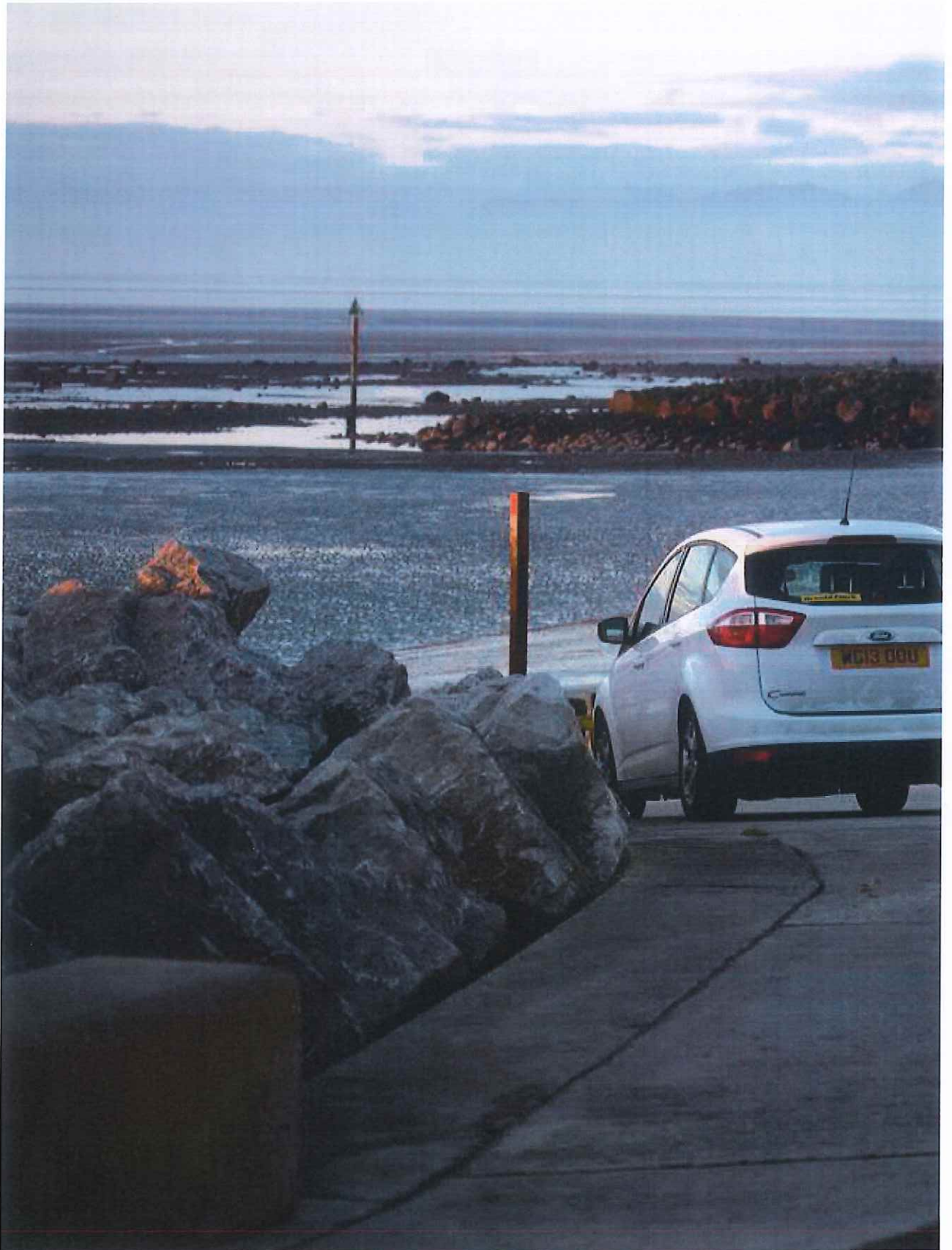


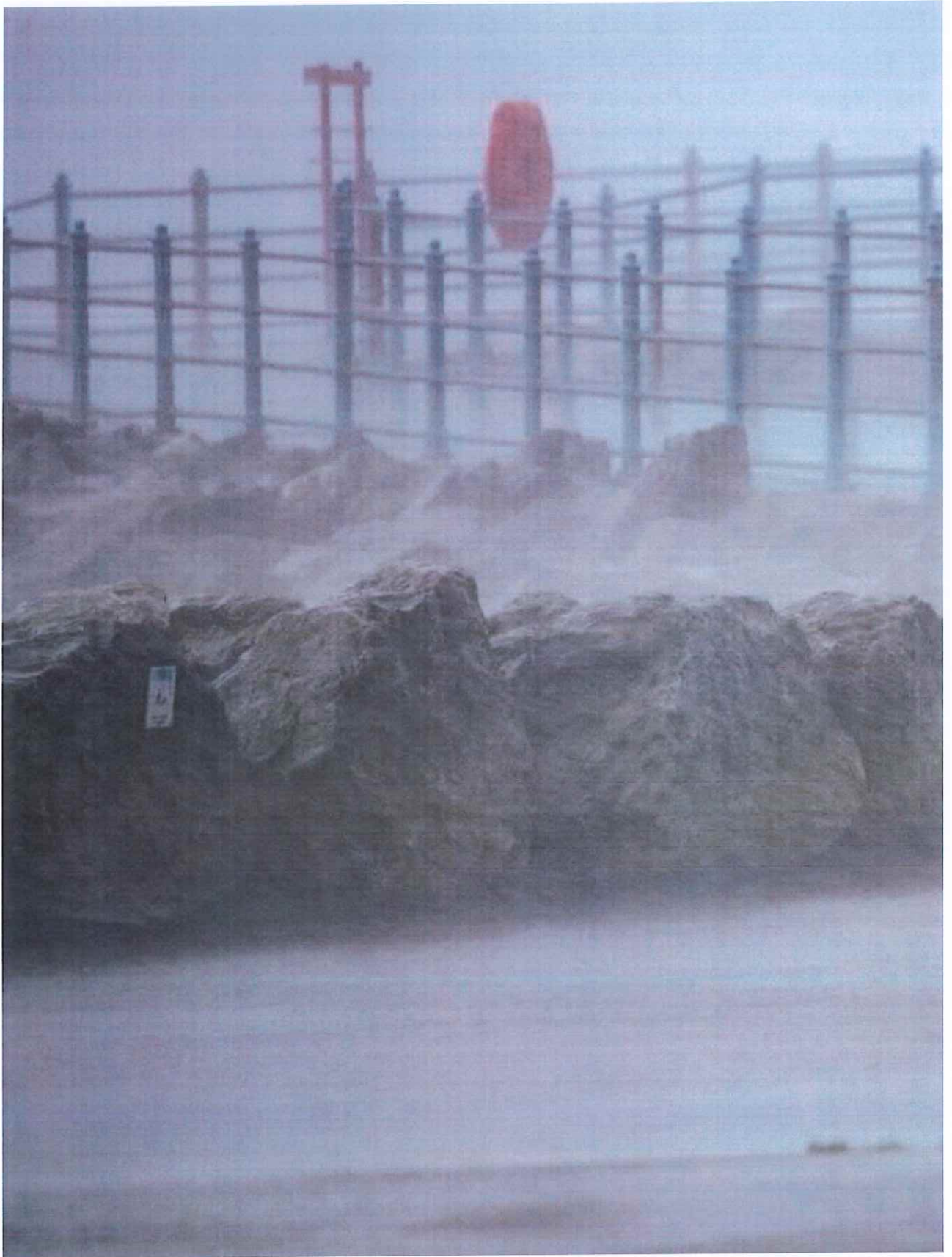


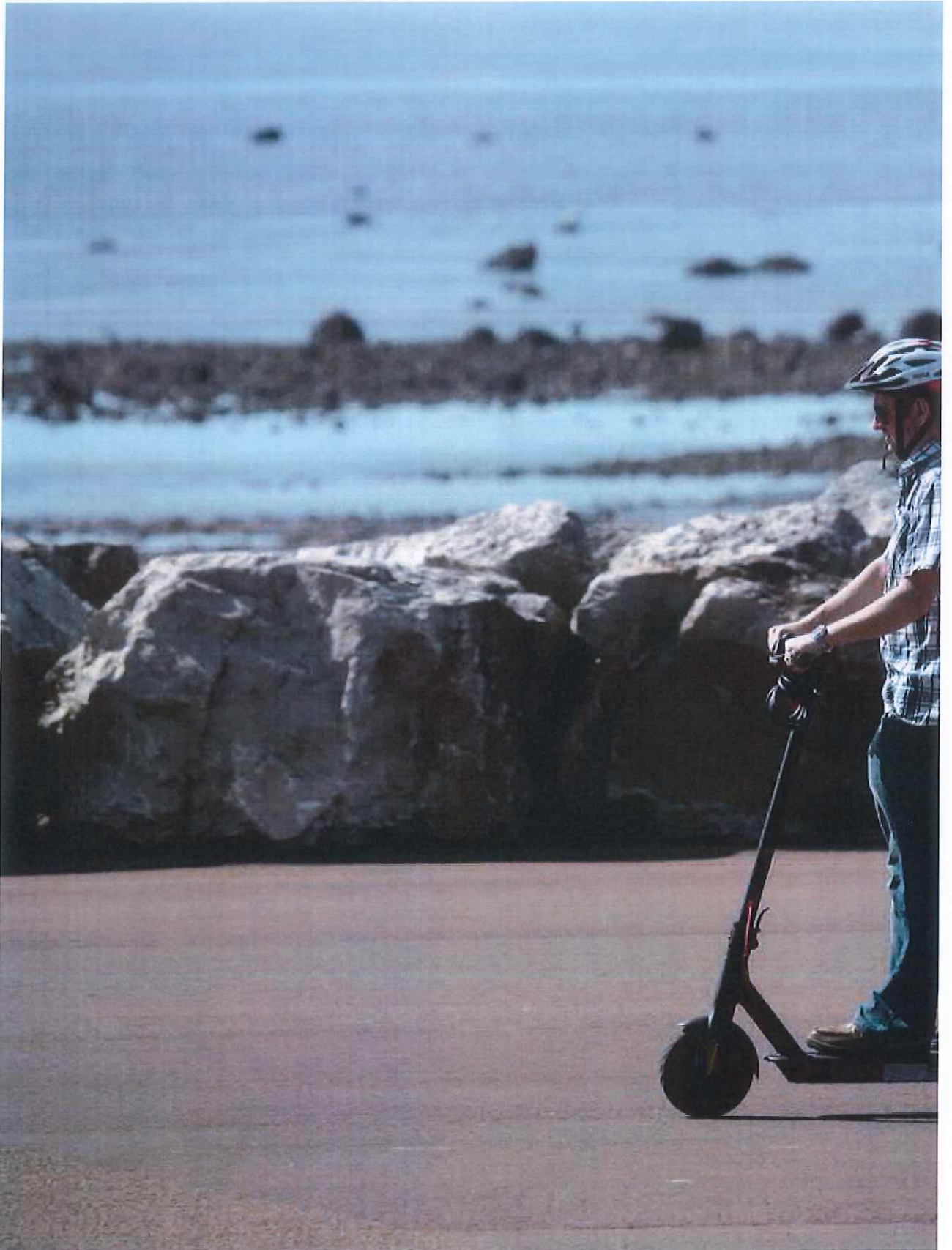


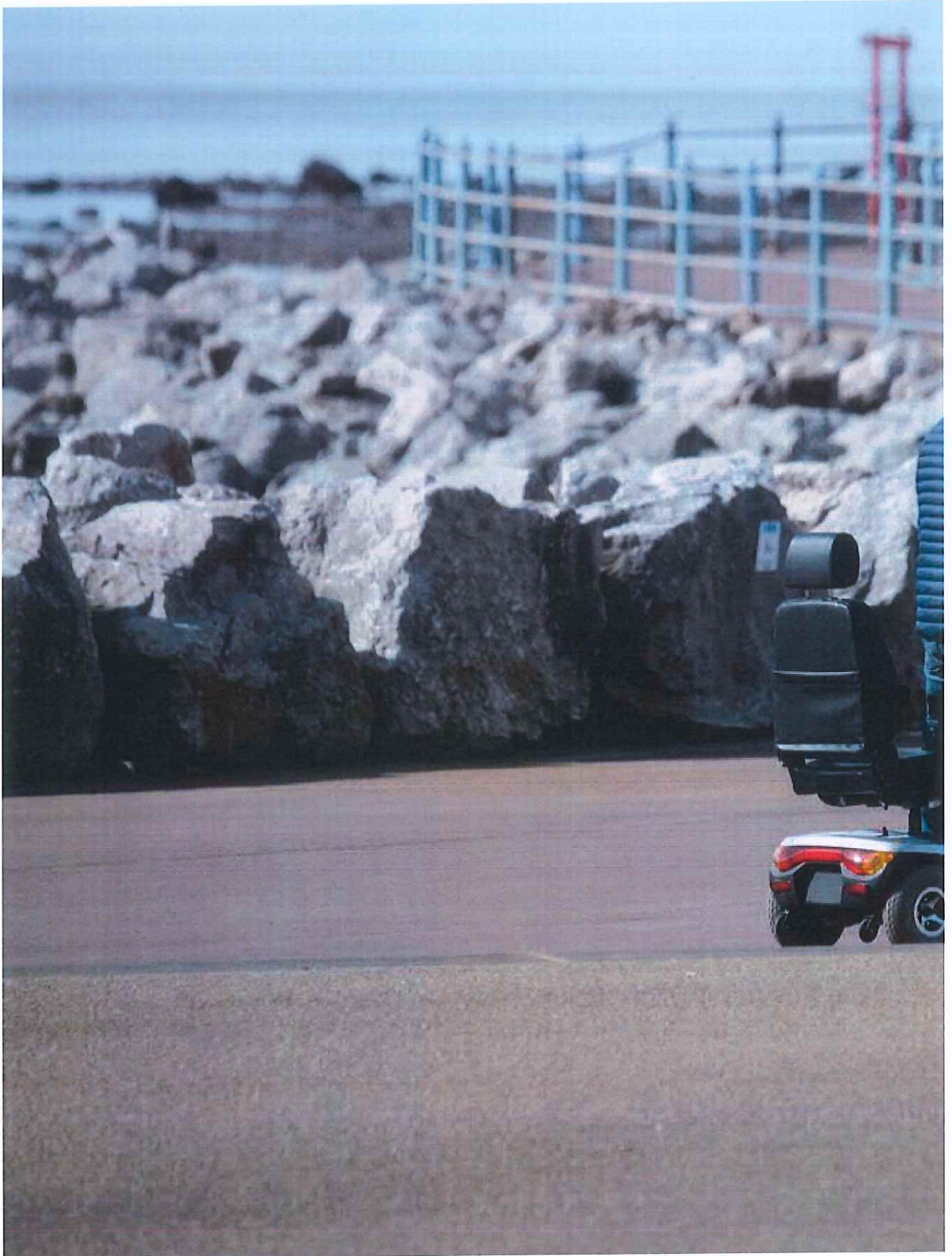


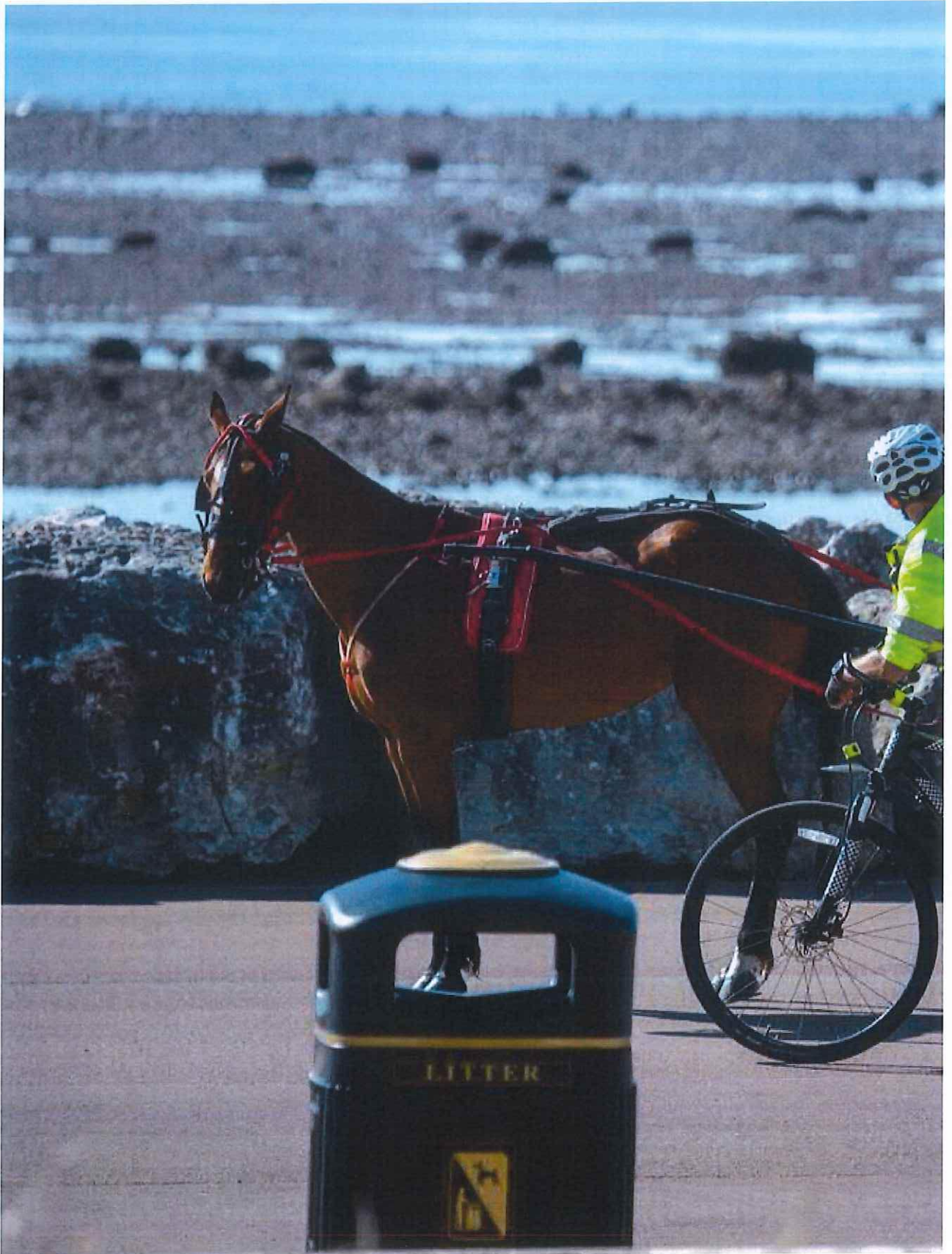






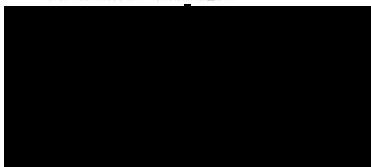






Regards

David Billinge





LICENSING COMMITTEE**Chairs of Licensing Sub-Committees****25 August 2022****Report of the Licensing Manager****PURPOSE OF REPORT**

To enable the Committee to make arrangements for the chairing of Licensing Sub-Committees until the end of the municipal year.

This report is public.

Recommendation

- (1) Due to a change in Councillor appointment to Licensing Committee, the Committee are requested to appoint, until the end of the municipal year 2022/23 one member of Licensing Committee, to act as a Chair of the ad hoc Sub-Committees established to hear individual applications under the Licensing Act 2003 and the Gambling Act 2005.

1.0 Introduction

- 1.1 The procedure for establishing sub-committees to deal with hearings under the Licensing Act 2003 was agreed at the former Licensing Act Committee's meeting on the 14th February 2005.
- 1.2 Each Sub-Committee must comprise three members of the Licensing Committee. The Sub-Committees are convened by the Democratic Services Manager, as and when required, from the Licensing Committee's ten members.
- 1.3 Due to a change in Councillor appointment to Licensing Committee, one further Sub-Committee chair is required.

2.0 Proposal Details

- 2.1 In light of the changes to Licensing Committee membership, the Committee is requested to appoint one Sub-Committee chair who is a member of the Licensing Committee, to act as a Chair of the ad hoc Sub-Committees.

3.0 Details of Consultation

- 3.1 None

4.0 Options and Options Analysis (including risk assessment)

- 4.1 There is a need for the Licensing Committee to appoint the appropriate number of Sub-Committee Chairs to chair the ad hoc Licensing Sub-Committee hearings.

5.0 Conclusion

- 5.1 The Committee is recommended to appoint a member of Licensing Committee to join the Chair, Vice-chair and Councillor to act as a Chair of the ad hoc Sub-Committee hearings.
- 5.2 The member appointed to Vice-chair of Licensing Committee will automatically be a chair of the Sub-Committee.

**CONCLUSION OF IMPACT ASSESSMENT
(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None.

FINANCIAL IMPLICATIONS

The Independent Remuneration Panel (IRP) has made provision for special responsibility allowances of £443.70 to be paid to each Sub-Committee Chair, in addition to the special responsibility allowance that is paid to the Chair of the Committee, and the budgetary provision reflects this. The fact that a Councillor is only entitled to receive one special responsibility allowance means that it is impossible to estimate the actual budget cost in advance, and generally gives leeway within the budgetary provision.

LEGAL IMPLICATIONS

The proposal is in accordance with the provisions of the Licensing Act 2003, which provides for the establishment of one or more Sub-Committees consisting of two members of the Committee, but makes no further provision as to how this should be arranged.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

S151 OFFICER'S COMMENTS

None.

MONITORING OFFICER'S COMMENTS

None.

BACKGROUND PAPERS None	Contact Officer: Jennifer Curtis Telephone: 01524 582732 E-mail: jcurtis@lancaster.gov.uk Ref: JC
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