

Blackpool Landau Owners Association

Consultation 2010

Landaus have a long and proud tradition in Blackpool. They have been a valuable part of the fabric of the tourist industry for 150 years. Most of the practises have evolved piecemeal from a combination of bylaw, trade cooperation and a strong working relationship with the Public Protection Committee.

We see the 2010 Landau Consultation as a great opportunity to help develop a policy which will not only clarify, good working practise but consolidate our commitment to 21st Century Blackpool, to enable us to play our part in the bright, vibrant future of this town.

We appreciate that new legislation requires an ever increasing amount of compliance and the burden that this places upon local Councils. The Blackpool Landau Owners Association has always sought to find a balance between sensible working practise and compliance and by and large with the support of the Public Protection Committee; we have always managed to fulfil that position.

We continue to extend our commitment to this role in working with licensing and the Public Protection Committee to find a proactive and mutually acceptable response to this Consultation process. Hopefully the Committee will feel that our contribution has been positive and forward thinking for the good of the General Public, whose safety is paramount to ourselves and to this Committee.

Trade Impact Concerns

The trade has very serious concerns about the impact that the Cinderella's have on the existing fleet of traditional landaus. There are already numerous opportunities in the town for people to experience a variety of rides : trams, open topped buses, taxis and bicycles. We feel that the introduction of the Cinderella's is a step too far.

The hackneys are expected to load front to back as is exemplified in the bylaws. The Cinderella's are backloading very frequently, when some drivers of landaus have waited up to 2hrs for a job. This is causing great unrest and the police have remarked that they would be concerned should this lead to a breach of the peace.

The Cinderella's have been known to tell a job to wait, that they will be back in 10mins.

- a) that prevents the job from asking the first turn landau for a ride (whose job the Cinderella has already backloaded anyway).
- b) Forms a queue which may put off other work from approaching the rank for a taxi/landau.
- c) Is not the way that a proper hackney Carriage should be operating within the definition of the Act.

They also tell jobs to walk 20yds or so up the prom from the rank and load on the side of the road.

Both these actions cause ill feeling amongst the trade, as it been accepted for 150yrs that these practises are not acceptable.

In the Bylaws it is also required that the General Public have a means of communication with the driver at all times. The Cinderella's have permanent hoods which appear to be plastic so people cannot bang on them. The Landau is open and the Public can easily communicate.

It has been noted in the press that Blackpool is concerned with the impact that the new additions to Preston will have on

Blackpool's trade 17 miles away. Consider then the competition impact that allowing a Cinderella on, to park right behind us will have!

In R(Lionel Morris) v Newport City Council (2009), Mr Justice Beatson noted the law on consultation. That the product of consultation must be conscientiously taken into account in finalising any proposals.

The Blackpool Landau Owners Association have sent many observations for consultation over many months now and has made our objections to the introduction of Cinderella's very clear. Therefore we would argue that these objections should be given due consideration in the final decision given the application of the 'Sedley requirements'. Particularly where the introduction would have such a grave impact and where the Association represents all but two operators.

We are also concerned with the process by which the Cinderella's were introduced in the first place. The Senior Licensing Officer was aware that Tuk Tuks had to go before Committee surely he should have considered the possibility that the Public Protection Committee should have had the opportunity to consider these. At the very least his seniors should have been aware of this change. He was also aware, after the multi agency meeting, that no further Cinderella's were to be licensed without a second inspection. Yet he saw fit to ignore that decision and give the pink Cinderella a licence. Despite the fact that Mr Dixon the inspector had made observations to him regarding the difference in the quality of the build of the pink and white Cinderella's. The operators need to have confidence in the process and in the Officers themselves.

The first inspector said his remit was mechanical safety only, the second inspector said he "didn't see any major safety problems but time would tell". His remit was also mechanical safety. So nobody has ever addressed the suitability of what we consider to be a "novelty" vehicle to be used as a Hackney

carriage. Consider the implications of the second inspectors observations in the event of an injury in the Cinderella. The qualifications of the second inspector have been asked for but not provided.

We would respectfully request that the concerns above be taken into consideration in the decision about Cinderella's