CHILTERN DISTRICT COUNCIL

MINUTES of the Meeting of the
LICENSING & REGULATION COMMITTEE
held on **13 FEBRUARY 2014**

PRESENT: Councillor P N Shepherd - Chairman

Councillors: P M Jones
D G Meacock
M Prince
J J Rush
H A Trevette
J F Warder
A P Williams

APOLOGIES FOR ABSENCE were received from Councillors M Vivis, N L Brown, Mrs J A Burton, G K Harris, D J Lacey and C H Spruytenburg

12 MINUTES

The Minutes of the meeting held on 5 December 2013, copies of which had been previously circulated, were agreed by the Committee and signed by the Chairman as a correct record.

13 DECLARATIONS OF INTEREST

There were no declarations of interest.

14 MOBILES HOMES ACT 2013

The Licensing and Regulation Committee received a report outlining the new responsibilities of the Licensing Authority as a result of the Mobile Homes Act 2013. The Council has a statutory duty under the Caravan Sites and Control of Development Act 1960 to license caravan sites that have planning permission. The Council is able to attach conditions to licenses to ensure basic standards relating to the physical condition of the sites. Councillors were advised that there were six licensed permanent multiple residential caravan sites and eleven licensed permanent single residential sites in the Chiltern District.

The Mobile Homes Act 2013 aimed to improve standards in the industry and to give greater protection to home owners. The Mobile Homes Act introduced new provisions in relation to location authority powers from 1 April 2014, which are:

- Power to charge fees for new residential site licences, licence transfers and variations
- Power to charge an annual fee to existing residential site licence holders
- Power to refuse a licence (or to refuse to transfer a licence)
- New enforcement powers to tackle breach of licence conditions including powers to serve and enforce ‘compliance notices’ and undertake

emergency works together with the power to recover expenses and costs relating thereto.
- Requirement to be the keeper of 'Site Rules' deposited with the authority by site operators and Registers.

Councillors were advised that the guidance for the fees had not yet been received by the Council, and therefore it was proposed that fees were not set for 2014/15. Once the guidance had been received it would be reviewed in conjunction with South Bucks District Council. It was noted that it was unclear whether the fees would be applied to the operator or to the resident of each of the caravans. Gypsy and Traveller Sites were not included in the Mobile Homes Act 2013 and were therefore exempt from charges.

RESOLVED:

1. **That the new local authority powers outlined in the Mobile Homes Act 2013 be noted**
2. **That a fee policy be considered and developed during 2014/2015 to take effect from 1 April 2015, and that no fees be charged for the year 2014/15, and**

AND RECOMMENDED –

3. **That Full Council agree to amend the terms of reference of Licensing and Regulation Committee to include the new functions introduced by the Mobile Homes Act**

4. **That Full Council agree to amend the Scheme of Officer Delegations to give authority to the Head of Health and Housing to exercise the functions introduced by the Mobile Homes Act 2013, including the preparation, adoption and publication of a fees policy.**

15 GAMBLING ACT 2005

The Licensing and Regulation Committee were advised that the Gambling Act 2005 introduced a licensing framework for gambling activities. This meant that any premise where gambling activities took place would need to obtain permission prior to commencing the activities. The Council holds responsibility for issuing premise licenses, permits and registrations, while the Gambling Commission would responsible for personal licenses and operator licenses. It was noted that the Gambling Act 2005 did not give the ability for the Licensing Authority to limit the number of betting shops in one locality. Local Authorities were lobbying Government to change this.

The Licensing Authority had the power to undertake inspections of the licensed premises. The Licensing and Regulation Committee noted that there had been no complaints received about any of the licensed premises. The requirements to get a license from the Gambling Commission were strict. If

there were any problems in a licensed establishment, the Licensing Authority would liaise with the Gambling Commission.

One Councillor questioned what the 'Small Society Lottery' license was. It was noted that this was used by schools and community groups, and covered activities such as low level raffles. A maximum price for prices and proceeds were placed on license holders, and Members were advised that it cost £40 to register for a license. The license would be used when tickets were sold in advance of a draw, and would ensure that consumers were protected by the use of regulations. The license holder would have to provide a statement to the Council outlining the proceeds of the raffle. It was stated that this was a valuable community facility.

RESOLVED:

That the report be noted.

The meeting ended at 7.14 pm