

LICENSING COMMITTEE
6th November 2014

Present: Councillors: Jim Sanson (Chairman), Roger Clarke (Vice-Chairman), George Cockman, David Coldwell, Roy Cornell, Brian Donnelly, David Jenkins, Kate Rowbottom, Diana van der Klugt

Apologies: Councillors: Peter Burgess, Christine Costin, Christian Mitchell, Josh Murphy, Sue Rogers, David Skipp

LI/7 **MINUTES**

The minutes of the meeting held on 12th June 2014 were approved as a correct record and signed by the Chairman.

LI/8 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

LI/9 **ANNOUNCEMENTS**

There were no announcements.

LI/10 **REVIEW OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENCE FEES**

The Licensing Inspector presented the proposed fees for hackney carriage and private hire licences for the three financial years 2015/16 to 2017/18. The new fees would come into effect from 1st April 2015.

Fees for hackney carriage and private hire licences had last been set in 2012. Setting fees for a period of three years allowed the trade to plan ahead and be certain of their fees over that period.

Legislation required that the Council consult on the fees and take into account any comments received from the trade before coming to a final decision. Comments from the trade would be sought through an advertisement that would be placed in the West Sussex County Times. Member requested that, if appropriate, an advertisement be placed in the District Post as well.

Members agreed that, subject to the receipt of no objections, the proposed fees were acceptable.

RESOLVED

- (i) That the proposed fares, as set out in the report, be approved for statutory consultation with both the hackney trade and the public.

LI/10 Review of Hackney Carriage and Private Hire Licence Fees (Cont.)

- (ii) That, subject to there being no representations received as a result of the consultation, the implementation of the revised fares be determined by the Environmental Health & Licensing Manager in consultation with the Chairman of the Committee. The preliminary view of the Committee was that the proposed fares be implemented.

REASONS

- (i) To ensure compliance with legislative requirements.
- (ii) To ensure transparency and openness in decision making.

LI/11 THE MOBILE HOMES ACT 2013 – LICENCE FEES

The Environmental Health & Licensing Manager reported on changes in legislation governing residential mobile home sites, following the passing of The Mobile Homes Act 2013. Previously, Caravan Site licences had been granted under the Caravan Sites and Control of Development Act 1960 (as amended).

The Mobile Homes Act 2013 had been introduced to provide greater protection to occupiers of residential park homes and caravans, with some important changes to the buying, selling or gifting of a park home and the pitch fee review process.

For site licensing functions, the Act introduced additional powers for local authorities to ensure compliance with site licence conditions. The Council could also charge a fee for these licensing functions, serve enforcement notices and oversee and publish any site rules relating to a site. The Act required that should a local authority intend to charge fees, it must prepare and publish a fee policy. The fees were required to cover the cost of administering the regime and could not make a profit. It was noted that the Council did not have discretion over which sites were exempted, as all exemptions were statutory.

Members discussed the Fees Policy, as set out in Appendix 2 of the report, and requested a number of minor amendments to clarify the meaning. It was also agreed that, for clarification, the table showing Licence Transfer and Licence Variation costs be separated into two tables.

Members noted the proposed fee structure, which was in line with other local authorities and would be assessed annually, and agreed that the proposal was acceptable.

LI/11 The Mobile Homes Act 2013 – Licence Fees (Cont.)

RESOLVED

- i) To note the new statutory powers local authorities have under the Mobile Homes Act 2013.
- ii) To approve the proposed Mobile Homes Act Fees Policy set out in Appendix 2 of the report, subject to minor amendments to ensure clarification of meaning as agreed by the Committee.

REASON

- i) To ensure compliance with legislative requirements.
- ii) To ensure transparency and openness in decision making.

LI/12 **LICENCE FEES FOR 2015/2016**

The Environmental Health & Licensing Manager reported on the proposed fees for various licences issued by the Environmental Health & Licensing Department. The fees, if approved by the Committee, would take effect on 1st April 2015.

The individual licence fees were calculated to recover the cost of issuing the licence and enforcing the requirements of the legislation. The fees were calculated taking into account officer time, transport and any external costs that the Council incurred. There were other licenses issued by the Environmental Health & Licensing Department, the fees for which were set by statute and could not be changed.

The Council had determined that where possible fees and charges should go up by a minimum of 2% for the financial year commencing 1st April 2015. It was noted that the proposed fees were in keeping with those set by other Councils. The fees could not make a profit for the Council and could not include the cost of enforcement.

RESOLVED

That the fees for licences issued during 2015/16 be approved, as submitted, to take effect from 1st April 2015.

LI/12 Licence Fees for 2015/2016 (Cont.)

REASONS

- (i) The setting of fees for licences is the responsibility of the Licensing Committee.
- (ii) To ensure openness and transparency in decision making.

The meeting ended at 6.28pm having commenced at 6.00pm

CHAIRMAN