

LICENSING AND REGULATION COMMITTEE

19 March 2015

Attendance:

Councillors:

Mather (Chairman) (P)

Bodtger (P)
Dibden
Gosling (P)
Green (P)
Horrill (P)
Huxstep (P)
Izard (P)

Johnston (P)
Laming (P)
Lipscomb (P)
Mason (P)
Newman-McKie (P)
Wright (P)

1. **APOLOGIES**

Apologies for absence were received from Councillor Dibden.

2. **MINUTES**

RESOLVED:

That the minutes of the previous meeting of the Committee, held on 9 October 2014, be approved and adopted.

3. **MOBILE HOMES ACT 2013 – FEES POLICY FOR LICENSING RESIDENTIAL PARK HOME SITES**

(Report LR442 refers)

The Assistant Director (Chief Housing Officer) summarised the content of the report and highlighted that the Mobile Homes Act 2013 permitted local authorities to charge for certain activities. There were 13 licensed Home Parks within the Council's area to which the legislation would apply of which Avondale at Colden Common was the largest, with in excess of 100 pitches.

In reply to Members' questions, the officers explained that under the new legislation a local authority could serve an improvement notice on the site owner for breach of site conditions and the failure to comply with its requirements could lead to an unlimited fine following court proceedings. Enforcement action would be taken by the Council's Private Sector Housing Team who had considerable expertise in this area. National guidance had been taken into consideration in setting the level of local fees and the fee was comparable to that of Winchester's neighbour, Eastleigh Borough Council.

It was noted that the Wessex Park, Sutton Scotney site straddled the border of both Winchester City Council's area and that of Test Valley Borough Council. In this case, the City Council proposed to charge a licence fee.

Following debate, the Committee agreed that the Park Homes Annual Licence Fee should also be applied to Band 1 sites (1 to 5 pitches) to provide confidence for residents that the Council was monitoring these sites on a sample basis. Consequently, recommendation three of the Report was deleted and authority was delegated to the Assistant Director (Chief Housing Officer) in consultation with the Chairman of the Licensing and Regulation Committee to agree an appropriate Site Licence Annual Fee for Band 1 sites.

RESOLVED:

1. That the new Mobile Homes Act 2013 'Fees Policy for Licensing Residential Park Sites' (attached as Appendix A to the Report) be considered and approved.
2. That the option to calculate annual fees on a site size banding (as set out in paragraph 3.1 of the Report) be endorsed.
3. That authority be delegated to the Assistant Director (Chief Housing Officer) in consultation with the Chairman of the Licensing and Regulation Committee to agree an appropriate Site Licence Annual Fee for Band 1 sites.
4. That, subject to the above recommendations, the Assistant Director (Chief Housing Officer) use existing delegated powers to annually update the fees set for licensing residential park home sites.

4. **PROPOSED CHANGES TO THE LICENSING ACT 2003**
(Report LR446 refers)

The Licensing Manager summarised the content of the report and stated that further detail on the proposed changes to the Act would be brought to Committee when received from Government. Members would also be updated by email when expedient.

Members highlighted a number of areas of concern, including the local discretion to exempt areas or types of businesses from requiring a licence for late night refreshments and the potential increase in noise complaints to be investigated by the Council's Environmental Health Department resulting from the deregulation (on a conditional basis) of the playing of recorded music in relevant alcohol licensed premises or workplaces, when it took place between 8.00 and 23.00 hours on the same date for audiences of up to 500.

The officers responded that the Council did have powers under Environmental Health legislation to exercise control and the Licensing Manager added that further consideration could be given to the changes to the Licensing Act 2003 when supporting Government Guidance was issued.

It was noted that the Local Government Association had made representation on behalf of local authorities to Government with regard to the proposed changes.

RESOLVED:

That the report be noted, with reservations on the potential impact on the work of the Environmental Health Department as outlined above.

The meeting commenced at 6.30pm and concluded at 7.45pm.

Chairman