

LICENSING COMMITTEE

Minutes of the Meeting held on 28 November 2017 at 4.30pm

In The Council Chamber, West Somerset House, Williton

Present:

Councillor R Lillis Chairman
Councillor D Westcott Vice-Chairman

Councillor I Aldridge
Councillor I Jones
Councillor R Thomas
Councillor K Turner
Councillor S Goss
Councillor A Kingston-James
Councillor N Thwaites
Councillor T Venner

Members in Attendance:

Councillor M Chilcott

Officers in Attendance:

Licensing Officer (L Fumagalli-Roberts)
Licensing Officer (M Banczyk-Gee)
Licensing Officer (A Evens)
Democratic Services Officer (C Rendell)

LEP9 Apology for Absence

An apology was received from Councillor J Parbrook.

LEP10 Minutes of the meeting held on 5 July 2017

(Minutes of the Meeting of the Licensing Committee held on 5 July 2017 – circulated with the Agenda.)

RESOLVED that the Minutes of the Licensing Committee held on 5 July 2017 be noted.

LEP11 Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Member of	Action Taken
Councillor I Aldridge	All	Williton Parish Council	Spoke and voted
Councillor S Goss	All	Stogursey Parish Council	Spoke and voted
Councillor R Thomas	All	Minehead Town Council	Spoke and voted
Councillor N Thwaites	All	Dulverton Town Council	Spoke and voted
Councillor K Turner	All	Brompton Ralph Parish Council	Spoke and voted
Councillor D Westcott	All	Watchet Town Council	Spoke and voted
Councillor M Chilcott	All	Somerset County Council	Spoke

LEP12 Public Participation

No members of the public had requested to speak on any item on the agenda.

LEP13 Licensing Update Report

The purpose of the report was to keep the Council's statutory Committee up to date on the activities of the Council's Licensing Service, changes to legislation, current consultations and other general licensing matters.

A summary of the activity and performance of the Licensing Service since the last meeting of the Committee was as follows:-

The performance of the Licensing Service was measured against the number of applications that were completed within 14 days of them being determined. The target was 95%. Between 1 July and 30 September 2017, 99.3% of applications had been completed within the 14 day timescale.

Members were provided with a comparison of the numbers of applications received for each of the regimes administered by the Licensing Team between July and September 2017 and the numbers of licences in force and notices given as at 17 November 2017.

The Licensing Manager had moved over to the Accommodation Team to provide them with interim support and to assist with work involved in the implementation of the revised refurbishment plan of the Deane House.

Although the move was initially until the end of December, it was possible that it could be extended. Therefore, firm arrangements had been put in place to support the Licensing Team. The team would take on further responsibility and be lighter on specialist licensing knowledge, which would undoubtedly impact negatively on the performance of the service.

There continued to be regular allegations made about unlicensed dog breeders. A person was deemed to be operating a dog breeding establishment by the following definitions of the Breeding of Dogs Act 1973, as amended by the Breeding and Sale of Dogs (Welfare) Act 1999:-

- They ran a business which involved the breeding of dogs for sale: or
- Any bitch or bitches they kept (or were kept by other persons but under a breeding arrangement with them) gave birth to five litters of puppies within a twelve month period.

This meant that a person could breed up to four litters of puppies in a year and sell them legitimately, unless they were deemed to be running a business.

The legislation was due to be reformed in October 2018, along with other Animal Licensing Acts. When this had been done, officers would issue a press release and distribute information to raise awareness of the licensing laws.

During the discussion the following points were raised:-

- Members congratulated the team on their performance.
- Concern was raised on the future performance of the team and whether the high standard would be upheld in the interim period whilst the Licensing Manager assisted the Accommodation Project.

Officers were confident that the everyday performance would not suffer, however, more in-depth queries might take a bit longer to answer than normal.

- Members requested assurance that the Williton office would be covered every day.
Officers confirmed that office cover would be provided.
- Members were pleased to see that work had been carried out to prevent unlicensed dog breeders.
- Members queried why fees and charges were not included in the report.
Officers confirmed this was a delegated decision made by managers and not decided by the Committee.

RESOLVED that the update report be noted.

LEP14 Scrap Metal Dealers Policy

The purpose of the report was to recommend that Members adopted the policy document for all matters that related to Scrap Metal Dealers.

Following a recent Licensing Sub-Committee for an application for a Scrap Metal Dealers licence at Taunton Deane Borough Council, it had become apparent to Members that they had no guidance in respect of the options available to them when such matters were dealt with.

Much of the Scrap Metal Dealers Act 2013 covered the procedure required for applications, variations or appeals, however, with all legislation it could cause confusion.

A policy document had now been compiled which clearly showed what any person could expect when they applied for a Scrap Metal Dealer's or Collector's licence. The guidance covered definitions and procedures to be adopted should a case go before a Sub-Committee.

During the discussion the following points were raised:-

- Concern was raised that if the Act had been in place since 2013, did that mean that the Council had not had a policy document for the past four years.
That was correct. Officers confirmed that the Police also monitored the scrap metal sites.
- Members queried that if a person had operated without a licence, were they penalised.
Yes, both the Council and the Police could take action.
- Members agreed that it was a comprehensive document and should be adopted.

RESOLVED that Members adopted the policy document.

LEP15 Caravan Sites and Accommodation of Hinkley Point C (HPC) Workers

The Chairman of the Licensing Committee had requested an item for discussion about HPC workers that resided on caravan sites within West Somerset.

The EDF Energy Accommodation Strategy had been discussed at Corporate PAG held on 25 October 2017. It highlighted that there would be 600 non-home based workers that could reside in tourism accommodation during the peak phase of construction at HPC.

Due to the HPC campus not being completed, Sedgemoor District Council had taken the opportunity and had granted temporary licences to caravan sites in and around the Bridgwater area to ease the accommodation gap.

There were already caravan sites within West Somerset that were being used by HPC workers. Each site had different licensing consents and planning permissions, which made it difficult to monitor. Officers were aware that they did not want to inadvertently push workers toward the private sector accommodation which could cause a housing issue.

The Assistant Director for Energy Infrastructure had approached the Committee to obtain feedback on what criteria they might wish to be placed on caravan sites if they were approached to accommodate HPC workers.

During the discussion the following points were raised:-

- Members requested details of bed spaces required by HPC workers.
The amount of HPC workers in the area during the peak construction phase would be 5600. 3700 would be non-home based workers who would require accommodation. This was broken down as follows:-
 - 600 in tourism accommodation;
 - 1500 in the HPC campus;
 - 750 in private sector housing;
 - 400 in latent accommodation;
 - 500 would purchase properties.*Research had shown that within the 60 minute radius of HPC there had been 2300 spare tourism bed spaces in the peak summer months and EDF required 600 for their HPC workers.*
- Clarification was requested on the differences between the types of caravan sites.
Holiday sites allowed accommodation for 10-11 months of the year and were subject to pay Non Domestic Rates only because the sites were not to be used as people's primary residence. Park Home sites allowed accommodation all year round and were subject to both Non Domestic Rates and Council Tax.
- Members queried if officers would only consider new sites or existing caravan sites for HPC accommodation.
Officers would be willing to grant conditions that allowed Holiday sites to provide accommodation for 12 months.
- Concern was raised on HPC workers and the assurance that they would pay Council Tax for their accommodation.
- Members highlighted that Sedgemoor District Council had granted temporary permissions for joint use of the caravan sites to bridge the gap before other accommodation was made available.
- Members suggested that the caravan sites be granted a temporary licence should be located along the transport link to the HPC site.
Officers confirmed that EDF would change their bus routes to collect workers from other locations not on the transport link.

- Members requested that the proportion of workers should be compared to spaces available and that if they were accommodated on caravan sites, the workers should be in an area separate to tourists, due to the disruption caused by shifts patterns.
- Members did not want tourists to be discouraged and were cautious about how many workers should be allocated on each caravan site.
- Members were mindful that HPC was the largest civil engineering project in Europe and they understood that tourism was important to the area but so were the opportunities available from the project.
- This was a dilemma for the Members. They needed to protect housing, promote tourism and enhance business, all of which had different interests.
- Members proposed that officers be minded that the Committee would consider granting a temporary licence for 12 months.
- Members requested that the officers returned to the next Licensing Committee with an update.

LEP16 Minutes of the Licensing Sub-Committees

(Minutes of the Meetings of the Licensing Sub-Committee held on 22 June 2017 and 2 August 2017– circulated with the Agenda.)

RESOLVED that the Minutes of the Licensing Sub-Committees held on 22 June 2017 and 2 August 2017 be noted for information.

(The meeting closed at 6.10pm.)