

LICENSING COMMITTEE

Minutes of the Meeting held on 29 November 2016 at 4:30pm

In The Council Chamber, West Somerset House, Williton

Present:

Councillor R P Lillis Chairman

Councillor I Aldridge
Councillor J Parbrook
Councillor D Westcott

Councillor I Jones
Councillor R Thomas

Officers in Attendance:

Licensing Manager (J Rendell)
Licensing Officer (L Fumagalli-Roberts)
Democratic Services Officer (M Prouse)

LEP1 Apologies for Absence

Apologies were received from Councillors Davies and Turner.

LEP2 Minutes of the meeting held on 8 March 2016

(Minutes of the Meeting of the Licensing Committee held on 8 March 2016 – circulated with the Agenda.)

RESOLVED that the Minutes of the Licensing Committee held on 8 March 2016 be noted.

LEP3 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 J Parbrook	All	Minehead Town Council	Spoke and voted
Councillor R Thomas	All	Minehead Town Council	Spoke and voted
Councillor D Westcott	All	Watchet Parish Council	Spoke and voted

LEP4 Public Participation

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

LEP5 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.

The Licensing Manager presented the report which contained details of the Licensing Service's activity since the last meeting of the Committee as well as updating Members on the backlog of applications and updating the Members on the staff appointments that had been made.

Enclosed with the reports was data comparison concerning the numbers of applications received for each of the regimes administered by the Licensing Team between July and September and the numbers of licenses in force and notices given as at 2 November 2016.

During the discussion the following points were raised:-

- The Licensing Manager invited Members to bring forth any suggestions for training that could be given at the end of future Committee meetings.
- Members stated they would be interested in any training with the Chairman expressing a preference for the Committee to look at Extensions of Hours Training and Temporary Event Notices.
- The Chairman also felt that the Committee should start looking at areas where this Council would have to merge and align with other Councils due to recent decisions.
- Members praised the Licensing Team for being pro-active in ensuring proper vetting of Hackney Carriage and Private Hire drivers, and that West Somerset seemed to be ahead of the game as opposed to other local areas.
- Member queried as to why there had been such a rise in Gaming Act Applications this year?
- Officers informed the Committee that they believed this was down to the number of Small Society Lotteries which were required to renew their licenses this year.

RESOLVED that the update report be noted.

LEP6 Proposed Changes to the Licensing of Sites for Moveable Dwellings

The purpose of the report was to consider proposed changes to the licensing requirements for camping and touring caravan sites and the recommendations set out within the report with regard to the requirement to renew the licence annually.

The Licensing Officer presented the report which contained details that the Council currently granted campsite licences for a duration of one year, but no fee was charged for this licence.

Section 269 of the Public Health Act 1936 gave the Local Authority the power to control the use of moveable dwellings and to licence the use of land as a site for use by tents and touring caravans. The legislation did not refer to a licence period or renewal of a licence.

A licence was only required if the land was to be used for more than 42 consecutive days or for more than 60 days in any consecutive 12 months.

There were some exceptions to the requirement for a site licence to be issued by the Local Authority. These included (but were not limited to) sites occupied by exempted organisations such as a camping club, or if the site was to be used by agricultural workers.

Members were informed that there were 12 sites currently licensed within the West Somerset District and these licences were renewed annually. No fee was charged for the licence and renewal applications were generated and issued by the department each year.

The time taken by a member of the Licensing Team to complete the application process for an individual premises was approximately 20-30 minutes. This time could be increased if there were any issues such as missing documents which would have to be requested from the applicant.

The proposal was to remove the licence period to enable licences to be issued indefinitely unless there was a restriction on the site with regard to the planning permission, in which case the licence would be issued for a period to coincide with the expiry of the planning permission for the site.

Licence holders would be able to notify the Council of any relevant changes, such as a transfer or change to the number of units, by completing a form as per the current arrangement.

The abolition of the licence period would reduce the burden on the Licensing Department resources and reduce financial loss, particularly as there was no fee charged for this licence.

During the discussion the following points were raised:-

- Information was sought as to what exactly qualified as a moveable dwelling.
- Were static caravans (with wheels off) classed as a moveable dwelling? Officers stated that they were not and were licensed under separate legislation, specifically, the Caravan Sites and Control of Development Acts.
- The proposed changes applied only to tents and touring caravans and would align the legislation with the Static Caravan legislation.
- With regard to caravan sites that were suffering from coastal erosion, was the remit of the Licensing Committee to make sure a site was safe?
- A definitive answer on this issue would be circulated to Members of the Committee following the meeting, once the legal situation had been checked.
- It was known that licences could include a restriction on the number of dwellings on a site and other safety measures such as spacing.
- It was considered that other agencies might be monitoring the safety of sites with regard to erosion, such as Environmental Health. There was often 'crossovers' with pieces of legislation where more than one authority was actively involved.
- Concerns were raised around people living in Caravan sites residentially when the permission granted only allowed residential occupation for a certain number of months in a year.

- The Licensing Officer stated that some work had to be done on this, but it would be the owners of the site who would have to be engaged to resolve any issues.

RESOLVED that the proposal to abolish the 12 month licence period currently applied to the licence for use of land as a site for moveable dwellings be approved

The meeting closed at 5.00 pm.