

MINUTES

LICENSING AND HEALTH AND SAFETY ENFORCEMENT COMMITTEE

15 OCTOBER 2019

Present:

Councillors: Allen
Mrs Bassadone
Bhinder (Vice-Chairman)
Imarni
Johnson
Link
Peter
Pringle
Rogers
R Sutton

Officers:

Usman Mohammed Litigation Barrister
Nathan March Licensing Team Leader
Trudi Angel Corporate and Democratic Support Officer (Minutes)

The meeting began at 7.30 pm

1 MINUTES

The minutes of the meeting held on 25 June and 10 September 2019 were agreed and then signed by the Chairman.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillor Bowden and Hearn.

3 DECLARATIONS OF INTEREST

There were no declarations of interest.

4 PUBLIC PARTICIPATION

There was no public participation.

5 MOBILE HOMES FEES POLICY, CONSULTATION OUTCOME

N March introduced the report and explained that consultation was agreed at the previous meeting of this committee and had now been completed. He advised they had received one response and that could be found at Appendix 1 of the report. This

response was strongly against the change and proposed that the Council does not have the power to carry out a review of the policy and fees in the way that it has done.

As a result of the response, advice was sought from the Legal team which can be found at paragraph 3.2 of the report. Legal have confirmed that the legislation makes it clear that the policy can be reviewed (without any limitation), and as the fees are intrinsically linked they would have to change in line with the new policy.

N March advised he was investigating the deficit and surpluses in relation to fees each year as that was also queried in the response. He said he will ensure the appropriate considerations are put before the committee when setting future annual fees. This issue, doesn't affect the setting of policy, which is the reason for the report.

He welcomed questions from the committee.

Councillor Pringle sought clarification that in order to change fees, you must have a clear policy in place and even if you don't necessarily want to change them now it would enable us to review them going forward. N March advised that you can't charge any fees without having a policy in place to explain and justify how you charge them. He said that the fees proposed are connected to how many units there are on sites so if a site increases in units the fee would increase. That would be clear from the way the fee structure is set and that was part of the aim of reviewing the policy so it is clear for the licence holders.

Councillor Pringle asked if the fees were charged to the individuals running the site and then recovered through the residents. N March advised the legislation states that can only be done in the first instance, however any changes after that can only be charged at retail price index. Councillor Pringle then asked if that could lead to viability issues. N March said part of obtaining a licence in the first place is that they have to be able show that financially it is viable for them to hold a caravan site licence. He added that whilst some of the fees that are proposed are significant increases, we were talking hundreds rather than thousands and he didn't feel that made any of our parks unviable.

Councillor Bassadone asked if the individual that objected ran a large site. N March replied that it wasn't the biggest site we had. N March drew the committee's attention to the proposed fee structure on page 15 of the report and advised that if the policy was adopted tonight then the new fees would come in to effect from January 2020. He added that they would be changing the charging period from calendar year to financial year.

Councillor Bassadone asked if the new site licence application fee of £414.00 + £7 per unit covered the licensing administration costs. N March said it was his best estimate for the time taken to process a new application.

Councillor Bassadone asked how many sites we had in Dacorum. N March replied five or six.

Councillor Imarni arrived at 7.45 pm.

Councillor Allen asked what the impact would be for an average site. N March drew attention to the new fee structure and said there would be an approximate increase of £300 for the largest site. He added that 3/5 sites would pay more with the new policy and 2/5 would pay less.

It was proposed by Councillor Bassadone and seconded by Councillor Link to agree the recommendation and adopt the policy.

Decision

That the Committee considered the response to the consultation, together with the advice provided by the Legal team, and unanimously agreed to adopt the Mobile Home Fees Policy with the amendment proposed to the policy in regards to Council's consideration of surpluses and deficits.

The Meeting ended at 7.50 pm