

Minutes of a meeting of the Licensing Committee held in the Council Chamber, Nutholt Lane, Ely on Friday, 13th June 2014 at 9.30am.

P R E S E N T

Councillor Michael Allan (Chairman)
Councillor Allen Alderson
Councillor Tony Cornell
Councillor Chris Morris
Councillor Tony Parramint

OFFICERS

Lin Bagwell – Licensing Officer (Enforcement)
Maggie Camp – Senior Legal Assistant
Liz Knox – Head of Environmental Services
Janis Murfet –Democratic Services Officer
Karen See – Principal Environmental Health Officer (Domestic)

3. **APOLOGIES**

Apologies were received from Councillors Christine Ambrose Smith, Sue Austen and Andy Wright.

4. **DECLARATIONS OF INTEREST**

There were no interests declared.

5. **MINUTES**

It was resolved:

That the Minutes of the Licensing Committee meetings held on 9th April and 15th May 2014 be confirmed as a correct record and signed by the Chairman.

6. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made it quite clear that it would be his decision, in conjunction with Officers, if the dates of Licensing Committee meetings needed to be changed.

The Committee congratulated the Chairman on having reached his 75th birthday earlier in the week.

7. **MOBILE HOMES ACT 2013**

The Committee considered a report, (P16) previously circulated, which informed Members of the Park Homes Fees Policy consultation response.

The Principal Environmental Health Officer (Domestic) presented the report on behalf of the Senior Environmental Health Officer and reminded Members of the key issues.

The consultation document was sent to site owners, residents and park home associations as well as being posted on the Council's website. Following a four week period of public consultation, the Council received three comments regarding the Policy, two being positive and one negative.

Members' attention was drawn to Appendix 1 of the report, which set out details of the negative/positive responses, the type of respondent, the details of the response and the action taken by East Cambridgeshire District Council.

It was noted that the negative response was received from a resident of a Park Home site in Soham. The resident strongly opposed that the site owner could add the fee to each resident's ground rent. She was advised that the point she had raised was not covered in the Policy; the Policy was to agree at what level fees should be set for Park owners. It would be at the discretion of the Park owner to pass the cost of the fees on to residents. The resident was advised that she should contact the Department of Communities & Local Government if she wished to challenge the legislation.

It was resolved unanimously:

That the East Cambridgeshire Park Homes Fees Policy be approved.

8. **EXCLUSION OF THE PUBLIC INCLUDING REPRESENTATIVES OF THE PRESS**

It was resolved:

That the press and public be excluded during the consideration of the remaining item no. 7 because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 1, 2 and 5 Part I Schedule 12A to the Local Government Act 1972 (as Amended).

9. **URGENT ACTION TAKEN UNDER SECTION 61(2B) OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

The Committee considered an exempt report (P17), previously circulated, from which Members were asked to note the action taken, by the Head of Environmental Services on the grounds of urgency, in connection with the immediate revocation of a Joint Hackney Carriage & Private Hire Driver Licence.

It was noted that the Licence Holder had failed to submit a Disclosure & Barring Service (DBS) application to the Council prior to the expiry of his current DBS enhanced disclosure.

The Head of Environmental Services, in consultation with the Chairman of the Licensing Committee, decided that the Licence Holder's Joint Hackney Carriage & Private Hire Driver Licence should be revoked immediately. She had concerns for passenger safety as he had failed to comply with the written request of the Licensing Authority to complete and return a DBS enhanced disclosure form no later than a specified date to ensure that a new DBS enhanced disclosure would be received prior to the expiry of his current disclosure.

It was resolved:

That the action taken by the Head of Environmental Services, on the grounds of urgency, be noted.

10. **FORWARD AGENDA PLAN**

With the agreement of the Chairman, the Licensing Committee Forward Agenda Plan was tabled at the meeting.

Referring to the lack of business on the Forward Agenda Plan, the Head of Environmental Services explained that a response was still awaited from West Suffolk regarding discussions about a shared Licensing Service. Until this was known, there was little point in the Committee looking at policies and making decisions on implementation when things might change in the future.

However, if Members thought that "bite sized" training sessions would be useful, she would ask the Chairman and with his agreement, call the Licensing Committee Members in using days that had been scheduled for meetings.

Councillor Parramint complimented the Head of Environmental Services on the way in which she was handling this situation. He asked the Chairman to speak to the Chief Executive and with the backing of the Committee, insist on being told what was happening. Members needed to get some idea of the implications of a shared service if it was implemented.

The meeting closed at 9.39am