



**MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE OF THE CABINET**

**THURSDAY 7 FEBRUARY 2019
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor J McMillan (Convener)
Councillor J Findlay
Councillor J Henderson
Councillor J Williamson
Councillor T Trotter

Council Officials Present:

Mr I Forrest, Senior Solicitor
Mr R Fruzynski, Licensing Standards Officer

Others Present:

PC H Bowsher, Police Scotland

Clerk:

Mrs F Stewart

Apologies:

Councillor C McGinn

Declarations of Interest:

None

1. LICENSING OF CARAVAN PARKS FOR PERMANENT RESIDENTS

The Depute Chief Executive, Resources and People Services, had submitted a report to provide the Sub-Committee with details of the number and size of Residential Mobile Homes Sites within East Lothian and the proposed licence fee structure for a licence for such sites under the new licensing regime (Part 5 of the Housing (Scotland) Act 2014).

Ian Forrest, Senior Solicitor, presented a follow-up report to the report brought before the Sub-Committee on 10 January 2019 and stated that Members had agreed at that meeting to implement the new licensing scheme and to adopt the Model Standards issued by the Scottish Government in December 2018. At the January meeting, Members had requested further information on the number and size of caravan parks in East Lothian and on the additional workload the new regime would generate for Council staff, with a view to informing the proposed licence fee levels to be fixed for the grant of such a licence. Mr Forrest advised that the majority of caravan parks in East Lothian are for tourists only and would therefore not be affected by the new regime. At present the only fully residential park in East Lothian was Monksmuir which has 64 berths. Licences issued under the new regime will replace current licences from 1 May 2019 and will be administered by the Licensing Office. Under the terms of the legislation, the licence will be valid for a period of 5 years and then be subject to renewal. The Council's Environmental Health Department, which previously issued these licences, had advised that an examination of each pitch, when a site is being licensed, will require approximately 20 minutes per pitch at an estimated cost of £40 per man hour. There was also a cost implication for Licensing office staff.

The report proposed a scale of fees and included comparative information regarding fee levels set by other Scottish Councils.

Councillor Henderson noted that the report proposed 4 bands for licence fees and she considered that it would be fairer to have narrower bands to prevent the burden of costs falling on the smaller residential parks. She proposed that the banding could be 1-10 pitches, 11-20, 21-40, 41-70, 71-100 and 100 plus. The Chair suggested a formula for re-calculating the fees and Members considered the proposed revised fees.

Rudi Fruzynski, Licensing Standards Officer, advised that the conditions of licence should clearly state the Council's policy on variation of licence and, for clarity, Mr Forrest advised that the variation fee was an administrative fee which is separate from any additional licence fee due if a licence holder crosses into a higher band.

The Police Representative asked if a licence would be transferable if a caravan site changed ownership and Mr Forrest agreed to seek clarification on this point.

The Chair requested that a further follow up report is brought before the Sub-Committee in September 2019.

Decision

The Sub-Committee unanimously agreed:

- i. to fix the licence fee for the Residential Mobile Homes Site Licence at the levels noted below:

1-10	£340
11-20	£460
21-40	£600
41-70	£1,130
71-100	£1,530
101 +	£1,750

Variation Fee £62 plus additional fee due if crossing a band of the scale

Duplicate licence £26

- ii. to authorise the new licence to be used for all applications for renewal of existing site licences from 1 May 2019 and for any applications for a new licensed site from the date of adoption of the new scheme.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Licensing Sub-Committee unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

2. MINUTES OF MEETING 10 JANUARY 2019 FOR APPROVAL

The minutes of the meeting of 10 January 2019 were approved as a true record.