

**GENERAL LICENSING COMMITTEE
24TH JUNE 2014**

PRESENT – Councillors Nutt (in the Chair); Councillors D. Jones, Lawton, Lee, C. Hughes, Newall and Thistlethwaite. (7)

APOLOGIES – Councillors L. Haszeldine, B Jones, J. Lyonette, Stenson, J. Vasey and L. Vasey; and Durham Constabulary. (6)

OFFICERS – Pam Ross; Licensing Manager; Julie Richings, Principal Licensing Officer; Amy Wennington, Lawyer; and Allison Hill, Democratic Officer.

L1. DECLARATIONS OF INTEREST – There were no declarations of interest reported at the meeting.

L2. TIMES OF MEETINGS – RESOLVED – That for the remainder of this Municipal Year the timings of meetings of this Committee be held at 9.30 a.m. or 9.35 a.m. if following a meeting of the Licensing Act 2003 Committee.

L3. MINUTES – Submitted – The Minutes (previously circulated) of the meeting of this Licensing Committee held on 6th May, 2014.

RESOLVED – That the Minutes be approved.

L4. THE ZOO LICENSING ACT 1981 – The Director of Economic Growth submitted a report (previously circulated) to inform Members of the process that will be followed to respond to an application for a Zoo Licence and to recommend the level of fees to be charged.

It was reported that the first application for a licence is expected following receipt of a formal 'Notice of Intention to apply for a Zoo Licence' from Walworth Castle Birds of Prey Centre.

On receipt of the zoo licence application the Council will take into account any representations made by or on behalf of the applicant; the Chief Officer of Durham Constabulary; the Chief Officer of County Durham and Darlington Fire and Rescue Service; the governing body of any national institution concerned with the operation of zoos; where part of the zoo is not situated in Darlington, the planning authority for the relevant area; any person stating that the zoo would affect the health or safety of anyone living near it; any other person who's representations might show grounds on which the council has the power or duty to refuse to grant a licence.

The submitted report gave the background to the requirements of the Zoo Licensing Act 1981; the application process for an original licence which must be made two months before making application for licence; renewal and changes to a licence details; the periodic inspections with Secretary of State appointed inspectors which occur as a minimum at renewal state; the Secretary of States model conditions for

zoo licences with the option or additional conditions to be added to the licence by the Council; power of entry; disqualifications and cancellations; application forms; offences; penalties; failed application redress; complaints about the Council's service; Licence fees; and fees charged by nearby local authorities.

It was recommended that £450 be the cost for grant or renewal of a Zoo Licence plus the actual costs of inspection charged by the appointed inspector, to be agreed upon by the Council's Cabinet. A licence will be granted for 4 years and a renewal for six years.

RESOLVED – (a) That the report and method adopted for the setting of the licence fee be noted.

(b) That Members approve the adoption of these fees prior to the meeting of Cabinet on 1st July, 2014 to formally consider.

L5. MOBILE HOMES LICENCE FEES POLICY – The Director of Economic Growth submitted a report (previously circulated) to inform Members of legislative changes to the Licensing of Caravan Sites and the need to adopt a Fees Policy to allow the recovery of Council costs.

The submitted report gave the background to the Mobile Homes Act 2013 which made amendments to the Caravan Sites and Control of Development Act 1960 and introduces some important changes to the licensing of 'relevant protected sites' and allows Local Authorities to charge owners a fee for applying for a site licence; amendment or transfers of existing licences; annual licence fee for administering and monitoring licences; and for depositing site rules with the Local Authority. Relevant protected sites are typically known as residential parks, mobile home parks and also includes Gypsy and traveller sites.

It was reported that a site licence will only be issued for land where planning permission has been granted. A list of known residential caravan sites in Darlington was appended to the submitted report.

It was reported that the Council are required to publish a Fee Policy before charging fees and the Council's Cabinet will confirm the publication of a Fees Policy before licence fees can be charged or collected from the owners of 'relevant protected sites'. The recommended fees were outlined in the submitted report and it was anticipated that charging fees would commence on 1st August, 2014.

RESOLVED (a) That the report be noted and the method adopted for the setting of the proposed licence fees.

(b) That Members approve the adoption of the fees prior to the meeting of Cabinet on 1st July, 2014 to formally consider.