

**RECOMMENDATIONS TO CABINET ON 1 JULY 2014 FROM THE
REGENERATION, ENVIRONMENT AND COMMUNITY PANEL MEETING HELD
ON 25 JUNE 2014**

REC21: CABINET REPORT – RESIDENTIAL CARAVAN SITE LICENSING

The Housing Services Operation Manager presented the report to Cabinet and explained that the Council had a statutory responsibility for the licensing and regulation of residential caravan sites within the Borough. The regulations were reviewed on a regular basis and the report set out how consultation on the revised regulations would take place.

The Housing Services Operation Manager explained that any person who wished to place one or more caravans on land for residential purposes required planning permission. Conditions could be attached to the planning permission to control the use and occupation of the site. Once planning permission had been granted the relevant person then needed to apply for a site licence.

There were exemptions from licensing under the Caravan Sites and Control of Development Act 1960 which were set out in the report at paragraph 1.5.

The Housing Services Operation Manager explained that it was proposed that consultation with the relevant bodies be carried out and a consultation plan would be produced.

The Chairman thanked the Housing Services Operation Manager for her report and invited questions and comments from Members of the Panel, some of which are summarised below.

Councillor Mrs Watson referred to paragraph 1.7 of the report which set out the different types of site in the Borough. She asked why there were 5 residential gypsy and traveller sites which were exempt from licensing. The Housing Services Operation Manager explained that they were exempt because they were used for travelling show people. The Housing Services Operation Manager explained that sites were only licensed when there was a statutory duty to do so, however the Council would encourage and try and influence when improvements were required on non-licensable sites.

Councillor Howland asked if the regulations covered park homes, to which it was confirmed that it did, as they were still considered to be moveable structures.

In response to a question from Councillor Bubb, the Housing Services Operation Manager confirmed that planning permission was a prerequisite before a licence could be granted. If additional units were

added or the site was extended it was likely that this may affect the original planning permission. The Housing Services Operation Manager worked closely with the Planning department and took enforcement action when necessary. She confirmed that there were no licence fees charged at the moment as legislation had only recently been brought in to allow the Council to do this. Licence fees would be considered in the future.

In response to a question from Councillor Collis, the Housing Services Operation Manager explained that they worked closely with the Council Tax section to ensure that those who were required to pay council tax did. The Chief Executive agreed to provide Councillors with the breakdown of sites which were required to pay council tax.

Councillor Crofts asked how the licence and conditions would be monitored and it was explained that an inspection regime would be put in place and monitoring would take place on a regular basis, prioritised by risk.

In response to a question from Councillor Moriarty, the Housing Services Operation Manager explained that if someone was building their own home and were temporarily living in a caravan on the site this would fall under the exemptions and would not require a licence. She explained that all cases would be looked at on their individual circumstances.

In response to a question from Councillor Pitcher, it was explained that in cases where caravans had been extended or altered, checks would be initially carried out to ensure if planning permission had been granted for the alterations and to ensure that the structure was safe. The Housing Services Operation Manager reiterated that each case would be considered on its own merits.

In response to a question from the Vice Chairman it was explained that there were occasions when families had a secondary caravan on site and this was monitored when possible in conjunction with the licence and planning permission. There were conditions relating to the distance between caravans which could be imposed.

Councillor Mrs Christopher referred to paragraph 1.8 of the report which stated that King's Lynn and West Norfolk had the highest number of households living in caravans or other mobile temporary structures in England and Wales at 5.9%. This compared with 0.4% of households across England and Wales. The Housing Services Operation Manager explained that these statistics were from the Census data.

RESOLVED: That the Regeneration, Environment and Community Panel support the recommendation to Cabinet as follows:

Members approve the external consultation in respect to the proposed review and amendment of site licence conditions for residential sites across the Borough.

REC22: **CABINET REPORT – A BOARDS ENFORCEMENT**

The Town Centres Manager presented the Cabinet report which detailed the proposals for controlling A Boards in town centre areas. He reminded the Panel that on the 8th January 2014 they had considered an initial report on the management of A Boards in the town centre. Operational guidance had now been developed for consideration by the Panel.

The Town Centres Manager reminded the Panel that a legal agreement had been developed and agreed between Norfolk County Council and the Borough Council to devolve relevant powers to the Borough Council to deal with obstructions on the highway. The proposals had been discussed with the King's Lynn Town Centre Partnership, West Norfolk Disability Forum and other relevant groups.

The Town Centres Manager explained that he recognised that many local businesses used A Boards to advertise their business and the Council wanted to support this approach as long as certain conditions were met to avoid nuisance and hazard to highway users. The proposals would ensure a consistent approach across the Borough.

The Panel was informed that a permit scheme would be introduced and managed by the Council. To obtain a permit certain conditions would need to be met. A two metre minimum free and unobstructed clearance of the footway around the A Boards at all times would be required. It was proposed that the minimum clearance distance of two metres could not be reduced as it was the minimum width of highway required to enable wheelchairs and pushchairs to pass safely. The Town Centres Manager outlined the other conditions which would have to be met before a licence was granted which included suitable public liability insurance.

The Town Centres Manager explained that it was proposed to charge £50 per licence which would last for a period of a year.

The Chairman thanked the Town Centres Manager for his report and invited questions and comments from the Panel, some of which are summarised below.

Councillor Mrs Watson referred to the A Boards which were located by Searles Land Train in Hunstanton and asked how they would be affected by the proposals as they were not situated directly outside of the business. The Executive Director reminded those present that the proposals could only be implemented on highways and footways and could not be imposed on privately owned land.

In response to a question from Councillor Moriarty, the Town Centres Manager confirmed that, if agreed, the scheme would be rolled out across the Borough.

In response to a question from Councillor Bubb it was confirmed that a separate policy was already in place for tables and chairs to be positioned on the highway. Planning permission was also required for this.

Councillor Collis commented that he felt that charging £50 per annum for the licence was too high and annual renewals would require significant administration and resources. Councillor Collis suggested charging £50 for a three year non-transferable licence.

Councillor Crofts agreed with Councillor Collis' comments and asked what fee was charged for the siting of tables and chairs on the highway. The Executive Director explained that he did not know the exact charge for siting tables and chairs on the highway, but commented that it was considerably higher than £50. He reminded the Panel that the report recommended that delegated authority be granted to the Executive Director, Commercial Services in consultation with the Portfolio Holders for ICT, Leisure and Public Space and Housing and Community to amend the guidelines as required. The Executive Director, Commercial Services explained that the proposed £50 charge was to cover administration costs.

Councillor Moriarty expressed concern that no one outside of King's Lynn had been consulted on the proposals.

Councillor Pitcher referred to a Norfolk County Council Document which referred to obstructions on the highway and stated that there should be a free and safe flow of pedestrians. He felt that the positioning of A Boards on the highways conflicted with this and asked whether the Council should be adhering to the Norfolk County Council guidance or the Highways Act.

In response to a question from Councillor Pitcher it was confirmed that the Vancouver Quarter was privately owned land so would not be affected by the proposals.

Councillor Baron Chenery of Horsburgh requested that the Town Centres Manager update the West Norfolk Disability Forum on the proposals.

The Chairman asked the Panel to consider the recommendation outlined in the report and the additional recommendation to charge a £50 licence fee for a three year period. After being put to the vote the additional recommendation was carried.

RESOLVED: That the Regeneration, Environment and Community Panel make the following recommendations to Cabinet:

- (i) That Cabinet approve the guidelines as detailed in the attached Appendix 2 and delegate authority to the Executive Director, Commercial Services in consultation with the Portfolio Holders for ICT, Leisure and Public Space and Housing and Community to amend the guidelines as required.
- (ii) **That Cabinet implement a £50 charge for the licence to cover a period of three years.**

Councillors Moriarty and Pitcher wished for it to be recorded that they voted against recommendation (i) above.