

BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK

RECORD OF DECISION TAKEN BY OFFICERS UNDER DELEGATED POWERS

This is a record of a decision taken by an officers under delegated powers and where necessary taken in consultation with members and officers.

Delegated Power

Specify the particular delegated power being exercised by reference to the Delegation Scheme or Cabinet minute and date.

CAB 83 Cabinet 3 November 2015 – approved at Council on 26 November 2015

That the Chief Executive, in consultation with the Portfolio Holder with responsibility for housing, be given delegated authority to make minor amendments to the standard conditions to ensure it complies with legislative requirements, Government guidance and caselaw.

Decisions Taken

- a) To update and amend the residential caravan fees as a result of the annual review (Fees Policy section 3.0) in accordance with Appendix A and a continuation of the amnesty relating to fees associated with new site licence applications for Band A sites so as to encourage historic sites that have gone unlicensed for some time to make a site licence application.
- b) To amend a standard site licence condition so as to clarify the acceptable use of parking spaces between residential caravans on multi-sites.

Reasons for the Decisions

In accordance with Section 3.0 of the Fees Policy for Residential Caravans approved by Members in 2015, fees are to be reviewed an annual basis. Appendix A reflects the proposed adjustments to the fees in line with the Fees Policy and in line with government guidance regarding the determination of surpluses and deficits.

Also, fees were to be levied from April 2016 but it was agreed that fees not be charged for new site licence applications for Band A sites for a period of 12 months following the adoption of this policy so as to encourage historic sites that have gone unlicensed for some time to make a site licence application. This amnesty for fees for Band A sites was continued for a further 12 months up to and including the 31st March 2018 (Delegated Decision in 2017). All other activities surrounding the licensing function have been and will be chargeable as per the fees policy.

Although progress has been made in licensing sites, new ones continue to be discovered on a regular basis. Additionally, it can take some time to successfully licence a site even if there is a willingness from the owner to comply including regularising the planning situation.

The Council's aim is to encourage the licensing of residential sites and in order to reduce barriers to this, to incentivise owners of historic sites to come forward plus in recognition of timescales involved it is proposed that fees not be charged for Band A sites for a further 12 month period (up to and including 31st March 2019).

Also in accordance with Section 3.0 of the Fees Policy, fees are to be reviewed an annual basis. Appendix A reflects the proposed adjustments to the fees in line with the Fees Policy and in line with government guidance.

In the CAB 83 report it was recognised that the licence conditions would need to be kept under review and amended to address specific issues or legislative and other changes. As a result of monitoring such conditions the following amended condition is proposed.

Multi-Site Conditions

(g) Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan. A motorhome of any size shall not be parked within the separation distance.

NOTE: Conditions will still be varied on a site by site basis in accordance with government guidance regarding Model Conditions and in accordance with the Cabinet Report 83 Section 3.10.

Where an existing licence is in force amendments may be made to existing licence conditions where appropriate in accordance with the legislation.

Options considered

Legislation allows the Council to levy a fee to cover elements of the residential caravan site licensing and this decision updates the Fees Policy following a review of the fees as detailed within Section 3.0 of the Policy as set out in the Cabinet report.

It is considered that the 'do nothing' i.e. starting to charge for Band A sites would provide a barrier or disincentive for an owner to apply for a licence.

Amendments being made to the standard site licence conditions are in accordance with the report to Cabinet in November 2015.

Any declarations of interest and details of any dispensations granted in respect of interests.

None

List of Background papers

Report to Cabinet 3 (CAB 83) November 2015

Authorisation

Post Held

Chief Executive

Signature



Date **9 May 2018**

Consultation with members/officers

If the decision is taken following consultation with the members/officers, please give details:

Signed by Member as consulted:

Date

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy/service/function		Residential Caravan Site Licensing				
Is this a new or existing policy/ service/function?		Existing				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations		Setting of fees in relation to the function and extending a timescale to a specific situation where fees will not be charged and; the amendment to a site licence condition.				
Question		Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>			Positive	Negative	Neutral	Unsure
		Age			x	
		Disability			x	
		Gender			x	
		Gender Re-assignment			x	
		Marriage/civil partnership			x	
		Pregnancy & maternity			x	
		Race			x	
		Religion or belief			x	
		Sexual orientation			x	
Other (eg low income)	x					
Question	Answer	Comments				
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No					
3. Could this policy/service be perceived as impacting on communities differently?	No					
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No					
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	N/A	Actions:				
		Actions agreed by EWG member: Name				
Assessment completed by: Gordon Jackson-Hopps						
Job title Senior Housing Standards Officer	Date March 2018					
Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.						

Proposed Residential Caravan Site Licensing fees 2018/19

	Band A	Band B	Band C	Band D
Units	1-5 (including family wholly owned & occupied sites)	6-24	25-50	51-100
Annual Fee	£0* £194	£259	£349	£424
New site licence application	£0** £333	£441	£537	£652
Transfer of site licence	£135	£178	£227	£280
Amendment of site licence	£196	£220	£245	£273
Registering of site rules	£35	£35	£35	£35

* Single family wholly owned and occupied sites where there is no commercial letting of pitches or caravans will be exempt from an annual fee as it is not intended to undertake annual inspections of these sites.

** Fees will not be charged for new site licence applications for the above *sites until 31 March 2019 so as to encourage historic sites that have gone unlicensed to make a site licence application.

Residential Caravan Site Licensing fees 2017/18

	Band A	Band B	Band C	Band D
Units	1-5 (including family owned & occupied sites)	6-24	25-50	51-100
Annual Fee	£0* £192	£258	£335	£407
New site licence Application	£0** £313	£440	£519	£639
Transfer of site licence	£132	£162	£226	£282
Amendment of site licence	£181	£202	£222	£243
Registering of site rules	£35	£35	£35	£35