

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY COMMITTEE** held on 27 September 2021 at 11.15 am

Present Councillors

R J Chesterton, Mrs F J Colthorpe,
D R Coren, L J Cruwys, J Cairney,
L D Taylor and Mrs E J Slade

Apologies Councillor(s)

J M Downes, D J Knowles, Mrs E M Andrews, S J Penny
and J Bartlett

Also Present Officer(s):

Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Deborah Sharpley (Solicitor), Joanne Pope (Commercial Team Leader Public Health), Sarah Lees (Member Services Officer) and Carole Oliphant (Member Services Officer)

9 **APOLOGIES AND SUBSTITUTE MEMBERS (0.02.39)**

Apologies were received from Cllrs Mrs E M Andrews, J Bartlett, D J Knowles, S J Penny and J M Downes who was substituted by Cllr L J Cruwys.

10 **HYBRID MEETINGS PROTOCOL (0.02.49)**

The Committee had before it, and **NOTED**, the Hybrid Meeting Protocol.

Note: *Protocol previously circulated and attached to the minutes.

11 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.02.53)**

Members were reminded of the need to declare interests as appropriate.

12 **PUBLIC QUESTION TIME (0.03.00)**

There were no members of the public present.

13 **MINUTES (0.03.11)**

The Minutes of the meeting held on 6th August 2021 were agreed as a true record and duly signed by the Chairman.

14 **MOBILE HOMES FIT AND PROPER PERSON FEE CHARGE AND POLICIES (0.03.59)**

The Committee had before it a *report from the Corporate Manager for Public Health, Regulation and Housing (Chair East & Mid Devon CSP) presenting the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 and the fees and policies required by the Council to implement the regulations.

The officer explained that the legislation introduced a test for managers of commercial mobile home sites to be a fit and proper person and that there was a fee requirement and new policies had to be introduced.

He explained that non-commercial mobile home sites were exempt from the legislation including touring sites and some traveller sites.

The report explained how the Council would manage applications and what guidance would be provided and that there were a number of options when an application was received. The report also detailed the requirement for delegated powers to be given to allow officers to set future fees and enforcement activities. The fees were not for profit but covered the costs associated with processing the applications.

In response to questions the officer confirmed that each mobile home site would be determined on its own merits to decide if the legislation applied and a lot of groundwork had already been completed to contact mobile home sites in the district.

In response to Members thoughts that the recommendations should be reworded from 'adopt and agree' to 'agree and adopt' it was agreed to change the wording on the recommendations.

It was therefore **RESOLVED** to **RECOMMEND** to Council to:

1. Agree and adopt the Mobile Homes Fit and Proper Person Fee Policy contained in Annex 1 of this report
2. Agree and adopt the Mobile Homes Fit and Proper Person Fee Calculation contained Annex 2 of this report
3. Agree and adopt the Mobile Homes Fit and Proper Person Determination Policy contained in Annex 3 of this report
4. Delegate Authority to the Corporate Manager for Public Health, Regulation and Housing for the administration, including setting of fees, and enforcement of any provisions under The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020. These delegations can then be sub-delegated to relevant officers.

(Proposed by Cllr R J Chesterton and seconded by Cllr Mrs F J Colthorpe)

Reason for the decision: To allow the Council to introduce a fee and determination policy to implement the Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.

Note: *report previously circulated and attached to the minutes

(The meeting ended at 11.36 am)

CHAIRMAN