

WYRE FOREST DISTRICT COUNCIL

CABINET
23RD OCTOBER 2008

Review of Residential Caravan Site Licence Model Conditions

OPEN	
SUSTAINABLE COMMUNITY STRATEGY THEME:	Improving health and wellbeing
CORPORATE PLAN AIM:	A Better Quality of Life
CABINET MEMBER:	Councillor Anne Hingley
HEADS OF SERVICE:	Head of Planning, Health & Environment
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APPENDICES	1. Wyre Forest District Council Model Residential Caravan Site Licence Conditions 2008

1. PURPOSE OF REPORT

To agree revised recommended residential caravan site licence model conditions for residential sites in the light of the publication of the Model Standards 2008, to be adopted and applied to the residential sites in the District.

2. RECOMMENDATION

The Cabinet is asked to DECIDE to agree:

- 2.1 **the adoption of the Wyre Forest District Council Residential Caravan Site Licence Model Conditions 2008 as set out in Appendix 1.**

3. BACKGROUND

- 3.1 The Council has responsibility for the licensing of certain caravan sites, including the application and enforcement of appropriate conditions. This comes from the Caravan Sites and Control and Development Act 1960.
- 3.2 The Government is able to produce guidance on conditions to be applied to caravan sites. The last guidance for residential sites was produced in 1989.
- 3.3 The aim of licence conditions is to promote the safety and welfare of the residents. The specific purposes for which conditions can be applied are set out in Section 5 of the Act. The details of this section are set out in background paper 10.2 below.
- 3.4 There are 2 main residential sites in the District. Kinverdale Park in Wolverley has 104 caravans. Severn Bank Caravan Park near Stourport on Severn has 86 caravans.

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- 3.5 The definition of caravan under the Act encompasses what are commonly called park homes or mobile homes as well as more traditional static caravans. The licence cannot apply conditions beyond the limitations of any planning conditions.
- 3.6 The use of land as a caravan site is controlled by relevant planning legislation. The standards, layout and amenities are controlled by the site licence which is issued under the Caravan Sites Control and Development Act 1960, section 5. Conditions are attached to the licence which relate to the physical use of the site and its management. The local authority must consider the national guidance and any consultation with the fire service when deciding what conditions to attach.
- 3.7 The Model Standards 2008 for Caravan Sites in England (see background papers 10.1 below) replaces the document "Model Standards 1989: Permanent Residential *Mobile Home Sites*". This incorporates a number of new requirements, particularly in relation to maintenance of sites and flood protection measures, and other recommended standard conditions have been modified. The new guidance also takes into account the effect of the Regulatory Reform (Fire Safety) Order 2005. The guidance does not apply to sites which are used for holiday and/or touring caravans or for gypsy sites.

4. KEY ISSUES

- 4.1 The Council should maintain standard licence conditions for the benefit of residents and provide clarity to the site owners and licence holders.
- 4.2 The existing site licence conditions are based on the 1989 National Model Standards which are now out of date. The revised conditions being recommended are based upon the new national guidance.
- 4.3 The updating of site licence conditions will need to allow a certain amount of time for the Licence holders to bring the sites up to the required standards. Where there is no apparent significant risk to health or safety it is proposed to allow one year for any upgrading or changes to be made. This will also allow for consultation with residents and site owners on any changes.

5. FINANCIAL IMPLICATIONS

- 5.1 No additional financial implications are anticipated.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 Officers will act under the Private Sector Housing Enforcement Policy to follow up the site licence requirements and ensure compliance through advice and if necessary through the use of prosecution as enabled under the Act.

7. RISK MANAGEMENT

- 7.1 The Council needs to adopt an appropriate response to its powers and duties under the relevant legislation and having an up to date model set of licence conditions that is in line with national guidance supports this need.

8. CONCLUSION

- 8.1 The Council is responsible for licensing caravan sites and the application of appropriate, up to date conditions will act to protect and enhance the safety and welfare of residents.

9. CONSULTEES

- 9.1 Hereford and Worcester Fire and Rescue Service
- 9.2 As part of the process of applying the conditions through reviewing the site licence, site owners and residents will be consulted.

10. BACKGROUND PAPERS *(to be hyperlinked)*

- 10.1 Model Standards 2008 for Caravan Sites in England April 2008 Communities and Local Government**
- 10.2 Caravan Sites and Control of Development Act 1960 Section 5.**

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