

TEWKESBURY BOROUGH COUNCIL

Report to:	Licensing Committee
Date of Meeting:	18 February 2021
Subject:	Mobile Homes Act and Caravan Sites Licensing Policy
Report of:	Interim Environmental Health Manager
Corporate Lead:	Head of Community Services
Lead Member:	Lead Member for Clean and Green Environment
Number of Appendices:	One

Executive Summary:

At the meeting of the Licensing Committee on 14 June 2018 it was agreed that consultation on the draft revised Mobile Homes and Caravan Sites Policy 2016-2019 would be deferred pending a review, by the government, of existing legislation. This review has now been completed and the above-mentioned policy updated for Committee approval to commence consultation.

Recommendation:

To APPROVE the draft revised Mobile Homes and Caravan Sites Licensing Policy 2021-24, attached at Appendix 1, for public consultation for a period of 12 weeks commencing on 1 March 2021.

Reasons for Recommendation:

To commence the process towards the Council adopting a Mobile Homes and Caravan Sites Licensing Policy 2021-2024.

Resource Implications:

There are 59 permanent and three combined seasonal and permanent sites registered in the borough. The Policy will require that each site is inspected annually and subject to a charge.

16 Seasonal/holiday/touring sites have not been inspected since the date of registration.

There will be resource implications due to this work not being currently undertaken. Each inspection will require at least one full day depending on the size of the sites equivalent to 0.4 – 0.5 FTE.

Legal Implications:

Councils have granted caravan site licences under The Caravan Sites and Control of Development Act 1960 (as amended) for sites that have planning permission for a caravan site. This Act has now been amended by the Mobile Homes Act 2013.

The Act was introduced in order to provide greater protection to occupiers of residential park homes and caravans, as the existing legislation had not been updated for more than 50 years and was considered inadequate to deal with problems associated with such sites. There have been no further changes since this time.

Risk Management Implications:

There is a risk that inspections cannot be conducted due to lack of resources.

There is a risk that the impacts of COVID-19 will mean that the service is unable to deliver and meet targets.

Performance Management Follow-up:

The outcomes of the consultation will be brought back to Licensing Committee for final approval and recommendation of adoption of the Policy in June 2021.

Environmental Implications:

There are no direct environmental implications.

1.0 INTRODUCTION/BACKGROUND

1.1 At the meeting of the Licensing Committee on 14 June 2018 it was agreed that consultation on the draft revised Mobile Homes and Caravan Sites Policy 2016-2019 would be deferred pending a review, by the government, of existing legislation which concluded as set out below.

2.0 THE REVIEW OF LEGISLATION

2.1 The 2017 review of mobile (park) home legislation published in October 2018 concluded overall that the Mobile Homes Act 2013 had been effective in improving the sector. It also identified further action was needed in some areas including improvement of some administration processes, improved awareness by park home residents of their rights and responsibilities, barriers being faced by local authorities in carrying out enforcement activities and unfair advantage being taken of residents, many of whom are elderly and on low incomes, by some site owners.

2.2 The government response to consultation set out proposals to:

- Improve residents' rights.
- Give local authorities more enforcement powers to tackle rogue site owners.
- Work with the sector to raise awareness.
- Develop and disseminate best practice within local authorities.

2.3 The report also confirmed that the government would commission research to gather relevant data to enable a detailed assessment of the likely impacts of a change to the 10% commission charge on residents and site owners. This has not yet commenced.

3.0 NEXT STEPS

3.1 A review of current legislation and any changes has been undertaken and there have been no substantive changes. Accordingly, an updated Mobile Homes and Caravan Sites Licensing Policy is attached at Appendix 1. The Committee is asked to approve this draft policy for consultation for a period of 12 weeks commencing on 1 March 2021.

3.2 A report will be presented to Licensing Committee in June 2021 on the outcomes of the consultation with a view to recommending to Executive Committee adoption of the policy.

3.3 As set out in the resource implications there would be staffing requirements arising from the policy which would be 0.5fte equivalent. The impacts of this requirement for additional resource will be taken into account during the Licensing Service Review.

4.0 OTHER OPTIONS CONSIDERED

4.1 None.

5.0 CONSULTATION

5.1 As detailed in this report.

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

6.1 The Council's Corporate Plan.

7.0 RELEVANT GOVERNMENT POLICIES

7.1 The Mobile Homes Act 2013.

8.0 RESOURCE IMPLICATIONS (Human/Property)

8.1 As identified within the report.

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

9.1 None.

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 Forms part of the licensing review.

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 None.

Background Papers: None

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Appendices: 1 - Mobile Homes and Caravan Site Policy (draft revised) 2021-2024.