


22 January 2020

Report of	Licensing, Food and Safety Manager	Author	Jon Ruder
Title	Caravan sites Mersea Island		 282840
Wards affected	Not applicable		

## 1. Executive Summary

- 1.1 The Committee has asked for an update on the licensing of Caravan sites in relation to the previous report of March 2019.

## 2. Recommended Decision

- 2.1 That the information contained within the report be noted.

## 3. Reasons for the Decision

- 3.1 The report of March 2019 detailed information about legislation of caravan's sites, the purpose of the licences and the compliance that is looked for. This report is an update as to any action taken against sites, questions around planning and wording of conditions within the licences

## 4. Alternative Options

- 4.1 Not applicable.

## 5. Background Information

- 5.1 The Caravan and Control Development Act 1960 allow for authorised officers to attend the site to inspect, observe, audit and to ensure the sites are complying with the conditions and standards laid out in the licence. If there is evidence of non-compliance at holiday sites this can result in prosecution and ultimately revocation of the licence.
- 5.2 The purpose of the licence is to regulate standards and to ensure that they are maintained. The standards are taken from the Model Standards 1989 and encompass such matters as site boundaries, adequate space between the caravans, hard standings, fire precautions, and amenities.

Conditions are attached to the licence which relate to the running of the site. The conditions will mirror those prescribed in the planning permission with further additional conditions being attached to specify –

- that the site remains a holiday park.
- the site cannot be the occupier's main residence.
- the number and type of caravans permissible on the site.
- the documentation and information that must be kept in order to evidence that the conditions are being adhered to.

## 6. Compliance

- 6.1 The latest Planning checks show that all sites below have the correct Planning permission in place in what is currently on site. The licence is issued based on the planning permission granted.

<b>Name &amp; Address</b>	<b>Current caravans/Log cabins</b>	
<b>HOLIDAY PARKS Mersea Island</b>	<b>Static</b>	<b>Tourers</b>
Firs Chase Caravan Park Firs Chase, West Mersea, Essex CO5 8NW	230	0
Waldergraves Holiday Park, Waldergraves Lane, West Mersea, Essex CO5 8SE	264	298
Seaview Holiday Park, Seaview Avenue, West Mersea, Essex CO5 8DA	293	120
Coopers Beach, Church Lane, East Mersea, Essex CO5 8TN	723	0
Fen Farm Caravan Site, Moore Lane, East Mersea, Essex CO5 8UA	94	153
Mersea Island Holiday Park, Fen Lan, East Mersea, Colchester, ESSEX CO5 8UA	230	0

Planning issues are not a consideration for the licensing of the sites. As such traffic, doctors' surgeries and schools cannot be taken in to account when issuing the licence. This is a matter for planning and the local plan. In relation to utilities such as water and

sewage caravans are exempt under the act and as such do not require Building Regulation approval. They would however, require permission to be connected to the main sewer system. Where connection is not agreed the site will sometimes have their own treatment works.

- 6.2 In relation to information received regarding the possibility of two families living on the sites in Mersea an audit inspection was carried out in July of all the sites. Outcome was that one family were found to be residing on a site. The site owners were informed and acted to evict the family and remove the caravan from site. It should be noted that people are legally entitled to stay on some of the sites for 11 months of the year where they are licenced to be open for that time.

Following this inspection, several Caravans were randomly picked from all six sites to inspect in the months of January to March 2020. As well as these inspections Licensing have been in contact with Park Dean resorts and are currently reviewing their updated Action Plan for residential misuse. The site has also been allocated funds to install an ANPR system to their site in order to track vehicles. Specifically, during the winter months.

Finally, Seaview is under new ownership and will shortly be issued with a new licence. The new company is Park Holidays UK Ltd.

- 6.3 A request has been made around explanation of conditions attached to a licence. In general, the licence as a minimum must have the conditions that are attached to the planning approval. As mentioned in the introduction further conditions can be attached that require further compliance. As the sites on Mersea have been in place for several years the conditions are already on the licence and as such will be transferred from Owner to Owner or whenever there is a change in the planning and approval of a site.

Conditions can be introduced to licenses; but there must be a good reason to add them. All conditions introduced can be met by Challenge in a magistrate's court. Currently the conditions on the licence are satisfactory in dealing with general issues on the sites.

## **7. Consultation**

- 7.1 Consultation on these proposals is not considered necessary.

## **8. Strategic Plan References**

- 8.1 Not Applicable

## **9. Publicity Considerations**

- 9.1 Not Applicable

## **10. Equality, Diversity and Human Rights Implications**

- 10.1 There are no known equality, diversity or human rights implications.

## **11. Community Safety Implications**

- 11.1 The policy deals with the protection of children and vulnerable adults

## **12. Health and Safety Implications**

12.1 There are no known direct public health and safety issues.

**13. Risk Management Implications**

13.1 Not Applicable

**14. Environmental and Sustainability Implications**

14.1 There are no known direct environmental and sustainability implications