

Report of	Licensing, Food & Safety Manager	Author	Jon Ruder ☎ 282840
Title	Caravan Sites in the Borough		
Wards affected	Not applicable		

## 1. Executive Summary

- 1.1 In response to a request by the Licensing Committee, this report provides an overview of the licensing of caravan sites, holiday and park homes. The report also lists the sites in the Borough and outlines some of the issues in relation to enforcement.

## 2. Recommended Decision

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

## 3. Caravan sites (Holiday or Mobile Homes)

### What is a caravan?

- 3.1 Whilst the legislation only mentions caravans, the definition of 'caravan' encompasses many forms of building and so can be taken to mean a structure designed or adapted for human habitation which is capable of being moved from one place to another, whether it is being towed or transported on a vehicle. The definition also includes vehicles that are also converted for the same purpose and can in certain circumstances incorporate tents of a certain size, log cabins and tepees.

### When is a licence required?

- 3.2 The site must have planning permission, the details of which should correspond with the site licence sought. The Caravan and Control Development Act 1960 (CCDA) prohibits the use of land as a caravan site unless the occupier holds a site licence issued by the local authority. There are some exceptions to this requirement for –
- A caravan sited within the curtilage of a dwelling and its use is incidental to the dwelling. This means it cannot be occupied separately.
  - A single caravan sited for not more than two consecutive nights for a maximum of 28 days in any 12 months.
  - Up to three caravans on a site of not less than five acres for a maximum of 28 days in any 12 months.
  - Sites occupied by exempt organisations such as the caravan club.
  - Sites of up to 5 caravans certified by an exempt organisation and which are for members only.
  - Sites occupied by the local authority (usually travellers' sites).
  - Sites for temporary and special purposes such as caravan rallies, agricultural and forestry workers, building and engineering sites and travelling salesmen.
  - A site for tents can only be used for a maximum of 28 days in any 12 months.

## Purpose of the Licence

- 3.3 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 site boundaries, adequate space between the caravans, hard standings, fire precautions, and amenities.
- 3.4 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.

## Park Home Sites

- 3.5 There is an additional piece of legislation relevant to park home sites. The Mobile Homes Act 2013, places additional duties on the owner to introduce site rules on residential mobile home sites, to ensure community cohesion and good management of the site. The purpose of the Act is also to ensure that mobile home owners are clear of the rules that apply to them, the process of representation and appeal and the rules as they apply to the owner of the site. It offers greater protection to park home residents.

## 4. Sites in Colchester Borough

### 4.1

Name & Address	Current caravans/Log cabins	
<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	205	60
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	90	95
Mersea Island Holiday Park, Fen Lan, East Mersea, Colchester, ESSEX CO5 8UA	230	0
<b>HOLIDAY PARKS Colchester</b>		
Colchester Holiday Park Cymbeline Way, Colchester CO3 4AG	47	160
<b>PARK HOME SITE</b>		
Grange Farm Caravan Site, Whitehall Road, Colchester:	61	0

## **5. Compliance**

- 5.1 Both Acts allow for authorised officers to attend the site to inspect, observe, audit and to ensure that 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. In relation to park home sites, the process is slightly different and the first course of action is the 1<sup>st</sup> tier housing tribunal. The Local Authority in this situation can make the owner carry out works or do the work and then recover the cost accordingly.
- 5.2 The Council carry out several unannounced inspections a year in relation to all the sites although generally these are concentrated on the holiday parks to ensure that they are adhering to the conditions of being a holiday park. The records held at the site may also be audited to ensure that caravans are not being used for full-time habitation. Permanent residency is best observed in the off season so the majority of inspections will take place at this time. Additional Inspections are carried out in response to complaints and may be undertaken by various Council Departments.
- 5.3 Recent inspections have identified caravans being used as a main residence and appropriate action has been taken. In addition to ensuring compliance with licence conditions, a drone photographic inspection was carried out which brought to light planning issues which are now being regularised through the planning process.

## **6 Standard references**

- 6.1 There are no references to the Strategic Plan; publicity or consultation considerations; or financial; equality, diversity and human rights; community safety; health and safety or risk management implications.