



DERBY CITY COUNCIL

GENERAL LICENSING COMMITTEE 14 July 2010

Report of the Strategic Director of Neighbourhoods

FURTHER CONSULTATION ON MOBILE HOME SITE LICENSING CONDITIONS

RECOMMENDATION

- 1.1 To note the information contained in this report and approve a consultation process to consider varying the conditions regarding the addition of conservatories.

SUPPORTING INFORMATION

- 2.1 Local Authorities licence various types of caravan sites under the provisions of the Caravan Sites and Control of Development Act 1960. Under the provisions of the Act, no occupier of land is allowed to permit land to be used as a permanent residential caravan site unless he/she is the holder of a site licence. The site licence is issued as a 'one-off' not on a yearly basis.
- 2.2 The Local Authority can attach any conditions to the licence which it sees as necessary or desirable in the interest of persons living in the caravans. These conditions apply to the site and its amenities, but not to the physical condition of the caravans themselves. Caravans are included within the definition of a house and housing legislation applies to them.
- 2.3 In specifying its licence conditions, the local authority must have regard to Model Licence Conditions that are issued from time to time. The Secretary of State may specify model standards with respect to the layout and provision of facilities, services and equipment for sites. When deciding what (if any) conditions to attach to a site licence, the local authority shall have regard to any standards so specified. Local authorities should consider whether it is appropriate for these standards to apply.
- 2.4 The model standards represent those standards normally to be expected as a matter of good practice. New standards were issued by the Department for Communities and Local Government in 2008 to replace the document 'Model Standards 1989; Permanent Residential Mobile Home Sites'. When issuing new licences or reviewing current ones the local authority must have regard to these 2008 standards in setting or varying any of the conditions. The site licence conditions were last amended in February 2006.
- 2.5 There are 4 permanent residential sites in Derby. These are The Navigation Site on London Road, together with New City Homes and Alvaston Park Homes which are both situated at Curzon Lane, Alvaston. All hold licences issued by Derby City

Council. Derby Homes also operate a site at Park Homes, Shelton Lock, but this site is not licensed by the Council.

- 2.6 Although work has been carried out with the site owners to address these issues, it was felt that with the issuing of the new 2008 Model Standards a review should be carried out of the current licence conditions to address the issues identified at the sites in order that those matters could be addressed to reflect the nature of the sites and their development. As part of this process Derbyshire Fire Service were consulted in respect of issues relating to fire safety, which were the primary concern.
- 2.7 The existing conditions were amended having regard to the new standards and comments were requested from the Fire Service in July 2008 and their recommendations were included in the revised draft conditions.
- 2.8 Following recommendations by General Licensing Committee, further consultation was carried out in April/May 2009, where residents and operators of the three private sites and Derby Homes were asked for their comments on the proposed conditions. Comments were received from residents and the site owners of New City Homes/Alvaston Park Homes. Following this consultation the site licence conditions were amended in July 2009.
- 2.9 Since the introduction of the revised licence conditions, a request has been received from the occupiers of one of the homes at Alvaston Park Homes to add a small conservatory to their home. The proposed conservatory is apparently of a type that is designed for use with mobile homes.
- 2.10 Currently the licence conditions state that every caravan should be no less than 6 metres from any other caravan and not less than 2 metres from a road. This is known as the separation distance. Porches, bay windows, ramps, verandas and stairs may extend into this separation distance subject to restrictions. Garages, sheds, covered storage space of non combustible construction are permitted between units if means of escape from fire are not prejudiced. Car ports may also be permitted with the site owner's agreement, again if they are of non combustible construction.
- 2.11 Other than the above, the licence conditions (Condition 20.3) specifically state that 'No structures or erections of any kind other than those specifically permitted or required by these conditions shall be allowed on site'. This would currently preclude additions such as conservatories and therefore the request from the occupiers concerned would have to be refused.
- 2.12 Any further amendment to the current site licence conditions would require Members approval. The addition of an extension could potentially be acceptable so long as the separation distances between caravans are not compromised. It could also mean that some homes would not be able to be extended because of space restrictions. However, as a resident has requested whether an addition is acceptable, officers believe this should be considered so as to be reasonable to the resident concerned.

- 2.13 Before making final recommendations it is proposed that further consultation is carried out involving site owners, residents, Derbyshire Fire & Rescue Service and other Local Authorities who licence sites within their own districts. This is to ascertain whether any amendment to the site licence conditions to allow additions such as conservatories to caravans, with restrictions if necessary, is appropriate. Results from this exercise would need to be brought back to members for a final decision.

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Background papers:	None
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

Financial

1.1 None directly arising.

Legal

2.1 As set out in the report.

Personnel

3.1 None directly arising.

Equalities Impact

4.1 None directly arising.

Corporate Objectives and Priorities for Change

5.1 This report contributes towards the Councils corporate objective of **making us proud of our neighbourhoods and giving excellent services and value for money.**