

Report To: Communities Scrutiny Committee

Date of Meeting: 5th November 2015

Lead Member / Officer: Cllr David Smith / Alan Smith & Graham Boase

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Title: Better Regulation of Caravan Sites Project Update

1. What is the report about?

This report is a follow up from the one presented to Communities Scrutiny Committee in July 2015. It will outline the work carried out to date and planned next steps for the project.

2. What is the reason for making this report?

To provide information regarding progress on this project since the previous scrutiny committee report.

3. What are the Recommendations?

That the Committee comments on the project progress to date and agrees on the planned next steps.

4. Report details
Background

At the July 2015 Scrutiny Committee Members resolved to extend the scope of the project. Members requested that a more detailed analysis (beyond the initial pilot study of 5 sites) of the possible scale of unauthorised residential occupation of holiday caravans in the County be carried out. It was hoped that this wider analysis could then provide greater clarity in terms of the financial and other implications on the County, enable a tightening up of service procedures to control access to Council services and give a more robust evidence base to enable better regulation.

The report, therefore, is split into three areas. Firstly, it highlights the **current position** in the County through an analysis of service data collection, highlighting possible financial implications. Secondly, the report suggests ways we can **better monitor future access requests** by caravan dwellers, and details the **regulatory options** available to address existing and future breaches of planning and licensing controls. Finally, the report summarises the **recommended next steps** for the project as a whole.

Current Position

Service data collection

Data has been successfully collected from all relevant internal services. See **Appendix 1** for a detailed report on the data collected from each service system.

Overall the data collected from each service system revealed the following:

- **Electoral Roll** – 60 holiday caravans currently registered on the electoral roll at 12 sites in the county.

- **Social Services** – 7 cases currently open to social services at 4 holiday caravan sites in the county.
- **Education** – 20 children currently registered at Denbighshire schools from 9 holiday caravan sites in the county.
- **Passenger Transport** – More than 295 concessionary passes are currently active at 24 Denbighshire holiday caravan sites.
- **Housing Benefit** – 21 claims (6 successful, 15 unsuccessful) for housing benefit from Denbighshire holiday caravan sites over the last 5 years.
- **Council Housing** – 36 applicants from 11 Denbighshire holiday caravan sites currently on the housing waiting list. 40 applicants previously housed from 11 holiday caravan sites over the last 10 years.
- **Licensing** (i.e. taxi licencing) – 6 taxi licences allocated to 3 Denbighshire holiday caravan sites over the last 3 years.

Throughout the process of data collection and analysis it was noted that the majority of requests for services have been made from the larger holiday caravan sites in the county; with a significant proportion being made specifically from Lyons Holiday Parks Sites (see **Appendix 4**).

Financial Implications

Full details of the financial implications associated with the estimated number of people currently illegally residing in holiday caravans in the county can be found in **section 3.2. of Appendix 1**.

Overall, our financial calculations reveal is that there is an estimated minimum deficit of **£86,000** exists per year for council tax payments, due to the current levels of illegal residential occupation of holiday caravans. Additionally, an estimated minimum of **£204,000** in Revenue Support Grant (RSG) may be being missed out on per year due to caravan residents not being accurately recorded within the census.

Future Monitoring Plans

As you will see from the eligibility criteria guidance in **Appendix 5**, in the majority of cases access to council services are not restricted in relation to residency, i.e. an individual does not have to be a permanent resident within the county in order to be eligible to access a number of key council services. As such, we are unable to simply 'cut off' access to council services by this cohort and must instead rely on developing more accurate monitoring techniques and taking action based on breaches of planning and licensing conditions (see following section).

It is believed that through improved and continued monitoring of the residential use of holiday caravans in the county then this may encourage self-regulation amongst caravan site owners; thereby reducing the likelihood of holiday caravans being utilised as permanent residence.

An issue highlighted during the data collection process was the difficulty caused by a lack of UPRNs recorded within some service systems, along with a lack of consistency in the format that data is recorded and reported from these systems. These issues have hindered the development of an automatic system for producing reports on service use.

In order for our monitoring techniques to improve then work is required to regularise the procedures for inputting caravan addresses into service systems. As such caravan address data entry guidance has been developed (**see Appendix 6**).

Additionally, work has been undertaken to collect caravan site maps and individual caravan addresses in order to develop a comprehensive list of caravan addresses in the Local Land and Property Gazetteer (LLPG). To date all 93 sites (**see Appendix 2**) have been contacted and maps/address information has been successfully collected from 29 sites (see **section 3.5 of Appendix 1**). The next stages of the project will involve starting the process of inputting these addresses into the LLPG.

Regulatory Options

The work undertaken to ascertain the scale of possible residential occupation of holiday caravan sites in the County highlights some possible “problem” sites. It is also clear that there are many well run holiday caravan sites in the County which apply strict sales criteria preventing unauthorised use.

Establishing a corporate monitoring strategy which will highlight future service access enquiries from holiday caravan sites will provide a robust evidence base with which to tackle possible future breaches of planning and licensing controls.

Having regard to the above it is now proposed to produce a Regulatory Procedure Manual. It is proposed that this document will be managed by the Planning and Public Protection Service and will attempt to do the following:

- Co-ordinate planning and licensing powers into a single document to enable Officers from the Planning and Public Protection service to follow standardised procedures for the effective policing of holiday caravan parks.
- Clearly set out the regulatory options available, and their associated repercussions, having regard to the evidence gathered from each caravan and site.
- Enable high risk sites to be targeted quickly with standard enforcement procedures applied.

Officers are seeking the Committee’s agreement to the aforementioned intentions of the Regulatory Procedure Manual. Officers propose to present the Procedure Manual back to a future Communities Scrutiny Committee where the contents can be agreed.

Recommendations

- Use the corporate address database and new monitoring regime to tackle possible future unauthorised residential occupation of holiday caravans through joint planning and licensing controls.
- Develop standardised procedures and documents for the monitoring, investigating and enforcing of sites.

- Develop a pro-active strategy for tackling the larger “problem” sites in the County where evidence of unauthorised residential occupation is most prevalent. This strategy will need to establish appropriate time periods after which action may not be considered appropriate.
- Establish further links with the British Holiday and Home Park Association (BHHPA) to create park management procedures for all sites.

5. How does the decision contribute to the Corporate Priorities?

Controlling the way caravan parks are used contributes towards the following council priorities:

- Developing the local economy
- Vulnerable people are protected and are able to live as independently as possible
- Ensuring access to good quality housing
- Modernising the Council to deliver efficiencies and improve service for our customer

6. What will it cost and how will it affect other services?

The project is not considered to require any additional staffing or finance resource at this stage.

7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

An equality impact assessment has been completed for this project which identifies race (specifically gypsies and travellers), age and disability to be the primary protected characteristics likely to be affected (see **Appendix 7**). However, this is considered to be a dynamic document which will continue to be reviewed as the project develops.

8. What consultations have been carried out with Scrutiny and others?

Communities Scrutiny Committee has been consulted throughout the development of this project. Each service has also been consulted on the contents of their relevant sections of the report in **Appendix 1** and during the development of the eligibility criteria in **Appendix 5**.

9. Chief Finance Officer Statement

N/A

10. What risks are there and is there anything we can do to reduce them?

A number of risks have been identified for the project which can be seen in the project risk register in **Appendix 8**.

11. Power to make the Decision

Local Government Act 2000. Article 6.3.3 of the Council’s Constitution outlines scrutiny’s policy