

Report to: Communities Scrutiny Committee

Date of Meeting: 12th May 2016

Lead Member/Officer: Lead Member for Public Realm/
Head of Planning and Public Protection

Report Author: Development Manager: Planning and Public Protection

Title: Draft Caravan Site Regulatory Procedures

1. What is the report about?

The report introduces the draft Caravan Site Regulatory Procedures.

2. What is the reason for making this report?

The reason for making the report is to seek the Committee's input on the draft Procedures.

3. What are the Recommendations?

That Members agree to the principles of the Regulatory Procedures as set out the attached document (Appendix 1) and agree for Officers of the Planning and Public Protection Service to finalise, and then begin to implement, the Procedures.

4. Report details

Members will be aware of the on-going corporate project which sought to examine the potential scale and impact of the unauthorised use of holiday caravans for permanent residential use in the County.

Previous reports have been presented to scrutiny outlining the records the Council had on the issue, the potential regulatory options open to us and the repercussions for the Council should we choose to ignore the issue, or intervene.

Having regard to the information presented to the November meeting of the Scrutiny Committee it was agreed that the Council should continue to seek to address the unauthorised residential occupation of holiday caravans. Whilst it was accepted that historic misuse may be difficult to enforce, Members wished to address possible new cases. This would benefit the County in a number of ways:

- Provide a level playing field for holiday park businesses in the County.
- Reduce pressures on Council services.
- Ensure holiday parks were operating in accordance with regulatory controls.
- Raise the profile of tourism in Denbighshire.

In presenting the previous report to Scrutiny officers explained that, in order to address the issue of unauthorised residential occupation of holiday caravans holistically, the project needed to incorporate a number of elements. These are listed as follows:

- Creation of a corporate address/mapping database for caravans in the County
- Better and more coordinated recording of service access requests by all relevant officers
- Officers challenging service access requests from persons giving a caravan as their address
- Reporting of service access requests from persons giving a caravan as their address to the Planning and Public Protection Service (P&PP)
- **Creation of P&PP Regulatory Procedures for Caravan Sites**
- Further joint working with the British Holiday and Home Park Association (BHHPA) in order to promote best practice
- Business support and advice for holiday caravan sites wishing to regularize uses or wishing to expand

Implementing the above would reduce the risk that people could continue to buy and use holiday caravans in the County as their main residence without the Council knowing about it.

A key element of the project has been the engagement with the BHHPA. The Council saw this as an opportunity to establish best practice in the industry and to share such practice with all caravan sites operating in the County. As part of this exercise Officers and the BHHPA organised a joint Conference at which trading standards, planning, licensing and business support information was provided to caravan site owners. From this initial Conference it was agreed that a Forum would be set up containing relevant DCC Officers, BHHPA Members, North Wales Police and the Fire Service. This engagement is seen as vital to ensure the good caravan businesses in the County are supported and those who continue to flout regulations are tackled.

As such, Regulatory Procedures have been drafted which set out the corporate approach to the better regulation of holiday caravan sites in the County. The procedures propose a pro-active approach to auditing holiday caravan sites in the County. In addition they provide guidance on how to address new cases which are brought to the Council's attention. The draft Procedures are attached to this report.

The Procedures will require supplementary documents to be finalised such as standard enforcement notices and warning letters. However, they establish the principles for how the Council can begin to address breaches on holiday caravan sites in a proportionate and systematic manner.

It is evident that the work done to date has begun to change the way certain holiday caravan sites promote and sell caravans to customers. Site owners are keen to work with the Council to promote best practice and challenge how people use holiday caravans on their sites.

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

Addressing how holiday caravan sites operate within the County contributes to the Council's Economic Ambition Strategy and the Better Business for All project. It does so by ensuring businesses are supported and regulated ensuring they operate in a fair trading environment. The better regulation of holiday caravan sites also contributes to ensuring people have access to good quality living accommodation and vulnerable people are supported.

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

There should be no additional costs on any Service. By potentially reducing access to Council Services there should be financial savings made.

The implementation of the Regulatory Procedures can be done with existing staffing resources in the P&PP Service.

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

N/A at this stage.

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

The BHHPA have been consulted on the draft procedures and are supportive of the principles therein.

9. Chief Finance Officer Statement

N/A.

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

There are significant financial and reputational risks for the Council in not seeking to address breaches of holiday caravan sites.

11. Power to make the Decision

The Regulatory Procedures outlined in the draft document are all set out in established trading standards, planning and licensing legislation.

Town and Country Planning Act 1990

Consumer Rights Act 2015

Control of Caravans Act 1960

Scrutiny's powers in relation to this matter are detailed in Article 6.3.4(b) of the Council's Constitution.

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