

BRECKLAND COUNCIL

Report of the Executive Member – Economic, Health and Housing to the CABINET- 15th September 2009

Moveable Dwellings Policy

1. Purpose of Report

- 1.1 To bring forward a policy for moveable dwellings reflecting changes in legislation and good practice and to adopt new standards for permanent residential units.

2. Recommendations

- It is recommended that the Council/Cabinet:
- 2.1 Adopt this policy and new standards.

Note: In preparing this report, due regard has been had to equality of opportunity, human rights, prevention of crime and disorder, environmental and risk management considerations as appropriate. Relevant officers have been consulted in relation to any legal, financial or human resources implications and comments received are reflected in the report.

3. Information, Issues and Options

3.1 Background

- 3.1.1 A Local Authority has powers to control moveable dwellings, both for holiday and residential purposes by way of licences. Conditions may be attached to these licences.
- 3.1.2 The Secretary of State may issue Model Standards that a Local Authority may adopt. A new set of Model Standards has been issued for permanent residential sites which should be adopted by this Authority to ensure compliance with all relevant legislation.

3.2 Issues

- 3.2.1 Whilst the underlying legislation remains unchanged new legislation covering the fire safety aspects of caravan and camping sites has been brought forward. Our current standards need updating to reflect this.
- 3.2.2 The new policy clearly delineates our approach to the monitoring and enforcement of site standards.

3.3 Options

- 3.3.1 To adopt the new policy and standards which reflect current legislative provision and the powers already adopted by Cabinet
- 3.3.2 To not adopt the new policy and/or standards which could present difficulties in any future enforcement proceedings.

3.4 Reasons for Recommendation(s)

- 3.4.1 To enable the Council to comply with the current Model Standards.
- 3.4.2 To be able to justify it's actions in relation to licencing of moveable dwellings.

4. Risk and Financial Implications

4.1 Risk

4.1.1 I have completed the Risk Management questionnaire and can confirm that risk has been given careful consideration, and that there are no significant risks identified associated with the information in this report. NOTE: depending on the outcome of the decision made this could include risks for Members not agreeing to the proposed preferred recommendation option, or risks attached to the agreed preferred recommendation option.

4.2 Financial

4.2.1 None

5. Legal Implications

5.1 Whilst there is no statutory requirement to have standards attached to site licences they give clear guidance on the standards expected to be maintained on sites including appropriate levels of management. A clear policy for moveable dwellings recognises their different status from conventional residential accommodation.

6. Other Implications [Insert statement or confirm 'none' as appropriate at each sub-paragraph]

- a) Equalities: No differential impact.
- b) Section 17, Crime & Disorder Act 1998: None
- c) Section 40, Natural Environment & Rural Communities Act 2006: None
- d) Human Resources: None
- e) Human Rights: None
- f) Other: None

7. Alignment to Council Priorities

7.1 Building safer and stronger communities

8. Ward/Community Affected

8.1 All

Background Papers

None

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Key Decision Status (Executive Decisions only):

Key decision – on forward plan

Appendices attached to this report:

Moveable Dwellings Policy

New standards for permanent residential sites