
Report To:	GENERAL PURPOSES BOARD	Date: 12 June 2019
Report By:	CORPORATE DIRECTOR, ENVIRONMENT, REGENERATION & RESOURCES	Report No: LP/084/19
Contact Officer:	LINDSAY CARRICK	Contact No: 01475 712114
Subject:	LICENSING FOR MOBILE HOMES SITES WITH PERMANENT RESIDENTS	

1.0 PURPOSE

- 1.1 The purpose of this report is to advise the Board of changes in the licensing requirements for mobile homes sites with permanent residents and for the Board to note the charge for new applications and site licence renewals.

2.0 SUMMARY

- 2.1 The new regime is a significant change from the previous scheme where there was no requirement for licence renewal. Under the previous scheme, once a licence was granted there were limited powers for local authorities to address any failures to comply with the site licence conditions, except through reporting the matter to the Procurator Fiscal. The new provisions require the owner of a site to apply for a renewal of the licence every 5 years. The new provisions will additionally provide local authorities with more options to enable resolution of any breaches in site licence conditions through a range of enforcement powers.
- 2.2 The changes that have been introduced to regulate licence permanent mobile home sites are welcomed in providing greater options for protecting the safety and welfare of residents on these sites.
- 2.2 The new regime allows local authorities to charge a fee for handling new licences and renewals. The fee of £500 has been set by the Head of Legal & Property Services in line with Scottish Government guidance.
- 2.3 There are currently 3 sites with permanent residential homes within Inverclyde.

3.0 RECOMMENDATION

- 3.1 It is recommended that the Board notes the new licensing regime and charging fee for new applications and site licence renewals.

4.0 BACKGROUND

4.1 Following amendments to the Caravan Site and Control of Development Act 1960 by the Housing (Scotland) Act 2014, a new system for Licensing and controlling permanent residential sites was introduced by The Licensing of Relevant Permanent Sites (Scotland) Regulations 2016. The key measures of the new Licensing system introduced the following:

- provided local authorities a range of powers, and appropriate discretion in deciding how to use them, in relation to the granting management, and revocation of licences;
- a 5 year licence period;
- the requirement that a site licence holder (and anyone directly managing a site) is a fit and proper person;
- an effective process for site owners and site licence applicants to appeal against decisions by the local authority.

5.0 IMPLICATIONS

Finance

5.1 There are no financial implications arising from this report.

Legal

5.2 Statutory duties for local authorities to licence permanent caravan sites are prescribed in the Act and Regulations. A range of new enforcement powers have been introduced, primarily relating to a failure of the site licence holder to meet the conditions placed on a site licence. There may be future legal implications should the authority determine to refuse a site licence or undertake formal enforcement action where site licence conditions are breached.

Human Resources

5.3 There are no HR implications arising from this report.

Equalities

5.4 There are no equalities implications arising from this report.

Repopulation

5.5 There are no repopulation implications arising from this report.

6.0 CONSULTATIONS

6.1 None

7.0 LIST OF BACKGROUND PAPERS

7.1 None