

Report to the Cabinet

Report reference: C-015-2014/15
Date of meeting: 8 September 2014



**Epping Forest
District Council**

Portfolio: Housing

Subject: Site Licence Conditions for Permanent Residential Sites occupied by Gypsy, Roma and Traveller families.

Responsible Officer: Lyndsay Swan (01992 564146)

Democratic Services: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

(1) That following consultation with site owners, residents, statutory consultees and other interested parties, the Park Home Site Licence Conditions for Gypsy, Roma and Traveller Sites in Epping Forest District Council attached at Appendix 1 be adopted.

Executive Summary:

It is a statutory requirement for local authorities to issue site licences on all the park homes sites in their area and to decide what conditions to attach to them. In 2008, the Government produced new standards for permanent residential park homes sites, providing a framework upon which councils can base the conditions they attach when re-licensing sites.

In July 2012, based upon these conditions, the Cabinet agreed the conditions to be attached to the site licences for the permanent residential park homes sites in the District and also that the site licence conditions for 31 Gypsy, Roma and Traveller sites in the District, that have Planning Permission to be occupied on a permanent residential basis, should generally be in accordance with these conditions.

There are significant differences between sites occupied by Gypsy, Roma and Traveller families and those occupied by the settled community. Taking account of these differences officers have drafted new conditions, and with the approval of the Portfolio Holder for Housing on 18 June 2014 (HSG-003-2014/15), undertook a four-week consultation with site owners and residents on the Gypsy, Roma and Traveller sites in the District. Comments from the consultation have been taken into account in the drafting of the site licence conditions that appear in Appendix 1. Members are asked to agree these conditions so that the new site licences can be issued to the owners.

Reasons for Proposed Decision:

The Council is required to issue licences on all park homes sites in the District with conditions that are relevant, consistent and will adequately protect the health and safety of people residing at, or visiting the sites. Although new proposed standard park home site licence conditions for permanent residential sites occupied by the settled community were agreed by the Cabinet in July 2012 (C-012-2012/13), the existing site licence conditions for the Gypsy, Roma and Traveller sites that are occupied on a permanent residential basis have not been

reviewed for many years. In the light of this the Cabinet agreed that consultation should be undertaken with residents on Gypsy, Roma and Traveller sites, and other interested parties, to agree suitable licence conditions for these sites. This consultation has now been carried out and the resulting comments have been taken into account in the conditions that are attached at Appendix 1.

Other Options for Action:

The option of not setting new licence conditions and allowing the remaining ones to remain in place has been discounted as the existing conditions are outdated and such an approach could compromise the health and safety of those living on or visiting the sites.

The option not to consult has been discounted as at its meeting in July 2012, the Cabinet agreed that residents on Gypsy, Roma and Traveller sites would be consulted before the conditions were finally agreed.

The Council could agree to apply the same conditions to the Gypsy Roma and Traveller sites in the District as the ones attached to the permanent residential sites occupied by the settled community. However, this option has been discounted because of significant differences between the two different types of sites, mainly in terms of ownership and management. A table showing the differences between the two sets of conditions is attached at Appendix 2.

Report:

1. In July 2012, following a consultation exercise with site owners, residents and other interested parties, the Cabinet agreed the conditions to be attached to the site licences for the permanent residential park homes sites in the District (C-012-2012/13). The Cabinet also agreed that the site licence conditions for the Gypsy, Roma and Traveller sites in the District should generally be in accordance with these and that a consultation process should be undertaken with the residents on the conditions proposed.

2. This Council is the first of the Essex authorities to introduce standard licence conditions for Gypsy Roma and Traveller sites on its District, which are designed to ensure that standards set are in line, as far as is reasonable, with the permanent residential park home sites on the District, whilst taking into account specific cultural and lifestyle differences between the two communities. There are 31 Gypsy, Roma and Traveller sites in the District, comprising 117 pitches that have Planning Permission to be occupied on a permanent residential basis.

3. Proposed site licence conditions were drafted and presented to the joint Management Board/Cabinet meeting on 11 December 2013 for informal consultation. These conditions were generally based on those that had already been agreed for the permanent residential sites but with appropriate amendments to take account of the differences between the two different types of sites. On 18 June 2014 the Housing Portfolio Holder agreed that a consultation should be carried out with residents on the Gypsy, Roma and Traveller sites based on these proposed conditions (HSG-003-2014/15). The conditions include the charging scheme that was agreed by the Cabinet on 3 March 2014 (C-080-2013/14).

4. Officers carefully considered the most effective way of communicating with residents on the Gypsy, Roma and Traveller sites. Historically officers from the private sector housing team have had little involvement with the community beyond carrying out the twice yearly bi-annual Gypsy Count. This is in marked contrast to the traditional residential park home sites where residents come to officers for assistance in connection with site licence conditions and other park home issues. Also, the Gypsy Roma and Traveller community typically, are not comfortable dealing with formal documentation from 'authority' and some have limitations

with literacy.

5. Initially officers researched whether there were specialist companies that could carry out the consultation on the Council's behalf, however, it proved difficult to find an organisation that could undertake this work successfully for a reasonable cost. It was subsequently agreed that the most effective way of communicating with the individual groups was to use a consultant that was known, and trusted, by the Gypsy, Roma and Travelling families in the District, to act as an intermediary between the Council and the residents concerned. The consultant has in the past directly helped many of the residents that the Council wanted to consult and as such he was able to write to them informally, explaining what the Council was trying to achieve, why the new licence conditions were being proposed and encouraging them to respond to the forthcoming consultation. In conjunction with this, officers' hand-delivered consultation documents during the bi-annual gypsy caravan count during the week commencing 14 July 2014 and were able to discuss with and answer questions from residents that they met during the course of their visits. The Count extended over two days rather than one so that officers could spend time explaining the purpose of the consultation and answer any queries.

6. The consultation period expired on 15 August 2014. Unfortunately, notwithstanding the steps described above, no responses have been received from any of the residents on the Gypsy Roma or Traveller sites, either verbally or in writing.

7. The Private Sector Housing Team officers have also consulted with and considered the views of other officers within the Council (Forward Planning and Enforcement Team, Environment and Neighbourhood Team Engineering, Drainage and Water Teams), together with other external parties including the Essex County Fire and Rescue Service and the Essex County Traveller Unit, the Ambulance Service, the Health and Safety Executive and the Environment Agency. Their comments have been taken into account and the proposed new site licence conditions for Gypsy Roma and Traveller sites are set out in Appendix 1.

8. The table in Appendix 2 shows the differences between the proposed new conditions for the Gypsy Roma and Traveller sites, and those conditions already agreed by the Cabinet for the permanent residential park home sites. These differences take into account lifestyle and cultural aspects of the Gypsy Roma and Traveller community that differ from the communities of the traditional park home sites. The conditions also take into account the fact that each family typically has a touring caravan on its pitch; that washing, toilet and cooking facilities are often accommodated in amenity blocks rather than in individual units; that individual homes are not always of traditional mobile home construction and that most are small family sites run as a community and not by a site owner who maintains the site through charging home-owners an annual pitch fee.

9. Another difference in the proposed site licence conditions is the mention of Tourers (touring caravans) in condition 2(i) on the density and spacing of mobile homes. The existing conditions for permanent residential park home sites requires a separation distance of at least 6m between homes but allows that any park home that contravenes this condition at the date on the licence will be allowed to remain in position. This condition deviates from the Model Standards 2008 for Caravan Sites in England and takes into account the views, following consultation, of site owners and residents of the permanent residential park home sites and the consideration of both the Overview and Scrutiny and Housing Scrutiny Panels at the time. However, the Essex County Fire and Rescue Service have responded to this current consultation exercise that it is of the opinion that no mobile homes or tourers on a Gypsy Roma or Traveller site should be allowed to contravene the spacing requirement of 6m even if they already contravene the requirement at the date that the new licence conditions are issued. It was highlighted that a very recent caravan fire incident resulted in fire damage to a neighbouring caravan that was positioned less than 6m from the first and as such

threatened a real risk to occupiers. On the basis that Gypsy Roma and Traveller sites tend to be less densely occupied so that there is more scope for relocating units to comply with the required separation space whilst not causing unreasonable disturbance to other residents it is proposed that condition 2(i), the site licence condition relating to spacing, be amended accordingly as shown in Appendix 1.

10. Members are asked to agree these conditions as the Standard Site Licence Conditions for Gypsy Roma and Traveller Sites in Epping Forest District. If adopted it is proposed that all site owners will be notified of the Cabinet decision and new site licences with the new conditions will be issued to the owners of all the Gypsy, Roma and Traveller sites in the District that are occupied on a permanent residential basis within the next 3 months.

Resource Implications:

Within existing resources.

Legal and Governance Implications:

Caravan Sites and Control of Development Act 1960
The Mobile Homes Act 2013
Model Standards 2008 for Caravan Sites in England

Safer, Cleaner and Greener Implications:

Adopting new standard conditions for the Sites occupied by Gypsy, Roma and Traveller families will ensure measures are in place to protect the health and safety of residents on these sites.

Consultation Undertaken:

On 11 December 2013 the joint meeting of the Cabinet and Management Board was consulted informally on proposals to consult with residents on Gypsy, Roma and Traveller sites on the conditions to be attached to their site licences. A consultation document, including draft site licence conditions was drawn up and these were distributed to each household during the bi-annual Gypsy count during the week commencing 14 July 2014. A Planning Consultant who has had experience of working with travelling communities in the District acted as an intermediary between the Council and individual Gypsy, Roma and Traveller groups. The consultation period expired on 15 August 2014 and no responses were received either verbally or in writing from the Gypsy Roma and Traveller community.

In drafting the proposed site licence conditions, Private Sector Housing Team officers have consulted and considered the views of other officers within the Council (Forward Planning and Enforcement Team, Environment and Neighbourhood Team Engineering, Drainage and Water Teams), together with representatives of Essex County Fire and Rescue Service and the Essex County Traveller Unit. The formal consultation will include the Gypsy Roma and Traveller families occupying existing permanent residential sites; relevant internal services within the Council; and other external parties including the Essex County Fire and Rescue Service, the Ambulance Service, the Health and Safety Executive and the Environment Agency.

Responses from the consultation have been taken into account in the drafting of the proposed conditions which are included at Appendix 1.

Background Papers:

None

Risk Management:

Failure to set and ensure compliance with appropriate licence conditions would compromise the health and safety of residents on the Gypsy, Roma and Traveller sites that are occupied on a permanent residential basis by limiting the control measures that may be imposed.

Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **unlawful discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

Gypsy, Roma and Traveller sites are generally not run as businesses and the residents are members of an extended family community. They tend to be much smaller than the permanent residential sites in the District which are run by site owners as businesses. Individual homes on the permanent residential sites are occupied by families that are generally unrelated.

When the Council consulted with residents on the permanent residential sites on the conditions that would be attached to their site licence conditions it was able to do this by communicating through each sites' residents association. Residents and park home owners were also invited to meetings and information events at the Civic Offices where any matters of concern could be raised and discussed. This was then followed up by issuing a paper-based questionnaire to each of the residents concerned.

The District's Gypsy, Roma and Traveller sites are much smaller (the largest has 28 pitches compared with 250 on the largest permanent residential site) and, often being members of a single family, do not have residents associations. It is also recognised that levels of adult literacy are generally lower in the Gypsy, Roma and Traveller community than in the settled community. Taking these matters into account, it is considered that it would not be appropriate, or effective, for officers to consult with these residents in the same way as they previously did with residents on the permanent residential sites.

Officers have carefully considered the most effective way of communicating with residents on each of the Gypsy, Roma and Traveller sites. Initially consideration was given to employing a specialist company to carry out the consultation on the Council's behalf; however, it proved difficult to find an organisation that could undertake this work successfully for a reasonable cost. It was agreed that the most effective way of communicating with the individual groups would be to use a consultant who is known, and trusted, by the Gypsy, Roma and Travelling families in the District to act as an intermediary between the Council and the residents concerned. In this way officers are satisfied that the consultation was carried out in such a way as to advance equality of opportunity by providing the best possible opportunity for residents on the Gypsy, Roma and Traveller sites to express their views on the proposals.

Members have also been keen for residents and the permanent residential sites and the Gypsy, Roma and Traveller Sites to have site licence conditions that will protect

their health, safety and privacy but are also appropriate to their way of life. Officers are satisfied that the variations built into the different site licence conditions will do this and by doing so will help to eliminate discrimination and foster good relations between the occupants on the different types of sites.

Appendix 1 – Site Licence Conditions and Advice Notes



STANDARD LICENCE CONDITIONS FOR GYPSY, ROMA AND TRAVELLER SITES IN EPPING FOREST DISTRICT COUNCIL

Schedule of Conditions

General

- (i) () site is licensed for a maximum of () pitches for residential use
- (ii) This licence shall only apply to that area of land in respect of which planning permission has been obtained to station mobile homes for residential use and the licence shall apply for the period of that permission.

1. The Boundaries and Plan of the Site

- (i) The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- (ii) No mobile home or combustible structure shall be positioned within 3 metres of the boundary of the site. However, any mobile home or combustible structure that contravenes this condition at the date on this site licence will be allowed
- (iii) (a) A plan of the site shall be supplied to the Local Authority upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the Local Authority.

(b) The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and shall be of suitable quality.

2. Density, Spacing and Parking between Mobile Homes

- (i) Except in the case mentioned in sub paragraph (iii) of this paragraph and subject to sub paragraph (iv), every mobile home (including tourer) must where practicable be spaced at a distance of not less than 6 metres (the separation distance) from any other mobile home. However, any mobile home, other than a touring caravan, that contravenes this condition at the date on this licence and cannot be readily relocated to meet the spacing requirement will be allowed to remain in position. *This condition will not apply to sites comprising just one mobile home.*
- (ii) No mobile home shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site. However, any mobile home that contravenes this

condition at the date on this licence will be allowed.

- (iii) Where a mobile home has retrospectively been fitted with cladding from Class 1 fire rated materials to its facing walls, then the separation distance between it and an adjacent mobile home may be reduced to a minimum of 5.25 metres. *This condition will not apply to sites comprising just one mobile home.*
- (iv) In any case mentioned in sub-paragraph (i) or (iii) other than a site comprising just one mobile home:

- (a) A porch attached to the mobile home may protrude one metre into the separation distance and must not exceed 2 metres in length and 1 metre in depth. The porch must not exceed the height of the mobile home. Where a porch is installed such that there is a door to the porch and another door to the home, there shall be fitted in the porch and the living space of the home, within 6 months of the date on this licence, mains-powered, interlinked smoke detection with integral battery back up complying with current British Standards. However, where home owners prefer, battery powered detection is permitted in the porch and living space provided that they are interlinked. Porches attached to mobile homes which do not comply with the dimensions in this condition and that are in place at the date of this site licence will be allowed until the mobile home is eventually replaced. If, by virtue of size, form of construction, condition, location or other reason the Council considers an existing porch to be a fire risk or to offer some other potential danger, it may require the porch to be modified. From the date of this licence, all new porches if permitted will need to comply with this condition

- (b) Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing mobile homes is not less than 5 metres, except where sub paragraph (iii) applies in which case the extension into the separation distance shall not exceed 4.25 metres. *This condition will not apply to sites comprising just one mobile home.*

- (c) Any structure including steps, ramps, etc. (except a shed, amenity building, a garage or car port), which extends more than 1 metre into the separation distance shall be of non-combustible construction. There should be a 4.5 metre clear distance between any such structure and any adjacent mobile home. Any decking or porch attached to a mobile home that contravenes this condition at the date on this licence will be allowed to remain. *This condition will not apply to sites comprising just one mobile home.*

- (d) An amenity building, garage or car port may only be permitted within the separation distance if it is of non-combustible construction. Any such construction that contravenes this condition at the date on this licence will be allowed to remain. *This condition will not apply to sites comprising just one mobile home.*

- (e) Windows in structures within the separation distance shall not face towards the mobile home on either side. *This condition will not apply to sites comprising just one mobile home.*

(f) Fences and hedges, where allowed and forming the boundary between adjacent mobile homes, should be a maximum of 2 metres high. *This condition will not apply to sites comprising just one mobile home.*

(i) The height of a fence shall be calculated using the same guidelines as are applied under Planning legislation.

(ii) A hedge is defined as 'a number of woody plants, whether capable of growing into trees or not, which are so planted as to be intended to be in line and which, when mature, to be so integrated together as to form a screen or a barrier.'

(g) Private vehicles may be parked within the separation distance provided that they do not obstruct entrances to mobile homes or access around them and they must be a minimum of 3 metres from an adjacent mobile home. *This condition will not apply to sites comprising just one mobile home.*

(v) The density of mobile homes on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

3. Roads, Gateways and Overhead Cables

(i) All roads shall provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.

(ii) New roads shall be constructed and laid of suitable bitumen macadam or concrete with a suitable compacted base.

(iii) All roads shall have adequate surface water/storm drainage and must comply with Section 12(i)

(iv) New two way roads shall not be less than 3.7 metres wide, or if they are designed for and used by one way traffic, not less than 3 metres wide.

(v) One-way systems shall be clearly signposted.

(vi) Where existing two way roads are not 3.7 metres wide, passing places shall be provided where practical.

(vii) Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.

(viii) All roads shall be maintained in a good condition.

(ix) Roads must have no overhead cables less than 4.5 metres above the ground.

4. Footpaths and Pavements

(i) Every mobile home shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.

- (ii) Communal footpaths and pavements shall not be less than 0.9 metres wide.

5. Lighting

Roads, communal footpaths and pavements shall be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness. *This condition will not apply to sites comprising just one mobile home.*

6. Bases

- (i) Every unit must stand on a concrete hard-standing.
- (ii) The concrete hard-standing must extend over the whole area occupied by the mobile home, touring caravan or other vehicle, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard-standings must be constructed to the industry guidance, current at the time of siting, taking into account local conditions. See Advice Note 1 attached to these conditions.
- (iii) There shall be no more concrete hard-standings constructed than the number of mobile homes permitted to be sited under this licence.

7. Maintenance of Common Areas, including Grass, Vegetation and Trees

- (i) Every part of the site to which the public have access shall be kept in a clean and tidy condition.
- (ii) Every road, communal footpath and pavement on the site shall be maintained in a good condition; good repair and clear of rubbish.
- (iii) Grass and vegetation shall be cut and removed at frequent and regular intervals.
- (iv) Trees within the site shall (subject to the necessary consents) be maintained.
- (v) Any cuttings, litter or waste shall be removed from the immediate surrounds of a pitch.

8. Supply & Storage of Gas etc

- (i) Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice. See Advice Note 2 attached to these conditions
- (ii) Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.

- (iii) Any work carried out on any gas or oil installations on the site shall be done by a qualified person fully conversant with the relevant statutory requirements.

9. Electrical Installations

- (i) On the site there shall be installed an electricity network of adequate capacity to meet safely all reasonable demands of the mobile homes, touring caravans and other facilities and services within it.
- (ii) The electrical network installations shall be subject to regulation under current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements. See Advice Note 3 attached to these conditions.
- (iii) Any work on electrical installations and appliances shall be carried out only by persons who are qualified to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.
- (iv) Any work on the electrical network within the site shall be done by a qualified person fully conversant with the appropriate statutory requirements.

10. Water Supply

- (i) All pitches on the site shall be provided with a wholesome water supply sufficient in all respects to meet all reasonable demands of the mobile homes and touring caravans situated on them.
- (ii) All new water supplies, water distribution systems and any plant fittings connected to the supply shall be in accordance with all current legislation, regulations and relevant British or European Standards.
- (iii) All repairs and improvements to water supplies and installations shall be carried out to conform to current legislation and British or European Standards.
- (iii) Work on water supplies and installations shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current relevant legislation and British or European Standards.
- (iv) Where the water supply is not provided by a recognised water undertaker, the Local Authority shall be informed as to the nature of the supply.

11. Amenity Buildings

- (i) Where all or some toilet, washing, cooking and dining facilities are provided other than in the individual mobile home they shall be provided in a suitably constructed amenity building of non-combustible material affording adequate wholesome water supply, electricity supply, ventilation and facilities to meet the needs of the family occupying that pitch.

- (ii) Where a new amenity building is being proposed, a 'to-scale' sketch plan of the building elevation and layout shall be submitted for prior approval by Local Authority officers. Where these facilities are required by a site licence, permitted development rights will apply.

12. Surface Water Drainage

- (i) There shall be satisfactory provision for surface water drainage, either by connection to a public surface water sewer, use of Sustainable Drainage Systems (SuDS), discharge to a pond/lake or a watercourse providing the relevant permissions are in place and water quality and/ or environmental quality are not adversely impacted. A soakaway will not be suitable unless the results of a percolation test, carried out in accordance with Approved Document H of the Building Regulations (or as updated or amended), indicate that the ground has sufficient permeability and the infiltration must be clean surface water only into uncontaminated ground. The surface water drainage system must be approved by the Local Authority.

All systems must be properly functioning and maintained and any system proposed must not increase flood risk to the site and/or to neighbouring land and properties.

- (ii) Prior written consent from the Environment Agency, for a main river, and Local Authority (Land Drainage), for ordinary water courses, is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of a watercourse.

13. Foul Water Drainage

- (i) There shall be satisfactory provision for foul and waste water drainage either by connection to a public foul water sewer or sewage treatment works or by discharge to a properly constructed and installed septic tank or cesspool, approved by the Local Authority and with a permit from the Environment Agency where appropriate. The foul water treatment or containment facility shall be of sufficient capacity for the number of persons living/visiting the site and for the type of effluent that it is intended to receive. Where effluent is removed from the site the Licensee/owner/occupier shall provide the Local Authority if requested, with a copy of the Discharge Consent as issued by the Environment Agency and/or Waste Transfer Notes. The treatment plant or containment facility must be adequately maintained by a suitably qualified or competent person.
- (ii) All drainage and sanitation provision shall be in accordance with all current legislation and British and European Standards, including Approved Document H of the Building Regulations (or as updated or amended). For new sites, approval from the Council's Building Control, or an approved inspector, will be required for the foul and waste water system/s prior to installation and occupation of the site. At no time shall the foul and waste water system/s pollute any land or watercourse, or pose a risk to public health or cause a nuisance.
- (iii) Work on drains and sewers shall be carried out only by persons who are competent in the particular type of work being undertaken and in

accordance with current legislation and British or European standards, which are applicable to the system/s to be/already installed.

- (iv) Prior written consent from the Environment Agency, for a main river, and Local Authority (Land Drainage), for ordinary water courses, is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of a watercourse.
- (v) Approval by the Local Authority will have due regard to the Environment Agency's foul drainage assessment protocol.

14. Domestic Refuse Storage & Disposal

Domestic waste including green waste originating from the individual plots is to be disposed of in a safe and proper manner using the Council's waste collection facilities. Disposal of waste from all common parts is to be dealt with as commercial waste.

15. Communal Vehicular Parking

Suitably surfaced parking spaces shall be provided to meet the requirements of residents and their visitors.

16. Communal Recreation Space

On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site shall be allocated for recreational purposes, unless in the Local Authority's opinion there are adequate recreational facilities within a close proximity to the site. *This condition will not apply to sites comprising just one mobile home.*

17. Notices and Information

- (i) The name of the site shall be displayed on a sign in a prominent position at the entrances to the site.
- (ii) Where the site is occupied by more than one unrelated family, the site owner shall make available the following information for inspection by a resident or Local Authority officer at all reasonable hours:
 - a) A copy of the current site licence.
 - b) A copy of the most recent periodic electrical inspection report.
 - c) A copy of the site owner's certificate of public liability insurance.
 - d) A copy of the local flood warning system and evacuation procedures, if appropriate.
 - e) A copy of the fire risk assessment made for the site.

18. Flooding

- (i) The site owner and/or the potential occupiers must refer to the Environment Agency's flood map. If the site falls within a Flood Zone 2 or 3 and the occupation of the site so determines, a Flood Risk Assessment must be carried out, before occupation of the site, in order to demonstrate that the proposed development will be safe for the duration of its lifetime.

The Flood Risk Assessments must be approved by both the Environment Agency and the Local Authority.

- (ii) No occupation of mobile homes intended for permanent residential use is allowed if the site falls within a functional floodplain (Zones 3a and 3b).
- (iii) Occupation of mobile homes intended for permanent residential use is only permitted in zone 2 if it passes the flood risk Sequential and Exception test.
- (iv) Subject to (ii) and (iii) above, if the site falls within a Flood Zone 2 or 3, in addition to a Flood Risk Assessment being submitted the owner and/or occupier must sign up to the Environment Agency's Floodline Warnings Direct system. The owner and/ or occupier must also submit to the Local Authority an Evacuation Plan including reference to safe access and egress routes and take any other reasonable measures, as approved by the Local Authority, to ensure the safety of the occupants of the site. All residents must be made aware of any evacuation plan and procedures. A copy of the approved Evacuation Plan must be lodged with the Council's Emergency Planning Officer.
- (vi) Any approval given by the Local Authority will always take into consideration any potential flood risk and safety issues to neighbouring properties and land, in addition to the site itself and the occupants of the site.

19. Fire safety measures for a site occupied by a family unit

- (i) The standards in this section apply to sites with only one pitch or to sites occupied by one family, which may include extended family, but where the family live as one unit.

Fire Points

- (i) These shall be located so that no mobile home or site building is more than 30 metres from a fire point. Equipment provided at a fire point shall be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment

- (ii) Where water standpipes are provided:
 - a) The water supply shall be of sufficient pressure to project a jet of water not less than 5 metres from the nozzle.
 - b) There shall be a reel that complies with the current British or European Standard, with a hose not less than 35 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand nozzle.
 - c) Hoses shall be housed in a red box and marked "HOSE REEL". Access to the fire point shall not be obstructed or obscured.

- (iii) Where hydrants are provided, hydrants shall conform to the current British or European Standard.
- (iv) Access to hydrants and other water supplies shall not be obstructed or obscured.
- (v) Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point shall be provided with water extinguishers (2 x 9 litres) which comply with the current British or European Standard.

Fire Warning

- (vi) A suitable means of raising the alarm in the event of a fire shall be provided at each fire point.

Maintenance and Testing of Fire Fighting Equipment

- (vii) All alarm and fire fighting equipment shall be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of, the licensing authority or the Fire and Rescue Service.
- (viii) A record shall be kept of all testing and remedial action taken.
- (ix) All equipment susceptible to damage by frost shall be suitably protected.

Fire Notices

- (x) A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

On discovering a fire:

- I. Ensure the mobile home or site building involved is evacuated.
- II. Raise the alarm.
- III. Call the fire brigade "999."

20. Fire safety measures for a site that is occupied by different family groups

- (i) Where the site is occupied by more than one family living as a separate occupancy, so that there are common shared areas, the Regulatory Reform (Fire Safety) Order 2005 applies. In these situations the site owner shall make available the latest version of the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 for inspection by residents and when demanded, a copy of the risk assessment shall be made available to the Council.

21. Licence Fee

An annual licence fee will be charged to the site owner in accordance with the current Epping Forest District Council Licence Fee Policy.

Advice Notes to the Standard Site Licence Conditions for Gypsy Roma and Traveller Sites in Epping Forest District

Advice Note 1: Bases

New bases should be laid as a minimum in accordance with the current industry guidelines issued by the National Park Homes Council and the British Holiday and Home Parks Association.

The Industry's current standard for the bases provides:

“A hard core base to a minimum depth of 150 mm, well consolidated and topped with 100 mm of concrete (mix as BS8500-2:200610) shall be used. The finished raft must be generally level with due allowance for surface drainage. Where the ground conditions so require, thickening or the introduction of reinforcement of the raft may be necessary.”

Particular attention should be paid to the terrain of the site before a base is laid, which may mean a thicker base is needed. The base should be sufficient to handle the load placed upon it by the caravan and its contents.

Advice Note 2: Gas

The safe use, maintenance and storage of portable and bulk gas supplies and appliances is closely controlled by legislation.

The HSE website, www.hse.gov.uk, provides details and information about the various legislative requirements, guidance and contacts if further information is needed.

In addition the trade body for LPG suppliers, uklpq, www.lpga.co.uk, also has useful guidance and information.

The only people allowed to carry out work on gas (including natural gas) or oil installations are those that are suitably qualified and they must be GasSafe Registered. Details of qualified contractors can be found on line at [Gas Safe Register](#) or by calling on **0800 408 5500**.

Advice Note 3: Electrics

The safe use, maintenance and supply of electricity to domestic premises including mobile home sites is closely controlled by legislation.

The electrical installations on the site will be a distributor's network either belonging to the local regional electricity network operator or the owner of the site.

The HSE website: www.hse.gov.uk contains information on the electricity legislation which may apply to the site and can provide guidance and contacts if further information is needed.

The only people allowed to carry out electrical work on electrical installations and appliances, including maintenance and inspections, are those that are suitably

qualified This includes a professionally qualified electrical engineer, a member of the Electrical Contractors Association, a contractor approved by the National Inspection Council for Electrical Installations Contracting, or a qualified person acting on behalf of the above.

All new installations must meet the requirements of the current regulations and must be maintained at that standard.

Advice Note 4: Water Supply

OFWAT lay down service standards for the water suppliers and details can be found on their website at www.ofwat.gov.uk.

Anyone involved in the provision or maintenance of water supplies to the site must be suitably qualified which may be by NIC certification or other approved body. Details of the NIC scheme are found at www.niccertification.com.

Advice Note 5: Environment Agency

For further information on obtaining Flood Defence Consent, or to determine whether a water course is classed as a main river, please contact the Environment Agency on 01707 632639.

For information regarding permits for non-mains foul water drainage systems, please contact the Environment Agency customer contact number on 08708 506 506.

Appendix 2

Key Differences between Conditions on Permanent Residential Park Home Sites and Gypsy Roma and Traveller Sites

Section of Conditions		Changes	Comment
Throughout – use of terminology		The term 'park homes' is used throughout for Permanent Residential Park Home (PR) Sites whereas Gypsy, Roma and Traveller (GRT) sites are referred to as 'mobile homes'	'Park homes' is generally used in guidance to refer to mobile homes occupied by the settled community while GRT communities generally prefer the term 'mobile homes'
'General'	(ii) & (iii)	The conditions for permanent residential sites include occupancy conditions and a requirement that park homes comply with BS3632 while these are excluded from GRT sites.	These requirements would be contradictory to the traditional lifestyle and beliefs of most GRT communities.
2 Density and Spacing	(i)	GRT conditions include a reference to 'tourers' (touring caravans) which is excluded from the conditions for PR sites. GRT conditions to allow for reduced spacing of 6m where homes already exist, only if they cannot be that cannot be readily relocated to meet the spacing requirement	Residents on GRT sites frequently have touring caravans which, if parked in the separation distance between mobile homes could facilitate the spread of fire from one mobile home to another. GRT sites generally have more available land for re-siting homes without compromising other occupiers. Where at all possible the 6m spacing should therefore be complied.
	(iv)(c) & (d)	Both sets of conditions include requirements concerning structures within the separation space. This includes 'amenity buildings' for GRT sites but not PR sites.	GRT sites often include buildings that house facilities for toileting, washing, cooking and dining. These, being of a similar nature to garages and carports, have been treated in the same way.
11 (GRT) Amenity Buildings		A condition is included specifying the construction of toilet and bathing facilities on GRT sites which is omitted from the conditions for PR sites.	As above. If these facilities are provided outside of the main living accommodation and it is necessary, therefore, to set requirements on their construction.

Section of Conditions		Changes	Comment
12 (GRT Sites) Surface Water Drainage 13 (GRT Sites) Foul Water Drainage 11 (PR Sites) Drainage and Sanitation		The PR sites have a single set of conditions relating to drainage and sanitation while the GRT have separate conditions for surface and foul water drainage.	The good practice guidance for Council's in respect of drainage systems has been updated since the conditions for PR sites were agreed. When the conditions for PR sites are reviewed they will be revised in line with the legislation and good practice in existence at that time.
15 (PR) & 17 (GRT) Notices and Information	(ii) to (v) incl.	The PR conditions include some requirements relating to the information that is displayed on the site that vary slightly from the GRT conditions.	PR sites are generally larger and run as businesses while GRT sites are much smaller and are occupied on a non-profit making basis by members of a single family or community group. For this reason some of the information required in the PR conditions, such as a plan of the site and the address of the site owner, are unnecessary.
16 (PR) & 18 (GRT) Flooding		The conditions for GRT sites provide greater detail of the requirements than the PR conditions	Because of their location, the District's current PR sites are less likely to be at risk of flooding than the GRT sites. It was considered necessary therefore to include additional safeguards in the GRT conditions. The risk of flooding would be taken into consideration in the application stage of any Planning Permission for future sites.
17 & 18 (xi) (PR) 19 (x) & 20 (GRT) Fire Safety		There are slight variations to the two sets of conditions to take account of the differences between the ways that sites are occupied. The contravention relating to separation space between existing homes on site at the date of the new licence will only be allowed where the homes cannot be readily relocated to meet the spacing requirement set by the licence conditions.	PR sites are generally larger and run as businesses while GRT sites are much smaller and are occupied on a non-profit making basis by members of a single family or community group. There is generally more available land on GRT sites to relocate homes to comply with space requirements, without unreasonably disturbing existing residents

Section of Conditions		Changes	Comment
Advice Notes		The GRT conditions include advice notes and diagrams to provide an explanation of some of the conditions and definitions of some of the terms used. These are omitted from the conditions for the PR sites but consideration will be considered to including them if the conditions are updated in future.	It is not considered that it would be effective to consult with GRT communities in the same way as with residents on the PR sites who, in most cases, have residents associations to represent them and through which officers can channel communications. For this reason it was felt that it would be reasonable and equitable to include additional explanatory information in the site licence conditions for GRT sites.