

Abridge Park Residents Association

Chairman: Peter Baines Treasurer: Bob Foster
Committee: Ted Bailey; Jan Stevenson; Annette Reynolds
Social Secretary: Frances Barker
General Secretary: Graham Wise
31 Abridge Park
London Road
Abridge
Essex RM4 1 XS
Tel 01992 813988
aretost@iscali.co.uk

3 June 2010

Mr Sally Devine
Epping Forest District Council
Council Offices
Epping

Dear Mrs Devine

Adoption of Revised Standard Caravan Site Licence Conditions

The enclosed petition was instigated and the signatures collected by a non-member of this Association. At the time this Association was in discussions with Epping Forest District Council and the committee declined from being involved in the petition.

Our discussions however have had no effect on the wording of the proposed Site Licence Conditions and we, the committee, now find we have no alternative but to fully agree with and support the petition. This means that 98% of occupied homes on Abridge Park have put their names to the petition.

The following committee members, and their partners, agree to have their names added to the petition:

Mr Peter Baines	14 Abridge Park
Mr Bob Foster	4 Abridge Park
Mrs Annette Reynolds	12 Abridge Park
Mrs F Barker	54 Abridge Park
Mrs J Stevenson	64 Abridge Park
Mr E Bailey	68 Abridge Park
Mr G Wise	31 Abridge Park

In view of the total support for this petition, we would request most strongly that the attached statement is read to the "Cabinet" at the meeting on 7th June 2010.

Yours sincerely

Peter Baines
Chairman

On behalf of the committee and members of
Abridge Park Residents Association

Graham Wise
Secretary

To be read at the Cabinet Meeting to be held on 7th June 2010 at which the Adoption of Revised Caravan Site Licence Conditions will be presented.

This statement is presented by Abridge Park Residents Association, a fully recognised Residents Association with 93% of Abridge Park homes as members.

Statement:

We fully accept the replacement of garden sheds, we understand this to be a Government recommendation since 1989. although this has never been part of Abridge Park Rules (issued by Abridge Park Owners) and indeed the Park Owners themselves were installing wooden sheds with new homes as late as 1997.

We do disagree most strongly on the refusal to allow the retention of privacy fences between homes. It is our belief that everyone has a right to privacy, especially where homes are situated fairly close together, this is indeed why your own planning department will not allow windows in the side of loft extensions.

We fully understand that wooden fences are liable to burn, this applies to any home anywhere, and is particularly a risk in traditional homes that have large wooden sheds and garages very close to them - on both sides of the fence.

Why therefore are Park Homes being "picked upon" when, in traditional homes, the rear garden is regarded as nothing to do with the council even though the homes may actually be joined together.

This would seem to be victimisation.

In the recommendations to the Cabinet it states that new porches will require linked fire alarms, but this requirement is not retrospective. Why are existing fences to be removed, surely this should only apply to new fences.

We are all fully aware of the wish for 100% safety, especially Park Home residents, who are required by law to have fire extinguishers and fire blankets, but we all feel the risk is far outweighed by our right to personal privacy in this instance.

Could we please be informed of the history of fire occurrences in Park Homes and Park Home sheds/fences when compared to traditional homes?

We feel, as do 98% of Abridge Park residents in their petition that the condition regulating fences is too rigid and should not be totally retrospective.

Abridge Park Residents Association

To Epping Forest District Council
Civic Offices, High Street,
Epping,
Essex,
CM16 4BZ.

4th July 2010

To Councillor Dave Stellan Housing Portfolio Holder and all Members of the Cabinet and The Overview and Scrutiny Committee.

From Residents of Owl Park, The Elms, Ludgate, Abridge Park, The Woodbine & Breach Barns.

Re: Revised Standard Caravan Site Licence Conditions

Enclosed

1 Report outlining our objections to the new regulations being imposed retrospectively

2. Challenges to the Cabinet Meeting 7th June

3. Petitions against the new regulations being imposed **Retrospectively**.

Petition from The Owl, Lippitts Hill, Loughton

Petition from The Elms, Lippitts Hill, Loughton

Petition from Ludgate House, Hornbeam Lane, Sewardstonebury

Petition from Breach Barns, Waltham Abbey,

Petition from The Woodbine, Waltham Abbey

Petition from Abridge Park, presented previously for Cabinet Meeting.

1 Report outlining our objections to the new regulations being imposed

The recent adoption by the Cabinet of the Revised Caravan Site Licence Conditions at the Cabinet meeting of the 7th June is causing untold worry and Stress to the residents of Owl Park and Elms Park. Some residents (many who are elderly) are so stressed that they are unable to sleep through worry about the possible ramifications, which could follow if the Licence Conditions are enforced in the current form.

We are aware that the Cabinet decision has been 'called in' and will now be considered by The Overview and Scrutiny Committee on the 12th July 2010. We are therefore requesting Members of the Overview & Scrutiny Committee and Cabinet Members to consider the points outlined in this report and to amend the decision in favour of our various objections and NOT to impose the new regulations retrospectively.

Use of word 'Caravan'

Firstly may we request that the word 'caravan' be removed from the title and replaced with the words 'Park Home' and also that all reference to 'caravan' be replaced with the same 'Park Home'. The Note (a) on Appendix 2 states that 'caravan', 'mobile home' and 'park home are interchangeable when the structure complies with the legal definition of a 'caravan'. The term 'caravan' is insulting and deriding to home owners. These homes are not caravans in the sense that 100% of all people would understand. The use of the word mobile home is also misleading as they are only mobile when they are on the back of a lorry when being delivered or are mobile in the sense they are placed on a chassis with wheels and can be nudged into position using the wheels when they are being sited. You cannot drive a Park Home nor can you tow a Park Home so by most peoples understanding of the word mobile it is not. They are occupied as a permanent residence and the Term Park Home is most appropriate.

General

We believe to adopt the new regulations retrospectively is unacceptable and we believe the new regulations should apply only to new homes from the date of adoption. We believe by the Councils own admission (Item 9 of the report to Cabinet) you have failed in your duty to enforce regulations and or give guidance to Site owners or home owners **has negated the Councils right to take enforcement action against any of the existing contraventions.** Many of the contraventions such as a minimum 3m distance of homes from the boundary of the site has stood from the inception of the Sites and the Council obviously gave permission at the time which was in fact in contravention of their own regulations. The 3m minimum distances from the boundary has not been known by the residents only by the Site owners. We are talking about a period of more than 45 years that many homes have been in their current position on the site and authorised through planning applications passed by the Council. Homes have been brought and sold many times during this period with the homeowners having no knowledge of this regulation. Also what about the 4 year rule?

Existing contraventions should therefore be tolerated **without condition** and the regulations should apply only to new homes. It is normal when new planning regulations are introduced over the years that they apply to new build only, otherwise half the homes in this country would be deemed to contravene modern regulations appertaining to toilets, bathrooms, footings, wiring, fuses, and fire rated building materials. We require the same sensible non-retrospective introduction of new regulations to apply to Park Homes.

Failure to remove the word **retrospective** and to introduce the new regulations from the date they are imposed **will** devalue our properties and make many homes virtually worthless. The unique nature and beauty of our homes has been built over many years with innovative planting and design with residents relishing their privacy and environment. No Solicitor would allow a client to purchase a home, which was in breach of the regulations. **Residents will seek full compensation from Epping Forest District Council and its Members for the loss of value and the unbearable stress caused home owners if the current homes are not fully exempt from the new regulations.**

Fences, Hedges and Sheds

With regard to the new regulations regarding wooden fences or hedges being a maximum of 1m high this is totally unacceptable and an infringement of residents 'Human Rights' and 'Right to Privacy' within their own gardens. The idea that Park Home owners should be subject to such a draconian regulation based on a Fire Service recommendation is insulting and condescending at the very least. There has been no fire at Owl Park in 45 years and only one fire in 40 years at The Elms and to our knowledge the fire did not spread and was contained within the one home. The fact is that there are hundreds of homes in Epping Forest with wooden structures (many terraced), barn conversions with wooden fences, wooden conservatories, Sheds and with Pergolas attached to the houses. The vast majority do not have an 18ft gap between them also of course brick houses burn as well. Park homes are always detached with a minimum of 18ft between every home surely making them less of a risk. These regulations must not be imposed retrospectively in fact it is doubtful they should be imposed even for new homes.

(Item 3. Appendix 2 Boundaries and Plan of Site ii) & (Item 4. Appendix 2 Density, Spacing and Parking Between Caravans ii)

Many or most of the residential homes on the Owl and Elms sites do not conform to the regulations and most worrying with regard to (Item 3. Appendix 2 Boundaries and Plan of Site ii) which states "No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site", **it would be impossible to comply** with this regulation because there is no room to move the home. This would involve about one third of the 60 homes on these sites. These homes have been in place for about 25 years and the site plan was obviously agreed by the Council at the inception of the site. Home owners were not even aware of this regulation and have bought and sold their homes freely over the past 45 years without fear or favour. During these years the Council been receiving Council Tax as with all home owners and the site owner has complied with all Fire and Alarm conditions. Also the same applies to (Item 4. Appendix 2 Density, Spacing and Parking Between Caravans ii) which states, " No caravan shall be stationed within 2 metres of any road or communal car park. Again this would be impossible to implement.

It is therefore imperative that these homes are declared **exempt without exception** from the said regulations as stated in the above paragraph on the basis that by their historic nature they have been accepted by the Council via original site plans for the past 45 years and that if they were not specifically exempt the value of the homes would be all but worthless. We believe this would be an infringement of our human rights and would place untold stress and worry on the residents who are mostly elderly some in their late eighties.

The consequences of you imposing these regulations retrospectively are unimaginable. As it stands today all homes not complying with the Boundary regulations (PROBABLY 400 HOMES) are unsaleable and have in effect been made worthless by the Council. We the residents will hold the Council and its Members fully responsible for the financial loss and the stress this is causing. This applies **today** for all those currently trying to sell their homes.

2. Challenge Specific to the Cabinet meeting 7th June 2010

1. The Cabinet started the discussion about this most important item at 9.40pm after a long meeting. Nearly every Councillor who spoke on this item apologised to Members along the lines of " sorry Members I know its getting close to the 10pm deadline but.....

It is obvious from the Webcast that this item was not given sufficient time and was rushed to beat the 10pm deadline. This is not acceptable. The item should have been deferred until the next Cabinet meeting.

2. Councillor Stallan opened the discussion by apologising that the letter from the Abridge Residents was only given to Members at the meeting and the letter was not read out as requested by the residents.

Again this is not acceptable, Members should have received the letter at least the previous day to have adequate time to study the content and it was only manners that the letter should have been read aloud as requested. Again this was probably because the 10pm deadline was looming. This is not acceptable. The item should have been deferred until the next Cabinet meeting.

3. A Councillor raised the issue that not all Site owners had received letters informing them of the proposed changes in fact only two site owners responded and others said they had not received a letter. The Officer said that he had instructed Park Homes Legal Services Ltd who had compiled the report to notify all Site owners and relevant parties. It was also admitted that none of the 835 home owners had been notified. It was agreed that letters would now be sent to all residents informing them about the revised regulations.

*This is totally unacceptable. The residents **who are** of course the most relevant parties have not had the opportunity to respond. Therefore the Council has failed to carry out their obligation to consult all Site owners and relevant parties as stated in item number 5 of the report to Cabinet. The Members were aware of this before they agreed to pass the report. This surely amounts to gross irresponsibility by the Members and a total disregard of the concerns of 835 residential home owners.*

4. Councillor Webster asked how the report by Park Homes Legal Services Ltd was compiled. The responsible Officer Sally Devine said that the main thrust of the report was aimed at preventing the possible spread of fire. She said that recommendations concerning the banning of wooden sheds between homes and the rule that fences and hedges should be no more than 1m high were taken from a Fire Services report, which was a general, report and was not specifically aimed at Park Homes. She then said that the information was fed into a computer simulation, which then produced the report.

It seems apparent that Members had not had the opportunity to study the report in depth and subsequently did not have the opportunity to evaluate the findings. The questions already covered above regarding letters to home owners and about how the

report was compiled demonstrate that Members were not in possession of the full facts and of course the whole discussion was being rushed to beat the 10pm deadline.

It is also clear that to impose these regulations on Park Homes only is blatant prejudice and victimisation of Park Home owners. The Officer said the Fire Services report was not specifically aimed at Park Homes so if the Council wish to impose these conditions it must include all properties of a wooden structure which would include all Barn conversions and many hundreds of homes built with wooden structures. Many of the new homes on the Meridian estate in Waltham Abbey fall into this category. If the Council are determined to impose these regulations they should not be retrospective.

To Epping Forest District Council

Petition against the Revised Standard Caravan Site Licence Conditions being imposed retrospectively.

We the Residents of BREACH BARNS

.....
Object to the Revised Standard Caravan Site Licence Conditions for Permanent Residential Sites being imposed retrospectively. We consider this to be an infringement of our Human Rights and our Rights of Privacy

Name & Address

Signature

We are writing to object to the following proposals which are detailed within the Revised Standard Caravan Site Licence Conditions to be considered by the Overview and Scrutiny Committee on 12th July.

1. No Park Home should be sited closer than 3m from the boundary of the site or within 2m of any road or communal car park.

The implications of this rule are that if your home is closer than 3m to the boundary or closer than 2m to any road or car park you are in contravention of the regulations, which could in effect make your home worthless because any prospective buyer would be advised by any solicitor not to purchase a home that was technically illegal. Additionally it is technically possible that the Site Owner or the Council could ask that your home be removed. We consider this regulation to be an infringement of our human rights and would impose unbearable stress and worry to any resident affected. Most of the homes in contravention of this regulation have been in their current position from the inception of the site many for over 40 years. This regulation cannot and must not be enforced retrospectively.

2. All wooden sheds or sheds of combustible material between homes must be removed within 6 months.

This is totally unacceptable it has not been enforced over the past 40 years. This regulation cannot and must not be enforced retrospectively. We consider this regulation to be an infringement of our Human Rights (Section 8) and would impose unbearable stress and worry to any resident affected. Why should we have such a draconian regulation imposed on Park Home owners when all our homes are detached with a minimum distance of 18ft between each home? Surely we are less of a fire risk than the thousands of terraced houses and many thousands of other wooden structure houses in the District who are not subject to the same regulations. This is pure victimisation.

3. Fences and Hedges must not be higher than 1m and should comply within 3 years

With regard to the new regulations regarding wooden fences or hedges being a maximum of 1m high this is totally unacceptable and an infringement of residents "Human Rights" (Section 8) and "Right to Privacy" within their own gardens. The idea that Park Home owners should be subject to such draconian regulation based on a Fire Service recommendation is insulting and condescending at the very least.

The fact is that there are hundreds of homes in Epping Forest with wooden structures (many terraced) barn conversions with wooden fences, wooden conservatories, sheds and with pergolas attached to the houses.

The vast majority do not have an 18ft gap between them. Also of course, brick houses burn as well.

Park homes are always detached with a minimum of 18ft between every home surely making them less of a risk. These regulations must not be imposed retrospectively, in fact it is doubtful they should be imposed even for new homes.

The proposals will down value the properties.

The uniqueness and charm of the site is due to the established gardens created by the

29 June 2010 AOL: paulabright

residents. This has afforded the homes to achieve a substantial investment value.

Should the proposals be approved, we intend to take legal action to claim full compensation from the council for any loss of value to our property and to recover any other costs that may be incurred implementing said proposals.

Yours faithfully

ALL THE RESIDENTS.

LUDGATE HOUSE
HORNBEAM LANE
E4 7QT

29 June 2010 AOL

1 of 2

COPY OF
ORIGINAL
SENT
30/6/10

MR BERNARD J LEVERETT
11 The Lindens
Woodbine Close Park
(SINES S.E Ltd PARK HOMES)
Waltham Abbey
Essex EN9 3RN

(T.Ph: /

EPPING FOREST DISTRICT COUNCIL
Civic Offices
High Street
Epping
Essex
CM16 4BZ

29th June 2010

FOR THE ATTENTION OF:-

- 1. THE LEADER OF COUNCIL – COUNCILLOR DIANA COLLINS**
- 2. THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE – COUNCILLOR RICHARD MORGAN**

I am in receipt of a copy of the 'revised *Standard Caravan Site licence Conditions*' which apparently were approved by cabinet in a very recent Epping Forest District Council meeting which has been 'called in' by Councillor Elizabeth Webster.

May I first correct the reference to the word 'caravan' which seems to refer to my home which is NOT a caravan and is a luxury 2 bed-room, two bath room *PARK HOME* which has full central heating, is double glazed and is built to very high standards with full smoke and carbon dioxide detection. It is also built to full flame retardant and flame resistant specifications, which is more than some conventional built brick and mortar homes. All *park homes* on this site and any park home site must adhere to these stringent requirements.

I have been a professional in the aviation world for most of my life and my wife and I moved to Woodbine Close Park in August 2007. We moved here for a quiet semi retirement and purchased our new park home here because it was a beautiful part of the country side and the residents here were all here basically for the same reasons. Many are quite elderly and the last thing they need is the hassle of councils passing 'retrospective' site licence conditions which are going to cause immense worry and unnecessary stress.

2 of 2

The three revised conditions proposed effect existing:-

1. Park Home Site Boundary limits.
2. Wooden Sheds/sheds of combustible material
3. Fences and Hedges height

Myself and the residents feel that there has been no consideration for the rights of the residents of Park Homes and the fact that existing boundary's, garden storage and fences and hedges have been there for many years. (Some for as long as 40 years). The new regulations would infringe their right of privacy and disrupt their lives so much that many would consider requesting re-housing and with all the stress that will cause the council may regret their lack of thought on this matter.

We would urge to re-consider the 'retrospective' enforcement of these revised Licence Conditions and consider a compromise by the gradual introduction of Fire Service recommendations by inspection/s by them and then a realistic gradual implementation with help where it is needed. We have no more a fire risk on our park home sites then any local housing estate, in fact in many ways we are safer by having fire hose points at regular intervals around the park.

The size of our partition which will be lodged by next week reflects the strong feelings that have been generated by the proposed 'retrospective' changes.

Yours sincerely



Mr B J Leverett

Copy to: - Councillor Elizabeth Webster

Dear Councillor,

MODEL STANDARDS 2008 FOR CARAVAN SITES IN ENGLAND

REPORT TO CABINET REF: C.001-2010/11

I am the Chairman of the Roydon Mill Residents Association (RMRA), and it is in that capacity I write to you.

We are very concerned about the Model Standards 2008 for Caravan sites in England especially as we had no idea of their existence. We were fortunate that one of our Members saw a report in the local newspaper that EFDC were going to discuss these Standards. We were surprised that District Councillors were going to make a decision about their residents without ever consulting them. Some of our Members attended the Cabinet meeting and were more shocked when this very important items was just passed "on the nod" at 9.50pm that evening. By the lack of questions it was quite obvious that Members had not read the Officers report or had not grasped the seriousness of the implementations the Model Standards posed. Having obtained as much documentation on the subject we could we found that the Officer has just taken the Model Standards and enshrined them in EFDC policy. When you read the Standards you will see that Section 3 states:

These standards should be considered when applying licence conditions to new sites and sites that have been substantially redeveloped.

In considering variations to existing site licences or applications for new site licences for existing sites local authorities should consider whether it is appropriate for these standards to apply.

In relation to variation of a licence the local authority must consult the site licence holder on its proposed variations and may wish to consult with residents or a Residents' Association, where appropriate.

Where a current licence condition is adequate in serving its purpose, the authority should not normally apply the new standard.

Where it is appropriate to apply the new standard to a condition the local authority should be able to justify its reasons for doing so, having regard to all the relevant circumstances of the site.

In deciding whether to apply a new standard the local authority must have regard to the benefit that the standard will achieve and the interests of both residents and site owners (including the cost of complying with the new or altered condition).

We have approached other people to read this document and are all agreed that each park should be assessed individually.

The last part of this Section states the local authority must have regard for a number of things including costs. We do not consider a £250 interest free loan as having a regard to costs!!!

Section 16 covers flooding. This site is in a flood risk area, although Planning Officers ignore this point when dealing with applications. Most of the hedges will have to be removed to comply with the 3 meter rule, and this will exacerbate the flooding problem.

We think that the Committee should adjourn making any decision on this document until:

1. a full consultation takes place with all the residents who will be affected by this, as they are the ones who are going to have to pick up the costs
2. Decide are you really going to ask residents to pay for this Government folly and then ask them to pay the salary of an Enforcement Officer

Or better still adjourn this Model Standards 2008 for Caravan Sites in England sine die, because throughout this debacle Epping Forest District Council have not shown a duty of care to residents nor ratepayers.

John Sweeting,

Chairman – Roydon Mill Residents Association

Copies:

Members of the Scrutiny Committee

District Cllr. Mrs. M. Sartin

Robert Halfon MP,

Roydon Parish Council

PORA – Mr. A. Burgess

Hertfordshire Mercury