

Report to the Cabinet

Report reference: C-069-2010/11

Date of meeting: 18 April 2011



**Epping Forest
District Council**

Portfolio: Housing

Subject: Adoption of Standard Caravan Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council

Responsible Officer: Sally Devine (01992 564149).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) That following consultation with park home site owners, residents and statutory consultees, and having regard to the recommendations of the Overview and Scrutiny Committee and the Housing Scrutiny Panel, the revised 'Standard Park Home Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council' attached at Appendix 1 be adopted, including variations from the Model Standards 2008 for Caravan Sites in England as follows with regard to:

(a) Domestic refuse storage disposal;

(b) Two external doors being allowed if a mains-linked smoke detector is installed as required;

(c) The height of hedges and fences between park homes on new and existing sites being no more than 2 metres;

(d) Trees not being considered to be hedges and therefore not being subject to any height restriction, provided they do not present any nuisance or health and safety risk;

(e) Sheds not being classed as structures in relation to fire risk; and

(f) Timber and combustible sheds being allowed in the separation space between park homes;

(2) That the following, being deviations from the conditions contained within the 'Standard Park Home Site Licence Conditions for Residential Sites in Epping Forest District', and also the Model Standards 2008, will be allowed to remain on existing sites, provided they are in place at the date of the new site licence.

(a) Any park home, or combustible structure, positioned within 3 metres of the boundary of the site;

(b) Any park home that is located less than 6 metres from any other park home;

(c) Any park home positioned within 2 metres of any road or communal car park within a site ; and

(d) Any porches, larger than 2 metres by 1 metre, unless they pose a fire risk or other danger;

(3) That, following a further consultation exercise, site licence conditions based on these standard site licence conditions also be considered for use in respect of Gypsy and Traveller sites that have planning permission as permanent residential park home sites; and

(4) That, in due course, holiday sites be similarly licensed in accordance with the relevant model standards.

Executive Summary:

It is a statutory requirement for local authorities to issue licences on all their park homes sites and to decide what conditions to attach. 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.

The Council's current standard site licence conditions have not been revised for many years and it is considered that it would now be appropriate to set new conditions for the permanent, residential sites that are in line with these national 'model' standards, but also include variations to take account of local circumstances and historic agreements, following consultation with park home residents and site owners.

Following two separate consultation exercises and consideration by both the Overview and Scrutiny and Housing Scrutiny Panels, 'Standard Park Home Site Licence Conditions for Residential Sites in Epping Forest District Council' have been drafted and these are attached at Appendix 1. Members are asked to agree these conditions, with the changes and exceptions outlined in the Report, which take on board the recommendations of the Housing Scrutiny Panel with minor exceptions, so that new licences can be issued to all site owners of existing residential park home sites in the District.

Reasons for Proposed Decision:

The existing site licence conditions for park home sites in Epping Forest District have not been reviewed for many years. New proposed standard park home site licence conditions for permanent residential sites were drafted to ensure conditions are relevant, consistent and will adequately protect the health and safety of people residing at, or visiting, sites within the District. There were strong objections to the recommendations initially made to the Cabinet on 7 June 2010 (C-001-2010/11) and, in the light of this, the decision has been considered by both the Overview and Scrutiny and Housing Scrutiny Panels and a further consultation exercise carried out including all the District's park home site owners and residents. The Cabinet is asked to agree the revised 'Standard Park Home Site Licence Conditions for Residential Sites in Epping Forest District' attached at Appendix 1 in the light of the recommendations of the two Panels and the responses to this consultation.

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 park home sites.

The option of imposing new conditions when a site is licensed with a new owner has been

discounted as this would result in improvements only being made when sites changed ownership. Such an approach would also mean that standards across the District would be inconsistent.

There is also an option not to agree the changes and exceptions in the recommendation, however, as these are being proposed in the light of the informed views of the majority of residents that responded to the consultation, this option is not being considered.

Report:

1. It is a statutory requirement under Section 5(6) of the Caravan Sites and Control of Development Act 1960 for local authorities to issue licences on all their mobile homes sites and to decide 'what (if any) conditions to attach'. This applies to all park homes sites, including permanent residential sites, static holiday and touring caravan sites. There are currently 16 residential sites, 5 agricultural and 5 holiday sites in the District, the two largest of which are licensed for 250 and 209 units each. Site licence conditions cover health, safety and fire prevention issues and it is an offence for the site owner to fail to comply with the conditions set.

2. Members are reminded that for legislative purposes the term 'caravan site' is used. However, this is synonymous with the terms 'mobile home' and 'park home' which are more appropriate descriptions of the permanent residential sites now found, and are terms preferred by site owners and residents.

3. In order to ensure that conditions are relevant and in line with current legislation and guidance it is necessary to review and update conditions from time to time. In April 2008, the Government produced new standards for permanent residential park homes sites, the 'Model Standards 2008 for Caravan Sites in England', providing a framework upon which councils could base their site licence conditions. As the Council's current standard site licence conditions are outdated and have not been revised on many sites for at least 30 years, in 2008 the Council began the process of revising its site licence conditions in line with the model standards.

4. Before amending any site licence the Council is obliged to consult the owner of the park home site and other relevant parties. A consultation process was undertaken on the Council's behalf by a specialist consultant, Park Homes Legal Services Ltd, on suggested new site licence conditions for the District. Comments from respondents were considered and where appropriate the draft conditions were modified accordingly. Most comments requested clarification in respect of spacing between homes; in addition the Fire Service advised that the condition concerning hedges within 3 metres of an adjacent caravan be amended and the Environment Agency advised rewording of the condition relating to Domestic Refuse Storage and Disposal in line with this Council's waste disposal arrangements.

5. At its meeting on the 7 June 2010, the Housing Portfolio Holder presented a report to the Cabinet on proposed new licence conditions for all new and existing permanent residential park home sites within the District (C-001-201/11). Although the Cabinet agreed the recommendations in the Report, two aspects of the decision were called-in by 5 Members, for review by the Overview and Scrutiny Committee. The two specific issues related to the call-in were:

- (a) that insufficient consultation had been undertaken with residents and ward members; and
- (b) that insufficient consideration had been given to the impact on the privacy of residents by requiring the lowering of hedges and fences to 1 metre, and requesting existing

hedges/fences to remain at a maximum of 2 metres.

6. The Committee met on 12 July 2010 to consider the Call-in and was attended by an Assistant Divisional Officer from the Essex Fire and Rescue Service and the lead petitioners from each of the five largest park homes sites in the District. The Committee agreed to refer the decision back to the Cabinet for further consideration and the Housing Portfolio Holder agreed to ask the Housing Scrutiny Panel to undertake a detailed review of all the proposals and make recommendations on the way forward.

7. The Housing Scrutiny Panel considered this at its meeting on 8 September 2010. The five Lead Petitioners were invited to give their views orally at the meeting on the issues called-in and Divisional Officer Andy Stapleton and Assistant Divisional Officer Stuart McMillan from Essex Fire and Rescue Service answered Members' questions relating to fire safety. The decisions and recommendations to the Cabinet of the Housing Scrutiny Panel, is attached at Appendix 2.

8. In the light of the Panel's Recommendation (5), that all residents and site owners be consulted on both the licence conditions proposed by the Cabinet and the Scrutiny Panel's recommendations', officers carried out a further consultation exercise in December 2010 with a closing date for responses of 4 February 2011. Consultation packs were hand-delivered within the District or sent by recorded delivery to 632 residents and 12 site owners and lessees. All Members were also provided with copies of the consultation documents. The Consultation Pack included a booklet providing some background to the issues being considered and why the Consultation was being carried out, as well as a questionnaire that was designed to provide answers to the matters under consideration.

9. The consultation was carried out with specific reference to whether:

- (a) there was overall agreement with the Housing Scrutiny Panel's recommendations to the Cabinet proposals for new and existing sites;
- (b) porches larger than the dimensions laid down in the model standards could be retained;
- (c) existing park homes could still have two doors to porches, provided the home has a mains-linked smoke detector;
- (d) the height of fences and hedges on both new and existing sites should be limited and, if so, what the maximum height should be;
- (e) existing fences and hedges should be allowed to exceed 1m in height;
- (f) sheds should be considered to be 'structures' in relation to the definition within the model standards and to fire risk, and whether they should be allowed in the separation space between park homes;
- (g) existing sheds should be allowed to stay in place;
- (h) park homes or other combustible structures positioned within 3 metres of the site boundary should be allowed to remain if they were there at the date of the new site licence;
- (i) park homes located less than 6 metres from any other park home should be allowed to remain if it was there at the date of the new site licence; and
- (j) any park home positioned within 2 metres of any road or communal car park should be

allowed to remain if it was there at the date of the new site licence.

10. A report on the outcome of the survey, which was analysed using SNAP software, is attached at Appendix 3. The overall response rate was 45%. Only two of the twelve site owners responded. However, to summarise:

- (a) more than 70% of respondents agreed with the Housing Scrutiny Panel's recommendations for new and existing sites;
- (b) approximately 85% agreed that porches larger than the dimensions laid down in the model standards should be allowed to be retained;
- (c) almost 95% thought that existing park homes could still have two doors provided there as a mains-linked smoke detector;
- (d) 60% and 50% respectively, agreed that the height of fences and hedges on new and existing sites should be limited; of those 60% agreed that the maximum height should be 2 metres;
- (e) just over half felt that existing fences and hedges should be allowed to exceed 1 metre in height but not to exceed 2 metres;
- (f) the majority view, expressed by just over 50% of respondents, was that sheds should not be considered to be structures in relation to fire risk and over 55% agreed that they should be allowed in the separation space;
- (g) over 90% of respondents agreed that existing sheds should be allowed to stay in place;
- (h) a similar percentage expressed a view that park homes or other combustible structures positioned within 3 metres of the site boundary should be allowed to remain if they were there at the date of the new site licence;
- (i) over 80% agreed that park homes located less than 6 metres from any other park home should be allowed to remain if they were there at the date of the new site licence; and
- (j) over 90% agreed that any park home positioned within 2 metres of any road or communal car park should be allowed to remain if it was there at the date of the new site licence.

11. These responses provide a clear view of the feelings of the majority of site owners and residents that responded to the Consultation. These views were expressed after residents had received detailed information from the Fire Officers at both the Overview and Scrutiny Committee and Housing Scrutiny Panel, and from the information provided in the Consultation Pack. It should be noted that the only majority view expressed by residents which differs from the Housing Scrutiny Panel's recommendation to Cabinet is in relation to the maximum height of hedges and fences. The Scrutiny Panel recommends that the maximum height should be 1 metre, in accordance with the Model Standards, except where existing hedges and fences do not comply on the date of the new licence being issued, in which case they can be any height with no maximum. Whereas the majority view of residents is that the maximum height of all fences and hedges should be 2 metres (irrespective of their height at the date of the new licence), the Housing Portfolio Holder's recommendation to the Cabinet is that the standard licence conditions should reflect the view of the majority of residents on consultation, and not the Housing Scrutiny Panel's recommendation, on this issue.

12. In the light of the outcome of the residents' consultation, therefore, it is recommended

that the conditions in the 'Model Standards 2008 for Caravan Sites in England' are adopted, with the amendments already agreed at the Cabinet with regard to domestic refuse storage and disposal, and the changes and exceptions outlined in 12(a)-(e) below, as the 'Standard Park Home Site Licence Conditions for Residential Sites in Epping Forest District':

- (a) existing park homes may have two doors if a mains-linked smoke detector is installed as required;
- (b) the height of hedges and fences between park homes on new and existing sites is no more than 2 metres;
- (c) trees are not considered to be hedges and are therefore not subject to any height restriction provided they do not present any nuisance or health and safety risk;
- (d) sheds are not be classed as structures in relation to fire risk; and
- (e) timber and combustible sheds are allowed in the separation space between park homes.

13. It is also recommended that the following outlined in 13(a) - (d) below, being deviations from the conditions contained within the 'Standard Park Home Site Licence Conditions for Residential Sites in Epping Forest District', and also the Model Standards 2008, will be allowed to remain on existing sites, provided they were in place at the date of the new site licence:

- (a) any park home, or combustible structure, positioned within 3 metres of the boundary;
- (b) any park home that is located less than 6 metres from any other park home;
- (c) any park home positioned within 2 metres of any road or communal car park within a site; and
- (d) any existing porch larger than 2 metres by 1 metre attached to a park home, unless it poses a fire risk or danger.

14. The proposed 'Standard Park Home Site Licence Conditions for Residential Sites in Epping Forest District' are attached at Appendix 1.

15. The Cabinet are reminded that the Fire Authority, whose views must be taken into account prior to any proposed amendments to site licence conditions affecting fire safety, consider that the Council should adopt the model standards without exception. However, the model standards on which the proposed site licences are based do allow the Council to depart from the model standards, to exclude or change one or more of the conditions about which residents have concerns if, having regard to the model standards and the views of the Fire Authority, it considers that:

- (i) the current licence conditions are adequate in serving their purpose in respect of these issues, and the new standards/conditions should not therefore, be applied;
- (ii) having regard to all the relevant circumstances of the sites, the Council is satisfied that it has justifiable reasons for allowing these contraventions that take place on the date of the new licence, after taking account of the representations made by existing park home owners and site owners; and
- (iii) the benefits that the new licence conditions will achieve (by complying with the model standards) are outweighed by the interests of existing residents and site owners in

respect of these issues, having regard to the substantial representations made.

16. The Cabinet is asked consider this Report in the light of the Housing Scrutiny Panel's recommendation and the subsequent consultation exercise and to agree the recommendations accordingly. The secretaries of the resident's associations and the site owners have been provided with a copy of this Cabinet Report.

17. The Government's Model Standards 2008 for Caravan sites in England excludes Gypsy/Traveller sites. However, several sites in the District have Planning Permission to be occupied by Gypsy and Traveller families on a permanent, residential basis and these sites are currently licensed in accordance with the existing licence conditions for our residential sites. In recent months several new Planning applications have been received from Gypsy families on unauthorised sites wanting to legitimise them. It is proposed that a second consultation process will involve these sites with the objective that the Epping Forest Model Standards be extended to include Gypsy sites that are occupied on a permanent residential basis.

18. Separate model standards exist for holiday caravan sites (revised 1989). A review of our existing licence conditions for these sites, to bring them in line with the 1989 model standards, is proposed in due course.

Resource Implications:

A part-time Technical Officer post has been appointed to specifically issue new site licences and enforce the standard conditions.

Legal and Governance Implications:

Caravan Sites and Control of Development Act 1960.
Model Standards 2008 for Caravan Sites in England.

Safer, Cleaner and Greener Implications:

Adopting new standard conditions in line with the Governments Model Standards 2008 for Caravan Sites in England will ensure measures are in place to protect the health and safety of residents on permanent residential mobile home sites.

Consultation Undertaken:

Specialist Consultants Park Homes Legal Services have carried out the initial consultation process and a further consultation has been carried out with all residents and site owners on both the licence conditions proposed by the Cabinet and the Housing Scrutiny Panel's recommendations in accordance with the Scrutiny Panel's wishes.

Impact Assessments:

Risk Management:

Failure to set and ensure compliance with appropriate licence conditions would compromise the health and safety of residents on permanent residential mobile home sites by limiting the control measures that may be imposed.

Although it is the Fire Authority's view that the Council should adopt the model standards without exception, the Council may depart from these if it considers that the benefits that the new licence conditions will achieve are outweighed by the interests of existing residents and site owners. The Council considers that the substantial representations made by the site owners and residents, in the full knowledge of the Fire Authority's recommendations, justify a

departure from the Model Standards, as indicated in the revised 'Standard Licence Conditions for Permanent Residential Park Home Sites in Epping Forest District Council' (Appendix 1), in this case.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? N/A

What equality implications were identified through the Equality Impact Assessment process?
N/A

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A



STANDARD LICENCE CONDITIONS FOR PERMANENT RESIDENTIAL PARK HOME SITES IN EPPING FOREST DISTRICT COUNCIL

Schedule of Conditions

General

- (i) *(name of park home site)* site is licensed for a maximum of () residential park homes;
- (ii) All residential park homes sited must be manufactured in accordance with the version of BS 3632: 'Residential park homes – Specification' applying at the time of siting or replacement;
- (iii) No park home may be occupied by numbers of persons in excess of that for which the park home was designed to accommodate.
- (iii) This licence shall only apply to that area of land in respect of which planning permission has been obtained to station park homes for permanent residential use.

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 park home or combustible structure shall be positioned within 3 metres of the boundary of the site. However, any park 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 Caravans

- (i) Except in the case mentioned in sub paragraph (iii) of this paragraph and subject to sub paragraph (iv), every park home must where practicable be spaced at a distance of not less than 6 metres (the separation distance) from any other park home which is occupied as a separate residence. However, any park home that contravenes this condition at the date on this licence will be allowed. *This condition will not apply to sites comprising just one park home.*
- (ii) No park 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 park home that contravenes this condition at the date on this licence will be allowed.
- (iii) Where a park 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 park home may be reduced to a minimum of 5.25 metres. *This condition will not apply to sites comprising just one park home.*
- (iv) In any case mentioned in subparagraph (i) or (iii):
 - (a) A porch attached to the park 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 park 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, a mains linked smoke detector complying with current British Standards. However, porches attached to park 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 park 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 park 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 park home.*

(c) Any structure including steps, ramps, etc (except a shed, 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 park home. *This condition will not apply to sites comprising just one park home.*

(d) A garage or car port may only be permitted within the separation distance if it is of non-combustible construction. *This condition will not apply to sites comprising just one park home.*

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

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

(g) Where Park Rules allow, private cars may be parked within the separation distance provided that they do not obstruct entrances to park homes around them and they must be a minimum of 3 metres from an adjacent park home. *This condition will not apply to sites comprising just one park home.*

(v) The density of park 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.

(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) Cable overhangs must meet the statutory requirements.

4. Footpaths and Pavements

- (i) Every park 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 park home.*

6. Bases

- (i) Every unit must stand on a concrete hard-standing.
- (ii) The concrete hardstanding must extend over the whole area occupied by the unit, 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.
- (iii) There shall be no more concrete hard-standings constructed than the number of park 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.
- (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 competent 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 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.
- (iii) Any work on electrical installations and appliances shall be carried out only by persons who are competent 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 competent person fully conversant with the appropriate statutory requirements.

10. Water Supply

- (i) All pitches on the site shall be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.

- (ii) All new water supplies 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 with current legislation and British or European Standards.
- (iv) 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.

11. Drainage and Sanitation

- (i) Surface water drainage shall be provided where appropriate to avoid standing pools of water.
- (ii) There shall be satisfactory provision for foul and waste water drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the local authority. Where effluent is removed from the site the licensee shall provide the local authority if demanded, with a copy of their Discharge Consent as issued by the Environment Agency.
- (iii) All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards.
- (iv) Work on drains and sewers shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British or European standards.

12. Domestic Refuse Storage & Disposal

- (i) Domestic waste including green waste originating from the individual plots are 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.

13. Communal Vehicular Parking

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

14. 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 park home.*

15. 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 together with the current name, address and telephone number of the licence holder and manager and emergency contact details, a copy of the site licence or the front page of the said licence and details of where the full licence and other information required to be available under this standard can be viewed and between which times (if not displayed on the notice board).
- (ii) A current plan of the site with roads and pitches marked on it shall be prominently displayed at the entrances to it. *This condition will not apply to sites comprising just one park home.*
- (iii) A copy of the current site licence shall be available for inspection in a prominent place on the site.
- (iv) In addition at the prominent place the following information shall also be available for inspection at the prominent place: *This condition will not apply to sites comprising just one park home*
 - (a) A copy of the most recent periodic electrical inspection report.
 - (b) A copy of the site owner's certificate of public liability insurance.
 - (c) A copy of the local flood warning system and evacuation procedures, if appropriate.
 - (d) A copy of the fire risk assessment made for the site.
- (v) All notices shall be suitably protected from the weather and from direct sunlight. *This condition will not apply to sites comprising just one park home.*

16. Flooding

- (i) The site owner shall establish whether the site is at risk from flooding by referring to the Environment Agency's Flood Map.
- (ii) Where there is risk from flooding the site owner shall consult the Environment Agency for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take.

17. Requirement to Comply with the Regulatory Reform (Fire Safety) Order 2005

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.

18. Fire safety measures where the Regulatory Reform (Fire Safety) Order 2005 does not apply (such as single unit sites and those sites solely occupied by family groups)

- (i) The standards in this section only apply if the site is **NOT** subject to the Regulatory Reform (Fire Safety) Order 2005.

Fire Points

- (ii) These shall be located so that no park 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

- (iii) 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.

- (iv) Where hydrants are provided, hydrants shall conform to the current British or European Standard.

- (v) Access to hydrants and other water supplies shall not be obstructed or obscured.

- (vi) 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

- (vii) 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

- (viii) 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.
- (ix) A record shall be kept of all testing and remedial action taken.
- (x) All equipment susceptible to damage by frost shall be suitably protected.

Fire Notices

- (xi) 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 park home or site building involved is evacuated.
- II. Raise the alarm.
- III. Call the fire brigade (the nearest phone is sited at).”

**Decisions and Recommendations to the Cabinet of Housing Scrutiny Panel
8 September 2010**

(1) That the following licence conditions proposed by the Cabinet, that differ from the Model Standards 2008, be included within the Council's proposed new site licences for both new and existing permanent residential park home in the District;

(a) Dimensions of porches to be restricted to the sizes set out in the Model Standards, but that a door be allowed to both the porch and the home, provided that a mains smoke detector is installed in the porch and the living space of the home;

(b) A requirement for the Council's domestic waste facilities to be used for domestic waste, and commercial waste facilities to be used for waste from common parts; and

(c) Existing porches that do not comply with the Model Standards at the date of the site licence issue be allowed to remain until either the porch or the park home is replaced, unless they pose a fire risk or danger;

(2) That the consultation undertaken by officers in respect of the proposed introduction of new licence conditions was appropriate at the time but, with hindsight, and in the light of concerns raised by, in particular, park home residents, lessons can be learnt for the future, including the fact that both park home site freeholders and leaseholders should be consulted;

(3) That in future having regard to:

(a) The Communities and Local Government's Model Standards 2008;

(b) The advice of the Fire Authority; and

(c) The views of site owners, park home residents and other agencies, expressed through the formal consultation exercise;

and subject to (1) above the Council's licence conditions for both new and existing permanent residential park home in the District be in full accordance with the Communities and Local Governments Model Standards 2008, subject to the following contraventions that take place on existing park home sites on the issue date of the licence being allowed:

(i) Park homes located within 3 metres from a site boundary;

(ii) Fences and hedges in excess of 1 metre in height;

(iii) Combustible sheds situated within the separation space between park homes;

(iv) Separation distances between park homes of less than the required 6 metres; and

(v) Park homes located within 2 metres of any roads within the site on the basis that (having regard to Paragraph 3 of the Introduction to the Model Standards 2008), it would be inappropriate to apply these conditions at existing sites on the issue date of the new licences since:

- (aa) The current licence conditions are adequate in serving their purpose in respect of these issues, and the new standards/conditions should not therefore, be applied;
- (bb) Having regard to all the relevant circumstances of the sites, the Council is satisfied that it has justifiable reasons for allowing these contraventions that take place on the date of the new licence, after taking account of the representations made by existing park home owners and site owners;
- (cc) The benefits that the new licence conditions will achieve (by complying with the Model Standards) are outweighed by the interests of existing residents and site owners in respect of these issues, having regard to the substantial representations made;

(4) That the following licence conditions set out in the Model Standards 2008 be excluded from the site licences for park home sites that comprise only one park home:

- (a) Section 2 (Density and Spacing) – Conditions (i), (iii), (iv)(b) – (iv)(q) and (v) only;
- (b) Section 5 (Lighting);
- (c) Section 7 (Communal Recreational Space); and
- (d) Section 14 (Notices and Information – Conditions (ii), (iv) and (v) only; and

(5) That all residents and site owners be consulted on both the licence conditions proposed by the Cabinet and the Scrutiny Panel's recommendations, and that the results of the consultation exercise be reported to the Cabinet at the same time as the Scrutiny Panel's recommendations.

Summary of Responses to Consultation

Epping Forest District Council

Park Homes Consultation (all respondents) responses

289

The questionnaire: your views on the proposed new site licence conditions

Please place a tick in the box to show your preferred answers

Important Instructions

(1) Please make sure that you read all of the information provided in the accompanying Consultation Booklet, BEFORE completing this questionnaire.

(2) Please complete and return this original form. Do not copy it. Each form has a unique number,

and photocopied or duplicate forms will not be counted.

(3) If you have any queries about the questions, please ring Paul Callaghan at Epping Forest DC on 01992 564706 to discuss.

New Sites

It is proposed that the new licence conditions for new sites should be fully in line with the Model Standards (except for changes relating to porches and domestic refuse disposal).

Q1	Do you agree overall with the Council's proposals for new sites?	
	202 (71.1%)	Yes
	53 (18.7%)	No
	29 (10.2%)	Unsure

Existing Sites

It is proposed that the Model Standards should also apply to existing sites, but with some changes and exceptions (set out in the Consultation Booklet) where certain conditions are not being met when the new licence is issued.

Q2	Do you agree overall with the Council's proposals for existing sites?	
	218 (77.6%)	Yes
	35 (12.5%)	No
	29 (10.3%)	Unsure

Porches

Please read Section D1 in the Consultation Booklet before answering questions 3 and 4

Q3	Do you agree that existing park homes should be able to retain porches larger than the dimensions set out in the Model Standards?	
	244 (85.0%)	Yes
	28 (9.8%)	No
	15 (5.2%)	Unsure

Q4	Do you agree that existing park homes should still be allowed to have two doors, if a mains-linked smoke detector is installed as required?	
	269 (94.1%)	Yes
	3 (1.0%)	No
	15 (5.2%)	Unsure

Height of Fences

Please read Section D2 in the Consultation Booklet before answering questions in this section

Q5	Do you think the height of fences between park homes on new sites should be limited?	
	170 (59.6%)	Yes
	100 (35.1%)	No
	15 (5.3%)	Unsure

Q(5a) If “Yes”, do you think the maximum height should be

22 (11.9%)	1 metre	105 (56.8%)	2 metres
49 (26.5%)	1.5 metres	10 (5.4%)	Greater than 2 metres

Q6 Do you think there should be a general limit on the height of fences between park homes on existing sites?

150 (52.3%)	Yes
125 (43.6%)	No
13 (4.5%)	Unsure

Q6a If “ Yes”, do you think the maximum height should be

16 (10.4%)	1 metre	97 (63.0%)	2 metres
37 (24.0%)	1.5 metres	4 (2.6%)	Greater than 2 metres

Q7 Do you think that existing fences should be allowed to exceed the proposed maximum height of 1 metre?

82 (28.4%)	Yes, with no height restriction
157 (54.3%)	Yes, but no more than 2 metres high
23 (8.0%)	Yes, but there should be a maximum height over 2 metres
14 (4.8%)	No, should not be allowed to exceed 1 metre
17 (5.9%)	Unsure

Please note that planning permission is required for fences higher than 2m

Height of Hedges

Section D3 in the consultation booklet

Q8 Do you think there should be a limit on the height of hedges between park homes on new sites?

171 (59.8%)	Yes
95 (33.2%)	No
20 (7.0%)	Unsure

Q8a If “ Yes”, do you think the maximum height should be

25 (13.4%)	1 metre	99 (53.2%)	2 metres
53 (28.5%)	1.5 metres	9 (4.8%)	Greater than 2 metres

Q9 Do you think that generally, there should be a limit on the height of hedges between park homes on existing sites?

146 (50.7%)	Yes
122 (42.4%)	No
21 (7.3%)	Unsure

Q9a If “ Yes”, do you think the maximum height should be

17 (10.9%)	1 metre	90 (57.7%)	2 metres
43 (27.6%)	1.5 metres	6 (3.8%)	Greater than 2 metres

Q10 Do you think that existing hedges should be allowed to exceed the proposed maximum height of 1 metre

81 (28.7%)	Yes, with no height restriction
144 (51.1%)	Yes, but no more than 2 meters high
30 (10.6%)	Yes, allowing a maximum height over 2 metres
17 (6.0%)	No, should not be allowed to exceed 1 metre
13 (4.6%)	Unsure

Sheds and other structures

Section D4 in the consultation booklet

Q11 Do you agree that sheds should be classed as 'structures' in relation to fire risk?

112 (39.3%)	Yes
143 (50.2%)	No
31 (10.9%)	Unsure

Q12 Do you agree that timber and other combustible sheds should not be allowed in the separation space between park homes?

90 (31.6%)	Yes
159 (55.8%)	No
37 (13.0%)	Unsure

Q13 Do you agree that any shed should be allowed to stay if it was in place, between park homes, at the date of the new site licence?

264 (92.3%)	Yes
14 (4.9%)	No
9 (3.1%)	Unsure

Distance of park homes from site boundaries

Section D5 in the Consultation booklet

Q14 Do you agree that any park home, or combustible structure, positioned within 3 metres of the boundary of the site should be allowed to stay in this position (if it was there at the date of the new site licence)?

267 (93.4%)	Yes
10 (3.5%)	No
10 (3.5%)	Unsure

Q15 Do you agree that any park home that is located less than 6 metres from any other park home should be allowed to stay in this position (if it was there at the date of the new site licence)?

238 (83.8%)	Yes
10 (3.5%)	No
35 (12.3%)	Depends on the distance
4 (1.4%)	Unsure

Distance of park homes from roads
Section D7 in the Consultation booklet

Q16 Do you agree that any park home positioned within 2 metres of any road or communal car park within a site should be allowed to stay in this position (if it was there at the date of the new site licence)?

263 (92.6%)	Yes
7 (2.5%)	No
14 (4.9%)	Unsure

Do you have any other comments?

Q17 If there are any points you would like to add please write them in the space provided below

113 (100.0%)

Thank you for taking the time to complete this questionnaire. Please return it in the pre-paid addressed envelope to the Civic Offices in Epping by 12.00 pm on 21st January 2011.