

Borough Council of  
**King's Lynn &  
West Norfolk**



# **Joint Meeting of the Regeneration & Development and Environment & Community Panel**

## **Agenda**

Wednesday, 30th September, 2015  
at 6.00 pm

in the

**Committee Suite  
King's Court  
Chapel Street  
King's Lynn PE30 1EX**



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King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616200  
Fax: 01553 691663

Tuesday, 22 September 2015

Dear Member

**Joint Meeting of the Regeneration & Development and Environment & Community Panel**

You are invited to attend a meeting of the above-mentioned Panel which will be held on **Wednesday, 30th September, 2015 at 6.00 pm** in the **Committee Suite, King's Court, Chapel Street, King's Lynn** to discuss the business shown below.

Yours sincerely

Chief Executive

**AGENDA**

**1. Apologies for absence**

To receive any apologies for absence.

**2. Minutes (Pages 7 - 21)**

To approve the minutes of the previous meeting.

**3. Declarations of Interest**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

Those declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simple observing the meeting from the public seating area.

**4. Urgent Business**

To consider any business which, by reason of special circumstances, the Chairman proposes to accept as urgent under Section 100(b)(4)(b) of the Local Government Act, 1972.

**5. Members Present Pursuant to Standing Order 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences. Any Member attending the meeting under Standing Order 34 will only be permitted to speak on those items which have been previously notified to the Chairman.

**6. Chairman's Correspondence**

If any.

**7. Matters referred to the Panel from other Council Bodies and responses made to previous Panel recommendations/requests**

To receive comments and recommendations from other Council bodies, and any responses subsequent to recommendations, which the Panel has previously made.

At the Cabinet meeting on 9<sup>th</sup> September 2015, the following responses were made to the recommendations from the Panel on the 2<sup>nd</sup> September 2015, on the following items:

**Cabinet Report – Nar Ouse Business Park Enterprise Zone**

**PANEL RECOMMENDED:** That the Regeneration & Development and Environment & Community Panel supported the recommendations to Cabinet with an additional recommendation four as follows:

That the comments of the Panels be noted.

**CABINET RESPONSE:** The comments of the Panel were taken into consideration when Cabinet considered the item.

**Cabinet Report – South Wootton and Brancaster Neighbourhood Plans**

**PANEL RECOMMENDED:** That the Regeneration & Development and Environment & Community Panel supported the recommendations to Cabinet as set out in the report.

**CABINET RESPONSE:** The comments of the Panel were taken into consideration when Cabinet considered the item.

**Cabinet Report – Site Allocations Plan – Proposed Modifications**

**PANEL RECOMMENDED:** That the Regeneration & Development and Environment & Community Panel supported the recommendations to Cabinet as set out in the report.

**CABINET RESPONSE:** The comments of the Panel were taken into consideration when Cabinet considered the item.

**8. Highways Works**

Quentin Brogdale from Norfolk County Council will be in attendance to update the Panel on Highway Works.

**9. Food Safety Team Annual Update**

The Environmental Health Manager (Commercial) will give a Food Safety Team Annual Update presentation to the Panel.

**10. Overview of Enforcement**

The Planning Control Manager/Planning Enforcement Team Leader will give a presentation to the Panel on Enforcement.

All Councillors have been invited to the meeting for this item.

**11. Overview of Hanseatic Activities**

The Panel will receive a report from the Regeneration and Economic Development Manager on the Hanseatic Activities (to follow).

All Councillors have been invited to the meeting for this item.

**12. Cabinet Report - Residential Caravan Site Licensing (Pages 22 - 65)**

The above report is on the Cabinet Forward Decision List for 6 October 2015 and has been identified by the Chairman for consideration by the Panel.

The Panel are requested to consider the report and make any appropriate recommendations to Cabinet.

**13. Work Programme and Forward Decisions List (Pages 66 - 71)**

To consider the attached Work Programme for 2015/2016.

In considering the draft Work Programme Members' attention is drawn to the Cabinet Forward Decisions List.

**14. Date of the next meeting**

To note that the next Joint meeting of the Regeneration & Development and Environment & Community Panel is scheduled to take place on **Wednesday 28<sup>th</sup> October 2015 at 6.00pm** in the Committee Suite, King's Court, Chapel Street, King's Lynn.

To:

**Joint Meeting of the Regeneration & Development and Environment & Community Panel:** L Bambridge, Mrs C Bower, Mrs J Collingham, Mrs S Collop, C Crofts, Mrs S Fraser, G Hipperson, M Hopkins, M Chenery of Horsbrugh, M Howland, P Kunes, Mrs K Mellish, P Rochford, C Sampson, M Shorting, T Smith, Mrs S Squire, J M Tilbury, A Tyler, Mrs E Watson, Mrs J Westrop, D Whitby and Mrs A Wright

**Portfolio Holders:**

Councillor N Daubney, Leader of the Council and Portfolio Holder for Resources  
Councillor A Lawrence, Portfolio Holder for Community

**Officers:**

Stuart Ashworth, Planning Control Manager  
Chris Bamfield, Executive Director Commercial Services  
Matthew Clarey, Enforcement Team Leader  
Ray Harding, Chief Executive  
Vicki Hopps, Environmental Health Manager (Commercial)  
Gordon Jackson-Hopps, Senior Housing Standards Officer  
Ostap Paparega, Regeneration and Economic Development Manager

**Executive Directors  
Press**

**BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**  
**JOINT MEETING OF THE REGENERATION & DEVELOPMENT AND**  
**ENVIRONMENT & COMMUNITY PANEL**

**Minutes from the Meeting of the Joint Meeting of the Regeneration & Development and Environment & Community Panel held on Wednesday, 2nd September, 2015 at 6.00 pm in the Committee Suite, King's Court, Chapel Street, King's Lynn**

**PRESENT:**

Councillors L Bambridge, Mrs C Bower, A Bubb, Mrs S Collop, C Crofts, Mrs S Fraser, G Hipperson, M Hopkins, M Chenery of Horsbrugh, M Howland, P Kunes, Mrs K Mellish, P Rochford, C Sampson, M Shorting, T Smith, Mrs S Squire, J M Tilbury, Mrs E Watson, Mrs J Westrop, D Whitby and Mrs A Wright

**Portfolio Holders**

Councillor P Beal, Portfolio Holder for Coast and Tourism  
 Councillor A Beales, Deputy Leader and Portfolio Holder for Regeneration and Industrial Assets  
 Councillor A Lawrence, Portfolio Holder for Community  
 Councillor D Pope, Portfolio Holder for ICT, Leisure and Public Space  
 Councillor Mrs V Spikings, Portfolio Holder for Development

**Officers:**

Chris Bamfield, Executive Director Commercial Services  
 John Clement, Principal Planner LDF  
 Geoff Hall, Executive Director, Development and Environment  
 Ray Harding, Chief Executive  
 Jemma March, Planner  
 Ostap Paparega, Regeneration and Economic Development Manager

**RD&EC41 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs J Collingham, N Daubney, B Long, J Moriarty and A Tyler.

**RD&EC42 MINUTES**

**RESOLVED:** The minutes from the meeting held on Wednesday 22<sup>nd</sup> July 2015 were agreed as a correct record and signed by the Chairman.

**RD&EC43 DECLARATIONS OF INTEREST**

There was none.

RD&EC44 **URGENT BUSINESS**

There was none.

RD&EC45 **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

There was none.

RD&EC46 **CHAIRMAN'S CORRESPONDENCE**

There was none.

RD&EC47 **MATTERS REFERRED TO THE PANEL FROM OTHER COUNCIL BODIES AND RESPONSES MADE TO PREVIOUS PANEL RECOMMENDATIONS/REQUESTS**

The Panel noted the response made by Cabinet to the recommendations from the Joint Panel Meeting on 22 July 2015 in respect of the following item:

- Hunstanton Heritage Gardens – Heritage Lottery Fund Parks for People Application.

RD&EC48 **UPDATE ON THE WORK OF THE NORFOLK COAST PARTNERSHIP**

Tim Venes from the Norfolk Coast Partnership provided the Panels with an update on the work of the Norfolk Coast Partnership. He explained that the purpose of the Partnership was to conserve and enhance the natural beauty of the Norfolk Coast.

The Partnership was made up of organisations all working together to manage the Norfolk Coast Area of Outstanding Natural Beauty (AONB). The Partnership included Local Authorities, Statutory Agencies, Landowners and the local community. The Panel was provided with an overview of the Partnership's funding arrangements.

Tim Venes informed those present that the Borough Council had a statutory duty to produce an AONB Management plan and review it in conjunction with other local authorities. The Norfolk Coast Partnership carried out this function on behalf of the relevant Local Authorities and reviewed the plan every five years. The Norfolk Coast Partnership also provided information and advice and assisted with generating funding.

The Panel was informed that the Norfolk Coast Partnership had been successful in awarding funding to community based projects. £430,000 had been distributed to local groups over the past ten years. The Norfolk Coast Partnership had also secured funding to run the Nine Chalk Rivers Project for AONB river catchment restoration.



More information on the work of the Partnership was available at [www.norfolkcoastaonb.org.uk](http://www.norfolkcoastaonb.org.uk).

The Chairman thanked Tim Venes for the presentation and invited questions and comments from the Panel, as summarised below.

Councillor Mrs Watson referred to the England Coastal Path and asked if this was the responsibility of the Norfolk Coast Partnership. Tim Venes explained that a coastal path would be created all the way round England which would include some existing paths and the creation of some new coastal paths. Natural England was managing the project and Norfolk County Council would be responsible for maintaining the footpaths in their area.

The Chairman asked if there was a map available of all the footpaths in the area. Tim Venes explained that Norfolk County Council should have details of all footpaths which had been adopted, but offer to assist the Chairman if required.

**RESOLVED:** That the update be noted.

RD&EC49

### **CABINET REPORT - NAR OUSE BUSINESS PARK ENTERPRISE ZONE**

The Regeneration and Economic Development Manager presented the Cabinet report which outlined the key elements of Enterprise Zone status and provided information on the proposals to be put forward. He explained that Enterprise Zones were built on two principles:

- That the Government believed that the Private Sector was the generator of wealth.
- That in order to achieve growth the Government should offer incentives to the private sector.

An Enterprise Zone was a designated area of land which had with it a package of incentives for business occupiers. In terms of financial incentives, the business occupiers would not have to pay Business Rates for a period of five years. In terms of planning incentives a Local Development Order could be established which would cover the area and could allow for automatic planning permission to be granted if it met development requirements. Local Enterprise Partnerships would retain the business rates for 25 years.

The Regeneration and Economic Development Manager informed those present that the first wave of Enterprise Zones had been announced by Government in 2011 and 21 had been established across England. The second wave of Enterprise Zones had been announced in July 2015. The New Anglia Local Enterprise Partnership (LEP) had subsequently invited applications for Enterprise Zone Status to be put forward to Government.

The New Anglia LEP invitation had stated that the site proposals should be sector focussed. The New Anglia LEP had recognised that it could be unfair to retain Business Rates for 25 years so had come up with a Business Rates sharing formula as follows:

- 10% would go to the Local Authority.
- 35% would be ring-fenced for further development in the Enterprise Zone area
- 55% would be paid to the LEP for future development projects.

The Panel was provided with details of the NORA site and the proposed area to be put forward for Enterprise Zone status. It was anticipated that this area would create 48,000 square metres of employment space for Advanced Manufacturing and Engineering. Up to 2,200 new jobs could be available as calculated by the Government Employment Density Guidance formula.

The Regeneration and Economic Development Manager referred the Panel to the options considered as set out in the report. He highlighted the benefits of developing the NORA land with Enterprise Zone status, which included, accelerated development, which could result in the creation of jobs and further investment, ring-fenced funding from the LEP which would be reinvested in the area from Business Rates and prioritised enhanced marketing by UK Trade and Investment and New Anglia LEP.

The Panel was informed that the Borough Council was only made aware of the opportunity to put forward a site for Enterprise Zone status six weeks' ago so had put together the proposals within a short timescale. The Regeneration and Economic Development Manager reminded those present that the proposals were still subject to Cabinet and Council approval, although the Regeneration and Economic Development Manager had worked closely with the Leader of the Council and other Cabinet Members in putting the proposal together.

The Regeneration and Economic Development Manager referred those present to page 14 of the agenda which contained the New Anglia LEP Enterprise Zone submission from the Borough Council.

The Regeneration and Economic Development Manager informed those present that, subject to Cabinet and Council approval, the proposal would be submitted to the New Anglia LEP Executive Team for initial assessment and then would be appraised by an Independent Consultant. If successful through the preliminary stages the proposal would then be considered by the LEP Board and then submitted to Government. If successful it was likely that Enterprise Zone Status would be granted in April 2016.

The Chairman thanked the Regeneration and Economic Development Manager for his report and invited questions and comments from the Panels, as summarised below.

Councillor Kunes referred to page 16 of the agenda which stated that the site to be put forward was clean and clear. He asked if there were any contamination issues on the site and the Regeneration and Economic Development Manager explained that there were some contamination issues on the site, but the areas in question were not currently in the Councils control. The Council was currently in negotiations with Morston's Administrators regarding the possible acquisition of the rest of the NORA land and it was possible that there would be some contamination issues. The areas not currently in the Council's control had been left out of the proposal at this stage, but the New Anglia LEP was aware that the Council could gain control of the site and if the contamination was cleared it was possible that the site could be included at a later date.

Councillor Shorting commended the Regeneration and Economic Development Managers report and referred to table B on page 11. In response to a question from Councillor Shorting, the Regeneration and Economic Development Manager explained that the figures within the table had been added up vertically rather than horizontally.

Councillor Shorting highlighted the importance of making sure that the roads to be put in were of good quality and not subject to flooding, like Nar Ouse Way.

Councillor Mrs Bower commented that it was good to see that there had been a lot of external inward investment enquiries. She asked if the local enquiries were for businesses just relocating or if they were planning on expanding operations. The Regeneration and Economic Development Manager confirmed that the figures contained within the report were from before the opportunity for Enterprise Zone status had been made available.

The Vice Chairman, Councillor Mrs Bambridge asked if the proposals would have any consideration to infrastructure surrounding the site such as the A17 and A47. The Regeneration and Economic Development Manager explained that the New Anglia LEP had delegated transport issues to Norfolk and Suffolk transport bodies and the Council had been encouraged by the LEP to put forward road infrastructure proposals to Government. The Council would ensure that the key priority areas were included and a strong case for improvements was put forward.

Councillor Rochford asked for clarification on Business Rates retention. The Chief Executive explained that currently 40% was retained by the Council, 10% went to Norfolk County Council and the other 50% went into the Business rates pool. Local Authorities in Norfolk could then bid

for funding from the Business rates pool for small style infrastructure projects.

The Chief Executive went on to explain that the LEP offer through the Enterprise Zone was that 10% would be retained by the Council and 35% would be ring-fenced for reinvestment in the area. 55% would then be retained by the New Anglia LEP which the Council could bid into, similar to the Business Rates pool.

In response to a question from Councillor Mrs Mellish regarding timescales, the Regeneration and Economic Development Manager explained that the proposal needed the relevant approvals before Enterprise Zone status was granted. If successful work could start on providing the relevant infrastructure, this could be in accordance with the layout provided in the existing Masterplan which had been created for the site or new plans could be produced. The Regeneration and Economic Development Manager reminded those present that there was already outline planning consent on the site.

In response to a further question from Councillor Mrs Mellish, the Regeneration and Economic Development Manager explained that any funding awarded did not have a time limit for commencement of works attached to it, however the Council had a good reputation of delivering projects in the past and a good working relationship with the New Anglia LEP so any issues could be addressed at an early stage.

Councillor Smith asked if all of the NORA land was earmarked for Business use and the Regeneration and Economic Development Manager explained that if all business enquiries materialised the demand would outstrip the supply of Business use land at the NORA site. The Regeneration and Economic Development Manager explained that other areas of land in different locations were available for business use if required.

The Chief Executive responded to a further question from Councillor Smith and explained that there were two further tranches of Business use land on the NORA site, which were currently not under the ownership of the Borough Council. The Council were in discussions with Morston's Administrators regarding the possibility of acquiring the sites. The sites available were business use and housing land. The Chief Executive reminded those present that the New Anglia LEP were aware of the situation and there was flexibility to expand the borders of the Enterprise Zone in the future if necessary, subject to the remediation of any contamination issues.

Councillor Mrs Watson referred to the jobs which could be created and commented that if more jobs were available more housing would be needed. The Regeneration and Economic Development Manager reminded those present that the Council was providing housing through the NORA development and the Major Housing Project.

Councillor Bubb asked if the development of businesses on the NORA site would enhance the chance of a Railway Station at South Lynn. The Portfolio Holder for Regeneration and Industrial Assets explained that the creation of jobs in the area could strengthen the case for improved infrastructure.

Councillor Tilbury referred to the focus on advanced manufacturing and engineering. He felt that the skills gap needed to be addressed if the area wanted to become a centre of excellence in that field. The Regeneration and Economic Development Manager explained that the King's Lynn Innovation Centre would become a hub for knowledge transfer and that there were over twenty of the world leading manufacturers operating in the area.

The Regeneration and Economic Development Manager acknowledged that there was an issue with skills. Other projects were addressing the skills gap and the Greater Peterborough Greater Cambridge LEP had funded a project designed to engage with existing employers in providing education and training. He reminded those present that the College of West Anglia had also secured funding to become a University Centre and the National Construction College in the area was an advanced construction institute. The Regeneration and Economic Development Manager explained that dealing with the skills gap was a long term issue and was a high priority for the LEP's.

The Chairman reiterated the comments made by Councillor Bubb in that it would be beneficial to have a Railway Station serving the Enterprise Zone area. He felt that this intent should be specified within the plan so that it could be taken into consideration in the long term. He explained that Network Rail's funding period worked four years in advance so discussions to progress the possibility of a Railway Station would need to be looked at in the near future.

The Portfolio Holder for Regeneration and Industrial Assets, Councillor Beales, thanked the Panels for their debate and comments on the proposals. He thanked officers for putting together the proposals within a short timescale. Councillor Beales reminded those present that the NORA site was currently underutilised and the opportunity to gain Enterprise Zone status would give the opportunity to develop the site. He also reminded those present of the opportunities available through the scheme to reinvest and retain some of the business rates.

**RESOLVED:** That the Regeneration and Development & Environment and Community Panel supported the recommendations to Cabinet as set out below, with an additional recommendation 4.:

It is recommended that Cabinet:

1. Approves the submission of Nar Ouse Business Park for Enterprise Zone status as part of a multi-site New Anglia Enterprise Zone, as outlined in Appendix 1.

2. Endorses the proposed Business Rates Growth sharing formula, as described in paragraph 8 of this report.
3. Delegates authority to the Chief Executive in consultation with the Leader of the Council to undertake any further negotiations with the New Anglia LEP to enable the Enterprise Zone proposal to be submitted to Government by 18 September 2015.
4. That the comments made by both panels be taken into account.

RD&amp;EC50

### **CABINET REPORT - SOUTH WOOTTON AND BRANCASTER NEIGHBOURHOOD PLANS**

The Executive Director, Development Services presented the Cabinet report and explained that the Localism Act 2011 had introduced the provision for Neighbourhood Plans to be created. The intention of this was to engage local communities in the planning process and give them ownership and control over development in their area.

South Wootton and Brancaster had embraced the opportunity to create a Parish Plan. South Wootton had anticipated significant growth going forward and therefore wanted to shape how development took place.

The Executive Director, Development Services provided brief details of the Government's process for creating neighbourhood plans, there were lots of steps and processes to be gone through, which were out of the Council's control. The Council had worked with the Parishes to develop their plans.

The Executive Director, Development Services commended both the Parish Council's and the officers involved in bringing the Parish Plans to this stage as there had been a lot of work involved.

The Panel was referred to the recommendations within the report which set out how the Parish Plan process could move forward. The recommendations had regard to the recommendations made by the Independent Examiner and the report set out the proposed modifications to the plans before they moved to the referendum stage. The Executive Director, Development Services informed those present that if adopted the Parish Plans would have the same status as the Local Plan, the Parishes would also receive a greater proportion of any Community Infrastructure levy if they had a plan in place.

The Chairman thanked the Executive Director, Development Services for his report and invited questions and comments from the Panel, as summarised below.

Councillor Mrs Watson referred to Brancaster Parish Plan and informed the Executive Director that the Parish Council would be discussing the proposed modifications to the Parish Plan at their next meeting. She asked for clarification on when a referendum was likely. The Principal Planner (LDF) explained that, if the recommendations were agreed by Cabinet, a consultation exercise on the modifications would then be

required. If the consultation exercise resulted in no further amendments it was likely that a referendum would be held mid to late November 2015.

Councillor Mrs Wright commented that she was impressed with South Wootton Parish Council's ideas as contained within their plan. She asked how it would be ensured that developers would be considerate of the plan when submitting planning applications to ensure that South Wootton's vision was achieved. The Principal Planner (LDF) explained that the Parish Plan would form part of the overall development plan and would become the starting place for decisions on applications. The Planning Committee would need to take the Parish Plans into account when determining planning applications. Developers would need to consider their plan when shaping their proposals and the Plans would influence the type of development acceptable in the area.

Councillor Smith referred to page 25 of the agenda and asked if the Independent Examiner had considered the area beyond the Parish Plan boundary. The Principal planner LDF explained that the Parish Plan boundaries could be extended if there was a strong strategic demand and influence on the surrounding area, but in these cases there was considered not to be any major influences beyond the Parish boundary. The Examiner would have considered this during the examination and had not recommended that the boundaries be expanded.

Councillor Mrs Bower referred to part 3.3 of the report, which set out the Examiners proposed changes to the Brancaster Parish Plan. She felt that limiting the size of houses was a good idea as this was a problem along the coastal strip. She felt that the amount of large second houses could exclude the opportunity for local people to live in the area. The Principal Planner LDF explained that the Examiner had recommended that the Parish Plan should identify what cases could be considered as an exception and what would be reasonable.

Councillor Tilbury asked if the Borough Council would support the views of the Parish Plans in the future. The Principal Planner LDF explained that the Borough Council had advised and assisted with the formulation of the Parish Plans as it had a legal obligation to do so. The Borough Council did not have to agree with the content of the Parish Plan, they just had to ensure that it met the statutory requirements.

**RESOLVED:** That the Regeneration and Development & Environment and Community Panel support the recommendations to Cabinet as set out below:

1. That the submitted South Wootton Neighbourhood Plan:
  - a) be amended in accordance with the recommendations of the Independent Examiner; and
  - b) so modified, should proceed to a local referendum covering the area of South Wootton Parish.

2. That the submitted Brancaster Neighbourhood plan:
  - a) be amended broadly in accordance with the recommendations of the independent Examiner but, subject to consultation, with detailed variation from those recommendations, as set out in Appendix 5; and
  - b) so modified, should proceed to a local referendum covering the area of Brancaster Parish.
3. That authority to be delegated to the Executive Director, Environment and Planning, in consultation with the Planning Portfolio Holder, to consider responses to consultation on the proposed decisions differing from the Examiner's recommendations, and determine the final changes to be made to the neighbourhood plan before it proceeds to the referendum.

RD&amp;EC51

### **CABINET REPORT - SITE ALLOCATIONS PLAN - PROPOSED MODIFICATIONS**

The Executive Director, Development Services presented the Cabinet report and provided a broad overview of its content. He explained that the report set out the Council's response to the Inspectors questions which had been raised on the opening day of the Examination. On the first morning of the Examination the Inspector had looked at the technical aspects of the plan and checked that it met certain criteria. The Executive Director explained that the Council had to provide a Habitat Regulations Assessment which detailed how the Council would regulate the impact of growth on designation sites and mitigation requirements.

The Executive Director explained that throughout the process of creating the Habitat Regulation Assessment lots of meetings had been held with relevant organisations to determine the way forward to mitigate the impact of growth on designation sites. On the first day of the Examination one of the relevant organisations which had been involved in the process had expressed a concern regarding the mitigation strategy and how money would be raised to protect designated sites. The Inspector had therefore raised concern that the issue had not been addressed in enough detail so he had adjourned the Examination so that the Council could formulate a response.

Once the Examination had been adjourned the Council had asked the Inspector for information on any other issues which he was likely to raise, so that they could be addressed before the Examination reconvened. The Inspector also raised issues in relation to flood risk, the flexibility and delivery of sites and the plan review process. The Cabinet report set out the Council's response to the issues raised by the Inspector.

The Chairman thanked the Executive Director, Development Services for his report and invited questions and comments from the Panels, as summarised below.



Councillor Crofts referred to the affordable housing threshold and explained that he had recalled that a recent Cabinet report had changed the threshold to ten, however, the report stated that the threshold was five. He asked if Parish Councils would be made aware of the change to the affordable housing threshold. The Executive Director, Development Services explained that the Government had introduced the change in February 2015 and subsequently a report had been presented to Cabinet outlining the changes. Following the introduction of the legislation several Councils had taken the matter to a Judicial Review as they felt there was no evidence to support the change, it was irrational and the Government had not conducted an adequate equality impact assessment. Subsequently the policy was thrown out, Planning Policy Guidance changed and the threshold withdrawn. The Government were not intending to challenge the courts and the Council had no choice but to go back to their previous position.

Councillor Crofts requested, and the Panel agreed, that Parish Council's be informed of the position in relation to affordable housing and the Executive Director agreed to send out a briefing note.

The Vice Chairman, Councillor Mrs Bambridge referred to the habitat mitigation levy which had been set at £50 and asked how the figure had been calculated. The Executive Director explained that it was difficult to know how many people would access the protected areas, if there would be an impact and what mitigation work would be required. In setting the levy the Council had looked at what other Councils had charged and their approaches. He felt that the figure wouldn't detract development from coming forward.

The Executive Director explained that a Board would be established to look at what would be required to offset the impact of development and they would review the levy on a regular basis if required.

The Panel was reminded that the Community Infrastructure Levy would also divert funds to where they were needed and would contribute to offset the effect of development. The Executive Director reminded those present that they could only look at the impact of additional growth, not the existing impact on the protected areas.

Councillor Crofts referred to correspondence, which had been sent to potential developers who had put sites forward to be included in the Plan, to inform them of the adjournment of the Examination. The Executive Director confirmed that correspondence had been sent out to explain the situation and stated that the developers may wish to seek professional advice.

In response to a question from Councillor Crofts regarding the five year land supply, the Executive Director confirmed that some developers had submitted applications during the adjournment of the Examination and it was within the developer's right to do so. The Executive Director

explained that 'flexibility' information was included within the revisions to the plan, at the Inspectors request, which could assist with the five year land supply deficit. He explained that the allocation figures set out in the plan were the minimum figures and if an application came forward with more units for development and fit in with the rest of the scheme it would not necessarily be refused. He explained that the Planning Committee would have a flexible and pragmatic approach when determining applications.

Councillor Mrs Mellish referred to the Board which would be established relating to the mitigation of the impact of development on protected areas. She explained that the report stated that it would be chaired by a Cabinet Member and include the Cabinet Member for Environment. She asked if the Cabinet Member for Development would be involved. The Executive Director explained that this was a matter of detail for the Cabinet to decide at the appropriate time.

Councillor Mrs Mellish highlighted the following sections of the report and asked for clarification. The Executive Director agreed to make amendments to the documents as appropriate in relation to typos and minor errors:

- Page 277 – Councillor Mrs Mellish requested that hyperlinks be inserted to the document when referrals to other documents available were made.
- Page 278 point 3.3.2 – the dates relating to the Visitors Surveys to be corrected.
- Councillor Mrs Mellish referred to the report header which stated that the Local Development Framework Task Group had been consulted on the report. In clarification the Executive Director explained that a meeting of the Task Group had been held to update them on the proposed modifications to the plan following the Inspectors comments.
- Page 426, appendix 5. It was clarified that this was part of the amendment of the sustainability appraisal which accompanied the plan. This particular amendment related to aggregate scoring and summary scores, consequent on the various individual policy or site appraisal amendments show elsewhere in the report. These in turn reflected, for example, more recent information which was now available.
- In response to a query from Councillor Mellish, the Principal Planner LDF explained that there was a requirement to keep the Local Plan under review. There was only eleven years left of the current plan and the Council needed to plan for fifteen years in advance so a review would commence soon. The Inspector required detail on how and when the document would be reviewed and this had now been provided.

In response to a further question from Councillor Mrs Mellish, the Principal Planner LDF clarified that the Inspector had not found the plan not to be sound, he had just requested that additional information be provided in relation to early review, flood risk and habitat regulations. The additional information had required only a few amendments to the plan and detailed site appraisals. Most of the

information required had already been considered, it had just not been contained in writing within the plan.

The Executive Director informed those present that the relevant organisations had been consulted on the strategy and it was unfortunate that one of the organisations had challenged the Council's position on the initial day of the Examination. The Council had no way of anticipating the challenge. He explained that the plan had been put forward with the information available at the time and that it would be unfair to comment that in hindsight more information should have been included within the plan as there was no way of anticipating what could happen during the Examination. He explained that Planning Policy Guidance was in constant flux and it was not always possible to incorporate all changes before moving forward with the plan.

The Executive Director explained that the Secretary of State had recently written to the Planning Inspectorate to encourage them to not block plans from going forward unnecessarily and that they should take a flexible and pragmatic approach.

In response to a question from Councillor Mellish regarding windfall development, the Executive Director explained that this was the most frequent type of development to come forward and was usually the infill or redevelopment of small sites, which were difficult to predict in advance.

Councillor Mrs Mellish asked if the Community Infrastructure Levy was likely to be restrictive to developers. The Executive Director explained that it as a small levy and viability and costings of sites would be taken into account when applications came forward, he did not think that it would prevent development. He reminded those present that Section 106 agreements were put in place on large developments and had not restricted the amount of large scale development coming forward. He reminded the Panel that some of the Community Infrastructure Levy would go back to the Parish Councils and would be used to offset concerns in relation to growth.

Councillor Mrs Mellish referred to the proposed allocation site at West Winch and stressed the importance of providing adequate infrastructure. The Executive Director explained that infrastructure would be installed on sites as appropriate, discussions were held with land owners and it was hoped that as sites came forward they would pump prime development. He confirmed that the Inspector was working to the allocation figures as set out in the Core Strategy.

The Vice Chairman, Councillor Bambridge referred to page 317 of the agenda and the Executive Director agreed to remove any mention of the development of a marina within the report as this was no longer one of the Council's aspirations.

Councillor Smith referred to page 200, point 4.2.1 which stated that the Council had potentially lost some capacity from the allocations in the Plan from Lynnsport and Marsh Lane. The Portfolio Holder for Regeneration and Industrial Assets confirmed that this capacity had now been lost and the word 'potentially' should be removed from the document.

**RESOLVED:** That the Environment and Community & Regeneration and Development Panel support the recommendations to Cabinet as set out below:

That Cabinet:

1. Notes the content of the Inspector's request for further information in respect of the SADMP Examination.
2. Endorses the content of the Mitigation and Monitoring Strategy. In particular agrees that:
  - a) A Habitat Mitigation Levy at a rate of £50 be introduced for new housing in the Borough.
  - b) A Habitat Mitigation and Monitoring/Green Infrastructure Co-ordinating Panel be established and chaired by a Cabinet Member from the Borough Council.
3. Agrees the following actions in respect of a 'fall back' position to ensure a flexible and deliverable supply of new housing:
  - a) Endorses the use of housing resulting from windfall permissions to count as a source of flexibility bolstering delivery from allocated sites.
  - b) Notes the position that potentially more intensive use can be made of existing proposed allocations.
  - c) An early review of the Local Plan is proposed.
  - d) A site at West Winch be included in the Plan having had regard to the assessments presented with this report.
4. Notes that the above decisions have been taken having had regard to the effects outlined in the Strategic Environmental Assessment/Sustainability Appraisal updates for the policies and proposals as new/amended.
5. Requests to the Inspector that the modifications as proposed and others that may arise at the Examination Hearings, be subject to public consultation once the initial hearing sessions have concluded.
6. Delegates Authority to the Executive Director Environment and Planning, in consultation with the Portfolio Holder for Development, in the authority to make minor amendments to enable suitable documents to be presented to the Examination.

RD&EC52

### **WORK PROGRAMME AND FORWARD DECISIONS LIST**

The Chairman invited Members of the Panel to contact her if they had any items which they would like to add to the work programme.

**RESOLVED:** The work programme and forward decision list was noted.

**RD&EC53      DATE OF THE NEXT MEETING**

The next meeting of the Regeneration and Development & Environment and Community Panel was scheduled to take place on Wednesday 30 September 2015 at 6.00pm in the Committee Suite, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX.

**The meeting closed at 8.30 pm**

**REPORT TO CABINET**

<b>Open</b>		Would any decisions proposed :		
<b>Any especially affected Wards</b>	Mandatory/ Operational	Be entirely within Cabinet powers to decide		No
		Need to be recommendations to Council		Yes
		Is it a Key Decision		TBC
Lead Member: Adrian Lawrence E-mail:		Other cabinet Members consulted: N/A		
		Other Members consulted: N/A		
Lead Officer: Gordon Jackson-Hopps E-mail: gordon.jackson-hopps@west-norfolk.gov.uk Direct Dial: 01553 616301		Other Officers consulted: Management Team, Internal Colleagues including Legal Services		
Financial Implications	Policy/Personnel Implications	Statutory Implications	Equality Impact Assessment	Risk Management Implications
YES	NO	NO	YES If YES: Pre-screening	NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)				

Date of meeting: TBC

**RESIDENTIAL CARAVAN SITE LICENSING**

**Summary**

There have been some legislative changes in the last 2 years in relation to the regulation of residential caravans and park homes. These include the ability of the Council to charge fees for site licensing and taking action in the case of poor standards on sites. Importantly the Council now also has to consider the proposed arrangements for the management and maintenance of sites in respect to new site licence applications, or transfer applications. In relation to park homes, there are also changes in respect of pitch fees, sales and site rules.

A report to Cabinet in June 2014 identified the issues and approved public consultation in relation to the changes and including proposed revised residential caravan site licence conditions.

This report brings forward the results of the consultation, the proposed amended residential caravan site licence conditions and a proposed fees policy.

**Recommendations**

1. Members note the report and endorse the approach to dealing with, and enforcement associated with residential caravan sites.
2. Members approve the amendments to the standard residential caravan site licence conditions.
3. Members approve the adoption of the proposed Fees Policy with annual fees commencing in April 2016.
4. It is proposed that the Chief Executive, in consultation with the Portfolio Holder with responsibility for housing be given delegated authority to make minor amendments to the standard conditions to ensure it complies with legislative requirements, Government Guidance and caselaw.

## **Reason for Decisions**

To ensure residential caravan site licence conditions are updated, appropriately enforced and to ensure that the licensing function is appropriately funded.

### **1.0 Background**

- 1.1 Any person wishing to place one or more caravans on land for residential purposes requires planning permission to do so. Through the planning process, conditions can be imposed to control the use and occupation of the site. Once planning permission has been granted, the relevant person, i.e. the land owner, needs to apply for a residential caravan site licence. This forms a part of the regulatory framework for residential caravans.
- 1.2 There are however exemptions from licensing under the Caravan Sites and Control of Development Act 1960 (as amended) and they are;
- The use of land within the curtilage of a dwelling house if the use is incidental to the enjoyment of the dwelling (parking an unused caravan in the driveway would be exempt, having a separate household living there would not be)
  - A single caravan sited for not more than 28 days in any 12 months
  - Up to three caravans on a site of not less than 5 acres for a maximum 28 days in any 12 months
  - The use of land by an exempt organisation
  - The use of agricultural/forestry land to accommodate seasonal workers (so long as the units are not occupied all year round)
  - The use of land for travelling show-people
  - The use of land owned and/or occupied by the authority or county council (including gypsy and traveller sites)

#### **Summary**

- 1.3 The key changes set out in this report can summarised as follows:-
- The conditions relating to the provision of fire safety for rented caravans will be bolstered as those used for rental purposes present the highest risk.
  - A new requirement that all caravans used for rental purposes conform to British Standard BS3632. This requirement goes further than 'model' standards developed by government but is considered appropriate to ensure that caravans used for 'all year round' occupation are designed for such.
  - The Council will now take into consideration how appropriate the management and maintenance arrangements of a site are in determining a licence or a licence transfer application.
  - There will be a fee regime introduced to enable the cost incurred in the activities connected with licencing to be recovered.
- 1.4 The Council will approach the licencing of residential caravans in a transparent and consistent way, with available resources being utilised within a risk based framework. In respecting the renting of residential caravans as a legitimate business operation the Council will have a primary objective in relation to the health, safety and well-being of those occupying caravans.

### **2.0 Consultation**

- 2.1 Consultation took place in 2014/15. This was aimed at statutory partners as well as caravan/site owners and occupiers including the Gypsy, Roma and Traveller (GRT) community.

- 2.2 Consultations took place through the Council's website, promotion via press releases and advising site owners and occupiers by letter and through meeting and drop in sessions.
- 2.3 We received comments from site owners, occupiers, statutory bodies and internal departments the outcomes of the consultation are detailed in Appendix A.
- 2.4 A number of changes have been made to the proposed conditions covering matters such as flood risk, separation distances and boundary issues. In this respect the consultation exercise proved valuable.

### **3.0 Site Licence Conditions**

- 3.1 As it is the conditions within the licence that are created to protect the occupants, it is important that the conditions cover aspects of health, safety and welfare of the residents, as well as the amenity of the sites.
- 3.2 There is a huge variation in the quality and standard of site condition and therefore it is essential that there are appropriate and robust measures in place to deal appropriately and efficiently with residential caravan site standards across the Borough.
- 3.3 There are conditions attached to licences based on standards developed by Government. In addition further conditions are deemed appropriate to reflect local circumstances, such as those conditions relating to the rental of caravans for permanent residential use.
- 3.4 At present there are two forms of licence conditions adopted by the Council;
- Multi-occupancy site, with many pitches where the people living there are separate households e.g. park home sites,
  - Single occupancy site, normally with fewer pitches where people are related to each other e.g. Gypsy, Roma and Traveller (GRT) families
- 3.5 Local authorities cannot enforce (or impose) site licence conditions in respect of the fabric of the mobile home itself. Generally a mobile home is the property of the home owner and on multi-sites completely outside the control of the site operator and the scope of the site licence conditions.
- 3.6 Following a review of the scale and nature of the residential caravan sector within the Borough, and in conjunction with the implementation of a number of elements of the Mobile Homes Act 2013, a review of the residential site licence conditions has been undertaken. Following this review it is proposed that a number of existing conditions be amended/added. A copy of the conditions for comparison are contained within Appendix B of this report. The changes are highlighted for ease of reference. The proposed changes are primarily concerned with improving the safety of caravan residents, particularly those residing in rented accommodation.
- 3.7 The principle changes within the amended standard conditions relate to the standard of caravan deemed suitable for letting by landlords and the requirement for the provision fire safety equipment. The approach to fire safety measures has also been amended to reflect discussions with the local fire and rescue authority.



- 3.8 One key element of the amended conditions is the requirement for caravans to meet the British Standard BS3632. This introduces a new standard to ensure that caravans which are let for residential purposes are designed for 'year round' occupation as opposed to seasonal occupation i.e. holiday type caravans. This approach is new and falls outside the scope of those standard conditions developed by Government. The justification for this amendment is to address locally identified issues relating to people living in caravans not designed for year round occupation.
- 3.9 It is proposed that any new relevant conditions would be applied to the site licence's of existing sites only where it is appropriate. It is recommended that there should not be a blanket updating of all residential caravan site licence conditions as this could be unnecessarily burdensome.
- 3.10 Any new site licence application conditions would be based upon the new standard conditions, which may be varied to suit individual circumstances.

#### **4.0 Legacy Issues**

- 4.1 Following several recent caravan site inspections it is apparent that a number of caravans are being let by site owners/landlords. These inspections have given rise to concerns regarding the standard and quality of accommodation as well as concerns regarding fire safety.
- 4.2 At present site identification and inspection is focused on those sites where caravans are being let for residential purposes. Single family owned and occupied sites are considered to be less of a risk and therefore identification and inspection of these sites is a lower priority.
- 4.3 As a result of correspondence regarding the consultation a large number of sites, both commercial and family owned and occupied have come forward for licensing. Again, the priority remains those sites where caravans are being let for residential purposes.
- 4.4 BCKLWN have recently conducted reviews and determined there are a number of residential caravan sites, many of them single family sites, which either have not been licensed and/or have not been given planning permission and hence have not been subject to any licensing regime.
- 4.5 In applying and enforcing residential caravan site licensing, the Council will have regard to the history of a site and consider each case on it's individual circumstances including having regard to situations where there is not a significant risk of harm. This is particularly valid in the circumstances where the breach has existed for many years and where a breach of the site licence condition is only impacting on an individual home owner.
- 4.6 The Government has stated that it does not expect Councils should rush to serve compliance notices on site operators for breaches where there is not significant harm to persons or property, to enable all to move forward in a constructive and positive way.

#### **5.0 The Council's role in applying and enforcing residential site licensing conditions**

- 5.1 In the developing, applying and enforcement of residential caravan site licence conditions the Council's priority is to be open, transparent, and consistent with the aim of protecting the health, safety and well being of residents.

- 5.2 All compliance and enforcement will be reasonable and proportionate in accordance with the Council's Corporate Enforcement Policy.
- 5.3 In keeping with Government guidance, the Council will focus their priorities on poorly managed, badly run sites with a risk based approach to enforcement.
- 5.4 The Council will consider the financial implications associated with compliance with site licence conditions, specifically those relating to the standard of accommodation, and will seek to agree appropriate timescales for compliance with owners, operators and landlords.
- 5.5 Where possible, an informal approach to enforcement will be adopted in the first instance and formal enforcement action will be based upon appropriate legislation.

## **6.0 New processes and considerations for granting or transferring site licences**

- 6.1 Changes to the law mean that the Council will need to consider how appropriate the management and maintenance arrangements for caravan sites are before granting a new/or transferring a site licence.
- 6.2 This includes consideration as to how the obligations and costs associated with operating a site are going to be met.

## **7.0 Fees Policy**

- 7.1 Currently the Council makes no charges for the costs it incurs for activities associated with residential caravan site licensing.
- 7.2 The Mobile Homes Act 2013 allows the councils to charge fees to meet their costs. A charge now could be applied for new applications and transferring a licence, as well as an annual charge for administering and monitoring sites.
- 7.3 In summary from the 1<sup>st</sup> April 2014 the Council has the ability to charge fees for;
- a) considering applications for the issue or transfer of a site licence
  - b) considering applications for altering conditions in a site licence
  - c) administration and monitoring of site licences
- 7.4 In assessing annual fees the Council will need to consider its overall costs in respect to their licensing functions and/or base such fees on a 'typical site'. There are a number of different options available in setting a fee structure, such as banding by risk or size or a flat rate charge, it is also important not to target individual sites because they require greater action in terms of enforcement. Likewise the cost of enforcement action cannot in law be reflected in the fee structure adopted by the Council.
- 7.5 Similarly fees for consideration of applications for the grant or transfer of a site licence should be fair and transparent. Anyone seeking a licence must know what they are going to be charged for consideration of the application.
- 7.6 The proposed fee structure contained within the Fees Policy in Appendix C recommends a fee structure based upon the size of the site. The rationale for this is that the cost to the Council in terms of officer time and administration is generally proportional to the number of units on each site. Sites are banded according to the number of units on each site and costs are apportioned to take account of the costs incurred.

- 7.7 It is proposed in the attached fees policy that annual fees would not be charged for sites containing up to five units as these sites are often small family owned and occupied sites. There is no intention to undertake annual inspections of single family sites and the cost of recovery of fees is likely to outweigh the costs incurred.
- 7.8 It is also proposed that fees not be charged for new site licence applications for sites of up to five units for a period of 12 months following the adoption of this policy, so as to encourage historic sites that have gone unlicensed for some time to make a site licence application. All other activities surrounding the licensing function will be chargeable as per the fees policy.
- 7.9 Comparable fees policies are emerging however a general comparison with other local authorities based upon a site of 75 units is summarised below;

Authority	New Site Licence Fee £	Annual Fee £	Licence Transfer £
Peterborough	495	315	170
Wealden DC	330	215	115
Epping Forest	775	410	290
Chichester DC	343	220	77
Gt Yarmouth	252	252	92
BCKLWN	577	346	163

## Background Papers

- a) Report to cabinet, June 2014.
- b) Detailed cost breakdown spreadsheet for proposed fees
- c) Consultation Plan
- d) The Caravan Sites and Control of Development Act 1960 (as amended)
- e) The Mobile Homes Act 2013
- f) DCLG A Guide to Local Authorities on setting site licensing fees
- g) DCLG Advice to local authorities on the new regime for applications for grant or transfer of a site licence
- h) DCLG A best practice guide for local authorities on enforcement of the new site licensing regime
- i) Legal advice from EastLaw

## Policy Implications

It is recommended that the proposed Fees Policy be approved and adopted.

## Financial Implications

An income will be generated from the adoption of the proposed Fees Policy to cover costs associated with the licensing function. The implication of this approach is therefore cost neutral.

## Personnel Implications

No direct implications as the licensing function will be undertaken by existing staff.

## Statutory Considerations

The Mobile Homes Act 2013, Caravan Sites and Control of Development Act 1960 (as amended).

Pre-screening summary attached

### **Risk Management Implications**

There are inherent risks associated with any form of regulation and in the case of the proposed amended changes to the site licence conditions we will be operating outside of the norm and therefore could be subject to challenge.

In respect to the enforcement of site licence conditions relating to single family sites we will be assessing each case on its own merits and enforcement will only be considered where there is a significant risk to persons and property. We will adopt an advisory approach as opposed to a regular inspection regime for a significant number of single family sites. This reflects the risk based approach referred to earlier.

The policy and the new approach will be reviewed and evaluated in 12 months.

# Pre-Screening Equality Impact Assessment

Borough Council of  
**King's Lynn &  
West Norfolk**



Name of policy/service/function	Residential Caravan Licensing				
Is this a new or existing policy/service/function?	The fees policy element is a new policy.				
Brief summary/description of the main aims of the policy/service/function being screened.  Please state if this policy/service is rigidly constrained by statutory obligations	General approach to dealing with residential caravan site licensing, amendments to site licence conditions and adoption of a fees policy.  Yes, caravan licensing is constrained by the Caravan Sites and Control of Development Act 1960 as amended by the Mobile Homes Act 2013.				
<b>Question</b>	<b>Answer</b>				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Gender			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
Other (eg low income)			X		

Question	Answer	Comments
<p><b>2.</b> Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	Yes/ No	
<p><b>3.</b> Could this policy/service be perceived as impacting on communities differently?</p>	Yes /No	The amendment of licence conditions could improve the quality of accommodation for those renting residential caravans from landlords.
<p><b>4.</b> Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	Yes / No	To improve the quality of accommodation for those renting residential caravans.
<p><b>5.</b> Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes / No	<p><b>Reviewed by EWG members:</b> Equalities Working Group</p>
<p><b>Assessment completed by:</b> <b>Name</b></p>	Gordon Jackson-Hopps	
<p><b>Job title</b></p>	Senior Housing Standards Officer	
<p><b>Date</b></p>	July 2015	

**Please Note: If there are any positive or negative impacts identified in question 1, or there any ‘yes’ responses to questions 2 – 4 a full impact assessment will be required.**

## Analysis of Residential Caravans Site Licensing Consultation Responses

An informal consultation was undertaken with Council departments and partners in 2014 and a formal consultation was undertaken with partners and the public between February and May 2015.

A total of 11 responses were received. This summary analyses the responses and also outlines the Council's actions in relation to comments made.

<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
The Environment Agency	The Environment Agency suggested amendments to the conditions pertaining to licensees establishing whether the site would be in a high flood risk area.	The conditions for both single and multi-sites have been amended to include the EA suggestions.

<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
Borough Council Emergency Planning	Comments suggesting that it should be compulsory for sites in high flood risk areas to be registered with the EA Floodline scheme.	The conditions for both single and multi-sites have been amended to include the suggestion from Emergency Planning.

<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
Borough Council Planning Department	Comments suggesting that amenity buildings should be of a limited size.	The conditions for both single and multi-sites have been amended to reflect the comments received and the requirement for a separate amenity building has been removed.

<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
Hastoe Housing Association	Hastoe Housing Association made numerous comments regarding the proposed site licence conditions.  *Spacing of caravans *Position of LPG cylinders *Boundary fencing *Amenity buildings	The comments have been considered and some amendments to the single and multi-site conditions have been made.  The spacing of caravans on gypsy & traveller residential pitches has been reduced to 1.5m in conjunction with discussions with Norfolk Fire & Rescue

		<p>Service.</p> <p>The condition regarding the positioning of LPG gas cylinders has been removed as a result of further discussions with Norfolk Fire &amp; Rescue Service.</p> <p>The condition regarding the height of boundary fencing between caravan pitches remains unchanged.</p> <p>The condition regarding a separate amenity building has been removed.</p>
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<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
Sheepbridge Mobile Home Park	<p>The agent on behalf of the licensees made numerous comments regarding the proposed site licence conditions.</p> <p>*Fencing &amp; hedging *LPG storage *BS3632 *Privacy</p>	<p>The comments have been considered and some amendments to the single and multi-site conditions have been made.</p> <p>The condition relating to the height of fencing &amp; hedging between pitches has not been amended following discussion with Norfolk Fire &amp; Rescue Service.</p> <p>The condition regarding the positioning of LPG gas cylinders has been removed as a result of further discussions with Norfolk Fire &amp; Rescue Service.</p> <p>The condition regarding the requirement for caravans on site to comply with BS3632 2005 has been amended.</p> <p>The condition regarding the declaration of information has been omitted.</p>



<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
Julia Bradburn (Institute of Licensing Trainer)	A number of comments were made regarding:  *Fencing between roads and pitches * Refuse Storage & Disposal	The comments have been considered and some amendments to the conditions made.  The condition regarding the separation of roads and pitches has been removed.  The condition regarding the storage and disposal of refuse has not been amended.

<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
A Site Resident	A site resident submitted comments about the provision of sheds etc on a holiday site.	The comments were not relevant to residential caravans.

<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
A Site Resident	A site resident suggested that any fees charged for the licensing function should not be passed on to site residents.	The comments have been noted however those fees associated with the site licensing function can be passed on to residents subject to conditions.

<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
A Site Owner	A site owner made comment regarding the Norfolk County Council owned Gypsy, Roma & Traveller site being exempt from licensing conditions.	The comments have been noted regarding the application of licence conditions. The exemption for Council owned sites is set out in law and is outwith the jurisdiction of the Council.

<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
A Site Owner (Hastoe Housing Association)	A site owner made additional comments over and above their comments submitted separately and also made further comments regarding the *application of conditions	The comments have been noted.  The condition explaining the application of the Regulatory Reform (Fire Safety) Order has been clarified/amended to reflect discussions with Norfolk Fire

	to specific sites, *the application of the Regulatory Reform (Fire Safety) Order and *fees to cover the residential caravan site licensing function.	and Rescue Service.  Comments regarding the application of fees for the licensing function have been noted.
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<b>Comments made by</b>	<b>Summary</b>	<b>Action Taken</b>
A Site Resident	A site resident made a comment that residents should be advised of any licensing fees to be passed on and that they confirmed that the proposed conditions would be a beneficial.	The comments have been noted however those fees associated with the site licensing function can be passed on to residents subject to strict conditions.

**CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960**

King's Court, Chapel Street  
King's Lynn  
Norfolk PE30 1EX  
Tel: (01553) 616200  
Fax: (01553) 768999

Borough Council of  
**King's Lynn &  
West Norfolk**



**RESIDENTIAL CARAVAN SITE LICENCE NO:**

DATED:

ISSUED IN RESPECT OF:

SITE APPROVAL DETAILS:

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**Licence Conditions**

*These conditions shall apply to the land shown on the plan attached to the most recent site licence application form.*

**1. Number of Caravans**

- (i) At no time shall the number of caravans onsite (as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) exceed \_\_\_.

**2. 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 caravan or combustible structure shall be positioned within 3 metres of the boundary of the site.
- (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.

**3. Density, Spacing and Parking Between Caravans**

- (i) Except in the case mentioned in sub paragraph (iii) and subject to sub paragraph (iv), every caravan must where practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- (ii) No caravan 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.
- (iii) Where a caravan 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 caravan may be reduced to a minimum of 5.25 metres.
- (iv) In any case mentioned in subparagraph (i) or (iii):
- (a) A porch attached to the caravan 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 caravan. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.

- (b) Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans 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.
- (c) Any structure including steps, ramps, etc (except 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 caravan.
- (d) A garage or car port may only be permitted within the separation distance if it is of non-combustible construction.
- (e) Windows in structures within the separation distance shall not face towards the caravan on either side.
- (f) Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high.
- (g) Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan.
- (v) The density of caravans on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

#### **4. Roads, Gateways and Overhead Cables**

- (i) Roads shall be designed to 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 macadem 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) Roads shall be maintained in a good condition.
- (ix) Cable overhangs must meet the statutory requirements.

## **5. Footpaths and Pavements**

- (i) Every caravan shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.
- (ii) Where practicable, communal footpaths and pavements shall not be less than 0.9 metres wide.

## **6. 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.

## **7. Bases**

- (i) Every unit must stand on a concrete base or hard-standing.
- (ii) The base 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.

## **8. 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.

## **9. 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.

## **10. 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.

### **11. 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.

### **12. 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.
- (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.

### **13. Domestic Refuse Storage & Disposal**

- (i) Where communal refuse bins are provided these shall be non-combustible and housed within a properly constructed bin store.
- (ii) All refuse disposal shall be in accordance with all current legislation and regulations.

### **14. Communal Vehicular Parking**

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

### **15. 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.

### **16. 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.
- (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:
  - (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.

### **17. 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.

### **18. 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 local authority.

### **19. 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 paragraph 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 caravan 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 caravan or site building involved is evacuated.
- II. Raise the alarm.
- III. Call the fire brigade (the nearest phone is sited at .....).”

## **20. Condition of Caravans**

- (i) All caravans stationed on the site shall be maintained in a good state of decorative, structural and mechanical repair, to the satisfaction of the Licensing Authority.
- (ii) Every caravan brought onto the site must comply with BS3632 (2005)\*

*\*Where specific British Standards are referred to the licence holder should note that where these are superseded, the updated standard will automatically apply.”*



### **IMPORTANT ADDITIONAL INFORMATION**

**Section 7 (1) of the Caravans Sites and Control of Development Act 1960** states that any person aggrieved by any condition of this licence may, within twenty-eight days of the date on which the licence was so issued, appeal to a magistrates' court acting for the petty sessions area in which the land is situated; and the court, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister of State) that the condition is unduly burdensome, may vary or cancel the condition.

**Section 7 (2) of the Act** states in so far as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition nor, thereafter, whilst an appeal against the condition is pending.

MULTI CURRENT CONDITIONS

**CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960**

King's Court, Chapel Street  
King's Lynn  
Norfolk PE30 1EX  
Tel: (01553) 616200  
Fax: (01553) 768999

Borough Council of  
**King's Lynn &  
West Norfolk**



**RESIDENTIAL CARAVAN SITE LICENCE NO:**

DATED:

ISSUED IN RESPECT OF:

SITE APPROVAL DETAILS:

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**Licence Conditions**

*These conditions shall apply to the land shown on the plan attached to the most recent site licence application form.*

**1. Number of Caravans**

- (i) At no time shall the number of caravans onsite (as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968) exceed \_\_\_.

**2. Boundaries**

- (i) The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- (ii) No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site.
- (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.

**3. Density, Spacing and Parking Between Caravans**

- (i) Except in the case mentioned in sub paragraph (iii) and subject to sub paragraph (iv), every caravan must where practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- (ii) No caravan 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.
- (iii) Where a caravan 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 caravan may be reduced to a minimum of 5.25 metres.
- (iv) In any case mentioned in subparagraph (i) or (iii):
- (a) A porch attached to the caravan 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 caravan. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.

- (b) Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans 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.
- (c) Any structure including steps, ramps, etc (except 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 caravan.
- (d) A garage or car port may only be permitted within the separation distance if it is of non-combustible construction.
- (e) Windows in structures within the separation distance shall not face towards the caravan on either side.
- (f) Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high.
- (g) Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan.

#### **4. Roads, Gateways and Overhead Cables**

- (i) Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.
- (ii) Roads shall be maintained in a good condition.
- (iii) Cable overhangs must meet the statutory requirements.

#### **5. Bases**

- (i) The unit must stand on a concrete base or hard-standing.
- (ii) The base 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.

#### **6. 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.

#### **7. 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.

## **8. 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.

## **9. Drainage and Sanitation**

- (i) 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.
- (ii) All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards.
- (iii) 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.

## **10. Domestic Refuse Storage & Disposal**

- (i) All refuse disposal shall be in accordance with all current legislation and regulations.

## **11. Notice**

- (i) A copy of the current site licence shall be available for inspection onsite.

## **12. 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.

## **13. Fire safety measures where the Regulatory Reform (Fire Safety) Order 2005 does not apply**

## **Fire Fighting Equipment**

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

## **Fire Warning**

- (v) A suitable means of raising the alarm in the event of a fire shall be provided.

## **Maintenance and Testing of Fire Fighting Equipment**

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

## **14. Condition of Caravans**

- (i) All caravans stationed on the site shall be maintained in a good state of decorative, structural and mechanical repair, to the satisfaction of the Licensing Authority.
- (ii) Every caravan brought onto the site must comply with BS3632 (2005)\*

*\*Where specific British Standards are referred to the licence holder should note that where these are superseded, the updated standard will automatically apply."*

### **IMPORTANT ADDITIONAL INFORMATION**

**Section 7 (1) of the Caravans Sites and Control of Development Act 1960** states that any person aggrieved by any condition of this licence may, within twenty-eight days of the date on which the licence was so issued, appeal to a magistrates' court acting for the petty sessions area in which the land is situated; and the court, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister of State) that the condition is unduly burdensome, may vary or cancel the condition.

**Section 7 (2) of the Act** states in so far as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition nor, thereafter, whilst an appeal against the condition is pending.

SINGLE CURRENT CONDITIONS

# CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

King's Court, Chapel Street  
King's Lynn  
Norfolk PE30 1EX  
Tel: (01553) 616200  
Fax: (01553) 768999

Borough Council of  
**King's Lynn &  
West Norfolk**



LICENCE REF:

DATED:

ISSUED IN RESPECT OF:

SITE APPROVAL DETAILS:

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## Licence Conditions (Single Occupancy Site)

*Note: A single occupancy site is where the people in each caravan are related to each other. This usually applies to smaller sites occupied by one extended family group such as gypsy & traveller families\*. A multi-occupancy site is where the people in each caravan form completely unrelated separate households.*

*These conditions shall apply to the land shown on the plan attached to the most recent site licence in connection with the stationing of caravans on that land for the purposes of human habitation.*

*The Licensing Authority is the Borough Council of King's Lynn & West Norfolk.*

### 1. Number of Caravans

At no time shall the number of caravans onsite, as defined by Section 29 of the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 exceed \_\_\_.

### 2. 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 caravan or combustible structure should be positioned within 3 metres of the boundary of the site.
- (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 Licensing Authority.  
(b) The plan supplied must be of a scale no less than 1:500 and should clearly show all relevant structures, features and facilities on it and shall be of a suitable quality, as so defined by the Licensing Authority.

### 3. Density, Spacing and Parking Between Caravans

- (i) Except in the case mentioned in sub paragraph (iii) and subject to sub paragraph (iv), every caravan must where practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- (ii) No caravan 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.

- (iii) Where a caravan 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 caravan may be reduced to a minimum of 5.25 metres.
- (iv) In any case mentioned in subparagraph (i) or (iii):
  - (a) A porch attached to the caravan 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 caravan. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.
  - (b) Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans 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.
  - (c) Any structure including steps, ramps, etc (except 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 caravan.
  - (d) A garage or car port may only be permitted within the separation distance if it is of non-combustible construction.
  - (e) Windows in structures within the separation distance shall not face towards the caravan on either side.
  - (f) Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high.
  - (g) Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan.

#### **4. Roads, Gateways, Footpaths and Overhead Cables**

- (i) Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.
- (ii) Roads and footpaths shall be maintained in a good condition.
- (iii) Cable overhangs must meet the statutory requirements.

#### **5. Bases**

- (i) Every caravan must stand on a concrete base or hard-standing.
- (ii) The base must extend over the whole area occupied by the caravan, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely.

#### **6. 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.

## **7. 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.

## **8. 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.

## **9. 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 Licensing Authority.
- (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.

## **10. Domestic Refuse Storage & Disposal**

- (i) All refuse disposal shall be in accordance with all current legislation and regulations.
- (ii) No refuse shall be allowed to accumulate at any point on the site, including the caravan surrounds. In this condition refuse includes derelict vehicles, discarded household items or other such waste.

## 11. Notice

A copy of the current site licence and associated conditions shall be retained on site and available for inspection.

## 12. Flooding

- (i) The site owner shall establish whether the site is at risk from flooding by referring to the flood risk information pages on the Borough Council's website.
- (ii) The site owner shall establish the likelihood of flooding, the depths and velocities that might be expected and any site considered to be in a location regarded as high risk of flooding shall be registered with the Environment Agency Floodline.
- (iii) Where the site is at a lower risk it is recommended that the site owner/Licensee is registered with the Environment Agency Floodline service.

## 13. Fire Fighting Equipment & Precautions

- (i) 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.
- (ii) Where hydrants are provided, hydrants shall conform to the current British or European Standard.
- (iii) Access to hydrants and other water supplies shall not be obstructed or obscured.
- (iv) No flammable materials or liquids shall be left stored on any part of the caravan standing. Space under any caravan shall not be used for the storage of any materials which contribute to a fire hazard.

## 14. Fire Warning

Where there is more than one caravan a suitable means of raising the alarm in the event of a fire shall be provided.

## 15. General

- (i) The site shall be restricted to that for which planning permission is held.
- (ii) Caravans shall not be occupied by a greater number of persons than the caravan is designed to accommodate.
- (iii) In normal circumstances on single family sites there will not be any caravans let for residential purposes however where the site/caravan is being let by the licensee the following will apply:

- a) Every caravan that is let by the Licensee/s for residential purposes must be designed and constructed for permanent residential use and shall comply with BS3632 (2005). Caravans predating this standard must comply with previous versions of the standard.\*\*
- b) Any gas installations, appliances, flues and associated pipework/installations to caravans which are let for residential purposes shall be subject to an annual inspection by a competent person and shall be maintained in accordance with all current statutory requirements, relevant Standards and Codes of Practice including The Gas (Installation & Use) Regulations 1998. A copy of the inspection certificate shall be made available to the occupant and/or Licensing Authority upon request.
- c) Any caravan let by the Licensee/s for residential purposes shall be provided with a carbon monoxide detector. It shall be of a type which gives an audible warning and be installed in accordance with the manufacturer's instructions. The detector shall be subject to an annual inspection by the Licensee and/or in accordance with the manufacturer's instructions. The inspection shall be recorded and shall be available for inspection by the occupant and/or the Licensing Authority.
- d) Any caravan let by the Licensee/s for residential purposes shall be fitted with a fire blanket and smoke detector of a type which gives an audible warning and shall be installed in accordance with the manufacturer's instructions. This equipment shall be subject to regular inspection by the Licensee, in accordance with the manufacturer's instructions. The inspection shall be recorded and shall be available for inspection by the occupant and/or the Licensing Authority.
- e) Any electrical installations, appliances and associated installations to caravans which are let by the Licensee/s for residential purposes shall be subject to, as a minimum, electrical inspection and testing every 3 years. This inspection and testing should be undertaken by a competent person and all installations and appliances shall be maintained in accordance with all current statutory requirements, relevant Standards and Codes of Practice. A copy of the inspection certificate shall be made available to the occupant and/or Licensing Authority upon request.

\* The definition of gypsies, roma & travellers is as defined in Annex 1 of 'Planning Policy for Travellers Sites'.

\*\* The Licensee will be required to provide all necessary supporting technical information, to the satisfaction of the Licensing Authority.

Notes in respect to the operation of the Caravan Sites and Control of Development Act 1960 (as amended);

## **Section 7**

(1) Any person aggrieved by any condition (other than the condition referred to in subsection (3) of section five of this Act) subject to which a site licence has been issued to him in respect of any land may, within twenty-eight days of the date on which the licence was so issued, appeal to a magistrates' court acting for the petty sessions area in which the land is situated; or in a case relating to land in England, to a residential property tribunal; and the court or tribunal, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of the said section 5) that the condition is unduly burdensome may vary or cancel the condition.

*In a case where a residential property tribunal varies or cancels a condition under subsection (1), it may also attach a new condition to the licence in question.*

*In so far as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition is pending.*

## **Section 8**

*Where the holder of a site licence is aggrieved by any alteration of the conditions attached thereto or by the refusal of the local authority of an application by him for an alteration of those conditions, he may, within 28 days of the date on which written notification of the alteration or refusal is received by him, appeal to a magistrates' court acting for the petty sessions area in which the land to which the site licence relates is situated; or in the case relating to land in England, to a residential property tribunal; and the court or tribunal may, if they allow the appeal, give the local authority such directions as may be necessary to give effect to their decision.*

SINGLE NEW CONDITION

# CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

King's Court, Chapel Street  
King's Lynn  
Norfolk PE30 1EX  
Tel: (01553) 616200  
Fax: (01553) 768999

Borough Council of  
**King's Lynn &  
West Norfolk**



LICENCE REF:

DATED:

ISSUED IN RESPECT OF:

SITE APPROVAL DETAILS:

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## Licence Conditions (Multi-Occupancy Site)

*Note: A multi-occupancy site is where the people in each caravan form separate households. A single occupancy site is where the people in each caravan are related to each other. This usually applies to smaller sites occupied by one extended family group.*

*These conditions shall apply to the land shown on the plan attached to the most recent site licence in connection with the stationing of caravans on that land for the purposes of human habitation.*

*The Licensing Authority is the Borough Council of King's Lynn & West Norfolk.*

### 1. Number of Caravans

At no time shall the number of caravans onsite, as defined by Section 29 of the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 exceed .

### 2. 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 caravan or combustible structure should be positioned within 3 metres of the boundary of the site.
- (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 Licensing Authority.
  - (b) The plan supplied must be of a scale no less than 1:500 and should clearly show all relevant structures, features and facilities on it and shall be of a suitable quality, as so defined by the Licensing Authority.

### 3. Density, Spacing and Parking Between Caravans

- (i) Except in the case mentioned in sub paragraph (iii) and subject to sub paragraph (iv), every caravan must be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- (ii) No caravan 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.

- (iii) Where a caravan 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 caravan may be reduced to a minimum of 5.25 metres.\*
- (iv) In any case mentioned in subparagraph (i) or (iii):
  - (a) A porch attached to the caravan 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 caravan. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.
  - (b) Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans 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.
  - (c) Any structure including steps, ramps, etc (except 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 caravan.
  - (d) A garage or car port may only be permitted within the separation distance if it is of non-combustible construction.
  - (e) Windows in structures within the separation distance shall not face towards the caravan on either side.
  - (f) Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high.
  - (g) Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan. A motorhome used for habitation will not qualify as a private car and the separation distance referred to in (i) shall be maintained.
- (v) The density of caravans on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

#### **4. Roads, Gateways and Overhead Cables**

- (i) Roads shall be designed to afford adequate access for emergency vehicles, shall be constructed to accommodate all necessary loadings and shall be well maintained and kept clear of obstruction at all times.
- (ii) New roads shall be constructed and laid of suitable bitumen macadem 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) Roads shall be maintained in a good condition.
- (ix) Cable overhangs must meet the statutory requirements.

## **5. Footpaths and Pavements**

- (i) Every caravan shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.
- (ii) Where practicable, communal footpaths and pavements shall not be less than 0.9 metres wide.

## **6. 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.

## **7. Bases**

- (i) Every unit must stand on a concrete base or hard-standing.
- (ii) The base 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.

## **8. 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.

## **9. 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 gas installations, appliances, flues and associated pipework/installations to caravans which are let for residential purposes shall be subject to an annual inspection by a

competent person and shall be maintained in accordance with all current statutory requirements, relevant Standards and Codes of Practice including The Gas (Installation & Use) Regulations 1998. A copy of the inspection certificate shall be made available to the occupant and/or Licensing Authority upon request.

- (iv) Any caravan let by the Licensee/s for residential purposes shall be provided with a carbon monoxide detector. It shall be of a type which gives an audible warning and be installed in accordance with the manufacturer's instructions. The detector shall be subject to an annual inspection by the Licensee and/or in accordance with the manufacturer's instructions. The inspection shall be recorded and shall be available for inspection by the occupant and/or the Licensing Authority.

## 10. 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.
- (v) Any electrical installations, appliances and associated installations to caravans which are let by the Licensee/s for residential purposes shall be subject to, as a minimum, electrical inspection and testing every 3 years. This inspection and testing should be undertaken by a competent person and all installations and appliances shall be maintained in accordance with all current statutory requirements, relevant Standards and Codes of Practice. A copy of the inspection certificate shall be made available to the occupant and/or Licensing Authority upon request.

## 11. 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.



## **12. 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.
- (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.

## **13. Domestic Refuse Storage & Disposal**

- (i) Where communal refuse bins are provided these shall be non-combustible and housed within a properly constructed bin store.
- (ii) All refuse disposal shall be in accordance with all current legislation and regulations.
- (iii) No refuse shall be allowed to accumulate at any point on the site, including the caravan surrounds. In this condition refuse includes derelict vehicles, discarded household items or other such waste.

## **14. Communal Vehicular Parking**

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

## **15. 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.

## **16. 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.
- (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:
  - (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 any relevant fire risk assessment.
- (v) All notices shall be suitably protected from the weather and from direct sunlight.

## 17. Flooding

- (i) The site owner shall establish whether the site is at risk from flooding by referring to the flood risk information pages on the Borough Council's website.
- (ii) The site owner shall establish the likelihood of flooding, the depths and velocities that might be expected and any site considered to be in a location regarded as high risk of flooding shall be registered with the Environment Agency Floodline service.
- (iii) Where the site is at a lower risk it is recommended that the site owner/Licensee is registered with the Environment Agency Floodline service.

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

The site owner shall make available the latest version of any 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 Licensing Authority.

## 19. Fire Safety

Each and every condition of this site licence shall not apply to any fire safety matter to which requirements or prohibitions that are, or could be imposed by the Regulatory Reform (Fire Safety) Order 2005 apply.

### Fire Points

- (i) These shall be located so that no caravan or site building is more than 30 metres from a fire point.
- (ii) Each fire point should consist of a red hi-viz waterproof housing, be accessible and clearly and conspicuously marked 'FIRE POINT' and shall have affixed a weatherproof action instruction notice on the outside.
- (iii) Each Fire Point shall contain inside;
  - a) A portable air warning horn, warning bell, or other warning device which must be fully servicable and available for use at all times.
  - b) A fully servicable hand held torch.
- (iv) Unless a person is trained in fire fighting there should be no encouragement to any person to act in any manner to fight a fire. The following advice should appear in writing at each fire point in clear distinct signage;
  - a) Do not take personal risks or attempt to tackle the fire.
  - b) Raise the alarm by activation of the alarm mechanism provided
  - c) Ensure that the fire and rescue service is called.

d) The nearest public telephone is located at.....

e) The address and the postcode of this site is.....

f) Meet the fire and rescue service on their arrival in order to facilitate access, directions and to report should you be aware of any persons either missing or trapped.

### Fire Fighting Equipment

(v) 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.

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

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

(viii) Any caravan let by the Licensee/s for residential purposes shall be fitted with a fire blanket and smoke detector of a type which gives an audible warning and shall be installed in accordance with the manufacturer's instructions. This equipment shall be subject to regular inspection by the Licensee, in accordance with the manufacturer's instructions. The inspection shall be recorded and shall be available for inspection by the occupant and/or the Licensing Authority.

(ix) The provision of fire extinguishers is optional however if they are provided the residents shall be adequately trained and the extinguishers 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 occupants, the Licensing Authority or the Fire and Rescue Service.

(x) All fire fighting equipment, where provided, should be freely accessible, be in good working order and adequately protected from weathering and the effects of frost.

(xi) No flammable materials or liquids shall be left stored on any part of the caravan standing. Space under any caravan shall not be used for the storage of any materials which contribute to a fire hazard.

### 20. General

(i) The site shall be restricted to that for which planning permission is held.

(ii) All caravans stationed on the site shall be maintained in a good state of structural and mechanical repair, to the satisfaction of the Licensing Authority.

- (iii) Every caravan brought onto the site for occupation, must be designed and constructed for permanent residential use and shall comply with BS3632 (2005).\*\*\*
- (iv) Every caravan that is let by the Licensee/s for residential purposes must be designed and constructed for permanent residential use and shall comply with BS3632 (2005). Caravans predating this standard must comply with previous versions of the standard.\*\*\*

*\*The Licensee may be required to provide supporting evidence of the fire rating or combustibility of materials and/or structures to the satisfaction of the Licensing Authority.*

*\*\* The definition of gypsies, roma & travellers is as defined in Annex 1 of 'Planning Policy for Travellers Sites'.*

*\*\*\* The Licensee will be required to provide all necessary supporting technical information, to the satisfaction of the Licensing Authority.*

Notes in respect to the operation of the Caravan Sites and Control of Development Act 1960 (as amended);

## **Section 7**

*(1) Any person aggrieved by any condition (other than the condition referred to in subsection (3) of section five of this Act) subject to which a site licence has been issued to him in respect of any land may, within twenty-eight days of the date on which the licence was so issued, appeal to a magistrates' court acting for the petty sessions area in which the land is situated; or in a case relating to land in England, to a residential property tribunal; and the court or tribunal, if satisfied (having regard amongst other things to any standards which may have been specified by the Minister under subsection (6) of the said section 5) that the condition is unduly burdensome may vary or cancel the condition.*

*In a case where a residential property tribunal varies or cancels a condition under subsection (1), it may also attach a new condition to the licence in question.*

*In so far as the effect of a condition (in whatever words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition is pending.*

## **Section 8**

*Where the holder of a site licence is aggrieved by any alteration of the conditions attached thereto or by the refusal of the local authority of an application by him for an alteration of those conditions, he may, within 28 days of the date on which written notification of the alteration or refusal is received by him, appeal to a magistrates' court acting for the petty sessions area in which the land to which the site licence relates is situated; or in the case relating to land in England, to a residential property tribunal; and the court or tribunal may, if they allow the appeal, give the local authority such directions as may be necessary to give effect to their decision.*

Borough Council of  
**King's Lynn &  
West Norfolk**



# Fees Policy for Licensing Residential Caravan Sites

Borough Council of King's  
Lynn & West Norfolk  
King's Court  
Chapel Street  
King's Lynn  
Norfolk  
PE30 1EX



## **1.0 Introduction**

1.1 The Borough Council of King's Lynn & West Norfolk ('the Council') has powers under the Caravan Sites and Control of Development Act 1960 ('the Act') as amended by the Mobile Homes Act 2013 ('the 2013 Act') to issue licences in respect of 'relevant protected sites' and to charge fees for the provision of their licensing functions.

1.2 A relevant protected site is defined in the Act as any land to be used as a caravan site other than one where a licence is:

- Granted for holiday use only
- In any other way subject to conditions which restrict the usage of the site for the stationing of caravans for human habitation at certain times of the year (such as planning conditions)
- It does not include sites that are owned by the local authority

Therefore a protected site relates to all sites that are used for permanent residential use, apart from local authority owned sites.

1.3 Local authorities can charge;

- A licence fee for applications to grant or transfer a licence or an application to alter the conditions attached to a licence and;
- An annual licence fee for administering and monitoring licences.

Before a local authority can charge a fee, it must prepare and publish a fees policy. When determining a fee the local authority:

- Must act in accordance with their fees policy
- May set different fees in different cases
- May determine that no fee is required in some cases

1.4 Any fees charged must fairly cover the costs (or part of the costs) incurred by a local authority under its functions in Part 1 of the Act, other than the costs of enforcement action. They must be reasonable and transparent and whilst different fees can apply to different types of cases, there must be consistency in the fee structure and its application.

## **2.0 The Fee Structure**

2.1 In calculating a fee structure, the Council will calculate its fees in accordance with the provisions of the 2013 Act which allows a local authority to include all its reasonable costs and this includes administrative costs, officer visits to the site, travel costs, consultations, meetings, undertakings and informal advice.

- 2.2 The Council will, when deciding its fee structure, base it on the size of a site because the cost to the Council in terms of Officer time and administration is proportional to the number of units on a site. Sites are banded according to the number of units on each site and costs are apportioned to take into account the costs incurred.
- 2.3 The fee structure applies to all sites where they are being operated as a business and excludes single family sites such as gypsy & traveller family owned and occupied sites, which are often small sites\*.
- 2.4 Single family owned and occupied sites are exempt from an annual fee as it is not intended to undertake annual inspections of these sites and the costs of recovery of fees offset the returns.
- 2.5 It is also proposed that fees not be charged for new site licence applications for sites with up to five units for a period of 12 months following the adoption of this policy so as to encourage historic sites that have gone unlicensed for some time to make a site licence application. All other activities surrounding the licensing function will be chargeable as per the fees policy.\*\*

	<b>Band A</b>	<b>Band B</b>	<b>Band C</b>	<b>Band D</b>
<b>Units</b>	<b>1-5</b>	<b>6-24</b>	<b>25-50</b>	<b>51-100</b>
<b>Annual Fee</b>	£0	£219	£279	£346
<b>New site licence Application</b>	£0** £284	£411	£487	£577
<b>Transfer of site licence</b>	£128	£140	£152	£163
<b>Amendment of site licence</b>	£172	£186	£200	£216
<b>Registering of site rules</b>	£35	£35	£35	£35

### **3.0 Review of the Fee Structure**

- 3.1 A review of the fee structure will be carried out annually and revised if necessary. Any adjustments will take into account variations in actual officer and administration time to those predicted, any changes to officer hourly rates, mileage costs or any other typical associated costs in providing the licensing function.

- 3.2 Where a deficit appears because expenditure was more than anticipated the shortfall will be reflected in the fee charged to the site owner in the next year. Similarly, where a surplus is made the fee for the following year will be reduced by that amount.

#### **4.0 Publishing the Fees Policy**

- 4.1 The fees policy for licensing of caravan sites will be published on the Councils website.
- 4.2 If the Council revises its fees policy, it will replace the published policy with the revised policy.
- 4.3 There will be a copy of the fees policy kept within the Housing Standards department which will be available to view during normal office hours at the Council Offices.

#### **5.0 How fees are to be paid**

- 5.1 The Council requires all fees to be included with any application for a new site licence, for amending a site licence or transferring a site licence.
- 5.2 In the case of existing sites, where an annual fee is payable, the request for payment will be made in April each year and must be paid to the Council within 28 days of the date of request.
- 5.3 Where an annual fee payment to the Council becomes overdue, the Council may apply to the First Tier Tribunal for an Order requiring the licence holder to pay to the Council the amount due by the date specified in the Order. Where a licence holder fails to comply with such an Order within the period of 3 months from the date of the Order, the Council may apply to the First Tier Tribunal for an Order revoking the site licence.
- 5.4 Any licence holder has the right to apply to the First Tier Tribunal where they disagree with the licence fee being charged.
- 5.5 Where a new site is licenced is issued part way through the year then an invoice with 28 day payment terms will be issued for the pro-rata amount.
- 5.6 Where a site is expanded part way through a year to include additional units and hence an alternative banding applies, the corresponding higher fee would apply from that point. In such cases an invoice with the same payment terms, covering the difference between the original and increased fee for the remainder of the financial year will be sent shortly after the amended licence has been issued.



## **6.0 Enforcement Costs**

- 6.1 Where there has been a breach in a site licence condition which comes to the attention of the Council we may serve a Compliance Notice.
- 6.2 The Mobile Homes Act 2013 has amended the Caravan Sites and Control of Development Act 1960 so that it now details the elements which the local authority may include when imposing a charge for enforcement action. These include the time involved in deciding to serve and prepare the Notice.
- 6.3 A detailed breakdown of the relevant expenses would be provided with the Compliance Notice. Charges would be based upon an hourly rate in addition to any costs incurred, for example legal costs.

## **7.0 Other Matters**

- 7.1 Please note that once the application form and all necessary supporting information, including the correct fee, has been submitted to the Council the application will be deemed as complete and the Council will aim to determine the application within 8 weeks.
- 7.2 If the application is not approved then the applicant is not entitled to a refund, as the application has been processed.

*\*If the applicant claims to be Band A due to being a single family site then additional information may be requested by officers in order to verify this claim. If there is any doubt as to the legitimacy of any claim then the matter will be referred to the Housing Services Operations Manager to determine what banding applies and therefore what fees are applicable.*

**FORWARD DECISIONS LIST**

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
6 October 2015	Town Hall Exhibition Tender		Key	Cabinet	Culture Heritage & Health Exec Dir – C Bamfield		Exempt - Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Residential Caravan Site Licensing	Report following consultation process	Non	Council	Housing and Community Chief Executive		Public
	King's Lynn Town Centre Management Plan		Non	Cabinet	ICT Leisure and Public Space Chief Executive		Public
	Position of Honorary Recorder for the Borough		Non	Council	Leader Chief Executive		Public
	Devolution		Non	Council	Leader Chief Executive		Public

Agenda Item 13

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
3 November 2015	Affordable Housing Company		Non	Cabinet	Housing & Community		Public
	The Statement of Community Involvement		Non	Cabinet	Development Exec Director G Hall		Public
	Customer Services and Channel Shift		Non	Cabinet	Community		Public
	Freebridge/Council Liaison		Non	Cabinet	Housing and Community		Public

	Board				Chief Executive		
	Treasury Management – Mid Year Report		Non	Cabinet	Leader Asst Director – L Gore		Public
	Smoke and Carbon Monoxide Alarm Regulations 2015		Non	Cabinet	Housing and Community Chief Executive		Public
	River Front Development Delivery Plan	Appointment of Consultants to prepare the Plan	Non	Cabinet	Regeneration Chief Executive		Exempt - Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
67	Community Infrastructure Levy		Key	Council	Housing and Community Exec Director – G Hall		Public
	Licensing and Gambling Act Review of Policies		Non	Council	Housing and Community Exec Director – G Hall		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
1 December 2015							
	Electoral Review		Key	Council	Leader Chief Executive		Public
	Corporate Business Plan 2015-19		Key	Council	Chief Executive		Public
	Hackney Carriage & Private Hire Licensing Conditions & Procedures Review		Non	Council	Community Exec Director – G Hall		Public

Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
12 January							

2016							
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Date of meeting	Report title	Description of report	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
2 February 2016	Budget 2016/17		Key	Council	Leader Asst Exec Dir – L Gore		Public

## REGENERATION & DEVELOPMENT AND ENVIRONMENT & COMMUNITY JOINT WORK PROGRAMME 2015/2016

### 3 June 2015

- Nominations to Outside Bodies
- Membership of Informal Working Groups
- Update on Black Bin Recycling – Dale Gagen
- Presentation on Internal Drainage Board Boundary Changes – Phil Camamile
- Cabinet Report – Fields in Trust
- Cabinet Report – Compulsory Purchase Order - Lynnsport
- EXEMPT Cabinet Report – Acquisition of Morston Assets Sites at NORA

### 24 June 2015

- Flood and Emergency Planning Update – Dave Robson
- South Quay Area Delivery Plan – Ostap Paparega

### 22 July 2015

- Leisure Trust Update
- Recycling Funding – Ian Burbidge
- Cabinet Report – HLF – The Green, Hunstanton – Ostap Paparega

### 2 September 2015

- Update on the work of the Norfolk Coast Partnership – Tim Venes
- Cabinet Report – Brancaster and South Wootton Parish Neighbourhood Plan
- Cabinet Report – Site Allocations Plan – Proposed Modifications
- Cabinet Report – Nar Ouse Business Park Enterprise Zone

### 30 September 2015

- Food Safety Team Annual Update – last went to Panel March 2014
- Overview of Enforcement – Stuart Ashworth
- Overview of Hanseatic Activities - report on Council's involvement, success of events and benefits to the Borough. – all Councillors to be invited.
- Highways Works – Quentin Brogdale from Norfolk County Council to attend – invite KLACC
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**28 October 2015**

- Environmental Statement (last considered October 2014) – Melvin Harrison
- Joint working with Norfolk Constabulary and SNAP updates – John Greenhalgh – invite KLACC
- Hackney Carriage and Private Hire Licensing Conditions Review
- Report on the King's Lynn Transport Interchange Project – overview of project – all Councillors to be invited.
- Derelict Land and Buildings Group – 6 monthly update (last went to Panel in February 2015)
- West Norfolk Disability Forum

**25 November 2015 – Meeting to be held at the Wembley Room, Lynnsport.**

**Meeting to be preceded by a tour of Lynnsport – time to be confirmed.**

- Leisure Trust Update
- Air Quality Annual update – Dave Robson
- Destination Management Plan – Tim Humphries
- Norfolk Rural Development Strategy Update and Local Strategy for the West Norfolk LEADER Programme – Vince Muspratt and Eliska Cheeseman – Norfolk County Council

**6 January 2016**

- Norfolk Museums Service Update – last considered Jan 2015 – Robin Hanley
- Pay to use toilets

**27 January 2016**

- Capital Programme
- Budget
- Update on Homelessness – last considered on 7<sup>th</sup> January 2015

- Recycling Project Update – Ian Burbidge

**24 February 2016**

**23 March 2016**

- Annual Feedback Reports from Outside Bodies
- Food safety team Annual Update – last considered March 2014.

**20 April 2016**

**To be confirmed**

- Tour of the NORA Housing site and King's Lynn Innovation Centre.
- Effect of wind turbines on the fishing industry