

## REPORT TO CABINET

<b>Open</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Mandatory and Discretionary elements	(a) Be entirely within cabinet's powers to decide	YES		
		(b) Need to be recommendations to Council	NO		
		(c) Key Decision	NO		
Lead Member: Cllr Sam Sandell E-mail: <i>cllr.sam.sandell@west-norfolk.gov.uk</i>		Other Cabinet Members consulted: Cllr Lawrence			
		Other Members consulted:			
Lead Officer: Mark Whitmore E-mail: mark.whitmore@west-norfolk.gov.uk		Other Officers consulted: Sean Quinn, Gordon Jackson Hopps			
Financial Implications YES	Policy/ Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment NO If YES: Pre-screening only	Risk Management Implications No	Environmental Implications No

Date of meeting: 15 June 2021

### CARAVAN SITES FIT & PROPER PERSON REPORT

#### Recommendation

- 1) To adopt the procedures detailed within the attached report.
- 2) To include the fee structure within the existing Caravan Site Licensing Fees Policy

#### Reason for Decision

To ensure enforcement of statutory Regulations in accordance with extant legislation and attached report and to clarify the procedures adopted therein.

#### Background

Nationally there have been concerns with regards the quality of management of residential caravan sites for some time. A government panel chaired by Sir Peter Bottomley MP reviewed such and the decision was made to prepare legislation to enact existing provisions contained within the **Mobile Homes Act 2013**.

This has resulted in the enactment of the **Mobile Homes (Requirements for Managers of Site to be Fit and Proper) (England) Regulations 2020**. Statutory Instrument No.1034 made 23<sup>rd</sup> September 2020.

This legislation places a statutory duty on local authorities to undertake assessments of those nominated site managers in order to ensure that they are fit and proper and that sufficient procedures and resources are available

for the adequate management and maintenance of the residential caravan site. Where managers are approved their details will be entered onto a public register, as within the caravan site licensing regime. These residential sites are often referred to in the legal term 'relevant protected sites'. The legislation does not include holiday caravan sites and certain family owned and occupied residential sites are also exempt from the Regulations.

### **Principle Changes**

This is new legislation and will require those site owners to submit applications, declarations and supporting documentation that they do not currently need to submit. The local authority will then assess the application in accordance with the statutory requirements, government guidance and attached report. The Council will be able to charge a fee for this service in order to recover its costs of processing and determining such applications, the proposed fees are set out at Appendix A of the attached report.

### **Policy Implications**

The requirement to undertake this activity is statutory and therefore the Council's activity will be undertaken by Housing Standards in accordance with the Regulations.

### **Financial Implications**

There will be a cost to the Council in respect of officer time in processing such applications however these costs will be recovered in accordance with the Regulations, government guidance and as detailed within the annual Caravan Site Licensing Fees Policy.

### **Personnel Implications**

It is anticipated that the applications will be assessed and processed by Housing Standards within current resources and in accordance with the attached report.

### **Statutory Considerations**

The enforcement of the Regulations is a statutory requirement.

### **Equality Impact Assessment (EIA)**

Pre-screening complete and attached.

### **Risk Management Implications**

None identified.

### **Declarations of Interest / Dispensations Granted**

None

# Pre-Screening Equality Impact Assessment

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



Name of policy/service/function	Caravan Sites Fit & Proper Person Report				
Is this a new or existing policy/ service/function?	New				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	To undertake enforcement in accordance with Statutory Regulations and Government guidance.				
<b>Question</b>	<b>Answer</b>				
<p><b>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?</b></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	
<b>Question</b>	<b>Answer</b>	<b>Comments</b>			
<b>2. 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?</b>	Yes / No	Not likely as non-commercial residential sites are exempt from the Regulations.			
<b>3. Could this policy/service be perceived as impacting on communities differently?</b>	Yes / No	No as detailed above.			
<b>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</b>	Yes / No	No			
<p><b>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</b> 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	<b>Actions:</b> No actions proposed.			
		<b>Actions agreed by EWG member:</b> .....GJH.....			
<b>Assessment completed by:</b> <b>Name</b>	Gordon Jackson-Hopps				
<b>Job title</b> Housing Standards Policy Officer	<b>Date</b> 12 April 2021				