

REPORT TO: Licensing Sub-Committee

MEETING DATE: 7 February 2019

BY: Depute Chief Executive (Resources & People Services)

SUBJECT: Licensing of Caravan Parks for Permanent Residents

1 PURPOSE

- 1.1 To provide the Sub-Committee with details of the number and size of Residential Mobile Homes Sites within East Lothian and the proposed licence fee structure for a licence for such sites under the new licensing regime.

2 RECOMMENDATIONS

- 2.1 That the Sub-Committee agree to fix the licence fee for the Residential Mobile Homes Site Licence at the levels proposed at paragraph 3.9 below.
- 2.2 That the Sub-Committee authorise the new licence to be used for all applications for renewal of existing site licences from 1 May 2019 and for any applications for a new licensed site from the date of adoption of the new scheme.

3 BACKGROUND

- 3.1 Part 5 of the Housing (Scotland) Act 2014 introduced a new licensing regime for residential mobile homes sites. The new regime actually took effect on 1 May 2017, but current licences issued under the previous legislation continue in effect until 1 May 2019 as there is a two year transition period. The new scheme relates to permanent residential sites and not to holiday/touring caravan sites. Part 5 inserts new provisions into the principal Act covering this area - the Caravan Sites & Control of Development Act 1960.

- 3.2 The Sub-committee agreed at their meeting on 10 January to implement the new licensing scheme introduced under the above legislation, and to adopt the Model Standards issued by Scottish Government in December 2018 as the standard conditions for the licence issued under the new scheme.
- 3.3 The Sub-Committee requested further information regarding the number of caravan parks in East Lothian and their respective sizes, and also some more details on the workload that the new regime will generate for Council staff with a view to informing the proposed licence fee level to be fixed for the grant of such a licence.
- 3.4 The current list of caravan parks in East Lothian is attached hereto as Appendix One. The majority of these parks are of the tourist/holiday variety and so are not affected by the proposed new regime. At present, the only fully residential park in East Lothian is Monksmuir, which presently has 42 berths. There may be some fully residential units for staff at Seton Sands and Thurston Manor. This is presently being clarified and, if that is the case, a licence under this regime would be required, but only for those units used as permanent staff accommodation, not for every unit in the park, the vast majority of which are of the tourist/holiday accommodation type.
- 3.5 The current site licences were issued by the Council's Environmental Health Department. These licences had no fixed duration. They contain a provision as to the review of licence conditions every three years, but other than that, the present licences effectively continued open-endedly. The Department did not charge any specific fee for the grant of the licence. Licences under the new regime will therefore replace these current licence as from 1 May, and will be administered by the Licensing Office. In terms of the legislation the licence will run for a period of five years and then be subject to renewal.
- 3.6 The Environmental Health Department have confirmed that the check required when a site is being licensed involves them in examining each of the pitches, facilities serving them and distance between them etc. They estimate an examination will require approximately twenty minutes per caravan/pitch, at an estimated cost of £40 per man hour.
- 3.7 Costs incurred by the Licensing office relate to the usual required administration of applications - issue, receipt, checks and verifications, processing of payment, inputting onto the electronic systems and preparation and issue of the resulting licence. It is noted that the majority of licences processed by the Council have a duration of either one or three years. This licence has a duration of five years, so that the work involved for both departments will be rather less frequent than for other licence types.
- 3.8 The Licensing office has obtained some comparative information regarding fee levels set by other Councils, as follows:-

North Ayrshire - £600

Fife – 40 pitches - £1100 (still looking at fees for less and more pitches)

Aberdeenshire - single unit - £212.85, 2-10 Units £404.41 and 10 Units £558.41.

West Lothian – 1-10 -£577: 11-20 - £1154: 21-40 - £2308: 41-70 - £4039 and 71-100+ £5770.

It is now proposed that East Lothian adopt a phased fee structure based on the size of the relevant park. While current numbers in East Lothian are small, such a structure will provide a degree of future-proofing of the fee structure in the event of new parks or expansions of current facilities in years to come.

3.9 It is proposed that the level of fee for this new licence should be as follows:-

1-25 - £ 520

26-50- £ 840

51-100- £1,520

101+- £1,700

Variation of licence- £62

Issue of Duplicate licence- £26

3.10 The transition period referred to at Paragraph 3.1 above is coming to an end, and in terms of the legislation, all affected licence holders require to apply for a licence under the new regime as at the trigger date of 1 May 2019. The Council requires to ensure that it has systems in place to implement the new licensing regime introduced by the 2014 Act and to set an appropriate fee for the administration thereof.

4 POLICY IMPLICATIONS

4.1 None. The new scheme is created by Statute and Local Authorities are responsible for the administration of licensing of such sites under the scheme. In that connection the Council requires to set an appropriate fee.

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – This is updating the existing licensing regime and creates an income stream with regard to the fee as agreed.
- 6.2 Personnel - None
- 6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 Housing (Scotland) Act 2014, Part 5
- 7.2 Report to Licensing Sub-Committee dated 10 January 2019

AUTHOR'S NAME	Ian Forrest
DESIGNATION	Senior Solicitor
CONTACT INFO	7389; iforrest@eastlothian.gov.uk
DATE	31 January 2019

Register of Caravan Sites East Lothian 2012

Occupier	Address	Number of Caravans	Licenced or Exempted Organisation	Contact	Email address
Andrew Dyer	Aberlady Station Caravan Park Aberlady East Lothian	15 touring 7 tents	Licence 1 18 June 1996	Andrew Dyer	
Meadowhead Ltd	Belhaven Bay Caravan Park Edinburgh Road West Barns East Lothian	90 holiday 52 touring	Licence 2C 18 December 2012	Mark Williamson, Site Warden	
request for transfer to William R McNair, John D McNair and Wendy I E Hughes Endorsed 6 Feb 2006	Gilsland Caravan Site to North of Newhouse Road North Berwick East Lothian	146 holiday	Licence 3A 08 November 1973	William R McNair	
request for transfer to William R McNair, John D McNair and Wendy I E Hughes Endorsed on 6 Feb 2006	Gilsland Caravan Site to South of Newhouse Road North Berwick East Lothian	new application for 114 holiday *new application 30 May 2002	Licence 4 22 August 2002	William R McNair	
Meadowhead Ltd	Tantallon Caravan Park North Berwick East Lothian	60 holiday 140 touring	Licence 6A 18 December 2012	Scott Shiels, Site Manager	
Bourne Leisure Group Ltd	Seton Sands Holiday Village Seton Sands Longniddry East Lothian	20 residential 686 holiday 60 touring	Licence 14B 06 April 2000	Jamie Stirling, General Manager	

William Melville	Drummohr Caravan Park Drummohr Musselburgh East Lothian	120 touring	Licence 17 28 April 1983	William Melville	
Thorontonloch Caravan Park Residents Association	Thorontonloch Caravan Park Thorontonloch East Lothian	57 holiday 10 touring	Licence 20A 27 July 1999	Peter Howells, Site Warden	
Transferred to Verdant Leisure Ltd on 21 December 2010	Thurston Manor Caravan Park Thurston Dunbar East Lothian	943 holiday 95 touring	Licence 21D 28 May 2010	Mike Nicholas, General Manager	
Monks Muir Homes Ltd Licence Transferred to Bakersfield Properties Ltd per TJ &WA Dykes	Monksmuir CaravanPark Monksmuir Haddington East Lothian	Application to change in phased manner from Holiday to residential 42 Residential 14 Holiday	Licence 22A 19 January 2011	Edward Young	
John Grant Brand	East Fortune Farm North Berwick	touring	Licence 23 8 July 2010		

The Caravan Club Ltd	Yellowcraig Caravan Club Site Direlton North Berwick East Lothian	120 touring	Exempted	Sandra Little, Warden	
The Camping and Caravan Club	Sloebiggig Caravan and Camping Site Broxmouth Dunbar East Lothian	90 touring caravans or tents	Exempted		
Dunbar Golf Club	Duffers Park Dunbar Golf Club East Links Dunbar	Only one caravan remains intend to close site	Licence 5C 9 February 1995		
James R. Ferguson	Battleblent Caravan Park Battleblent Hotel Edinburgh Road West Barns	10 touring No longer used	Licence 9A 8 November 1973		
The Camping and Caravan Club	Barns Ness Caravan and Camping Site Barns Ness East Lothian	82 touring caravans or tents. Site now closed and re-sited allow expansion of Lafarge limestone quarry	Exempted		
The Caravan Club Ltd	Gosford Gardens Caravan Club Site Longniddry East Lothian	120 touring lease not renewed 1999	Exempted		

Last Update December 2012