

RESIDENTIAL MOBILE HOME / CARAVAN SITE GUIDANCE

Land owners must not allow their land to be used as a caravan site unless it has the correct planning permission in place and holds a valid site licence.

Exemptions to the licensing system include:

- Incidental use within the boundary of a dwelling house (parking an unused caravan in the driveway would be exempt, having a separate household living in there would not be).
- Sites approved by certain organisations*.
- Sites occupied by travelling showmen.
- Sites owned/occupied by the local authority.
- Sites occupied by agricultural/forestry workers on a seasonal basis (this exemption does not apply if the caravans are occupied all year round).

*Exempt organisations include The Caravan Club, The Camping Club of Great Britain and Ireland, The Boy Scouts Association, The Girl Guides Association and The Caravan Club.

What is a caravan?

A caravan is defined under the 1960 Act as any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle designed or so adapted, but does not include any railway rolling stock or any tent.

The definition was amended by the Caravan Sites Act 1968 to include twin unit caravans provided that they are:

- Composed of not more than two sections separately constructed and designed to be assembled on site by means of bolts, clamps or other devices and;
- When assembled, is physically capable of being moved by road from one place to another (whether by being towed or by being transported on a motor vehicle or trailer).
- The maximum size of twin unit caravan was also amended and when assembled shall not exceed:
 - 60 feet (18.288 m) in length
 - 20 feet (6.096 m) in width
 - 10 feet (3.048 m) in height (as measured internally)

What are the Fees?

At present there are no licensing fees for caravan sites, however the Mobile Homes Act 2013 brought in the power for local authorities to introduce fees as of 1st April 2014.

What legislation applies to Mobile Home/Caravan Sites?

Health and Safety at Work etc Act 1974

Section 3 places a general duty on site operators to conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, that both residents and the public at large are not exposed to risks to their health and safety.

Public Health Act 1936

Section 268 applies statutory nuisance provisions (Part III of the Environmental protection Act 1990) to tents, vans, sheds and moveable structures used for human habitation. It also applies sections 83-85 of the 1936 Act concerning filthy or verminous premises.

Mobile Homes Act 1983

This deals with the protection of security of tenure of residents on caravan sites.

Regulatory Reform (Fire Safety) Order 2005

The order requires that a competent person undertake a fire risk assessment of the site and identify the risks present. Recommendations will then be made as to how the risks can be removed or mitigated against. The Bedfordshire Fire and Rescue Service have enforcement powers relating to the communal areas of caravan sites and may visit, request a copy of the assessment and take action where necessary.

Mobile Homes (Selling and Gifting) (England) Regulations 2013

This amends the process of selling and gifting a home, including the removal of the requirement for site owners to consent to the sale or gift of a home.

Mobile Homes Act 2013

The Mobile Homes Act 2013 was enacted on 26 May 2013, however the sections do not all come into force on that date:

Sections 1 to 7 will come into effect on 1 April 2014.

- Section 1 – gives local authorities the ability to introduce fees (on application and an annual fee).
- Section 2 – gives local authorities discretion whether to issue and/or transfer site licences.
- Section 3 – appeals to site licence conditions will go to the Residential Property Tribunal instead of going to the Magistrates Court.
- Section 4 – gives local authorities the ability to serve a compliance notice where there are one or more breaches of site licence conditions.
- Section 5 – gives local authorities the ability to carry out works where the licence holder has failed to do so, this includes the recovery of costs.
- Sections 6 and 7 – amend details in relation to appeals, operative periods, recovery of expenses and the residential tribunal.

Section 8 – places a requirement on the licence holder to be a “fit and proper person”. This has not yet been enacted and is not likely to be until 2017.

Sections 9 to 12 have come into effect as of 26 May 2013.

- Section 9 – makes site rules express terms of agreement
- Section 10 – removes the requirement for the site owner to consent to the sale or gift of a mobile home (please also see the Regulation named above for further information)
- Section 11 – changes the way in which a site owner can change pitch fees
- Section 12 – amends the protection occupiers have against eviction and harassment

What are the Requirements on Home Owners?

All caravans brought on to a licensed residential site should be in a good state of repair. Where a caravan is owner occupied it is the owner's responsibility to ensure that the caravan is maintained to a good standard. Where a caravan is rented it shall be the licence holder/managers responsibility to ensure that the appropriate standards are maintained.

What is the Caravan Site Register?

Every local authority must keep a register of the site licences issued in its area and the register must be available for inspection during normal office hours.

Where can I get Further Information?

For further information regarding caravan licensing, go to:

<https://www.gov.uk/park-homes-guidance> - This takes you to information about resident's rights and responsibilities, selling a park home, residents associations, pitch fees, property tribunals and implied terms.

For further information from the Borough Council or to request an application form email: ehadmin@bedford.gov.uk or call 01234 718099.