

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	PUBLIC PROTECTION COMMITTEE	23 MARCH 2022	6
CARAVAN SITE LICENSING – CLIFTON FIELDS CARAVAN PARK TOURING SITE LICENCE			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

At a previous Public Protection Committee meeting, Members proposed to include an additional site licence condition, for the site licence holder to maintain a register of names and addresses of owners/occupiers of individual touring caravans using Clifton Fields Caravan Park Touring Site. Members must now consider, in the light of a request made by the agent acting on behalf of the licence holder, whether to agree an amendment to the proposed condition.

RECOMMENDATION

That the Committee consider amending the additional conditional of the touring site licence proposed by the Committee at its meeting on 7th July 2021, relating to maintenance of a register and proof of evidence of individual caravan owners/occupiers main home address, taking into consideration the request made by the agent acting on behalf of the licence holder.

SUMMARY OF PREVIOUS DECISIONS

The matter was previously discussed at the Committee meeting in July 2021. Members resolved to allow the site to operate all year-round touring use and to include an additional condition on the touring site licence as follows –

Touring caravans shall be occupied for holiday purposes only and not as a person's permanent, sole or main place of residence.

The licence holder must keep the following records for each touring holiday caravan on site:

- The name and current home address of the owner; and
- Documentary evidence of the current home address of the owner

and must allow the licensing authority to inspect them at any reasonable time.

The licence holder must, if requested by the licensing authority, ask the owner of any touring holiday caravan on site to give to the licence holder:

- The name and current home address of each adult occupier who is occupying the caravan; and
- Documentary evidence of the current home address of each adult occupier who is occupying the caravan

and must forward them to the licensing authority when received.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

REPORT

BACKGROUND

1. Clifton Fields Caravan Park, Peel Road, Blackpool is licensed by the council as a caravan site under the Caravan Sites and Control of Development Act 1960 and holds both a holiday and touring site licence.
2. In July 2021 Members of the Public Protection Committee agreed to vary a condition on the site licence following an application from the agent acting on behalf of the site licence holder to remove the closure period on the site licence, therefore allowing the site to remain operational all year round. The agreement was on the understanding that the licence holder agreed to a further condition being added to the licence as detailed in the above summary (see appendix 1).

THE PROPOSED ADDITIONAL CONDITION

3. The agent acting for the applicant was informed prior to the Public Protection Committee meeting in July 2021 that the Committee would propose adding the condition, and he provided the following response at the time -

“Comprehensive conditions preventing residential occupancy of holiday caravans are already contained within the planning permissions.....and not therefore really necessary to duplicate in the site licence.”

THE LICENCE HOLDER’S COMMENTS

4. Under section 8 (1) of the 1960 act, a local authority must, before exercising their powers to alter the conditions of an existing site licence, afford to the licence holder an opportunity of making representations.
5. Upon being notified of the Committee’s decision to approve the application with the additional condition the agent replied as follows –

I think the requirement to obtain documentary proof of residence for short stay casual touring caravans is a bit excessive and unduly burdensome as these stays could be just one or two nights. Perhaps your officers will not enforce this requirement for short stay visitors.

6. Upon receipt of the email the licensing officer asked for advice from the Head of Legal, who suggested that the condition below may be more appropriate in respect of the touring site licence –

Touring caravans shall be occupied for holiday purposes only and not as a person’s permanent, sole or main place of residence.

The licence holder must keep the following records for each touring holiday caravan on site:

- a. The name and current home address of the owner; and
- b. (For any touring caravan that is on any part of the site for more than 21 consecutive days or more than 21 days in any calendar month) Documentary evidence of the current home address of the owner

and must allow the licensing authority to inspect them at any reasonable time.

The licence holder must, if requested by the licensing authority, ask the owner of any touring holiday caravan on site to give to the licence holder:

- a. The name and current home address of each adult occupier who is occupying the caravan; and
- b. Documentary evidence of the current home address of each adult occupier who is occupying the caravan

and must forward them to the licensing authority when received.

The agent acting for the licence holder has confirmed that his client is happy to accept the proposed condition detailed above.

7. It should be noted that applications were approved to amend the holiday site licences at Clifton Fields caravan site & its adjoining site Piper Heights at the Public Protection committee meeting in July 2021, and the agent has accepted the additional condition on the holiday site licences in its original proposed form.
8. The agent acting for the licence holder has been invited to attend the Public Protection Committee meeting.
9. The committee is asked to consider whether to agree to the condition proposed at paragraph 6.

IMPLICATIONS	
Finance	None arising directly from the report
Legal	As mentioned in the report, section 8 of the Caravan Sites and Control of Development Act 1960 allows the licensing authority to alter the conditions of an existing licence, including by adding conditions, but before exercising their powers the authority must give to the licence holder an opportunity of making representations. Conditions imposed on a caravan site licence must relate to the nature of the use of the land as a caravan park. Conditions attached from any other purpose may be beyond the powers given by the act.
Community Safety	None arising directly from the report
Human Rights and Equalities	None arising directly from the report
Sustainability and Environmental Impact	None arising directly from the report
Health & Safety and Risk Management	None arising directly from the report

LEAD AUTHOR	CONTACT DETAILS	DATE
Joanne Gallagher	Joanne.gallagher@fylde.gov.uk tel 01253 658609	8 th September 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Clifton Fields Caravan site file	08/09/2021	Clifton fields site licence folder