

TOWNS & COMMUNITIES OVERVIEW AND SCRUTINY SUB- COMMITTEE, 26 FEBRUARY 2019

Subject Heading:	Mobile Home Act 2013
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Policy context:	The policy context is associated with the Council's statutory duties in connection with the operation of mobile home sites.
Financial summary:	There are no significant financial implications associated with this report which is for information only

The subject matter of this report deals with the following Council Objectives

Communities making Havering	[X]
Places making Havering	[X]
Opportunities making Havering	[]
Connections making Havering	[]

SUMMARY

This report will provide the Committee with an overview of the Mobile Homes Act 2013, and how it is implemented within Havering since it came into force on 1st April 2014.

In summary all site owners need a licence to operate, the fee is £378. The local authority has powers to refuse a licence where it considers they are *not a fit and proper person*.

Currently there are two licensed sites in the borough Sunset Drive and Lakeview Park (see appendix (a) and (b)). Both of which have had issues reported by

residents over the years. Officers have, and continue to, work closely with Site Owner to ensure they are complying with the Site License, including the issue of formal Notices and refusal to extend Lakeview Park. Ultimately the Council can apply to the Court to revoke a License.

RECOMMENDATIONS

The Committee is asked to note the report.

REPORT DETAIL

This report will provide the Committee with an overview of the Mobile Homes Act 2013, and how it is enforced within Havering.

On 26 March 2013, the Government introduced the Mobile Homes Act 2013, which was designed to give greater protection to occupiers of residential mobile (park) homes. This Act updated the Caravan Sites and Control of Development Act 1960.

The Mobile Homes Act 2013 is largely concerned with amending civil legislation relating to the relationship between the site owner and mobile home owners living on the site. This places a duty on the Council to administer site licences for mobile home sites. There is a fee of £378 per license, and the Council has the power to refuse a license where it considers the applicant is not a 'fit and proper' person.

The site licence will have a number of conditions that owners must comply with, should these be breached, the authority may serve a compliance notice on the site owner/s, failure to comply is punishable by a fine of up to £5,000.

Currently the service will investigate allegations of breaches of licence conditions and, if an offence found will take appropriate action.

There are currently two licensed sites in the borough including Sunset Drive and Lakeview Park (see appendix (a) and (b)).

Sunset Drive is a site with approximately 70 homes on site and there is currently a Notice for Statutory Nuisance served on the Site Owner for poor conditions. Should the requirements of the Notice not be met further investigation and action will be taken.

Lakeview Park has approximately 132 homes on site and the authority recently refused an application to extend the Mobile Home Site at Lake View Park, and therefore, license any homes outside the current boundary of the site.

IMPLICATIONS AND RISKS

Financial implications and risks:

There are no financial implications as a result of this report which is for information only

Legal implications and risks:

There are no legal implications as a result of this report which is for information only.

Human Resources implications and risks:

There are no legal implications as a result of this report which is for information only.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An Equalities Assessment (EQ) is not required for this report which is for information only.