

LICENSING REGULATORY COMMITTEE

Broadfields Park Caravan Site Licence Review Update 24 November 2016

Report of Chief Officer (Health & Housing)

PURPOSE OF REPORT

To advise Members of recent significant developments relating to drainage and sanitation at Broadfields Park

This report is public

RECOMMENDATIONS

(1) That Members note the contents of this report

1.0 Introduction

1.1 Members will recall the report submitted to Licensing Regulatory Committee on 2 June 2016 seeking decisions about varying the licence conditions for Broadfields Park. Members approved the variation of licence conditions on the site licence to improve standards relating to drainage and sanitation.

2.0 Recent Developments

2.1 The site licence with varied conditions attached, as approved by LRC, was duly given to Britaniacrest Ltd, being the operator and licensee at Broadfields Park. Under the Caravan Sites and Control of Development Act 1960 (as amended) site owners have a right of appeal to a First Tier Tribunal against decisions to vary licences. On 4 August 2016 the council was notified by the Tribunals Service that an appeal application had been received from Britaniacrest Ltd. If there is an appeal against conditions that require specific works to be done by certain dates, as in this case, those conditions are suspended until the appeal is decided.

2.2 On 7 November 2016, however, council officers were informed by United Utilities that due to a change in legislation the pumping station and rising main on Broadfields Park had been transferred to United Utilities' ownership on 25 October 2016. This means that the issues the licence variation was seeking to address now lie with United Utilities and not Britaniacrest Ltd.

2.3 For this reason council officers have written to the Tribunals Service seeking to withdraw the council's opposition to Britaniacrest Ltd's appeal and in turn

Britaniacrest Ltd have now confirmed their wish to withdraw the appeal.

2.4 The council has no powers of enforcement over United Utilities but has asked for their proposals in connection with Broadfields Park's sewerage.

5.0 Conclusion

5.1 Since 25 October 2016 the pumping station and rising main on Broadfields Park are the responsibility of United Utilities, not Britaniacrest Ltd. It is therefore no longer appropriate to vary the site licence conditions to require Britaniacrest Ltd to improve drainage and sanitation issues. The site licence will now revert to the licence in place prior to the variation.

CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None

LEGAL IMPLICATIONS

The general duties of the sewerage undertaker (United Utilities) are defined in section 94 of the Water Industry Act 1991 and are:

- to provide, improve and extend a system of public sewers, and to cleanse and maintain them to ensure its area is effectively drained; and
- to make provision for emptying its sewers and treatment sewage.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

None

Open Spaces:

None

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments to add.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

LRC Report 2 June 2016 Broadfields Park
Caravan Site Licence Review

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