



Subject:	Recent Government consultations on New Model Licence Conditions for Caravan Sites and Design Guide for Travellers' Sites in NI
Date:	10 th September 2019
Reporting Officer:	Nigel Grimshaw, Strategic Director City and Neighbourhood Services
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Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	The purpose of this report is to inform Members of two recent consultations, the first issued by the Department for Communities (DfC), 'Design Guide for Travellers' Sites in Northern Ireland' (Appendix 1) and the second issued by the Department for Infrastructure (DfI), 'New Model Licence Conditions for Caravan Sites' (Appendix 2). Both responses were due by 30 th July 2019. At present there are no licensed caravan sites in Belfast but there is potential for applications to be made in the future and both consultations impact on Traveller sites.
1.2	This consultation is timely considering the publication of the Northern Ireland Human Rights Commission report (NIHRC) "Out of Sight, Out of Mind: Travellers' Accommodation in NI" published in March 2018. The report recommended that the Department for Infrastructure

	review the legal and policy framework concerning site licences, including the development of a model site licence setting out the minimum standard of provision and safety requirements for each type of Travellers site in NI and including with enforcement powers for any breach.
2.0	Recommendations
	<p>The Committee is asked to</p> <ul style="list-style-type: none"> Note the key comments from Belfast City Council highlighted in both consultation responses.
3.0	Main report
	<u>Key Issues:</u>
3.1	<p>The Department for Infrastructure has taken the opportunity to amalgamate the current Model Licence Conditions for holiday caravan sites as well as residential caravans into one document, in an attempt to create greater clarity and ease of reference for all.</p> <p>These model conditions will replace the existing model conditions which were introduced in 1994.</p>
3.2	<p>The updating of the existing design guide for Traveller' sites by DfC is also timely given that the existing design guide was issued in 1997. However, concerns have been raised regarding the compatibility of the new design guide with other publications.</p>
3.3	<p>Council officers were involved in a working group organised by NILGA and had an opportunity to inform the response to both consultations.</p>
	<u>Department for Communities consultation on a Design Guide for Travellers' Sites in NI</u>
3.4	<p>The response highlighted the importance of collaborative working between the Department for Communities, Department for Infrastructure, and the Northern Ireland Fire and Rescue Service to ensure that policy and enforcement is consistent for Traveller accommodation.</p>
3.5	<p>The response seeks clarification regarding the implementation schedule of these proposals, particularly for existing sites and whether the design guide is statutory guidance or a best practice document and how it would be viewed by authorities such as the Planning Appeals Commission.</p>

3.6	It was suggested in the response that there needs to be consistency between the DFC draft Design Guide and the DFI draft Model Licence Conditions, particularly in respect of the three different types of sites outlined in the Design Guide.
3.7	In the response, it has also been requested that the Fire Safety requirements be examined as a priority, given that they are inconsistent with the Northern Ireland Fire and Rescue Service Fire Safety Guide for Caravan Site Operators (Appendix 3).
3.8	Some inconsistencies were noted between the 2 documents for location of sites on areas prone to flooding, road widths, distance between caravans, garage shed provision and storage space.
3.9	References in the consultation to the Travelling Communities culture of, working activity on the sites, are welcomed, however the design guide appears to discourage working from sites therefore this issue requires clarification from the Department. There is also a reference to water metering which requires clarification from the Department.
	<p><u>Department for Infrastructure consultation on New Model Licence Conditions for Caravan Sites:</u></p>
3.10	<p>In the consultation, the Department for Infrastructure states that the new conditions should be considered when:</p> <ul style="list-style-type: none"> • Applying licence conditions to new sites • Applying license conditions to sites that have been substantially redeveloped • Renewal or review of a current licence
3.11	Belfast City Council does not currently have any licensed caravan sites so these conditions would only apply to any new applications.
3.12	The Department requests that Councils should also consider Northern Ireland Fire and Rescue Service Fire Safety Guide for Caravan Site Operators (Appendix 3) and the Department for Communities (DFC) Guide for Travellers when applying conditions on a site licence. NILGA has requested greater clarity as to the relationships between the 3 documents to enable Councils to apply them appropriately.

3.13	Greater clarity from DFI and DFC is required in relation to the implementation time and the statutory significance of these conditions for Council licensing and planning officers.
3.14	In relation to Travellers sites, it has been suggested that there should be a separate section of the model licence condition to adequately and appropriately cover the three types of travellers' sites (Serviced Site, Transit Site and Emergency Halting Site) given the specific needs and culturally sensitive accommodation required for travellers' sites. The proposed model conditions do not adequately address these issues and e.g.: communal buildings, individual/private amenities, space for work and animals etc.
3.15	The absence of disabled person's condition has been noted. Clarification of equality screening or equality impact assessment findings would need to be provided.
3.16	There is reference to Council's undertaking risk assessment in relation to legal proceedings. It has been requested that reference must be made to Council's enforcement policies.
3.17	Copies of the response made by NILGA are attached in Appendix 4 and 5 for information.
	<u>Financial & Resource Implications</u>
3.18	There are no financial implications associated with the report
	<u>Equality or Good Relations Implications / Rural Needs Assessment</u>
3.9	There are no equality or Good Relations implications associated with this report for Belfast City Council.
4.0	Appendices – Documents Attached
	<p>Appendix 1: DFC focused consultation on a Design Guide for Travellers' Sites in NI.</p> <p>Appendix 2: Department for Infrastructure Consultation on New Model Licence Conditions for Caravan sites in Northern Ireland https://www.infrastructure-ni.gov.uk/consultations/draft-model-licence-conditions-2019-caravan-sites.</p> <p>Appendix 3: Northern Ireland Fire and Rescue Service Fire Safety Guide for Caravan Site Operators.</p>

Appendix 4: NILGA response to DFC consultation on a Design Guide for Travellers' Sites in NI.

Appendix 5: NILGA response to Department for Infrastructure Consultation on New Model Licence Conditions for Caravan sites in Northern Ireland.