



Title of the Assessment:	Park Homes Licensing Fees Policy	Date of Assessment:	November 2013 (Updated February 2014)
Responsible Officer	Name: Terry Gilbey	Extension Number:	74384
	Title: Email:		
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Stage 1 - Setting out the nature of the proposal and potential outcomes.

Stage 1 – Aims and Objectives	
1.1	<p>What are the objectives of the proposal under consideration?</p> <p>The Mobile Homes Act 2013 (MHA 2013) amended existing legislation to permit local authorities to charge park home site owners for activity relating to site licenses. This includes a fee for applying for a site licence, for amendments or transfers of existing licences, and for annual fees.</p> <p>The key objective of the Park Homes Licensing Fees Policy is strengthen licensing monitoring arrangements of park home sites to ensure that site conditions are maintained in accordance with existing standards. This should help protect vulnerable residents and ensure that site owners meet their obligations. To achieve this the Council will need to charge site owners for activity relating to site licenses.</p>
1.2	<p>Why is this being done?</p> <p>The introduction of fees will enable an increased frequency of site inspections to provide greater protection to occupiers of residential caravans and mobile homes.</p>
1.3	<p>What will be the impact on staff or customers?</p> <p>A site license sets out regulations for the use of the site including the permitted number of caravans on the site, their spacing, density, size and siting, health and safety issues and facilities on the site. An increased frequency of inspections to check compliance will therefore benefit residents as they are more likely to live in a safe environment conducive to good health and well-being.</p> <p>Fees for this enhanced service will be charged to the site owner who can pass the charge to residents on the sites.</p>
1.4	<p>How does this proposal contribute or relate to other Council initiatives?</p> <p>The ability for the Council to recover costs associated with the licensing of park home sites through the fees set out in the Park Homes Licensing Fees Policy will enable the Council to monitor conditions on sites more effectively. This will therefore contribute to the Council's priority of promoting health and wellbeing and protecting the vulnerable as the many of the residents of park home sites could be considered to fall within the definition of vulnerable.</p>

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1.5 In which ways does the proposal support Central Bedfordshire's legal duty to:

- Eliminate unlawful discrimination harassment and victimisation and other conduct prohibited by the Act

The implementation of the fees policy will ensure that there is appropriate resource to deliver park home licensing services. This includes dealing with the proposed Fit and Proper Persons applications (should they become a requirement) where the Council will carry out checks to ensure that the site owner is an appropriate person to hold a license. This will reduce the risk of residents being subjected to harassment and victimisation by an unfit site owner.

- Advance equality of opportunity between people who share a protected characteristic and people who do not share it

An increased frequency of inspections will ensure that those most vulnerable to the impact of licence breaches are better protected.

Sharing the cost of the licensing services across non-exempt sites on a per pitch basis is a fair method of funding the service. This means that those most vulnerable due to living on non-compliant sites will not be required to pay more for an increased frequency of inspections based on risk or re-inspections due to licence breaches.

- Foster good relations between people who share a protected characteristic and people who do not share it

Site licence conditions ensure that the Park Home site is a safe environment, minimising fire and other risks which could affect the wellbeing of residents. Dealing with breaches more frequently will help to foster and maintain good relations between residents on the sites.

1.6 Is it possible that this proposal could damage relations amongst groups of people with different protected characteristics or contribute to inequality by treating some members of the community less favourably such as people of different ages, men or women, people from black and minority ethnic communities, disabled people, carers, people with different religions or beliefs, new and expectant mothers, lesbian, gay, bisexual and transgender communities?

Residents of park homes in Central Bedfordshire may be required to pay increased pitch fees as the costs incurred by the site owner are anticipated to be passed on to the residents. Many park home residents are aged over 60 and some are gypsies and travellers. These are two vulnerable groups who may be adversely affected by the increased fees. However the benefits of resourcing effective scrutiny of the residential caravan and mobile home sector will provide greater protection for these vulnerable groups. The enhanced licensing service will reduce the risk of residents living in a hazardous environment run by unfit site owners.

Stage 2 - Consideration of national and local research, data and consultation findings in order to understand the potential impacts of the proposal.

Stage 2 - Consideration of Relevant Data and Consultation

In completing this section it will be helpful to consider:

- **Publicity** – Do people know that the service exists?

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- **Access** – Who is using the service? / Who should be using the service? Why aren't they?
- **Appropriateness** – Does the service meet people's needs and improve outcomes?
- **Service support needs** – Is further training and development required for employees?
- **Partnership working** – Are partners aware of and implementing equality requirements?
- **Contracts & monitoring** – Is equality built into the contract and are outcomes monitored?

2.1. Examples of relevant evidence sources are listed below. Please tick which evidence sources are being used in this assessment and provide a summary for each protected characteristic in sections 2.2 and 2.3.

Internal desktop research

	Place survey / Customer satisfaction data	Demographic Profiles – Census & ONS
	Local Needs Analysis	Service Monitoring / Performance Information
	Other local research	

Third party guidance and examples

	National / Regional Research	Analysis of service outcomes for different groups
	Best Practice / Guidance	Benchmarking with other organisations
	Inspection Reports	

Public consultation related activities

√	Consultation with Service Users	Consultation with Community / Voluntary Sector
	Consultation with Staff	Customer Feedback / Complaints
	Data about the physical environment e.g. housing market, employment, education and training provision, transport, spatial planning and public spaces	

Consulting Members, stakeholders and specialists

	Elected Members	Expert views of stakeholders representing diverse groups
	Specialist staff / service expertise	

Please bear in mind that whilst sections of the community will have common interests and concerns, views and issues vary within groups. E.g. women have differing needs and concerns depending on age, ethnic origin, disability etc

Lack of local knowledge or data is not a justification for assuming there is not a negative impact on some groups of people. Further research may be required.

2.2. Summary of Existing Data and Consultation Findings: - Service Delivery Considering the impact on Customers/Residents

- Age:

National research:

The Economics of the Park Homes Industry (2002) study estimated that there were some 69,000 households residing in park homes in England and Wales, representing a population of approximately 114,000 adults and 2,400 children. The social profile of park home households is quite distinct. Sixty-eight percent are elderly (48% elderly couples), compared with 33% of households in the UK. Only 4% of park home households have children living with them compared to 29% in the population. The dominance of the elderly has increased significantly since 1990 when it stood at 55%.

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The survey asked whether operators set any age restrictions. Out of 153 operators who answered this question, 65% stated that a minimum age is set. According to the data gathered from the survey, the most common age limit is set 50. Fewer parks have an age limit higher than 50 and none of the parks has an age limit higher than 60. After 50, the most common age limit set is 45–100% of the parks surveyed require that their residents are at least 45 years old. Several parks do not allow residents with children younger than 10 and several others have minimum age of 16, 18 or 25. Whilst this is not specifically a physical attribute of a park, this section is included here as the importance of age restrictions is becoming a defining characteristic of the industry.

In 2012 The Department of Communities and Local Government (DCLG) published ‘A better deal for mobile home owners – Changes to the local authority site licensing regime - Impact assessment’. In this it stated that ‘an unusual tenure arrangement, an aging resident population, and poor regulatory controls present risks that residents will be exploited by site owners. We have received reports that a number of rogue site owners operate in the sector, who disregard statutory requirements and exploit residents for their own financial gain, diminishing the value of residents’ homes and putting their health and safety at risk. This is borne out by the volume of MP letters received in the Department on behalf of residents; park home issued raised in parliament, the work of the parliamentary park home group and media coverage of the issues’.

Seven million people are estimated to be under-saving for retirement which means they may find themselves living in poverty in retirement and 2.1 million Pensioners live in poverty after housing costs are taken into account, while the figure rises to 2.5 million before housing costs (DWP).

Over 65s are estimated to spend 80% of their time in the home (90% for over 85 year olds) (Help the Aged) and one million people over 65 report feeling trapped in their homes (DWP).

90% of older people live in ‘mainstream housing (Department of the Environment, Transport and the Regions) and 2.1 million households with at least one person aged over 60 (28% of this age group) are living in a non-decent home. This includes 900,000 households with someone over 75 (31% of the age group) (DCLG).

Around a quarter of a million people aged 65 and over need specially adapted accommodation because of a medical condition or disability and 130,000 of them report living in homes that do not meet their needs (DCLG).

In 2006, 63% of people aged 65 to 74 reported having a longstanding illness and 38% said longstanding illness limited their ability to carry out daily activities. (ONS)

- Disability:

- The income of disabled people is on average less than half that of non disabled people. (EFD)
- Disabled people are at greater risk of experiencing violence than non-disabled people. (Equality and Human Rights Commission (EHRC))
- Disabled people face harassment. One in four has experienced hate crime. (EHRC)
- Ongoing ‘low-level’ incidents are widespread and may go undetected but may escalate at some point. These incidents are often ignored by public agencies even though they have a significant impact on disabled people. (EHRC)
- Disabled people restructure their lives to minimise real and perceived risk to themselves even if they have not experienced targeted violence personally. (EHRC)
- 47% of disabled people had either experienced physical abuse or had witnessed physical abuse of a disabled companion. (Scope).
- 90% of people with learning disabilities have experienced harassment and bullying, with 32% stating that bullying was taking place on a daily or weekly basis. (Mencap)

- Carers:

No issues relating to carers have been identified.

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- Gender Reassignment:

- 1 in 10,000 people suffer from the recognised medical condition known as gender dysphoria, generally referred to as being transgender or transsexual.
- Trans people fear disclosing their identity to housing officers for fear that they will not be treated with dignity and respect. The result can be that they do not receive the housing services that they need or receive a service inappropriate to their needs.
- Trans people appear to experience high levels of hate crime and hate incidents.
- 40% had experienced transphobic threatening behaviour.
- Recent research estimates that 7% of the trans population are aged 61 or over. (Equalities Review)

- Pregnancy and Maternity:

No issues relating to pregnancy and maternity have been identified.

- Race:

- Black, Pakistani and Bangladeshi households are more likely to live in homes that fall below the Decent Homes Standard than white households. (Department for Communities and Local Government)
- Nationally, in 2005 the police recorded 50,000 racially or religiously motivated hate crimes. (Home Office (HO))
- The Police estimate that most racial hate crime is not reported because victims are too frightened or embarrassed. (HO)

- Religion or Belief:

- The Police estimate that most religious hate crime is not reported because victims are too frightened or embarrassed. (Home Office)
- In 2006 there were 260,00 racially or religiously motivated offences (British Crime Survey)

- Sex:

- For females, the majority of the violence experienced is in the home and the offender is known to them. (ER)
- It is estimated that at least 1.7 million single older men could be living in isolation in the UK. Nearly 400,000 of these are single older men aged 75 and over. Furthermore, it is estimated that 289,000 single older men are living in poverty. (Age Concern)

- Sexual Orientation:

- Police estimate that 90% of homophobic crime goes unreported because victims are too frightened or embarrassed to report the crime. (Equality Review)
- One in five lesbian and gay people have experienced a homophobic hate crime or incident in the last three years. One in eight has been a victim in the last year. (Stonewall)
- Three in four of those experiencing hate crimes or incidents did not report them to the police. Only 6% reported them to third parties. (Stonewall)
- Seven in ten did not report hate crimes or incidents to anyone. (Stonewall)
- One in six experiencing homophobic hate incidents in the last three years experienced a physical assault. (Stonewall)
- 8% of all black and minority ethnic lesbian and gay people have experienced a physical assault as a homophobic hate incident, compared to four per cent of all lesbian and gay people. (Stonewall)
- One in six lesbian and gay people have been insulted and harassed in the last three years because they are gay. (Stonewall)
- Overall, three in five lesbian and gay people have been a victim of any crime or incident in the last three years. (Stonewall)
- Of the UK population over State Pension Age, it is estimated that between 500,000 to 800,000 people are lesbian, gay or bisexual. (Age Concern)
- Older LGB people are 2 ½ times more likely to live alone and 4 ½ times less likely to have no children

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to call upon in times of need be without informal care and support networks, making their need for appropriate social care services even more acute. (Stonewall)

- Other: e.g. Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion, Marriage and Civil Partnership

National Data:

The Economics of the Park Homes Industry (2002) study found that 64% of park home households have incomes below £800 per month, compared to 30% in the population. A further 34% of residents have monthly incomes between £800–£2,000. This compares with average monthly pitch fees in the region of £80–£85 which shows that park homes play a significant role in providing low-cost accommodation.

While 45% of residents' households have less than £1,500 of savings, compared to 58% in the population, the elderly residents' households have 40% in this savings range compared to 30% in the population. About 40% of the residents' elderly households have savings in the range £1,500–£10,000. Thus residents are generally not income rich and a good proportion has no savings at all, though there is a significant number with very modest savings.

In the 2008 Westminster Hall debate Dan Rogerson (North Cornwall) said 'we are often dealing with residents who do not have the financial resources to pursue legal cases and, even if they are able to get access to legal advice, with support, they may be distressed by that process, so they are not best placed to represent their interests or to put those things across effectively. Therefore they may rather acquiesce in the face of bullying'.

2.3) To what extent are vulnerable groups experiencing poorer outcomes compared to the population or workforce as a whole?

Park homes residents tend to be over 60 years of age, some have disabilities and many have a low income. Nationally it is recognised that park home residents are therefore more vulnerable to harassment and intimidation by over-zealous site owners.

2.4) Are there areas where more information may be needed?

A profile of residents living in park homes in Central Bedfordshire would be helpful to understand more clearly which diversity groups choose to live in park homes. National data however provides a guide to the age, income status and disability of the typical Park Home owner.

2.5) Are there any gaps in data or consultation findings?

Views of residents have not been considered in this assessment and so consultation on the policy with residents will be required.

2.6) What action will be taken to obtain this information?

Consultation activity will be carried out to inform the policy before a final draft is submitted to Executive in February. This will include a park homes resident engagement event in January 2014.

2.7) To what extent do current procedures and working practices address the above issues and help to promote equality of opportunity?

Strengthening licensing monitoring arrangements of park home sites will ensure that site conditions are maintained in accordance with existing standards. This should make park homes, sites and services more secure, fairer, inclusive and accessible overall, especially to vulnerable people who may otherwise suffer from harassment or poor standards of accommodation. These vulnerable people are predominantly older people, people with disabilities and gypsies and travellers.

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The Council provides information and signposts customers to free resources so that they are aware of their legal rights.

Promotion of the licensing service is currently through the website, ad hoc letters to residents and through signposting from Members and the Citizens Advice Bureau. To promote the enhanced service and ensure that all residents understand that they can approach the Council to complain about compliance with license conditions a leaflet that can be on display at the sites will be produced.

The Council is also taking a pro-active approach to promoting equality by including in the licence the reminder that site owners should tackle discrimination on their sites and promote equality. Site owners are also signposted to a resource that can support them to achieve this.

Stage 3 - Providing an overview of impacts and potential discrimination.

Stage 3 – Assessing Positive & Negative Impacts

Analysis of Impacts	Impact?		Discrimination?		Summary of impacts and reasons
	(+ve)	(- ve)	YES	NO	
3.1 Age					Park home residents are predominantly aged over 60 and are more vulnerable to intimidation. An enhanced licensing inspection service will improve living standards and provide greater protection for group.
3.2 Disability					Due to their age many park home residents have long term life limiting illnesses and are therefore more vulnerable to intimidation. An enhanced licensing inspection service will improve living standards and provide greater protection for group.
3.3 Carers					
3.4 Gender Reassignment					An enhanced licensing inspection service will improve living standards and provide greater protection for groups at higher risk of harassment and intimidation.
3.5 Pregnancy & Maternity					
3.6 Race					An enhanced licensing inspection service will improve living standards and provide greater protection for groups at higher risk of harassment and intimidation.
3.7 Religion / Belief					
3.8 Sex					
3.9 Sexual Orientation					
3.10 Other e.g. Human Rights,					



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<i>Poverty / Social Class / Deprivation, Looked After Children, Offenders, Cohesion Marriage and Civil Partnership</i>					
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Stage 4 - Identifying mitigating actions that can be taken to address adverse impacts.

Stage 4 – Conclusions, Recommendations and Action Planning

4.1 What are the main conclusions and recommendations from the assessment?

The proposals set out in the Park Homes Licensing Fees Policy will strengthen licensing monitoring arrangements of park home sites to ensure that site conditions are maintained in accordance with existing standards. This should help protect vulnerable residents and ensure that site owners meet their obligations.

To fund this enhanced service fees will be applied to licensing activity. These fees have been set after a thorough investigation into the costs involved in the delivery of the licensing functions. The fees are therefore considered proportionate.

Fees will be applied on a per pitch basis so that the costs of the licensing services are shared fairly across non-exempt sites. This means that those most vulnerable due to living on non-compliant sites will not be required to pay more for an increased frequency of inspections based on risk or re-inspections due to licence breaches.

Promotional material will be developed to ensure that all residents are aware of how to access the service should they have a complaint regarding park home site licensing.

Engagement events were held for site owners and residents on 30 September 2013 and 22 January 2014 respectively. These engagement events set out to explain the changes brought about by the Mobile Homes Act 2013, to gather the views of stakeholders on what an overarching park homes strategy should contain, and to discuss the proposed fees.

4.2 Formal consultation outcome

A formal consultation on the fees policy was carried out between 9 December 2013 and 20 January 2014 with additional feedback from the engagement event on 22 January 2014 considered. Consultation letters were sent to 83 site owners and 1119 residents and 25 responses were received.

A summary of the outcome of the consultation is as follows:

- a. 92% agree that conditions on Park Homes Sites need to be effectively monitored / managed.
- b. 80% agree that annual fee recovery by the Council should be cost effective.
- c. 82% support the proposal to exempt single pitch sites from licensing annual fees in order to make fee recovery by the Council cost effective.
- d. 64% support the proposed Initial Licence Fee of £53.32 per pitch enable the Council to recover costs.
- e. 56% support the proposed Transfer or Standard Amendment Fee of £249.88 per site/application.
- f. 56% support the proposed Site Expansion Amendment Fee of £27.68 per pitch.
- g. 48% support the proposed Annual Fee of £12.38 per pitch to enable effective monitoring

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by the Council. 44% do not support this and 8% do not know whether they support this proposal. The main reasons given for not supporting it were that sites were already being inspected (albeit at a reduced frequency) and that residents felt that the service should be funded by Council Tax.

- h. 72% support the proposed charge for serving enforcement notices, which mirrors the charge for Housing Act enforcement notices, £208.10.
- i. 64% support an administration fee of 20% being applied by the Council when recovering the cost of works the Council undertake in default.

There was a general fear from residents that costs would be passed onto them by site owners. However, legislation only allows the annual fees to be passed on.

A significant number of responses highlighted concerns that residents had about being unable to afford pitch fees should owners decide to pass on the annual fees to them through increased pitch fees. As a consequence, the calculation of annual fees was revisited and a minor component removed from the calculation to completely remove any costs associated with re-inspection due to poor management from the calculation. All such re-inspection costs would therefore be recovered when fees for subsequent years are adjusted to take into consideration the surplus or deficit of the licensing annual fee account. Any increase in fees that this might lead to could not be passed on by site owners to residents. The adjusted fees were presented in the version of the fees policy that was taken to the Social Care, Health and Housing Overview and Scrutiny Committee (SCHH OSC) on 27 January 2014.

Consultation responses also highlighted concerns that it was not clear whether the per pitch fee for site expansion amendment related to the number of new pitches or the total number of pitches on a site undergoing expansion. They also highlighted concerns that the fees might lead to a decline of the park home site industry in the area if fees were too high or unfair. As a consequence of this feedback the calculation of the site expansion fee was revised so that it comprised of the standard amendment fee plus a fee per additional pitch to cover the cost of inspecting the new pitches. Unfortunately there was insufficient time to include this much clearer and fairer fee within the version of the fees policy that was taken to the SCHH OSC on 27 January 2014 but it has been included within the version being presented to Executive on 18 March 2014.

4.2 What changes will be made to address or mitigate any adverse impacts that have been identified?

Promotional material will be developed to ensure that all residents are aware of how to access the service should they have a complaint regarding park home site licensing.

4.3 Are there any budgetary implications?

Minimal printing costs for the promotional material.

4.4 Actions to be taken to mitigate against any adverse impacts:

Action	Lead Officer	Date	Priority
Consultation to inform the final draft of the policy	Terry Gilbey	January 2014	H
Develop leaflets/factsheets to promote the park homes licensing service	Terry Gilbey	May 2014	M

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Stage 5 - Checking that all the relevant issues and mitigating actions have been identified

Stage 5 – Quality Assurance & Scrutiny: Checking that all the relevant issues have been identified
5.1 What methods have been used to gain feedback on the main issues raised in the assessment?
Step 1:
Has the Corporate Policy Advisor (Equality & Diversity) reviewed this assessment and provided feedback? <i>Yes/No</i>
Summary of CPA's comments:
Step 2:
5.2 Feedback from Central Bedfordshire Equality Forum



Stage 6 - Ensuring that the actual impact of proposals are monitored over time.

Stage 6 – Monitoring Future Impact	
6.1	How will implementation of the actions be monitored?
6.2	What sort of data will be collected and how often will it be analysed?
6.3	How often will the proposal be reviewed?
6.4	Who will be responsible for this?
6.5	How have the actions from this assessment been incorporated into the proposal?

Stage 7 - Finalising the assessment.

Stage 7 – Accountability / Signing Off	
7.1	Has the lead Assistant Director/Head of Service been notified of the outcome of the assessment
Name: _____ Date: _____	
7.2	Has the Corporate Policy Adviser Equality & Diversity provided confirmation that the Assessment is complete?
Date: _____	