

Reform of mobile home site licence system

Equality Impact Assessment – Results

December 2016

EQUALITY IMPACT ASSESSMENT – RESULTS

Title of Policy	Reform of mobile home site licence system
Summary of aims and desired outcomes of Policy	<p>The key desired outcomes from this policy are:</p> <ul style="list-style-type: none"> • that site licences are awarded to site owners who pass the fit and proper person test, and are therefore only given to responsible and legitimate site owners • site standards are good, enforced by local authorities that have a range of tools to ensure compliance by site owners • residents benefit from a much improved licensing regime.
Directorate: division: team	Housing and Social Justice Directorate; Better Homes Division: Housing Services Policy Unit

Executive Summary

1. While many sites are well run there is evidence that there are unscrupulous site owners who take advantage of vulnerable residents and exploit current weaknesses in the legislation. The provisions in the Housing (Scotland) Act 2014 which establish a new licensing system are part of a set of measures that are intended to significantly strengthen the protections enjoyed by permanent mobile home residents. The new licensing system puts in place a robust framework that:

- focusses on the site licence applicant (whether they are applying for their first site licence or to renew an existing one), and their fitness to hold a site licence;
- gives local authorities a range of powers, and appropriate discretion in deciding how to use them, in relation to the granting, management, and revocation of licences;

- ensures standards on sites are maintained and, enables action to be taken by local authorities to address significant problems with sites;
- provides an effective process for site owners and site licence applicants to appeal against decisions by the local authority.

In addition to mobile home parks with permanent residents the new licensing regime will also apply to private Gypsy/Traveller sites with permanent residents. This is the case with the current licensing regime.

Background

2. Mobile homes are a small but important part of the housing mix in Scotland. While legally defined as caravans many modern mobile homes resemble small bungalows. They are almost always situated on a “pitch” owned by a site owner, to whom a resident pays a pitch fee. Larger mobile homes are sometimes referred to as “park homes”, and can consist of two parts which are bolted together on site.

3. Research by (the then) Consumer Focus in 2013 identified 92 mobile home sites in Scotland, with around 3,314 residential mobile homes. The majority of sites have fewer than 50 residential homes, and 22 out of 32 local authorities confirmed they have at least one mobile home site in their area. Sites are concentrated in 6 local authority areas: Perth and Kinross, Dumfries and Galloway, Fife, Angus, Argyll and Bute, and Aberdeen.¹

Scope of the EQIA

4. This EQIA was carried out with input from housing policy colleagues and analytical colleagues, and takes into account responses to the public consultation (which ran from May 2012 to August 2012) on our proposals for the new licensing system, and the consultation from November 2015 to February 2016 on the proposals for Regulations. It also took into account other relevant research, such as the report by then then Consumer Focus on Park Homes in Scotland, *Stories To Be Told*, published in May 2012. The framing exercise identified that the key relevant characteristics of those living in mobile homes were age and disability. As part of the process it was also noted that mobile homes are sometimes lived in by migrant workers.

¹ Consumer Focus Scotland, *Stories To Be Told. A snapshot of the lives of park home residents in Scotland*, 2013

Key Findings

5. The EQIA process identified that the new licensing system will:
- benefit all groups who live permanently on mobile homes, and are not specifically related to the protected characteristics.
 - elderly residents can be particularly at risk from bullying and harassment by unscrupulous site owners. Our proposals aim to address concerns about such site owners.
 - give local authorities greater powers to enforce licence conditions. Such conditions could include requirements around having sufficient lighting on a site, and ensuring pathways and roads are of a good standard. Such licence conditions would benefit all residents, but could of particular help to those who are disabled.
 - improve the protections in the licensing regime will benefit Gypsies/Travellers living on private sites, and migrant workers who may be living permanently in mobile homes.

Recommendation and Conclusions

6. The EQIA process has provided reassurance that the new licensing system is not discriminatory against any particular equalities group. In fact it will bring benefits to some groups, such as residents who are disabled, and those living on privately run Gypsy/Traveller sites. It has also identified that we will need to consider the most effective ways to provide information to residents. We will do this by providing information on the Scottish Government website in straightforward and accessible English. We have updated this EQIA to take account of the published findings from the 2011 Census.



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