

# Hayes Country Park Residents Meeting

28<sup>th</sup> February 2024

# Agenda

- Introduction
- Reasoning for the Inspection
- Main Findings from the Inspection
- Discussion and Feedback from Site Owner
- Feedback from Residents
- Proposed Site Licence Conditions
- Achieving Compliance with the Licence Conditions
- Question and Answer Session

# Introduction – Lewis Mould, Public Health and Protection Services Manager

## Introduction

- We intend to be open and transparent with residents of Hayes Country Park. This evening is an opportunity for you to hear about the findings of our inspection and have your say
- At the end of the presentation there shall be an opportunity for you to ask questions
- We cannot discuss every single case individually but hope to give you a general overview of what we found, the councils view and our proposed way forward
- We cannot give legal advice, residents are encouraged to seek their own independently
- Residents can contact the government supported Lease Advisory Service (LEASE) <https://parkhomes.lease-advice.org/> or the National Park Homes Residents Association <https://www.naphr.co.uk/>

# Reasoning for the Inspection

## Reasons for the Inspection

- An application was submitted for a new licence in March 2023 by Hayes Country Estates Limited
- Site inspection conducted between September and October 2023 to understand the state of compliance with the current site licence conditions (and the 2008 model conditions)
- Hayes Country Park is a licensed relevant protected site with 307 park homes. The licence is issued by Chelmsford City Council under the Caravan Sites and Control of Development Act 1960
- It has been licensed as a relevant protected site since 19<sup>th</sup> August 2015. Prior to this, half the site was permitted for seasonal occupation use only
- Fire safety is enforced jointly by the Council and Essex County Fire and Rescue Service. Before taking enforcement, the council needs to consider the views of the Fire Service

# Main Findings from the Inspection

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- A total of 122 homes were within 6m from neighbouring homes
- A total of 16 homes were within 5.25m from neighbouring homes
- 134 homes containing structures within 4.5m of neighbouring homes. It was noted that some of these structures appeared to consist of combustible materials, such as wood and plastics
- The boundaries of the site were not clearly demarked. In some instances, homes, had been built up to the boundary line
- Inadequate parking available for visitors to the site. There are a small number of spaces adjacent to the club house
- 89 homes with combustible structures within the separation distance. These structures included verandas, ramps, decking, sheds, fencing, garden furniture and planters



## Communal Area Findings

- Insufficient street lighting to Howards Way and Palm Court
- Road behind Howards Way and Palm Court non-surfaced
- No foot paths present on the site to separate vehicles from pedestrians
- Insufficient surface water drainage. Officers witnessed standing pools of water and blocked gulleys in Chestnut Grove, Elm Way, Howards Way, Maple Mews and The Oaks
- Areas of high vegetation to the rear of Hayes Chase
- Lack of recreational space
- Storage and transportation of LPG canister concerns reported to the commercial Health and Safety Team

## Main Findings from the Inspection

- We wrote to every homeowner before the site inspection began and have been in contact with the representatives of the 2 resident groups. (there is no one group with enough to establish a 'qualifying' resident's association so officially, unfortunately the site owner is under no obligation to negotiate with them)
- Findings for each individual home sent to the occupiers by letter. Resident's information page created on Chelmsford City Council website and shared by site manager
- Overall findings shared with Site Owner, Residents Association Chair and Residents Forum Chair
- Essex County Fire and Rescue Service sent the overall inspection findings, invited to make comments and give technical guidance
- Council's Legal Team approached to give advice about the liability of works
- We returned on 27<sup>th</sup> February 2024 to check discrepancies reported with the data

## Follow up Requests

- Site Owner asked to supply details of all homes on site that have a class 1 surface finish located within 6m to 5.25m of a neighbouring home
- Site Owner asked to provide information about verandas installed onsite, to confirm that they are non-combustible
- Site Owner asked to submit proposed works and timescales within 28 days

# Discussion and Feedback from Site Owner

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- Meeting with site owner took place on 8<sup>th</sup> February 2024 to discuss the findings and agree a way forward
- Council's findings disputed, including measurements between homes, surface water drainage issues and visitor parking
- Fire Risk Assessment undertaken by E and J Fire and Security Limited in December 2023 – “negligible risk to life” found and overall good management of the site
- Suggestion made of waiting until homes are transferred or sold before commencing works
- Existing Club House which provides recreation facility for visitors
- Limited by the planning Injunctions situated to the north and south of the site

# Feedback from Residents

## Feedback from Residents

- Council measurements disputed
- Why are there problems now after some homes have been positioned this way for years?
- Areas marked as 'compliant' for surface water drainage have problems, photos supplied
- Concerns about the liability of the works, who will pay for them?
- Invalidation of Home Insurance Policies
- Location of site boundaries
- Upheaval to homeowners and potential harassment from site owner
- Potential of having home moved or relocated to another site
- Plastic sheds have been accepted in the past, why are they now not suitable?
- Lack of sewerage system and water supply when electricity or pumps fail

# Proposed Site Licence Conditions



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- Council is proposing to issue a licence with conditions
- Licence holder responsible for complying with conditions
- Supply a class 1 surface finish to homes within the 6m separation distance – works to be undertaken as park homes are sold or transferred. Liability dependant on terms of the pitch agreement
- Relocate homes closer than 5.25m - works to be undertaken as park homes are sold or transferred at site owner's expense
- Drainage specialist report with recommendations to be supplied to the council (Surface Water and Foul)
- Provide visitor parking (equivalent of 1/10 of the number of homes recommended in model standards)
- Improve lighting in areas identified as insufficient
- Improve vehicle and pedestrian safety

# Achieving Compliance with the Licence Conditions

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- Any decision to enforce a licence condition should be taken in line with the Compliance Code (ISBN: 978-0-85605-712-0) which came into force in April 2008, for which comprehensive guidance is available on the Department for Business, Enterprise and Regulatory Reform website, [www.bre.berr.gov.uk](http://www.bre.berr.gov.uk)
- Local authorities should allow a reasonable period of time after any site licence alteration for compliance with the revised conditions, unless the reason for making the alteration was to address a matter requiring immediate attention
- When considering taking enforcement action local authorities should undertake a risk assessment to take into account all possible factors in relation to the prosecution.

## Achieving Compliance with the Licence Conditions

- Council to carry out annual inspections of the site
- Mentor compliance with the conditions
- Option of serving a compliance notice under the Mobile Homes Act 2013
- Respond in timely manner to residents' concerns
- Consider future staffing and resource implications
- Working closely with Site Manager, Planning Department and Essex County Fire and Rescue Service

# Question and Answer Session

<https://www.chelmsford.gov.uk/hayes-country-park-information-for-residents/>

<https://parkhomes.lease-advice.org/>

<https://www.naphr.co.uk/>

<https://chelmsfordcab.org/>

## Useful Websites