

# Changes to the Licensing of Residential Mobile Home Sites in Scotland: Information leaflet for Residents



Scottish Government  
Riaghaltas na h-Alba  
[gov.scot](http://gov.scot)

## Introduction

This leaflet makes permanent mobile home residents in Scotland aware of the recent changes to the licensing of Residential Mobile Home (Park Home) sites. The changes to the law place new duties on the site owner and the local authority, who assess new site licence applications and issue site licences.

The new system provides local authorities with a range of new powers to ensure the site you live on meets modern standards and protects residents' rights while enabling businesses to continue to remain viable.

**No action is needed by residents.** This leaflet is provided to make you aware of these changes.

### **The new licensing system:**

- introduces a 5-year licence period (the previous system allowed a licence to last indefinitely);
- gives local authorities a range of powers to help them effectively issue, manage, and revoke site licences;
- introduces a requirement that a site licence holder (and anyone directly managing a site) is a fit and proper person;
- creates an effective process for site owners and site licence applicants to appeal against decisions by the local authority.

Anyone operating a site without a permanent residential mobile home site licence can be fined up to £50,000.

The new licensing regime started on 1 May 2017. From that day onwards any new site owner or a person managing a site on their behalf, requires a licence under the new scheme using the new regulations. The law provides a 2-year transition period, which means existing licence holders must have applied for a new licence by 30th April 2019. This is a new application process, so site owners

are urged to make early contact with the local authority site licensing team in the local authority area their site is located. The mobile home site licensing teams usually sit within the local authority's Environmental Health Department (see FAQ number 6).

The Scottish Government is working closely with local authorities to raise awareness about the new system. We have also published guidance for local authorities and further information for residents and site owners on our website:

<https://beta.gov.scot/policies/homeowners/mobile-homes/>

## **Frequently Asked Questions (FAQs)**

### **1. Why have the mobile home site licensing laws changed?**

The previous licensing law was written in the 1960s in response to an emerging leisure industry where there was need to regulate the development of holiday parks. The sector is very different today. The reformed licensing framework provides a new, more robust, licensing system for sites with permanent residents who occupy their home all year round. This is not the same as a licence for a holiday home site. The new system will give local authorities the new enforcement powers they may need to make sure sites meet acceptable standards, and to challenge the activities of site owners who do not comply with those standards.

### **2. The law was changed in 2013 to provide improved protection for residents. Are these changes to the licensing of sites different?**

Yes. In 2013, the Scottish Government changed the law to improve the rights for mobile home owners, details of which are set out in a separate guidance leaflet: A guide for mobile home owners – your rights and responsibilities:

[www.gov.scot/Publications/2013/08/9282/1](http://www.gov.scot/Publications/2013/08/9282/1)

The changes in 2013 did not however change the site licence system itself. Those required specific changes to the existing law that controls how sites are licensed and the precise requirements that the site owner must meet before obtaining a site licence. Licensing laws aim to ensure that anyone applying for a site licence to operate a permanent residential mobile homes site is suitable.

### **3. What is a site licence?**

Your local authority grants site licenses. They can impose conditions that the site owner must keep to in order to retain their licence. For example, licence conditions can include:

- the number and type of mobile homes allowed on the site
- where on the site the mobile homes can be placed
- landscaping (for example, the planting of trees and bushes)
- electricity, gas, water and sewerage supplies
- specific duties placed on the site owner
- other health and safety issues.

### **4. Which type of site is affected by the new licensing regime?**

The new licence regime applies to sites that are used as relevant permanent sites. This excludes land for which planning permission, or the site licence, is granted for holiday use only or on the basis that that there will be times of the year when no caravan may be stationed on the land for human occupation.

In general, the regime covers sites that are residential mobile home sites licensed for permanent (year-round) occupation. Holiday mobile home sites are not licensed for permanent year-round occupation. They are not therefore affected by these changes.

On mixed-use sites, i.e. where permanent residents and holiday homes both exist on the same site, the site owner will need to apply for a licence under the new system, and the new licensing regime will apply to them and others involved in running the site.

Private Gypsy/Traveller sites are licensed as caravan sites by a local authority, and are therefore covered by the new licensing regime.

In certain circumstances a site licence is not required. Showpeople, for example, who occupy a site for part of the year do not require a licence. Local authorities will need to explore the circumstances of those living on Showpeople sites in their area and determine whether or not a site licence is required.

## **5. Is there a fee for a licence application?**

An applicant is required to pay a fee to the local authority for handling the application. Each authority must set a fee that reflects only the costs associated with processing a site licence application. The new site licence must be renewed every 5 years.

## **6. Can I see the site licence for my mobile home park?**

The site licence should be displayed so that all residents can see it. If the licence is not displayed and the site owner will not show you a copy, contact the local authority and ask to see a copy. Usually the Environmental Health Department will keep copy of the licenses they issue.

To find out the local authority for the area you live in visit the following web page:

Find my local authority:

[www.gov.uk/find-local-council](http://www.gov.uk/find-local-council)

## **7. Where can I report concerns I have about the conduct of those managing the site?**

If you have concerns, they should be reported (by letter or email) to the local authority who issued the licence.

## 8. Where can I find out more about residential mobile homes?

Further background information and advice for residential mobile homes residents is set out in the links below:

- Residential mobile homes:  
[www.gov.scot/policies/homeowners/mobile-homes/](http://www.gov.scot/policies/homeowners/mobile-homes/)
- Mobile homes legislation in Scotland:  
[mobile-homes-legislation-in-Scotland-timeline  
www.gov.scot/publications/mobile-homes-legislation-in-scotland-timeline/](http://www.gov.scot/publications/mobile-homes-legislation-in-scotland-timeline/)
- Scottish Confederation of Park Home Residents Associations (SCOPHRA):  
[www.scophra.scot](http://www.scophra.scot).
- Independent Park Home Advisory Service:  
[www.iphas.co.uk](http://www.iphas.co.uk)
- Shelter Scotland:  
[https://scotland.shelter.org.uk/get\\_advice/advice\\_topics/renting\\_rights/mobile\\_homes](https://scotland.shelter.org.uk/get_advice/advice_topics/renting_rights/mobile_homes)
- Citizen's Advice Scotland:  
[www.citizensadvice.org.uk/scotland/consumer/](http://www.citizensadvice.org.uk/scotland/consumer/)
- Your local Trading Standards Office:  
[www.gov.uk/find-local-trading-standards-office](http://www.gov.uk/find-local-trading-standards-office)
- National Caravan Council (NCC) consumer information:  
[www.thencc.org.uk/Con\\_Advice/con\\_advice.aspx](http://www.thencc.org.uk/Con_Advice/con_advice.aspx)

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