

# Guidance on Applying for Permanent Site Licence

Before lodging your application for Permanent Site Licence please ensure that you have read the following guidance.



## WHO SHOULD APPLY FOR A PERMANENT SITE LICENCE?

Owners or occupiers of mobile home sites with permanent residents (“site”) (where the site is in regular, year-round use and occupied by mobile homes permanently placed on the site throughout the year and used as the occupier’s sole or main home) must apply for a Permanent Site Licence unless an exemption under Schedule 1 of the Caravan Sites and Control of Development Act 1960 applies to them.

## WHAT ARE THE EXEMPTIONS?

Some of the exemptions under the legislation are:

- Use of a caravan situated within curtilage of a dwellinghouse and incidental to the use of such a dwellinghouse;
- A caravan site on agricultural land “for the accommodation during particular season of a person or persons employed in farming operations on land in the same occupation” or
- A caravan site used for accommodation of a person or persons employed in connection with building or engineering work on the same land.

There are other exemptions which may apply to you under the legislation.

To determine whether an exemption may apply to you, you should consult your own independent legal adviser.

## WHAT ARE THE MINIMUM REQUIREMENTS FOR APPLYING?

Before you can apply for a Permanent Site Licence you must have planning permission for the site.

## WHAT DOCUMENTATION DO I NEED TO SUBMIT WITH MY APPLICATION?

The application must be accompanied:

1. by a set of 6 plans of the site to a scale of 1:50 showing
  - (a) The boundaries of the site;
  - (b) The positions of mobile homes;
  - (c) Roads and footpaths (showing in particular the form and construction of any new access to the site);
  - (d) Toilet blocks showing sanitary facilities, wash-hand basins, baths, showers and laundry facilities;
  - (e) Stores and other buildings;
  - (f) Flood and surface water drainage;
  - (g) Water supply;
  - (h) Recreation space;
  - (i) Fire precautions;
  - (j) Car parking spaces;
  - (k) Planting of trees and bushes for amenity purposes; and
  - (l) Site lighting
2. A copy of the most recent gas safety certificate for each mobile home that is owned by the applicant and rented under a rental or tenancy agreement to an occupier should be provided with the application;
3. A copy of the most recent electrical safety certificates covering the installed system and, for each mobile home that is owned by the applicant and rented under a rental or tenancy agreement to an occupier, electrical appliances, should be provided with the application;

4. Proof of buildings insurance for the site;
5. Proof of public liability insurance for the site;
6. Copy of planning permission for the site.

#### **ARE THERE DIFFERENT TYPES OF APPLICATIONS?**

Depending on your circumstances you can apply for the following:

Grant – the application must be made by the occupier of the land. This will either be the person who owns the land or the person who has leased the land with the intention of setting up a mobile home site for permanent residents.

Renewal – This must be submitted prior to the expiry of the five year licence.

Site Transfer – If a licence holder plans to sell the land, they must apply to the Local Authority for its consent to transfer the licence to the person who will become the occupier of the site.

Transmission of a Site Licence – A transmission of a Permanent Site Licence is where the land is inherited on the death of the occupier.

#### **HOW DO I APPLY?**

To apply for a Licence you should complete the attached application form and submit it to the Licensing Section with the relevant fee. Your application must be accompanied by the required supporting documents.

The application should be posted to:

Licensing Section  
Glasgow City Council  
City Chambers  
George Square  
Glasgow G2 1DU

#### **HOW MUCH IS THE APPLICATION FEE?**

The current application fees are detailed below. The fee is payable when the application is lodged and is non-refundable.

<b>Licence</b>	<b>Fee</b>
Grant	£600
Renewal	£300
Transfer of Licence	£0
Transmission of Licence	£0

#### **HOW WILL THE APPLICATION BE PROCESSED?**

Once the application is lodged the Council will consult with the following:

##### **Police Scotland**

The Police may object or make a representation to the application if they do not consider you or anyone else named on the application to be a 'fit and proper person' to hold a licence. The Police may also charge you with an offence if you have made a false statement on your application form or failed to declare convictions.

##### **Scottish Fire and Rescue**

Scottish Fire and Rescue will arrange to inspect the site and provide the Licensing section with a report.

**Environment Health**

The Council's environmental health team will arrange to inspect the site and provide the Licensing section with a report.

**Building Control**

The council's Building Control team will arrange to inspect the site and provide the Licensing section with a report.

If no adverse comments are received and there are no other issues with your application, then it will be considered "straightforward" and placed on a list of applications to be granted under delegated authority. We will then contact you, in writing, once the application has been granted.

If there is an issue with the application such as a Police objection you will be given a copy of the objection or representation and we will refer the application to a meeting of the Licensing and Regulatory Committee for a decision. You will also be given an opportunity to submit written representation to the objection or representation. If the application is referred to the Licensing and Regulatory Committee, you will receive a Recorded Delivery letter requesting your attendance at the meeting and explaining the reason you are being asked to attend. Although you are not legally required to attend it is recommended you do so. We will contact you, in writing, after the meeting to advise you of the Committee's decision.

**HOW LONG WILL THE APPLICATION TAKE TO BE DETERMINED?**

The Council has three (3) months to process your application where no objections and representations are received. Where objections or representations are received the Council has longer than this time to determine the application.

**WHAT HAPPENS AFTER MY APPLICATION IS GRANTED?**

You will receive a letter advising that your application has been granted. The letter will include your licence and detail any additional conditions or requirements you are subject to.

**WHAT HAPPENS IF MY APPLICATION IS REFUSED?**

You will receive a letter advising that your application has been refused. You have the right to appeal the decision at Glasgow Sheriff Court.

The Council cannot provide guidance on making an appeal. If guidance is required you should consider taking your own independent legal advice or, alternatively, you can contact the Sheriff Clerk at Glasgow Sheriff Court, 1 Carlton Place, Glasgow, G5 9DA.

**ARE THERE CONDITIONS ATTACHED TO A PERMANENT SITE LICENCE?**

There are standard conditions attached to all Permanent Site Licences. A copy of style conditions is provided with this guidance. As a licensed holder you will be expected to comply with every condition. Failure to do so, could result in the Council suspending or revoking your licence. If necessary the Council can attach further conditions to a licence.

**OTHER FREQUENTLY ASKED QUESTIONS****Will my application be automatically refused because I have certain convictions?**

The fact that you have certain convictions does not prevent you applying nor does it mean that you will be automatically refused. Every application is considered on its own merit.

**Can I get further information?**

If you have any further questions about the application process the Council's Licensing Team will be happy to assist you. Please note that whilst the Licensing Team can provide guidance, the team cannot offer you legal advice.

You can contact us by phone or email.

Phone: 0141 287 5354

Email: [LicensingEnquiries@glasgow.gov.uk](mailto:LicensingEnquiries@glasgow.gov.uk)

The information contained in this guidance and application form is correct as of April 2019. The Council reserves the right to update or amend its application forms at any time. You can check you are completing the current application form by visiting:

[www.glasgow.gov.uk/licences](http://www.glasgow.gov.uk/licences)

# Appendix 1 – Conditions attached to a Permanent Site Licence

The licence holder shall ensure that;

## General

1. The maximum number of mobile homes to be placed on the site is: [insert]
2. Site boundaries must be clearly marked on the layout plan provided.
3. If the site layout is altered significantly updated plans must be supplied to the Council within 30 days of the alteration.
4. The distance between any two mobile home units on site must be not less than 6m.
5. The density of mobile homes on the site must not exceed that documented in the planning consent for the site.
6. All mobile homes on the site are located not more than 45m from a roadway.
7. The following information is displayed in a prominent location on site:
  - a. Contact details for the emergency and local medical services;
  - b. Name, contact address and telephone number of the site licence holder and their emergency contact details;
  - c. A copy of the site rules; and
  - d. A copy of the Site Licence.
8. If during the currency of the licence, the holder is convicted of any offence, they shall, within 28 days, provide full details of such convictions to the Licensing Authority.

## Roads, Footpaths and Ground Conditions

9. Roadways must be constructed of hard, durable materials.
10. The surface and gradient of roads and pedestrian routes be designed and maintained to take into account the differing accessibility requirements of households.
11. Roads should not be less than 3.7m wide unless there is a one-way system in operation.
12. The site must be designed in a way that provides adequate access for emergency vehicles.
13. Roads and pedestrian routes must be provided with adequate working artificial lighting during night time hours.
14. The lighting systems must be designed, installed, tested, inspected and maintained in accordance with statutory requirements and not cause a statutory nuisance.
15. There must be adequate water/storm drainage on site.
16. Where implemented, one- way systems must be clearly signposted.
17. Where appropriate, speed control measures are in place.
18. Salt or grit bins must be located throughout the site.
19. Each mobile home must be securely sited on a hard standing base or one offering similar stability.
20. Footpaths must be constructed of a hard, durable material and must be maintained in good condition.
21. Footpaths must be at least 0.9m wide.

## Parking

22. Sufficient and appropriate provision of car parking for residents and their visitors is in place on site.

## Water and Drainage

23. A distribution network that complies with relevant statutory requirements must be in place on site.
24. All pitches have a sufficient potable water supply and that the distribution network complies with relevant statutory requirements.
25. All pitches be provided with a suitable drainage systems for the hygienic disposal of foul, rain and surface water.
26. Every mobile home on site must be connected to a foul drainage system.
27. Foul drainage must be connected to a public sewer, sewage treatment facility or a septic tank.

## Flooding

28. Where it has been identified that a site is at risk of flooding the licence holder must sign up to the SEPA Floodline service.
29. A flood evacuation plan is in place for the site should it be at risk of flooding.

30. Notices containing relevant details of the evacuation plan are displayed on site.

**Gas**

31. The gas supply on site must meet relevant statutory requirements.

32. Liquid Petroleum Gas must be safely stored on site and meet relevant statutory requirements.

**Electricity**

33. Electrical installations in place must be adequate for the site and tested, inspected and maintained in accordance with statutory requirements.

**Oil Storage Tanks**

34. Oil storage tanks must be designed, constructed and located in a way that complies with relevant statutory requirements.

**Waste**

35. Each mobile home must be provided with or have ready access to appropriate facilities for the recycling of waste material and for the disposal of residual waste.

**Maintenance**

36. The site and all the facilities on it must be maintained in good order and condition, and function as intended.

## Appendix 2 – Privacy Statement:

# Privacy Statement: Licensing schemes administered by the Council's Licensing & Regulatory Committee

### WHO WE ARE

Glasgow City Council is a local authority established under the Local Government etc. (Scotland) Act 1994. Its head office is located at City Chambers, George Square, Glasgow G2 1DU, United Kingdom, and you can contact our Data Protection Officer by post at this address, by email at: [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk), and by telephone on 0141 287 1055.

### WHY DO WE NEED YOUR PERSONAL INFORMATION AND WHAT DO WE DO WITH IT?

You are giving us your personal information to allow us to carry out our statutory functions in relation to licensed activities regulated by the Council's Licensing & Regulatory Committee. We also use your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

### LEGAL BASIS FOR USING YOUR INFORMATION

We provide these services to you as part of our statutory function as your local authority. You can find more details of our role on our website at [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy). Processing your personal information is necessary for the performance of a task carried out in the public interest by the council.

If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

We may also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law. In addition, we may also process data about any criminal convictions you may have. This is because we are required to ascertain the suitability of individuals to hold licences and, to do this, we may need to process information on an individual's criminal convictions.

### WHO DO WE SHARE YOUR INFORMATION WITH?

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes.

We are also legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this. We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. Your information is also analysed internally to help us improve our services.

This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

We are required by law to enter personal information about applicants and other relevant persons on a public register of applications for licences. This register can be accessed by any member of the public. We may publish this register or extracts of the register online. We may also provide the register to other public bodies to support a national register of licences.

In processing an application for a licence or a complaint, we may need to refer you to our Licensing and Regulatory Committee. Your personal information will be included in the agenda, reports and minutes for the Committee. Some of this information will be published on our website. You can find out more on our website at [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy)

Licensing and Regulatory Committee meetings are held in public. At a meeting your personal information may be disclosed to those in attendance. This may happen even if you do not attend a meeting that you are invited to.

We will also share your personal data with other public bodies and statutory consultees as required by law.

### HOW LONG DO WE KEEP YOUR INFORMATION FOR?

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can view this on our website at [www.glasgow.gov.uk/rrds](http://www.glasgow.gov.uk/rrds) or you can request a hard copy from the contact address stated above.

### YOUR RIGHTS UNDER DATA PROTECTION LAW

- **access to your information** – you have the right to request a copy of the personal information that we hold about you.
- **correcting your information** – we want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.
- **Deletion of your information** – you have the right to ask us to delete personal information about you where:
  - I. you think that we no longer need to hold the information for the purposes for which it was originally obtained
  - II. you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
  - III. our use of your personal information is contrary to law or our other legal obligations.

**Objecting to how we may use your information** – You have the right at any time to tell us to stop using your personal information for direct marketing purposes.

**Restricting how we may use your information** – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information. This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us as stated above if you wish to exercise any of these rights.

### INFORMATION YOU HAVE GIVEN US ABOUT OTHER PEOPLE

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to Glasgow City Council. We will only use this information to carry out our statutory functions in relation to licensed activities regulated by the Council's Licensing & Regulatory Committee. If they want any more information on how we will use their information they can visit our web site at [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy) or email [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk).

### COMPLAINTS

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk) or by telephone on 0141 287 1055.

However, you also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office, who can be contacted by post at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745. Visit their website for more information at- <https://ico.org.uk/concerns>



[If your complaint is not about a data protection matter you can find details on how to make a complaint on our website at www.glasgow.gov.complaints](http://www.glasgow.gov.complaints)

### **MORE INFORMATION**

For more details on how we process your personal information visit [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy)  
If you do not have access to the internet you can contact us via telephone to request hard copies of our documents.