

POLICY NOTE

THE CARAVAN SITES ACT 1968 (AMENDMENT OF DEFINITION OF CARAVAN) (SCOTLAND) ORDER 2019

SSI 2019/295

The above instrument was made in exercise of the powers conferred by section 13(3) of the Caravan Sites Act 1968. The instrument is subject to negative procedure.

Policy Objectives

This Order increases the maximum permitted dimensions of a caravan in Scotland bringing parity with the maximum dimensions of a caravan in England and Wales.

Purpose

The change increases the maximum permitted size of a caravan by around 10% and brings the maximum caravan dimensions in Scotland in line with those that apply in England and in Wales. The legal definition of a caravan applies to all types of caravan; namely caravans used as permanent residential accommodation for Gypsy/Travellers, permanent residential mobile home (park home) sites, and caravan accommodation used for holiday purposes. The change will therefore affect all these sectors.

Section 29(1) of the Caravan Sites and Control of Development Act 1960 ("The 1960 Act") defines a caravan as "...any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted but does not include:

- (a) Any railway rolling stock which is for the time being on rails forming part of a railway system, or
- (b) Any tent."

This definition was modified by section 13(1) of the Caravan Sites Act 1968 ("The 1968 Act"), which deals with twin-unit caravans. Section 13(1) provides that:

"A structure designed or adapted for human habitation which:

- is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices; and
- is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer), shall not be treated as not being (or not having been) a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be moved on a highway when assembled."
- Section 13(2) of the 1968 Act prescribes the following maximum dimensions for
"twin unit caravans"

(a) length (exclusive of any drawbar); 60 feet (18.288 metres);

(b) width: 20 feet (6.096 metres);

(c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10 feet (3.048 metres).

This order increases the maximum permitted dimensions of a “twin unit caravan” in Scotland to:

- 65.616 feet long (20 metres) (exclusive of drawbar);
- 23.309 feet wide (6.8 metres);
- 10.006 feet tall (3.05 metres).

Consultation

Part 5 of the Housing (Scotland) Act 2014 set the framework for a new system for licensing mobile home sites licensed to have permanent residents. In 2015, the proposed changes to the maximum permitted caravan dimensions were included as part of the consultation on the regulations supporting the new licensing system for mobile home sites with permanent residents. The analysis of the consultation responses¹ to the proposed changes to the caravan dimensions shows overall support. As well as public consultation, we have also sought views from policy colleagues and from key stakeholders more recently (e.g. mobile home industry representatives, local authority licensing teams, mobile home site resident groups).

Impact Assessments

An Equality Impact Assessment has been completed and a summary is attached.

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) was carried out and is available on the Scottish Government website, a copy is attached. The impact of this policy is that while there may be costs associated with any changes required on sites to accommodate larger caravans these costs are outweighed by the potential benefits of the changes:

- aligns caravan dimensions in Scotland with those in England and Wales
- allows manufacturers to standardise their products across the wider UK market;
- energy efficiency measures installed during construction of caravan and;
- better insulation and reduced emissions.

Scottish Government
Housing and Social Justice

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¹ <https://www.gov.scot/publications/analysis-responses-consultation-mobile-home-sites-regulations/pages/8/>