

Our Ref

001-126-4-CQ

Your Ref

2 June 2010

Mr Peter McCallion  
Committee Clerk  
Room 412 - Committee for Social Development  
Northern Ireland Assembly  
Parliament Buildings  
Stormont  
BELFAST BT4 3XX

Dear Mr McCallion

### **CARAVANS BILL**

I refer to the above and thank you for your letter dated 5 May 2010 in respect of the proposed Caravans Bill which was formally introduced to the Northern Ireland Assembly on 26 April 2010.

Belfast City Council welcomes the introduction of statutory protections for caravan owners who occupy a caravan as their main residence and caravan owners using seasonal sites. The introduction of fair treatment and protection of the property rights of caravan users is positive and the Council broadly welcomes the provisions of the Bill.

The Council seek clarification as to who will be responsible for enforcing Part 3 'Protection of residential occupiers from eviction and harassment.' In the original Caravans Bill, Part 2, "Provision for Protection of Occupiers of Caravans" it was intended that district councils would have a role in the enforcement of the protection of occupiers of caravans (by virtue of Section 7(4)). This has been omitted in the redrafted Caravans Bill and there is no explicit authority for any statutory body to enforce Part 3. Given that such offences within the private rented sector are enforced by district councils (by virtue of the Rent (Northern Ireland) Order 1978 as amended) and that district councils are responsible for licensing caravan sites (under the Caravans (Northern Ireland) Act 1963), it is suggested that the proposed legislation is amended to grant district councils the power to investigate and prosecute complaints of harassment and eviction.

In relation to this consultation, due to time constraints, officers have not yet had the opportunity to bring a report in relation to the draft bill to the Health and Environmental Services Committee. The Head of the Health and Environmental Services Department will be taking a report to the Health and Environmental Services Committee in August 2010. In the meantime, the above comments are the observations of the officers on behalf of the Council, but we will of course let you know if any further views are expressed once the matter has been reviewed by Committee.

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The Department has stated that the Bill does not give rise to any issues selectively affecting any groups listed in Section 75 of the Northern Ireland Act 1998. Good practice dictates that Section 75 should be considered and the Council would urge that a full human rights impact assessment (including an Equality Impact Assessment) be conducted on the Bill as the legislation appears to directly affect the Irish Traveller Community and potentially the elderly.

I trust that this information has proved useful and I thank you for your interest in Belfast City Council's position with regard to these issues

Yours sincerely

**CIARAN QUIGLEY**  
Director of Legal Services

CQ/LM/tmc