



Cynulliad Cenedlaethol Cymru The National Assembly for Wales

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol The Communities, Equality and Local Government Committee

**Dydd Iau, 22 Tachwedd 2012
Thursday, 22 November 2012**

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Cynnig o dan Reol Sefydlog Rhif 17.42 i Wahardd y Cyhoedd o'r Cyfarfod
Motion under Standing Order No. 17.42 to Exclude the Public from the Meeting

Cofnodir y trafodion yn yr iaith y llefarwyd hwy ynndi yn y pwyllgor. Yn ogystal, cynhwysir trawsgrifiad o'r cyfieithu ar y pryd.

The proceedings are reported in the language in which they were spoken in the committee. In addition, a transcription of the simultaneous interpretation is included.

Aelodau'r pwyllgor yn bresennol Committee members in attendance

Janet Finch-Saunders Ceidwadwyr Cymreig
Welsh Conservatives

Mike Hedges	Llafur Labour
Mark Isherwood	Ceidwadwyr Cymreig Welsh Conservatives
Ann Jones	Llafur (Cadeirydd y Pwyllgor) Labour (Committee Chair)
Gwyn R. Price	Llafur Labour
Rhodri Glyn Thomas	Plaid Cymru The Party of Wales
Joyce Watson	Llafur Labour
Lindsay Whittle	Plaid Cymru The Party of Wales
Kirsty Williams	Democratiaid Rhyddfrydol Cymru (yn dirprwyo ar ran Peter Black) Welsh Liberal Democrats (substitute for Peter Black)

Eraill yn bresennol**Others in attendance**

Lowri Jackson	Rheolwr Polisi, Llais Defnyddwyr Cymru Policy Manager, Consumer Focus Wales
Liz Withers	Pennaeth Polisi, Llais Defnyddwyr Cymru Head of Policy, Consumer Focus Wales

Swyddogion Cynulliad Cenedlaethol Cymru yn bresennol**National Assembly for Wales officials in attendance**

Kath Thomas	Dirprwy Glerc Deputy Clerk
Helen Finlayson	Clerc Clerk
Joanest Jackson	Cynghorydd Cyfreithiol Legal Adviser

Dechreuodd y cyfarfod am 9.31 a.m.

The meeting began at 9.31 a.m.

Cyflwyniad, Ymddiheuriadau a Dirprwyon Introduction, Apologies and Substitutions

[1] **Ann Jones:** Good morning, everyone, and welcome to the Communities, Equality and Local Government Committee. I remind Members to switch off their mobile phones or their BlackBerrys or pagers, because they affect the translation feed and the broadcasting equipment. We are in public session, so there is no need to touch the microphones. If the fire alarm should operate, we will assume that it is a real event and take our directions from the ushers who will direct us to a safe meeting point. We have received apologies from Ken Skates, who is substituting on another committee.

[2] Do Members wish to declare any interests not already declared before we move on? I see that you do not.

9.32 a.m.

**Bil Safleoedd Rheoleiddiedig Cartrefi Symudol (Cymru): Cyfnod 1—Sesiwn
Dystiolaeth 2**
Regulated Mobile Home Sites (Wales) Bill: Stage 1—Evidence Session 2

[3] **Ann Jones:** We will now move on to the substantial item of business, namely to continue with scrutiny of the Regulated Mobile Home Sites (Wales) Bill: Stage 1. Today, Consumer Focus Wales is joining us. Welcome to Liz Withers, the head of policy, and Lowri Jackson, who is the policy manager. Thank you for agreeing to come and for your written paper, which I know Members will have read. If it is okay with you, we will go straight to questions because we have quite a lot to ask.

[4] I will start with the first question: how do you think the Bill, as drafted, delivers the stated objectives from its explanatory memorandum? Do you think that it states what it wants to do properly?

[5] **Ms Jackson:** That is quite a big question. First, we are really pleased to see this Bill; we have been working on this for a long time. We have carried out a lot of research and spoken to hundreds of people, including residents, site operators and local authorities, and if there is one thing on which everyone agrees, it is that this Bill is desperately needed.

[6] We are incredibly pleased to see that the removal of the veto is included. The stated objectives are: a new site licensing system and amending some of the contractual rights of residents. There are some really good things in the Bill. Again, we are pleased that the Bill introduces a range of enforcement powers, fixed penalties and larger fines. We are also really pleased that a fit-and-proper-person test is included. However, we would like to see more detail in some of those areas, such as on how a fit-and-proper-person test is going to work and on various aspects of the new site licensing regime. There needs to be a little bit more clarity on some aspects of the suggested new regime.

[7] **Ms Withers:** Hopefully, we will have an opportunity to touch on those, but we also have concerns about issues of collaboration between local authorities in particular. There are the objectives of the Bill as it stands, but there is also a question about how the Bill will be implemented. We have some concerns about how the Bill is drafted in terms of the number of regulations it includes and the ability and capacity of the Welsh Government to turn this into good legislation that makes a difference for people on the ground. Hopefully, we will have an opportunity to talk about that as we go on.

[8] **Ann Jones:** Thank you. You have mentioned some of the good points, but you have started to touch on some of your concerns. You raise a number of concerns about the Bill. Which of those are the most important that you think we should concentrate on?

[9] **Ms Jackson:** If the committee can go away today with two or three things, they are that we would seek greater clarity on a number of the areas of the Bill. For example, the split between the site licensing and the fit-and-proper-person test. We would like to understand how the code of practice is going to interact with site licence conditions. One of our biggest fears is that the Bill has good intentions but does not set out in clear enough terms how it is going to achieve those intentions. As Liz has said, we have grave concerns about the number of regulations. There are 14 sets of regulations and orders, and two sets of guidance. The Welsh Government is going to struggle to get those out within a year or two. The last thing that we want is to see a good Bill being passed that cannot be commenced for a long time.

[10] **Ms Withers:** Hopefully, we will have an opportunity to discuss those in more detail. I am happy to illustrate them.

[11] **Ann Jones:** You said that you have spoken to quite a number of people, as have most committee members, about site homes. Does the Bill address those people's concerns?

[12] **Ms Jackson:** From the beginning, we have prioritised the concern over the veto, which is the right of a site operator to veto an incoming purchaser. Two in five of the people whom we spoke to told us that they did not think that they could sell their home without fear of interference. That was bigger than we thought. For 41% of people to think that they do not have the right to sell their own home is something that needs to change. In terms of the main priority, we are pleased to see that that is in this Bill. Where it might not match up to residents' expectations is that there is no clear way of seeing in the Bill how site standards—site maintenance and safety standards—are going to be upgraded. The Bill talks about licence conditions and about putting in a code of practice and statutory guidance. There are three or four different options, but the Bill does not explain how they are going to interact. That is dangerous, because 40% of residents to whom we spoke to told us that they did not think that standards on their site were adequate for twenty-first century living, given that there were unsafe roads and a lack of maintenance in public areas. Of the problems that people told us about, that was the biggest problem we encountered. Our fear is that, although residents are hoping that this Bill will address those issues, we are not sure whether the Bill makes it clear enough how that is going to happen or who is going to do it.

[13] The other important thing is that we are talking about asking local authorities to do a whole raft of new work. That is welcome, but there is potential for this Bill to make a complex area even more complicated by adding different layers of detail. Even with the best will in the world, and even with a duty on them and new resources, local authorities are still going to find this difficult. Given that we know that the majority of local authorities have five sites or fewer, they simply will not have the capacity or the expertise to implement an even more complicated Bill. We would like to see the current system set aside and a new, clearer, simpler and more straightforward system put in place. We are concerned that this Bill does not achieve that.

[14] **Mike Hedges:** When Peter Black came to speak to us, one of the things he said was that the skill held by those who were used to going to visit houses in multiple occupation was a transferrable skill for doing this. Do you agree with him?

[15] **Ms Jackson:** I do not disagree with him, but it is not as straightforward as that. One of the problems we have found is that site licensing tends to fall under a whole raft of different departments in different local authorities—in some it is public health, in some it is environment, in some it is licensing, and in some it is housing. I do not think it is straightforward in terms of transferrable skills. Houses in multiple occupation are probably generally dealt with by housing departments, and so it is a lot more straightforward—they have things like housing fora where they can meet and share that expertise. The skills local authorities would need to go in and inspect the site infrastructure would include things like safety standards and electricity, water, sewerage and all of those areas. Houses in multiple occupation are on a much smaller scale, and there is probably some quite specialist knowledge needed for those sites if they were to be inspected to the standards we would like.

[16] **Ms Withers:** To add to that, it is also fair to say, with regard to where sites are compared with HMOs, that the HMO system has been in place for quite a long time, but there is currently no duty on local authorities to enforce site licence conditions. It is down to the individual local authority at the moment as to whether they are inspecting, going on site and talking to site operators. Normally, that happens only in the areas where there are problems with sites, and only some local authorities do it. What we are trying to do is bring in a completely new licensing regime—and with that will come the need for education and training among local authorities—to deal with this whole, complex area. Going back to what Lowri was saying previously, we need to make it as simple as possible, but there is a lot of

work to be done to bring sites into line with this understanding and expectation of meeting the requirements of a licensing regime, because it is something completely new to this area. It is really the last area of housing legislation that needs to be updated, because this is not happening at the moment in terms of across-the-board expectations of delivery and maintenance of standards. So, that is also different to the HMO system.

[17] **Kirsty Williams:** From your evidence, and from what you have said this morning, you perceive that the issues are around regulation and Orders—the barriers to implementation of this legislation. Which provisions for subordinate legislation do you believe should be on the face of the Bill?

[18] **Ms Withers:** We set out in our written evidence a number of suggestions where things could be added to the face of the Bill to make it clearer. It is really important to say that we agree with a lot of what is in the Bill, and we support it very strongly, and we know that residents do as well. It is about how we can make it as practical and simple as possible to be enforced down the line. Our concern is that there is a housing Bill going through at the same time, there are 14 regulations and Orders, and two pieces of guidance. One of the areas in terms of guidance is the recommendation or the suggestion for a management code of practice. For instance, at the moment, it is quite unclear how that management code of practice will actually be delivered, how it will be enforced, and how it will link with site licences. It may be preferable to take some of those 14 regulations and Orders and bundle them up, or consider producing statutory guidance for local authorities and site operators that include those requirements, so that you are being very clear with them as to your expectations.

[19] **Kirsty Williams:** But statutory guidance would not be on the face of the Bill. The housing department would still be required to publish that in the same way as regulations and Orders. What I am trying to get at is that, with all the legislation that we have looked at in the Assembly, there is always a tension between what is on the face of the Bill and what is left to regulations and guidance at a later date. I am asking for some specific examples of what you believe should be on the face of the Bill. What is not on the face of the Bill that should be, and why?

[20] **Ms Withers:** The issue of fees, for instance, and having a statutory set of criteria for fees, we believe should be on the face of the Bill.

9.45 a.m.

[21] **Kirsty Williams:** What is a statutory set criteria for fees?

[22] **Ms Withers:** We believe that how fees are set for site licensing or how much sites will be charged should be on the face of the Bill.

[23] **Kirsty Williams:** If we put on the face of the Bill that sites should be charged £100 for the licence, in 10 years' time we would still be required by law to charge £100. To change that we would have to have another legislative process.

[24] **Ms Withers:** Yes.

[25] **Kirsty Williams:** This is the tension between having the flexibility and not.

[26] **Ms Withers:** Of course.

[27] **Kirsty Williams:** I am not clear about the fees. Are you saying that we should have a fee level on the face of the Bill?

[28] **Ms Withers:** No, I mean the formula for setting the fees, but the fee level would need to be taken forward beyond that.

[29] **Kirsty Williams:** Should there be anything else on the face of the Bill?

[30] **Ms Jackson:** The problem—and we went through it with a fine-toothed comb when we were putting together the written evidence—is that so much of what is in the regulations and Orders are, as you pointed out, matters such as fees. You would not want to set them now, because they will perhaps have to be changed in five years because of inflation or some other reason. For example, with regard to the sort of enforcement notices you might want to issue, I can understand why that should be in guidance because you might want to change that at a later date. As you say, there is a tension between guidance and what is on the face of the Bill. The last thing we want, as I said earlier, is to spend the next two or three years pulling together the secondary legislation that means that we can finally get a workable Bill.

[31] As regards the idea of having two sets of guidance, you would be consulting on one thing and pulling it all into one document. You would have one set of guidance for site operators and another for local authorities. You would have regulations that specified that the guidance was compulsory. At the end of the day, it is two pieces of work as opposed to 16 separate pieces of work. It is important that we allow ourselves that flexibility, but it is about trying to find a way of allowing it without abandoning the need to get this legislation enacted.

[32] **Kirsty Williams:** I, too, share your concerns about the capacity within Welsh Government to be able to do all the regulations and Orders. That is not a job for this committee. We have to look at the appropriateness of the legislation. Are you concerned that the legislation is drafted fundamentally wrongly and that the balance is wrong, or are you trying to find a way to overcome your concerns about implementation? We have to decide whether the Bill is drafted correctly and we will have to worry about whether the department can implement it later. I am trying to gauge from you whether the legislation is fundamentally wrong or whether you simply have concerns about whether the Government will enact it later, which is a job of work for this committee at another time.

[33] **Ms Withers:** To answer your question specifically, when we read the Bill, we were confused about why there was such a large number of regulations and we felt that it could be more clearly drafted in some areas. We think guidance might be a good way of doing it for site operators and local authorities because, from conversations we have had with them, for local authorities that have only two or three sites in their locality, this is a big issue in terms of understanding their obligations in moving forward. It is the same for site operators, some of whom have small family-run businesses. So, instead of reading lots of different regulations that are going to be published, we feel that a better way forward would be to have a piece of guidance that sets out clearly the expectations on a local authority or site operator, and that is the reason why we are proposing it.

[34] **Kirsty Williams:** Great. That is clear. What are your views on the interaction between the Bill and existing legislation?

[35] **Ms Jackson:** The existing legislation consists of two laws from the 1960s and a law from the 1980s, all three of which are outdated and really need to be addressed.

[36] **Kirsty Williams:** What I am particularly interested in is that, last week, Peter Black confirmed that site owners would have to have two licences: one under the Caravan Sites and Control of Development Act 1960 and one under this Bill. Do you see any concerns arising from that or should we be working towards a consolidated licence?

[37] **Ms Withers:** Obviously, that is Peter's understanding and it is his Bill. However, I think that we interpreted that differently. We interpreted this Bill as bringing in a new licensing regime so that there would be new licences for all sites, which would mean that they would not be required to have two licences. That was our understanding, and I guess that would be our preference, for the sake of clarity.

[38] **Kirsty Williams:** You have spent a great deal of time talking this morning about the need for training for site owners and people who would be required to enforce all this. Can you expand on any concerns you have regarding the transitional arrangements that would need to be put in place to implement the Bill?

[39] **Ms Jackson:** That is a straightforward question and I think that the straightforward answer is that, yes, local authorities and site operators will need time to get their houses in order. We know that a lot of sites are not up to the standards that we would like them to be, and it is unfair to expect site operators to invest that amount of money overnight. The best practice that we have seen in local authorities is where they work out a five-year or 10-year plan with a failing site. That is the sort of thing we would support. It is about having those discussions and working out a plan. The last thing we want to see is local authorities marching into sites the day after commencement and throwing around enforcement notices and fixed penalties. We are not looking for a punitive regime. We are looking for local authorities to work with site operators to get those sites up to standard. So, we recognise that sites will need to be given a year or two in which to improve.

[40] **Kirsty Williams:** Looking at the transitional arrangements, do you have any views on which provisions should be prioritised? If we are acknowledging that it will take time to move everyone on to this new regime, do you have any preferences for which bits are most important and should get done first?

[41] **Ms Withers:** Within the first year, we would expect every site to have a new licence. I think that that is a reasonable expectation. There are issues about meeting the standards moving forwards, and, as Lowri has rightly said, that cannot always be done overnight. For example, some standards are about providing an adequate electricity supply. For some sites, that would be a hugely costly exercise. That will be a local arrangement, and local authorities will have to work with sites to come up with an action plan over a longer period of time. However, site licensing should be an expectation, and local authorities should also be starting to undertake inspections within the first year to identify where the real concerns are. Those real concerns, by which I mean serious breaches, should start to be addressed as a priority.

[42] **Kirsty Williams:** In your written evidence, you raised the need to clarify where responsibility for dispute resolution lies, which is a huge source of contention in the industry at the moment. You state that it is crucial that the Bill clarify whether applications to terminate written agreements will continue to be heard in the courts. How could the Bill more clearly establish the jurisdiction of a residential property tribunal in relation to dispute resolution or the termination of written agreements? How could we make that bit better?

[43] **Ms Jackson:** I think that that would actually be quite a simple one to sort out. The 2012 regulations that transferred jurisdiction to the tribunal specifically said that they did not apply to the termination of written agreements, because that basically amounts to eviction, and it is an incredibly serious issue. Our position is that that should remain with the courts, as it did in the 2012 regulations, because of the seriousness of someone losing their home. That is how it is for other landlords in other housing law. You would not be eligible for anything like legal aid with a tribunal.

[44] The second point to make is that to evict somebody from a site you need two separate court orders. You need one deciding that the termination should go ahead and another to

enforce it. So, even if it went to tribunal, you would still need to go back to court to get the enforcement order. Our concern is that the Bill simply talks about all disputes under the Bill. That might be our interpretation, but it is about making sure.

[45] When the 2012 regulations went through, we saw a copy of a newsletter sent out to site operators that said that they could now evict people through a tribunal. They had misinterpreted the 2012 law because it was not clear enough. Our concern is that we have seen one case in England—there have been no cases in Wales to date, as far as we are aware—where somebody was evicted at a tribunal because the tribunal did not understand that it did not have jurisdiction over the case. The last thing we want to see is vulnerable residents, who perhaps cannot afford the correct legal advice or specialist legal help, going to a tribunal because their site operator thinks that they can get away with doing that. It might not necessarily need to be on the face of the Bill, but we would like to see that in the explanatory notes and explanatory memorandum for the Bill, to make it clear that site operators do not now have carte blanche to go to a tribunal for an eviction.

[46] **Kirsty Williams:** Thank you. That is very clear.

[47] I will move on to the financial implications of the Bill. Last week, Peter Black talked about his frustration with the difficulty of being able to get a handle on some of the figures involved. What assessment have you made of the financial impact of the Bill on site operators?

[48] **Ms Jackson:** We recognise that this will have a financial impact on site operators, and it would be disingenuous to pretend otherwise. However, ultimately, we are talking about an outdated regime. Site operators should have been contributing to these costs for years, I think. The important thing to remember is that local authorities, in the current financial climate and with no duty to do so, are not able to carry out the work to the best of their ability. It is important to take a couple of steps back and look at it holistically. Local authorities are going to need the resources to do this work properly. Site operators are going to need to contribute. It is about seeing the bigger picture and saying that it will weed out the rogue operators. Hopefully, an effective licensing system that is enforced properly with standards being met can only benefit good site operators and clean up the industry. Resources are needed to deliver better inspection enforcement. There is no other licensing regime that does not have fees attached to it. Site licensing is the last regime that we can think of that does not contribute towards the costs of its own inspection and enforcement systems.

[49] **Kirsty Williams:** In your evidence, you refer to the mobile home industry as a multimillion-pound industry. Do you have any assessment of how many sites in Wales are owned by multimillion-pound companies?

[50] **Ms Jackson:** We have not seen their tax returns, but we know that it is about a third. We have divided them into family owned or individually owned sites, which are the sorts of sites that have been running for years and are usually very small, and the corporately owned, which are run by a larger business that may have cross-border links. Around 30 or 31 of the 92 sites are corporately owned.

[51] **Kirsty Williams:** You then go on to note that a time-limited licence is problematic because banks would be reluctant to lend to businesses that could be shut down every five years. Have you consulted with the banking sector to be able to make such a strong statement?

[52] **Ms Jackson:** We have not, but that comes directly from site operators and industry bodies, who told us—

[53] **Kirsty Williams:** Well, they would say that, would they not?

10.00 a.m.

[54] **Ms Jackson:** They would, but we took that point on board, because they made a good argument for it. This comes to one of the main concerns we have, which again comes back to the clarity of the system. Our preference would be a site licence that is attached to the land, which is about the site standards and the infrastructure, while the fit-and-proper-person test would almost be a personal licence that looked at the professionalism, the management and the background of the person running the site. The other thing to remember is that, if a site licence were revoked, the people living on that site would have no right to any compensation for those houses. The way the law works—and the way the Mobile Homes Act 1983 and the 1960 Act currently interact—is that you own the home, but you do not own the land. So, if a site licence were revoked, you would either have to pay to get that house removed and put somewhere else, or you would have to give up your right to that house. So, the idea that a site licence might be revoked could potentially have a massive impact on the residents on that land. If a site operator decided, after five years, to retire and thought ‘I don’t want to run the site any more’, at the moment, he would have to tell the local authority, because you cannot just stop running a site, but he could wait until the end of the five-year period and give it up then. We are quite concerned about this, and we think that planning and licensing should interact on that infrastructure standards level and the fit-and-proper-person test should act, almost, as a personal licence.

[55] **Kirsty Williams:** How would you see that system addressing your concerns about bank lending?

[56] **Ms Jackson:** It would mean that, if a site operator went to a bank asking for investment, there would be no danger that the site licence would end in three years, two years or one year.

[57] **Kirsty Williams:** However, the fit-and-proper-person test might end in three, four or five years.

[58] **Ms Withers:** With the fit-and-proper-person test, if that person was found to be improper, there would be an opportunity to transfer that responsibility to someone else who would pass the fit-and-proper-person test and be able to continue the ownership and management of the site, to take things forward. That is how we would see a way of getting around that issue.

[59] **Ann Jones:** For my clarity of mind, if, as you say, many are corporate owners, which is different to multimillion pound bodies, what is to stop them, if there is a split, as you suggest, between the land and the fit-and-proper-person test, from getting that land licence and then passing the fit-and-proper-person responsibility on to somebody else? You could then have a fit-and-proper-person licence, under what you are proposing, for somebody who has a site in England but could pass the test in Wales and would then be like an absent landlord, which would lead to the whole problem of absent landlord in houses of multiple occupation. Do you not see that you are attempting to put in more barriers to allow the landowners to work around a situation that the Member in charge is trying to tighten up?

[60] **Ms Jackson:** I know where you are coming from, but, at the moment, only about 13% of the people whom we spoke to had somebody who lived on site. So, there are absentee landlords at the moment, and that is with the system as it is now, when there is a site licence, although I know that there is no fit-and-proper-person test. For us, the fit-and-proper-person test is about ensuring that the person who is responsible for the management of the site does not have those convictions—

[61] **Ann Jones:** The reason that people do not live on sites at the moment is that there is no requirement under the licensing scheme for somebody to live on a site to manage it or to be there, almost like a landlord. By wanting to split the licence into two, you are allowing that to happen, but through a legal system rather than a system that is not regulated for at the moment.

[62] **Ms Withers:** I appreciate what you are saying, but the other issue to consider is that, particularly in the corporate situation, you will often have a site operator and then a site manager who lives on site and is responsible for the site. In terms of the fit-and-proper-person test, we expect both of those people, moving forward, to meet the requirements of the test. So, we would expect there to be a site manager who has the responsibility for meeting the fit-and-proper-person test, as well as the site operator. I appreciate that this is an extremely complex area. It is not something that we have considered lightly; we have thought very hard about it. Going back to Lowri's point about the unintended consequences of revoking the site licence, I think that that is an area that needs to be considered in terms of the impact on residents, the implications for local authorities, and how we can work on this issue in moving forward.

[63] **Ann Jones:** I am sorry; I jumped in to Mark's questions. Do you wish to take question 11 now, Mark, because that is what it discusses? Perhaps you could also ask your supplementary question. We will then come back to Kirsty to finish her first section.

[64] **Mark Isherwood:** My supplementary question is bank-specific. Would you agree that law, shareholder or member interest, and capital adequacy of requirements, require banks or building societies to manage risk and that the higher the risk the less likely they are to be prepared to lend at all, which is what I think this is getting at?

[65] **Ms Jackson:** Yes. The other point I wish to add is that, when we were looking at how we would make improvements, we looked at other models and other licensing systems. The one that we found to be quite useful for this was the alcohol licensing system, where you have a licence that is attached to the pub, and then you have a personal licence attached to someone who has to be present on site. For us, that is quite important. As Mark says, there is the idea that there is quite a high level of risk attached to lending money to a business that might go under. There is a risk that we compare residential sites with houses in multiple occupation a little bit too much. If you live in a HMO and your landlord loses his licence for some reason, you can move out. It is inconvenient, but it is not the end of the world. If your site operator were to lose his licence, that is your home; you have invested capital in that and you will not get that back from anyone. That might be your entire life's savings invested in that one piece of property. That is kind of where we are coming from. It is a different context. There are similarities in the two systems, but they are not the same.

[66] **Ann Jones:** Mark, can you just park your question?

[67] **Mark Isherwood:** Yes—my specific question.

[68] **Ann Jones:** It is only for us to finish off Kirsty's questions on financial implications. We will then come to licence administration.

[69] **Mark Isherwood:** How do you respond to Peter Black's statement to this committee last week that he now intends to bring forward an amendment that will require only site managers to be fit-and-proper persons, rather than managers and owners?

[70] **Ms Jackson:** As Liz has already said, our preference is that site owners and managers would have to undergo the test. One thing that we have briefly touched upon in our written evidence is that part of that fit-and-proper-person test—again as with the alcohol licensing

system—should be some kind of qualification that means that you have undergone training in what you are supposed to be providing and that you understand the law that you are supposed to be following in managing the site. One of the biggest themes that kept running throughout our work, and throughout the interviews we carried out with residents, was the fact that it is almost an outdated industry, in that sites that were set up 40 or 50 years ago were owned by families but perhaps have recently been taken over by companies. Either way, residents do not feel that there is good enough communication going on between site operators, managers and residents. Professionalising the industry at this stage brings a great opportunity to put in concrete terms how we will bring up standards within the industry, professionalise the industry and ensure that people understand their new obligations under any new regime.

[71] **Ann Jones:** We will just nip back to the subject of finance, Kirsty, and then we will move on.

[72] **Kirsty Williams:** Quite rightly, you have mentioned on numerous occasions this morning the huge concerns that exist about infrastructure and making sure that the sites are fit for purpose. Do you foresee any issues with the financial impact of this Bill preventing site owners from being able to make any necessary investments in the sites?

[73] **Ms Jackson:** The important thing to remember is that, as we have already said, we are not asking site operators to do it overnight; our preference would be to see local authorities work with site operators to put in place five-year or 10-year plans to try to bring them up to standard over a number of years. Site operators can make improvements to a site and can go back to residents to ask for contributions for that. So, there are some ways around that. However, standards at the moment on some sites are so poor that we really need to start addressing those standards. Although it might have financial implications for site operators, I do not think that that is a good enough reason not to be pushing for it.

[74] **Ms Withers:** I would just like to add to that. It is also fair to say that, where sites are badly run, there have been years of underinvestment from the site operator. So, yes, there could be big financial implications for some of those sites now, but I do not think that it is unreasonable to expect. Some areas, such as electricity supply, which I mentioned earlier, will be hugely costly and will require long-term planning. However, that is about local authorities working closely with site operators to provide advice, guidance and support as part of a new enforcement regime to help them to identify the priorities and how and when to improve.

[75] **Ann Jones:** We are going to have to try to make some progress. We have spent a lot of time on the general principles and financial implications, so we have to try to move on quite quickly, because there are some very important questions regarding new licences. So, Janet, do you want to start with licensing and administration?

[76] **Janet Finch-Saunders:** Yes. Good morning. I suppose that we are looking for consistency in the licensing regime. To what extent will the Bill establish a nationally consistent licensing regime, as you recommended in your recent report?

[77] **Ms Jackson:** This is one area that we are really pleased to be able to talk to you about today. The Bill currently asks local authorities to have regard to the desirability of working together. Our position is that we do not think that that goes far enough. We have made a number of suggestions in our report, as Janet mentioned. We have talked about how we would like to see a formal network of local authority leads on this brought together in regular meetings and being in regular communication. One reason why that is important is that, as I said earlier, the jurisdiction for this falls under a different department in every local authority and there is currently no forum for them to get together to do this easily. For example, there is a housing technical panel, but many authorities do not put site licensing under housing. So, for us, establishing networks that can share best practice and pull together

in effective collaborative working is important. We would like to see a network that meets a couple of times a year, shares best practice and is required to communicate about these things.

[78] **Janet Finch-Saunders:** I have a supplementary question on that point. Is that instead of or as well as having one lead local authority? The true ethos of collaboration is that one local authority leads so that you get a consistent approach across the whole of Wales.

[79] **Ms Jackson:** Just to be clear, there is a big difference between local inspection and enforcement. When we talked to local authorities, they were really clear that, on the ground, sites in Ceredigion are very different to the sites that are in local authorities in Gwent, for example. I think that they wanted to be able to retain the ability to work on a local level like that. However, we certainly see value, as you said, Janet, in one local authority taking the lead, using a top-slice of the new licensing fee to maintain a website and maintain central records. So, the licensing function, in terms of record-keeping, is something that we would like a local authority to take the lead on, and then the inspection and enforcement regimes would be dealt with at a local level. However, once again, the purpose of the formal network that we have proposed would be to discuss inspection and enforcement—how to inspect, whether one authority is doing something in its inspections that another should do in its inspections. It should be about sharing best practice, which we know is not happening now. If it is happening, it is being done on an ad hoc basis and it relies on the personalities of the people involved.

10.15 a.m.

[80] **Ms Withers:** It is particularly important for some local authorities that may only have one or two sites to consider that. The person responsible in that local authority will be doing many other things as well, so there is a huge capacity and expertise issue there. A lot of additional value could be gained from local authorities supporting one another. When we have spoken to them and brought them together, it was something that they were keen to pursue.

[81] **Janet Finch-Saunders:** Should there be a centrally held database of all licences?

[82] **Ms Jackson:** That would be our preference. One initial thing that we did upon starting this project was to go to each local authority to collect details of the sites that they license in their area. We were very blasé about this. We started doing it and it very quickly turned out that a huge number of local authorities did not know how many sites they licensed, did not understand what the licences were for and did not really understand what the difference was between a residential licence and a holiday licence. That was one of the first clues at the beginning of the project that this was going to be a big piece of work, because if the licensing authorities do not know what they are licensing, there is a big gap in knowledge there.

[83] **Janet Finch-Saunders:** What are your thoughts on a network of local authority leads on site licensing? How would you make sure that that allowed for true collaboration and joined everything together, given the different depths of knowledge and application across Wales?

[84] **Ms Jackson:** There are models where local authorities collaborate on things like this and where they share information, such as technical panels through the Welsh Local Government Association. I do not think that we would suggest that the detail of how that would work should go on the face of the Bill in any way, shape or form. However, we would see it as comprising two or three meetings a year. The detail of it would have to be worked out, but there should be a principle that the responsibility should be given to one person in each local authority, so that there is a contact on mobile homes who has that expertise and can

develop that capacity. I know of one local authority where there is only one site and, until this year, the authority had never been there. I have had conversations with the authority's licensing team, which said that it had been aware of the site for years but had never got round to going there, because there was never a duty on it to do so, it did not have the money, it is only one site and it did not know anything about site licensing. It simply had not done anything about it. That is one of the worst sites in Wales, I think. That is an example of how—

[85] **Ann Jones:** We have to move on, because we are running short of time. Janet, do you think that we have covered the fit-and-proper-person test sufficiently?

[86] **Janet Finch-Saunders:** Yes.

[87] **Ann Jones:** Mark, do you want to take the next question on utility bills, which I think is relevant?

[88] **Mark Isherwood:** You say that you would welcome a requirement in the Bill on licence holders to display the licence, the standard written statement and the site rules, and added to that a requirement for site operators to display relevant utility bills. How would this address the problems experienced by some park home owners around the cost of utilities and the opportunity to switch?

[89] **Ms Jackson:** For us, this was very much a simple solution to a big problem that we found, namely that three-quarters of people who experienced problems with energy on these sites had never seen a main electricity bill from their supplier. An awful lot of them have no idea who even supplies the site. If something went wrong and they could not get hold of their site operator, they could potentially be left without electricity for days. We have seen cases where things like that have happened. Although it is not within the scope of the Bill or even the Assembly to start talking about regulation of energy, an issue that we thought could be addressed by the Bill is transparency in understanding how much is paid and why.

[90] It is important to remember that there are Ofgem rules on the resale of energy. If a site operator is asked for the main bill, he or she is required to show it, but we know that a lot of site operators are not doing that. If you go to ask for that bill, you are quite often told that they will get it for you another time or that they do not have it. If you are determined to pursue that, you have to go through the courts. That is an incredibly onerous system. I am not aware of many residents who have gone down that route. In our eyes, a much more straightforward and simple way of ensuring that everybody on that site can see how much the main electricity supply is costing them is quite simply to ensure that, as part of the licence conditions, the utility bills are displayed. If the site operator decides not to comply with that, it is a matter of a simple call to the local authority, which can come out and either issue a fixed penalty or talk to him about enforcement notices. It is a lot easier to enforce a site licence condition than it is to go through the courts on an Ofgem ruling. For us, it was a very straightforward way of dealing with a problem that we know is widespread across sites.

[91] **Ms Withers:** We should, however, be very clear that that is only one small part of the picture of the problems people face around electricity, gas and water. It will not resolve the huge problems around transparency that people face; there is no opportunity to switch because there is no direct relationship with the supplier, and that is something that is very difficult to address anyway. So, there is still a lot of work to be done separately with the UK Government and Ofgem on this, but we feel that this is one area that this Bill can address and where it can make a difference for residents in helping them to have more transparency and clarity.

[92] **Ann Jones:** Okay, thank you. We will move on to licensing and enforcement. Joyce

has the first question on that.

[93] **Joyce Watson:** Good morning. You make a very bold statement about the right to inspect without notice rather than, as written in the Bill, giving 24 hours' notice of inspection. Do you mind explaining why you feel so very strongly about that particular piece?

[94] **Ms Withers:** We are talking about bringing forward a new licensing and enforcement regime that is fit for today. It is important to consider how other local regulation works, such as alcohol licensing or food hygiene and food safety. The assumption that unannounced inspections are the norm is in place. The concern about allowing site operators 24 hours' notice in advance is that that opens up a whole can of worms in terms of operators perhaps getting difficult residents off the site that they may not want the local authority to speak to, resolving issues very quickly or covering over issues very quickly. Those would obviously be very bad sites; I am not saying that all sites do that, but there is the potential, if a site operator has been given prior notice of inspection, for the local authority officer going in to inspect the site not to get a true picture of how that site operates on a day-to-day basis. That should be the aim of an inspection by a local authority: to go on to the site, understand what the standards are on a day-to-day basis, to be able to speak to residents and understand how they feel about standards on the site, and to see how the site runs in reality. Our concern about 24 hours' notice would be that local authority officers would not get that picture. Certainly, when we brought together local authorities to speak to them about inspections, they very much felt that unannounced inspections should be the norm. Obviously, there will be occasions when perhaps an inspection has been undertaken and the local authority is working with the site to try to improve it—perhaps there is an action plan in place and an improvement notice has been issued—and officers need to go on to the site and discuss what progress has been made. That can be a planned visit; we would not expect that to be an unannounced visit. So, there needs to be scope for that, but we very much feel that the norm should be for any inspection to be unannounced.

[95] **Joyce Watson:** Thank you, you have made that quite clear. Do you think that the package of enforcement powers provided for by the Bill is sufficient?

[96] **Ms Withers:** We are generally pleased with the enforcement powers. At the moment, there is no duty to enforce site licence conditions and local authorities do not feel that they have the tools to go on to sites and make improvements. So, we are really pleased to see a range of enforcement powers for local authorities, from fixed penalty notices to a range to improvement notices, enforcement notices, et cetera. In terms of an enforcement regime, we very much feel that there should be a risk-based approach moving forward, and, as I have alluded to previously, it needs to be graduated. There is a real range of site operators out there. You have some really bad ones who know that they are flouting their responsibilities and are quite happy to be doing that. There may be very serious implications for residents as a result, and that needs to be tackled very seriously and promptly by local authorities with strong action. At the other end, however, I think it is fair to say that, given that many of these businesses are small family-run firms, which have never had much engagement with local authorities in terms of the authority telling them what they should or should not be doing, because we know that local authorities have not had the capacity to do so, there is a real role for local authorities to provide support, guidance and advice for site operators to understand the responsibilities and requirements placed upon them under the new regime and to work with them to meet those standards over time. It needs to be a graduated approach, starting from support and guidance, with fixed penalty notices, which we are pleased to see in the Bill, moving on to the ability to produce enforcement notices and to charge, but also with fines. We are pleased to see that there are penalties there.

[97] **Joyce Watson:** We will come to penalties in a minute. So, you have set out what you are pleased to see and you have put on the table quite a lot of work for local authorities. Do

you think that local authorities are adequately equipped to monitor and enforce these licences?

[98] **Ms Withers:** We have concerns about penalties, obviously, which I would like to discuss.

[99] **Joyce Watson:** We will discuss it, but I want to get to—

[100] **Ms Withers:** Given what is in the Bill in terms of the enforcement powers, we think that the ones I have alluded to provide most of the tools that local authorities need. In terms of capacity to enforce in future, I would bring you back to Lowri's point about financing and the importance of charging site operators for site licensing so that you have some money coming in for local authorities to be able to spend on enforcement. There is also a capacity issue in terms of local authorities understanding how to inspect a site. Training and awareness-raising will need to be undertaken with local authority officers. Also, at the beginning, we alluded to the suggestion that there should be guidance for local authorities on their obligations and how they should be enforcing the standards. That is really important. Local authorities should be clear about what an inspection should look like, so that there is consistency across Wales, which will mean that, when they go on to a site in Wales, they know the things they are looking for and the types of things they should be doing if those are not in place.

[101] **Joyce Watson:** Finally, I have a question about the statement in your written evidence that

[102] 'local authorities observed that prosecution does not improve standards, but serves only to punish site operators.'

[103] That is a strong statement, especially alongside your statement not two minutes ago said that there are clear breaches by people who do not mind committing those breaches. Having said that, what, in your opinion, is going to drive up standards if it is not the case that prosecution will do that?

[104] **Ms Withers:** The threat of prosecution is the key, but it has to be a real threat. Currently, there is little evidence of prosecution in Wales.

[105] **Ms Jackson:** There has been in one local authority, but not against a site operator. There is very little history of prosecution.

[106] **Ann Jones:** So, it is the threat of prosecution that you think will make site owners or operators improve standards, is it?

[107] **Ms Withers:** It needs to be a mixed approach, but a real threat of prosecution is a key factor, as well as unlimited fines across the board for breaches. At the moment, we are talking about unlimited fines only for site-licence breaches, but it should apply to such things as refusing to allow a local authority officer on site. We feel strongly that, as we have mentioned before, some of these are big corporate entities and £2,500 is nothing to them.

10.30 a.m.

[108] **Ann Jones:** We are coming on to fines now. Mike, do you want to ask your questions?

[109] **Mike Hedges:** Yes. I have three questions, really. Do you think that £100 is

appropriate for a fixed penalty? How many fixed penalty notices should there be before the licensing authority takes further action? Is there not a danger in having a large number of unlimited fines that it will affect the capacity of a business to borrow, because banks may take the view that there are so many opportunities for unlimited fines that it adds risk to the situation?

[110] **Ms Withers:** On the issue of fixed penalties, we have not considered how many fixed penalty notices should be issued before the next stage, but we would imagine that fixed penalties would be used alongside enforcement notices or improvement notices. They would be the very first stage if owners did not show a site licence or utility bills on boards for residents to see. They would be for really minor breaches. That is why we are saying that £100 is appropriate, because we are talking about very small breaches. It is really just a warning that, ‘As a local authority, we are serious and if you continuously don’t do what we have asked you to do, we will take action’. So, fixed penalties are a small part of the picture.

[111] On unlimited fines on site operators, a site operator who is prosecuted with an unlimited fine will be doing something pretty bad. There will have been huge implications for residents if a local authority has had to resort to prosecution and imposed an unlimited fine on a site operator. Therefore, although we appreciate that we need to be aware of and attuned to the needs of business, and ensure that we support business to thrive in Wales, if a site operator is that bad, the greater issue of concern is the impact on the residents of the action the operator is undertaking rather than their borrowing.

[112] **Mike Hedges:** Perhaps I did not explain it properly. When somebody goes to a bank and says ‘I am taking over this site’, they will have to give a lot of information about it. If one of those things is an unlimited fine, that may make the bank less keen on lending—whether the site operator is a good one or a bad one, it will have an effect. The bank will take that into account when it is lending, will it not?

[113] **Ms Withers:** Unlimited fines are not something that only we are suggesting. In evidence to the Communities and Local Government Committee in Parliament, a site operator said that—and we have heard other site operators say this, good site operators who are doing what they should be doing and feel that they are managing their sites appropriately—these fines should be much higher to try to root out rogue operators from the industry. It is also about site operators feeling that they can be proud of their industry. I am sure that when industry representatives speak to you, they will be able to talk to you about that in more detail. However, our position is that unlimited fines are the key.

[114] **Ann Jones:** We have run out of time. I will extend the session, but I must ask for shorter answers. If we have already covered something, we have plenty of people taking notes, so we will pick it up.

[115] **Rhodri Glyn Thomas:** Yn gyntaf, mae'r adroddiad rydych wedi ei baratoi yn ddarn hynod o werthfawr o waith. Yn sicr rwyf i'n ei werthfawrogi fel rhywun sydd wedi bod yn ymdrin â materion fel hyn yn f'etholaeth. Roedd yn ddiddorol i weld y patrwm drwy Gymru a'r math o broblemau a oedd yn codi mewn etholaethau eraill. Diolch hefyd am eich parodrwydd i'n cynorthwyo gyda'n gwaith o graffu'r bore yma. Pan ofynnwyd i chi am eich blaenoriaeth, yr hawl sydd gan berchnogion safle i gymeradwyo prynwr—y *veto*—ydoedd, ond, gydag

[116] **Rhodri Glyn Thomas:** First, the report that you have prepared is a very valuable piece of work. I certainly appreciate it as someone who has dealt with these issues in my constituency. It was interesting to see the pattern throughout Wales and the kind of problems that arise in other constituencies. Thank you also for your willingness to help us with our scrutiny work this morning. When you were asked about your priority, it was site owners' right to veto purchasers, but, with any legislation, there is a problem in terms of unintended consequences. The right

unrhyw ddeddfwriaeth, mae problem yn codi gydag effeithiau anfwriadol. Gall yr hawl i gymeradwyo prynwr ddiogelu'r safle ac eraill ar y safle rhag cael rhywun a fyddai'n amhriodol yn prynu. A oes perygl gyda'r Bil hwn o effeithiau anfwriadol?

to veto could protect a site and others on the site from ending up with an inappropriate person buying. Is there a danger with this Bill of unintended consequences?

[117] **Ms Jackson:** We recognise that there is an associated risk, yes. We recognise that removing that veto also removes some of those checks. However, the position that we have taken is that the benefits of removing that veto far outweigh the potential negatives. Peter's Bill talks about having site rules as part of the site licence and we fully support that. We would like it to be made clearer how those site rules are to be agreed and, if they need to be changed, how that change would be negotiated. The last thing we want is for site operators to change the rules willy-nilly to suit themselves. I strongly recommend that the requirement to follow site rules also applies to the site operator as well as to the residents, which is not currently the case.

[118] However, the real issue is that there is no other area of housing law in which you can own a property but someone else has a say over whether you can sell that property. To us, that is an anomaly. Ultimately, this is about the provision of clear and accessible information. It is about mobile home residents taking some responsibility for their decisions, about outgoing residents giving that information to purchasers, and about purchasers doing the research before they buy. A clear finding of ours was that there is not enough specialist information out there, a point that will be even more important after a Welsh Bill is passed because, once the law diverges, even information that the Westminster Government issues will not be appropriate for people buying in Wales. That is the clear and important point. We would like help to be available to residents by phone and online so that they can do that proper research.

[119] We would also like to see a programme of capacity building among residents. We have had a lot of engagement with residents, and they are really keen to be involved and to engage, especially with this Bill, but also afterwards. There is a real problem with the fact that there is no supporting organisation. We have been trying to support them but, up until now, they have been on their own. We would like money to be put into raising awareness, but also into capacity building, almost to help them to help themselves after this Bill goes through.

[120] **Rhodri Glyn Thomas:** Rwy'n cytuno â chi am y veto. Rwyf wedi clywed am bobl sydd wedi cael eu hunain mewn sefyllfa lle nad ydynt yn gallu gwerthu ac yn teimlo bod perchennog y safle yn manteisio yn annheg ar yr hawl honno er mwyn gyrru'r pris i lawr a sicrhau bod rhyw brynwr arbennig yn cael prynu. A ydych yn credu bod y Bil hwn yn diogelu'n ddigonol yn erbyn effeithiau anfwriadol?

Rhodri Glyn Thomas: I agree with you on the veto. I have heard examples of people who have found themselves in a situation where they cannot sell and who feel that the site operator is taking unfair advantage of that right in order to drive the price down and to ensure that a specific buyer gets to make the purchase. Does this Bill adequately protect against unintended consequences?

[121] **Ms Jackson:** It is crucial to remember that, first, when someone moves on to a site, even if they have a history of being a difficult person, you cannot assume that they will be the same. There is that presumption of innocence that perhaps, this time, they will be different. However, if they do move on to the site and prove to be a nuisance and a destructive presence, there is recourse: site operators are able to apply for a termination of agreement. Although we are not suggesting or recommending to site operators that they start applying for a raft of court orders, we are saying that there is redress, so even if the unintended consequence of removing the veto is that you might not be able to vet every single person who comes on to the site, there is a way out of that. Furthermore, to repeat my earlier point,

the positive benefit of removing that veto far outweighs the potential negative consequences.

[122] **Lindsay Whittle:** I want to preface my question by thanking you for your dedication and professionalism in how you have helped this committee to scrutinise this Bill. You have provided us with lots of information, with your glossy documents, but you have also visited most Members here personally, and of course lots of residents in the homes. I am sure that they are very grateful, and I would like to thank you for that. It should go on record, I believe.

[123] Contractual relationships between site operators and home owners are very important. They give both sides peace of mind. There are other provisions set out in the Schedule, but do you think they go far enough in reforming that relationship?

[124] **Ms Jackson:** There are a number of areas there, and we have addressed them in our written evidence. I will not go through them all, because I know that we are short of time. One that we would like to see added, for example, is on residents' associations. At the moment, the Bill reflects our call that the lists of membership should actually be confidential and lodged with the local authority—well, an independent body, at least. We are really pleased to see that. Another thing that we would like to see is one vote per mobile home in the association. At the moment, the vote has to be given to the first-named person on the agreement, and that is generally the husband if it is a couple living there as husband and wife. A lot of residents have come to us and said that, actually, that almost disenfranchises a lot of women. So, one thing that we would like to see the Bill clarify is that there is one vote per mobile home, and it can be cast by anybody who lives there.

[125] There are also a couple of things that we would like to see updated. The key point for us is the removal of the veto, and we are just really pleased to see that in there, and we hope that it remains.

[126] **Ms Withers:** Just to add to that, on the issue of the consultation, when a site operator is looking to change the rules of the site, for instance, or looking to increase pitch fees, we think that there is a real need for them to be clear about the expectations of them moving forwards as regards how to consult with residents, because, up until now, what you have seen is the site operator putting a letter through people's doors, saying, 'This is what is happening'. There is no recourse and no discussion. Again, I come back to the need for guidance for site operators to understand the new requirements under this regime, and how to take those forward and make them happen. Consultation is a key one—how you engage with residents, how you listen to their views, and how you feed back to them how you have responded to their views and the action that you are taking.

[127] **Gwyn R. Price:** You have mentioned the code of practice a couple of times now. You state that failure to comply with the code of practice should be made an offence. Would that be practical to monitor and enforce, do you think, with fines?

[128] **Ms Withers:** What we are trying to say about the management code of practice is that we are not quite clear, as the Bill is written, about the intention of the code of practice. We understand that it is about the management of sites and powers of management, but we do not understand how that coincides with site licensing. There is confusion among local authorities over these two things that they are potentially meant to be taking forward. What we would prefer to see, as I have already alluded to, is local authorities having specific guidance that is also issued to site operators, which puts everything together in a comprehensive way. It would set out their requirements and responsibilities, and that guidance would be enforceable. So, where a site operator has been told, 'This is what you should be doing on site standards, consultation and other areas', if they are not doing those things, the local authority has the ability to enforce them. We have already said that the Bill mentions quite a lot of those potential powers but that, at the moment, they are in lots of

different pieces of legislation, so bringing all that together into one comprehensive code of practice about the whole regime would be preferable to just having a management code of practice moving forward.

[129] **Gwyn R. Price:** In cases of breaches of that, how much do you think the fine should be? Would you go back to your original statement of having unlimited fines?

10.45 a.m.

[130] **Ms Withers:** We certainly think that fines should be prohibitive and that local authorities should have the ability to go to court and seek prosecution, with a view to unlimited fines, because that guidance would cover a whole range of different areas.

[131] **Ms Jackson:** I would like to make a quick point. This goes back to what we discussed right at the beginning, so it might be a good way of summing up. We do not want to see site licences revoked. That should be the last port of call. The reason we are suggesting that that be separated is because, in that situation, we would be keen to see a code of practice. If the site licence conditions are about the infrastructure and how the site is set up, you need to separate that from how the site is managed and who is in charge of it. We do not want to see site licences revoked if somebody is a bad site operator. We want to see them revoked if there are serious health and safety problems. Having a site licence revoked has an impact on residents and local authorities. Local authorities do not want to have to walk in and take over these sites. It is important to clarify that we do not want to see site licences revoked unless it is absolutely necessary, but we want to see appropriate people running them. That is the key thing. It is about separating the management of the site from the infrastructure of the site. At the moment, the site licence conditions allow for regulating the management of the site, and it is just too blurry.

[132] **Ann Jones:** I am not going to allow any more questions, sorry, so if Members have any, we might have to write to the witnesses. We have already extended this session. Thank you both for coming in and giving your evidence, and for the work that you have done prior to that as well, which we will be using. We will send you a copy of the transcript to check for accuracy. Thank you once again for coming. I am sure that Members have found it interesting.

10.47 a.m.

**Cynnig o dan Reol Sefydlog Rhif 17.42 i Benderfynu Gwahardd y Cyhoedd o'r
Cyfarfod
Motion under Standing Order No. 17.42 to Resolve to Exclude the Public from
the Meeting**

[133] **Ann Jones:** I move that

the committee resolves to exclude the public from the remainder of the meeting in accordance with Standing Order No. 17.42(vi).

[134] I see that Members are in agreement.

*Derbyniwyd y cynnig.
Motion agreed.*

*Daeth rhan gyhoeddus y cyfarfod i ben am 10.47 a.m.
The public part of the meeting ended at 10.47 a.m.*

