



Department for

# Infrastructure

An Roinn

## Bonneagair

[www.infrastructure-ni.gov.uk](http://www.infrastructure-ni.gov.uk)

From the Permanent Secretary  
Peter May

By email to:

Council Chief Executives  
Housing Executive Chief Executive

Room 701  
Clarence Court  
10-18 Adelaide Street  
BELFAST  
BT2 8GB  
Telephone: (028) 9054 1175  
Email: [peter.may@infrastructure-ni.gov.uk](mailto:peter.may@infrastructure-ni.gov.uk)

Your reference:  
Our reference: PSDFI 155/18  
14 June 2018

*Dear Chief Executive*

### CARAVAN SITE LICENCES FOR TRAVELLERS' SITES

In March 2018 the Northern Ireland Human Rights Commission published its 'Out of Sight, Out of Mind: Travellers' Accommodation in NI' investigation report. The report highlighted a range of issues including some misunderstanding in respect of site licences for Traveller sites and the application of model site licence conditions. This letter explains the DfI's view of the current legislation.

The development of caravan sites and their physical standards are controlled through planning permission granted for the use of land as a caravan site and the site licensing system provided under the Caravans Act (Northern Ireland) 1963. In 2003 the responsibility for the provision of serviced sites for the Irish Travelling community transferred from district councils to the Northern Ireland Housing Executive (NIHE). Under the current legislative framework the NIHE is **not exempt** from the requirement to hold a site licence for its Traveller sites. The requirement for a site licence depends on the type of site and length of occupancy. If not already in place, (and unless a further exemption applies) a site licence should therefore be obtained from the relevant district council, who, on issuing the licence, is required to have regard to the Department's Model Licence Conditions. The NIHE and councils should therefore ensure that Travellers' sites are appropriately licenced and that current legislative requirements within the Caravans Act (Northern Ireland) 1963 are met. Failure to hold a site licence is an offence liable on summary conviction to a fine not exceeding £2500.

It would appear that confusion in relation to the Department's Model Licence Conditions and their application to Traveller sites may be due to paragraph 5 of the Introduction in the Department's Model Licence Conditions which states that "these Model Conditions are for residential caravan sites, on which some or all the caravans are used as permanent residences by people other than travelling people and agricultural workers". This statement relates to paragraphs 7,8 and 10 of the Schedule to the Caravans Act

(Northern Ireland) 1963 which describes the circumstances in which agricultural and forestry workers and travelling showmen do not require a caravan site licence. Travelling showmen must have applied to and been granted by the Department a certificate of exemption. Such exemptions do not apply to the provision of serviced sites for Travellers. The same regard should be given to the Model Licence Conditions in respect of a serviced Traveller site as that given to any other residential caravan site. The Commission has recommended that the Department review the legal and policy framework concerning site licences. The Department has accepted this recommendation and will carry out the review over coming months.

In summary, a site licence will normally be required for a Travellers site provided by the NIHE and that, when issuing the licence, the district council should have regard to the Model Licence Conditions.

Finally, in relation to planning applications you will be aware that the Commission has recommended that councils should take reasonable steps to prevent undue delays in the planning application process relating to Travellers' accommodation. Officials will discuss this at the next Strategic Planning Group meeting on 22 June 2018 which is attended by council Heads of Planning.

*Yours sincerely*



**PETER MAY**  
**Permanent Secretary**

**Copied to:**

Northern Ireland Human Rights Commission  
Permanent Secretary, Department for Communities