

## East Lindsey District Council Holiday Occupancy Frequently Asked Questions

The Frequently Asked Questions (FAQs) below provide responses to potential queries regarding compliance with the restrictions and what may or may not be acceptable from a holiday accommodation occupancy perspective. Reference should always be made to the planning consent and licence for the site in question and can also be made to the further detail and clarification set out in the Council's 'Holiday Accommodation Guidance'.

FREQUENTLY ASKED QUESTIONS	RESPONSE
What can the accommodation be used for?	The accommodation can only be used for holiday purposes.
What is meant by a holiday?	We rely on the standard dictionary definition which is applied also by Government Planning Inspectors and in the Courts that a holiday is an extended period of recreation, away from a person's home; 2) a day of festivity or recreation when no work is done.
How long can my holiday be for?	It is not for the Council to dictate to individuals the length of their holiday. The test remains that the owner/occupier cannot use the accommodation as a sole or main place of residence, which must be in place elsewhere and being used as such.
Is there a limitation on how frequently I can occupy my property/cabin/ caravan/lodge for holiday purposes?	There could be a planning condition limiting the period in which the accommodation must be used for holiday use. It is advisable to always check this with the Council.  If there are no restrictions in place, then the answer is no, there is not. The test remains that the owner/occupier cannot use the accommodation as a sole or main place of residence.
Where can I see a copy of the restrictions that might apply?	Reference should always be made to the Council's planning permission records and the Council's caravan site licence. These are available for inspection free of charge and on the Council's website.  Care should be taken to inspect the whole document and reliance should not be placed on a part copy or the site's office copy.  Advice on a particular site's planning restrictions will be given by either the Council's planning officers or planning enforcement officers and in the case of the site licence by the Council's Enforcement team.
Can I use it as my main home?	No - the accommodation cannot be used as a sole or main place of residence. Planning permission was only granted for holiday accommodation to meet the area's tourism/holiday needs.

I am retired. Can I use the holiday accommodation all the time?	No, ceasing employment does not mean that you are on holiday. You are still required to have a sole or main residence elsewhere.
Can I run a business from my holiday accommodation?	No - the accommodation cannot be used for business purposes. The test remains that the owner/occupier cannot use the accommodation as a sole or main place of residence.  However, the Council does recognise that some people do bring ICT equipment with them to 'keep in touch' with business matters whilst on holiday.
Can I use it as a base if I work locally?	The accommodation must not be used as a base to commute to and/or from a place of work as if being used as a sole or main place of residence.
But I need to keep in touch when I am on holiday.	If your mail is delivered to the accommodation as a matter of course, this may well suggest the use of that accommodation as a sole or main place of residence and not occupation solely for holiday use.
What use can I make of local services?	We would expect you to use local services as you would normally do when on holiday. As an example, if you were taken ill while at the accommodation, or developed toothache, we would expect you to use a local doctor or dentist, for urgent treatment.
Can my children attend local schools?	A child or children registered at a local school would indicate occupation of the accommodation is not solely for holiday use.
Do any other restrictions apply to the accommodation?	Some holiday accommodation is subject to an additional restriction which requires a specified close-down period. The accommodation cannot be occupied for any purpose during the specified close-down period, under any circumstances. For the avoidance of doubt 'occupied' does not mean visiting the accommodation for essential maintenance and/or repairs only. No overnight accommodation is permitted.  Properties may also have restrictive covenants as part of the lease agreement with the landlord. This is outside the control of the Council and would be enforced by the landlord.

**Note**

This document is published for guidance only. The Council would advise anyone who is considering the purchase of holiday accommodation or who is already occupying holiday accommodation and has anxieties if they comply with the holiday occupancy restrictions, to take their own legal advice, which is independent of both the Council and the accommodation's owner/ operator.