



Tewkesbury Borough Council

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MOBILE HOMES AND CARAVAN SITES LICENSING POLICY

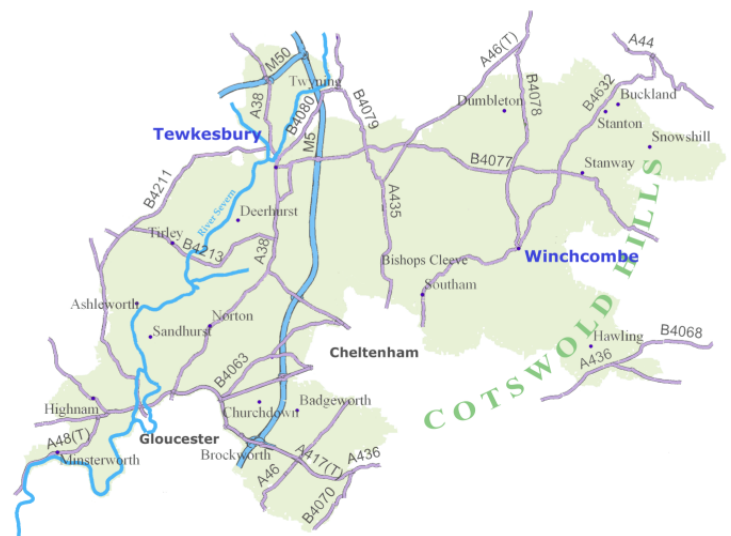
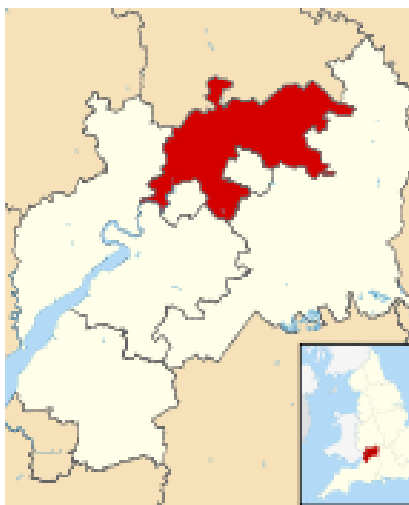
2021 - 2024

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Overview

1. Tewkesbury Borough Council has the responsibility to regulate mobile homes and caravan sites under the provisions of Caravan Sites and Control of Development Act 1960, Caravan Sites Act 1968, Mobile Homes Acts 1983 and 2013. Good quality, well managed sites for mobile homes and caravans provide a valuable source of accommodation for many people. As of 2016, there are 80 sites and 1696 residential, touring and seasonal mobile homes in the borough.
2. Tewkesbury Borough covers an area of 160 square miles in north Gloucestershire with a population of approximately 86,000 people. The borough is situated within the Severn vale and stretches south beyond the outskirts of Cheltenham and Gloucester with borders alongside the county of Worcestershire to the north. It occupies the northern gateway into the southwest region. The borough is predominantly rural in nature with the largest towns / villages being Tewkesbury, Winchcombe, Bishop's Cleeve and Churchdown.



3. This is the Council's policy for all licensed sites for Mobile Homes and Caravans in the administrative area of Tewkesbury Borough. The framework for developing local policies is set out in relevant legislation; Caravan Sites and Control of Development Act 1960, Caravan Sites Act 1968, Mobile Homes Acts 1983 and 2013 and The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020.
4. This Policy applies to any caravan site which falls within the scope of the Caravan Sites and Control of Development Act 1960. This means any site where caravans are stationed, whether for residential or holiday use. This Policy sets out how we will carry out statutory responsibilities for caravan site inspection, licensing, and enforcement. This policy makes provisions for:
 - a) A register of all residential sites whose rules are deposited with the Council
 - b) A site licensing procedure (including a register of sites, to be made available on the Council's website)
 - c) A procedure for assessment of applications for inclusion of relevant persons in a local register of fit and proper persons to manage a "relevant protected site".
 - d) Determination and review of site licensing fees and enforcement charges.

- e) Implementation of Model Standards (including the updating of site licence conditions to reflect the Model Standards where necessary)
5. This policy seeks to:
- a) Clarify the standards to be met by owners of caravan sites within the borough.
 - b) Provide advice and assistance to occupiers of mobile homes and caravans to ensure that they are able to live in safe and healthy homes.
 - c) Ensure that enforcement action is effective and proportionate.
 - d) Ensure that “relevant protected sites” are managed by fit and proper persons.

Definition

6. A caravan is defined 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”.
7. This definition excludes any railway rolling stock which is for the time being on rails forming part of a railway system, or any tent. The definition (as amended by the Caravan Sites Act 1968) includes a twin-unit caravan provided that: a) it is composed of not more than two sections separately constructed and designed to be assembled on site by means of bolts, clamps or other devices and; b) (when disassembled) it is 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. Provided also that (when assembled):
- a) Its length (exclusive of drawbar) does not exceed 60 feet (18.288m);
 - b) Its width does not exceed 20 feet (6.096m); and
 - c) The overall height of the living accommodation (measured internally from the floor to the lowest part of the ceiling at the highest level) does not exceed 10 feet (3.048m).

Site Licensing, Inspections and Enforcement

8. Many sites in the borough are used exclusively for holiday purposes, which takes them outside the definition of Relevant Protected Sites set out in the Mobile Homes Act 2013. Nevertheless, they still require a licence.
9. Sites which include a mix of residential and holiday uses are regarded as Relevant Protected Sites for the purposes of that Act.
10. No licensing work will be carried out until an application is made in writing, and the relevant fee has been paid in full.
11. The Mobile Homes Act 2013 (which came into force on the 1st of April 2014) amended the Caravan Sites and Control of Development Act 1960. Part 1 of the Act includes a power for Local Authorities to charge fees for their licensing function in respect of Relevant Protected Sites (typically known as residential parks, mobile home parks and gypsy and traveller sites). This power also applies to the residential parts of sites with mixed holiday and residential uses. Fees are set on a cost recovery basis and will be

reviewed every three years and amended if necessary to reflect the actual costs of site licencing incurred by the Council. Costs of enforcing site licence conditions (where applicable) are recoverable in respect of all licensed sites. Fees are set out in Appendix 1 of this policy.

12. The owner of any caravan site which falls within the scope of the Caravan Sites and Control of Development Act 1960 is required to apply for a licence, unless exempted from these provisions of the Act. No licensing work will commence until the relevant fee is paid.
13. Sites managed by the following organisations are exempt from licensing:
 - a) Local authorities
 - b) The Caravan Club
 - c) The Camping Club of Great Britain and Ireland
 - d) The Boy Scouts Association
 - e) The Girl Guides Association
 - f) The Motor Caravanner's Club and other organisations may apply for a certificate of exemption from by the Secretary of State.
14. On receipt of a valid application together with the relevant fee, we will notify the applicant and make an appointment for a site visit.
15. We will make a decision either to licence the site, or to refuse a licence, within 6 weeks of receipt of a duly made application. Where a licence is refused, the applicant will be advised of the reasons for refusal, and their right of appeal.
16. We cannot license a site unless planning permission has been granted. The relevant officer will consult with the Planning Authority to confirm that the site has planning permission for the relevant use and will then visit the site to confirm the details of the licence (if any), to assess compliance with any existing licence conditions, and to determine whether new conditions are appropriate, before drafting and issuing a new licence.
17. The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 requires that, with the exception of a site which is only occupied by members of the same family and not being run as a commercial residential site, the site owner or a person or persons appointed to manage the site must be a "Fit and Proper Person" and a site owner who holds or has applied for a site licence must apply to the local authority by the 1st October 2021 for the relevant person (themselves or their appointed manager) to be included in the local register of fit and proper persons to manage a site.
18. Licensable caravan and mobile home sites will be identified through Council records, housing surveys and from local information. The details of these sites will be added to the Council's database. Where an inspection is undertaken under the provisions of the 1960 Act, notification of any required improvements will be issued to the owner or person responsible.

19. Where an application is received for licensing of a caravan site which lacks planning permission, the Planning Enforcement team will take the lead. The appropriate enforcement action will be determined according to the facts of each case. A caravan site licence for the land will not be issued until planning permission (or a Certificate of Lawful Existing Use) is granted.
20. An initial inspection is required for the purpose of granting a licence. A further inspection will take place within 6 months of the granting of any site licence. Following re-inspection, a risk assessment will be undertaken.
21. We will also carry out scheduled inspections of all licensed sites in accordance with their assessed level of risk, without notice, and will advise site owners of any actions required by the site owner to ensure compliance with the site licence conditions.
22. All sites will be risk rated (High, Medium, or Low risk) based on the relevant officer's assessment, and taking into account any complaints received, any contraventions of licence conditions, and the quality of site management.
23. Sites categorised as High risk will be those where there is evidence of poor site management and/or complaints from occupiers/neighbours and/or contraventions of licence conditions. High risk sites will be re-inspected every 6 months until the relevant officer's concerns have been addressed. They will then be re-designated Medium or Low risk, as deemed appropriate.
24. Medium risk sites will be those able to evidence satisfactory site management and considered generally satisfactory by the relevant officer. They will be re-inspected every 2 years. If a re-inspection indicates that the management of the site and/or site conditions and compliance with standards have improved, then the site may be re-designated as Low risk. However, if substantiated complaints are received during this period, or if standards decline further, they may be re-designated as High risk, and enforcement action may become necessary.
25. Low risk sites will be those which have good management and good site conditions and will be inspected every 3 years, subject to the same reservations set out above.
26. The Council's responsibility for the licensing of caravan sites includes the application and enforcement of appropriate conditions. The specific purposes for which conditions can be applied are set out in Section 5 of the Caravan Sites and Control of Development Act 1960. Site licence conditions may be determined with reference to national Model Standards. The Council has a power to update site licence conditions in line with Model Standards as modified from time to time by the Government. The aim of such standards is to promote the safety and welfare of the residents. The applicable Model Standards were issued in 1983 (touring sites) 1989 (holiday sites) and 2008 (Residential Sites).
27. On 27 November 2008, the Council adopted model standards (Appendix 2) for residential caravan sites and approved the standard conditions for residential caravan site licences (Appendix 3). The Council also authorised officers to take steps to impose the new conditions, if approved, on some or all existing licensed residential caravan sites, particularly those at risk of flooding.

28. In line with emerging good practice, sites with only one unit or those accommodating only one family will be exempt from annual inspections and the accompanying charges. If enforcement action becomes necessary, an enforcement charge will be payable in accordance with this Policy.
29. Fees are set on a cost recovery basis and will be reviewed and published every three years. Fees are detailed in Appendix 1.
30. The main focus of enforcement activity will be informal advice and education, including the provision of information in leaflets, on the website and directly by telephone or in person. Formal enforcement action will be taken under the relevant legislation only when informal action has failed to secure an acceptable improvement in standards or compliance with licence conditions.
31. As part of the legislative changes introduced by the Mobile Homes Act 2013, Local Authorities now have additional enforcement tools to address breaches of site licence conditions. We may serve a compliance notice, which must be accompanied by a detailed breakdown of the relevant expenses.
32. Enforcement charges will be based on an hourly rate reflecting the costs of enforcement, plus any additional costs incurred (e.g. legal costs). Site owners may not pass on Enforcement charges to residents in their pitch fees.
33. If any works required by the compliance notice are not carried out the licence holder commits an offence, and the Council may consider taking legal proceedings. The award of costs associated with this process will be at the discretion of the court.

Fit and Proper Persons

34. The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 require the local authority to maintain a register of persons who have, on the application of a site owner, been assessed as a “fit and proper person” to manage a relevant protected site in their area.
35. Details of the information to be included in the register and the information required with an application for inclusion in the register are detailed in Appendix 4.

Appendix 1

Schedule of Site Licensing Fees

Fee Type	Amount
New Application Fee	
Band A – 1 caravan/family (new application)	Band A – exempt
Band B – 2 to 5 caravans (new application)	Band B - £300
Band C – 6 to 20 caravans (new application)	Band C - £350
Band D – over 20 caravans (new application)	Band D - £400
Annual Fee	
Band A – 1 caravan/family	Band A – exempt
Band B – 2 to 5 caravans	Band B - £200
Band C – 6 to 20 caravans	Band C - £225
Band D – over 20 caravans	Band D - £250
Other Fee	
Compliance Notice Fee (per notice issued)	Recharge = staff time @ £40 per hour + 10% admin charge
Other enforcement action including	Recharge = staff time @ £40 per hour + 10% admin charge
Variation of site licence	£225
Transfer of site licence	£100
Deposit of site rules	£50
Registration of “Fit and Proper Person”	£225 + £130 per Additional person

Appendix 2



Model Standards 2008 for Caravan Sites in England

Caravan Sites and Control of Development Act 1960

Section 5

April 2008

Department for Communities and Local Government: London

Introduction

1. Under section 5(6) of the Caravan Sites and Control of Development Act 1960 (the Act) the Secretary of State may from time to time specify model standards with respect to the lay-out and the provision of facilities, services and equipment for caravan sites or particular types of caravan site; and that, in deciding what (if any) conditions to attach to a site licence, the local authority shall have regard to any standards so specified.
2. These standards only apply to those sites which contain caravans that are used as permanent residential units. They do not apply to sites used exclusively for holidays or touring caravan sites (for which separate model standards have been issued). The standards also do not apply to sites occupied by gypsies or travelers or caravan sites which house agricultural workers.
3. These standards should be considered when applying licence conditions to new sites and sites that have been substantially redeveloped. In considering variations to existing site licences or applications for new site licences for existing sites local authorities should consider whether it is appropriate for these standards to apply. In relation to variation of a licence the local authority must consult the site licence holder on its proposed variations and may wish to consult with residents or a Residents' Association, where appropriate. Where a current licence condition is adequate in serving its purpose, the authority should not normally apply the new standard. Where it is appropriate to apply the new standard to a condition the local authority should be able to justify its reasons for doing so, having regard to all the relevant circumstances of the site. In deciding whether to apply a new standard the local authority must have regard to the benefit that the standard will achieve and the interests of both residents and site owners (including the cost of complying with the new or altered condition).

4. The model standards represent those standards normally to be expected as a matter of good practice on caravan sites. They should be applied with due regard to the particular circumstances of the relevant site, including its physical character, any relevant services, facilities or other amenities that are available within or in the locality of the site and other applicable conditions.
5. The annex to this document provides advice on the application and enforcement of the model standards when considering attaching conditions to licences.
6. In the model standards any references to “site” includes a park home site (including a mobile home site) and to “caravan” includes a mobile or park home.
7. This document should be referred to as Model Standards 2008 for Caravan Sites in England.

Previous Standards

8. The 2008 Standards replace the document “Model Standards 1989: Permanent Residential Mobile Homes Sites”. When issuing any new licences or reviewing current ones the local authority must have regard to the 2008 Standards in setting or varying any of the conditions attached.

THE STANDARDS

1. The Boundaries and Plan of the Site

- (i) The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- (ii) No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site.
- (iii) (a) A plan of the site shall be supplied to the local authority upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the local authority.

(b) The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and shall be of suitable quality.

2. Density, Spacing and Parking Between Caravans

- (i) Except in the case mentioned in sub paragraph (iii) and subject to sub paragraph (iv), every caravan must where practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- (ii) No caravan shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site.

- (iii) Where a caravan has retrospectively been fitted with cladding from Class 1 fire rated materials to its facing walls, then the separation distance between it and an adjacent caravan may be reduced to a minimum of 5.25 metres.
- (iv) In any case mentioned in subparagraph (i) or (iii):
 - (a) A porch attached to the caravan may protrude one metre into the separation distance and must not exceed 2 metres in length and 1 metre in depth. The porch must not exceed the height of the caravan. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.
 - (b) Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans is not less than 5 metres, except where sub paragraph (iii) applies in which case the extension into the separation distance shall not exceed 4.25 metres.
 - (c) Any structure including steps, ramps, etc (except a garage or car port), which extends more than 1 metre into the separation distance shall be of non-combustible construction. There should be a 4.5 metre clear distance between any such structure and any adjacent caravan.
 - (d) A garage or car port may only be permitted within the separation distance if it is of non-combustible construction.
 - (e) Windows in structures within the separation distance shall not face towards the caravan on either side.
 - (f) Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high.
 - (g) Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan.
- (v) The density of caravans on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

3. Roads, Gateways and Overhead Cables

- (i) Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.
- (ii) New roads shall be constructed and laid of suitable bitumen macadem or concrete with a suitable compacted base.
- (iii) All roads shall have adequate surface water/storm drainage.

- (iv) New two way roads shall not be less than 3.7 metres wide, or if they are designed for and used by one way traffic, not less than 3 metres wide.
- (v) One-way systems shall be clearly signposted.
- (vi) Where existing two way roads are not 3.7 metres wide, passing places shall be provided where practical.
- (vii) Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.
- (viii) Roads shall be maintained in a good condition.
- (ix) Cable overhangs must meet the statutory requirements.

4. Footpaths and Pavements

- (i) Every caravan shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.
- (ii) Where practicable, communal footpaths and pavements shall not be less than 0.9 metres wide.

5. Lighting

Roads, communal footpaths and pavements shall be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness.

6. Bases

- (i) Every unit must stand on a concrete base or hard-standing.
- (ii) The base must extend over the whole area occupied by the unit, and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard standings must be constructed to the industry guidance, current at the time of siting, taking into account local conditions.

7. Maintenance of Common Areas, including Grass, Vegetation and Trees

- (i) Every part of the site to which the public have access shall be kept in a clean and tidy condition.
- (ii) Every road, communal footpath and pavement on the site shall be maintained in a good condition, good repair and clear of rubbish.
- (iii) Grass and vegetation shall be cut and removed at frequent and regular intervals.
- (iv) Trees within the site shall (subject to the necessary consents) be maintained.

- (v) Any cuttings, litter or waste shall be removed from the immediate surrounds of a pitch.

8. Supply & Storage of Gas etc

- (i) Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice.
- (ii) Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.

9. Electrical Installations

- (i) On the site there shall be installed an electricity network of adequate capacity to meet safely all reasonable demands of the caravans and other facilities and services within it.
- (ii) The electrical network installations shall be subject to regulation under current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements.
- (iii) Any work on electrical installations and appliances shall be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.
- (iv) Any work on the electrical network within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.

10. Water Supply

- (i) All pitches on the site shall be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
- (ii) All new water supplies shall be in accordance with all current legislation, regulations and relevant British or European Standards.
- (iii) All repairs and improvements to water supplies and installations shall be carried out to conform with current legislation and British or European Standards.
- (iv) Work on water supplies and installations shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current relevant legislation and British or European Standards.

11. Drainage and Sanitation

- (i) Surface water drainage shall be provided where appropriate to avoid standing pools of water.
- (ii) There shall be satisfactory provision for foul and waste water drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the local authority.

- (iii) All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards.
- (iv) Work on drains and sewers shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British or European standards.

12. Domestic Refuse Storage & Disposal

- (i) Where communal refuse bins are provided these shall be non-combustible and housed within a properly constructed bin store.
- (ii) All refuse disposal shall be in accordance with all current legislation and regulations.

13. Communal Vehicular Parking

Suitably surfaced parking spaces shall be provided to meet the requirements of residents and their visitors.

14. Communal Recreation Space

On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site shall be allocated for recreational purposes, unless in the local authority's opinion there are adequate recreational facilities within a close proximity to the site.

15. Notices and Information

- (i) The name of the site shall be displayed on a sign in a prominent position at the entrances to the site together with the current name, address and telephone number of the licence holder and manager and emergency contact details, a copy of the site licence or the front page of the said licence and details of where the full licence and other information required to be available under this standard can be viewed and between which times (if not displayed on the notice board).
- (ii) A current plan of the site with roads and pitches marked on it shall be prominently displayed at the entrances to it.
- (iii) A copy of the current site licence shall be available for inspection in a prominent place on the site.
- (iv) In addition at the prominent place the following information shall also be available for inspection at the prominent place:
 - (a) A copy of the most recent periodic electrical inspection report.
 - (b) A copy of the site owner's certificate of public liability insurance.
 - (c) A copy of the local flood warning system and evacuation procedures, if appropriate.
 - (d) A copy of the fire risk assessment made for the site.

- (v) All notices shall be suitably protected from the weather and from direct sunlight.

16. Flooding

- (i) The site owner shall consult with the Environment Agency and Tewkesbury Borough Council's Flood Risk Engineer to establish whether the site is at risk from flooding.
- (ii) Where there is risk from flooding the site owner shall consult the Environment Agency for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take.

17. Requirement to Comply with the Regulatory Reform (Fire Safety) Order 2005

The site owner shall make available the latest version of the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 for inspection by residents and when demanded, a copy of the risk assessment shall be made available to the local authority.

18. Fire safety measures where the Regulatory Reform (Fire Safety) Order 2005 does not apply (such as single unit sites and those sites solely occupied by family groups)

- (i) The standards in this paragraph only apply if the site is **not** subject to the Regulatory Reform (Fire Safety) Order 2005.

Fire Points

- (ii) These shall be located so that no caravan or site building is more than 30 metres from a fire point. Equipment provided at a fire point shall be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment

- (iii) Where water standpipes are provided:
 - (a) The water supply shall be of sufficient pressure to project a jet of water not less than 5 metres from the nozzle.
 - (b) There shall be a reel that complies with the current British or European Standard, with a hose not less than 35 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand nozzle.
 - (c) Hoses shall be housed in a red box and marked "HOSE REEL". Access to the fire point shall not be obstructed or obscured.
- (iv) Where hydrants are provided, hydrants shall conform to the current British or European Standard.
- (v) Access to hydrants and other water supplies shall not be obstructed or obscured.
- (vi) Where standpipes are not provided or the water pressure or flow is not sufficient, each fire

point shall be provided with water extinguishers
(2 x 9 litres) which comply with the current British or European Standard.

Fire Warning

- (vii) A suitable means of raising the alarm in the event of a fire shall be provided at each fire point.

Maintenance and Testing of Fire Fighting Equipment

- (viii) All alarm and fire fighting equipment shall be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of, the licensing authority or the Fire and Rescue Service.
- (ix) A record shall be kept of all testing and remedial action taken.
- (x) All equipment susceptible to damage by frost shall be suitably protected.

Fire Notices

- (xi) A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

“On discovering a fire:

- I. Ensure the caravan or site building involved is evacuated.
- II. Raise the alarm.
- III. Call the fire brigade (the nearest phone is sited at).”

Annex to Model Standards 2008 for Caravan Sites in England: Explanatory Notes

Preface

1. These explanatory notes are designed to be read in conjunction with Model Standards 2008 for Caravan Sites in England (“the Standards”) and are intended to offer guidance on the application and enforcement of the standards for local authorities.
2. The standards are a revision and modernisation of the 1989 standards, incorporating a number of new requirements, particularly in relation to maintenance of sites and flood protection measures, other standards have been modified and the standard relating to telephones has been deleted. The standards also take account of the effect of the Regulatory Reform (Fire Safety) Order 2005.
3. These standards do not apply to sites used exclusively for siting holiday or touring caravans. However, the standards apply to holiday sites containing permanent residential

caravans (except those holiday sites where the only permanent residents are the site owner and members of his family and/ or his employees who are employed on the site and occupy the caravan pursuant to their contract of employment). The standards should be applied with due regard to the particular circumstance of the site to which they are intended to apply, including its physical characteristics, size, density, layout, amenities, and services. See also paragraph 3 of the Standards document for further advice on the application of the standards.

4. In this document the term “site owner” is referred to throughout, as normally that person would be the licence holder.

Legal background

5. The use of land as caravan sites is controlled by relevant planning legislation, whereas the physical standards and layout, amenities and other standards are controlled by a site licence issued under the Caravan Sites and Control of Development Act 1960 (“the Act”). Section 5 of the Act enables local authorities to set licence conditions.
6. Under the Act, most privately owned sites must be licensed by the local authority, unless exempted under the Act¹. A licence will be granted unless the applicant does not have relevant planning permission to operate the site or has had a licence revoked in the last three years.²
7. The local authority may attach conditions to the licence, but these can only relate to the physical use of the site and its management³. The Secretary of State may issue Model Standards which the local authority must have regard to in deciding what conditions to attach to a licence⁴. The authority may from time to time alter a site licence condition (either of its own volition or upon the application of the licence holder)⁵.
8. A licence holder may appeal against the imposition of a condition in a licence or any proposed alteration to a condition or a refusal to alter a condition⁶.
9. It is an offence to breach a licence condition and on summary conviction the offender can currently be fined up to £2,500⁷. Where a condition requires works to the site to be carried out and these are not done either within the time specified or to satisfaction of the local authority, the authority may carry out the works itself and recover from the licence holder any expenses it has reasonably incurred in doing so⁸.
10. The local authority may apply to the court to have a licence revoked if the licence holder

¹ Section 2 and Schedule 1 to the Act set out in which circumstances a site licence is not required.

² Section 3 (4) and (6).

³ Section 5 (1) to (5). For restriction see *Mixnam’s Properties v Chertsey UDC A.C. 735*.

⁴ Section 5 (6).

⁵ Section 8.

⁶ Sections 7 and 8 (2).

⁷ Section 9 (1). The maximum penalty on summary conviction is a fine not exceeding level 4 on the standard scale.

⁸ Section 9 (3).

has been convicted on two or more occasions of breaches of licence conditions⁹.

- 11.** The local authority is required, under Section 25 of the Act, to maintain an accurate register of the site licences in their area. Given the number of different types of sites that local authorities may deal with, it is recommended that the register shows what type of site each is, be it holiday, residential, mixed use or gypsy and traveller. It is recommended as a minimum the information the site register has is:
- Name and address of site (if available the Geographic Information Service mapping code should also be logged)
 - Name of the licence holder, the site owner (if different) and any person managing the site on behalf of either of those persons
 - Type of site
 - The number of pitches
 - The licence conditions (if any)

MODEL STANDARDS – EXPLANATORY NOTES

Introduction

- 12.** The Model Standards 2008 for Caravan Sites in England have been made under powers conferred on the Secretary of State under section 5(6) of the Caravan Sites & Control of Development Act 1960 (the Act). A local authority must have regard to the standards when it imposes conditions in a site licence.
- 13.** The standards do not apply to sites used solely for caravan holiday homes (although they do apply to mixed residential/ holiday sites), touring caravans or to sites occupied by gypsies and travelers or agricultural workers. The standards as laid out represent what would normally be expected as a matter of good practice on such sites. They should be applied with due regard to the particular circumstances of each case, including the physical character of the site, any facilities or services that may already be available within convenient reach and other local conditions.
- 14.** The local authority must apply the Model Standards with regard to the particular characteristics of the site to which they are intended to apply, and in particular its existing layout and size. It is recognised that not all sites will easily be able to meet the Model Standards in every case due to their particular characteristics, but a local authority will need to be able to justify any decision not to have regard to a standard in setting a licence condition.
- 15.** The standards are not intended to be the “ideal”; local authorities may in the circumstances set more demanding ones if that can be justified.

⁹ Section 9 (2).

16. There will be some licence conditions which require inter and cross agency input and advice from other teams within the local authority and outside organisations, such as the Health and Safety Executive, the local Fire and Rescue Service and the Environment Agency. It is important for all parties concerned with sites that effective lines of communication are established to ensure that any problems are identified and resolved as early as possible.
17. Disability Discrimination legislation applies to sites, and this should be borne in mind when framing licence conditions and considering possible enforcement action. Guidance can be found at www.dwp.gov.uk and this can also help local authorities in their consideration of licence conditions. Further guidance can also be found on the Equality and Rights Commission website at www.equalityhumanrights.com.

Enforcement

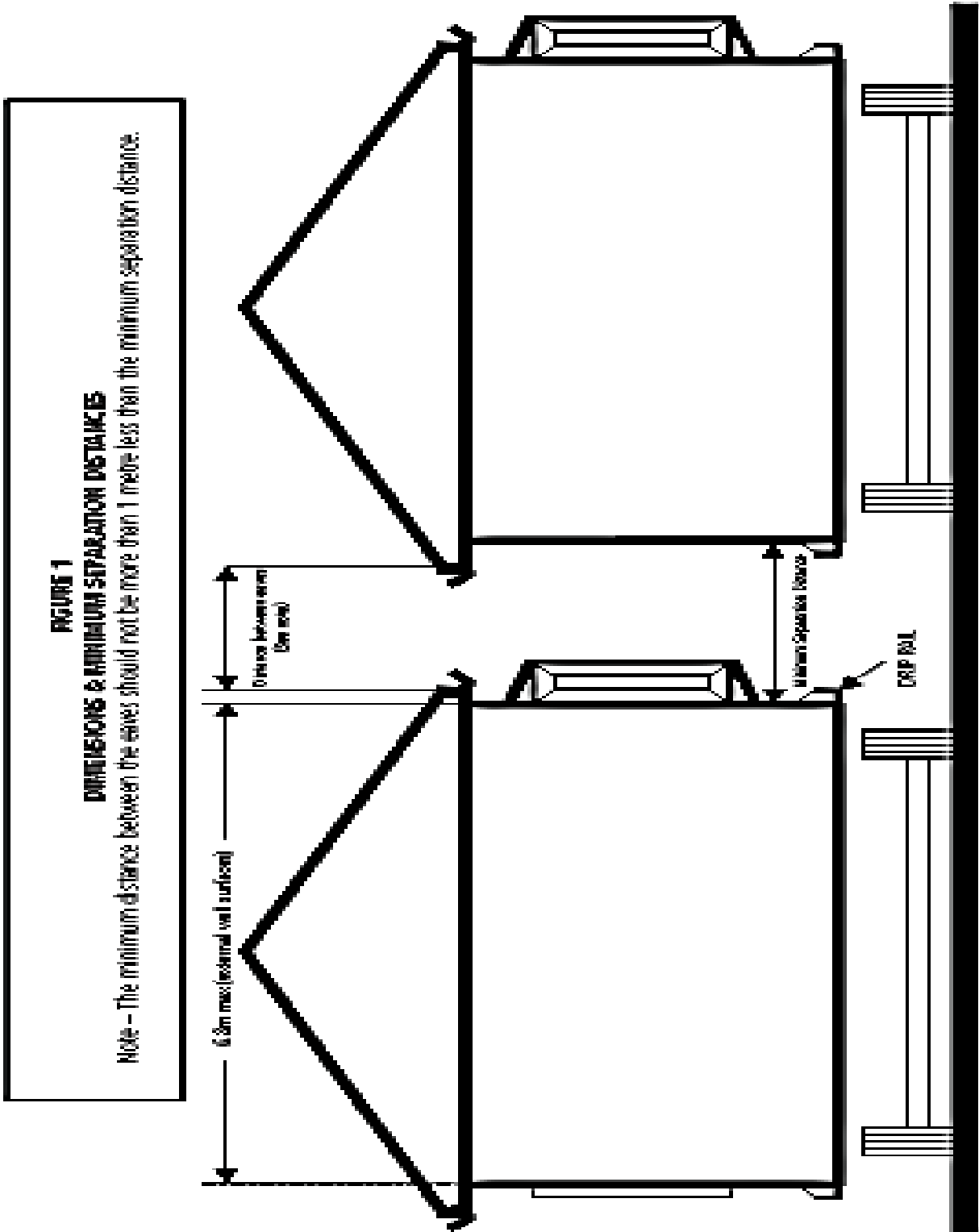
18. Any decision to enforce a licence condition should be taken in line with the Compliance Code (ISBN: 978-0-85605-712-0) which came into force in April 2008, for which comprehensive guidance is available on the Department for Business, Enterprise, and Regulatory Reform website, www.bre.berr.gov.uk.
19. Local authorities should allow a reasonable period of time after any site licence alteration for compliance with the revised conditions, unless the reason for making the alteration was to address a matter requiring immediate attention.
20. When considering taking enforcement action local authorities should undertake a risk assessment to take into account all possible factors in relation to the prosecution.

The Boundaries and Plan of the Site

21. The boundary should clearly define the limit of the site owner's responsibility. The boundary should be suitably marked and properly maintained. This boundary could be formed of a fence, hedge, wall or natural feature or any other suitable structure (or any combination of these) or it may in whole, or part, be formed by an appropriate natural feature, such as a river or a wood. It would not normally be appropriate for that natural feature to simply include an open field.
22. Plans of the site shall be provided to the local authority at the site owners' expense.
23. It is best practice for copies of the plan to be made available to the emergency services.
24. The 3-metre separation distance inside the boundary serves the purpose of ensuring privacy from whatever is on the other side of the boundary, such as a road, and other developments, such as houses etc.
25. The 3-metre separation distance measurement should be taken from the caravan wall.

Density, Spacing and Parking Between Caravans

- 26. The 6-metre separation distance is required for two reasons:
 - Health and safety considerations; and
 - Privacy from neighbouring caravans.
- 27. A diagram explaining the separation distances is attached below.



28. If a caravan has been fitted with cladding from class 1 fire rated materials, then the distance between units may be reduced. However, there is a need for the privacy of residents to be taken into consideration. Health and safety matters, such as the positioning of gas bottles, etc. will also need to be taken into account.
29. For the purposes of calculating the distance between the caravans, the point from which measurements are taken is the exterior cladding of the relevant caravan. Eaves, drainpipes, gutters, sills, threshold, door canopies and bay windows should be discounted.
30. Porches should not render the home incapable of being moved, which means they should be demountable.
31. If structures, other than garages, are on pitches within the separation distance and are of a combustible construction, then the local authority should consider allowing sufficient time for them to be replaced with an acceptable noncombustible model.
32. At no time should a garage constructed of combustible material be allowed in the separation distance.

Enforcement

33. In considering the enforcement of the separation distance the local authority should consult with the local Fire and Rescue Service. It should also seek the views and take account of representations from the site owner and affected residents before taking any steps to enforce this standard, where practicable.
34. Before the local authority undertakes any enforcement action it should consider the benefit of the works against the potential impact on the residents' enjoyment of their homes and the cost to the site owner.

Roads Gateways and Overhead Cables

35. Roads should be constructed of bitumen macadam or concrete with suitable compacted base. However, sites with roads constructed of tarmac (which is now obsolete and no longer commercially available) should not be required to automatically upgrade their roads. The roads should only be required to be upgraded as and when they begin to fall into disrepair.
36. Some larger sites may have traffic calming measures such as speed humps on their roads. Though not specifically covered in this standard, it will be worth ensuring that any legal requirements applying to un-adopted roads are met. Guidance and assistance can be found on the Department for Transport website, www.dft.gov.uk.
37. Gateways, roads and turnings should have enough clearance to allow safe entry for emergency vehicles and new units on lorries. The widths and heights given are based on the maximum sizes of emergency vehicles that may regularly attend incidents on sites.

38. In determining the permitted height of cable overhangs the local authority must take into account the current statutory requirements. Those applying as at the date of this guidance are found in the Electricity Safety Quality and Continuity Regulations 2002 SI 2002/2665 (ESQCR). These regulations provide that, in general, cables should not overhang a road at a height of less than 5.8 metres. In the case of fully insulated overhead conductors the ground clearance is 3.8 metres. There are a number of exceptions where:

- The overhead line follows a route along a hedgerow, fences, boundary walls or similar features. The minimum clearance in these circumstances is 4 metres.
- If it crosses a driveway with an access width of no more than 2.5 metres (and the driveway is defined by gateposts or similar features), the minimum clearance is 4.3 metres.

Further advice on minimum clearances is available from the Health and Safety Executive.

39. It is good practice that all overhead lines on sites should be fully insulated and where a cable is in within easy reach of a property; it must be so and protected from interference.

40. The authority should require the site owner to comply with regulation 3 of the ESQCR and in considering any enforcement action in relation to cables must consult with the HSE.

Footpaths and Pavements

41. Communal path widths should normally be 0.9 metres in respect of new sites or sites that are undergoing substantial redevelopment (including expansion to part of the site); otherwise, paths of not less than 0.75 metres should be accepted where they already exist.

Lighting

42. The lighting provided for communal paths and roads should be adequate to allow safe movement around the site during the hours of darkness. Many sites use low lighters rather than traditional streetlamps and these work well as long as they are well maintained, and plants/vegetation are not allowed to grow around them and stop them emitting light effectively. The lighting must be fit for purpose i.e., to allow vehicles and pedestrians to navigate around the site between dusk and dawn.

Bases

43. It is important to note that the construction, maintenance, and repair of the concrete base are the responsibility of the site owner. New bases should be laid as a minimum in accordance with the current industry guidelines issued by the National Park Homes Council and the British Holiday and Home Parks Association. The industry's current standard for the bases provides:

“A hard-core base to a minimum depth of 150 mm, well consolidated and topped with 100 mm of concrete (mix as BS8500-2:2006¹⁰) shall be used. The finished raft must be generally level with due allowance for surface drainage. Where the ground conditions so require, thickening or the introduction of reinforcement of the raft may be necessary.”

44. Particular attention should be paid to the terrain of the site before a base is laid, which may mean a thicker base is needed. The base should be sufficient to handle the load placed upon it by the caravan and its contents.

Enforcement

45. When considering any enforcement action, the authority should also seek the views and take account of representations from the site owner and affected residents before taking any steps to enforce this standard, where practicable.
46. Before the local authority undertakes any enforcement action it should consider the benefit of the works against the potential impact on the residents' enjoyment of their homes and the cost to the site owner.
47. Where a caravan has to be removed in order to facilitate works to the base the authority should normally, if it is feasible and if it is the resident's wish, require the site owner to reinstate, at his own expense, the caravan on the original pitch on completion of the works.

Maintenance of Common Areas, including Grass, Vegetation and Trees

48. Cut grass and vegetation should be removed from the site as soon as practicable. Bonfires should not be used as a means of disposal. Vegetation is often used for sight screening but should be kept at a reasonable height.
49. Trees on the site will normally be the responsibility of the site owner. Where trees are in need of care and maintenance the local authority should, before any action is taken, liaise with the officer responsible for trees at the authority to ensure that all statutory and other requirements are complied with.
50. The common parts of the site (including roads, paths, and pavements) must be kept free of any rubbish and maintained in a clean and tidy condition. The local authority may wish to consider whether appropriate receptacles for litter need to be provided in such areas. In any case the site owner should be required to make arrangement for the regular collection of routine rubbish from the site. He should also be required to make arrangements for the prompt disposal of waste and other materials which accumulate on the site during any works etc. Secure noncombustible facilities should be provided on the site for the proper storage of rubbish and waste prior to its removal and disposal off the site.

¹⁰ Copies of the Standard can be obtained from the British Standards Institute.

Supply and Storage of Gas etc

51. The HSE website, www.hse.gov.uk, provides details and information about the various legislative requirements and contacts if further information is needed. In addition, the trade body for LPG suppliers, uk LPG, www.lpga.co.uk, also has information which may be of use.
52. Anyone being employed by a site owner to carry out work on gas (including natural gas) or oil installations should be suitably qualified to do the work. The HSE pages contain details of some of the schemes. The Communities and Local Government website contains details of various certification schemes which may apply. The details of these schemes can be found at www.communities.gov.uk.

Enforcement

53. In considering whether to take enforcement action for a breach of site licence conditions officers should liaise with the Health and Safety Executive to ensure any action taken by the authority is not in conflict with any action the HSE are proposing to take.
54. Local authority officials who identify areas of concern on sites should always consult the HSE about the problem(s).
55. All new installations must be to the current regulations and maintained at that standard.

Electrical Installations

56. The electrical installations on the site will be a distributor's network either belonging to the local regional electricity network operator or the owner of the site. The HSE website: www.hse.gov.uk contains information on the electricity legislation which may well apply to the site and can provide further information if needed.
57. A suitably qualified person for the purpose of carrying out work on electrical installations and appliances, including maintenance and inspections, includes a professionally qualified electrical technician, a member of the Electrical Contractors Association, a contractor approved by the National Inspection Council for Electrical Installations Contracting, or a qualified person acting on behalf of the above.
58. It may be necessary to ensure the electricity distribution network complies with ESQCR, in which case such work should only be undertaken by a competent person familiar with those Regulations.
59. All new installations must meet the requirements of the current regulations and maintained at that standard.

Enforcement

60. In considering whether to take enforcement action for a breach of site licence conditions, officers should liaise with the Health and Safety Executive to ensure any action taken by

the authority is not in conflict with any action the HSE are proposing to take.

61. Local authority officials who identify significant areas of concern with site electrical networks and installations should always consult the HSE about the problem(s).

Water Supply

62. OFWAT lay down service standards for the water suppliers and details can be found on their website at www.ofwat.gov.uk. In addition there are various schemes for suitably qualified persons and authorities should check to see those undertaking works are qualified. The main scheme is run by NIC certification and details can be found about the scheme at www.niccertification.com.

Enforcement

63. With the majority of well-established sites, enforcement of this section will need to be carefully handled, as most sites will have long established water systems. As with gas and electricity above, there may be a case for dual enforcement if an offence is identified. Consultation with the Environment Agency and the local water company is essential.
64. As with the previous sections, local authority officers who identify an issue with water supply on a particular site may wish to advise the Environment Agency, and the local water company of the problem.
65. All new installations must be to the current regulations and maintained at the appropriate standard.

Drainage and Sanitation

66. As with water supplies, provision of sewerage facilities is overseen by OFWAT and codes of practice are in place.
67. It is important that all drains and sewers are well maintained and are connected to the appropriate system. If left unchecked, there can be consequences for the health of residents, along with those who live near the site.
68. It should be noted that the environmental quality of drainage is regulated by the Environment Agency, with whom the local authority must consult about any problems.

Enforcement

69. In considering whether to take enforcement action for a breach of site licence conditions officers should liaise with the Environment Agency to ensure any action taken by the authority is not in conflict with any action the Agency are proposing to take.

70. Local authority officials who identify areas of concern on sites should alert the Environment Agency and the local water company to the possible defects.
71. All new installations must be to the current regulations and maintained at that standard.

Domestic Refuse Storage and Disposal

72. If communal bins are provided they should be of a type that is non-combustible and stored properly. Liaison with colleagues who deal with refuse collection matters will help in ensuring that the bins provided by the site owner (in the case of communal bins) are acceptable to the local authority in pursuance of its collection of rubbish from them.
73. The site owner should be required to discuss with the local authority arrangements for the separation of waste for the purpose of recycling it and require him to provide the necessary receptacles etc. on the site.

Communal Vehicular Parking

74. Parking needs will vary considerably between individual parks. Parking requirements should reflect the reasonable needs of the residents, having regard to the size and layout of the site, the number of units, the occupation criteria of the site and the availability of public transport in the immediate vicinity.
75. Provision of parking spaces on new sites or those undergoing redevelopment or extension should be consistent with local planning policies.

Communal Recreation Space

76. This standard should only be applied if the local authority is satisfied that it is both practicable to provide recreation space on the site and there is insufficient recreation space off the site in the near locality.
77. It will only be practicable to provide such space on the site if there is sufficient open space which is available and it is possible to safely use that space for recreation. The standard requires the local authority to consider the need for recreation space; it does not require it to consider the need for recreation facilities, although the local authority may consider that need as part of a licence condition. The larger the site the more recreation space or spaces may be needed. On small sites there may be no need for space at all. In deciding whether it is practicable to provide the space the authority should also consider the site layout, the availability of private open spaces (e.g., within the pitch), the availability of other amenities on the site (e.g., club houses) and the age and number of residents on the site.
78. On site recreation space may be considered unnecessary if there is sufficient suitable space available off site within close (walking) distance of it. The space must, however, be freely accessible by the public, such as a municipal park, commons land, and greens or

any part of the countryside to which the public have a right to walk.

Notices and Information

79. It is important that all notices are protected from the weather and are prominently displayed, either on a board, in an office open to the public, or other places on the site which the residents have free and reasonable access to.
80. The notices must include the most recent site licence, and the contact details of the site manager, and if different the licence holder. This should include an out of hours contact number for emergencies, and if available an e-mail address.
81. The site owner is also required to make available certain information for inspection by residents in a prominent position on the site. That could be the site office provided it is open at reasonable times, a community room which every resident was entitled to use and which is also open at reasonable sites or a notice board located at the entrance to or in a central part of the site.

Flooding

82. It is important that if a site is in an area susceptible to flooding, procedures are in place to ensure that all those on the site are alerted quickly, and that they are aware of any evacuation procedures that may be in place. A notice should be prominently displayed with all relevant information.
83. The site should be included in any local authority flood evacuation plan.
84. Advice on flood risks is available from the Environment Agency website:
www.environment-agency.gov.uk
85. It is important in those parts of the country where flooding is an issue that local authorities have effective liaison with the Environment Agency office for their area, as well as relevant officials across their own local authority. Local water companies should also be contacted.

Fire Safety Measures

86. The Regulatory Reform (Fire Safety) Order 2005 (the Order) applies to caravan sites. The Order disapplies some fire related standards that may be in current site licensing conditions. It applies to all non-domestic premises in England and Wales, including certain types of caravan sites:
 - all sites with common or shared parts; and
 - individual caravans which are holiday-let type i.e. they are rented out
87. On such sites the local authority should advise the 'responsible person', who will be the

licence holder of his duty under that Order to undertake a fire risk assessment and decide what prevention and protection arrangements are appropriate and adequate to mitigate the identified risks.

88. However, there are some sites around the country which do not fall under the Order. These may include single unit sites and those sites which are occupied by single family groups.
89. Where the Order applies the authority should satisfy itself that the site owner is aware of, and complying with, his obligations under it, in particular that a fire risk assessment has been carried out. In this regard the local authority should seek the advice of the local Fire and Rescue Service who are the main enforcers of the Order.
90. The Communities and Local Government website: www.communities.gov.uk contains a range of helpful information on fire safety and the requirements of the Fire Safety Order. This includes links to technical guides for specific types of accommodation, including one for sleeping accommodation.
91. The Fire and Rescue Service has a duty to provide fire safety advice to those who ask for it, although it will not carry out risk assessments.
92. In applying any standards relating to fire safety measures where the Order does not apply, the local authority must consult the local Fire and Rescue Service.

Fire Fighting Equipment

93. The Guidance under the remaining sections only applies to sites to which the Order does not apply; however these standards will provide a useful benchmark of the sort of preventative and protective measures that may be necessary following completion of a fire risk assessment.
94. The siting of the fire points should be so that they are visible at all times and marked in a way that makes it obvious as to what they are. They will need to be kept clear of any obstructions at all times should they be needed in the event that a fire breaks out.
95. Fire Points are the places on sites where firefighting equipment is stored, ready for use by anyone in the event of an emergency.
96. If hosepipes are provided, they should be of the relevant British and European Standards¹¹, and positioned in such a way that they are easily attachable to the mains water supply, if not permanently attached. Any valves connecting the hose to the water supply should be easily accessible. The hose reel should be well maintained and in good working order.
97. Any hydrants provided on the site should be kept clear of any obstruction in the event that they need to be used. The positioning of mains connected hydrants is the responsibility of

¹¹ Details of relevant British Standards can be found at www.communities.gov.uk

the local water company, and any queries as to whether a site has a hydrant should be directed to them. The positioning of the hydrants should be recorded on the site map, which will assist the emergency service in locating them in the event of an emergency.

98. Fire Extinguishers should only be used if there is not enough water pressure for a hose reel. Where provided, extinguishers should comply with the current British or European Standard.

99. A water tank with buckets and a pump should not be the main means of fighting fire for the following reasons:

- Pumps and buckets are likely to be vandalised or stolen.
- Pumps and buckets are inadequate for fighting a fire.
- A water storage tank should be securely covered to prevent it becoming a health or safety hazard.

Fire Warning

100. The means of raising the alarm in the event of a fire should be appropriate to the size and layout of the site. If you are unsure of which form of raising the alarm is the most suitable to the site, then contact the local Fire and Rescue Service, who will be able to advise you.

Maintenance and Testing of Fire Fighting Equipment

101. It is important that all fire warning systems and firefighting equipment are regularly inspected and maintained. The suggestion is that these checks should be carried out on an annual basis. All testing and maintenance should be carried out by a person suitably qualified to do the work. Records should be kept of any testing and when the most recent inspections were carried out. The record of all tests and inspections should be kept on the site for inspection.

Fire Notices

102. The fire action notice should be displayed on a notice board, and at other suitable points around the site. The full address of the site, including the postcode should be included.

Enforcement

103. The main enforcer for the Order is the Fire and Rescue Service.

Appendix 3

Conditions for Permanent Residential Caravan Sites

1. Number of Caravans

- (i) Subject to the provisions of Condition 3, the total number of caravans which shall be stationed on the site shall not at any one time exceed *.

2. The Boundaries and Plan of the Site

- (i) The boundaries of the site from any adjoining land shall be clearly marked by a man made or natural feature.
- (ii) No caravan or combustible structure shall be positioned within 3 metres of the boundary of the site.
- (iii) (a) A plan of the site shall be supplied to the local authority upon the application for a licence and, thereafter whenever there is a material change to the boundaries or layout of the site, or at any other time on the demand of the local authority.

(b) The plan supplied must clearly illustrate the layout of the site including all relevant structures, features and facilities on it and shall be of suitable quality.

3. Density, Spacing and Parking between Caravans

- (i) Except in the case mentioned in sub paragraph (iii) and subject to sub paragraph (iv), every caravan must where practicable be spaced at a distance of no less than 6 metres (the separation distance) from any other caravan which is occupied as a separate residence.
- (ii) No caravan shall be stationed within 2 metres of any road or communal car park within the site or more than 50 metres from such a road within the site.
- (iii) Where a caravan has retrospectively been fitted with cladding from Class 1 fire rated materials to its facing walls, then the separation distance between it and an adjacent caravan may be reduced to a minimum of 5.25 metres.
- (iv) In any case mentioned in subparagraph (i) or (iii):
 - (a) A porch attached to the caravan may protrude one metre into the separation distance and must not exceed 2 metres in length and 1 metre in depth. The porch must not exceed the height of the caravan. Where a porch is installed only one door may be permitted at that entrance to the home, either on the porch or on the home.

- (b) Eaves, drainpipes and bay windows may extend into the separation distance provided the total distance between the extremities of two facing caravans is not less than 5 metres, except where sub paragraph (iii) applies in which case the extension into the separation distance shall not exceed 4.25 metres.
 - (c) Any structure including steps, ramps, etc. (except a garage or car port), which extends more than 1 metre into the separation distance shall be of non-combustible construction. There should be a 4.5 metre clear distance between any such structure and any adjacent caravan.
 - (d) A garage or car port may only be permitted within the separation distance if it is of non-combustible construction.
 - (e) Windows in structures within the separation distance shall not face towards the caravan on either side.
 - (f) Fences and hedges, where allowed and forming the boundary between adjacent caravans, should be a maximum of 1 metre high.
 - (g) Private cars may be parked within the separation distance provided that they do not obstruct entrances to caravans or access around them and they are a minimum of 3 metres from an adjacent caravan.
- (v) The density of caravans on a site shall be determined in accordance with relevant health and safety standards and fire risk assessments.

4. Roads, Gateways and Overhead Cables

- (i) Roads shall be designed to provide adequate access for emergency vehicles and routes within the site for such vehicles must be kept clear of obstruction at all times.
- (ii) New roads shall be constructed and laid of suitable bitumen macadam or concrete with a suitable compacted base.
- (iii) All roads shall have adequate surface water/storm drainage.
- (iv) New two way roads shall not be less than 3.7 metres wide, or if they are designed for and used by one way traffic, not less than 3 metres wide.
- (v) One-way systems shall be clearly signposted.
- (vi) Where existing two way roads are not 3.7 metres wide, passing places shall be provided where practical.
- (vii) Vehicular access and all gateways to the site must be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.

(viii) Roads shall be maintained in a good condition.

(ix) Cable overhangs must meet the statutory requirements.

5. Footpaths and Pavements

- (i) Every caravan shall be connected to a road by a footpath with a hard surface which shall be maintained in good condition.
- (ii) Where practicable, communal footpaths and pavements shall not be less than 0.9 metres wide.

6. Lighting

Roads, communal footpaths and pavements shall be adequately lit between dusk and dawn to allow the safe movement of pedestrians and vehicles around the site during the hours of darkness.

7. Bases

- (i) Every unit must stand on a concrete base or hard standing.
- (ii) The base must extend over the whole area occupied by the unit and must project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. The hard standings must be constructed to the industry guidance, current at the time of siting, taking into account local conditions.

8. Maintenance of Common Areas, including Grass, Vegetation and Trees

- (i) Every part of the site to which the public have access shall be kept in a clean and tidy condition.
- (ii) Every road, communal footpath and pavement on the site shall be maintained in a good condition, good repair and clear of rubbish.
- (iii) Grass and vegetation shall be cut and removed at frequent and regular intervals.
- (iv) Trees within the site shall (subject to the necessary consents) be maintained.
- (v) Any cuttings, litter or waste shall be removed from the immediate surrounds of a pitch.

9. Supply & Storage of Gas etc

- (i) Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice.
- (ii) Liquefied Petroleum Gas cylinders must not be positioned or secured in such a way as to impede access or removal in the event of an emergency.

10. Electrical Installations

- (i) On the site there shall be installed an electricity network of adequate capacity to meet safely all reasonable demands of the caravans and other facilities and services within it.
- (ii) The electrical network installations shall be subject to regulation under current relevant legislation and must be designed, installed, tested, inspected and maintained in accordance with the provisions of the current relevant statutory requirements.
- (iii) Any work on electrical installations and appliances shall be carried out only by persons who are competent to do the particular type of work being undertaken, in accordance with current relevant statutory requirements.
- (iv) Any work on the electrical network within the site shall be done by a competent person fully conversant with the appropriate statutory requirements.

11. Water Supply

- (i) All pitches on the site shall be provided with a water supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
- (ii) All new water supplies shall be in accordance with all current legislation, regulations and relevant British or European Standards.
- (iii) All repairs and improvements to water supplies and installations shall be carried out to conform to current legislation and British or European Standards.
- (iv) Work on water supplies and installations shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current relevant legislation and British or European Standards.

12. Drainage and Sanitation

- (i) Surface water drainage shall be provided where appropriate to avoid standing pools of water.
- (ii) There shall be satisfactory provision for foul and wastewater drainage either by connection to a public sewer or sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the local authority.
- (iii) All drainage and sanitation provision shall be in accordance with all current legislation and British or European Standards.
- (iv) Work on drains and sewers shall be carried out only by persons who are qualified in the particular type of work being undertaken and in accordance with current legislation and British or European standards.

13. Domestic Refuse Storage & Disposal

- (i) Where communal refuse bins are provided these shall be non-combustible and housed within a properly constructed bin store.
- (ii) All refuse disposal shall be in accordance with all current legislation and regulations.

14. Communal Vehicular Parking

Suitably surfaced parking spaces shall be provided to meet the requirements of residents and their visitors.

15. Communal Recreation Space

On sites where it is practical to do so, suitable space equivalent to about one tenth of the total area of the site shall be allocated for recreational purposes, unless in the local authority's opinion there are adequate recreational facilities within a close proximity to the site.

16. Notices and Information

- (i) The name of the site shall be displayed on a sign in a prominent position at the entrances to the site together with the current name, address and telephone number of the licence holder and manager and emergency contact details, a copy of the site licence or the front page of the said licence and details of where the full licence and other information required to be available under this standard can be viewed and between which times (if not displayed on the notice board).

- (ii) A current plan of the site with roads and pitches marked on it shall be prominently displayed at the entrances to it.
- (iii) A copy of the current site licence shall be available for inspection in a prominent place on the site.
- (iv) In addition at the prominent place the following information shall also be available for inspection at the prominent place:
 - (a) A copy of the most recent periodic electrical inspection report.
 - (b) A copy of the site owner's certificate of public liability insurance.
 - (c) A copy of the local flood warning system and evacuation procedures, if appropriate.
 - (d) A copy of the fire risk assessment made for the site.
- (v) All notices shall be suitably protected from the weather and from direct sunlight.

17. Flooding

- (i) The site owner shall establish whether the site is at risk from flooding by referring to the Environment Agency's Flood Map.
- (ii) Where there is risk from flooding the site owner shall consult the Environment Agency for advice on the likelihood of flooding, the depths and velocities that might be expected, the availability of a warning service and on what appropriate measures to take.

18. Requirement to Comply with the Regulatory Reform (Fire Safety) Order 2005

The site owner shall make available the latest version of the fire risk assessment carried out under the Regulatory Reform (Fire Safety) Order 2005 for inspection by residents and when demanded, a copy of the risk assessment shall be made available to the local authority.

19. Fire safety measures where the Regulatory Reform (Fire Safety) Order 2005 does not apply (such as single unit sites and those sites solely occupied by family groups)

- (i) The standards in this paragraph only apply if the site is **not** subject to the Regulatory Reform (Fire Safety) Order 2005.

Fire Points

- (ii) These shall be located so that no caravan or site building is more than 30 metres from a fire point. Equipment provided at a fire point shall be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

Fire Fighting Equipment

- (iii) Where water standpipes are provided:
 - (a) The water supply shall be of sufficient pressure to project a jet of water not less than 5 metres from the nozzle.
 - (b) There shall be a reel that complies with the current British or European Standard, with a hose not less than 35 metres long, having a means of connection to a water standpipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand nozzle.
 - (c) Hoses shall be housed in a red box and marked "HOSE REEL". Access to the fire point shall not be obstructed or obscured.
- (iv) Where hydrants are provided, hydrants shall conform to the current British or European Standard.
- (v) Access to hydrants and other water supplies shall not be obstructed or obscured.
- (vi) Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point shall be provided with water extinguishers (2 x 9 litres) which comply with the current British or European Standard.

Fire Warning

- (vii) A suitable means of raising the alarm in the event of a fire shall be provided at each fire point.

Maintenance and Testing of Fire Fighting Equipment

- (viii) All alarm and fire fighting equipment shall be installed, tested and maintained in working order by persons who are qualified in the particular type of work being undertaken and be available for inspection by, or on behalf of, the licensing authority or the Fire and Rescue Service.

(ix) A record shall be kept of all testing and remedial action taken.

(x) All equipment susceptible to damage by frost shall be suitably protected.

Fire Notices

(xi) A clearly written and conspicuous notice shall be provided and maintained at each fire point to indicate the action to be taken in case of fire. This notice should include the following:

“On discovering a fire:

I. Ensure the caravan or site building involved is evacuated.

II. Raise the alarm.

III. Call the fire brigade (the nearest phone is sited at).”

Appendix 4

Register of Fit and Proper Persons

1. The register provides a record of the outcome of the fit and proper person tests carried out for the sites in the local area and is available for public inspection.

The register gives details of:

- The relevant person and of the site, including whether they are the owner or manager of the site.
 - the dates of inclusion and whether any conditions are attached to the inclusion in the register, along with the date that any conditions are met or changed.
 - local authorities may decide and record how long a person's inclusion in the register has effect, up to a maximum of 5 years.
2. To continue to comply with the fit and proper person provision, a site owner must, at least two months before it comes to an end, submit a new application for the person (or an alternative) to be included in the register thus allowing for a new assessment on the basis of recent information, to ensure that there continues to be a fit and proper person to manage the site.
 3. Where a fit and proper person application has been rejected, details of the site and the date the decision was issued will be included on the register.
 4. Information about a rejected application will remain in the register until a successful fit and proper person application is made in respect of the owner or manager of the site.
 5. For privacy reasons, the name of the rejected applicant will not be included on the register - Requests for further information about the entry on the register, for example the details of the specific conditions attached, and any additional information will be considered on a case-by-case basis, in accordance with data protection legislation.

Application

6. Application for assessment must be made by the site owner for themselves where they are the person responsible for managing the site, or for a person they have appointed to manage the site. A site owner may only apply if they hold or have applied for a site licence for the site.
7. The following information must be provided as set out in Schedule 2 of the regulations: -
 - a basic DBS certificate (no more than six months before the date of the application) must be submitted for the individual who is being assessed and, where applicable, other individuals responsible for the day-to-day management of the site.
 - Where a company is being assessed as the fit and proper person, or a company is responsible for the day-to-day management, a criminal records certificate will need

to be submitted for the individual with responsibility for the day-to-day management of the site.

- If that individual is not a company officer, a criminal records certificate will be required for the officer that they report to if the officer is an individual.
8. any applicant wishing to be included on the register will have to show that there are suitable financial and management arrangements in place for the site and to provide information relating to their conduct in relation to:
- offences relating to fraud, dishonesty, violence, arson or drugs or listed in schedule 3 of the Sexual Offences Act 2003
 - contraventions of law in relation to; housing, caravan sites, mobile homes, public health, planning or environmental health or landlord and tenant law
 - contraventions of law in relation to the Equality Act 2010
 - contraventions of law in connection with the carrying out of any business
 - harassment of any person in connection with the carrying out of any business.
 - insolvency within the last ten years
 - disqualification from acting as a company director within the last ten years
 - their right to work in the UK

Assessment

9. By applying the considerations within the assessment which relate to any natural person with responsibility for the site management, the council can give an equivalent level of scrutiny to key individuals in companies and other bodies operating sites to that applied to individual site owners and managers.
10. The decision on an application will be made and notified to the applicant as soon as reasonably practicable
11. The council may decide to grant the application unconditionally and include the relevant person on the register for 5 years, approve the application subject to conditions or refuse to grant the application.
12. In these cases a preliminary decision notice will be served on the applicant which includes the reasons for making the decision and details of the right to make representations.
13. Written representations must be made within 28 days of the day following service of the notice and will be taken into account before a final decision is taken.
14. Following consideration of any representations, a final decision notice will be issued which will include the reasons for the decision and information regarding the right of appeal

Review

The council may review a person's inclusion if relevant new information comes to light. Such a review may result in the removal of a person from the register, or the addition, variation or removal of a condition attached to a person's inclusion.

Appeal

A site owner has a right of appeal to the First-tier Tribunal against a local authority's decision to include a person on the register for less than 5 years, attach or vary conditions to an entry on the register, reject an application for an entry on, or remove a person from, the register.

Appointment of a person to manage the site

1. Where a site owner, or their manager fails to meet the criteria for inclusion on the register of fit and proper persons and they are unable to identify, and appoint a suitable alternative manager, who must also undergo the fit and proper assessment, the local authority may appoint a person to manage the site, with the consent of the site owner.
2. If the Council is required to appoint a person to manage the site, the reasonable costs of this action can also be recovered from the site. If this were to be required, the Council would seek full cost recovery of all officer time and any other resources required to undertake this action.

Offences

The Regulations introduce 3 criminal offences:

1. operating a site in contravention of the fit and proper person requirement
2. providing false or misleading information in, or withholding information from, an application for inclusion of the register, and
3. failing to comply with a condition of inclusion in the register

If convicted of any of these offences, the site owner would face a penalty of an unlimited fine.

If convicted twice or more for operating a site in contravention of the regulations, the local authority may apply to the magistrates' court for an order to revoke the site licence.

An order to revoke the site licence may also be granted by the First-tier Tribunal, on the application of the local authority if the site owner breaches the fit and proper person requirement.