



DERBY CITY COUNCIL

GENERAL LICENSING COMMITTEE
8 FEBRUARY 2006

Report of the Corporate Director, Environmental Services

**AMENDMENTS TO THE PERMANENT RESIDENTIAL MOBILE
HOME SITE LICENSING CONDITIONS (CARAVAN SITES AND
CONTROL OF DEVELOPMENT ACT 1960)**

RECOMMENDATION

1. To approve the amendments to the current site licensing conditions for permanent mobile home sites.

SUPPORTING INFORMATION

- 2.1 The Environmental Health & Trading Standards Division currently enforces the provisions of the Caravan Sites and Control of Development Act 1960 in respect of site licence conditions for permanent mobile home sites. Under the provisions of the Act, no occupier of land is allowed to permit land to be used as a permanent residential caravan site unless he/she is the holder of a site licence.
- 2.2 The Local authority can attach any conditions to the licence which it sees as necessary or desirable in the interest of persons living in the caravans. These conditions apply to the site and its amenities, but not to the physical condition of the caravans themselves. Caravans are included within the definition of a house and housing legislation applies to them.
- 2.3 In specifying its licence conditions, the local authority must have regard to Model Licence Standards that are issued from time to time. In respect of conditions which require works to be carried out, the works can be required within a specified period and the caravans may be prohibited or restricted until the works have been completed. The local authority has the power to carry out this works in default and recover any costs. It is an offence not to comply with conditions and if a person is convicted of failing to comply on at least three occasions the licence may be revoked.
- 2.4 The licence conditions set by the Council are based on the model licence conditions, but have not been renewed for some time. Some amendments are proposed to take into account more recent developments, such as gas and electrical safety.
- 2.5 A copy of the proposed licence conditions with the amended conditions highlighted are shown in Appendix 2. Some of the amendments are not new conditions, but relate to simplifying and updating the existing conditions. Details of the amendments are given in Appendix 3.

- 2.6 The licence is not time limited, unless revoked because of failure to comply with conditions. An annual inspection is carried out. The Council currently licences three sites in the city. The Council is unable to charge a fee for the licence or for the annual inspection of the site.
- 2.7 The existing site owners have been consulted on the amendments, as required by the Act, and no objections have been raised.

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Background papers:	None
List of appendices:	Appendix 1 - Implications Appendix 2 - Licence Conditions Appendix 3 - Amendments to Existing Conditions

IMPLICATIONS

Financial

1. None arising directly from this report.

Legal

2. Any applicant aggrieved by the site licence conditions can appeal to the Magistrates Court within 28 days of the issue of a licence. However, the sites currently licensed have been consulted as required and currently have no objection.

Personnel

3. None arising directly from this report.

Equalities impact

4. None arising directly from this report.

Corporate themes and priorities for change

5. The licensing of permanent residential mobile home sites contributes to the Council's objectives of **healthy, safe and independent communities**.

Permanent Residential Mobile Home Site Licence Conditions
(Caravan Sites and Control of Development Act 1960, Section 5)
 (new conditions/amendments highlighted)

The following conditions are attached to Permanent Residential Mobile Home Site licences issued by Derby City Council (the '**licensing authority**').

All conditions must be complied with fully and to the satisfaction of the licensing authority. Failure to comply with any condition amounts to failure to comply with the licence. Failure to comply with the licence is a criminal offence and may result in prosecution and/or revocation of the licence.

Clarification or further information regarding these conditions may be obtained from the licensing authority's Public Health Team on (01332) 715293.

1. Number of mobile homes and site boundaries

1.1 The number of caravans on the site shall not exceed.....

1.2 The boundaries of the site should be clearly marked, for example by fences or hedges. In addition, the site owner should give the Local Authority a plan of its layout drawn to a scale of not less than 1/500. It is recommended that a 3 metre wide area should be kept clear within the inside of all boundaries.

2. Density and space between caravans

2.1 Subject to the following variations, every caravan should be no less than 6 metres from any other caravan which is preoccupied separately and not less than 2 metres from a road. The point of measurement for porches, awnings etc is the exterior cladding of the caravan.

2.2 Porches may protrude 1 metre into the 6 metres and should be of the open type.

2.3 Where awnings are used, the distance between any part of the awning and an adjoining caravan should be not less than 3 metres. They should not be the type that incorporates sleeping accommodation and they should not face or touch each other.

2.4 Eaves, drainpipes and bay windows may extend into the 6 metre space provided that the total distance between the extremities of 2 adjacent units is not less than 5.25 metres.

2.5 Where there are ramps for the disabled, verandas and stairs extending from the unit, there should be a 4.5 metre clear space between them and two such items should not face each other in any space. If they are enclosed, they may need to be considered as part of the unit and, as such should not intrude into the 6 metre space.

2.6 A garage, a shed or a covered storage space should be permitted between units only if it is of non-combustible construction (including non-combustible roof) and sufficient space is maintained around each unit so as not to prejudice means of escape in case of fire. Windows in such structures should not face towards the units on either side. Car ports and covered walkways should in no circumstance be allowed within the 6 metre space.

2.7 One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed. Suitably surfaced parking spaces should be provided where necessary to meet the additional requirements of the occupants and their visitors.

2.8 No combustible material or articles may be stored between caravans.

2.9 The density should be consistent with safety standards and health and safety requirements. The gross density should not exceed 50 caravans to the hectare, calculated on the basis of the useable area (i.e. excluding lakes, roads, communal services and other areas unsuitable for the siting of caravans) rather than the total site area.

3. Roads, gateways and footpaths

3.1 Roads and footpaths should be designed to provide adequate access for fire appliances. (Detailed guidance on turning circles etc is available from fire authorities).

3.2 Roads of suitable material should be provided so that no caravan standing is no more than 50 metres from a road.

3.3 Where the approach to the caravan is across ground that may be difficult or dangerous to negotiate in wet weather, each standing should be connected to a road by a footpath with a hard surface.

3.4 Roads should not be less than 3.7 metres wide, or, if they form part of a clearly marked one way traffic system, 3 metres wide.

3.5 Roads should have no overhead cable less than 4.5 metres above the ground.

3.6 Gateways should be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.

3.7 Footpaths should be not less than 0.75 metres wide.

3.8 Roads and footpaths should be suitably lit.

3.9 Emergency vehicle routes within the site should be kept clear of obstruction at all times.

4. Hard standings

- 4.1 Every caravan should stand on a concrete hard-standing which should extend over the whole area occupied by the caravan placed upon it, and should project a sufficient distance outwards from the caravans entrance or entrances to enable its occupants to enter and leave safely.

5. Fencing

- 5.1 a) No fences shall be erected between caravans or between a caravan and a carriageway.
- b) Any fence which is not prohibited by paragraph (a) of this condition may be erected provided that it is of the close boarded type and does not exceed two metres in height in the case of a fence on the site boundary or one and a half metres in height in the case of any other fence.
- c) For the avoidance of doubt nothing in this condition shall prejudice the right of the site operator to refuse permission for the erection of any particular fence.

6. Fire points

- 6.1 These should be established so that no caravan or site building is more than 30 metres from a fire point. They must be easily accessible and clearly and conspicuously marked **"FIRE POINT"**. They must be housed in a weatherproof structure.

7. Fire fighting equipment

- 7.1 Where water standpipes are provided and there is a water supply of sufficient pressure and flow to project a jet of water approximately 5 metres from the nozzle, such water standpipes should be situated at each fire point.
- 7.2 There should also be a reel that complies with British Standard 5306 Part 1, with a hose not less than 30 metres long, having a means of connection to a water standpipe (preferably a screw head connection) with a water supply of sufficient pressure and terminating in a small hand control nozzle.
- 7.3 Hoses should be housed in a box painted red and marked **"HOSE REEL"**.
- 7.4 Where standpipes are not provided but there is a water supply of sufficient pressure and flow, fire hydrants should be installed within 100 metres of every caravan standing. Hydrants should conform to British Standard 750. Access to hydrants and other water supplies should not be obstructed or obscured.

- 7.5 Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point should be provided with either water extinguishers (2 x 9 litre) or a water tank of at least 500 litres in capacity fitted with a hinged cover, 2 buckets and 1 hand pump or bucket pump.

8. Fire warning

- 8.1 A means of raising the alarm in the event of a fire should be provided at each fire point. This could be by the means of a manually operated sounder, e.g. metal triangle with striker, gong or hand operated siren. The advice of the fire authority should be sought on an appropriate system.

9. Fire notices

- 9.1 A clearly written and conspicuous notice should be provided and maintained at each fire point to indicate the action to be taken in case of fire and the location of the nearest telephone. 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 telephone is sighted)
- iv. Attack the fire using the fire fighting equipment provided, if safe to do so.

It is in the interest of all occupiers of the site to be familiar with the above routine and the method of operating the fire alarm and fire fighting equipment.”

Fire hazards

- 10.1 Long grass and vegetation should be cut at regular intervals where necessary to prevent it becoming a fire hazard to caravans, buildings or other installations on the site. Any such cuttings should be removed from the vicinity of caravans. The space beneath and between caravans should not be used for the storage of combustible materials.

10.2 Bonfires shall not be permitted on the site.

11. Telephones

- 11.1 An immediately accessible telephone should be available on site for calling the Police, Fire Brigade, Ambulance or other emergency services. A notice by the telephone should include the address of the site.

12. MAINTENANCE

- 12.1 All alarm and fire equipment should be installed, tested and maintained in working order by a competent person and be available for inspection by, or on behalf of, the licensing authority. A logbook should be kept to record all tests and any remedial action.
- 12.2 All equipment susceptible to damage by frost should be suitably protected.
- 12.3 All roads, footpaths, paved areas, hard standings, foul and surface water drains, water services and fittings sanitary conveniences, fire fighting equipment, refuse containers and other facilities in connection with the site shall be maintained at all times in a proper state of repair and in clean condition.

13. Gas installation and equipment

- 13.1 Must comply with the relevant and applicable parts of the following (or successor guidance);
 - a) For LPG supplied from tanks:
LP Gas Association Code of Practice 1: Part 1; Design, Installation and Operation of Vessels Located Above Ground and Part 4; Buried/Mounted LPG Storage Vessels.
 - b) For LPG supplied from cylinders:
LP Gas Association Code of Practice 7: 1999 "Storage of Full and Empty LPG Cylinders and Cartridges.
 - c) For metered LPG supplied from tanks:
LP Gas Association Code of Practice 25: 1999 "LPG Central Storage and Distribution Systems for Multiple Consumers".
 - d) For installations in caravans:
British Standard 5482: Code of Practice for domestic butane and propane gas burning installations: Part 2: 1977: Installations in Caravans and Non-Permanent Dwellings. The Gas Safety (Installation and Use) Regulations 1998.

14. For mains gas to the site

- 14.1 The Pipelines Safety Regulations 1996. The Gas Safety (Installation and Use) Regulations 1998.
- 14.2 A copy of all current safety check certificates required by applicable gas safety legislation in respect of appliances provided on the site by the site licensee shall be kept available for inspection by authorised officers of the licensing authority.
- 14.3 Unless otherwise approved by the licensing authority, every gas appliance provided on the site by the site licensee shall be provided with an effective flame failure device.

15. Electrical installations

- 15.1 Sites shall have an electricity supply sufficient to meet all reasonable demands of the caravans situated on them. Installations, other than Electricity Company works and circuits subject to regulations made by the Secretary of State under Section 16 of the Energy Act 1983 and Section 64 of the Electricity Act 1947, shall be installed, tested and maintained in accordance with British Standard 7671:2001: "The Requirements for Electrical Installations" for the time being in force and, where appropriate, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) regulations 1988, Statutory instrument 1988 No. 1057.
- 15.2 Supplies to sites shall be inspected in accordance with recommendations of 'competent person' and a Periodic Inspection Report in the form required by BS7671:2001 shall be provided.
- Note:** Portable electrical equipment in buildings or caravans under the control of the licensee should be examined (by a competent person, a professionally qualified electrical engineer; a member of the Electrical Contractors Association; a certificate holder of the National Inspection Council for Electrical and Installation Contracting or a member of NAPIT - National Association of Professional Inspectors and Testers) in accordance with Health and Safety Executive guidance "Maintaining Portable Electrical Equipment in Offices & Other Low Risk Environments" Ref: HS(G) 107 ISBN 0 7176 1272 4. See leaflet INDG 236 – available free from the Health & Safety Team of the licensing authority's Environmental Services Division.
- 15.3 Inspections or work on electrical supplies and installations shall be carried out by a competent person as required by BS 7671:2001. If an installation does not comply with Regulations applicable at the time it was first installed, it shall be rectified. Any major alterations and extensions to an installation shall comply with BS 7671:2001.
- 15.4 All electrical installations shall be maintained to prevent danger to the installations, caravans situated on the site, site users, the licensee and any other visitors to the site, as far as is reasonably practicable.

- 15.5 If there are overhead electric lines on the site, suitable warning notices should be displayed at the entrance to the site and on the supports for the line. Where appropriate, particular attention should be drawn to the danger of masts or yachts or dinghies contacting the line.

16.0 Water supply

- 16.1 All parks shall be provided with a water supply in accordance with appropriate Water Byelaws and statutory quality standards.

17. Drainage, sanitation and washing facilities

- 17.1 Satisfactory provision should be made for foul drainage, either by connection to a public sewer or sewerage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the licensing authority.
- 17.2 Each caravan should have its own water supply and water closet. Each caravan standing should be provided with a connection to the foul drainage system; the connection should be capable of being made air-tight when not in use.
- 17.3 There should be provided an adequate surface water drainage system from the site, buildings, caravans, carriageways, footways and paved areas.

18. Refuse disposal

- 18.1 Every caravan standing should have an adequate number of suitable non-combustible refuse bins with close fitting lids or plastic bags. The licensee should implement an arrangement/scheme for the bins to be emptied regularly. Where communal refuse bins are also provided these should be of similar construction and housed within a properly constructed bin store.

19. Storage spaces

- 19.1 At least 2.75 square metres of covered storage space should be provided for each caravan standing. The structures should be separate from the caravans they serve, and not less than 5 metres from any other caravan. They should be capable of being locked.

20. Recreation space

- 20.1 Where children live on the site, space equivalent to about one-tenth of the total site area should be allocated for children's games and/or other recreational purposes. This provision will normally be necessary because of the limited space available round the caravans, but may be omitted where there are suitable alternative publicly provided recreational facilities, which are readily accessible.

21. Transitional arrangements

- 21.1 Any existing caravan, porch, storage space etc, which would otherwise contravene these conditions but which satisfied the conditions imposed with effect from 15 September 1987, may remain until the caravan, porch, storage space etc is substantially altered, rebuilt or removed from its present position. In this event the caravan, porch, storage space etc, or any of their replacements shall fully comply with these site licence conditions.

22. Notices

- 22.1 A suitable sign should be prominently displayed at the site entrance indicating the name of the site.
- 22.2 A copy of the site licence with its conditions should be displayed prominently on the site.
- 22.3 Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should show where the Police, Fire Brigade, Ambulance, local doctors can be contacted and the location of the nearest public telephone. The notices should also give the name and location/telephone number of the site licence holder or his/her accredited representative. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.
- 22.4 All notices should be suitably protected from the weather and displayed where possible out of the direct rays of the sun, preferably in areas lit by artificial lighting.

23. Miscellaneous

- 23.1 Where changes have been made to the licence conditions and any retrospective work, which complied with the old conditions, does not now comply with these new conditions, such retrospective work may be permitted with the written approval of the licensing authority.
- 23.2 Any new works shall comply with these licence conditions.

23.3 For the avoidance of doubt the term 'retrospective work' refers to any work required to be undertaken to secure compliance with relevant legislative and/or regulatory provisions, guidance or any predecessor licence conditions to these new conditions. Any such work must have been substantially begun at the date on which these new conditions come into effect. In any other circumstance, works undertaken will be classified as 'new works' and Condition 23.2 will apply.

24. General

- 24.1 No business activities should be carried out on this site except by the holder of the Site Licence.
- 24.2 Only vehicles used for personal transport may be kept on the site.
- 24.3 No structures or erections of any kind other than those specifically permitted or required by these conditions shall be allowed on the site. All caravans and buildings shall be well maintained and the spaces between caravans shall be kept clear at all times.

AMENDMENTS TO EXISTING PERMANENT MOBILE HOME SITE LICENCE CONDITIONS

1. Number of mobile homes and site boundaries

- 1.1 The number of caravans on the site shall not exceed.....

This is a new condition. The existing licence conditions did not specify the maximum number of caravans permitted on the site.

2. Density and space between caravans

- 2.1 One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed.

This is an amendment to the existing licence conditions. Previously space for at least one car was to be provided. This amendment is to ensure that adequate space is maintained between caravans.

- 2.8 No combustible material or articles must be stored between caravans.

This is a new condition. This amendment is to ensure that combustible material is not stored between caravans and adequate space is maintained between caravans.

3. Roads, gateways and footpaths

- 3.6 Gateways should be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.

- 3.7 Footpaths should be not less than 0.75 metres wide.

These are new conditions. 3.6 is to ensure that emergency vehicles can access the site. 3.7 is to allow sufficient footpath space for users.

10. Fire hazards

- 10.2 Bonfires shall not be permitted on the site.

This is a new condition and is in place to prevent the spread of fires to caravans and to prevent nuisance from fires on site.

13. Gas installation and equipment

- 13.1 Must comply with the relevant and applicable parts of the following (or successor guidance);

- a) For LPG supplied from tanks:
LP Gas Association Code of Practice 1: Part 1; Design, Installation and Operation of Vessels Located Above Ground and Part 4; Buried/Mounted LPG Storage Vessels.

- b) For LPG supplied from cylinders:
LP Gas Association Code of Practice 7: 1999 "Storage of Full and Empty LPG Cylinders and Cartridges.
- c) For metered LPG supplied from tanks:
LP Gas Association Code of Practice 25: 1999 "LPG Central Storage and Distribution Systems for Multiple Consumers".
- d) For installations in caravans:
British Standard 5482: Code of Practice for domestic butane and propane gas burning installations: Part 2: 1977: Installations in Caravans and Non-Permanent Dwellings. The Gas Safety (Installation and Use) Regulations 1998.

Conditions for the provision for gas supply and installation are already in place. These amendments update the standards and guidance to current standards.

14. For mains gas to the site

- 14.1 The Pipelines Safety Regulations 1996. The Gas Safety (Installation and Use) Regulations 1998.
- 14.2 A copy of all current safety check certificates required by applicable gas safety legislation in respect of appliances provided on the site by the site licensee shall be kept available for inspection by authorised officers of the licensing authority.
- 14.3 Unless otherwise approved by the licensing authority, every gas appliance provided on the site by the site licensee shall be provided with an effective flame failure device.

Conditions for the provision for gas supply and installation are already in place. These amendments update the standards and guidance to current standards.

15. Electrical installations

- 15.1 Sites shall have an electricity supply sufficient to meet all reasonable demands of the caravans situated on them. Installations, other than Electricity Company works and circuits subject to regulations made by the Secretary of State under Section 16 of the Energy Act 1983 and Section 64 of the Electricity Act 1947, shall be installed, tested and maintained in accordance with British Standard 7671:2001: "The Requirements for Electrical Installations" for the time being in force and, where appropriate, to the standard which would be acceptable for the purposes of the Electricity (Overhead Lines) regulations 1988, Statutory instrument 1988 No. 1057.
- 15.2 Supplies to sites shall be inspected in accordance with recommendations of 'competent person' and a Periodic Inspection Report in the form required by BS7671:2001 shall be provided.

Note:

Portable electrical equipment in buildings or caravans under the control of the licensee should be examined (by a competent person - a professionally qualified electrical engineer, a member of the Electrical Contractors Association, a certificate holder of the National Inspection Council for Electrical and Installation Contracting or a member of NAPIT - National Association of Professional Inspectors and Testers) in accordance with Health and Safety Executive guidance "Maintaining Portable Electrical Equipment in Offices & Other Low Risk Environments" Ref: HS(G) 107 ISBN 0 7176 1272 4. See leaflet INDG 236 – available free from the Health & Safety Team of the licensing authority's Environmental Services Division.

- 15.3 Inspections or work on electrical supplies and installations shall be carried out by a competent person as required by BS 7671:2001. If an installation does not comply with Regulations applicable at the time it was first installed, it shall be rectified. Any major alterations and extensions to an installation shall comply with BS 7671:2001.
- 15.4 All electrical installations shall be maintained to prevent danger to the installations, caravans situated on the site, site users, the licensee and any other visitors to the site, as far as is reasonably practicable.

Conditions for the provision for gas supply and installation are already in place. These amendments update the standards and guidance to current standards.

23. Miscellaneous

- 23.1 Where changes have been made to the license conditions and any retrospective work, which complied with the old conditions, does not now comply with these new conditions, such retrospective work may be permitted with the written approval of the licensing authority.
- 23.2 Any new works shall comply with these license conditions.
- 23.3 For the avoidance of doubt the term 'retrospective work' refers to any work required to be undertaken to secure compliance with relevant legislative and/or regulatory provisions, guidance or any predecessor license conditions to these new conditions. Any such work must have been substantially begun at the date on which these new conditions come into effect. In any other circumstance, works undertaken will be classified as 'new works' and Condition 23.2 will apply.

These are new conditions and relate to work started prior to the introduction of any new license conditions. This means that such work that was substantially underway at the time that any new license conditions were introduced and did not necessarily comply with the new license conditions could be completed with the approval of the Council. A suitable timescale would then be agreed with the site management to carry out any further works necessary to comply with new license conditions.

