

Agenda Item No: 9

Report No: 38/17

Report Title: Residential Mobile Home Sites Licensing and Enforcement Policy

Report To: Licensing Committee

Date: 9 February 2017

Cabinet Member: Cllr. Franklin

Ward(s) Affected: All

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Purpose of Report:

To present to the Committee the Residential Mobile Home Sites Licensing and Enforcement Policy.

Officers Recommendations:

1. To approve the Residential Mobile Homes Sites Licensing and Enforcement Policy.

1 Reasons for Recommendations

- The Policy clearly sets out the legislation relating to mobile home sites to enable residents, site owners and Council officers to employ the most relevant legislative tool to address any complaints about site management.
- To ensure the three large residential mobile home sites in the Lewes District adopt the model conditions 2008.

Information

2 Background

- 2.1 There are five relevant protected sites in the Lewes District, three large residential mobile home parks and two single unit sites, all of which have planning permission. All current sites have site licence conditions attached to their licence which reflect the 1960 model conditions. The aim of the policy is

to upgrade their site conditions to reflect the new model standards and to set out clearly the legislation relating to Mobile Home Sites.

3 Summary of Policy

3.1 There are four principal pieces of legislation relevant to these sites:

- Caravan Sites and Control of Development Act 1960
- Caravan Sites Act 1968
- The Mobile Homes Act 1983
- The Mobile Homes Act 2013

3.2 The Caravan Sites and Control of Development Act (CSCD)1960 covers the licensing of mobile home sites and enables local authorities to apply conditions relating to the safety, welfare and management at residential mobile home sites conditions.

3.3 Section 3 of the Caravan Sites Act 1968 protects occupiers of mobile homes on mobile home sites against unlawful eviction or harassment and covers the dimension of all mobile units.

3.4 The Mobile Homes Act 1983 covers a number of issues related to mobile home sites, such as the purchase and sale of mobile homes, security of tenure, and written agreements between home and park owners. The Council does not enforce the Mobile Homes Act 1983. Residents are advised to obtain legal advice from the Citizens Advice Bureau, Shelter or an appropriate solicitor.

3.5 The Mobile Homes Act 2013 came into force on 1 April 2014. The Act brought about some important changes to the buying and selling of mobile homes (not enforced by the Council); park rules and enables the Council to serve compliance notices for breach of site licence conditions. The new Act also introduces powers for Local Authorities to charge fees for their licensing functions. The park fees are subject of a separate Policy approved by the Licensing Committee in 2014.

3.6 The Council has powers to attach licence conditions under Section 5 of the CSCD 1960. New model conditions were published in 2008. The new conditions incorporate a number of new requirements, particularly for the maintenance of sites and flood protection measures, other standards have been modified and the standard relating to telephones deleted. The aim of the update was to ensure that the conditions:

- are clear and easy to understand.
- do not become out dated simply because new regulations are issued.
- ensure all standards meet current technical standards.

Table 1

	Local Authority	Park Owner	Resident
Introduction	No impact	No impact	Reduces burden
Site Boundaries	No impact	Slightly more onerous	Reduces burden
Density and Spacing	Reduces burden	Reduces burden	Reduces burden
Roads Gateways and footpaths	No impact	Slightly more onerous	Reduces burden
Hard Standing	Reduces burden	Reduces burden	Reduces burden
Fire	No impact	No impact	Reduces burden
Telephones	Reduces burden	Reduces burden	Reduces burden
Storage of LPG	No impact	Reduces burden	Reduces burden
Electrical Installations	No impact	Reduces burden	Reduces burden
Water Supply	No impact	Reduces burden	Reduces burden
Drainage, Sanitation and Washing Facilities	Reduces burden	Reduces burden	Reduces burden
Refuse Disposal	No impact	Reduces burden	Reduces burden
Parking	No impact	Chance of slightly more onerous	Reduces burden
Recreation	No impact	Reduces burden	Reduces burden
Notices	Reduces burden	Reduces burden	Reduces burden
Flooding	Slightly more onerous	Slightly more onerous	Slightly more onerous

3.7 Table 1 indicates the impact of the new model standards on the Council, site owners and residents. There are four conditions that are slightly more onerous to site owners, if works were required Officers would allow the site owner to plan for the works and incorporate them into the overall park redevelopment process and therefore be phased in over a number of months/years.

3.8 The model standards represent best practice and are not over burdensome. They assist in ensuring all sites within the District are maintained at a reasonable standard and provide clarity to site owners resulting in less enforcement action taken. It is for this reason the Council will apply the model standards to all residential site licences in accordance with this Policy.

4 Enforcement

4.1 All of the above legislation has been written assuming that all homes on relevant protected site are owner occupied. It is the experience of the Council that a proportion of the mobile homes are privately rented and as such are not covered by the legislation above and are also exempt from the

Housing Act 2004 which regulates the private rented sector. The Council will therefore consider the Health and Safety at Work Act 1974 and the Public Health Act 1936 to resolve issues relating to the fabric of the homes that are privately rented.

- 4.2 The Policy details the enforcement tools available to the Council. The Mobile Homes Act 2013 introduced Compliance Notices which can be served on site owners for breach of licence condition. Notices will be served in accordance with the Council's regulatory enforcement policy. The Council will have all due regard to published guidance and ensure that the most appropriate legislation is applied.

5 Financial Appraisal

- 5.1 The resources required for the implementation of the Residential Mobile Home Sites Licensing and Enforcement Policy are contained within the existing Environmental Health revenue budget. By implementing the Policy will, in the long term, will reduce staff costs as less enforcement will be required.

6 Legal Implications

- 6.1 Legal Services has vetted this report and stated the necessary legal content contained within the report itself.

7 Risk Management Implications

- 7.1 I have completed a risk assessment (LDC68003). No new risks will arise if the recommendations are implemented. If the recommendations are not implemented, additional insurance/control costs arising from these mitigating factors are mentioned above in the financial appraisal. The Council should have a current Licensing and Enforcement policy that is transparent, accountable, proportionate and consistent.

8 Equality Screening

- 8.1 On 27th January an Equality Analysis was undertaken on the Residential Mobile Home Sites Licensing and Enforcement Policy, due regard was given to the general equalities duties and to the likely impact of the policy on people with protected characteristics, as set out in the Equality Act 2010.
- 8.2 The assessment identified the policy was found to have positive outcomes for all residents and site owners in our district, however minor adjustments are required. There are missed opportunities especially in the area of equalities monitoring and customer feedback. Actions have been identified to remove barriers and better promote equality. The Equalities Analysis action plan will be incorporated and monitored with implementation of the Policy.

9 Background Papers

- Mobile Homes Act 2013:
<https://www.gov.uk/government/collections/park-homes#mobile-homes-act-2013>
- [Model Standards 2008 for Caravan Sites in England](#)
- [Mobile Homes Act 2013: a best practice guide for local authorities on enforcement of new site licensing regime](#)
- [Mobile Homes Act 2013: advice to local authorities on the new regime for applications for the grant or transfer of a site licence](#)
- Fees Policy for Relevant Protected Sites under the Mobile Homes Act 2013

Appendices

Appendix 1 - Residential Mobile Home Sites Licensing and Enforcement Policy

Appendix 1

LEWES DISTRICT COUNCIL

**Residential Mobile Home Sites
Licensing and Enforcement Policy**

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Residential Mobile Home Sites
Licence and Enforcement Policy

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Residential Mobile Home Sites

Licensing and Enforcement Policy

1. THE LEGISLATION

There are four principal pieces of legislation regarding caravans:

- Caravan Sites and Control of Development Act 1960
- Caravan Sites Act 1968
- The Mobile Homes Act 1983
- The Mobile Homes Act 2013

Definitions

In this policy any reference to 'park home' or 'home' means a mobile home and includes a caravan. Any reference to a 'site' or a 'park home site' means a protected site, i.e. a mobile home site and includes a caravan site or park and a privately owned Gypsy and Traveller site.

A protected site is one which has planning permission for permanent residential use and has been issued with a site licence.

A 'site owner' means someone who has a legal estate or interest in the land on which the site is situated or proposed to be situated. 'Resident' means someone who is entitled to station a mobile home on the site and is entitled to occupy that home as his only or main residence.

Note: This policy only relates to permanent residential sites

1.1 Caravan Sites and Control of Development Act 1960

Licensing of park homes is governed by The Caravan Sites and Control of Development Act 1960 (CSCD). The Act was based on a 1959 report by Sir Arton Wilson, which found there was insufficient legislation on the matter. The report sought to regulate Caravan Sites to ensure they were not overcrowded and the health and safety of residents was protected. As a result the government brought in legislation regulating such housing, which was granted Royal Assent on 29 July 1960 and came into force exactly a month later.

The Act covers the licensing of mobile home sites and the safety, welfare and management conditions which need to be provided. Applications for new site licences will be processed in accordance with the 1960 Act and the relevant conditions will be applied.

1.2 Caravan Sites Act 1968 (as amended)

This Act deals with protection from eviction from residential sites and the maximum dimensions for caravans:

Section 3 of the 68 Act protects occupiers of caravans on mobile home sites against unlawful eviction or harassment. The section does this in two ways:

1. It makes it an offence for the site owner (and any other person) to deprive the occupier of their occupation of a caravan (without first obtaining a Court Order) and;
2. It makes it an offence for the site owner (and any other person) to do anything that is likely to interfere with the peace or comfort of the occupier or persons living with the occupier or to persistently withdraw or withhold services or facilities that are reasonably needed for the occupation of the caravan.

It is very important to note however that an offence will not be committed under this part of Section 3 unless it can be shown that the site owner (or other person) knew or reasonably believed that their conduct was likely to cause the occupier to abandon the caravan, remove it from the site, or refrain from exercising any right or remedy in respect of that caravan. Reports of harassment should be made to the Private Sector Housing Team at the Council

1.3 The Mobile Homes Act 1983

The Mobile Homes Act covers a number of issues related to mobile home sites, such as the purchase and sale of mobile homes, security of tenure, or written agreements between home and park owners.

The Council does not enforce the Mobile Homes Act 1983. Residents are advised to obtain legal advice from the Citizens Advice Bureau, Shelter or an appropriate solicitor.

Two useful booklets for both park owners and home owners are available from the Department of the Environment Transport and the Regions (DETR). They are:

- 'Mobile Homes- A Guide for Residents and Site Owners' and
- 'The Park Homes Charter - Your guide to buying, living in and selling your park home', which includes a list of useful addresses.

If the Mobile Home Park is a member of the British Holiday and Home Parks Association (BH&HPA) or the National Park Homes Council (NPHC), residents can approach them directly for help and support.

1.4 Mobile Homes Act 2013

The Mobile Homes Act 2013 came into force on 1 April 2014. The Act brought about some important changes to the buying and selling of mobile homes, pitch fees, park rules and enables the Council to serve compliance notices for breach of site licence conditions. The new Act also introduces powers for Local Authorities to charge fees for their licensing functions in relation to 'relevant protected sites' (RPS) A RPS is land used as a mobile home site other than where a site licence is

- a) granted for holiday use only
- b) has conditions restricting the use of the site e.g. planning conditions

The Act gives the Council more effective control of conditions on relevant protected sites. In appropriate cases, it provides local authorities with the tools required to take enforcement action including the power to serve compliance notices in relation to breaches of site licence conditions, emergency action powers, and the ability to carry out works in default and recover expenses.

2. LICENCE CONDITIONS

The Council has powers to attach licence conditions under section 5 of the Caravans Sites and Control of Development Act 1960.

2.1 Background

New model conditions were published in 2008. The aim of the update was to ensure that the conditions:

- Are clear and easy to understand.
- Do not become out dated simply because new regulations are issued.
- Ensure all standards meet current technical standards.
- Include, as far as possible, the matters that are of concern to all parties involved, including the park home owner and residents.

The Site Licence Conditions are attached as Appendix A and are based on the most current model standards published in 2008, reflecting changes in legal requirements, most notably in relation to fire safety. The licence conditions represent what is expected as a matter of good practice on caravan sites. They will be applied with due regard to the particular circumstances of the relevant site, including its physical character, any relevant services, facilities or amenities that are available within or in the locality of the site and other applicable conditions.

The standards take into account the effect of the Regulatory Reform (Fire Safety) Order (RRO) 2005. The site owner is now required to undertake a fire risk assessment of their site as specified in the RRO. The risk assessment will highlight all fire hazards specific to the site and will include all prevention and protection arrangements that are appropriate and adequate to mitigate the identified risks.

The Council will ask to see the fire risk assessment and check that all prevention and protection measures are in place.

The Communities and Local Government website:

<https://www.gov.uk/government/collections/fire-safety-law-and-guidance-documents-for-business> 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.

East Sussex Fire and Rescue Service have a duty to provide fire safety advice to those who ask for it, although they will not carry out risk assessments.

2.2 Applying New Conditions

Existing sites do from time to time change ownership, change boundary, increase the number of homes on the site or are substantially redeveloped. In these cases, a transfer, variation or new site licence will be required. In all of these cases the Council will apply the model conditions attached in Appendix A. The model standards represent best practice and are not over burdensome. They assist in ensuring all sites within the District are maintained at a reasonable standard and provide clarity to site owners resulting in the necessity to take less enforcement action taken.

2.2.1 Transfer of Licence

If a licence holder applies for a change of ownership then the Council may issue a simple transfer. However the Council will take the opportunity to apply the new model conditions and request that the owner applies for a new site licence. The fee charged will be still the 'transfer fee.'

2.2.2 Variation of licence

Where the site has been substantially redeveloped and/or the boundary has changed a new site licence will be required and the new model conditions will be attached to the new licence. A variation fee will be charged.

2.2.3 Changing the Conditions without change to the Licence

A local authority does not have to wait until it grants a new licence to change the site licence conditions. In the event that no transfer or variation is received Lewes District Council will seek to update conditions to the new model standard, add new conditions or delete obsolete ones. There is a duty to consult a site owner and permit representations to be made if the Council intends to alter the existing licence. The Council will consult with the site owner and residents for a minimum period of 28 days. The law does not require the agreement of the site owner to change conditions, however the condition will be open to challenge if it is not justified or relevant to the particular circumstances of the site and proportionate.

3. ENFORCEMENT

All park home or mobile home sites must have planning permission for use as a caravan site before a site licence can be issued. A licence can be issued for a limited time period if the planning permission to which it relates has a time limit to it. Certain exemptions apply and the following uses/organisations do not require a licence:

- Incidental use within the boundary of a dwelling house
- Building and engineering sites
- Travelling showman sites
- Sites occupied by the Council

- Sites approved by certain organisations, including:
 - The Caravan Club
 - The Camping Club of Great Britain and Ireland
 - The Boy Scouts Association
 - The Girl Guides Association
 - The Motor Caravanners Club

Under Part 1 of the CSCDA those sites that are subject to the Act are required to be licensed by the local authority in whose area they are located. Applications must be in writing to the local authority and they should detail the land the application concerns, the relevant planning permission and any other information required by the local authority. Licences will not be issued to applicants who have had a site licence revoked within three years of the current application. The Council will have regard to the suitability of the proposed licence holder to manage the site and the proposed site holder's ability to comply with licence conditions and to provide for the long term maintenance of the site.

3.1 Breach of Licence Conditions

The Mobile Homes Act 2013 introduces the power for local authorities to serve enforcement notices and to carry out works in default to remedy breaches of site licence conditions. The legislation also allows local authorities to charge a fee in relation to this.

Licensing appeals will be heard by the First Tier Tribunal (Property Chamber). Appeals may be made about the refusal to grant or transfer a licence, conditions attached to a new licence, variation or refusal to vary conditions in an existing licence, compliance notices- including the local authority expenses, emergency works, including the cost of the works and expense. The details on how to appeal will be contained within licences and enforcement notices.

3.2 Site Rules

Most park homes will also have their own site rules, which have been laid down by the site owner and apply to the residents. The site rules are **not** the responsibility of the council but form part of the agreement between residents and the site owner.

The Site Rule Regulations came into force on the 4 February 2014 and set out a 12 month period, within which site owners will need to replace existing site rules with new ones. These rules will need to be deposited with the Council. The Council will need to be satisfied that replacement or new rules deposited with them have been made in accordance with the statutory procedure. They will also be required to establish, keep up to date, and publish a register of site rules. A fee is built into the Councils Fee Policy for Mobile Homes for depositing these rules.

3.3 Complaints

The Council will investigate all complaints received concerning the site licence conditions. If the complaint is outside the remit of the licence conditions, the complainant will be advised accordingly and given guidance on where they may find appropriate support and assistance.

All complaints received regarding the site licence conditions will be taken seriously and investigated. If the Council finds a breach in a licence condition the site owner will be informed in writing of the breach and given a time-scale for a satisfactory resolution.

If, after the agreed timescale, the site owner has not taken the necessary action to resolve the issue, or has not contacted the Council to discuss any problems he might have the Council will serve a compliance notice

Enforcement action will be taken in accordance with the Council's Regulatory Enforcement Policy. Any enforcement taken by Lewes District Council will be proportionate to the risks posed and to the seriousness of any breach of the law.

3.4 Other Relevant legislation

Enforcing a breach in a site licence condition can be a very long process and will not always give the immediate or optimal results. The Council will also consider taking action under separate legislation, namely the Health and Safety Act 1974 and Public Health Act 1936.

3.4.1 Health and Safety at Work Act 1974

Section 3 of the above Act places a general duty on the site operators to conduct their undertaking in such a way as to ensure, so far as is reasonably practicable, that both residents and any visitors to the site are not exposed to risks to their health and safety.

The Health and Safety at Work Act gives the Council the following enforcement tools:

- Improvement Notices may be served when a relevant statutory provision is either being contravened or, having been contravened, is likely to be continued or repeated. The notice need not specify the actual measures to be taken to remedy the contravention but, if it does, it may allow a choice of remedies.
- Prohibition Notice may be used when there is a risk of serious personal injury and to which a relevant statutory provision applies.

In addition the Council can administer:

- Formal Cautions to deal quickly and simply with less serious offences, diverting them from unnecessary court action. Whilst a re-offence is not a 'breach' of the formal caution offence itself, the fact will both guide subsequent decisions regarding that individual person, organisation or company and will also be taken into account by a court in any later legal proceedings.

3.4.2 The Public Health Act 1936

Section 268 (1) of the Public Health Act 1936 applies the general nuisance provisions of Part III of the Environmental Protection Act 1990 to tents, vans, sheds and similar moveable structures used for human habitation. A mobile or park home that is used for human habitation can be said to be a Statutory Nuisance when:

- (i) it is in such a state , or so overcrowded , as to be prejudicial to health of the residents; or
- (ii) the use of which, by the reason of the absence of proper sanitary accommodation, or otherwise, gives rise, whether on the site or on other land, to a nuisance or conditions prejudicial to health.

Where the Council is satisfied that a statutory nuisance exists or a mobile home is prejudicial to health it is required to serve an Abatement Notice. The Notice will be served on the occupier of the land, i.e. the site owner. The Notice may require the execution of such works or steps necessary for those purposes and specify times within which the notice is to be complied with. The period allowed for compliance must be reasonable but may nevertheless be short.

The notice will indicate the times and rights of appeal and the occupier of the land has a defence in that he did not authorise the mobile home to be place there.

The Public Health Act also applies sections 83-85 of the Act concerning filthy or verminous premises to mobile homes.

3.4.3 The Equality Act 2010

Equality 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. There are also implications for site owners and further guidance can also be found on the Equality and Rights Commission website at www.equalityhumanrights.com

3.5 Guidance

The Council will have due regard to all relevant guidance:

- [Mobile Homes Act 2013: a best practice guide for local authorities on enforcement of new site licensing regime](#)
- [Mobile Homes Act 2013: advice to local authorities on the new regime for applications for the grant or transfer of a site licence](#)
- [Park Homes: Site Licensing - Definition of Relevant Protected Sites](#)
- [Model Standards 2008 for Caravan Sites in England](#)

APPENDIX A

Residential Mobile Home Site Licence Conditions

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 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.

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 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

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... "

APPENDIX B

Current Legal Definition of a Caravan

Section 29 (1) of the Caravan Sites and Control of Development Act 1960 defines a caravan 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 but does not include:

- a) any railway rolling stock which is for the time being on rails forming part of a railway system, or
- b) any tent.”

This definition has been modified by Section 13 (1) of the Caravan Sites Act 1968 which deals with twin-unit caravans. Section 13 (1) provides that:

“A structure designed or adapted for human habitation which:

- a) Is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices and;
- b) Is, when assembled, 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), shall not be treated as not being (or not having been) a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be moved on a highway when assembled.”

Section 13(2) of the 1968 Act (as amended by The Caravan Sites Act 1968 and Social Landlords (permissible Additional Purposes) (England) Order 2006) prescribes the following maximum dimensions for “twin unit caravans”:

- (a) length (exclusive of any drawbar); 20 metres
- (b) width: 6.8 metres
- (c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 3.05 metres.

These measurements do not include the draw-bar, or any easily removable extensions, but do include permanent porches or extensions.

NB: It should be noted that any permanent structures that make the mobile home unmovable may change the definition of the home which may have many legal implications including planning and housing. It is advisable to contact our planning department if any structure is to be added to a mobile home.