

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR ENVIRONMENT

REPORT OF ASSISTANT DIRECTOR OF ENVIRONMENTAL SERVICES

Report prepared by R E Wallis

Date Issued: 17 December 2009

1. ADOPTION OF MODEL CONDITIONS 2008 FOR RESIDENTIAL CARAVAN SITES

1.1 Issue for Decision

- 1.1.1 To consider the adoption of the Model Standards 2008 as a basis of the conditions to be attached to Permanent Residential Caravan Site Licences issued under the Caravan Sites and Control of Development Act 1960 as amended.

1.2 Recommendation of Assistant Director of Environmental Services

That Maidstone Borough Council adopt the "Model Standards 2008 for Caravan Sites in England" as the basis for setting conditions of Caravan Site Licences issued under Section 5 of the Caravan Sites and Control of Development Act 1960 as amended.

- 1.2.1 That Maidstone Borough Council adopts the Standards in Appendix 1 and Appendix 3 as the basis of the conditions to be imposed replacing the 1989 Model Standards in Appendix 2 and 4.

1.3 Reasons for Recommendation

1.3.1 Background

Any occupier of land as defined in the legislation who has prior planning permission and operates a caravan site must have a licence issued under Section 5 of the Caravan Sites and Control of Development Act 1960. The Council can issue conditions with the licence covering a range of specified parameters and in order to introduce an element of national consistency the Secretary of State from time to time specifies model standards that the local authorities and the Courts must have due regard to.

In April 2008 Communities and Local Government issued a new revised model standard for permanently residential caravan sites. These replaced the 1989 Model Standards that had previously been adopted by the Council.

- 1.3.2 Communities and Local Government have recommended that the new 2008 Standards be applied to all new sites and those that have been significantly redeveloped. The local authority must have regard to these new standards when setting or varying any of the conditions attached to a licence.

- 1.3.3 For existing sites the new standard can only be applied through a process of negotiation with the licence holder where the local authority can justify the reason for applying the new condition and demonstrate

the benefit it will achieve taking into account the interests of both the residents and the site owner.

1.3.4 The new 2008 standard brings into effect the changes brought about by the Regulatory Reform (Fire Safety) Order 2005 which requires those operating commercial caravan sites to undertake a suitable and sufficient fire risk assessment and make copies available to the residents and the Local Authority as well as displaying the current edition on site suitably protected. This legislation is enforced by the fire authority and it does not apply to single unit and single family sites.

1.3.5 As a result of the above, the inappropriateness of the full standard for single unit or single family sites and the flexibility to set local standards given in the legislation and guidance, officers have produced the following for adoption:-

Appendix 1 – Full Model Standards for Permanently Residential Caravan Sites (previous standard in Appendix 2)

Appendix 3 – Model Standard for Small Single Unit or Single Family Permanently Residential Caravan Sites (previous standard in Appendix 4). This standard has been agreed with the Fire Authority.

1.3.6 Apart from the changes to the fire requirements the other change in the standard is principally the layout and the use of more flexible wording that is designed to be more enabling than the prescriptive requirements in the 1989 standard. Some sections have been removed as they are generally out of date or outmoded. E.g. the use of trams and aeroplane fuselages. The sections on water supply and drainage etc have been updated to include references to European and British legislation. The refuse section has been updated to be more flexible in relation to how waste is dealt with e.g. recycling etc. The requirements in relation to lighting have been updated and a new section highlighting flooding and the need for the site owner to check the risk and put in place the necessary procedures has been added.

1.3.7 Overall the new standard is a positive progressive change to the requirements and will be able to be used flexibly by officers giving due regard to the particular circumstance of the site to be licensed.

1.4 Alternative Action and why not Recommended

1.4.1 The council could choose to stay with the previous standard but if challenged in court over the conditions on a new licence the Court would have due regard to the new standard and could criticise the local authority for failing to use the current model and would vary, amend or quash conditions on the licence.

1.4.2 A different standard could be adopted but the proposals provide flexibility for officers to ensure the right conditions are set having regard to the particular site's circumstances.

1.5 Impact on Corporate Objectives

1.5.1 The adoption of the new standard will provide a new flexible range of conditions which will assist businesses keen to develop or redevelop permanent residential sites to an improved standard. The standard will also ensure that stronger, safer and healthier communities fit for the 21st Century are built in the park homes sector.

1.6 Risk Management

1.6.1

| Risk | Implications | Level | Action/Steps |
|--|--|------------|---|
| Site owner may object to new conditions | Possible referral to court over issued licence | Low | Legislation has facilities for negotiation prior to implementation. LA must show benefit of change |
| Site Residents may object to new conditions | Increased complaints and reputation issues | Medium/Low | LA must demonstrate the benefit of change and consult residents. |
| Site owner does not undertake fire risk assessment | Increased fire risk | Low | LA can prosecute for breach of condition and Fire authority can prosecute as a statutory requirement. |
| Increased legal action over change | Increased cost to Council | Medium | Increased communication with owners. LA must justify benefits. Legal action only when justified |

1.7 Other Implications

1.7.1

| | |
|--|---|
| 1. Financial | |
| 2. Staffing | |
| 3. Legal | X |
| 4. Equality Impact Needs Assessment | X |
| 5. Environmental/Sustainable Development | X |
| 6. Community Safety | |
| 7. Human Rights Act | X |
| 8. Procurement | |

1.7.2 Legal

The adoption of the new standard could lead to the likelihood of some legal action being needed to improve standards but the legislation permits for no change without the opportunity to make representations and this should ensure agreed processes are achieved.

1.7.3 Equality Impact Needs Assessment and Human Rights.

By setting standards the Local authority ensures that a consistent approach to caravan site development that protects park home residents. By preparing a bespoke standard for single units and family units the local authority ensures that a common practical approach is achieved for all small sites that show no discrimination to different groups including gypsies and travellers.

1.7.4 Environmental/Sustainable Development

The model standards set requirements for electricity, gas, water and waste management which are all designed to minimise impact on the environment whilst setting clear standards for human habitation.

1.8 Consultations

As part of the process the Model Standards were consulted upon with Parish councils and two responded. Copies of the responses are attached as Appendix 5. The responses have been considered by Officers with the following comments.

1.8.1 The issues raised are primarily planning matters and as planning permission is a precursor to the granting of a licence the majority of the issues raised can now be considered through planning law and its enforcement. In particular Conditions 22 to 26 in the old standard were removed on that basis to avoid duplication. The old condition 27 has been replaced by the more flexible and effective condition 12 in the new standard geared towards maintaining the conditions set. The old conditions relevance has been reduced by the use of planning powers prior to the licence process.

1.8.2 These proposals are for Model Conditions and the Council does have the flexibility to use any condition that it thinks necessary for a particular set of circumstances provide that it is enforceable and not over burdensome given the appeals process and case law.

1.9 Conclusions

1.9.1 The Standards Adoption

"The Model Standards 2008 for Caravan Sites in England" provide a logical and timely update to the conditions to be adopted for new and redeveloped residential park home sites. Where appropriate these standards can be used when renewing licences on existing sites. The new model standard for small sites is a logical derivative of the standard for these smaller environments. It is recommended that these standards be adopted for all new licences.

1.8.2 The Future

In mid 2009 the CLG issued a consultation document on the future of Caravan Site Licensing in England. Some of the key proposals were

- Licences should only be held by fit and proper persons

- Licences should be subject to an annual review which will be charged for as will the issue of licence.
- Local authorities will have the power to take over the running of unsatisfactory sites.
- Single family sites may be removed from the requirement to licence
- Local authorities will be able to default works and recharge owners.
- If change is implemented then all site licences will be suspended and interim licences will be issued until the standards to be set are achieved.

Clearly the Government is looking at a significant reform in the area of Caravan site licensing and when the scale and extent of the change is announced through legislative change a further report on the implications will be submitted to the cabinet member.

However, the exact date for any change remains unknown and therefore, it is considered that the proposed changes be introduced.

1.10 Background Documents

1.10.1 The Model Standards 2008 for Caravan Sites in England

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes ☒ No ☐

If yes, when did it appear in the Forward Plan? June 2009 _____

Is this an Urgent Key Decision? Yes ☐ No ☒

Reason for Urgency

[State why the decision is urgent and cannot wait until the next issue of the forward plan.]

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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Appendix 1

New Conditions 2008(Draft)

THE MAIDSTONE BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

Standard Conditions Adopted 2009, to be Applied to Permanent Residential Mobile Home/Caravan Sites Subject to Due Regard Being Given to the Particular Circumstances of Each Site

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.

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- (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.

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(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.

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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.

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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).

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- (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.

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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.

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- (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 2

Old Conditions 1989

THE MAIDSTONE BOROUGH COUNCIL

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

Standard Conditions Adopted 1989, to be Applied to Permanent Residential Mobile Home/Caravan Sites Subject to Due Regard Being Given to the Particular Circumstances of Each Site

Site Boundaries

1. The boundaries of the site shall be clearly marked, for example by fences or hedges. In addition, the site owner shall give the Council a plan of its layout within 28 days of the issue of the licence. A 3 metre wide area shall be kept clear within the inside of all site boundaries.

Density and Space between caravans

2. Not more than 1 mobile home and 1 touring caravan shall be stationed on the site at any one time.
3. Subject to the following variations, every caravan shall be not less than 6 metres from any other caravan which is occupied 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.

Except that:

- Porches may protrude 1 metre into the 6 metres and shall be of the open type.
- Where awnings are used, the distance between any part of the awning and an adjoining caravan shall not be less than 3 metres. They shall not be of the type which incorporates sleeping accommodation and they shall not face each other or touch.
- Eaves, drainpipes and bay windows may extend into the 6 metres space provided the total distance between the extremities of 2 adjacent units is not less than 5.25 metres.
- Where there are ramps for the disabled, verandahs and stairs extending from the unit, there shall be 4.5 metres clear space between them and two such items shall 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, shall not intrude into the 6 metres space.

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- A garage, a shed or a covered storage space shall 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 shall in no circumstances be allowed within the 6 metres space.

Roads, Gateways and Footpaths

4. Roads and footpaths shall be designed to provide adequate access for fire appliances. Roads of suitable material shall be provided so that no caravan standing is more than 50 metres from a road. Each standing shall be connected to a carriageway by a footpath with a hard surface. Roads shall not be less than 3.7 metres wide, or, if they form part of a clearly-marked one way traffic system, 3 metres wide. Gateways shall be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres. Footpaths shall not be less than 0.75 metres wide. Road shall have no overhead cable less than 4.5 metres above the ground. Roads and footpaths shall be suitably lit. Emergency vehicle routes within the site shall be kept clear of obstruction at all times.
5. Access roads to and from the site in private ownership not forming part of the public highway shall be maintained to the above standard.

Hard Standings

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

Fire Fighting Appliances

Fire Points

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

Fire Fighting Equipment

8. 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 shall be situated at each fire point. There shall also be a reel that complies with British

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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 thread connection) with a water supply of sufficient pressure and terminating in a small hand control nozzle. Hoses shall be housed in a box painted red and marked "HOSE REEL".

9. Where standpipes are not provided but there is a water supply of sufficient pressure and flow, fire hydrants shall be installed within 100 metres of every caravan standing. Hydrants shall conform to British Standard 750. Access to hydrants and other water supplies shall not be obstructed or obscured.
10. Where standpipes are not provided or the water pressure or flow is not sufficient, each fire point shall be provided with either water extinguishers (2 x 9 litre) or a water tank of at least 500 litres capacity fitted with a hinged cover, 2 buckets and 1 hand pump or bucket pump.

Fire Warning

11. A means of raising the alarm in the event of a fire shall be provided at each fire point. This could be by means of a manually operated sounder, e.g. metal triangle with a striker, gong or hand operated siren, or other approved system.

Maintenance

12. All alarm and fire fighting equipment shall 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 log book shall be kept to record all tests and any remedial action.
13. All equipment susceptible to damage by frost shall be suitably protected.

Fire Notices

14. 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 and the location of the nearest telephone. This notice shall 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 sited).

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- iv. Attach the fire using the fire fighting equipment provided, if safe to do so.

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

Fire Hazards

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

Telephones

16. An immediately accessible telephone shall be available on the site for calling the emergency services. A notice by the telephone shall include the address of the site.

Other

17. In addition to the above the Fire Prevention Officer of the Kent Fire Brigade shall be consulted and any recommendations shall be subsequently made a condition of this licence.

Storage of Liquefied Petroleum Gas (LPG)

18. LPG storage supplied from tanks shall comply with Guidance Booklet HSG 34 “The Storage of LPG at Fixed Installations” or, where LPG is supplied from cylinders, with Guidance Note CS4 “The Keeping of LPG in Cylinders and Similar Containers” as appropriate.

Where there are metered supplied from a common LPG storage tank, then Guidance Note CS11 “The Storage of Use of LPG at Metered Estates” provides further guidance. In this case and where a British Gas mains supply is available, then the Gas Safety (Installation and Use) Regulations 1984 and the Pipe-lines Act 1962 may also be applicable.

Exposed gas bottles or cylinders shall not be within the separation boundary of an adjoining unit.

LPG installations shall conform to British Standard 5482, “Code of Practice for domestic butane and propane gas burning installations, Part 2: 1977 Installations in Caravans and non-permanent dwellings”.

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For mains gas supply, the 1984 Regulations will be relevant for the installation downstream of any service pipe(s) supplying any primary meter(s) and such service pipes are subject to the Gas Safety Regulations 1972.

In cases where the site owner supplies gas to caravans on the site, he may need an authorisation to do so from OFGAS under the Gas Act 1986.

Electrical Installations

19. The Site shall be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated thereon.
20. Any electrical installations, which are not Electricity Board 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 Energy Act 1983 and section 64 of the Electricity Act 1947, shall be installed, tested and maintained in accordance with the provisions of the Institution of Electrical Engineers' (IEE) Regulations 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 Supply Regulations 1988, Statutory Instrument 1988 No 1057.
21. Work on electrical installations and appliances shall be carried out only by competent persons such as the manufacturer's appointed agent, the electricity supplier, a professionally qualified electrical engineer, a member of the Electrical Contractors' Association, a contractor approved by the National Inspection Council for Electrical Installation Contracting, or a qualified person acting on behalf of one of the above. The installations shall be inspected periodically: under IEE wiring regulations, every year or such longer period (not exceeding 3 years) as is considered appropriate in each case. When an installation is inspected, it shall be judged against the current regulations.

The inspector shall within 1 month of such an inspection, issue an inspection certificate in the form prescribed in the IEE Wiring Regulations which shall be retained by the site operator and displayed, supplemented or replaced by subsequent certificates, with the site licence. The cost of the inspection and report shall be met by the site operator or licence holder.

22. If an inspection reveals that an installation no longer complies with the regulations extant at the time it was first installed, any deficiencies shall be rectified. Any major alterations and extensions to an

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installation and all parts of the existing installation affected by them shall comply with the latest version of the IEE Wiring Regulations.

23. Where there are overhead electric lines on the site, suitable warning notices shall be displayed at the entrance to the site and on supports for the line. Where appropriate, particular attention should be drawn to the danger of masts of yachts or dinghies contacting the line (if applicable).

Water Supply

24. The site shall be provided with a water supply in accordance with appropriate Water Company Byelaws and statutory quality standards.

Drainage, Sanitation and Washing Facilities

25. Satisfactory provision shall be made for foul 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 Council.
26. Every caravan shall have its own water supply and water closet. Each caravan standing shall be provided with a connection to the foul drainage system; the connection shall be capable of being made air-tight when not in use.
27. Satisfactory provision shall be made for the disposal of rain and surface water from the site, buildings, caravans, roads and footpaths.

Refuse Disposal

28. Every caravan standing shall have an adequate number of suitable non-combustible refuse bins with close-fitting lids or plastic bags. Arrangements shall be made for the bins to be emptied regularly. Where communal refuse bins are also provided these shall be of similar construction and housed within a properly constructed bin store.

Parking

29. Sufficient car parking spaces, surfaced with suitable road making material shall be provided to meet the needs of the site occupants and visitors.

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No motor vehicles shall be parked on the site other than on such car parking places. Plastic and wooden boats shall not be parked between units.

Recreation Space

30. Where children live on the site, space equivalent to about one-tenth of the total area shall be allocated for children's games and/or other recreational purposes.

Sleeping Accommodation

31. Caravans shall not be used as sleeping accommodation at any time by more persons than the number they can reasonably be regarded as having been designed to accommodate for this purpose.

Storage Space

32. Every caravan standing shall be provided with at least 3 square metres of covered storage space in a separate lockable structure.

General

33. Railway vehicles, tramcars, omnibus or van bodies, aeroplane fuselages or similar structures, whether on wheels or not and however adapted shall not be stationed or erected on the site for any purpose.
34. Tents and sheds intended for human habitation shall not be stationed or erected on the site.
35. All equipment, structures and facilities which have been provided in compliance with these site licence conditions shall be maintained at all times in a good state of repair and in satisfactory working order.
36. No heavy goods or commercial vehicles, other than delivery and service vehicles, shall be brought on to the site.
37. The site shall be maintained in a clean, tidy and sanitary condition.

Notices (In addition to those referred to above)

38. A suitable sign shall be prominently displayed at the site entrance indicating the name of the site.
39. A copy of the site licence with its conditions shall be displayed prominently on the site, if four or more caravans are permitted.

Appendix 2

40. Notices and a plan shall be displayed on the site setting out the action to be taken in the event of an emergency. They shall show where the police, fire brigade, ambulance, and local doctors can be contacted, and the location of the nearest public telephone. The notices shall 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 shall be displayed giving advice about the operation of the flood warning system.
41. All notices shall 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.

Carrying out of Works

42. Where the site already has caravans stationed upon it, the works necessary to comply with these licence conditions shall be completed within *56 DAYS* from the date of issue of this licence.

Appendix 3



New Conditions 2008(Draft)

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

(Residential conditions for small single family sites)

Schedule of Conditions to be applied to Caravan Site Licence No.

XXXXXXXXX

[Site Address]

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) Not more than **XX mobile homes and XX touring caravan(s)** shall be stationed on the site at any one time.
- (ii) Except in the case mentioned in sub paragraph (iv) and subject to sub paragraph (v), 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.
- (iii) 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.
- (iv) Where a caravan has been retrospectively 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

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minimum of 5.25 metres.

(v) In any case mentioned in subparagraph (ii) or (iv):

- (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 (iv) 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.

(vi) 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

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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.

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. This condition will be complied with, within a period of not more than XX days from the date of issue of licence.

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

- (i) The site shall be maintained in a clean, tidy and sanitary condition.

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- (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.

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- (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 Maidstone Borough Council, Environment Agency and appropriate Water Company.
- (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) Each Caravan shall have an adequate number of suitable non combustible refuse bins with close fitting lids or plastic bags
- (ii) Where communal refuse bins are provided these shall be non-combustible and housed within a properly constructed bin store.
- (iii) 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.

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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.

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)

Fire Safety

- (i) The following requirements on fire safety must be implemented within XX days from the occupation of the site:
 - a. Each mobile home/caravan shall have single point smoke detectors fitted inside them
 - b. Each mobile home/caravan shall have a small AFFF fire extinguisher and fire blanket available for use and positioned next to the final exit door from the mobile home/caravan.
 - c. A fire evacuation plan for the mobile homes and the site shall be established and practiced.
 - d. A method of raising the alarm with the local Fire Authority should be established and all persons on the site should be informed as to the method established. This may include the use of Mobile Telephones/land line telephones to make contact with the Fire Authority using the emergency 999 telephone number.

Fire Hazards

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

Carrying out of Works

- 19. Where the site already has caravans stationed upon it, the works necessary to comply with these licence conditions shall be completed within XXXXX from the date of issue of this licence.

Appendix 4

Old Conditions 1989

CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960

(Residential conditions for small single family sites)

Schedule of Conditions to be applied to Caravan Site Licence No. XXXXXXXX
[Site Address]

Site Boundaries

2. The boundaries of the site shall be clearly marked, for example by fences or hedges. In addition, the site owner shall provide the Maidstone Borough Council with a plan of the site layout within 28 days from the date of issue of the Licence. A 3 metre wide area shall be kept clear within the inside of all boundaries.

Density and Space between caravans

3. Not more than **XX mobile homes and XX touring caravan(s)** shall be stationed on the site at any one time.
4. Subject to the following variations, every caravan shall be not less than 6 metres from any other caravan which is occupied 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.

Except that:

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

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

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

Where there are ramps for the disabled, verandahs and stairs extending from the unit, there shall be 4.5 metres clear space between them and two such items shall 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, shall not intrude into the 6 metres space.

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A garage, a shed or a covered storage space shall 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 shall in no circumstances be allowed within the 6 metres space.

Roads, Gateways and Footpaths

5. Roads and footpaths shall be designed to provide adequate access for fire appliances. Roads of suitable material and construction to support vehicular movement shall be provided within the site boundaries. Each standing shall be connected to a road by a footpath with a hard surface. Roads shall not be less than 3.0 metres wide. Gateways shall be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres. Footpaths shall not be less than 0.75 metres wide. Road shall have no overhead cable less than 4.5 metres above the ground. Roads and footpaths shall be suitably lit. Emergency vehicle routes within the site shall be kept clear of obstruction at all times.
6. Access roads to and from the site in private ownership not forming part of the public highway shall be maintained to the above standard.

Hard Standings

7. Every caravan shall stand on a concrete hard-standing which shall extend over the whole area occupied by the caravan placed upon it, and shall project a sufficient distance outwards from its entrance or entrances to enable occupants to enter and leave safely. This condition shall be complied with, within a period of not more than 42 days from the date of issue of this licence.

Fire Safety

8. The following requirements on fire safety must be implemented within XX days from the occupation of the site:
 - a. Each mobile home/caravan shall have single point smoke detectors fitted inside them
 - b. Each mobile home/caravan shall have a small AFFF fire extinguisher and fire blanket available for use and positioned next to the final exit door from the mobile home/caravan.
 - c. A fire evacuation plan for the mobile homes and the site shall be established and practiced.
 - d. A method of raising the alarm with the local Fire Authority should be established and all persons on the site should be informed as to the method established. This may include the use

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of Mobile Telephones/land line telephones to make contact with the Fire Authority using the emergency 999 telephone number.

Fire Hazards

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

Storage of Liquefied Petroleum Gas (LPG)

10. LPG gas use on the site shall be carried out in accordance with current appropriate and applicable legislation, regulations and guidance, including but not exclusive to the following:

LPG gas supplied from tanks shall comply with the Health & safety Executives (HSE) Guidance Booklet HSG 34 "The Storage of LPG at Fixed Installations" or, where LPG is supplied from cylinders, with the HSE Guidance Note CS4 "The Keeping of LPG in Cylinders and Similar Containers" as appropriate.

Where there are metered supplied from a common LPG storage tank, then the HSE's Guidance Note CS11 "The Storage of Use of LPG at Metered Estates" provides further guidance. In this case and where a British Gas mains supply is available, the Gas Safety (Installation and Use) Regulations 1984 and the Pipe-lines Act 1962 may also be applicable.

Exposed gas bottles or cylinders shall not be within the separation boundary of an adjoining unit.

LPG installations shall confirm to British Standard 5482, "Code of Practice for domestic butane and propane gas burning installations, Part 2: 1977 Installations in Caravans and non-permanent dwellings".

For mains gas supply, the 1984 Regulations will be relevant for the installation downstream of any service pipe(s) supplying any primary meter(s) and such service pipes are subject to the Gas Safety Regulations 1972.

Electrical Installations

11. The Site shall be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated thereon.

Appendix 4

12. All electrical installations on the site shall conform to current appropriate and applicable legislation, regulations and guidance, including, but not exclusive to the following:

Any electrical installations, which are not Electricity Board 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 Energy Act 1983 and section 64 of the Electricity Act 1947, shall be installed, tested and maintained in accordance with the provisions of the Institution of Electrical Engineers' (IEE) Regulations 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 Supply Regulations 1988, Statutory Instrument 1988 No 1057.

Water Supply

13. The site shall be provided with a water supply in accordance with appropriate Water Company Byelaws and statutory drinking water quality standards.

Drainage, Sanitation and Washing Facilities

14. Satisfactory provision shall be made for foul drainage from any source within the curtilage of the premises, either by connection to a public sewer or sewage treatment works approved by the Maidstone Borough Council, Environment Agency and appropriate Water Company.
15. Every caravan shall have its own water supply and water closet. Each caravan standing shall be provided with a connection to the foul drainage system; the connection shall be capable of being made air-tight when not in use.
16. Satisfactory provision shall be made for the disposal of rain and surface water from the site, buildings, caravans, roads and footpaths by the use of soakaways constructed to the requirements of the Maidstone Borough Council, Environment Agency and appropriate Water Company.

Refuse Disposal

17. Each caravan standing shall have an adequate number of suitable non-combustible refuse bins with close-fitting lids or plastic bags. Arrangements shall be made for the bins to be emptied regularly. Where communal refuse bins are also provided these shall be of similar construction and housed within a properly constructed bin store.

Appendix 4

18. Arrangements shall be made with the local waste collection authority (Maidstone Borough Council) for the collection of domestic and other recyclable waste produced by households occupying the premises.

Parking

19. Sufficient car parking spaces, surfaced with suitable road making material shall be provided to meet the needs of the site occupants and occasional visitors.

Sleeping Accommodation

20. Caravans shall not be used as sleeping accommodation at any time by more persons than the number they can reasonably be regarded as having been designed to accommodate for this purpose.

Storage Space

21. Every caravan standing shall be provided with covered weatherproof storage space of between 3 and 5 cubic metres capacity per caravan standing. The provision to meet this condition may be provided in one single separate lockable structure within the curtilage of the premises.

General

22. Railway vehicles, tramcars, omnibus or van bodies, aeroplane fuselages or similar structures, whether on wheels or not and however adapted shall not be stationed or erected on the site for any purpose.
23. Tents and sheds intended for human habitation shall not be stationed or erected on the site.
24. All equipment, structures and facilities which have been provided in compliance with these site licence conditions shall be maintained at all times in a good state of repair and in satisfactory working order.
25. Other than heavy goods vehicles or commercial vehicles visiting the site for the purposes of making deliveries to it, no heavy goods vehicles or commercial vehicles shall be brought to or kept on the site.
26. The site shall be maintained in a clean, tidy and sanitary condition.

Carrying out of Works

Appendix 4

27. No Caravan shall be brought onto the site for the purposes of human habitation until the foregoing conditions have been complied with.