

Report to	-	Licensing and General Purposes Committee
Date	-	10 April 2017
Report of the	-	Executive Director of Business Operations
Subject	-	Touring Caravan Site Conditions

Recommendation: It be **RESOLVED:** That revised conditions for touring caravan sites be adopted and that these conditions be imposed on new licences with immediate effect and on existing licences when these are transferred or re-issued.

Service Manager: Richard Parker-Harding

Background

1. Under the Caravan Sites and Control of Development Act 1960, Rother District Council license over 100 caravan sites in the district, which range in size from one caravan to almost a thousand caravans. These sites are either registered as holiday sites with static caravans; touring sites with non-static caravans or permanent residential sites. The conditions adopted by the Council seek to protect public health and safety.
2. This report seeks to amend the conditions for touring caravan sites. Members approved amended conditions for static and permanent residential sites in October 2016 (minute LG16/14). The decision on approving amended conditions for touring sites was deferred until the judgement of a Property Tribunal against our existing conditions for touring sites was known. A site owner had appealed against conditions relating to the 21 day occupancy period and the keeping of a register (conditions L and N in Appendix A). The Tribunal found in the Council's favour, refusing the appeal.

Revised Standard Conditions

3. The revised standard conditions (Appendix A) are based on model conditions published by the Government. The conditions seek to control public health and safety.
4. The revised conditions include new requirements to treat surface water to prevent the discharging of the public sewer into local resident's homes and also deal with issues relating to local flooding. There are also requirements to have an emergency plan and maintain a register and provide proof that occupiers (not necessarily the owners) of caravans have a permanent home elsewhere.
5. In July 2016, Members resolved to consult East Sussex Fire and Rescue Service (ESFRS) and licence holders about amending the existing conditions (Minute LG16/08). One response was received and their comments are set out in Appendix B. ESFRS supported the proposed conditions.

6. In setting conditions we must be mindful that:

- Conditions must be necessary and desirable in the interests of persons dwelling on the land in caravans; any other class of person or the public at large.
- They must not be ambiguous or uncertain so as to be unenforceable.
- Specific conditions are able to be applied for ensuring amenities are preserved; for securing and maintaining adequate sanitary and other facilities, services and equipment.
- They must not be unduly burdensome – the onus for establishing this however rests with the appellant. The test is to decide if the burden outweighs the benefit to the public.

Conclusion

7. Revised conditions are required to control standards on touring caravan sites, to take into account recent technical changes.

Dr Anthony Leonard
Executive Director of Business Operations

Risk Assessment Statement

Failure to have adequate site licence conditions may not properly protect those visiting the parks and the wider community and furthermore may lead to planning conditions being breached.

Existing Conditions: www.rother.gov.uk/article/5973/Caravan-and-Touring

Holiday Site Licence Conditions for Touring Sites (Caravans & Tents)
“Based on Model Standards for Touring Caravan Sites 1983-Circular 23/83”

All touring caravans and tents on site for human habitation are to be used for holiday use only within the period stated on the licence. No touring caravan shall remain on the site for more than 21 consecutive days and should not return within 7 days. Caravans may only remain on site during the closed season, if planning permission has been given for the storage of caravans.

A: Site Boundaries

- i. The boundaries of the site shall be clearly marked by a man made or natural feature and the site owner shall give the Site Licensing Authority an up to date layout of the site on application for a licence, when there is a material change to the layout or if requested by the Site Licensing Authority. The plan must show all relevant structures, features and facilities on the site.
- ii. Caravans/Tents shall be stationed only within that part of the land coloured pink on the plan attached hereto.

B: Density

- i. Site density should not exceed 75 units per hectare (30 units per acre). This is calculated on the basis of useable area rather than the total site area (i.e. excluding crags, lakes, roads, communal services etc.)
- ii. Where the number of units on the site is to be limited by condition, up to 10 more units may be present during bank holiday weekends without the provision of additional facilities, provided that:
 - a. The provisions of paragraph i above are complied with.
 - b. The standards relating to spacing as set out below are complied with.

C: Spacing

- i. Every unit should not be less than 6 metres from any other unit in separate family occupation and not less than 3 metres should be permitted between any units in any circumstances.
- ii. Vehicles, decking or verandas and other ancillary equipment should be permitted between the 6 metres space between units in separate family occupation, but in order to restrict the spread of fire, there should always be 3 metres clear space within the 6 metre separation.

D: Site Access, roads, screening, trees, bushes etc.

- i. Gateways, roads and carriageways of adequate construction shall be designed to afford adequate access to all vehicles and emergency vehicles at all times, particularly in bad weather conditions.
 - Roads shall be not less than 3.7 metres wide
 - Vehicle gateways shall be a minimum of 3.1 metres wide and 3.7 metres clearance

No overhead cable shall be 4.5 metres above roads

Roads shall be suitably lit at night, taking into account the needs and characteristics of a particular site

- ii. Where gateways, roads, carriageways, footpaths etc. are provided they should have adequate surface water drainage and they shall be maintained in good condition, repair and free and clear of rubbish.
- iii. Emergency vehicle routes within the site should be kept clear of obstructions at all times.
- iv. Any screening by the way of bushes or trees which are required by the Site Licensing Authority shall be maintained to a proper standard.
- v. Site grass shall be kept cut and removed at frequent and regular intervals.

E: Drinking Water Supply and Waste Disposal

- i. The site shall have an adequate supply of wholesome drinking water. Water points should be provided within 90 metres or short walking distance to all pitches. At each water point there should be a soak-away or gulley.
- ii. Waste water disposal points should be provided and maintained so that each pitch is no further than 90 metres from a waste water disposal point. Southern Water Ltd should be consulted about the arrangements for disposal of water likely to be contaminated.
- iii. All water supplies, repairs and improvements/alterations shall comply with current legislation, regulations and relevant British or European Standards. 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 legislation and British or European Standards.

F: Sanitation, Drainage and Washing Facilities

- i. For sites with up to 120 pitches there shall be 2 WCs for women and 1 WC and 1 urinal for men, per 30 pitches or part thereof. Their location should be to the satisfaction of the Council.
- ii. There should be 2 wash hand basins for women and 2 for men per 30 pitches or part thereof sited adjacent to the toilets. They should be provided with a constant supply of running hot and cold water
- iii. Sites which have less than 10 pitches shall be provided with one WC. Sites with between 10 and 30 pitches at least 1 WC and 1 Urinal for men and 2 WCs for women should be provided.
- iv. Where the provision of WCs is not feasible or justified, entry to the site should be limited to units with their own toilets or chemical closets should be provided.
- v. Showers are not required on sites with less than 70 pitches. If showers are required, provision should be on the basis of 1 shower per 25 pitches with hot and cold water at a suitable controlled temperature.

- vi. Whether or not WCs are provided, a properly designed disposal point for contents of chemical closets should be provided together with an adequate supply of water for cleansing containers. The method of disposal will need to be considered in the light of the particular circumstances and should be to the satisfaction of the Council and Southern Water Ltd. Water supply at disposal points should be clearly labelled as “non-drinking”.
- vii. Unless laundry machinery is provided, facilities for washing clothes should be provided on the basis of 4 basins per 30 units. They should be conveniently located and have an adequate supply of water and approved means of drainage complying with current guidance and regulations made by the local authority and Environment Agency.
- viii. All sanitary fittings should be made to discharge to the drainage system in a manner approved by the Council.
- ix. WC/Shower facilities are to be constructed in such a manner of such materials that they are easily cleansed. All facilities should be maintained in a clean and sanitary condition.
- x. Particular consideration should be given to the needs of the disabled in the provision made for water points, toilets, washing points and showers.
- xi. Satisfactory provision shall be made for foul drainage either by connection to a public sewer, sewage treatment works or by discharge to a properly constructed septic tank or cesspool approved by the Council. Foul drainage systems should be maintained in good order and comply with current guidance and regulations.
- xii. The site should have provision for the adequate disposal of surface and ground water, to prevent discharge of surface and groundwater to the public sewer and the pooling of water above ground during normal rainfall conditions.

G: Refuse Disposal

- i. Adequate provision should be made for the storage, collection and disposal of waste.

H: Gas and Electricity

- i. Arrangements for the storage and use of liquid petroleum gas (LPG) should be in accordance with the current national code of practice and regulation.
- ii. The electrical installation 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 LPG or 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. At sites with overhead electric lines, warning notices should be displayed on the supports for the lines and at site entrance(s). Where appropriate, these should warn against the danger of contact between the lines and the fishing lines, the masts of dinghies etc.
- v. Any relevant certificates shall be provided to the Licensing Authority at their request.

I: Compliance with the Regulatory Reform (Fire Safety) Order 2005

The site operator should seek the advice of ESFRS on compliance with the Order.

- i. A suitable and sufficient Fire Risk Assessment of the site must be made and reviewed annually. Significant findings identified must be acted upon.
- ii. Provide a site specific Emergency Evacuation Plan.
- iii. Make available the latest version of the fire risk assessment for inspection by relevant authorities.

The following provides a benchmark of the sort of preventative and protective measure that may be necessary following completion of a fire risk assessment.

- Provision of suitably located, conspicuously marked fire points with adequate firefighting provisions (as a guide each unit to be located within 90 metres of a fire point)
- Each fire point to exhibit a conspicuous notice indicating the action to be taken in case of fire and the location of the nearest telephone.
- Any firefighting equipment provided on site should be installed, tested and maintained in working order by a competent person. Records must be kept for inspection by the Site Licensing Authority.
- Regular site audits are to be made to ensure spacing distances are to be maintained. Records to be kept to demonstrate results of audits.
- Emergency vehicles should be able to secure access to the site at all times (within 90 metres of any unit).

J: Notices

- i. A sign indicating the name of the site should be displayed at the entrance(s) to the site.
- ii. Notices should be displayed prominently on site, indicating the action to be taken in the event of an emergency and show where the police, fire service, ambulance and local doctors can be contacted, and the location of the nearest public telephone. Where practicable a telephone should be provided on the site and the full address of the site should be displayed near the telephone. Out of hours, emergency contact details of site operator/manager should also be displayed.
- iii. At sites subject to flood risk, warning notices should be displayed giving advice about the operation of the flood warning system.

- iv. Notice should be displayed on site detailing the evacuation plans/points in the event of extreme weather conditions.
- v. A copy of the site licence with its conditions should be displayed prominently on the site or the front page of the licences and details of where the full licence conditions can be viewed. The notice must be protected from the weather.

K: General

Services, amenities, other buildings and structures on the site, play or other equipment, telephones if provided, and the site itself shall be maintained in good repair, in good order, in a clean, safe, sanitary, condition and free from accumulations at all times.

The Licensee shall take all reasonable steps to prevent disorderly conduct on the site and to prevent noise or other nuisance likely to disturb residential neighbours.

L: Register

Maintain a suitable register of all persons (not including the children of guardians and parents) occupying the site, overnight including:

- When they arrived and departed
- Their permanent home address
- Their vehicle registrations (if applicable)

Adults occupying the site between October and March shall be required to provide two proofs of their permanent home address, which is to be recorded by the site operator. The records are to be open for inspection by an authorised officer at all reasonable times.

Proof of permanent home address shall include:

- A current Council Tax bill
- A driving licence
- NHS CARD
- Utility Bill
- Home Insurance Documents

M: Have a written emergency plan to deal with fires, floods and gales. All Caravans are to be securely anchored to the ground during high winds.

N: Touring caravans must not remain on the site for more than 21 days and must not return within 7 days.

O: Site Specific Conditions

[Local conditions relating to the individual site to be inserted here]

Consultation comments from Park Farm campsite.

The use of the caravan site for holiday use only, up to 21 days consecutive days with no return within 7 days:

Agree but we do have permission for a mobile home to accommodate on-site warden throughout the season.

Density: our current density is 12 units per acre.

Spacing: Current spacing regulations are adequate and should not be changed [more than 6 metres]

Register: All campers fill in a registration card on arrival including arrival and departure dates and vehicle registrations and e-mail address. However, some visitors are not prepared to divulge their home address for security reasons. No adults occupying site between 1 November and 1 March, so not applicable.

Other conditions: Agreed.