

The Highland Council

Transport, Environmental and Community Services Committee
6 February 2014

Agenda Item	12
Report No	TEC 10/14

Review of Caravan Site Licensing Conditions

Report by Environmental Health Manager

Summary

This report invites Members to agree to review and update Holiday and Touring Caravan site licence conditions in accordance with current legislation and best practice.

1. Background

- 1.1 The Council can attach conditions to a Caravan Site Licence as it thinks are necessary or desirable. In attaching any conditions to a licence the Council must have regard to any model standards specified by the Secretary of State for Scotland concerning layout, provision of facilities, services and equipment. Revised Model Standards were issued by the Secretary of State on 31 May 1990 in respect of 3 types of site: Residential, Holiday and Touring.
- 1.2 There are 106 caravan sites currently licensed in Highland Council. The number of sites and types of licences on these sites are as follows:
- 52 Touring
 - 26 Touring and Holiday
 - 3 Touring, Holiday and Residential
 - 2 Touring and Residential
 - 16 Holiday
 - 7 Residential
- 1.3 The Council have approved 2 previous committee reports on Caravan Site Licensing:
1. A general report in August 1997 that agreed a policy that:
 - a) any new sites conform in full to the model standards and any other such conditions which the Council consider appropriate (having regard to planning, police, fire etc.);
 - b) existing site licence conditions are updated to reflect that model standards with discretion being given to delegated officers to take into account of the practicalities of existing sites being upgraded without undue expense.

Caravan Sites throughout Highland Council were reviewed and conditions

applied following the issuing of the revised model standards in 1990.

2. A report in August 2012 (TEC/40/12) that agreed a response to a Scottish Government consultation on proposals to improve the licensing of all types of caravan sites in Scotland.
- 1.4 It was anticipated that any new licensing scheme would involve issuing of updated model standards. However, it has recently been confirmed by the Scottish Government that there are no plans at present to update the Model Standards for holiday caravan sites or touring caravan parks. The planned changes linked to the Housing Bill now only include updating the Model Standards for permanent year-round residential mobile home sites.
- 1.5 As the Scottish Government has no plans to update Caravan Holiday and Touring site licence conditions Environmental Health are proposing a review of these licence conditions to ensure they are appropriate and reflect current legal standards. Conditions for residential mobile home sites will be updated when the new standards are issued by the Scottish Government.

2. Proposed review of Licence Conditions for Holiday and Touring sites

- 2.1 The Model Standards are now over 23 years old and subsequent changes in legislation and best practice have made some conditions obsolete. For example, conditions relating to fire provisions should now be removed as this now falls directly to legislation enforced by the Scottish Fire & Rescue Service and the conditions relating to gas safety are out of date.
- 2.2 It is proposed that officers will review and update the standard Holiday and Touring Caravan site licence conditions. **Appendix 1** provides a summary of the proposed changes to licence conditions for Holiday and Touring site licences. **Appendix 2** provides an example of the new Touring Caravan site licence conditions.
- 2.3 Once updated, it is proposed that the new standard Holiday and Touring Caravan site licence conditions will be applied to any new applications and to any new extensions to existing sites.
- 2.4 For existing sites, it is proposed that officers will consult individual proprietors on implementing the new conditions. The changes to conditions are unlikely to involve any significant works to existing sites. Following the consultation, officers will carry out visits to site where this has been requested or is felt necessary to discuss and implement the changes having regard to site specific circumstances.
- 2.5 In line with the 1997 committee decision, it is proposed to grant delegated powers to the Environmental Health Manager to adapt the model standards and to vary conditions to address site specific circumstances for both new and existing sites. This is in accordance with Government guidance which states that standards should not be applied regardless of economic or other implications for site operators. They should be applied with due regard to the particular

circumstances of each site, including its physical character, any services or facilities that may already be within convenient reach and other local conditions.

3. Implications

3.1 There are no resource, risk, legal, equality or climate change/Carbon Clever implications arising as a direct result of this report.

4. Recommendations

4.1 Members are invited to:

- a. Agree to review and update Holiday and Touring Caravan site licence conditions in accordance with current legislation and best practice.
- b. Agree to adopt the Holiday and Touring Caravan site licence conditions for new and for new extensions to existing sites.
- c. Note for existing licensed sites, officers will consult individual proprietors on implementing the new conditions.

Designation: Environmental Health Manager

Date: 23 January 2014

Author: Alan Yates

Summary of proposed changes to licence conditions for Holiday and Touring site licences.

General

The main changes to licensing conditions relate to fire safety. Under the Fire (Scotland) Act 2005 all licence conditions relating to fire safety became invalid. In their place sector specific guidance was published by the Scottish Government to clarify how businesses could meet their obligations under the Act.

Site Boundaries

Condition expanded upon to require stock proof fencing where appropriate to minimise bacteriological hazards from animal faeces on site. Also to require sites where grazing is allowed, to be cleared of animals at least 3 weeks prior to use as a caravan site.

Density & Spacing

Removal of conditions relating to separation distances which are intended for fire safety purposes and which have been retained by the sector specific guidance.

Roads Gateways & Footpaths

Conditions generally retained. Access condition simplified to say that access arrangements to be to the satisfaction of the Head of Roads & Transport.

Car Parking

Condition regarding parking between caravans removed for fire safety reasons.

Drinking Water & Waste Water

Conditions have been brought up to date in terms of relevant standards and expanded upon.

Sanitary & Washing Facilities

Conditions generally retained. Reworded to bring them up to date and to clarify the requirements

Buildings

Condition reworded to make it clear that buildings are required to comply with the relevant regulations at the time of construction.

Litter & Refuse Disposal

Condition clarified to ensure refuse collection arrangements do not cause public health nuisance.

All Fire Related Conditions

All conditions have been removed and a single requirement added for a copy of the fire risk assessment, required under the Fire (Scotland) Act 2005, to be provided to the licensing authority on request.

Storage & Use of LPG

Condition updated in terms of current guidance.

Telephone

Condition updated with regard to modern technology.

Electrical Installation

Condition updated in terms of current guidance.

TOURING CARAVAN SITE

CONDITIONS

<p><u>Note:</u> For explanations of the terms used please refer to the definitions given at the end of the conditions.</p>
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1. General

- 1.1 The maximum number of Touring Caravans permitted at any one time:
«numtour»
- 1.2 Permitted period for stationing of Touring Caravans: **1st April to 31st October inclusive.**
- 1.3 The stationing of Holiday Caravans or Residential Caravans is not permitted at any time.
- 1.4 The total number of caravans and tents allowed on the site at any one time shall not exceed. **«numtour»**
- 1.5 If requested by the Council the applicant will submit an up to date site plan indicating the site layout and other such detail as the Council may specify.
- 1.6 The site shall be laid out and maintained in accordance with the site plan approved by the Council.
- 1.7 No amendment or addition, to the site, its layout or buildings on the site shall take place without the prior approval of the Council.

2. Site Boundaries and Use of Land

- 2.1 The boundaries of the site should be clearly discernible on the ground by reference to, for example, fencing; or otherwise defined to the satisfaction of the licensing authority. Where required by the local authority, the boundaries of the caravan site shall be enclosed by stock-proof fencing to the satisfaction of the Council.
- 2.2 If the site is used for grazing or stockholding of animals when closed for use as a caravan site the following precautions must be taken to minimise the risk of infection from E.coli O157:
 - (a) Farm animals must be kept off the fields for at least the preceding 3 weeks prior to opening;
 - (b) Remove any visible droppings at the beginning of the 3 week period;
 - (c) Grass must be mowed, kept short and clippings removed before opening.
- 2.3 Farm animals must be kept off the site while it is in use as a caravan site.

3. Density

- 3.1 The gross density shall not exceed 75 units per hectare, calculated on the basis of the useable area (that is, excluding lakes, roads, common service areas and other areas unsuitable for the siting of caravans) rather than the total site area.

4. Roads, Gateways and Footpaths

- 4.1 The site shall be designed to provide adequate access for fire appliances, other emergency vehicles and refuse vehicles.
- 4.2 No unit standing or toilet block shall be more than 90 metres from a road.
- 4.3 Communal buildings and facilities shall be connected to a road by a footpath of at least 750 mm wide and with a hard surface.
- 4.4 Any roads on the site shall be
- (a) ***not less than 3.7 metres wide with provision for passing places if the width of the road is less than 5.5 metres and is subject to two-way traffic;***
 - (b) adequately surfaced and suitable to carry vehicles for which they are intended;
 - (c) provided with an adequate turning space at the end of a cul-de-sac.
- 4.5 Gateways shall be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres.
- 4.6 Roads shall have no overhead cable less than 6 metres above the ground.
- 4.7 Roads and footpaths shall be suitably lit.
- 4.8 Emergency vehicle routes within the site shall be kept clear of obstructions at all times.
- 4.9 Access to and from the site shall conform to the requirements of the Council's Director of Transport Services.

5. Car Parking

- 5.1 Limited parking shall be provided for any service vehicles or mobile shops that may use the site or for units to pull on to while booking in or out of the site.

6. Drinking Water Supply and Waste Water Disposal

- 6.1 The site shall be provided with a public water supply complying with the British Standard BS 8558 and with the appropriate Water Bye-laws. Where no public supply is available, a private water supply shall be provided, installed in accordance with said code of practice and byelaws and meeting the chemical, bacteriological or other parameters of the Private Water Supply (Scotland) Regulations 2006. The same requirements will apply to any private supply used to augment a public supply.

- 6.2 The water supply system, including all pipes, tanks, fittings or treatment equipment shall be installed and maintained in such manner as to prevent contamination of the supply by animals, contaminated surface water or other contaminants which may pose a health risk. The water supply shall have adequate capacity to meet peak demand on the site without causing failure of supply to any unit or facility on the site and shall be adequately protected against frost at all points of distribution. Any storage tanks serving the water supply shall be provided with lockable covers or doors to prevent access by unauthorised persons.
- 6.3 Water taps with an adequate supply of drinking water shall be provided. Each unit shall be no further than 90 metres from a water tap. At each tap there shall be a trapped gully connected to a suitable drainage system. The facility shall not be used for the disposal of waste water or cleaning purposes.
- 6.4 Waste water disposal points shall be provided. Each unit shall be no further than 90 metres from a waste water disposal point. At each there shall be a trapped gully connected to a suitable drainage system.
- 6.5 There shall be adequate surface water drainage for carriageways, footpaths and paved areas, and for the site generally to prevent ponding, flooding or other accumulations of water.
- 6.6 The site shall be provided with a suitable drainage system that is adequate for the hygienic disposal of foul, rain and surface water from the site, buildings, units carriageways and footpaths.
- 6.7 Satisfactory provision shall be made for foul drainage by connection to a public sewer, or where this is not possible, to a suitable sewage treatment works approved by Planning & Building Standards and the Scottish Environmental Protection Agency as required.
- 6.8 Any sewage treatment plant within the site shall be sited at least 25 metres from any caravan or other habitable structure and suitable protected against vandalism or risk to injury.
- 6.9 Any access lids on tanks forming part of the sewage treatment plant shall be of heavy duty construction or shall be locked to prevent access by children.

7. Sanitation and Washing Facilities

- 7.1 Sanitary and Washing facilities shall be provided in a building or buildings within the site, which shall be of weatherproof construction, adequately lit and ventilated.
- 7.2. If the provision of WCs is not feasible or justified, entry should be confined to units with their own toilets, or chemical closets should be provided.
- 7.2 The following scale of sanitary and washing facilities shall be provided:

- (a) One water closet and one urinal or alternatively two water closets shall be provided for men, per 30 units or part thereof.
- (b) Two water closets shall be provided for women, per 30 units;
- (c) One wash basin with a supply of hot and cold water, soap, and hand drying facilities shall be provided for each water closet or urinal;
- (d) One shower or bath with a supply of hot and cold water shall be provided for each sex per 25 units. The water supply to the shower shall be designed to ensure there is no risk of scalding;
- (e) Provision shall be made in the women's toilets for the hygienic disposal of sanitary towels;
- (f) Properly designed and suitably situated disposal points shall be provided for the contents of chemical closets. A water supply shall be provided adjacent to such points for the cleaning of such containers. The water supply must be clearly labelled as not suitable for drinking. No such point shall be provided within 10 metres of any unit or drinking water point.
- (g) Laundry facilities with one deep sink per 30 units shall be provided in a separate room. Each sink shall have a supply of hot and cold water.
- (h) If tents are allowed on site dish wash facilities of one sink per 30 tents shall be provided. Each sink shall have a supply of hot and cold water

8. Buildings

- 8.1 New buildings on the site and buildings undergoing a change of use or being altered or adapted shall comply with the relevant Building Standards (Scotland) Regulations at the time of construction.
- 8.2 All communal buildings must have adequate internal lighting. There shall be sufficient external lighting so that it is possible for residents to see their way about the site adequately at night, particularly to communal buildings;

9. Litter and Refuse Disposal

- 9.1 A suitable number of wheeled bins shall be provided
 - (a) at each stance or
 - (b) at a communal site in a properly constructed bin store. No unit shall be closer than 10 metres or further than 25 metres from a bin store.
- 9.2 All refuse receptacles shall be emptied and cleansed at regular intervals to prevent Nuisance to site users or other persons from odour or pests.
- 9.3 The site operator must have a contract with a recognised waste collection contractor.

10. Fire and Emergency Precautions

- 10.1 The license-holder must provide a copy of the site fire risk assessment at the request of the licensing authority.

11. Storage and Use of Liquefied Petroleum Gas

- 11.1 Any LPG installations on the site shall conform to British Standard 5482 - 1:2005, If liquefied petroleum gas is to be used on the site, its storage and use in cylinders or similar containers or at fixed bulk containers shall be in

conformity with the relevant Codes of Practice issued or approved by the Health and Safety Executive.

- 11.2 Where a bulk tank supplies more than one dwelling, attention is drawn to The Gas Safety (Installation and Use) Regulations 1998 and relevant Code of Practice issued or approved by the HSE. Any LPG storage tank used to supply gas to multiple consumers should be located only at a site where the person providing the gas supply to consumers has full control over the access to the tank and associated equipment.
- 11.3 All installations shall be carried out by a registered Gas Safe engineer and all shall be serviced and checked annually by a registered Gas Safe Engineer.
- 11.4 A certificate signed by the registered Gas Safe engineer stating that the installations have been serviced and checked as required by the above condition shall be obtained by the site operator and displayed with the site licence.
- 11.5 No exposed gas bottles or cylinders shall be within six metres of an adjoining unit.

12. Solid Fuel Appliances

- 12.1 The use of any solid fuel appliance shall not be permitted within a unit unless a certificate stating the following is produced by a competent person:
 - (a) That the appliance is of a type suitable for use in a unit;
 - (b) That the unit can safely accommodate such an appliance, especially as regards ventilation and wall/floor material and structure;
 - (c) That the appliance has been installed in accordance with the relevant British Standards;
 - (d) That the appliance has been maintained and is in a safe operational condition.

13. Telephones

- 13.1 If the site does not have reliable mobile phone coverage, and if it is practicable to do so, a telephone, shall be provided on the site for calling the police, fire brigade, ambulance or other services in an emergency and the full address of the site shall be displayed beside the telephone.

14. Electrical Installations

- 14.1 The site shall be provided with an electricity supply sufficient in all respects to meet all reasonable demands of units and other facilities on the site.
- 14.2 The electrical installation of the site shall be installed and maintained in accordance with the requirements of the IET Wiring Regulations for the time being in force.
- 14.3 On completion of the site electrical work, the electrical installation of the site shall be inspected by:
 - (a) a professionally qualified electrical engineer;

- (b) a member of the Electrical Contractors' Association;
- (c) a member of the Electrical Contractors' Association of Scotland;
- (d) a certificate holder of the National Inspection Council for Electrical Installation Contracting; or
- (e) a qualified person acting on behalf of one of these (in which case it shall be stated for whom he is acting).

14.4 Before the site is brought into use, and thereafter, at a frequency and in a form prescribed by the IET Wiring Regulations an electrical inspection certificate signed by someone qualified as required in the above condition, shall be obtained by the site operator and displayed with the site licence. A copy of that certificate shall be submitted to the Licensing Authority on request.

14.5 If several caravans are provided with mains electricity by means of cables from a central supply point, the cables shall be laid in such a way as to minimise the risk of damage to the cables or people tripping.

15. Recreational Open Space

15.1 A reasonable space shall be available on the site or nearby for recreational purposes, so located to minimise noise nuisance to caravanners and to adjacent residents, and so sited and/or protected to prevent site traffic entering the space.

16. Disability Discrimination

16.1 Particular consideration should be given to the needs of disabled persons in the provisions made for water points, toilets, washing points and showers and also when considering the surface and gradient of carriageways and footpaths leading to facilities.

17. Safety and Maintenance of Site

17.1 The licence holder shall ensure that any hazards, natural or otherwise, within the site have been identified and that all reasonable measures have been taken to minimise the risks to site users, or any other persons, arising from such hazards.

17.2 The site and all the facilities on it including units shall be maintained in a safe, good, clean and tidy condition.

18. Notices

18.1 A sign approved by the Council shall be displayed at the entrance to the site showing the name of the site, the name and telephone number of the site licence holder or his accredited representative.

18.2 Sites subject to flood risk shall display a notice explaining the flood warning system.

18.3 Sites with overhead electric lines shall display warning notices on the supports for the lines and at the site entrance.

- 18.4 A copy of the site licence with its conditions shall be displayed prominently on the site in a place, which is freely accessible to all users of the site.
- 18.5 Notices shall be displayed on the site indicating the action to be taken in the event of an emergency and showing where the police, fire brigade, ambulance and local doctors can be contacted, and the location of the nearest public telephone.

Note: Throughout this licence and the attached conditions the following definitions will apply:

- 'Caravan' means 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 any tent;
 - 'Touring caravan' means a caravan which is not permanently placed on the site throughout the year or the holiday season;
 - 'Holiday caravan' means a caravan which is, for the most part, permanently placed on the site throughout the season and is used during the summer months and parts of the spring and autumn seasons and/or during the winter for holiday purposes;
 - 'Residential caravan' means a caravan which is permanently placed on the site throughout the year and is in regular, year-round use;
 - 'Unit' means a caravan or a tent, including any associated porches, awnings or similar structures.
 - References to 'the Council' shall be taken to include officers authorised by the Highland Council under the Caravan Sites and Control of Development Act, 1960
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