



LICENCE TO USE LAND AS SITE FOR MOVEABLE DWELLINGS

Torridge District Council **HEREBY** grant to:

a Licence to use the parcel of land within the District situated at:

-----, **as edged in red on attached plan**

as a site for moveable dwellings, (subject to the conditions set out below)

Number of moveable dwellings which may be kept thereon at the same time	
Space to be kept free between any two such dwellings	A minimum 6 metre space shall be maintained between the tents in separate occupation

Conditions

Water Supply

Provide adequate, constant, wholesome supply of water in accordance with water quality standards. Water supplies other than those provided by statutorily appointed water undertaker shall be tested & analysed in accordance with private water supplies legislation. Each pitch shall be no further than 90 metres away from a water supply point.

Sanitary Provisions

Satisfactory provision shall be made for the disposal of foul drainage from all communal facilities; all such facilities to be effectively cleaned and maintained. Facilities shall be provided on the following scales:

- a) one closet and one urinal for men per 15 pitches; two closets for women per 15 pitches
- b) wash hand basins should be provided on a scale of not less than one for men and one for women per 15 pitches
- c) one shower or bath (with running hot and cold water for each sex per 20 pitches)

Access

Emergency vehicles shall have access at all times along a 3.7 metre wide route, if on a way-way system, or 3 metres wide if on a clearly marked one-way system (minimum) to within 45 metres of any tent.

Refuse

Non-combustible refuse bins shall be provided at suitably sited and accessible collection points on site. These shall be provided in sufficient numbers to accommodate all waste produced on site.

Supply and storage of gas

Gas (including natural gas) and oil installations, and the storage of supplies shall meet current statutory requirements, relevant Standards and Codes of Practice.

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

Any relevant certificates shall be provided to Torridge District Council at their request.

Electrical installation

The site shall have an electricity network of adequate capacity to meet safely all reasonable demands of the site and the facilities and services within it.

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.

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. A competent person shall be a professionally qualified electrical engineer, a member of the Electrical Contractors Association (ECA), or a contractor approved by the National Inspection Council for Electrical Installation Contracting (NICEIC).

Compliance 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.

Telephones

An immediately accessible telephone should be available on site for contacting the emergency services.

Notices

A notice and plan shall be displayed on the site setting out the action to be taken in the event of an emergency and stating where the Police, Fire Brigade, Ambulance, Coastguard and local Doctors can be contacted. The notice shall also give the name, location and telephone number of the Licensee or his/her accredited representative.

Attention is directed to the statutory provisions governing the issue and use of licences for land used as a site for moveable dwellings, the relevant paragraphs of which are set out on page 3. Any appeal in pursuance of subsection (4) must be brought within 21 days of the receipt of this Licence.

SIGNATURE _____ Dated _____
Environmental Protection Manager,
the officer appointed for this purpose

SEE NOTES ON PAGE 3

PUBLIC HEALTH ACT 1936

Section 269-(1) For the purpose of regulating in accordance with the provisions of this section the use of moveable dwellings within their district, a local authority may grant -

- (i) licences authorising persons to allow land occupied by them within the district to be used as sites for moveable dwellings: and
- (ii) licences authorising persons to erect or station, and use, such dwelling within the district;

and may attach to any such licence such conditions as they think fit-

- (a) in the case of a licence authorising the use of land, with respect to the number and classes of moveable dwellings which may be kept thereon at the same time, and the space to be kept free between any two such dwellings, with respect to water supply, and for securing sanitary conditions;
- (b) in the case of a licence authorising the use of a moveable dwelling, with respect to the use of that dwelling (including the space to be kept free between it and any other such dwelling) and its removal at the end of a specified period, and for securing sanitary conditions.

(2) Subject to the provisions of this section, a person shall not allow any land occupied by him to be used for camping purposes on more than 42 consecutive days or more than 60 days in any 12 consecutive months, unless either he holds in respect of the land so used such a licence from the local authority of the district as is mentioned in paragraph (i) of the preceding sub-section, or each person using the land as a site for a moveable dwelling holds in respect of that dwelling such a licence from that authority as is mentioned in paragraph (ii) of the said sub-section.

For the purposes of this sub-section, land which is in the occupation of the same person as, and within 100 yards of, a site on which there is during any part of any day a moveable dwelling shall be regarded as being used for camping purposes on that day.

(3) Subject to the provisions of this section, a person shall not keep a moveable dwelling on any one site, or on two or more sites in succession, if any one of those sites is within 100 yards of another of them, on more than 42 consecutive days, or 60 days in any 12 consecutive months, unless either he holds in respect of that dwelling such a licence from the local authority of the district as is mentioned in paragraph (ii) of sub-section (1) of this section, or the occupier of each piece of land on which the dwelling is kept holds in respect of that land such a licence from that authority as is mentioned in paragraph (i) of the said sub-section.

(4) Where under this section an application for a licence is made to a local authority shall be deemed to have granted it unconditionally, unless within 4 weeks from the receipt thereof they give notice to the applicant stating that his application is refused, or stating the conditions subject to which a licence is granted, and, if an applicant is aggrieved by the refusal of the authority to grant him a licence, or by any condition attached to a licence granted, he may appeal to a magistrates' court.

(5) Nothing in this section applies -

- (i) to a moveable dwelling which -
 - (a) is kept by its owner on land occupied by him in connection with his dwelling-house and is used for habitation only by him or by members of his household; or
 - (b) is kept by its owner on agricultural land occupied by him and is used for habitation only at certain seasons and only by persons employed in farming operations on that land; or
- (iii) to a moveable dwelling while it is not in use for human habitation and is being kept on premises the occupier of which permits no moveable dwellings to be kept thereon except such as are for the time being not in use for human habitation.

(6) If an organisation satisfies the Secretary of State that it takes reasonable steps for securing -

- (a) that camping sites belonging to or provided by it, or used by its members, are properly managed and kept in good sanitary condition; and
- (b) that moveable dwellings used by its members are so used as not to give rise to any nuisance, the Secretary of State may grant to that organisation a certificate of exemption.

A certificate so granted may be withdrawn at any time, but while in force shall for the purpose of this section have the effect of a licence -

- (i) authorising the use as a site for moveable dwellings of any camping ground belonging to, provide by or used by members of, the organisation;
- (ii) authorising any member of the organisation to erect or station on any site, and use, a moveable dwelling.

In this sub-section the expression "member" in relation to an organisation includes a member of any branch or unit of, or formed by, the organisation.

(7) A person who contravenes any of the provisions of this section, or fails to comply with any condition attached to a licence granted to him under this section, shall be liable to a fine not exceeding level 1 on the standard scale†, and to a further fine not exceeding £2 for each day on which the offence continues after conviction therefor.

(8) For the purposes of this section -

- (i) the expression "moveable dwelling" includes any tent, any van or other conveyance whether on wheels or not, and, subject as hereinafter provided, any shed or similar structure, being a tent, conveyance or structure which is used either regularly, or at certain seasons only, or intermittently, for human habitation:**
Provided that it does not include a structure to which building regulations apply;
- (ii) the owner of land which is not let shall be deemed to be the occupier thereof;
- (iii) If a moveable dwelling is removed from the site on which it stands, but within 48 hours is brought back to the same site or to another site within 100 yards thereof, then, for the purpose of reckoning any such period of 42 consecutive days as is mentioned in sub-section (2) or sub-section (3) of this section, it shall be deemed not to have been removed or, as the case may be, to have been moved direct from one site to the other.

† Currently £200, subject to alteration by Order.

**Section 269 of the Public Health Act, 1936, does not now apply to a caravan which is defined as "any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, "but does not include:-

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

(Caravan Sites and Control of Development Act 1960, sections 29 and 30)