

## Caravan Sites and Control of Development Act 1960 Section 3 – Site Licence

*Caravan Sites and Control of Development Act 1960,  
Section 3*

*Site Licence*

*Eden*  
District Council

REF: CS71/1

To<sup>(1)</sup> Lowther Holiday Park Limited  
Eamont Bridge  
Penrith  
Cumbria  
CA10 2JB

**1** On 18 July 2011 you applied to Eden District Council ("the Council") for a site licence in respect of land at: <sup>(2)</sup>

Eamont Bridge, Penrith  
CA11 0XD


**2** You are entitled to use the land as a caravan site in accordance with permissions Ref Nos 75/0587, 80/0778, 82/0593, 85/0219, 85/0739, 93/0130, 93/0465, 93/0734, 96/0253, 98/0317, 05/0627, 07/0013, 09/1044 for the use of the land as a caravan site granted under Part III of the Town and Country Planning Act 1990, otherwise than by a development order.

**3** The Council HEREBY GRANTS a licence for the land, under section 3 of the Caravan Sites and Control of Development Act 1960 subject to the following conditions

As per attached Schedule of Conditions

Dated 4 AUGUST 2011

Signed .....

  
Assistant Director (Environmental Services)  
(the officer appointed for this purpose)

### NOTES

- (1) Name and address of applicant, occupier of land.
- (2) Description of the land to be licensed.
- (3) The same period should be stated as that specified in the planning permission (see s4(1)).

**PLEASE READ THE ATTACHED NOTES**

### Notes

Sections 7, 9 and 10 of the Caravan Sites and Control of Development Act 1960 provide as follows:

#### ***Appeal to magistrates' court against any condition attached to site licence.***

- 7** (1) Any person aggrieved by any condition (other than the condition referred to in subsection (3) of section five of this Act) subject to which a site licence has been issued to him in respect of any land may, within twenty-eight days of the date on which the licence was so issued, appeal to a magistrates' court acting for the petty sessions area in which the land is situated; and the court, if satisfied (having regard amongst other things to any standards which may have been specified by the Secretary of State under subsection (6) of the said section five) that the condition is unduly burdensome, may vary or cancel the condition.
- (2) In so far as the effect of a condition (in whatever) words expressed) subject to which a site licence is issued in respect of any land is to require the carrying out on the land of any works, the condition shall not have effect during the period within which the person to whom the site licence is issued is entitled by virtue of the foregoing subsection to appeal against the condition, nor, thereafter, whilst an appeal against the condition is pending.

#### ***Provision as to breach of any condition***

- 9** (1) If an occupier of land fails to comply with any condition for the time being attached to a site licence held by him in respect of the land, he shall be guilty of an offence and liable on summary conviction, in the case of the first offence to a fine not exceeding level 4 on the standard scale of fines\*.
- (2) Where a person convicted under this section for failing to comply with a condition attached to a site licence has on two or more previous occasions been convicted thereunder for failing to comply with a condition attached to that licence, the court before whom he is convicted may, if an application in that behalf is made at the hearing by the local authority in whose area the land is situated, make an order for the revocation of the said licence to come into force on such date as the court may specify in the order, being a date not earlier than the expiration of any period within which notice of appeal (whether by case stated or otherwise) may be given against the conviction; and if before the date so specified an appeal is so brought the order shall be of no effect pending the final determination or withdrawal of the appeal.
- The person convicted or the local authority who issued the site licence may apply to the magistrates' court which has made such an order revoking a site licence for an order extending the period at the end of which the revocation is to come into force; and the magistrates' court may, if satisfied that adequate notice of the application has been given to the local authority or, as the case may be, the person convicted, make an order extending that period.
- (3) Where an occupier of land fails within the time specified in a condition attached to a site licence held by him to complete to the satisfaction of the local authority in whose area the land is situated any works required by the condition to be so completed, the local authority may carry out those works, and may recover as a simple contract debt in any court of competent jurisdiction from that person any expenses reasonably incurred by them in that behalf.

#### ***Transfer of site licences and transmission on death, etc***

- 10** (1) When the holder of a site licence in respect of any land ceases to be the occupier of the land, he may, with the consent of the local authority in whose area the land is situated, transfer the licence to the person who then becomes the occupier of the land.
- (2) Where a local authority give their consent to the transfer of a site licence, they shall endorse on the licence the name of the person to whom it is to be transferred and the date agreed between the parties to the transfer as the date on which that person is, for the purposes of this Part of this Act, to be treated as having become the holder of the licence.
- (3) If an application is made under subsection (1) of this section for consent to the transfer of a site licence to a person who is to become the occupier of the land, that person may apply for a site licence under section three of this Act as if he were the occupier of the land, and if the local authority at any time before issuing a site licence in compliance with that application give their consent to the transfer they need not proceed with the application for the site licence.
- (4) Where any person becomes, by operation of law, entitled to an estate or interest in land in respect of which a site licence is in force and is, by virtue of his holding or interest, the occupier of the land within the meaning of this Part of this Act he shall, for the purposes of this Part of this Act, be treated as having become the holder of the licence on the day on which he became the occupier of the land, and the local authority in whose area the land is situated shall, if an application is made in that behalf to them, endorse his name and the said date on the licence.

(\*Currently £2 500, subject to alteration by Order)

***Caravan Sites and  
Control of Development Act 1960  
Section 5***

***Model Standards 1989:  
Holiday Caravan Sites***

***&***

***Model Standards 1983:  
Touring Caravan Sites***

***Lowther Holiday Park Limited  
Eamont Bridge  
PENRITH  
Cumbria***

***Ref: CS71/1***

***Lowther Holiday Park Limited, Eamont Bridge***

***Schedule of Conditions***

1. The total number of holiday units and touring caravans on the whole site shall at no time exceed six-hundred and twenty-eight (628) and shall be positioned in accordance with the approved layout plans.
2. The licence shall authorise the use of the land as a site for caravans or touring units during the periods from 1 February to 6 January in the following year.
3. Three hundred and forty seven (347) pitches shall be reserved for seasonal holiday homes, fifty nine (59) for single lodges, forty five (45) for twin lodges, eighty (80) for seasonal touring units with ninety seven (97) pitches for casual touring and camping.

***Site Boundaries***

4. The boundaries of the site should be clearly marked, for example by fences or hedges. It is recommended that a 3 metre wide area should be kept clear within the inside of all boundaries.

***Density and Space between Caravans***

5. Subject to the following variations, the minimum spacing distance between caravans made of aluminium or other materials with similar fire performance properties should be not less than 5 metres between units, 3.5 metres at the corners. For those with a plywood or similar skin it should be not less than 6 metres and where there is a mixture of holiday caravans of aluminium and plywood, the separation distance should be 6 metres. For touring caravans the separation distances may be reduced to 3m at the request of the occupants. The point of measurement for porches, awnings etc is the exterior cladding (of the caravan).
  - Porches may protrude 1 metre into the 5 metres and should be of the open type.
  - Where awnings are used, the distance between any part of the awning and an adjoining caravan should not be less than 3 metres. They should not be of the type which incorporates sleeping accommodation and they should not face each other or touch.
  - Eaves, drainpipes and bay windows may extend into the 5 metre space provided the total distance between the extremities of 2 adjacent units is not less than 4.5 metres.
  - Where there are ramps for the disabled, verandas and stairs extending from the unit, there should be 3.5m clear space between them (4.5m if mixture of caravans) and such items should 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, should not intrude into the 5m (or 6m) space.
  - Emergency vehicles should be able to secure access at all times to within 90 metres of any unit on the site.

6. The density should be consistent with safety standards and health and amenity requirements. The gross density should not exceed 60 static caravans or 75 touring units to the hectare, calculated on the basis of the usable area (ie excluding lakes, roads, communal services and other areas unsuitable for the siting of caravans) rather than the total site area.

#### ***Roads, Gateways and Footpaths***

7. Roads and footpaths should be designed to provide adequate access for fire appliances. (Detailed guidance on turning circles etc is available from fire authorities). Roads of suitable material should be provided so that no static caravan is more than 50 metres from a road. Where the approach to the caravan is across ground that may become difficult or dangerous to negotiate in wet weather, each standing should be connected to a carriageway by a footpath with a hard surface. Roads should 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 should be a minimum of 3.1 metres wide and have a minimum height clearance of 3.7 metres. Footpaths should not be less than 0.75 metres wide. Roads should have no overhead cable less than 4.5 metres above the ground. They should be suitably lit taking into account the needs and characteristics of a particular site. Emergency vehicle routes within the site should be kept clear of obstruction at all times.

#### ***Hardstandings***

8. Where possible, every static caravan should stand on a hard standing of suitable material, which should extend over the whole area occupied by the caravan placed upon it, and should project a sufficient distance outwards from the entrance or entrances of the caravan to enable occupants to enter and leave safely.

Hard standings may be dispensed with if the caravans are removed during the winter, or if they are situated on ground which is firm and safe in poor weather conditions.

#### ***Parking***

9. One car only may be parked between adjoining caravans provided that the door to the caravan is not obstructed. Suitably surfaced parking spaces should be provided where necessary to meet the additional requirements of the occupants and their visitors. Plastic or wooden boats should not be parked between units.

#### ***Recreation Space***

10. Where children stay on the site, space equivalent to about one-tenth of the total area should be allocated for children's games and/or other recreational purposes. This provision will normally be necessary because of the limited space available round the caravans, but may be omitted where there are suitable alternative publicly provided recreational facilities which are readily accessible.

### ***Notices***

11. A suitable sign should be prominently displayed at the site entrance indicating the name of the site.
12. A copy of the site licence with its conditions should be displayed prominently on the site.
13. Notices and a plan should be displayed on the site setting out the action to be taken in the event of an emergency. They should show where the police, fire brigade, ambulance and local doctors can be contacted, and the location of the nearest public telephone. The notices should 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 should be displayed giving advice about the operation of the flood warning system.
14. All notices should 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.

### ***Fire Fighting Appliances***

#### ***Fire Points***

15. These should be established so that no static caravan or site building is more than 30 metres and no touring caravan is more than 90 metres, from a fire point. They should be housed in a weather-proof structure, easily accessible and clearly and conspicuously marked "FIRE POINT".

#### ***Fire Fighting Equipment***

16. Where water stand-pipes 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 stand-pipes should be situated at each fire point. There should also be a reel that complies with British Standard 5306 Part 1, with a hose not less than 30 metres long, having a means of connection to a water stand-pipe (preferably a screw thread connection) with a water supply of sufficient pressure and terminating in a small hand control nozzle. Hoses should be housed in a box painted red and marked "HOSE REEL".

Where stand-pipes are not provided but there is a water supply of sufficient pressure and flow, fire hydrants should be installed within 100 metres of every caravan standing. Hydrants should conform to British Standard 750. Access to hydrants and other water supplies should not be obstructed or obscured.

Where stand-pipes are not provided or the water pressure or flow is not sufficient, each fire point should 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***

17. A means of raising the alarm in the event of a fire should be provided at each fire point. This could be by means of a manually operated sounder, eg metal triangle with a striker, gong or hand operated siren. The advice of the fire authority should be sought on an appropriate system.

### ***Maintenance***

18. All alarm and fire fighting equipment should 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 should be kept to record all tests and any remedial action.

All equipment susceptible to damage by frost should be suitably protected.

### ***Fire Notices***

19. A clearly written and conspicuous notice should 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 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 telephone is sited ....)
- iv) Attack 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***

20. Long grass and vegetation should 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 should be removed from the vicinity of caravans. The space beneath and between caravans should not be used for the storage of combustible materials.

### ***Telephones***

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

### ***Storage of Liquefied Petroleum Gas (LPG)***

22. LPG storage supplied from tanks should 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 supplies from a common LPG storage tank, then Guidance Note CS11 "The Storage and 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 should not be within the separation boundary of an adjoining unit.

LPG installations should 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".

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***

- 23) Sites should be provided with an electricity supply sufficient in all respects to meet all reasonable demands of the caravans situated on them.
- 24) Such electrical installations, other than 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 Electricity Act 1947, should 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 (Overhead Lines) Regulations 1988, Statutory Instrument 1988 No 1057.
- 25) Work on electrical installations and appliances should 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 should be inspected periodically: under IEE Wiring Regulations, every year or such longer period (not exceeding three years) as is considered appropriate in each case. When an installation is inspected, it should be judged against the current regulations.

The inspector should, within one month of such an inspection, issue an inspection certificate in the form prescribed in the IEE Wiring Regulations which should 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 should be met by the site operator or licence holder.

If an inspection reveals that an installation no longer complies with the regulations extant at the time it was first installed, any deficiencies should be rectified. Any major alterations and extensions to an installation and all parts of the existing installation affected by them should comply with the latest version of the IEE Wiring Regulations.

- 26) If there are overhead electric lines on the site, suitable warning notices should be displayed at the entrance to the site on supports for the line. Where appropriate, particular attention should be drawn to the danger of masts of yachts or dinghies contacting the line.

#### ***Water Supply***

- 27) All sites should be provided with a water supply in accordance with appropriate Water Bye-laws and statutory quality standards.
- 28) There should be an adequate supply of drinking water. Each touring unit should be no further than 90 metres from a water tap. At each tap there should be a soakaway or gully.
- 29) Waste water disposal points should be provided so that each touring unit should be provided so that each touring unit is no further than 90 metres from a waste water disposal point. The appropriate Water Authority should be consulted about the arrangements for disposal of water likely to be contaminated.

#### ***Drainage, Sanitation and Washing Facilities***

- 30) Satisfactory provision should 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 authority.
- 31) Properly designed disposal points for the contents of chemical closets should be provided, with an adequate supply of water for cleaning the containers.
- 32) For caravans without their own water supply and water closets, communal toilet blocks should be provided, with adequate supplies of water, on at least the following scales:

##### **Men**

9 Water closets (1 per 30 touring units)

9 Urinal stalls (1 per 30 touring units)

18 wash hand basins with hot

11 showers with hot and cold water (1 per 25 pitches)

##### **Women**

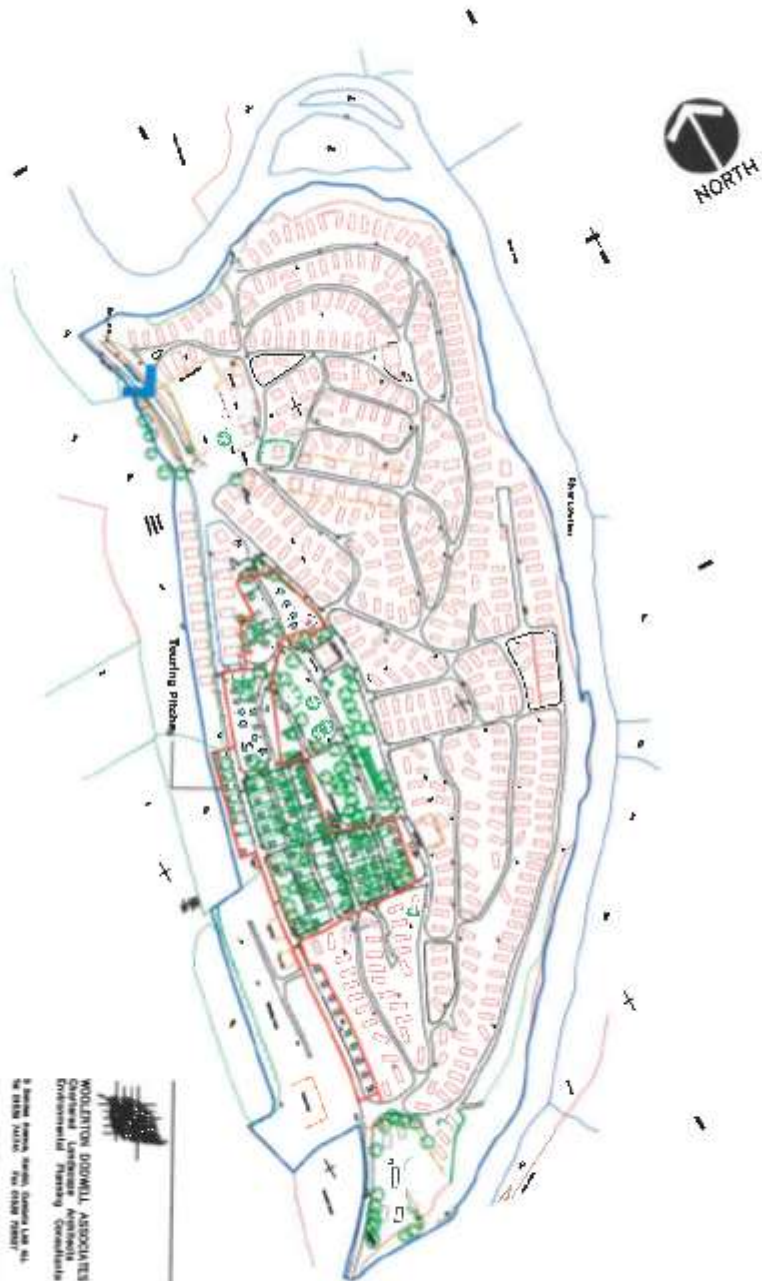
18 Water closets (2 per 30 touring units)

18 wash hand basins with hot and cold water (2 per 30 touring units)

Toilet blocks should be sited conveniently so that all site occupants may have reasonable access to one by means of a road or footpath.

***Refuse Disposal***

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



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LOWTHER HOLIDAY PARK

## Location Plan

Scale: 1:1000  
 Date: 12/03/08  
 Drawn: J. D.